



VIII. APPENDIX A: SAMPLE VOTING RIGHTS POLICY FOR JUVENILE FACILITIES

Purpose and Scope

This policy affirms the requirement to provide eligible youth the opportunity to register and to vote during elections, pursuant to the Fifteenth Amendment of the U.S. Constitution, Article 2 of the California Constitution, and California elections statutes (Elections Code section 2105.7). The Department shall identify youth who are eligible to vote and assist youth to register and/or vote in any election.

Eligibility

Eligible individuals must meet the following requirements:

- Be a citizen of the United States of America.
- Be a resident of the State of California.
- Be at least 18 years of age on or before Election Day.
- Not currently serving a state or federal prison term for an adult felony conviction. A juvenile adjudication is not considered a conviction and has no effect on the right to vote.
- Not currently found mentally incompetent to vote by a court of law pursuant to Elections Code sections 2208, 2209, 2210, and 2211.

Note that a finding of incompetence to vote is a specific court finding made under the Elections Code, and it is not the same as a finding of incompetence as to proceedings in juvenile delinquency court pursuant to Welfare and Institutions Code section 709. A person is

presumed competent to vote unless deemed unqualified under the proceedings required by the Elections Code. See Elec. Code § 2208 et seq.

All youth who meet the above criteria are eligible to vote. Youth who are 16 and 17 years old may pre-register to automatically become registered voters upon their 18th birthday.

Upon registering, youth will not need to register to vote again unless they move to a new address, change their name, or change their political party preference. Youth can check their current registration status at <https://voterstatus.sos.ca.gov/>.

Registration

Address information

A juvenile facility does not qualify as a permanent address but can be used as a mailing address.

If the youth will be residing at the juvenile facility on the date of the election, the youth can use either the facility address or their home address as their mailing address when registering. Youth who use the juvenile facility address as their mailing address will receive their vote-by-mail ballot at the juvenile facility. Youth who use their home address as their mailing address will be able to coordinate with family members to bring their ballot to the juvenile facility.

If the youth will not be residing at the juvenile facility on the date of the election, the youth will use their home address or the address they plan to be at upon release as their mailing address.

If the youth was not residing at a home prior to incarceration or does not have a permanent address, they may use two cross streets as a permanent address.

A youth from another county shall also be eligible to register utilizing the process listed in this policy. The completed voter registration application will be mailed to the Registrar of Voters for the resident's home county.

Identification documents

The Probation Department may need to help individuals obtain necessary identification documents for registration or voting. These documents may include:

- A California Driver's License
- A California issued identification card
- A United States passport
- A birth certificate
- The last 4 digits of a Social Security Number (SSN)

Partnership with County Department of Elections

The Probation Department will build relationships with the Department of Elections to both help educate young voters about the voting process and to ensure smooth acceptance and delivery of all voting materials to and from the juvenile facility. The Department will also ensure that youth are aware of the role of the Department of Elections and that youth have access to contacting the Department of Elections with questions or concerns.

Youth Voter Education Partnership with Community-Based Organizations

The Probation Department will build relationships with community-based organizations (CBOs) that can help educate young voters about civic engagement, voting, and ballot measures. The Department should make every effort to allow consistent and easy access for these CBOs before and during elections to ensure that youth can ask questions and seek assistance during the voting process.

Department Voting Procedures

Youth who are eligible and wish to register and/or vote in an election shall have the opportunity to participate while detained at any county juvenile facility.

- The Voting Rights Coordinator, who shall be designated by the facility director, is the assigned liaison between the Department and the county's Department of Elections and/or Registrar of Voters Office. The Voting Rights Coordinator is responsible for ensuring that all eligible youth are provided with the opportunity to register and vote in every election, as detailed below.
- Prior to each election, the Voting Rights Coordinator shall follow these steps:
 - » Contact the Department of Elections or Registrar of Voters office at the beginning of the calendar year to obtain dates of scheduled elections during that calendar year, any relevant deadlines, updated voter registration applications, and any other necessary information.
 - » Compile a list of potentially eligible youth at least 45 days prior to any election. Youth who will be 18 years old by Election Day will be asked if they would like to register and/or vote at least 30 days prior to any election. The Coordinator will make a notation that demonstrates that each youth on the list has been asked regarding their desire to register and/or vote; the notation will not indicate the youth's response to this question.
 - » Ensure that eligible youth who wish to register are registered to vote at least 15 days prior to Election Day.
 - » Ensure that department staff offer assistance to each eligible youth in completing the voter registration application or online registration, unless the resident declines assistance.
 - » Deliver all completed voter registration applications to the appropriate county Elections Department or Registrar's Office, as appropriate, by the determined voter registration application return deadline set for that election.

- If the youth requires assistance when filling out the voter registration application, the staff member who offered assistance will complete the bottom portion where that information is required.
 - The voter's receipt portion (the bottom portion with the registration number) will be given to the youth for their records.
- » Ensure that all registered youth receive their ballots and are able to exercise their right to vote as follows:
- Youth shall be granted access to non-partisan voter information materials and websites for researching ballot measures and candidates at least 30 days prior to each election.
 - Youth shall have access to a black or blue pen to complete their ballots.
 - Youth shall have a private voter experience.
- » Ensure ballots are properly and timely transferred to the County Elections Department, as follows:
- Working with the County Elections Department, provide a ballot drop box inside the juvenile facility so that youth can return their completed ballots to the ballot drop box.
 - If a youth requires assistance the staff member who offered assistance will complete the back of the ballot envelope where that information is required.
- » The ballot, registration form, and any other voting materials will be provided to the youth in the language of their choice.
- » If needed or requested, a translator will be provided to the youth.