



LANGUAGE ACCESS

ELECTIONS CODE SECTION 14201



ALEX PADILLA
California Secretary of State

What is Section 14201?

CCROV 17-148



December 29, 2017

County Clerk/Registrar of Voters (CC/ROV) Memorandum #17148

TO: All County Clerks/Registrars of Voters

FROM: /s/ Steve Reyes
Chief Counsel

RE: Language Requirements: 14201, Language Minority Determinations

The Secretary of State, by January 1 of each year in which the Governor is elected, must determine the precincts where 3% or more of the voting-age residents are members of a "single language minority" and lack sufficient skills in English to vote without assistance. (Elections Code § 14201(d).)

For each specified precinct in their county, elections officials are required to:

- Translate a facsimile ballot and related instructions in the designated language(s).
- Post the translation(s) in a conspicuous location in the appropriate polling place.

If a county is already required to provide translations in a particular language under the VRA, they are not required to also post a facsimile ballot and instructions at the polling place in that language.

Additionally, Elections Code section 12303(c) requires county elections officials to make a good faith effort to recruit bilingual poll workers for any precinct in which 3% or more of the voting-age residents are members of a single language minority. This poll worker recruitment applies even in cases where the entire county is covered for a particular language under the federal Voting Rights Act (VRA).

¹ Assembly Bill 918 (AB 918) which amends Elections Code sections 14201 and 12303 was signed into law by Governor Brown and becomes effective January 1, 2018. With respect to Section 14201, AB 918 includes additional posting requirements for precincts that meet a 20% single language minority threshold. While that information is contained in the county-specific data that we are providing to you, for your convenience our office will analyze that data and provide it to each county in a separate memorandum. Please note that all code sections referenced in this memo reflect the current statutes, not those that become effective in 2018.

Dec. 2017



CCROV 18-051



March 5, 2018

County Clerk/Registrar of Voters (CC/ROV) Memorandum #18051

TO: All County Clerks/Registrars of Voters

FROM: /s/ Steve Reyes
Chief Counsel

RE: AB 918: Expanded Vote-by-Mail, Ballot Translations, and Posting Requirements

Last year, Assembly Bill (AB) 918, the California Voting for All Act, was enacted, which provides expanded language access requirements primarily under Elections Code section 14201. In addition to the requirements outlined under [CCROV #17418, Language Requirements: 14201, Language Minority Determinations](#), county elections officials must adhere to the following:

Prior to Election Day

- **Post Polling Place/Vote Center Locations:** At least 14 days before an election, the county elections official shall provide information on the county elections website identifying all county polling places and/or vote centers and the languages of facsimile copies of the ballot that will be available to voters at each location. Additionally, explanatory information pertaining to the list of polling places, but not the list itself, shall be available in all languages in which the county provides facsimile copies of the ballot. (Sec. 14201(d).)

- **Poll Worker Training and Education:** Poll workers must be educated on the purpose of providing facsimile ballots to limited English proficient (LEP) voters and specifically trained with instructions on how to handle facsimile ballots. (Sec. 14201(c)(1).) Further, poll workers must be aware that LEP voters may bring up to two individuals they choose to assist them in casting their ballot, with the exception of their employer, an agent of their employer, or their union representative. (Sec. 14282(a).)

¹ Please note, Bengali was inadvertently added to Los Angeles County and will therefore be removed from their Section 14201 responsibilities. The Ballot Translations and Posting Requirements Summary spreadsheet included in [CCROV #17148](#) has been amended to reflect this change and is included below.

Mar. 2018

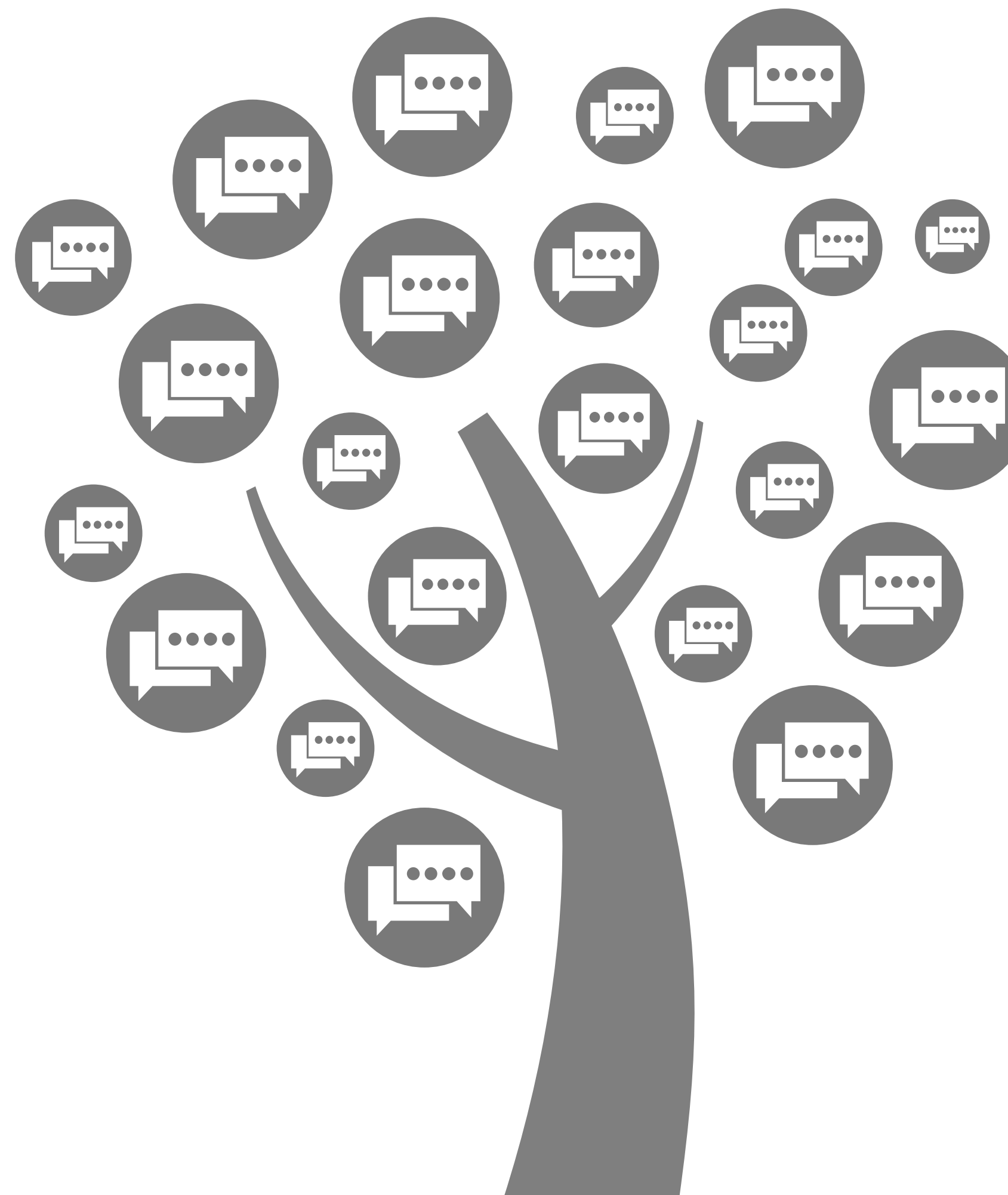


What are Secretary of State Responsibilities?

Determine

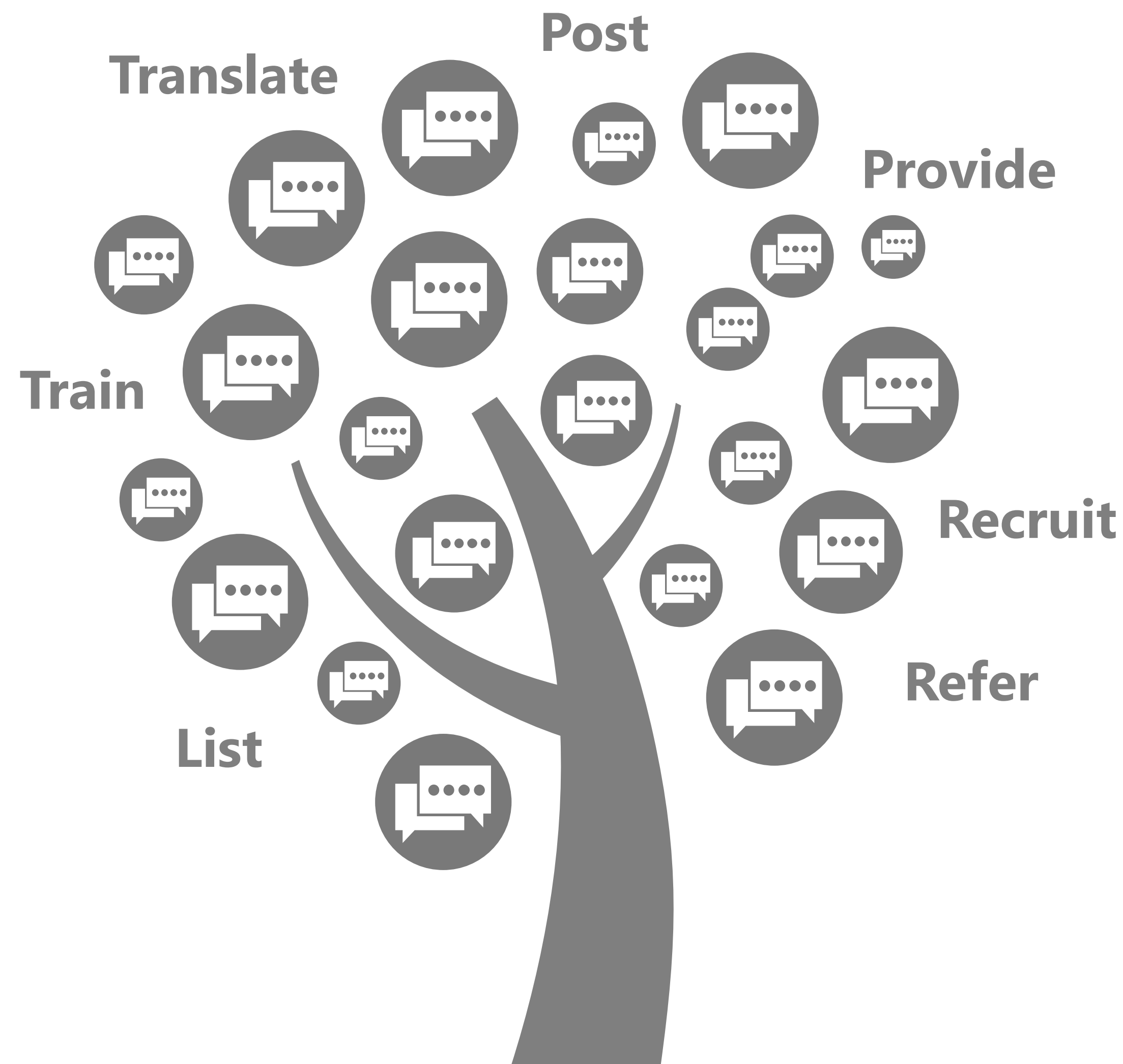


The Secretary of State shall make determinations as to which languages are covered by Section 14201 by January 1 of year when Governor is elected (every 4 years)



What are County Responsibilities?

- Translate**  Translate facsimile copies of ballots & related instructions in designated languages.
- Post**  Post translations in conspicuous location at specified polling places.
- Provide**  Provide additional facsimile copies of ballots for voters to use while voting.
- Train**  Train pollworkers on purpose and proper handling of the facsimile copies of ballots and inform voters.
- List**  At least 14 days before election, on county website, list polling places providing facsimile copies of ballots.
- Refer**  County voter information guide must refer voters to its website with info on language access services.
- Recruit**  Recruit bilingual pollworkers. EC 12303.



14201 New Language Highlights

Punjabi

Alameda, Fresno, Kern,
Madera, Merced, Sacramento,
San Joaquin, Stanislaus,
Sutter

Arabic

San Diego

Armenian

Los Angeles

Persian

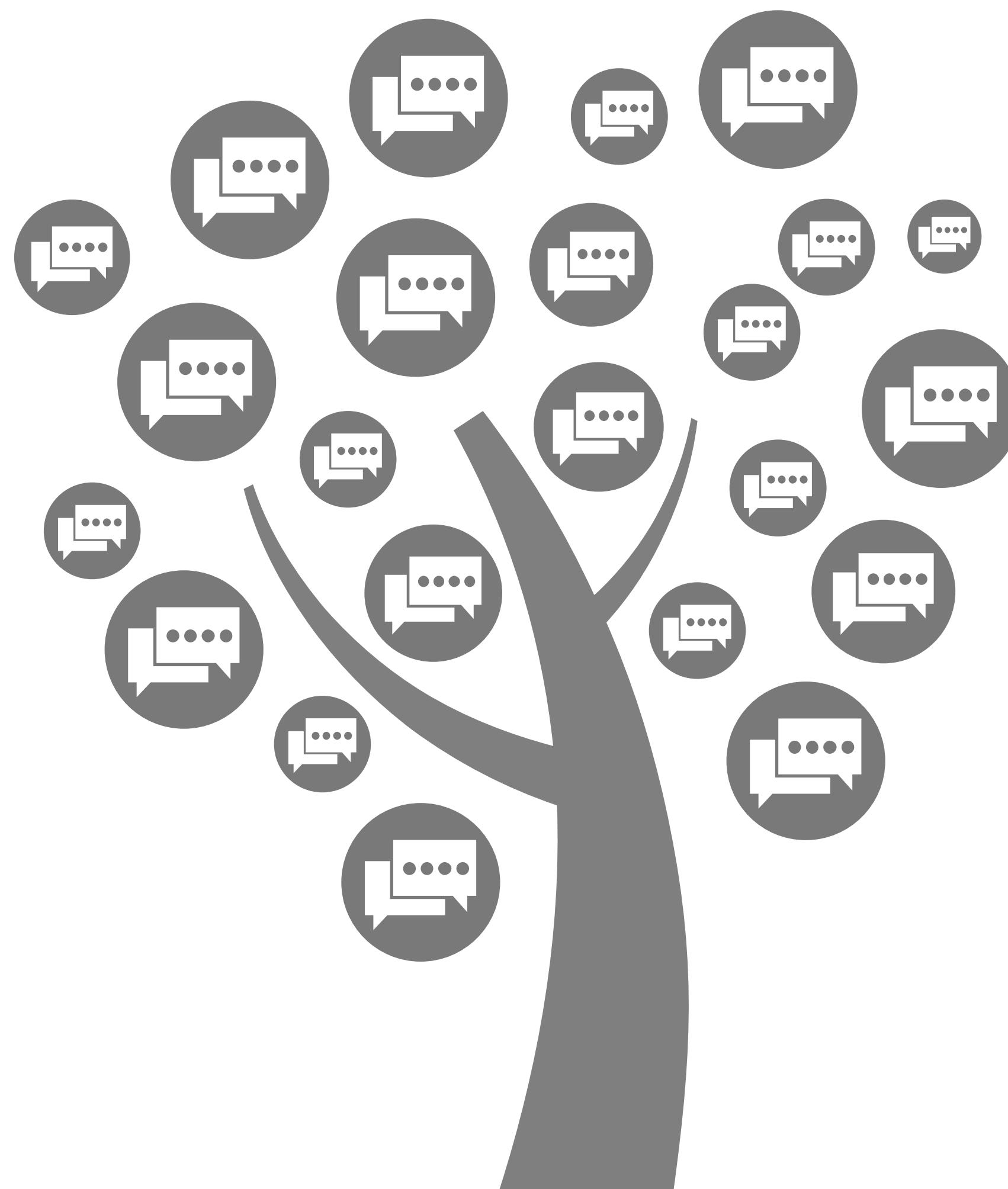
Los Angeles, Orange

Hmong

Butte, Fresno, Merced,
Sacramento, Yuba

Syriac

Stanislaus



14201 Language Net Gains/Losses*

*excludes counties with no 2014/2018 coverage

0

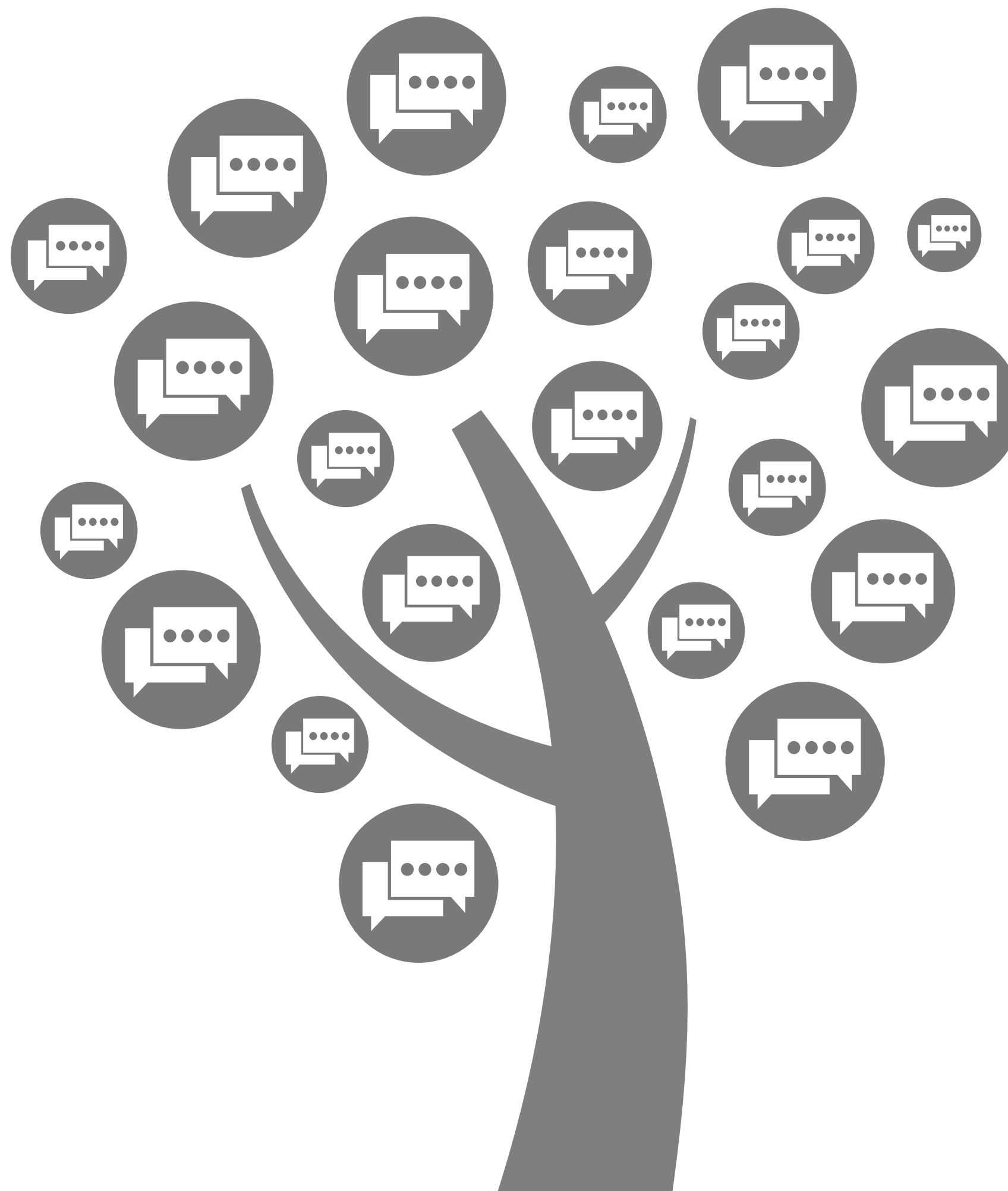
Alameda, Amador, Calaveras, Del Norte, El Dorado, Humboldt, Inyo, Lassen, Modoc, Mono, Plumas, Riverside, San Joaquin, San Luis Obispo, Sacramento, Shasta, Sierra, Siskiyou, Tehama, Tulare, Tuolumne, Ventura

+1

Butte, Colusa, Madera, Mariposa, Placer, Stanislaus, Yuba

+2

Los Angeles, Merced, Santa Barbara, Sutter



+3

Fresno, Sonoma

-1

Mendocino, Monterey, San Bernardino, San Francisco, San Mateo, Solano, Yolo

-2

Marin, Orange, San Diego, Santa Clara, Santa Cruz

-3

Contra Costa

Methodology & Data



California Statewide Database Assistance



Analysis of existing datasets



Secretary of State Request for Special Tabulation from United States Census Bureau



Result: More refined precinct-level data for language determinations

Methodology for Section 14201 Data Analysis & Determinations¹

This document outlines the methodology used to identify precincts covered by the language assistance requirements under California Elections Code section 14201(c).

California Elections Code Section 14201(c)

Elections Code section 14201(c) outlines state language access requirements for determining which precincts must provide facsimile ballots in non-English languages.

Under Section 14201(c), the Secretary of State must identify (1) the number of residents of voting age in each county and precinct who are (2) members of a single language minority, that (3) lack sufficient skills in English to vote without assistance. If that number equals 3 percent or more of the voting age residents of a particular county or precinct, "the Secretary of State shall find a need to post at least one facsimile copy of the ballot with the ballot measures and ballot instructions printed in Spanish or other applicable language in the affected polling places." (Cal. Elec. Code § 14201(c).)²

Data Availability

The Secretary of State contracted with the California Statewide Database (SWDB) to evaluate whether publicly available census data as well as the Census Bureau's American Community Survey (ACS) data set was sufficient for our needs.

The evaluation concluded that publicly available data from both the U.S. Census Bureau and the ACS had significant limitations that failed to adequately capture the criteria set forth under Section 14201. As such, to complete our assessment under Section 14201(c), SWDB requested a special tabulation³ from the U.S. Census Bureau.

¹ Assembly Bill 918 (AB 918), which amends Elections Code sections 14201 and 12303, was signed into law by Governor Brown and becomes effective on January 1, 2018. With respect to Section 14201, AB 918 includes additional posting requirements for precincts that meet a 20% single language minority threshold. While that information is contained in the county-specific data that we are providing to you, for your convenience, our office will analyze that data and provide it to each county in a separate memorandum. Please note that all code sections referenced in this memo reflect the current statutes, not those that become effective in 2018.

² Note that Section 14201(c) also provides an alternative method for triggering the facsimile ballot posting requirement by permitting interested citizens or organizations to provide the Secretary of State with information which provides the Secretary of State sufficient reason to believe a need for the furnishing of facsimile ballots in affected polling places exists.

³ Special tabulations are data available tabulations are not case-by-case basis by U.S. Census confidentiality and privacy requirements.

	A	B	C	D	E
	Population	Estimate+	Percentage of 18+ Population	# of Precincts with population > 3% of 18+ Population*	# of Precincts with population
1					
2	18+ Population	1,241,665	-	2,062	2,062
3	Spanish LEP	96,525	8%	904	1,169
4	Chinese LEP	34,240	3%	691	1,015
5	Amharic LEP	990	0%	27	36
6	Arabic LEP	715	0%	9	37
7	Burmese LEP	575	0%	12	23
8	Cantonese LEP	16,910	1%	280	542
9	Hindi LEP	1,965	0%	19	96
10	Korean LEP	2,885	0%	49	182
11	Laotian LEP	245	0%	4	4
12	Mandarin LEP	5,900	0%	122	297
13	Mien LEP	195	0%	5	5
14	Mongolian LEP	155	0%	3	6
15	Mon-Khmer, Cambodian LEP	200	0%	2	6
16	Panjabi LEP	3,805	0%	65	125
17	Persian LEP	1,400	0%	17	71
18	Russian LEP	335	0%	1	32
19	Tagalog LEP	15,049	1%	266	457



Coverage Methods

Formula



- Precinct covered IF:
- 3% (or more) of persons are 18 and over; and
 - Members of “single language minority;” and
 - Lack sufficient skills in English to vote without assistance (LEP).

Need

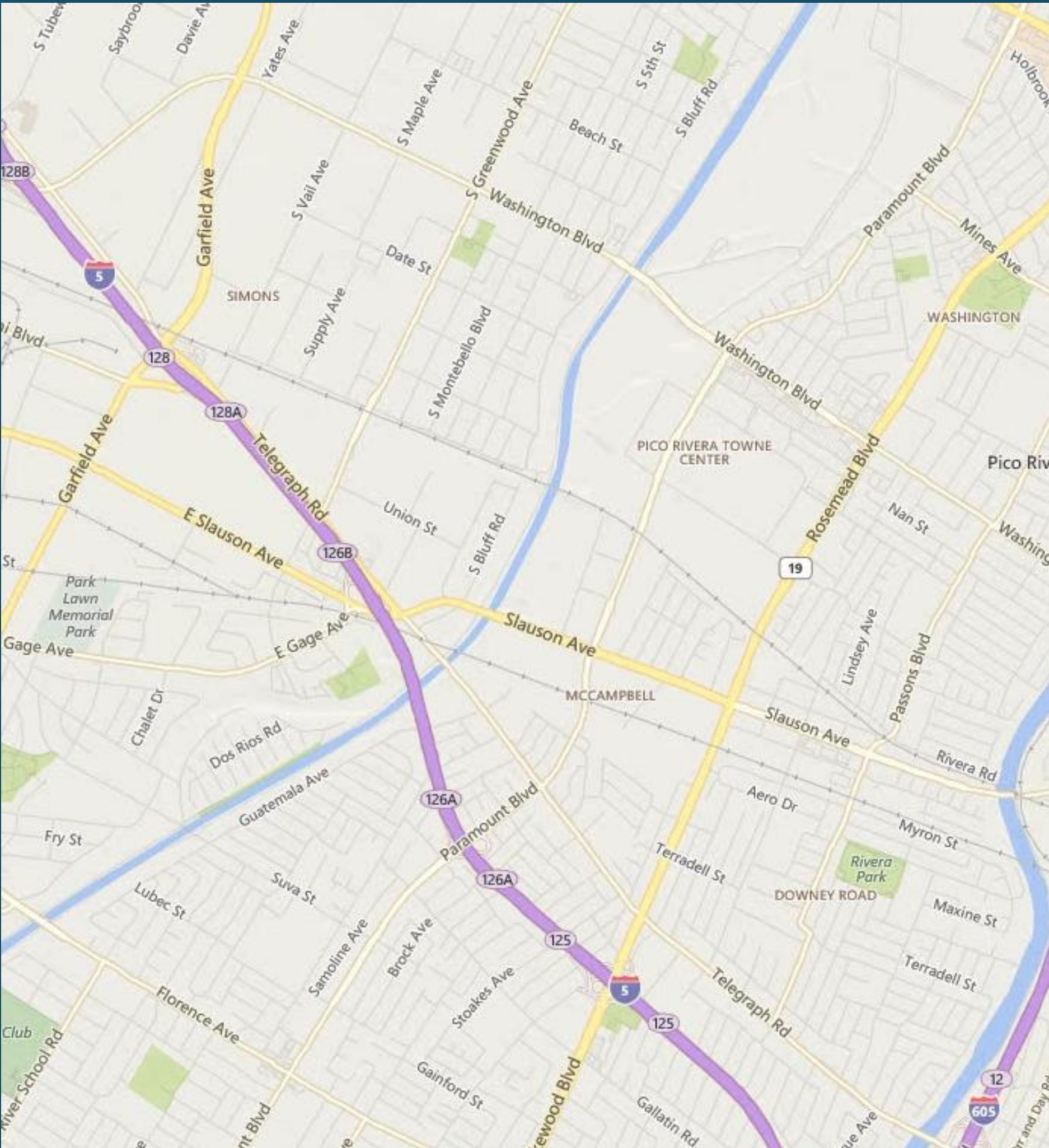


- Precinct covered IF:
- The Secretary of State determines there is a “significant and substantial need” for language coverage.

Advocacy



- Precinct may be covered IF:
- Interested parties provide information to the Secretary of State’s office indicating language need.



Formula



3% formula under Section 14201(b)(1) - applies to groups from a “single language minority”



“Single language minority” not defined in the Elections Code



SOS continued prior practice of interpreting “single language minority” in manner consistent with usage in Section 203 of the Voting Rights Act (VRA)



Sec. 203 of VRA defines “single language minority” into 4 groups: Hispanic, Asian, American Indian, Alaskan Native

WWW.SOS.CA.GOV

The collage contains the following sections and formulas:

- Relativity:**
 - $\Delta t = \gamma \Delta t_0 \rightarrow$ proper time
 - $L = L_0 \rightarrow$ rest length
 - Lorentz transformations:**

$$ct' = \gamma(ct - \beta x)$$

$$x' = \gamma(x - \beta ct)$$

$$y' = y \quad z' = z$$
 - Velocity transformations:**

$$u_x' = \frac{u_x - v}{1 - \frac{vu_x}{c^2}}$$

$$u_y' = \frac{u_y}{\gamma(1 - \frac{vu_x}{c^2})}$$

$$u_z' = \frac{u_z}{\gamma(1 - \frac{vu_x}{c^2})}$$
 - Acceleration transformations:**

$$a_x' = \frac{a_x}{\gamma^3(1 - \frac{vu_x}{c^2})^3}$$
 - Momentum:**

$$\vec{p} = \gamma m \vec{u}$$
- Energy:**
 - $E_{\text{tot}} = \gamma mc^2$

$$E_k = \gamma mc^2 - mc^2$$
 - $\vec{p} \cdot \vec{p} = E^2/c^2 - (pc)^2$

$$E^2 = (pc)^2 + (mc^2)^2$$
 - Massless:**

$$E = pc$$
 - Massive:**

$$E = \gamma mc^2$$
- Magnetic fields:**
 - $\vec{F} = q\vec{u} \times \vec{B}$
 - $\vec{F} = q\vec{u} \times \vec{B}$
 - $\vec{F} = q\vec{u} \times \vec{B}$
- Energy density:**
 - $U(\vec{r}) = \frac{1}{2} \epsilon_0 E^2 + \frac{1}{2} \mu_0 B^2$
- Photoelectric effect:**
 - $E_k = hf - \phi$
 - $E_k = hf - \phi$
- Photon energy:**
 - $E = hf = \frac{hc}{\lambda}$
- Compton scattering:**
 - $\lambda_2 - \lambda_1 = \frac{h}{mc} [1 - \cos \theta]$
- Hydrogen spectrum:**
 - $\frac{1}{\lambda} = R_H \left[\frac{1}{n^2} - \frac{1}{m^2} \right]$
 - for $n > m$
- Spacetime intervals:**
 - Lightlike: $(\Delta t)^2 = \Delta x^2 + \Delta y^2 + \Delta z^2 = 0$
 - Spacelike: $(\Delta t)^2 < \Delta x^2 + \Delta y^2 + \Delta z^2 \Rightarrow \Delta s^2 < 0$
 - Timelike: $(\Delta t)^2 > \Delta x^2 + \Delta y^2 + \Delta z^2 \Rightarrow \Delta s^2 > 0$
- Quantum Numbers:**
 - $n = 0, 1, 2, 3, 4, \dots$
 - $l = 0, 1, 2, \dots, n-1$
 - $m = -l, \dots, l$
 - $s = \pm \frac{1}{2}$
- Pauli exclusion principle:**
 - Two electrons can be in the exact same physical state at exactly the same time.
 - eg. ground state.
 - $n=1, l=0, m=0, s=\pm \frac{1}{2}$, this means only two electrons can fit.
- Shielding:**
 - Electrons in different angular momentum states are shielded from the nuclear charge, because of varying distances from the nucleus. This changes the ionization energy of the atoms.
- Nuclear potential:**
 - 1) short range repulsion
 - 2) strong nuclear force
 - 3) Coulomb force
- Formions:**
 - half-integer spins
 - eg. muons.
- Bosons:**
 - whole integer spins
 - eg. photons.
- Nuclear Physics:**
 - Nuclear decays:**
 - Alpha:** ${}_Z^AX \rightarrow {}_{Z-2}^{A-4}Y + {}_2^4\text{He}$
 - Beta:** ${}_Z^AX \rightarrow {}_{Z+1}^{A}Y + {}_{-1}^0e$
 - Gamma:** ${}_Z^AX \rightarrow {}_Z^AX + \gamma$
 - where:**
 - A = Atomic mass
 - Z = number of protons
 - beta decay has several types:**
 - normal emission
 - positron decay
 - electron capture
 - Alpha decay has several types:**
 - normal emission
 - electron capture
- Minor nuclei:**
 - eg. ${}^3\text{H}$ and ${}^4\text{He}$
 - their radii are given by: $R = R_0 A^{1/3}$
 - where: $R_0 = 1.2 \pm 0.2 \text{ fm}$
- Radioactivity:**
 - units: $1 \text{ Bq} = 1 \text{ decay/s}$
 - $N = N_0 2^{-t/t_{1/2}}$
 - where: $t_{1/2} = \frac{\ln(2)}{\lambda}$
 - N_0 = original amount
 - N = after decay
 - $t = \frac{t_{1/2}}{\ln(2)} \ln \left(\frac{N_0}{N} \right)$
- The standard model:**
 - works most of the time, but has holes in it.
- Quarks:**

u	c	t	g
u _q	c _q	t _q	g _q
d	s	b	g
d _q	s _q	b _q	g _q
\bar{u}	\bar{c}	\bar{t}	\bar{g}
\bar{u}_q	\bar{c}_q	\bar{t}_q	\bar{g}_q
\bar{d}	\bar{s}	\bar{b}	\bar{g}
\bar{d}_q	\bar{s}_q	\bar{b}_q	\bar{g}_q

Significant & Substantial Need



This portion of the Elections Code not previously utilized.



SOS used the number of precincts that met 3% threshold for a particular language, then divided by the total number of precincts in the county



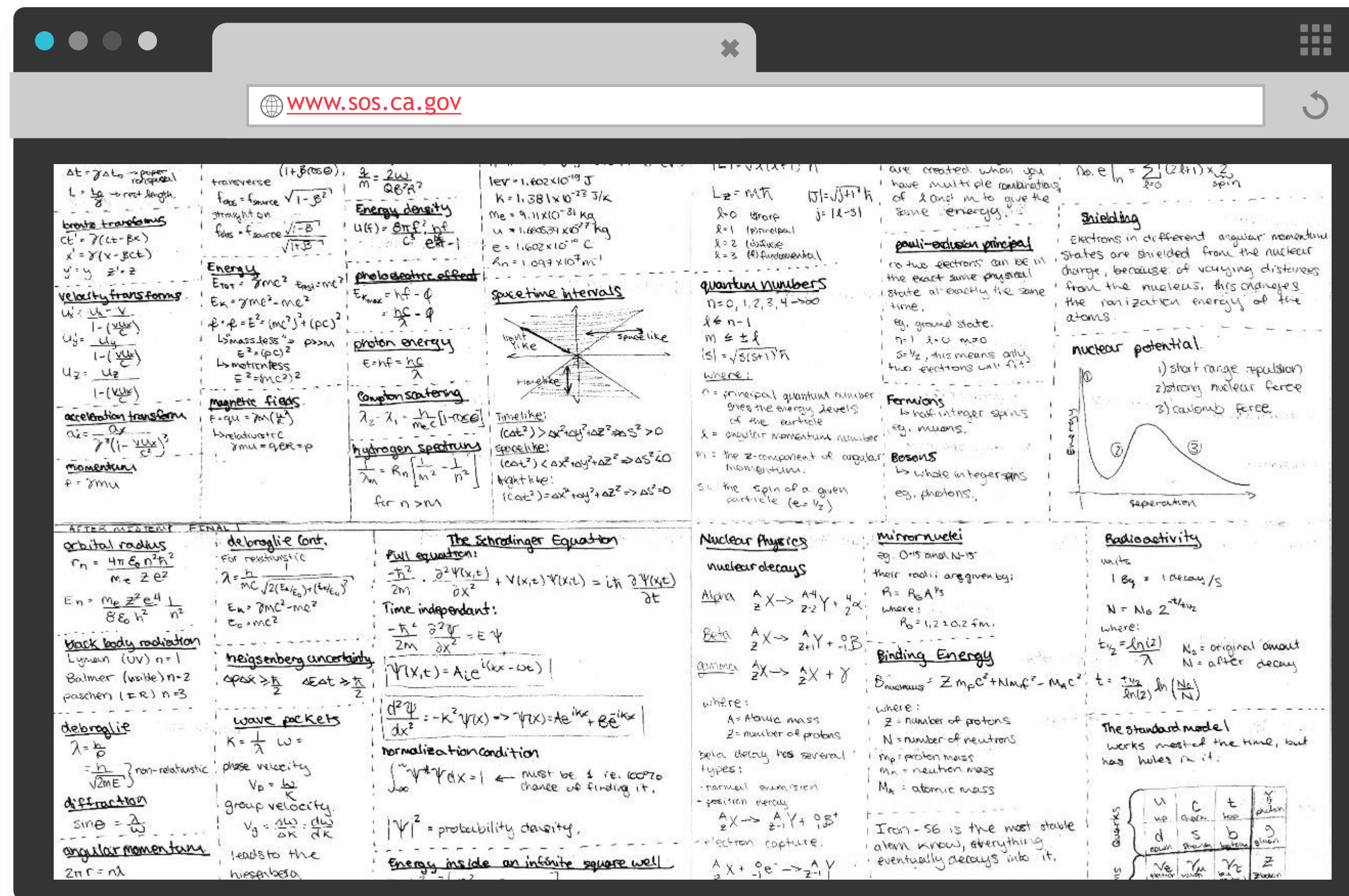
If the total number of precincts meeting the 3% threshold exceeded 3% of total number of county precincts, SOS considered that language for inclusion under this determination method



Then considered whether particular language groups meeting calculation referenced above has been subject to discrimination/burdens



What about languages not covered ?



Community & Organizational Advocacy



Section 14201(b)(1): Interested parties may provide information to SOS indicating language need.



SOS received input prior to issuing its Section 14201 language access determinations.



What's required?

WWW.SOS.CA.GOV

The image displays a collage of handwritten physics notes, organized into sections. The notes cover a wide range of topics in physics, including:

- Relativity:** Lorentz transformations, velocity transformations, time dilation, length contraction, and the relativistic Doppler effect.
- Quantum Mechanics:** Wave-particle duality, de Broglie wavelength, Heisenberg uncertainty principle, wave packets, and the Schrodinger equation.
- Nuclear Physics:** Nuclear decay (alpha, beta, gamma), binding energy, and the standard model of particle physics.
- Particle Physics:** Quarks, leptons, and the forces of nature.
- Other Topics:** Special relativity, quantum numbers, and the Pauli exclusion principle.

The notes are written in a clear, legible hand, with many equations and diagrams. The background is a dark, textured surface, and the text is written in white or light-colored ink.

Data Availability



Check/verify observed demographic shifts



Stakeholders, advocacy groups, counties can identify other non-covered groups that could benefit from additional information & services



Registration precinct data can be used to provide visualization of where language communities live.

	Election	FIPS	County	County-Precinct Key	Precinct	All Languages (# of Precincts with population > 3% of 18+ Population*) Includes 14201 and non-14201 designations; Reference Summary tab for 14201	LEP Populations Estimated to be Present	Total Estimated 18+ Population	Estimated Amharic LEP	% Amharic LEP	Estimated Arabic LEP
2208	g16	06037	Los Angeles	060370950002A	0950002A	Armenian, Spanish	Spanish	280	0	0	0
2209	g16	06037	Los Angeles	060370950002B	0950002B	Armenian, Spanish	Spanish	267	0	0	0
2210	g16	06037	Los Angeles	060370950002C	0950002C	Armenian, Spanish	Spanish	280	0	0	0
2211	g16	06037	Los Angeles	060370950002D	0950002D	Armenian, Spanish	Spanish	463	0	0	0
2212	g16	06037	Los Angeles	060370950002E	0950002E	Armenian, Spanish	Spanish	221	0	0	0
2213	g16	06037	Los Angeles	060370950002G	0950002G	Armenian, Spanish	Spanish	224	0	0	0
2214	g16	06037	Los Angeles	060370950003A	0950003A	Spanish	Spanish, Tagalog	219	0	0	0
2215	g16	06037	Los Angeles	060370950003B	0950003B	Spanish	Spanish, Tagalog	209	0	0	0
2216	g16	06037	Los Angeles	060370950003C	0950003C	Spanish	Spanish, Tagalog	285	0	0	0
2217	g16	06037	Los Angeles	060370950003D	0950003D	Spanish	Spanish, Tagalog	238	0	0	0
2218	g16	06037	Los Angeles	060370950003E	0950003E	Spanish	Spanish, Tagalog	299	0	0	0
2219	g16	06037	Los Angeles	060370950005A	0950005A	Armenian, Spanish	Arabic, Chinese, Spanish	235	0	0	4
2220	g16	06037	Los Angeles	060370950005B	0950005B	Armenian, Spanish	Spanish, Tagalog	423	0	0	0
2221	g16	06037	Los Angeles	060370950005C	0950005C	Armenian, Spanish	Spanish, Tagalog	220	0	0	0
2222	g16	06037	Los Angeles	060370950005D	0950005D	Armenian, Spanish	Spanish, Tagalog	394	0	0	0
2223	g16	06037	Los Angeles	060370950005F	0950005F	Armenian, Spanish	Spanish, Tagalog	444	0	0	0
2224	g16	06037	Los Angeles	060370950008A	0950008A	Armenian, Spanish	Persian, Spanish	325	0	0	0
2225	g16	06037	Los Angeles	060370950008B	0950008B	Armenian, Korean	Arabic, Korean, Spanish	41	0	0	1
2226	g16	06037	Los Angeles	060370950008D	0950008D	Armenian, Spanish	Persian, Spanish	383	0	0	0
2227	g16	06037	Los Angeles	060370950008F	0950008F	Armenian, Spanish	Persian, Spanish	324	0	0	0
2228	g16	06037	Los Angeles	060370950009A	0950009A	Armenian, Korean, Spanish	Arabic, Korean, Russian, Spanish	230	0	0	3
2229	g16	06037	Los Angeles	060370950009B	0950009B	Armenian, Korean, Spanish	Arabic, Korean, Spanish	229	0	0	4
2230	g16	06037	Los Angeles	060370950009D	0950009D	Armenian, Spanish	Arabic, Korean, Russian, Spanish	287	0	0	3
2231	g16	06037	Los Angeles	060370950009E	0950009E	Armenian, Korean, Spanish	Arabic, Korean, Spanish	251	0	0	5
2232	g16	06037	Los Angeles	060370950010A	0950010A	Armenian, Spanish	Spanish	292	0	0	0
2233	g16	06037	Los Angeles	060370950010B	0950010B	Armenian, Spanish	Spanish	390	0	0	0
2234	g16	06037	Los Angeles	060370950010E	0950010E	Armenian, Spanish	Spanish	313	0	0	0
2235	g16	06037	Los Angeles	060370950010F	0950010F	Armenian, Spanish	Spanish	343	0	0	0
2236	g16	06037	Los Angeles	060370950011A	0950011A	Armenian, Korean, Spanish	Arabic, Korean, Spanish	259	0	0	5
2237	g16	06037	Los Angeles	060370950011B	0950011B	Arabic, Spanish	Arabic, Spanish	12	0	0	1
2238	g16	06037	Los Angeles	060370950011C	0950011C			0	0	0	0
2239	g16	06037	Los Angeles	060370950011E	0950011E	Arabic, Spanish	Arabic, Spanish	307	0	0	28
2240	g16	06037	Los Angeles	060370950012A	0950012A	Spanish	Spanish	282	0	0	0
2241	g16	06037	Los Angeles	060370950012B	0950012B	Spanish	Spanish	267	0	0	0
2242	g16	06037	Los Angeles	060370950012C	0950012C	Spanish	Spanish	245	0	0	0
2243	g16	06037	Los Angeles	060370950012E	0950012E	Spanish	Spanish	244	0	0	0
2244	g16	06037	Los Angeles	060370950012F	0950012F			1	0	0	0
2245	g16	06037	Los Angeles	060370950013A	0950013A	Armenian		233	0	0	0
2246	g16	06037	Los Angeles	060370950013B	0950013B	Armenian		187	0	0	0
2247	g16	06037	Los Angeles	060370950013C	0950013C	Armenian		227	0	0	0
2248	g16	06037	Los Angeles	060370950013D	0950013D	Armenian		233	0	0	0
2249	g16	06037	Los Angeles	060370950013E	0950013E	Armenian		187	0	0	0
2250	g16	06037	Los Angeles	060370950014A	0950014A	Spanish	Spanish	333	0	0	0
2251	g16	06037	Los Angeles	060370950014B	0950014B	Spanish	Spanish	322	0	0	0
2252	g16	06037	Los Angeles	060370950014C	0950014C	Spanish	Spanish	266	0	0	0
2253	g16	06037	Los Angeles	060370950015A	0950015A	Armenian, Spanish	Spanish	332	0	0	0
2254	g16	06037	Los Angeles	060370950015B	0950015B	Armenian, Spanish	Spanish	425	0	0	0
2255	g16	06037	Los Angeles	060370950015D	0950015D	Armenian, Spanish	Spanish	251	0	0	0
2256	g16	06037	Los Angeles	060370950016A	0950016A	Spanish	Spanish	247	0	0	0
2257	g16	06037	Los Angeles	060370950016B	0950016B	Spanish	Spanish	268	0	0	0



Section 14201: *Looking Ahead*



Looking back to look forward



Revisiting California language assistance provisions



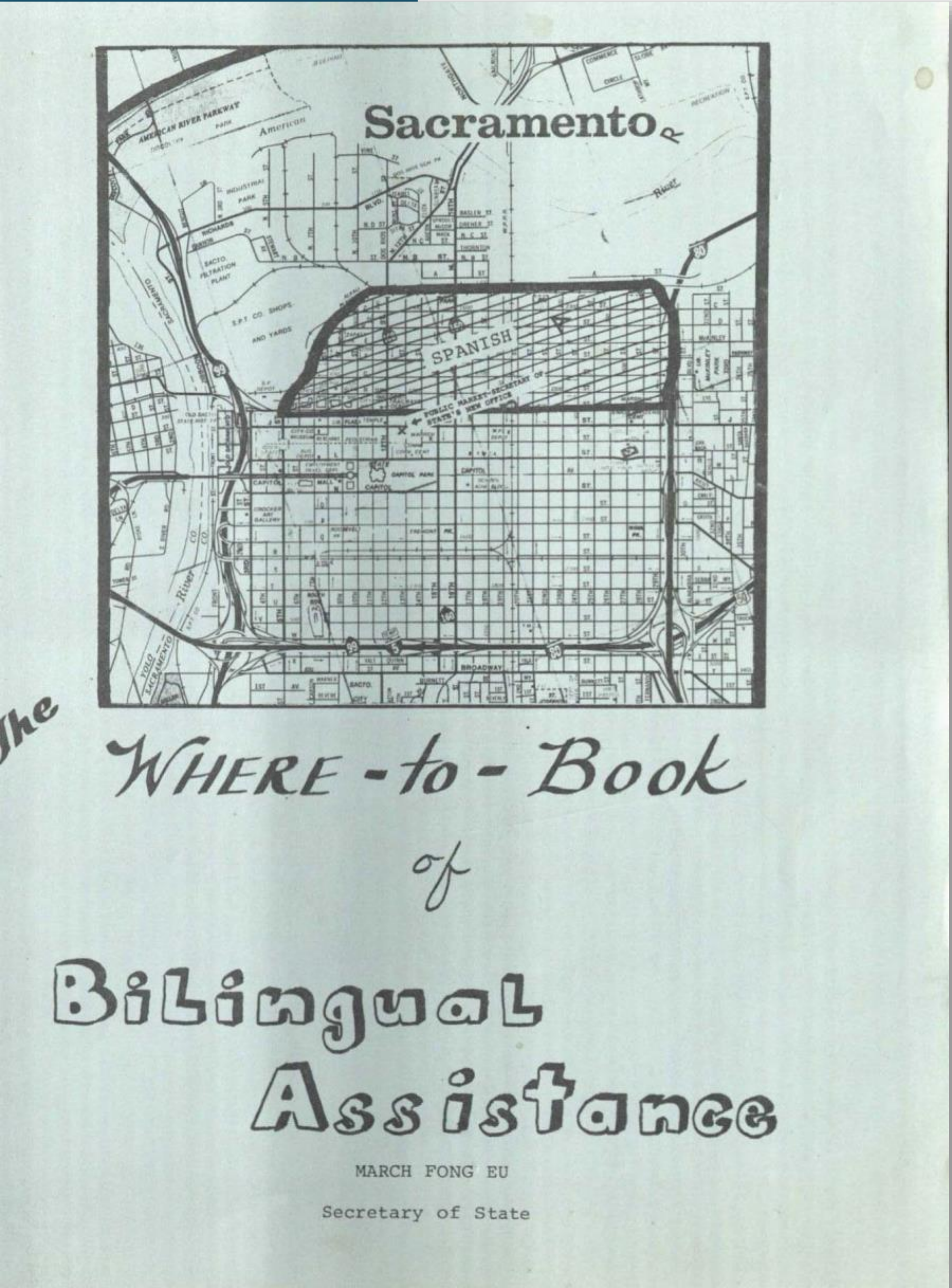
40+ years old



Thinking differently



Voter needs & County resources





for more info:

sos.ca.gov

milena paez

(916) 695-1577 - mpaez@sos.ca.gov