



September 4, 2024

**VIA Email to the Office of the Governor and Author**

The Honorable Gavin Newsom  
Governor of California  
State Capitol  
Sacramento, CA 95814

**Re: AB 544 (Bryan) - Voting: County Jails – REQUEST FOR GOVERNOR'S SIGNATURE**

Dear Governor Newsom:

The League of Women Voters of California writes as co-sponsors to request your signature on AB 544 (Bryan) for a pilot program to facilitate in-person voting in jails in three counties – San Mateo, San Benito, and Santa Cruz. The legislation would require, upon appropriation, that the Secretary of State provide grants to the three counties, to support collaboration between county elections officials and sheriff's departments to pilot and evaluate efforts to improve voter participation for citizens temporarily held in county jails or similar facilities. These pilots will help develop a California model of cost-effective voter involvement, address racial disparities in voter turnout, and support rehabilitative civic engagement among low-income people pushed to the fringes of society.

The League of Women Voters of California has long advocated to expand the voting rights of people impacted by the criminal justice system. In 1974 we were proponents of Proposition 10 that amended the state constitution to end lifetime disenfranchisement. In 2006 we were a plaintiff in *League of Women Voters v. McPherson*, where a unanimous court held that "imprisoned" meant in a state prison, and that only those people serving time for a felony conviction in a state prison or who are on parole were ineligible to vote. In 2014 the League was a plaintiff in *Scott v. Bowen*, a case restoring voting rights to more than 50,000

Californians sentenced under the Criminal Justice Realignment Act of 2011. We co-sponsored AB 2466 (Weber, 2016), legislation that codified and fleshed out the court's decision in *Scott v. Bowen*. In 2020 we co-sponsored ACA 6 (McCarty) and were proponents of the successful ballot measure to restore voting rights to people on parole. Finally, we co-sponsored ACA 4 (Bryan) to restore voting rights to people completing a prison sentence.

California has a long history of denying ballot access to people who are not white. Black, Latino, Indigenous and Asian Californians have been denied equal access to voting through constitutional fiat, literacy tests, English-only ballots, and, historically, refusal of citizenship to Native Americans and Chinese. The legacy of voter disenfranchisement continues today as a disproportionate number of Black, Latino, and Indigenous people are locked up in jails and prisons.

California law provides that eligible voters held in jails, including those held pre-trial for lack of bail, held post-sentence, or due to a probation or parole violation, must be allowed to vote. However, while mail-in voting is available, Californians incarcerated in jails are often unaware of their rights or unable to access the means to exercise them and lack critical support from jail administrators and county elections officials. For example, they are unable to use same-day registration, which is often needed by people who move frequently. Having the right to vote is illusory when impediments make the act impossible.

There are models of voter engagement in California and other states that have increased voter participation among those held in local jails. In Los Angeles County, the LA Registrar, in collaboration with the LA Sheriff, used flex and mobile voting centers to get 1,700 incarcerated voters registered at two jail facilities in L.A. during the 2020 election. Cook County jail in Chicago established

its first jail-based polling location in 2020. Before polling stations were established in jail, voter turnout was less than 7 percent by mailed ballot. By contrast, the first year that polling stations were introduced inside, voter turnout increased to 37 percent. And in the June 2022 primary, people in the Cook County jail turned out at a higher rate than registered voters in Chicago. The availability of same-day registration was a key component in the success of the program.<sup>1</sup>

AB 544 (Bryan) will provide much needed access for eligible voters incarcerated in jails and is a step forward to ensure that our democracy works for everyone. Importantly, the evaluations of these pilots will support future efforts for a safe, secure and cost-effective means of increasing voter turnout for low-income people. Civic engagement and voter participation inspires a sense of community, and a sense of citizenship. In this way, voting reduces recidivism and builds public safety. For these reasons, the League of Women Voters of California is co-sponsoring AB 544 (Bryan) and we respectfully request your signature of the bill into law.

Sincerely,



Dora Rose  
Deputy Director

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<sup>1</sup>Awan, Naila. Prison Policy Initiative. "Jail-based polling locations: A way to fight voter disenfranchisement." October 25, 2022. [prisonpolicy.org/blog/2022/10/25/jail\\_voting](https://prisonpolicy.org/blog/2022/10/25/jail_voting)