



Changing Populations, Changing Ballots: Improving Language Access in California

March 3, 2014

Building upon the legacy of the Asian Pacific American Legal Center

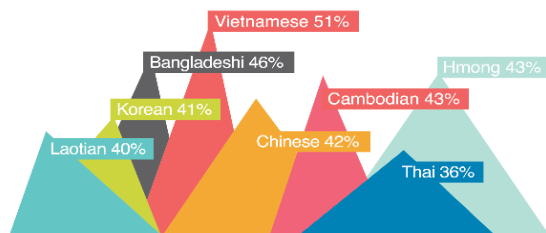
Need for Language Assistance related to Elections

Language is a significant barrier to the ability of many Asian Americans to vote

Asian Americans at a Glance³



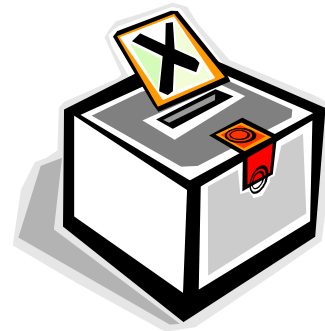
LEP rates vary among Asian ethnic groups. For example,



Importance of Language Assistance in Asian American Communities

- Use of language assistance in Los Angeles for the 2008 presidential election:
 - 30% Chinese Americans
 - 33% Filipino Americans
 - 50% Vietnamese Americans
 - 60% Korean Americans

- Orange County 2004 presidential election:
 - 62% Vietnamese Americans



Language Assistance during Elections under federal law

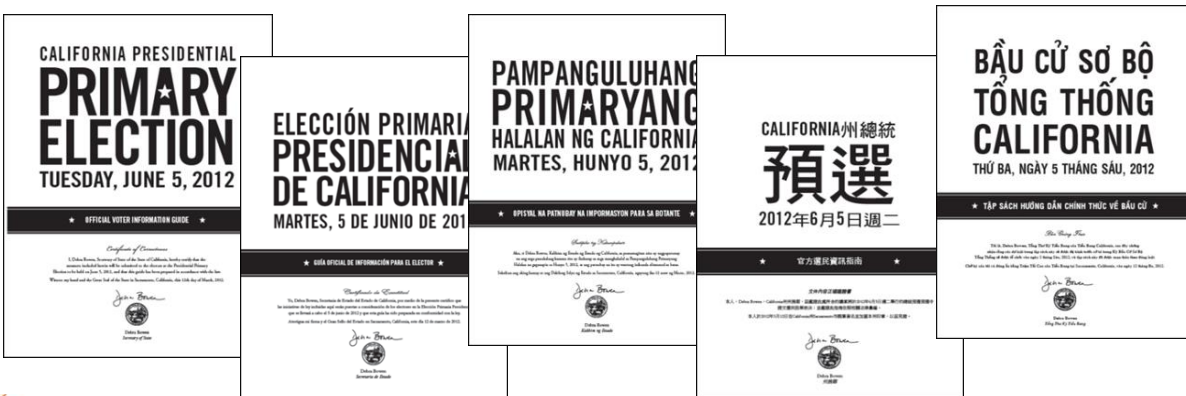
- §203 of the VRA
 - Written and oral assistance when language group reaches threshold size and has high rate of English illiteracy
- §208 of the VRA
 - Voters who are unable to read/write have a right to bring helper of choice



Language Assistance under Section 203 (federal law)

Election officials must provide:

- translations of written materials that are generally provided to voters (including the mailing of election materials to voters who request assistance)
- oral assistance at poll sites and
- pre-election publicity of the language assistance



Asian Languages covered under Section 203 in California (8 counties)

- Alameda: Chinese, Tagalog, Vietnamese
- Los Angeles: Chinese, Tagalog, Hindi (plus oral assistance in Bengali and Gujarati), Khmer, Japanese, Korean, Thai, Vietnamese
- Orange: Chinese, Korean, Vietnamese
- Sacramento: Chinese
- San Diego: Chinese, Tagalog, Vietnamese
- San Francisco: Chinese
- San Mateo: Chinese
- Santa Clara: Chinese, Tagalog, Vietnamese

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Language Assistance during Elections under California Law

- Elections Code §14201
 - Posted translated copy of sample ballot w/instructions for language groups reaching threshold size
- Elections Code §12303
 - Oral assistance

Note: Unlike the federal law, the election official is not required to mail these materials to voters

Asian Languages covered under CA Law (30 counties) (in addition to federal req.)

- Alameda: Hindi (247), Japanese (5), Khmer (4), Korean (41)
- Contra Costa: Chinese (283), Hindi (35), Japanese (12), Korean (10), Tagalog (193), Vietnamese (3)
- El Dorado: Tagalog (9)
- Fresno: Chinese (4), Hindi (186), Japanese (14), Khmer (7)
- Kern: Hindi (41), Tagalog (58)
- Kings: Tagalog (19)
- Marin: Chinese (4), Korean (17), Vietnamese (1)
- Mendocino: Chinese (19)
- Merced: Hindi (34)
- Monterey: Chinese (2), Korean (6), Tagalog (44), Vietnamese (2)
- Napa: Chinese (1), Tagalog (13)
- Orange: Hindi (9), Japanese (34), Khmer (2), Tagalog (84)
- Placer: Tagalog (26)
- Riverside: Chinese (40), Korean (11), Tagalog (104), Vietnamese (2)
- Sacramento: Hindi (48), Japanese (43), Korean (14), Tagalog (132), Vietnamese (154)

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Asian Languages covered under CA Law (Continued)

- San Bernardino: Chinese (66), Khmer (4), Korean (49), Tagalog (36), Vietnamese (15)
- San Diego: Hindi (6), Japanese (8), Khmer (11), Korean (22)
- San Francisco: Japanese (24), Korean (20), Tagalog (135), Vietnamese (37)
- San Joaquin: Chinese (53), Hindi (58), Khmer (92), Tagalog (409), Vietnamese (74)
- San Luis Obispo: Tagalog (3)
- San Mateo: Hindi (2), Japanese (13), Tagalog (162)
- Santa Barbara: Tagalog (29)
- Santa Clara: Hindi (197), Japanese (54), Khmer (1), Korean (68)
- Santa Cruz: Chinese (11), Tagalog (10)
- Solano: Chinese (11), Tagalog (235)
- Stanislaus: Hindi (33), Khmer (7)
- Sutter: Hindi (233)
- Tulare: Tagalog (81)
- Ventura: Chinese (19), Hindi (5), Tagalog (39)
- Yolo: Chinese (116), Hindi (6), Tagalog (4)

Lawful Permanent Residents as Poll Workers - AB 817 (Elections Code §12302(c))

- Every election requires counties to recruit large numbers of poll workers, including bilingual poll workers
 - Over 9,300 bilingual poll workers recruited in LA County for the 2012 general election
 - Nearly 2,000 bilingual poll workers recruited in SD County
- Beginning this year, counties have *the option* to recruit lawful permanent residents (aka green card holders) as poll workers
 - Previously, only registered voters could be poll workers in California (with a limited exception for high school students)

Lawful Permanent Residents as Poll Workers

- AB 817 is similar to the existing high school poll worker program, which has been successfully used by some counties to recruit poll workers
- AB 817 expands the pool of bilingual individuals who can serve as poll workers
- AB 817 promotes immigrant integration



How to Recruit Lawful Permanent Residents

- CBOs can add poll worker recruitment into existing outreach work. (e.g. CBOs conducting naturalization workshops can inform those interested in citizenship that they can already work as poll workers)
- CBOs can suggest where to go to recruit lawful permanent residents interested in being poll workers
- Counties should review application forms to ensure that the form is no longer limiting recruitment to only registered voters
- Counties and CBOs can post flyers in public space and distribute flyers to community networks and to ethnic media letting people know that lawful permanent residents now have the opportunity to be poll workers. (sample provided in toolkit)

Note: first ask county if it is recruiting lawful permanent residents

Toolkit Available

- A toolkit created by Advancing Justice-LA can be found at: <http://advancingjustice-la.org/what-we-do/policy-and-research/voting-rights/asian-american-voter-and-language-barriers>
- The toolkit contains factsheets, flyers, and sample letters





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