



GENERAL ORDER
Voting Rights of Persons with Prior Felony
Conviction and Youth in Custody

Purpose and Scope

Under existing state laws and regulations, the Sacramento County Probation Department has a legal obligation to offer voting access to persons who are currently under the supervision of the Probation Department.

Affected Personnel

All Probation Employees

Authority

California Elections Code Section 2101(a)
California Election Code Section 2105.7
California Penal Code Section 2910

Effective Date

October 31, 2024

I. General

- A. The Probation Department has an obligation to ensure people under their supervision are provided with information regarding their eligibility to vote in local, state, and federal elections.

- B. In accordance with the law, individuals who meet the following requirements are eligible to register and vote:
 - 1. A citizen of the United States;
 - 2. A resident of California;
 - 3. At least 18 years of age at the time of the scheduled election;
 - 4. Not currently serving a state or federal prison term for an adult felony conviction. Housing in the Youth Detention Facility (YDF) does not constitute "a prison term"; and
 - a. Upon release from prison, an individual's right to vote is immediately restored and they become eligible to register to vote.
 - 5. Have not been declared mentally incompetent by the Court pursuant to Sections 2208-2211 of the California Elections Code.

- C. Under California law, individuals with a criminal history who served a state or federal prison sentence are entitled to vote regardless of their post-release supervision status:
 - 1. Parole;
 - 2. Probation;
 - 3. Mandatory Supervision;
 - 4. Post-Release Community Supervision;
 - 5. Federal Supervised Release; or
 - 6. A person with a Juvenile Wardship Adjudication.

- D. The Probation Department is obligated to provide information regarding the voting rights of eligible individuals with a criminal history under their jurisdiction and shall:
 - 1. Establish and maintain a hyperlink to the Secretary of State regarding voting rights for persons with a criminal history on the Sacramento County Probation public web site; and
 - 2. Post in each probation office accessible by the public a written notice containing the Internet Web site address at which the information provided by the Secretary of State regarding [voting rights for individuals with a criminal history](#) may be found.

II. Youth Voting Rights at the Youth Detention Facility

- A. The YDF Chief Deputy or Assistant Chief Deputy will be the Voting Coordinator. While the Voting Coordinator may select a designee to assist in the registration and voting process, the Voting Coordinator will manage all voting procedures.

- B. The Probation Department must ensure incarceration does not prevent eligible youth from exercising their right to vote.

- C. Upon intake, the classification officer will inform the eligible youth of their right to vote and will include information on the following:
 - 1. Eligibility requirements for registering to vote;
 - 2. Procedure for registering to vote; and
 - 3. Procedure for obtaining and submitting vote-by-mail ballot.

- D. The YDF Voting Coordinator will identify every youth in custody who is eligible to vote.
 - 1. Six weeks prior to an election, the Voting Coordinator shall post in each living unit, day room or common area, as appropriate, a notice advising eligible youth of their right to register and vote and the associated procedures.
 - a. The Voting Coordinator will contact the Voter Registrar by phone (916) 875-6451 and request voter registration forms for every youth eligible to vote.
 - b. The voter registration forms will be made available for the Voting Coordinator to pick up at the Office of Voter Registration and Elections or they can be mailed to the YDF.
 - 2. The Voting Coordinator shall ensure Voter Registration Forms are available to every youth who is eligible to vote and are not already registered.
 - 3. All eligible youth will receive a voter registration form. Any eligible youth electing not to participate in the upcoming election will document their choice in writing via a form provided by the Voting Coordinator.

4. The Voting Coordinator will assist eligible youth in filling out Voter Registration Applications.
 - a. Youth should include their last known address and their current mailing address (9601 Kiefer Blvd. Sacramento CA 95827) on the Voter Registration Form.
 - b. If a youth is unhoused upon release and cannot provide a mailing address, they must give a precise description of the location of where they live so county election officials can determine the youth's voting precinct.
 - c. Unhoused youth may use cross streets or a park as a mailing address.
 - d. If a youth is already registered to vote, the Voting Coordinator will assist the youth in a change of address.
 5. The Voting Coordinator will ensure all completed registration forms are returned via postal service or returned in person to the Office of Voter Registration and Elections.
- E. The Office of Voter Registration and Elections will mail the youth's official Voter Registration Card to the mailing address listed by the youth.
1. If the mailing address listed is the Youth Detention Facility, the youth will be notified by unit staff that their official Voter Registration Card has been received and placed with their personal property at Booking.
- F. Two weeks prior to an election, the Voting Coordinator shall contact the Voter Services Manager via e-mail (voterinfo@saccounty.gov) or by phone at (916) 875-6451 to request vote-by-mail ballots for all youth who registered to vote.
1. Ballots will be mailed to the YDF or may be picked up in person by the Voting Coordinator.
 2. Vote-by-mail ballots are custom made for each election and are not available until approximately two weeks before an election.
 3. The Vote -by-mail ballots will be disseminated to those youth registered to vote.
- G. Probation staff will ensure that all youth are provided with privacy while completing their vote-by-mail ballot and will not provide the youth political opinions or advice.
- H. The YDF Voting Coordinator will ensure that the vote-by-mail ballot has been signed and dated by the youth.
- I. Ballots will be returned by the Voting Coordinator on or before Election Day in one of the following ways:
1. Ballots may be mailed to The Office of Voter Registration and Elections. vote-by-mail ballots that are mailed must be postmarked on or before Election Day and received by the county elections office no later than seven days after Election Day. (7000 65th Street, Suite A Sacramento, CA 95823);
 2. Ballots may be brought to any polling place in the State of California or the Office of County Voter Registration and Elections between 7:00 a.m. and 8:00 p.m. on Election Day;
 - a. No ballot will be accepted after 8:00 p.m. on Election Day;
 3. Ballots may be dropped off at any Official Ballot [Drop Box location; and](#)
 4. Ballots may be dropped off at any [Vote Center.](#)

- J. During the release process, booking staff will be a youth's last point of contact; as such, booking staff will give a verbal advisement to any eligible youth who may have registered to vote while in custody that they must submit a change of mailing address to the Office of Voter Registration and Election.

Attachments

None

Amends/Replaces Previous Order

Voting Rights of Probationers and Youth in Custody (2/20/2020)

Authorized By  **Date** 10/15/24
Marlon Yerber, Chief Probation Officer