



**In Jail?  
On Probation?  
Off Parole?**

# **You Can Vote!**

Voting handbook for  
California residents  
who have been convicted  
of a felony or misdemeanor

## **You can vote. It's the Law.**

Voting laws are passed by each state.

In California, "A person entitled to register to vote shall be a United States citizen, a resident of California, not in prison or on parole for the conviction of a felony, and at least 18 years of age at the time of the next election."

Cal. Const. Art. II, §4: Cal. Elec. Code § 2101.

This pamphlet was produced by Voting Rights for All, a project dedicated to assuring that accurate voting rights information and access to voting are provided to California citizens convicted of a misdemeanor or felony. Our group is based in the San Francisco Bay Area and includes members from diverse communities and organizations.

For further information or an electronic copy of this booklet, please visit our website at [www.votingrightsforall.org](http://www.votingrightsforall.org).

We encourage local groups to reproduce and distribute this handbook.

Original art contributed by Reverend Alan Laird. Special thanks to Michael Starkman and to Rainbo Graphix, Emeryville, CA.

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# 1

## **Who can vote?**

**California residents who are U.S. citizens and 18 or older may vote in all elections unless you are in prison or on parole.**

## **You can vote:**

- After you have completed parole. There is no waiting period and you do not have to prove that you are off parole.
- If you are on probation, or have completed probation
- If you have been committed to county jail with a felony conviction
- If you have been charged with a felony but have not yet been convicted
- If you are serving time for a misdemeanor

If you are on parole for a felony conviction, you cannot vote but you **CAN** help others register to vote and be an activist for the issues you believe in.

# **Your Vote is Your Power!**

# 2

## How to register to vote:

You must register to vote at least 15 days before an election.

Pick up a California voter registration form at a local library or post office. Or, get a form on-line from the Secretary of State's office – [www.ss.ca.gov/elections/elections\\_vr.htm](http://www.ss.ca.gov/elections/elections_vr.htm).

If you are in county jail, ask a friend or family member to mail a registration form to you, or request one through the jail authorities. When filling out the form, use your home address as your residence address. If you will be in jail on election day, use the jail address as your mailing address.

Fill out the registration form. This is a legal document that requires your signature and either a California driver's license /ID card number or the last four digits of your Social Security number.

It is best to mail in the form at least one to two months before election day. You will get a postcard in the mail that tells you that you are registered. Once you are registered, you won't have to register again unless you move, change your name, or change your political party.

If you were registered to vote before being convicted of a felony, you will have to register again upon completion of your sentence. If you are on parole, you will have to wait until you are discharged to re-register.

If you are not sure if you are already registered, you can always register again.

**It's FREE!  
Just fill out  
the form and  
mail it in.  
You don't  
even need  
a stamp.**

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## **How to vote in person:**

The address of your polling place is on the back of the sample ballot that you will receive in the mail. If you don't have a sample ballot, call your county Registrar of Voters/Elections Office for the address. You can also look it up at [www.smartvoter.org](http://www.smartvoter.org).

If you are a first-time voter, bring your driver's license or state identification. You may be asked to show it.

If your name is not on the voter list, ask to vote with a "provisional" ballot. If you would like to verify that you are registered and that your vote was counted, call your county Registrar of Voters/Election Office.

## **How to vote by mail:**

For inmates of county jails, absentee may be the only way to vote. If you will be in jail on election day, you have the right to request an absentee ballot application. On the application, use your last residence as your home address and the address of the jail as the mailing address where you will receive your absentee ballot.

Apply for an absentee ballot in one of three ways:

- Register absentee when you fill out your form, or
- Request an absentee ballot application from your county Registrar of Voters/Elections Office, or
- Use the absentee ballot application form on the back of the sample ballot.

The deadline for sending in your absentee ballot application is seven days before election day. To make sure you receive your ballot in time, mail in your application one to two months before the election, if possible.

After you have marked your absentee ballot, you must sign the back of the return envelope in order for the absentee ballot to be valid. You can mail in the ballot or take it to any polling place on election day.

Marked ballots must be received (not postmarked) by 8:00 PM on Election Day.

# 4

## Questions and Answers

**Q:** What if I change my mind and decide to go to the polls instead of voting absentee?

**A:** If you request an absentee ballot but change your mind and decide to vote at your polling place, you will be asked to return the absentee ballot to the poll workers.

**Q:** Why register with a political party?

**A:** If you register with a political party, you will have the opportunity to vote in the primary election to help select your party's candidate for the general election.

**Q:** Do I have to register with a political party?

**A:** NO! When you sign up to vote, you will be asked if you want to register with a political party. If you don't want to join a party, check "Decline to State."



**Q:** What is a primary election?

**A:** In a party primary, each party's candidates for state and national offices are chosen by voters registered with that party. Regardless of party affiliation, every registered voter can vote for all local offices and for all local and state ballot measures (propositions).

**Q:** What is a general election?

**A:** In a general election, party membership does not matter. Any registered voter can vote for any candidate or issue on the ballot.

**Q:** When and how often do elections take place?

**A:** Elections for President, Governor, and many other candidates and ballot measures are held every 4 years in November. Other elections are held on alternate years, usually in the spring or in November.

**Q:** Why should I vote?

**A:** Formerly incarcerated people and their families are affected by many laws at national, state, and local levels. Your vote is important to you, your family, and your community. Some elections, especially at the local level, are decided by just a few votes. Your vote can make a difference!

**Q:** Where can I get more information?

**A:** For California information, visit [www.votingrightsforall.org](http://www.votingrightsforall.org).

For a national perspective, see  
[www.sentencingproject.org](http://www.sentencingproject.org)  
[www.righttovote.org](http://www.righttovote.org)  
[www.advancementproject.org](http://www.advancementproject.org)

