

HOW YOUR VOTE MATTERS

DISTRICT ATTORNEY

As you can see reading Brandon's story (inside), the DA decides which criminal cases to prosecute and guides sentencing. The DA reviews complaints against police officers and decides whether or not to prosecute them.

CITY COUNCIL

Your representative makes important decisions about the future of your neighborhood, including how to spend local tax dollars. They distribute funds for road repair, parks, city development projects, and often oversee police.

SCHOOL BOARD

School board members hire/fire the local superintendent (who sets overall district policies, including disciplinary rules), set the budget, approve contracts for teachers, and decide where to open or close schools.

JUDGES

Judges have enormous authority over our lives by interpreting the law, deciding what evidence is heard in a case, and deciding how long to sentence someone convicted of a crime.

LOCAL & STATE INITIATIVES AND BONDS

As seen in Brandon's story (inside), initiatives can have a dramatic impact on our lives. Citizens or the state legislature can put a measure on the ballot for the people to vote on. If they're passed, they become law. They can change the tax system and the criminal justice system, including upholding or ending the death penalty or sentencing guidelines. Bonds ask voters to decide how public money will be spent and can have a positive or negative effect on your community.

SHERIFF

The sheriff runs the county jails, and is also in charge of enforcing the law throughout the county, just like a chief of police. Deputies arrest and detain suspects and patrol the county.

GOVERNOR

Your governor signs bills into law (and can veto bills as well). They make important appointments to state agencies, including the state's school superintendent, and can grant commutations and pardons to prisoners.

U.S. CONGRESS/SENATE

Members of Congress and the Senate write laws—any of which can have a profound impact on you. Your representatives can help if you're experiencing a problem with a federal agency, like the IRS, Social Security, or veterans issues.

PRESIDENT

The president symbolizes the goals and beliefs of the country and makes sure the government does its job. The president is Commander in Chief of the armed forces and plays a huge role in shaping responses to international crises.

WHY YOUR VOTE MATTERS



A guide to **voting** for people with a criminal conviction

prepared by the ACLU of California Voting Rights Project

**LET ME
VOTE**
Campaign

ACLU
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
Northern
California

ONGOING FIGHT TO VOTE

How voting can change a life

Brandon Duncan is a father, uncle, son, grandson, friend, activist, and renowned rapper from Southeast San Diego. Performing as Tiny Doo, Duncan has made a name for himself as an artist who portrays the realities of being poor and black in America.

In the summer of 2014, Duncan was arrested and thrown in jail. Using a gang conspiracy penal code (P.C. 182.5) that no other DA has used, **San Diego's District Attorney Bonnie Dumanis** charged Duncan and 33 other black men with a series of shootings that prosecutors admit the men were not actually involved in.

Under P.C. 182.5, **these men were held responsible for crimes they did not commit** because the DA argued they "benefited" from the criminal activity. In Duncan's case, she said the "benefit" was praise for his latest free mixtape, *No Safety*.

The community reacted strongly in support of the 34 men, questioning how such a blatantly unjust law existed. The answer: in 2000, **Californians voted for Proposition 21**, a ballot initiative that created new gang conspiracy laws—including P.C. 182.5. Most voters likely had no idea the drastic effects that this obscure provision could have.

Duncan was devastated when he learned that **he was jailed because people voted the harsh penal code into law**. "That means because my own community did not vote and did not counter the 'throw-them-all-in-jail' voters, I was charged with this insane law," said Duncan.

After seven long months in jail, Duncan's charges were dropped. After his release, Duncan committed himself to advocating for community unity and participation in elections. "I'm fighting for our voting rights because I never want something this horrible to happen to any of my sons. **We have to realize the decision we make today to not vote could literally destroy the next generation of young men of color.**"

HISTORICAL RESTRICTIONS ON VOTING

- **U.S. Constitution & Slavery** Non-white men were counted as 3/5 of all other persons, women weren't counted at all, and neither were allowed to vote. This ended for men when the 13th, 14th, and 15th Amendments were passed and abolished slavery, guaranteed equal protection under the law for all men, and said governments can't deny the right to vote based on race, color, or having been a slave.
- **Jim Crow Laws** Southern states were livid at the passage of those three "Reconstruction Amendments." In response, they passed "Jim Crow laws" to make it harder for black citizens to register and vote. Literacy tests, poll taxes, and laws prohibiting people with a criminal conviction from voting were specifically designed to suppress black political power.
- **20th Century Voter Suppression** Many religious and paramilitary groups enforced the suppression until the Voting Rights Act of 1965 was passed and the U.S. put teeth into prohibiting racial discrimination in voting. The VRA resulted in the mass enfranchisement of racial minorities, most notably in the South. It is considered the most effective piece of civil rights legislation ever enacted in the country.
- **21st Century Disenfranchisement** Sadly, since 2008, states across the country have passed measures making it harder for Americans to vote—especially people of color, the elderly, students, the poor, and people with disabilities. These measures include voter ID laws, cuts to early voting, purges of voter rolls, and ongoing "felony disenfranchisement," the stripping away of a person's right to vote because of a criminal conviction.



FIGHTING TO RESTORE VOTING RIGHTS

The ACLU has been fighting the rollback of voting rights in the courts, Congress, and state and local legislatures. In 2020, the ACLU and our partners passed Prop 17 through the ballot, restoring voting rights to more than 50,000 people on parole." This means **the only time you are not allowed to vote is if you are currently serving a state or federal prison sentence.**

YOU CAN VOTE IF:

- You are in county jail serving a misdemeanor sentence.
- You are in jail as a condition of probation.
- You are currently on probation, mandatory supervision, or post-release community supervision.
- You are serving a county jail sentence under Realignment.
- You are currently on parole.

Your right to vote is automatically restored when you complete your prison time, but you must re-register to vote! See the insert to find out how.