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Approved as to Form and Legality

  
City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCILMEMBER LOREN TAYLOR

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**RESOLUTION SUPPORTING CALIFORNIA STATE ASSEMBLY BILL NO. 646 (AB 646), THE "FREE THE VOTE ACT" AND ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 6 (ACA 6), AUTHORED BY ASSEMBLYMEMBER KEVIN MCCARTY THAT WOULD RESTORE VOTING RIGHTS TO EVERY PERSON ON PAROLE IN CALIFORNIA AND URGING THE STATE LEGISLATURE TO PUT AB 646 AND ACA 6 ON CALIFORNIA'S 2020 BALLOT**

**WHEREAS**, Assembly Bill No. 646 (AB 646) and Constitutional Amendment No. 6 (ACA 6) were introduced by Assemblymember Kevin McCarty (D-Sacramento) and co-authored by Assemblymembers Carrillo (D-Los Angeles), Bonta (D-Oakland), Gipson (D-Carson), Gonzalez (D-San Diego), Kalra (D-San Jose), Kamlager-Dove (D-Los Angeles), Mark Stone (D-Monterey Bay), and Weber (D-San Diego) and Senator Wiener (D-San Francisco); and

**WHEREAS**, article II, Section 4 of the California Constitution currently requires the Legislature to provide for the disqualification of persons who are on parole for the conviction of a felony, and state elections law prohibits persons who are on parole for the conviction of a felony from voting or registering or preregistering to vote; and

**WHEREAS**, ACA 6 would eliminate the constitutional requirement to disqualify persons on parole for conviction of a felony from voting and AB 646 would allow such parolees to vote, register and preregister to vote; and

**WHEREAS**, if the State Legislature passes AB 646 it would not go into effect unless ACA 6 is approved by California voters; and

**WHEREAS**, felony disenfranchisement laws in the United States have troubling race and class dimensions that cannot be reconciled with our shared present-day values of equal citizenship and equal dignity; and

**WHEREAS**, discriminatory disenfranchisement laws are not unique to the South; California, too, must confront its history on this issue; not only did the state reject ratification of the Fifteenth Amendment in 1870 (ratifying the Amendment only in 1962), it also included permanent felony disenfranchisement in its first constitution in 1849; although California has changed and states have repudiated discriminatory barriers to voting such as poll taxes and literacy tests, criminal disenfranchisement laws persist; these laws continue to have a disproportionate racial impact due to the pervasive racial bias in the criminal justice system; and

**WHEREAS**, re-enfranchising people who have previously been convicted of crimes is a vital step toward ensuring the safety and vitality of California's communities; any and all duties that help the person fully reintegrate will motivate that individual to further engage in community-based activity and away from unlawful conduct; and

**WHEREAS**, restricting those with felony convictions from voting does nothing to improve the safety of neighborhoods; restoring the right to vote, on the other hand, would help educate and prepare these individuals for full re-entry; registering to vote and casting a ballot would engage their responsibilities as citizens, ultimately resulting in stronger, safer communities in which members do right by one another; and

**WHEREAS**, the City of Oakland has a disproportionate number of systems impacting individuals who come from resilient minority groups due to centuries of tragically misguided racist policies; supporting AB 646 and ACA 6 will bring us closer to moving in the right direction to restore our communities; now, therefore, be it

**RESOLVED:** That the City of Oakland gives its full endorsement of AB 646 and ACA 6 and urges the State Legislature to pass AB 646 and place ACA 6 on the ballot; and be it

**FURTHER RESOLVED:** That the City Council urges the State Legislature to pass AB 646 and to place ACA 6 on California's 2020 ballot; and be it

**FURTHER RESOLVED:** That the City Council requests that the City Administrator transmit a copy of this Resolution to the following: City of Oakland's legislative representatives including Senator Nancy Skinner, Assemblymember Rob Bonta, Assemblymember Buffy Wicks; Governor Gavin Newsom; President Pro Tem of the California Senate Toni Atkins; Assembly Speaker Anthony Rendon; and to the lobbyist for the City of Oakland to advocate for passage of AB 646 and for the placement of ACA 6 on California's 2020 ballot.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California