

**DEMOCRACY**



**NEEDS**



**EVERYONE**



**THE URGENCY OF ENDING FELONY  
DISENFRANCHISEMENT IN CALIFORNIA**



MARCH 2019

# DEMOCRACY NEEDS EVERYONE REPORT / 2019

# AUTHORS & CONTRIBUTORS

## AUTHORS

Taina Vargas-Edmond

Gregory Fidell

Lisa Schottenfeld

Sasha Feldstein

## PRESENTED BY

Initiate Justice

## RESEARCH / WRITING CONTRIBUTORS

Hugo Gonzalez

Richard Edmond-Vargas

James Doernberg

Eric Henderson

Kristine Boyd

Arvene Knox

## PHOTOGRAPHY

Mike Dennis

## DESIGN

Julie Mai

# TABLE OF CONTENTS

<b>INTRODUCTION</b>	<b>1</b>
<b>EXECUTIVE SUMMARY</b>	<b>3</b>
<b>KEY FINDINGS</b>	<b>5</b>
<b>DEMOGRAPHICS &amp; METHODOLOGY</b>	<b>9</b>
<b>BACKGROUND</b>	<b>11</b>
<b>I. “DEMOCRACY NEEDS EVERYONE”</b>	<b>13</b>
<b>II. “WE DO WHAT WE CAN FOR EACH OTHER”</b>	<b>17</b>
<b>III. “I WANT EVERYONE TO FEEL SAFE”</b>	<b>19</b>
<b>RECOMMENDATIONS</b>	<b>21</b>
<b>CONCLUSION</b>	<b>23</b>
<b>ABOUT INITIATE JUSTICE</b>	<b>25</b>
<b>ACKNOWLEDGMENTS</b>	<b>27</b>
<b>END NOTES</b>	<b>28</b>

# INTRODUCTION

## “I Want to Be a Voter”

by *Juan Moreno Haines*

After 23 years of incarceration, my lived experience is one of witnessing and documenting negative treatment by those who hold power in our society toward the powerless ones. I have felt powerless because I am restricted from voting – the result being I have no say in policies that affect my everyday life.

Part of my rehabilitation involves understanding the effect that my crimes had on our community. As I began to understand what I’ve done, I became acutely aware of what my harmful behavior produced – a loss of connection to the place where I grew up, went to school, and made friends. That made me conscious of society’s sole intent for incarcerating me – punishment. I accepted it, embraced it, and learned from my mistakes.

Over time, however, I began to realize that I have a stake in my community as a citizen of the state of California, even if I have been separated from society. **In truth, my stake has always been there, and as I talk to other incarcerated people who are truly doing the work of making themselves better citizens, I realize that giving every citizen voting rights expedites the re-building process of our communities, one person at a time.**

Even though I am incarcerated, I am grateful and do not take for granted that the United States Constitution empowers my citizenship. Citizenship endows me with inalienable rights such as equality, the pursuit of happiness, various natural freedoms, and the right to free speech. **Yet, here I sit atop my bunk, locked inside my cell with the desire to cast my vote, but I cannot.** I think of the concept dear to the American style of democracy, “One person, one vote,” and wonder why my personhood is not recognized.

When people ask me why I want to vote, I tell them that incarceration took many things away from me, but it did not take away my citizenship. **When people ask me why I want to vote, I say, “Democracy Needs Everyone.” And “everyone” includes people in prison and on parole.** I believe we all can contribute positively to our political system if given the chance.

A handwritten signature in blue ink that reads "Thanks Juan". The signature is written in a cursive, flowing style.



**UNLOCKING**  
power inside  
and out.

# EXECUTIVE SUMMARY

The United States of America is both a global leader, and an outlier, in felony disenfranchisement. According to the Sentencing Project and Human Rights Watch, the U.S. has some of “the world’s most restrictive” felony disenfranchisement laws, and no other democracy in the world restricts people with felony convictions from voting for life.<sup>1</sup> Many countries (such as Denmark, France, Japan, the Netherlands, Norway, and Sweden, to name a few) never remove a person’s right to vote, even while incarcerated, while only two states in the U.S. (Maine and Vermont) allow people to vote in prison.<sup>2</sup>

**In California, people currently incarcerated in state prisons or on parole for the conviction of a felony do not have the right to vote. There are approximately 162,000 citizens in the state (110,000 in state prison, 12,000 in federal prison, and 40,000 people on parole) whose voting rights have been restricted solely for that reason.<sup>3</sup>**

For some, this can mean a lifetime without voting - many people have sentences of life without the possibility of parole or death sentences. Thousands more are sentenced to life and ultimately released, but are then placed on “life parole”, and can possibly spend the rest of their lives on parole without the right to vote. These voting restrictions placed upon people in prison and on parole are written into the state constitution, meaning that any change to this law must be achieved through the ballot initiative process.

**In 2017, Initiate Justice launched a campaign to restore voting rights to the California citizens who are currently incarcerated in state prison or on parole.** This campaign is driven by the belief that voting is a fundamental civil right, and that we are all losing out when these individuals are unable to participate in our democracy. We believe the removal of the right to vote is not based in an interest in public safety, but in a punitive justice belief system that intentionally attempts to rob marginalized people of their political power.



**As part of this campaign, Initiate Justice wanted to gain a better understanding of how the political system in California might change if the voting rights of these 162,000 people in prison and on parole were restored.** We wanted to know whether those who are incarcerated and on parole want to be able to vote, the political issues they care about most, ways in which they are currently civically engaged despite being denied this right, and their insights on the types of public investments that could help prevent incarceration and promote public safety. We were also interested in demographic data that would show who is being denied this right, and the impact voting rights restoration could have in promoting justice and equal rights.

**To gain this understanding, Initiate Justice mailed a survey to its 4,000+ incarcerated members in 35 California state prisons and surveyed its members on parole, receiving 1,085 responses. From these responses, we learned:**



**People who are incarcerated and on parole want to vote.**

They care about issues that affect everyone, not just themselves, and have ideas about how to make our country a better place.



**People who are incarcerated and on parole contribute to their community in a variety of ways.**

They are trying to have a positive impact despite their circumstances, and we would all benefit by hearing their voices, as they grapple with social issues, political concerns, and ideas for a better future.



**People who are incarcerated and on parole believe that restoring the right to vote would improve public safety.**

A majority of respondents indicated that voting would help prevent them from returning to prison, and many had policy proposals on how to prevent incarceration in the first place.

This report explores how California’s political system can improve if we abolished all felony disenfranchisement laws in the state. We share the findings of our survey with the goal of uplifting the voices of people in prison and on parole who are barred from the voting process, and to reveal the reality that we as a society are losing by excluding them. Especially considering the existing research that shows voter disenfranchisement increases the likelihood of recidivism<sup>4</sup> and our newfound research indicating incarcerated people believe voting will help them feel more connected to society, we must also view the restoration of voting rights as a proposal to increase public safety.

There is no room in a free democracy for voter disenfranchisement. Removing a person’s right to vote when they are convicted of a felony is a legacy of slavery and Jim Crow in the U.S.<sup>5</sup>, and to progress as a country, we must abolish this archaic practice. California must remove the voting restrictions on people in state prison and on parole, restoring voting rights to all, and become the third state in the U.S. to never remove a person’s right to vote because of a felony conviction.

# KEY FINDINGS

Our survey data demonstrate that despite having voted at low rates before being incarcerated, the vast majority of respondents now want to be able to vote to contribute to society in a positive way, feel like a member of a larger community, and have a voice in our political process.

Respondents care about a range of political issues that affect their entire communities, not just criminal justice policy. They have many ideas for policies that could promote greater public well-being, including expanded access to healthcare, education, and building a more just criminal justice system.

Only **37%**  
said they  
**voted before**  
they were  
incarcerated,



but **98%**  
say they  
would vote now  
if they could.

## Top three reasons why people in prison and on parole said they wanted to vote :

**95%** want  
to have a  
voice in  
society.

**93%** want  
to contribute  
positively to  
their community.

**93%** want  
to have a say  
in elected  
leadership.

## Top three political issues that people in prison and on parole listed as “very important” :



**94%**

Jobs and economy



**94%**

Education



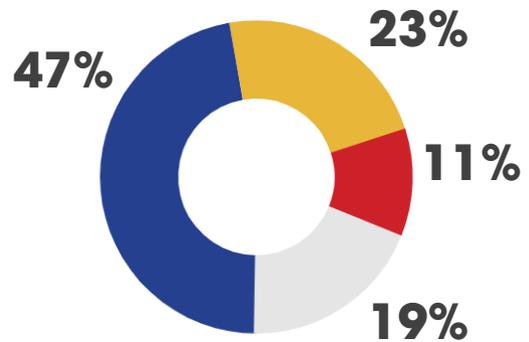
**92%**

Healthcare

**91%** said that reducing crime and improving public safety is “very important,” and the top three conditions they identified that would have helped prevent their own incarceration were:

- Fairer laws (75%)
- Other supportive services, such as mentoring and mental health treatment (66%)
- Fairer treatment by law enforcement (65%)

Political party respondents said they would register to vote with:



Democrat

No party preference

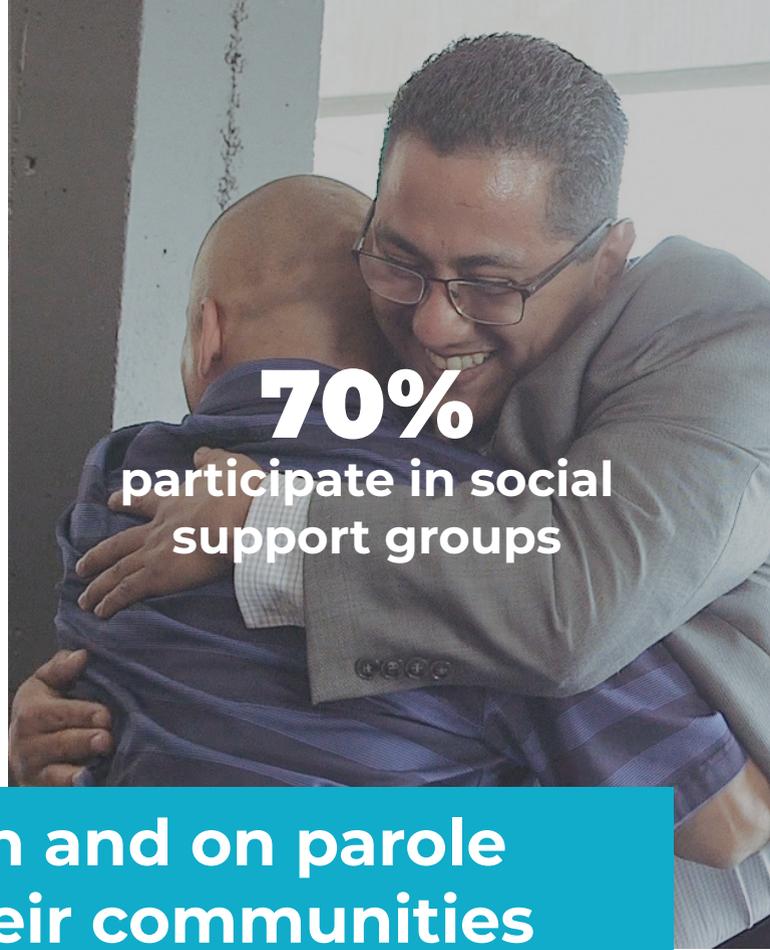
Republican

“Other party” or no response

Also worth noting, **95%** of people in prison and on parole said they **believe District Attorneys should focus on healing for crime survivors.**



**70%**  
work or participate in  
vocational training

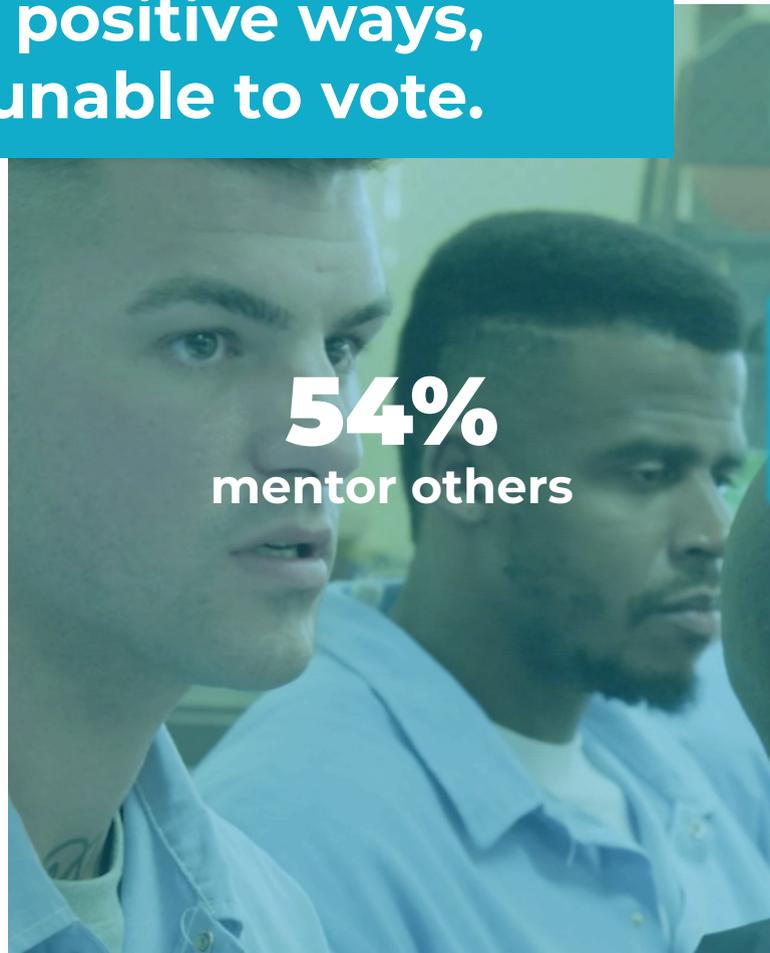


**70%**  
participate in social  
support groups

**People in prison and on parole  
contribute to their communities  
in a number of positive ways,  
despite being unable to vote.**



**61%**  
are in school



**54%**  
mentor others

**86%** said that voting would help them feel *more connected to their communities.*



**Overall,**  
**more than half (54%)**  
*said they believed  
voting would help  
them stay out of jail.*



**For people on parole,** who  
are already reintegrating into  
their communities,

***the number of respondents who said  
they believe voting would help them  
stay out of jail increased to 76%.***

Additionally, **64%** of people in prison  
and on parole **said access to a job  
would have helped prevent their  
incarceration,** and **63%** said a better  
paying job would have helped  
prevent their incarceration.



# DEMOGRAPHICS & METHODOLOGY

**Data in this report was collected via a paper survey of Initiate Justice members who are currently incarcerated in California prisons and on parole.** The survey was designed by a four-person research team led by one team member with an incarcerated loved one, and one who was incarcerated at the time of the survey. Initiate Justice mailed the survey to its more than 4,000 members in 35 California prisons in June 2018. ***The survey was fielded over 3 months and resulted in 1,085 responses by September 30, 2018.***

Survey respondents were 92% male, 7% female, and 1% transgender or gender non-conforming, with approximately two-thirds being 40 years of age or older. While the gender ratio aligns with that of the overall California prison population<sup>6</sup>, those in our sample tended to be older than this group. About one third (31%) of our respondents were Black, while 22% were Latino, 21% were White, nearly 2% were Native American, 2% were Asian/Pacific Islander, 11% were multiracial, 5% identified as another race or ethnicity, and 7% did not provide race/ethnicity data. Because of differences in data collection methods for race/ethnicity, we could not compare this data to that of the overall California prison population. Two-thirds of our sample indicated that they had been incarcerated more than once.

All denominators include the entire sample, including those who may not have responded to each question on the survey. For example, if a respondent did not indicate that any of the political issues provided as part of a multiple choice question were important to them, we assumed that none of the issues listed were a priority for the respondent (rather than assuming they skipped the question), and included them in the denominator.

To our knowledge, very little research has been systematically conducted on the civic engagement and political priorities of those who are currently incarcerated in California. Therefore, while this survey was limited to Initiate Justice's members and is not necessarily a representative sample of the entire California prison population, it offers a groundbreaking perspective on why those who are incarcerated want to be able to vote, the issues they care about, and how they currently contribute to civic life.



# BACKGROUND

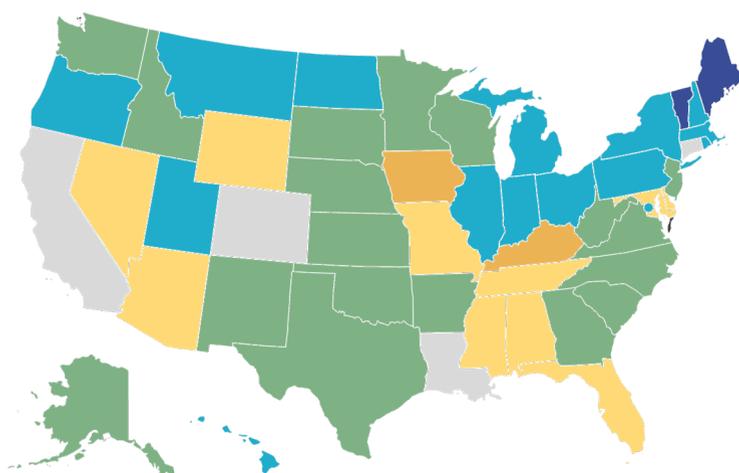
**Felony disenfranchisement laws in the U.S. have long been used as a tool to remove political power from marginalized communities.** Many original state constitutions gave their legislatures the power to pass laws revoking voting rights for those deemed to be “criminals.” However, early versions of these laws often covered only a few specific offenses.

A wave of broader felony disenfranchisement laws in the 1860s and 1870s followed the passage of the 15th amendment, which expanded the right to vote to formerly enslaved Black men (which California did not ratify until 1962).<sup>7</sup> These laws were adopted at the same time as a wave of laws known as “Black Codes” that criminalized Black citizens.<sup>8</sup> Individuals arrested under these laws were forced to provide free labor under “convict leasing” arrangements. At least 90% of those forced into these arrangements were Black.<sup>9</sup>

In Alabama alone, the percentage of nonwhite prisoners rose from 2% in 1850 to 74% by 1870.<sup>10</sup> Further, several Southern states tailored their felony disenfranchisement laws in ways they thought would target Black male voters, by only including offenses they thought Black men were more likely to commit.<sup>11</sup> These “Black Codes” contributed to rising rates of imprisonment - and thus felony disenfranchisement - among Blacks.

In 1850, about one third of states had broad felony disenfranchisement laws. Currently, only Maine and Vermont - states in which the prison population tends to be whiter than in other states - are the only states that did not have them at all.<sup>12</sup> Fifteen states restrict voting only while the person is in prison; four states (including California) restrict voting while in prison or on parole; eighteen restrict voting while in prison, on parole, or on probation; and a further twelve states restrict voting even after the prison sentence, parole, and / or probation are completed.<sup>13</sup>

## Criminal Disenfranchisement Laws Across the United States



### STATUS KEY

- PERMANENT DISENFRANCHISEMENT FOR ALL PEOPLE WITH FELONY CONVICTIONS
- PERMANENT DISENFRANCHISEMENT FOR AT LEAST SOME PEOPLE WITH CRIMINAL CONVICTIONS
- VOTING RIGHTS RESTORED UPON COMPLETION OF SENTENCE, INCLUDING PRISON, PAROLE, AND PROBATION
- VOTING RIGHTS RESTORED AUTOMATICALLY AFTER RELEASE FROM PRISON AND DISCHARGE FROM PAROLE (PEOPLE ON PROBATION MAY VOTE)
- VOTING RIGHTS RESTORED AUTOMATICALLY AFTER RELEASE FROM PRISON
- NO DISENFRANCHISEMENT FOR PEOPLE WITH CRIMINAL CONVICTIONS

Data: The Sentencing Project

Racial inequities in felony disenfranchisement are stark across the U.S. and in California. In 2016, about 2.5% of the U.S. voting age population was disenfranchised as a result of a felony conviction.<sup>14</sup> Among Blacks, this rate is 7.4%, meaning that one in 13 Black Americans does not have the right to vote. This is four times the rate of disenfranchisement as among non-Black populations.

The number of people who have been stripped of their right to vote has risen dramatically with the increase in mass incarceration. In 1976, 1.7 million Americans were disenfranchised due to a felony conviction. This number rose to 3.34 million in 1996, 5.85 million in 2010, and 6.1 million in 2016.<sup>15</sup>

However, recent reforms are slowly rolling back these archaic restrictions, restoring the right to vote to mostly formerly incarcerated people across the country.<sup>16</sup> Some notable reforms include:



**Virginia (2016)**

Restored voting rights to approximately 173,000 people when Governor McAuliffe issued an executive order to grant partial clemency to people released from prison.



**Alabama (2017)**

Restored voting rights to approximately 76,000 people by legally establishing a list of felonies that result in the loss of voting rights.



**New York (2018)**

Restored voting rights to approximately 35,000 people when Governor Cuomo issued an executive order to restore the right to vote to people on parole.



**Louisiana (2018)**

Restored voting rights to approximately 43,000 people by passing House Bill 265, which will allow any person who has not been incarcerated in the last 5 years (including those on probation or parole, excluding people with election-related offenses) to be able to vote.



**Florida (2018)**

Restored voting rights to approximately 1.4 million formerly incarcerated people by passing Amendment 4, which allows people to vote when they are released from prison, excluding people convicted of murder and felony sex offenses.



**California would restore voting rights to 162,000 people in prison and on parole if it removed all voting restrictions for people convicted of felonies.**



## I. “DEMOCRACY NEEDS EVERYONE”

*Why people in prison and on parole want to vote, and what they would vote for if they could.*

There is a misconception that people who are impacted by incarceration are not interested in participating in the political process. However, our data revealed that not only are people in prison and on parole eager to have their voting rights restored, they are concerned with a variety of social issues and expressed a strong desire to weigh in on these issues at the polls.

Most significantly, we found that while most people impacted by incarceration were not civically engaged before they were arrested, nearly every respondent indicated that they would vote now if they could. **Only 37% of impacted people said they voted before their incarceration, but an overwhelming majority, 98%, said they would vote now if their right to vote was restored.**

When asked why they wanted to be able to vote, the top three reasons were that they believed voting is important for having a voice in society (95%), that voting would allow them to contribute positively to their community (93%), and voting would give them a say in their elected leadership (93%). **Furthermore, 85% of respondents stated that they wanted a say in how their tax dollars are spent, which is especially crucial for people on parole who are working and paying taxes, yet have no political agency in determining what local, state, and federal government does with their tax revenue.**

## WHY RESPONDENTS SAID THEY WANT TO BE ABLE TO VOTE

- **“Democracy needs everyone.”** - Juan, San Quentin State Prison, San Quentin, CA
- **“I don’t want to vote only for myself, but [because it will give me] a chance to change the future for the next generation.”** - Lee, Sierra Conservation Center, Jamestown, CA
- **“Every human being should be entitled to provide their input into their community, and one extra voter can make a big difference.”** - Anzylon, Central California Women’s Facility, Chowchilla, CA
- **“[Voting would make me] no longer feel like a second class citizen in a country that is supposed to be the beacon of democracy in the world.”** - Brandon, Valley State Prison, Chowchilla, CA
- **“Voting is the most basic American right that makes our country a unique democracy. Restricting voting rights is beyond reasonable punishment.”** - Daniel, North Kern State Prison, Delano, CA
- **“[Voting would] give me a sense of responsibility to my community”** - Michael, Mule Creek State Prison, Lone, CA
- **“I could feel more of a productive member of society, instead of an unwanted outcast. Kind of a second chance to do right.”** - Brandon, Avenal State Prison, Avenal, CA

# ISSUE AREAS

People who are incarcerated and on parole also care deeply about issues that affect everyone, and have ideas about how to make our country a better place.

When asked about their political priorities, the top three issues that respondents said were “very important” to them were jobs and the economy (94%), education (94%), and healthcare (92%).

Additionally, 91% of people in prison and on parole indicated they considered issues of public safety and crime prevention to be “very important”, highlighting the fact that people impacted by the criminal justice system are also members of the community just like anyone else – they have families and want to ensure their loved ones can feel safe and protected.



## RESPONDENTS HAD SPECIFIC POLICY IDEAS FOR THESE TOPIC AREAS

<b>Jobs and the Economy</b>	Increasing the minimum wage and providing small business incentives.
<b>Education</b>	Free higher education, including college and trade schools, along with better teacher salaries.
<b>Health Care</b>	Universal / affordable health care and access to substance abuse treatment.
<b>Criminal Justice and Public Safety</b>	A range of ideas, including amending the Three Strikes Law; creating support networks and programs for at-risk youth; providing jobs and training for people on parole; offering rehabilitation programs in and outside of prison; holding peace officers accountable for their use of force; providing improved mental health care for those incarcerated in prisons and jails; and promoting fair sentencing and ending sentence enhancements.

# ELECTED LEADERSHIP

People in prison and on parole were also asked about what qualities they value in elected leadership, including District Attorneys, who are responsible for filing criminal charges against people in their counties.

The top three qualities in elected leaders that respondents marked as “very important” or “somewhat important” were: Being honest and trustworthy (92%); being knowledgeable about issues (90%); and able to manage government effectively (89%).

For District Attorneys, people in prison and on parole generally expressed that they would like to support candidates who ensured public safety by upholding the law in a fair and just way for everyone. The three qualities they ranked highest as “very important” or “somewhat important” for District Attorney candidates were those who would: Promote fair sentencing (99%); prioritize crime prevention (98%); and holding law enforcement accountable for abuse (98%). **Notably, 95% of respondents also indicated that they believe District Attorneys should be prioritizing healing for victims and survivors of crime as well.**



## II. “WE DO WHAT WE CAN FOR EACH OTHER”

A photograph of two men standing outdoors. The man on the left is wearing a black t-shirt and a black beanie, with a goatee and a tattoo on his neck. The man on the right is wearing a blue t-shirt with a 'HOMEBOW' logo and has a goatee and a tattoo on his neck. He has his right arm around the left man's shoulder. They are standing in front of a chain-link fence and some greenery.

*People in prison and on parole contribute positively to their communities and deserve the right to vote.*

Even while in prison or on parole, those who are confined to the limits of incarceration or state supervision find ways to contribute to their communities. Every single person who responded to the survey selected at least one way in which they work on bettering themselves and / or others, whether it be by having a job, attending school, or participating in rehabilitative programs. Being allowed to vote and contribute to the political process would allow them to contribute even more.

More than 70% of survey respondents indicated that they currently work or are engaged in vocational training, and more than 62% are in school or are taking classes. Another two-thirds (70%) engage in their communities in prison by participating in social support groups, and more than half (54%) say that they mentor others.

It should also specifically be noted how people on parole are contributing to society, given that those who are employed are subject to paying state and federal taxes (and ALL people on parole pay sales tax), but they are legally barred from participating in the voting process to determine how their tax dollars are spent. **More than two-thirds (68%) of people on parole who responded to our survey reported having a job and/or participating in vocational training.**

# WHAT RESPONDENTS ARE DOING TO SUPPORT THEIR COMMUNITIES

- **“I tutor students enrolled in both GED programs and college courses.”** - Richard, Avenal State Prison, Avenal, CA
- **“I am an alcohol and other drug counselor and mentor in the substance abuse program. I also counsel domestic violence abusers.”** - Adam, Correctional Training Facility, Soledad, CA
- **“I write to youth in juvenile hall. I mentor men with release dates who go back to society, despite me having a life term sentence.”** - William, Chuckawalla Valley State Prison, Blythe, CA
- **“I crochet beanies and scarves and donate them to the homeless and battered women’s shelter.”** - Tommy, California State Prison Los Angeles County, Lancaster, CA
- **“I facilitate self-help groups, mentor youth, and transcribe textbooks from print to braille for blind college students in California.”** - Dominique, Ironwood State Prison, Blythe, CA
- **“I am very involved with recovery [and] domestic violence groups. I also support LGBTQ and trans [people who] are now being recognized in the prison.”** - Deanda, California Institution for Women, Corona, CA
- **“I facilitate self-help groups, involved in the cancer walk, as well as the “cards of courage” initiative, for children battling cancer.”** - Erik, Ironwood State Prison, Blythe, CA

# III. “I WANT EVERYONE TO FEEL SAFE”

*Restoring voting rights to prevent incarceration and reduce recidivism.*



**Research conducted on the topic of disenfranchisement and recidivism consistently finds that the harsher the voting restrictions are, the higher the rates of recidivism are in that state.** A 2012 study published by the UC Berkeley La Raza Law Journal argued that felony disenfranchisement “result[s] in alienation and isolation, which only serves to increase further incidences of criminal activity. If one has no stake in his or her community, then one has little incentive to behave in a pro-social manner other than to avoid punishment.”<sup>17</sup>

**Our research confirms this argument, with 86% of respondents indicating that voting would help them feel more connected to their communities.**

When asked directly if they believed voting would help them stay out of jail, more than half of respondents (54%) overall said yes – for people on parole, that number increased to 76%.

**Furthermore, people who are incarcerated or on parole are uniquely situated to offer solutions on how we can prevent incarceration and increase public safety. Voting would allow them a voice in these important policy decisions.**

About three-quarters (75%) of those who responded to our survey indicated that fairer laws could have helped them from being incarcerated in the first place. About two-thirds thought that fairer treatment by law enforcement, jobs/vocational training, and other supportive services could have prevented their incarceration.

## Fairer Laws

Getting rid of the Three Strikes law, prioritizing Restorative Justice, ending racial disparities in sentencing, and ensuring that the defense has access to the same legal rights and resources as the prosecution, including having access to public defenders who are not overworked and underpaid. Respondents also suggested stopping DAs from threatening long sentences in order to pressure defendants into taking plea deals.

## Fairer Treatment by Law Enforcement

Putting an end to racial profiling, having better treatment and support from parole and probation officers, having parole officers be more understanding of individual circumstances and situations, and getting help from DAs and police officers to access education and mental health programs, rather than arresting people.

## Jobs and Vocational Training

Respondents indicated that access to a good job with health benefits would allow people to provide for their families without having to turn to criminal behavior. Respondents also suggested ending restrictions for employment once sentences have been served, allowing access to federal and state jobs as well as professional licenses, expanding access to halfway houses and transitional housing, expanding expungement opportunities and vocational training, and offering vocational training in prison that is connected to employment upon being released.

## Counseling and Other Supportive Services

Respondents indicated that having access to counseling services, mental health treatment and programs that are affordable and confidential could have helped them avoid incarceration, especially when faced with trauma. One respondent noted that a lot of social services got cut in their community, which meant that they had no place to go. Respondents also mentioned having housing stability and access to other support services, resources for domestic violence survivors, and rehabilitation and treatment programs during childhood (instead of punishment) would have helped them avoid incarceration in the first place.

## THE IMPACT OF VOTING ON RECIDIVISM

- **“Voting would help ensure that criminal justice laws are fair and actually contribute to decreased recidivism rates and lower crime rates.”**

- Peter, North Kern State Prison, Delano, CA

- **“One who invests in their community is less likely to harm that community!”**

- Johnny, Valley State Prison, Chowchilla, CA

- **“Voting encourages restorative justice!”**

- Paul, North Kern State Prison, Delano, CA

- **“[If I could vote] I would feel connected to people and positive changes.”**

- Gala, Central California Women’s Facility, Chowchilla, CA

- **“Voting would make me feel like a community member and not an outsider.”**

- Gabriel, Folsom State Prison, Represa, CA

- **“I’d like to be a part of society, and not just another outcast from past mistakes.”**

- Reynaldo, CA State Prison Sacramento, Represa, CA

# RECOMMENDATIONS

**Initiate Justice demands an end to all felony disenfranchisement in California – the unconditional restoration of voting rights to all people in prison or on parole in the state, making it so a person never loses their right to vote because of a felony conviction.**

Because the existing voting rights restrictions are written into the California state constitution, it is necessary for the voters to approve a statewide ballot initiative that would restore voting rights to all.



# In order to achieve this, we offer the following recommendations to various decision-makers in the state:



## STATE LEGISLATURE

**WE URGE the legislature** to introduce and pass an amendment that would give voters the opportunity to approve the removal of all voting restrictions for people in prison and on parole in California.

*The California State Legislature can place a constitutional amendment on a general election ballot by passing a constitutional amendment through both houses by a 2/3 vote.*



## CALIFORNIA VOTERS

**WE URGE California state voters** to vote yes to support a ballot initiative that would remove all voting restrictions imposed upon people in prison and on parole in California.

*If placed on the ballot, a majority of voters can vote to approve the constitutional amendment.*



## GOVERNOR

**WE URGE the Governor of California** to use their executive authority to restore the right to vote to people on parole in California until voting rights restoration is codified by voters through the ballot initiative process.

*As an interim measure, the Governor of California may utilize their executive authority to initiate a partial pardon process by which they restore the right to vote to people on parole.*



## CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION (CDCR)

**WE URGE CDCR** to create an institutional culture that encourages voting by incarcerated people and people on parole, and commit to informing prison staff and parole officers as the law changes to ensure accurate information dissemination.

*When the right to vote is restored to people in prison and on parole in California, CDCR will not be responsible for facilitating the voting process, but will be responsible for ensuring accurate voting rights information reaches all people in their custody and under their supervision.*

# CONCLUSION

**Our findings suggest that restoring the right to vote to people who are in prison and on parole would both allow them to re-join their communities and benefit society by having them fully participate in our democracy.** Indeed, perhaps the greatest finding of this survey is the least surprising of all: we are not all that different in our desire to have a voice and create a better future for our communities.

The United States has an extensive history of voting restriction policies that are rooted in racism. Current felony disenfranchisement laws are simply a contemporary method of removing civil rights from certain groups of people, having a disproportionate impact on communities of color. The removal of the right to vote is an antiquated ideology that has no place in a modern democracy.

Furthermore, felony disenfranchisement decreases public safety, whereas people in prison and on parole identify the right to vote as a way they can feel more connected to their community and be less likely to return to jail. Studies conducted prior to our survey have found that states with harsher felony disenfranchisement laws also have higher rates of recidivism.

In the interest of promoting democratic principles and improving public safety, California should remove all voting restrictions imposed upon people in prison and on parole, thereby ending felony disenfranchisement in the state once and for all.





# ABOUT INITIATE JUSTICE

Initiate Justice fights to end mass incarceration by activating the political power of those directly impacted by it.

**WE ARE** people in prison, formerly incarcerated people, and people with incarcerated loved ones working to change laws that bring people home from prison and make our communities safer.

**WE ACTIVATE** other people impacted by mass incarceration to lead policy campaigns that affect our lives. We pass information and organize action through newsletters mailed to our more than 10,000 incarcerated members, social media organizing that targets online groups of people with incarcerated loved ones, and various trainings on how to advocate on behalf of our loved ones in prison. Additionally, we have recruited more than 175 currently incarcerated “Inside Organizers” who lead Initiate Justice organizing campaigns from within prison walls.

**WE ADVOCATE** for policy change that will help end mass incarceration by co-sponsoring legislative bills, campaigning for state ballot initiatives, and leading strategic campaigns to ensure policy implementation in line with our goals. Policy ideas come from our incarcerated members and campaigns are carried out by our Inside Organizers in prison and our Outside Organizers who are formerly incarcerated or who have loved ones inside. This year, we are also launching the “Institute of Impacted Leaders” – a multi-week training program that will train people currently in prison, formerly incarcerated people, and people with incarcerated loved ones in community organizing skills in order to build a movement for policy change led by directly impacted people.

*Learn more at [www.initiatejustice.org](http://www.initiatejustice.org)*



# STAFF



**Taina Vargas-Edmond**  
*Founder & Executive Director*



**Richard Edmond-Vargas**  
*Co-Founder & Director of Inside Organizing*



**Eric Henderson**  
*Policy Director*



**Kristine Boyd**  
*Community Organizer, Bay Area*



**Arvene Knox**  
*Community Organizer, Los Angeles*



**James Doernberg**  
*Finance & Operations Manager*



**Gregory Fidell**  
*Policy Fellow*

# BOARD OF DIRECTORS

**Rahsaan Thomas** – *Co-Founder of Prison Renaissance, Initiate Justice Inside Organizer currently incarcerated in San Quentin State Prison*

**Diana Zuñiga** – *Associate Director of Regional Collaboration for the LA County Department of Health Services' Whole Person Care Initiative*

**Hugo Gonzalez** – *Former Initiate Justice Inside Organizer, Homeboy Industries Representative*

**Lisa Castellanos** – *Social change consultant, Essie Justice Group sister*

# ACKNOWLEDGMENTS

## Our Members in Prison

In early 2017, Initiate Justice reached out to our Inside Organizers and asked them what policy reforms we should pursue. An organizer at San Quentin State Prison, **Rahsaan Thomas**, responded saying that we should fight for all people impacted by incarceration to have their right to vote restored. He told us he believed that people in prison and on parole should have a voice in the policies that impact their lives and members of their community – and we agreed. This report is inspired by Rahsaan’s words, and the thousands of letters we receive from our members in prison who share their stories, experiences, and policy ideas with us.



## Our Research Team

The survey used to write this report was created by **Taina Vargas-Edmond, Sasha Feldstein, Lisa Schottenfeld, and Richard Edmond Vargas**. Our Inside Organizers led the groundwork to ensure as many people in prison as possible completed the survey, and outreach to people on parole was led by Hugo Gonzalez. Data recording and analysis was led by Kristine Boyd, Sasha Feldstein, and Lisa Schottenfeld. Background research was led by Greg Fidell and Lisa Schottenfeld. This report would not be possible without their contributions.

## Our Art & Design Team

Sincerest thanks to **Mike Dennis** who took the portraits of people impacted by incarceration for this report, and **Mike de la Rocha** and **Revolve Impact** who coordinated the photo shoot. Photos taken by **Life Escobar** and **Courtney Hanson** were also featured, in addition to the many photos of themselves sent directly to us by people currently in prison and on parole. We would also like to thank **Julie Mai** for her incredible work designing this report.

## Our Volunteers

Surveys were mailed and counted almost exclusively by **Initiate Justice volunteers** across the Bay Area and Los Angeles. Thank you to the people who contributed their time and energy to help make this report possible.

***“Democracy Needs Everyone” is dedicated to all of those impacted by felony disenfranchisement. We are committed to the long-term struggle of restoring the right to vote to all people in prison and on parole in order to build a more fair and inclusive democracy.***

# ENDNOTES

- <sup>1</sup> Human Rights Watch. *Disenfranchisement in Other Countries*. <https://www.hrw.org/legacy/reports98/vote/uvot98o-04.htm> Retrieved Jan. 2019.
- <sup>2</sup> Brennan Center for Justice (2018). *Criminal Disenfranchisement Laws Across the United States*. <https://www.brennancenter.org/criminal-disenfranchisement-laws-across-united-states>
- <sup>3</sup> Legislative Analyst Office (2017). *Fiscal Impact Report*. <https://www.oag.ca.gov/system/files/initiatives/pdfs/fiscal-impact-estimate-report%2817-0023%29.pdf>
- <sup>4</sup> Vogel, Matt & Hamilton-Smith, Guy Padraic (2012). *The Violence of Voicelessness – The Impact of Felony Disenfranchisement on Recidivism*. Berkeley La Raza Law Journal. <https://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1252&context=blrlj>
- <sup>5</sup> Taylor, Jennifer Rae (2018). *Jim Crow's Lasting Legacy at the Ballot Box*. Marshall Project <https://www.themarshallproject.org/2018/08/20/jim-crow-s-lasting-legacy-at-the-ballot-box>
- <sup>6</sup> California Department of Corrections and Rehabilitation (2017). *Offender Data Points*. <https://sites.cdcr.ca.gov/research/wp-content/uploads/sites/9/2018/07/Offender-Data-Points-as-of-December-31-2017-1.pdf>
- <sup>7</sup> Behrens, Angela; Manza, Jeff; & Uggen, Christopher (2003). *Ballot Manipulation and the “Menace of Negro Domination”: Racial Threat and Felon Disenfranchisement 1850 – 2002*. [http://users.cla.umn.edu/~uggen/Behrens\\_Uggen\\_Manza\\_ajs.pdf](http://users.cla.umn.edu/~uggen/Behrens_Uggen_Manza_ajs.pdf)
- <sup>8</sup> Brennan Center for Justice. *Racism & Felony Disenfranchisement: An Intertwined History*. [https://www.brennancenter.org/sites/default/files/publications/Disenfranchisement\\_History.pdf](https://www.brennancenter.org/sites/default/files/publications/Disenfranchisement_History.pdf)
- <sup>9</sup> Brennan Center for Justice. *Racism & Felony Disenfranchisement: An Intertwined History*. [https://www.brennancenter.org/sites/default/files/publications/Disenfranchisement\\_History.pdf](https://www.brennancenter.org/sites/default/files/publications/Disenfranchisement_History.pdf)
- <sup>10</sup> Brennan Center for Justice. *Racism & Felony Disenfranchisement: An Intertwined History*. [https://www.brennancenter.org/sites/default/files/publications/Disenfranchisement\\_History.pdf](https://www.brennancenter.org/sites/default/files/publications/Disenfranchisement_History.pdf)
- <sup>11</sup> Sentencing Project (2018). *Felony Disenfranchisement Primer*. <https://www.sentencingproject.org/wp-content/uploads/2015/08/Felony-Disenfranchisement-Primer.pdf>
- <sup>12</sup> Behrens, Angela; Manza, Jeff; & Uggen, Christopher (2003). *Ballot Manipulation and the “Menace of Negro Domination”: Racial Threat and Felon Disenfranchisement 1850 – 2002*. [http://users.cla.umn.edu/~uggen/Behrens\\_Uggen\\_Manza\\_ajs.pdf](http://users.cla.umn.edu/~uggen/Behrens_Uggen_Manza_ajs.pdf)
- <sup>13</sup> Sentencing Project (2018). *Expanding the Vote – Two Decades of Felony Disenfranchisement Reform*. <https://www.sentencingproject.org/publications/expanding-vote-two-decades-felony-disenfranchisement-reforms/>
- <sup>14</sup> Sentencing Project (2016). *Six Million Lost Voters – State-Level Estimates of Felony Disenfranchisement*. <https://www.sentencingproject.org/publications/6-million-lost-voters-state-level-estimates-felony-disenfranchisement-2016/>
- <sup>15</sup> Sentencing Project (2016). *Six Million Lost Voters – State-Level Estimates of Felony Disenfranchisement*. <https://www.sentencingproject.org/publications/6-million-lost-voters-state-level-estimates-felony-disenfranchisement-2016/>
- <sup>16</sup> Sentencing Project (2018). *Expanding the Vote – Two Decades of Felony Disenfranchisement Reform*. <https://www.sentencingproject.org/publications/expanding-vote-two-decades-felony-disenfranchisement-reforms/>
- <sup>17</sup> Vogel, Matt & Hamilton-Smith, Guy Padraic (2012). *The Violence of Voicelessness – The Impact of Felony Disenfranchisement on Recidivism*. Berkeley La Raza Law Journal. <https://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1252&context=blrlj>



**INITIATE  
JUSTICE**



**FOLLOW US ON SOCIAL MEDIA**



facebook.com/initiatejustice1



@initiatejustice



@initiatejustice

**CONTACT US**

PO Box 402  
Los Angeles, CA 90078  
info@initiatejustice.org

**initiatejustice.org**