



May 15, 2024

**VIA Online Portal to Author and Senate Committee on Elections and
Constitutional Amendments and Senate Committee on Public Safety**

The Honorable Isaac Bryan
California State Assembly
1021 O St., Ste. 5630
Sacramento, CA 95814

Re: AB 544 (Bryan) - Voting: County Jails – CO-SPONSOR SUPPORT

Dear Assemblymember Bryan:

The League of Women Voters of California writes as co-sponsors in support of AB 544 (Bryan), which will initiate a pilot program to place a polling location within certain county jails, permitting any eligible incarcerated person to register to vote and vote at those jails.

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 currently co-sponsor 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 transient populations. 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 L.A. Registrar, in collaboration with the L.A. 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.¹

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.

Sincerely,



Dora Rose
Deputy Director

¹Awan, 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