

California Supreme Court denies review of Voting Rights for Reentry Population under the Criminal Justice Realignment Act

On July 25, 2012, the California Supreme Court denied review of the case. This means that the Secretary of State's interpretation stands, and low-level felony offenders sentenced to county jail under (1170(h)), or released under Mandatory Supervision (1170(h)(5)(b)) or Post-Release Community Supervision (PRCS) do NOT have the right to vote. See below for more information.

On December 5, 2011 the Secretary of State issued a memo clarifying voting eligibility for the population under the *Criminal Justice Realignment Act (CJRA)(AB 109-117)*. According to this memo, the *CJRA* did not change the voting status of offenders convicted of *CJRA* defined felonies (PC 1170(h)) because they serve their sentences in county jail instead of prison; the voting status of these individuals does not change if they are released under Mandatory Supervision* (PC 1170(h)(5)(b)) as part of their sentence. And, it did not change the voting status of those confined in state prison and then released on Post-Release Community Supervision* (PRCS) because this release is labeled other than "parole". *supervised by Adult Probation Department.

On March 9, 2012, the City and County of San Francisco Department of Elections and the Secretary of State were named as respondents in a petition (*All of Us or None v. Bowen*) brought on behalf of people on PRCS, Mandatory Supervision/1170(h)(5)(b), and those in jail under 1170(h).

On April 16, 2012, San Francisco's City Attorney representing the Department of Elections filed a response determining that in their interpretation of the law, these individuals do have a right to vote. The Secretary of State filed a response recommending that the Court of Appeals hears the matter.

On May 17, 2012, the Court of Appeals denied the petition and it refused to hear the case or issue an opinion.

On June 18, 2012, San Francisco City Attorney filed a request to the California Supreme Court for review of the petition.

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Off Post-Release Community Supervision (PRCS)? You can Vote!

On October 1st, 2012, individuals who have completed one year of Post-Release Community Supervision without any violations will be successfully discharged from community supervision. These individuals will regain their right to vote. Contact your elections local office for more information on how to engage currently and formerly incarcerated Californians. [Katie, you can link the the attached document to the underlined text]