



DD

City of Santa Ana, Proposed Amendment to Section 1203 of the Santa Ana City Charter

Shall the City of Santa Ana City Charter be amended to allow, by the November 2028 general municipal election, noncitizen City residents to vote in all City of Santa Ana municipal elections?

What your vote means

YES	NO
A "YES" vote on the Measure is a vote in favor of the Charter amendment described above.	A "NO" vote on the Measure is a vote against the Charter amendment described above.

For and against

FOR	AGAINST
<p>Benjamin Vazquez Santa Ana Councilmember</p> <p>Johnathan Ryan Hernandez Santa Ana Councilmember</p> <p>Thai Viet Phan Santa Ana Mayor Pro Tem</p> <p>Julia Gomez Senior Staff Attorney, ACLU of Southern California</p> <p>Katelyn Brazer Aceves Santa Ana Unified School District Board Member</p>	<p>Nelida Mendoza Former Councilmember/Resident</p>



Ballot Measures-DD

Full Text of Measure DD City of Santa Ana

Full Text of the City Charter Amendment (text to be added, if approved, is underlined):

Sec. 1203. – Manner of Elections and Voting.

Unless otherwise provided by ordinance, all elections shall be held in accordance with the provisions of the Elections Code of the State of California, as the same now exist or may hereafter be amended, for the holding of elections in general law cities, insofar as the same are not in conflict with this charter or any ordinance adopted in accordance with this charter.

The City Council shall adopt an ordinance and additional policies and regulations, as needed, authorizing any person who has established residency in the City and who is not otherwise disqualified from voting under Sections 2 and 4 of Article II of the California Constitution or any implementing State statute or City ordinance or resolution, to vote in all municipal elections regardless of whether the person is a United States citizen. "Municipal elections" include all local elections at which: the mayor, city council members, or any other municipal officers are elected; ballot measures are considered; and initiatives and referenda are proposed. The City Council shall adopt such policies, regulations, and ordinances implementing this Section 1203 so that noncitizens may participate in elections on or prior to the general municipal election to be held in November of 2028.

Impartial Analysis City of Santa Ana Measure DD

On November 7, 2023, Measure DD was placed on the ballot by the Santa Ana City Council. The Measure proposes to amend section 1203 of the Santa Ana City Charter to permit noncitizen voting in all Santa Ana municipal elections.

Currently, City Charter Section 1203 provides that all elections shall be held in accordance with the provisions of the Elections Code of the State of California unless otherwise provided by ordinance. The proposed Charter amendment would mandate that the City Council adopt an ordinance and additional policies and regulations, as needed, authorizing any person who has established residency in the City and who is not otherwise disqualified from voting under Sections 2 and 4 of Article II of the California Constitution or any implementing State statute or City ordinance or resolution, to vote in all municipal elections regardless of whether the person is a United States citizen. The proposed Charter amendment will define "municipal elections" to include all local elections at which: the mayor, city councilmembers, or any other municipal officers are elected; ballot measures are considered; and initiatives and referenda are proposed.

The proposed Charter amendment requires the City Council to adopt policies, regulations and ordinances implementing the Charter amendment to Section 1203 regarding noncitizen voting so that noncitizens may participate on or prior to the general election in November 2028. If the proposed amendment is approved, the City Clerk would be required to run City municipal elections independent of the County Registrar of Voters. While a similar noncitizen proposal authorizing noncitizens to elect school board members has been upheld, a noncitizen voting proposal to elect municipal officers and participate in municipal elections has not been tested.

Measure DD requires simple majority approval of Santa Ana voters to pass. If Measure DD does not pass, noncitizen voting will not be permitted in Santa Ana municipal elections.

A "YES" vote on the Measure is a vote in favor of the Charter amendment described above.

A "NO" vote on the Measure is a vote against the Charter amendment described above.

Santa Ana City Attorney



Ballot Measures-DD

Argument in Favor of Measure DD

Rebuttal to Argument in Favor of Measure DD

Give ALL Santa Ana residents a voice in city elections by voting **YES on Measure DD!**

For the first 150 years of our nation's history, 40 states and territories at various times allowed noncitizens to vote.

Being involved in the community is an important part of American life. Measure DD will give noncitizen residents greater opportunities to participate in the community and democratic process. Santa Ana will be a stronger city when all residents can participate in making decisions that affect their daily lives, including decisions about who gets to represent them at City Hall.

About 1/4 of Santa Ana residents currently don't have a say in city elections just because of their immigration status. Many have lived here for decades and contribute greatly to the local economy. They pay taxes, own homes and property, run local businesses, work, and raise families in Santa Ana. They should be able to vote for the city officials who make decisions impacting their daily lives. Measure DD will empower them to do so.

We deserve a local government that works for all Santa Ana residents. By passing Measure DD, city officials will face greater pressures to be more transparent, responsive to residents' needs, and responsible with our taxpayer dollars. Expanding the ability to vote in city elections to all adult residents will help ensure that Santa Ana city government is accountable to everyone who lives here.

Federal law is clear that noncitizens can legally vote in local elections if state and local law allows it. A 2023 court ruling confirmed it is constitutional for charter cities like Santa Ana to expand who can vote in local elections

Vote **YES on Measure DD** to ensure Santa Ana city government represents ALL of us.

s/ Benjamin Vazquez
Santa Ana Councilmember

s/ Johnathan Ryan Hernandez
Santa Ana Councilmember

s/ Thai Viet Phan
Santa Ana Mayor Pro Tem

s/ Julia Gomez
Senior Staff Attorney, ACLU of Southern California

s/ Katelyn Brazer Aceves
Santa Ana Unified School District Board Member

Adult non-citizen residents play an important part in the day-to-day life of our communities. Immigrants form the backbone of Santa Ana and make our city vibrant and diverse. But this extreme change to our elections will not be paid for by the state and county agencies that currently run elections for Santa Ana and Orange County, since federal and state law does not permit non-citizen voting. This leaves the city of Santa Ana footing the bill for all election-related costs, creating a huge \$10 Million budget hole with no tax or revenue proposals to fund it.

Proponents fail to answer the important questions: How will implementation be paid for? What taxes do they propose to raise? How will Santa Ana residency be established? Who will maintain privacy of the non-citizen voter rolls? Each of these unanswered questions is a reason to reject Measure DD.

In 2022, the City of San Jose sought to establish non-citizen voting. They also failed to answer these important questions. After 8 months of meetings, they abandoned the effort.

The fact is the city of Santa Ana would be forced to pay for this program. This unbudgeted \$10 million expenditure would lead to massive budget cuts in public safety, emergency services, and other city priorities, including road repair and trash pickup. Higher taxes, higher water rates, and higher trash bills are not the answer. This measure is well-intentioned but will have bad results. Voters should reject Measure DD for the good of our city.

s/ Susana Cruz
Community Activist



Ballot Measures-DD

Argument Against Measure DD

There are many idealistic actions that are well-intended but spiral into unforeseen consequences. This measure is the embodiment of that. As an immigrant, Veteran and former City Councilmember, I completely understand the struggles and sacrifices that immigrants make to achieve the American Dream. But if enacted, this measure will lead to budget deficits, lawsuits, and endless litigation that will burden future councils.

FACT: The City of Santa Ana would be forced to pay for this program on its own with no commitments from state or county election agencies. This unfunded liability will result in more city bureaucracy costing up to \$10 Million a year when the City of Santa Ana needs to prepare for the end of the sales tax ordinance and the fiscal cliff.

FACT: If passed, this would cost the city \$10 Million, leading to massive budget cuts in public safety, emergency services, and other city priorities. No money to hire new police officers, first responders, or firefighters. No money to fill potholes, pave and sweep our streets or keep our infrastructure intact. No money to pick up trash.

FACT: This mandatory \$10 Million expenditure would lead to higher water and trash rates and higher taxes. Santa Ana already has the highest taxes in Orange County.

We support our immigrant residents and Santa Ana is a vibrant city rich in the traditions of immigrant communities, families, and businesses. But we must assess the importance of protecting neighborhoods, cleaning and fixing our streets, and picking up trash.

We ask you to vote NO on this misguided measure. We deserve a city that is safe, fiscally sound, and serves all residents. Not millions of dollars for new bureaucracy at the expense of public safety and essential city services.

s/ Nelida Mendoza
Former Councilmember/Resident

Rebuttal to Argument Against Measure DD

Opponents of Measure DD are using disinformation to mislead voters. We will not buy into their scare tactics. Vote YES on Measure DD!

Passing Measure DD would make city-wide elections fair and inclusive. In doing so, Santa Ana would join a growing number of cities in California who have already taken steps to strengthen democracy by passing immigrant voting measures or contracting with their county to run school district youth voting programs.

Opponents of Measure DD misrepresent how the city budget works by pitting noncitizen voting against basic services. But just as increasing funding for youth services would not deplete the city's 2024-2025 \$734,000,000 budget, neither will strengthening Santa Ana's democracy.

To make our elections fairer, election services need to be expanded, but those costs would be a small fraction of the city budget. For example, Santa Ana spent about \$360,000 for the County of Orange to run the city's 2022 general election and, for fiscal year 22-23, had a proposed budget of \$150,000 for related legal costs.

The opponents' arguments are the same arguments used over 100 years ago to limit voting rights. Back then, anti-immigrant politicians claimed that denying Chinese immigrants the vote was economically necessary, and opponents of women's suffrage argued that letting women vote was not worth raising election costs. Anti-immigrant and anti-suffrage movements were wrong a century ago. They are still wrong today.

Vote for what's right and fair. VOTE YES on Measure DD!

Learn more at SantaAnaFairElections.com.

s/ Benjamin Vazquez
Santa Ana Council Member

s/ Johnathan Ryan Hernandez
Santa Ana Councilmember

s/ Thai Viet Phan
Santa Ana Mayor Pro Tem

s/ Julia A. Gomez
Senior Staff Attorney, ACLU So Cal

s/ Katelyn Brazer Aceves
Santa Ana Unified School District Board Member