

# VOTING RIGHTS FOR NONCITIZENS

Charter Review Committee Meeting  
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Sue Gallagher, City Attorney  
Rob Jackson, Assistant City Attorney

# Proposal to Expand Voting Rights to Noncitizens

- Enable all those who live in our community to participate in local elections
- Noncitizen voting would be limited to local elections only
- Would require a Charter amendment

# Voting Rights for Noncitizens

- Noncitizens are prohibited from voting in Federal and State elections
- California does not expressly preclude noncitizen voting in local elections
- Currently across the nation, 15 local jurisdictions allow for noncitizen voting in local elections
- Among those jurisdictions, criteria for eligibility to vote varies

# Voting Rights for Noncitizens

- Historical trends:
  - Early in US history 40 states, at various times, allowed noncitizens to vote
  - No state has allowed noncitizens to vote since 1926
  - As of December 2021, five states expressly prohibited noncitizens from voting in local elections
  - Fourteen states have no clear impediments to local jurisdictions allowing noncitizen voting in local elections

# Voting Rights for Noncitizens

- **San Francisco:**
  - Noncitizen parents of school children may vote in school board elections
- **Maryland:**
  - 11 cities allow noncitizens to vote in local elections
- **New York City**
  - 2021 law extended right to vote in local elections to lawful permanent residents and noncitizens authorized to work in the US
- **Vermont:**
  - 2 cities allow noncitizens to vote in local elections

# Voting Rights for Noncitizens

- **Supporters argue:**

- People who work, live and pay taxes in the community should be able to have a say in how it is governed -- granting noncitizens the right to vote is fair and just.
- Allowing noncitizens to vote strengthens communities and promotes engagement, investment and belonging.
- When a segment of the community is excluded, we increase the risk of discriminatory public policies.
- Given the high cost and long waiting periods for naturalization, prohibiting noncitizens from voting is unjust and unnecessary.
- Taxation without representation.

# Voting Rights for Noncitizens

## ■ Opponents argue

- People should accept the duties of citizenship before being granted right to vote
- Allowing noncitizens to vote could discourage individuals from seeking citizenship and the obligations that attach to citizenship
- Significant logistical challenges of establishing a separate voting system for local elections and associated costs
- Possible legal concerns
- Possible risks of immigration enforcement for undocumented individuals



# Voting Rights for Noncitizens

- Logistical and cost considerations
- Separate City voter database, ballot and procedures
  - Will encompass broader population than Federal, State and regional elections
  - Ballot and ballot materials must be prepared separately, to exclude Federal, State and regional elections
  - City elections will require separate voting procedures and mechanics
  - Costs unknown at this time



# Voting Rights for Noncitizens

Guest Speaker – Deva Proto

Sonoma County

County Clerk, Recorder, Assessor, Registrar of Voters

# Questions?