

California's AB 2466

Beating Back Jim Crow 2.0

Learn how politicians and segregationists stripped political power from people of color by taking away their right to vote...and are still trying to do so today.

AB 2466, a bill being debated in the California legislature right now, fixes this.

Please contact your legislators and ask them to **Vote YES on AB 2466!**



THE SHAMEFUL HISTORY: Jim Crow 1.0

When the Civil War ended and federal law required civil rights protection for freed slaves through the "Reconstruction Amendments" (the 13th, 14th, and 15th amendments to the Constitution), Southern states were livid.

They passed "Jim Crow laws," which **officially segregated black people from whites**. Even so, blacks were still elected to office until the states began passing laws to make voter registration and voting difficult, if not impossible, for black citizens.



In the early 20th century, the former Confederate states passed laws that effectively disenfranchised most blacks by using poll taxes, literacy tests, and residency requirements. When people pushed back against these laws, they were viciously and violently suppressed.

This is also when politicians created laws to permanently strip the right to vote from people with a criminal conviction, called "**felony disenfranchisement**," effectively removing them from our democracy forever.

Not until President Lyndon Johnson signed the historic Civil Rights Act of 1964 and the Voting Rights Act of 1965 did most of the state-sanctioned barriers to voting end. But felony disenfranchisement laws remained intact, even here in California, becoming Jim Crow 2.0.

THE PROBLEM TODAY: Jim Crow 2.0

Since 2008, states across the country have passed measures like voter ID laws that make it harder for Americans to vote—especially people of color, the elderly, students, and the poor. In California, the state has moved proactively to take the right to vote away from people with a criminal conviction.

In California alone, three out of every four men in prison are either African American, Latino, or Asian American. In addition, many children in communities of color and poorer neighborhoods are funneled out of public schools and into the juvenile and criminal justice systems, creating a "school-to-prison pipeline."

This isn't right and it isn't what Californians want. In 1976, the state constitution was amended to end permanent disenfranchisement. It stated that **the only people to be prohibited from voting are people who are currently "imprisoned" or on parole for the conviction of a felony.**

In 2011, the Criminal Justice Realignment Act created three new categories of sentencing for people convicted of low-level felonies: mandatory supervision, post-release community supervision, and a term in county jail. Though former Secretary of State Debra Bowen attempted to exclude people in these categories from voting, an ACLU challenge in *Scott v. Bowen* clarified that people sentenced under the first two categories were qualified to vote, resulting in **50,000 people having their voting rights restored**. People serving a term in county jail, the third category, would have their voting rights restored by AB 2466.

THE SOLUTION: AB 2466 (Weber)

AB 2466, "Building a More Inclusive Democracy," is co-authored by San Diego Assemblywoman Shirley Weber and Los Angeles Senator Holly Mitchell. It will **clarify California law on voter eligibility and will guarantee a more inclusive and participatory electorate.**

AB 2466 will:

- **Clarify who can vote with a criminal conviction in California**
- **Create consistent language** in the Election Code about who can and who cannot vote if they have a criminal conviction
- Ensure that people sentenced under the **Criminal Justice Realignment Act of 2011** will keep their right to vote
- **Guarantee that juveniles keep their right to vote** when they turn 18, even if they have been judged to have committed a delinquent offense
- Clarify the information courts send to election officials so that **no eligible voter is mistakenly denied their right to vote.**

Our democratic system works best when regular citizens express their views through their votes.

By calling on our legislators to Vote YES on AB 2466, we will move our state to end voter suppression and say NO to Jim Crow 2.0 in California.



ACLU of California Voting Rights Project

619.232.2121 votingrights@acluca.org www.aclusandiego.org/voting-rights

For more information about **AB 2466**, contact Lori Shellenberger lshellenberger@acluca.org

To find your senator and assemblymember, go to:
http://www.legislature.ca.gov/legislators_and_districts/legislators/your_legislator.html

STATE SENATE

All Senate emails: senator.last-name@senate.ca.gov
Example: Senator Ted Gaines = senator.gaines@senate.ca.gov

Dist 1 - Ted Gaines	Dist 21 - Sharon Runner
Dist 2 - Mike McGuire	Dist 22 - Ed Hernandez
Dist 3 - Lois Wolk	Dist 23 - Mike Morrell
Dist 4 - Jim Nielsens	Dist 24 - Kevin DeLeon, President pro tempore
Dist 5 - Cathleen Galgiani	Dist 25 - Carol Liu
Dist 6 - Richard Pan	Dist 26 - Benjamin Allen
Dist 7 - Steven Glazer	Dist 27 - Fran Pavley
Dist 8 - Tom Berryhill	Dist 28 - Jeff Stone
Dist 9 - Loni Hancock	Dist 29 - Bob Huff
Dist 10 - Bob Wieckowski	Dist 30 - Holly Mitchell
Dist 11 - Mark Leno	Dist 31 - Richard Roth
Dist 12 - Anthony Cannella	Dist 32 - Tony Mendoza
Dist 13 - Jerry Hill	Dist 33 - Ricardo Lara
Dist 14 - Andy Vidak	Dist 34 - Janet Nguyen
Dist 15 - Jim Beall	Dist 35 - Isadore Hall
Dist 16 - Jean Fuller	Dist 36 - Patricia Bates
Dist 17 - Bill Monning	Dist 37 - John Moorlach
Dist 18 - Robert Hertzberg	Dist 38 - Joel Anderson
Dist 19 - Hannah Jackson	Dist 39 - Marty Block
Dist 20 - Connie Leyva	Dist 40 - Ben Hueso

STATE ASSEMBLY

All Assembly emails: assemblymember.last-name@asm.ca.gov
Example: Assemblymember Brian Dahle = assemblymember.dahle@asm.ca.gov

Dist 1 - Brian Dahle	Dist 25 - Kansen Chu
Dist 2 - Jim Wood	Dist 26 - Devon Mathis
Dist 3 - James Gallagher	Dist 27 - Nora Campos
Dist 4 - Bill Dodd	Dist 28 - Evan Low
Dist 5 - Frank Bigelow	Dist 29 - Mark Stone
Dist 6 - Beth Gaines	Dist 30 - Luis Alejo
Dist 7 - Kevin McCarty	Dist 31 - Vacant
Dist 8 - Ken Cooley	Dist 32 - Rudy Salas, Jr.
Dist 9 - Jim Cooper	Dist 33 - Jay Obermolte
Dist 10 - Mark Levine	Dist 34 - Shannon Grove
Dist 11 - Jim Frazier	Dist 35 - Katcho Achadjian
Dist 12 - Kristin Olsen	Dist 36 - Tom Lackey
Dist 13 - Susan Eggman	Dist 37 - Das Williams
Dist 14 - Susan Bonilla	Dist 38 - Scott Wilk
Dist 15 - Tony Thurmond	Dist 39 - Patty López
Dist 16 - Catharine Baker	Dist 40 - Mark Steinorth
Dist 17 - David Chiu	Dist 41 - Chris Holden
Dist 18 - Rob Bonta	Dist 42 - Chad Mayers
Dist 19 - Philip Ting	Dist 43 - Mike Gatto
Dist 20 - Bill Quirk	Dist 44 - Jacqui Irwin
Dist 21 - Adam Gray	Dist 45 - Matthew Dababneh
Dist 22 - Kevin Mullin	Dist 46 - Adrin Nazarian
Dist 23 - Jim Patterson	Dist 47 - Cheryl Brown
Dist 24 - Richard Gordon	Dist 48 - Roger Hernández

Dist 49 - Ed Chau	Dist 65 - Young Kim
Dist 50 - Richard Bloom	Dist 66 - David Hadley
Dist 51 - Jimmy Gomez	Dist 67 - Melissa Melendez
Dist 52 - Freddie Rodriguez	Dist 68 - Donald Wagner
Dist 53 - Miguel Santiago	Dist 69 - Tom Daly
Dist 54 - Sebastian Ridley-Thomas	Dist 70 - Patrick O'Donnell
Dist 55 - Ling Ling Chang	Dist 71 - Brian Jones
Dist 56 - Eduardo Garcia	Dist 72 - Travis Allen
Dist 57 - Ian Calderon	Dist 73 - William Brough
Dist 58 - Cristina Garcia	Dist 74 - Matthew Harper
Dist 59 - Rignald Jones-Sawyer	Dist 75 - Marie Waldron
Dist 60 - Eric Linder	Dist 76 - Rocky Chávez
Dist 61 - Jose Medina	Dist 77 - Brian Maienschein
Dist 62 - Autumn Burke	Dist 78 - Toni Atkins
Dist 63 - Anthony Rendon, Speaker	Dist 79 - Shirley Weber
Dist 64 - Mike Gipson	Dist 80 - Lorena Gonzalez

SAMPLE EMAIL LANGUAGE

Use one or two of the following points in an email to your state legislators (and/or on Facebook posts!):

- It is unacceptable in 2016 for California to retain vestiges of the 150-year-old Jim Crow era. Our current criminal justice system effectively takes the vote away from hundreds of thousands of people of color, particularly the African American and Latino communities. AB 2466 will change that in our state.
- Current laws about when a person with a criminal conviction can vote are extremely confusing and lead many with *any* contact with the criminal justice system to believe that they cannot vote.
- Clarifying voter eligibility is essential to guarantee the integrity of our elections. State law must be crystal clear so that elections officials don't wrongfully deprive people of the right to vote and don't mistakenly inform people that they're eligible when they aren't.
- As my elected official, you have a duty to interpret any voting law ambiguity in favor of *enfranchising* people. This issue has been clarified by the courts. California cannot be in the business of keeping otherwise eligible voters from the polls.

SAMPLE TWEETS

Messaging in 140 characters or less!

- Who could legally vote in the Civil War era? All men. Who was allowed to vote? White men. CA is changing that. #AB2466 #No2JimCrow
- Too many Californians w/past criminal convictions are unsure of their voting rights. Clear this up w/#AB2466. Say #No2JimCrow in CA!
- In CA 3 of 4 men in prison are black, brown or Asian. CA's #AB2466 says #No2JimCrow by giving voters of color the straight story.
- #AB2466 #No2JimCrow End CivilWar era disenfranchisement. Stand w/@AsmShirleyWeber. Support #votingrights for those w/criminal conviction.
- #AB2466 #No2JimCrow End CivilWar era disenfranchisement. Stand w/@HollyJMitchell. Support #votingrights for those w/criminal conviction.