

Fact Sheet: Language Assistance During Elections

When is a county required to provide language assistance?

Federal Law. Under the federal Voting Rights Act, a jurisdiction must provide language assistance when a language group (Asian Americans, Latinos, Native Americans, and Alaskan Natives) reaches a threshold size and the rate of English illiteracy is above the national average. There are two threshold numbers: the number of limited English speaking, voting-age citizens from the group must be either (1) at least 5% of the total voting-age citizens in the jurisdiction or (2) at least 10,000 in number. The U.S. government does an analysis every 5 years to determine which jurisdictions reach the threshold numbers and for which language groups.

California Law. Under California statute, a county must provide language assistance in election precincts where the Secretary of State determines there is a need for language assistance. The Secretary of State must find a need exists when the number of limited English speaking, voting-age residents from a group reaches 3% of the total voting-age residents in a precinct. The Secretary of State does an analysis at least once every 4 years to determine which precincts reach the 3% threshold. (Note: The Secretary of State believes this requirement is limited to the languages covered under federal law.)

What type of assistance is required?

Federal Law. Election officials must provide (1) translations of written materials that are generally provided to voters, (2) oral assistance at poll sites, and (3) pre-election publicity of the language assistance. This requirement includes the mailing of election materials to voters who request assistance, including the translated sample ballot and statewide voter guide.

California Law. State statute requires election officials to translate (1) a copy of the ballot and (2) related instructions, and post the translated materials at 3% precincts. Unlike the federal law, the election official is not required to mail these materials to voters. Because the Secretary of State creates translated statewide materials for elections, election officials should display the translated statewide voter information guides and the translated voter bill of rights at 3% precincts, in addition to the materials mentioned above. Another state statute requires election officials to attempt to recruit bilingual poll workers at 3% precincts.

Under federal law, what is the Asian language coverage in California?

Alameda: Chinese, Tagalog, Vietnamese
Los Angeles: Chinese, Tagalog, Hindi, Japanese, Khmer, 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

What is the Asian language coverage under state law?

Alameda: Hindi, Japanese, Khmer, Korean
Contra Costa: Chinese, Hindi, Japanese, Korean, Tagalog, Vietnamese
El Dorado: Tagalog
Fresno: Chinese, Hindi, Japanese, Khmer
Kern: Hindi, Tagalog
Kings: Tagalog
Marin: Chinese, Korean, Vietnamese
Mendocino: Chinese
Merced: Hindi
Monterey: Chinese, Korean, Tagalog, Vietnamese
Napa: Chinese, Tagalog
Orange: Hindi, Japanese, Khmer, Tagalog
Placer: Tagalog
Riverside: Chinese, Korean, Tagalog, Vietnamese
Sacramento: Hindi, Japanese, Korean, Tagalog, Vietnamese
San Bernardino: Chinese, Khmer, Korean, Tagalog, Vietnamese
San Diego: Hindi, Japanese, Khmer, Korean
San Francisco: Japanese, Korean, Tagalog, Vietnamese
San Joaquin: Chinese, Hindi, Khmer, Tagalog, Vietnamese
San Luis Obispo: Tagalog
San Mateo: Hindi, Japanese, Tagalog
Santa Barbara: Tagalog
Santa Clara: Hindi, Japanese, Khmer, Korean
Santa Cruz: Chinese, Tagalog
Solano: Chinese, Tagalog
Stanislaus: Hindi, Khmer
Sutter: Hindi
Tulare: Tagalog
Ventura: Chinese, Hindi, Tagalog
Yolo: Chinese, Hindi, Tagalog

What can you do? (1) Get the word out that voters can request translated materials through their county registrar of voters. (2) Monitor election officials to ensure that they provide translated materials and bilingual poll workers.

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