



VOTE 투표하십시오
Bumoto しましょう
Hãy **Vota**
投票 **Bỏ Phiếu**
LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK

SOUND BARRIERS: ASIAN AMERICANS AND LANGUAGE ACCESS IN ELECTION 2004



Asian Law Caucus



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Appendix A: Detailed Reporting from Mini-grantees

- ***Cook County, IL:*** Poll Monitoring Final Report for 2004 General Elections
- ***Harris County, TX:*** Analysis of Poll Monitoring Questionnaires for November 2004 Election
- ***King County, WA:*** November 2004 General Election King County Poll Monitoring Report
- ***Los Angeles County, CA:*** Letter to Los Angeles County re: Poll Monitoring Results and Recommendations for the 2004 General Election
- ***Orange County, CA:*** Letter to Orange County re: Poll Monitoring Results and Recommendations for the 2004 General Election
- ***San Diego County, CA:*** Poll Monitoring Report on the 2004 General Election
- ***San Mateo County, CA:*** Letter to San Mateo County re: Poll Monitoring Results and Recommendations for the 2004 General Election
- ***Santa Clara County, CA:*** Letter to Santa Clara County re: Poll Monitoring Results and Recommendations for the 2004 General Election

INTRODUCTION

According to U.S. Census Bureau, American voters turned out in unprecedented numbers across the country on November 2, 2004, including almost three million Asian Americans. Unfortunately, Asian American voters faced obstacles at the polls and had problems casting their vote. The National Asian Pacific American Legal Consortium worked to ensure full participation of Asian American voters during Election 2004, including ensuring compliance with Section 203 of the Voting Rights Act in the Midwest, West Coast, and South.

Enacted after Congress recognized a strong link between discriminatory literacy tests, limited English proficiency (LEP) and low minority voter participation, Section 203 of the Voting Rights Act is intended to provide limited-English-speaking Asian, Latino, Native American, and Alaskan Native speakers with the same information and opportunities as the English-speaking public to participate in the electoral process by providing language voting assistance in covered jurisdictions. A covered jurisdiction is required to provide translations of written materials provided to the general electorate, oral assistance at polling sites, and publicity regarding the availability of bilingual assistance. In July 2002, the Census Bureau released the list of jurisdictions covered by Section 203. Sixteen counties in seven states and five different Asian languages were identified. Eleven of those counties were required to provide language assistance in Asian languages for the first time.

SECTION 203 COVERED ASIAN LANGUAGES

Alaska

Kodiak Island Borough: *Filipino*

California

Alameda: *Chinese*

Los Angeles: *Chinese, Japanese, Korean, Filipino, Vietnamese*

Orange: *Chinese, Korean, Vietnamese*

San Diego: *Filipino, (Vietnamese¹)*

San Francisco: *Chinese*

San Mateo: *Chinese*

Santa Clara: *Chinese, Filipino, Vietnamese*

Hawaii

Honolulu: *Chinese, Filipino, Japanese*

Maui: *Filipino*

Illinois

Cook (Chicago): *Chinese*

New York

Kings (Brooklyn): *Chinese*

New York (Manhattan): *Chinese*

Queens: *Chinese, Korean*

Texas

Harris (Houston): *Vietnamese*

Washington

King (Seattle): *Chinese*

With the support of the Ford Foundation, NAPALC and its affiliates, the Asian Pacific American Legal Center and the Asian Law Caucus, provided mini-grants to community-based organizations (NAPALC Local Partners) throughout the nation. Under the Access to Democracy Project, community-based efforts were established in Cook County (Chicago), Harris County (Houston), King County (Seattle), Los Angeles County, Orange County, San Diego County, San Mateo County, and Santa Clara County (San Jose) to ensure that the local officials are complying with Section 203 by providing language assistance to voters in certain Asian languages.

¹ County voluntarily covers under a DOJ agreement.

NAPALC Affiliates

- Asian Pacific American Legal Center (Los Angeles County, CA)
- Asian Law Caucus (San Mateo County, CA)
- Asian American Institute (Cook County, IL)

NAPALC Local Partners

- Asian American Legal Center (Harris County, TX)
- Asian Law Alliance (Santa Clara County, CA)
- Chinese Information Service Center (King County, WA)
- Council of Philippine American Organizations (San Diego County, CA)
- Orange County Asian and Pacific Islander Community Alliance (Orange County, CA)
- VN TeamWorks (Harris County, TX)

The goals of Access to Democracy project, including the poll monitoring element, are to assess the implementation of Section 203 bilingual assistance; determine the areas of need for more effective bilingual assistance; educate voters about availability of bilingual assistance; and provide constructive recommendations to improve bilingual assistance for the future.

Over the past year and a half, NAPALC Local Partners have met with their local election officials to discuss Section 203 compliance efforts, including provisions for translated materials, recruitment of bilingual poll workers, and proper training for all poll workers. NAPALC Local Partners also provided information to the community about the importance of voting and language assistance through trainings and use of the media. During Election 2004, NAPALC Local Partners conducted community education, poll monitoring, and exit polling projects. The poll monitoring serves as a tool to evaluate how effectively the Section 203-covered counties complied with federal requirements, such as Section 203 and the Help America Vote Act (HAVA).

POLLING SITES MONITORED UNDER THE ACCESS TO DEMOCRACY PROJECT²:

TOTAL SITES MONITORED: 466

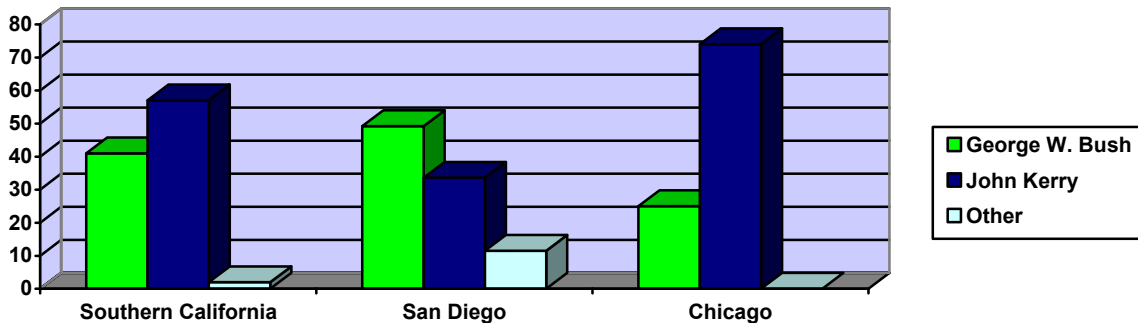
County	NAPALC Local Partner	# of Sites
Cook, IL	Asian American Institute	19
Harris, TX	Asian American Legal Center & VN TeamWorks	27
King, WA	Chinese Information Service Center	16
Los Angeles, CA	Asian Pacific American Legal Center	88
Orange County, CA	Orange County Asian and Pacific Islander Community Alliance/ Asian Pacific American Legal Center	29
San Diego, CA	Council of Philippine American Organizations	108
San Mateo, CA	Asian Law Caucus	72
Santa Clara, CA	Asian Law Alliance	107

² Generally speaking, polling sites were selected by areas of high Asian American populations. Poll monitors were trained to observe the physical layout of a poll site, the quality of interactions between poll workers and voters, the number of requests of voters needing special assistance, and any other irregularities.

EXIT POLLING & ASIAN AMERICANS³

Exit polls, surveys conducted among voters just as they exit the voting booths, provide an informative picture of Asian American voter behavior and participation. These efforts are especially important given the relative lack of information about Asian American voters. In the November 2004 election, a number of the NAPALC Local Partners (APALC, AAI and COPAO) took on exit polling projects in their jurisdictions.⁴ Preliminary findings show:

Asian American Presidential Vote (by %)



Asian American Issues of Importance (ranked)

Chicago

1. Economy/Jobs
2. Healthcare
3. Education

San Diego

1. Economy/Jobs
2. Education
3. Healthcare

Asian American Presidential Vote by Ethnicity (Southern California)

- A majority of Chinese, Filipino, Japanese, Korean and South Asian voters voted for John Kerry.
- Slightly over 50% of Cambodians and Vietnamese voted for George Bush.

First-Time Voters (Chicago)

- Twenty-two percent of Chinese Americans surveyed were first-time voters. Among them, 79% voted for Kerry and 21% voted for Bush.

Bilingual Assistance (Chicago, San Diego, Southern California)

- 92% of all respondents in Chicago and 64% of all Asian American respondents in San Diego felt bilingual assistance was helpful to voters.
- In Southern California, Vietnamese voters (52%), Korean voters (48%) and Chinese voters (37%) utilized bilingual voter assistance the most. Japanese and Filipino voters were less likely to utilize bilingual voter assistance.

³ Because NAPALC Local Partners designed and execute their own exit polling project, the figures are not comparable from place to place. The information is provided to give the reader a general idea of how Asian American voters voted in different parts of the country.

⁴ The Carnegie Corporation of New York provided some funding to facilitate the exit polling conducted.

Asian Law Caucus Poll Monitors

San Mateo County, Election Day, 2004



POLL MONITORING RESULTS

Introduction

Overall, the monitored Section 203 counties under the Access to Democracy project expressed interest in complying with the language assistance requirements.⁵ Most of the counties were aware of their responsibilities and made attempts to comply, such as working with local community-based organizations on outreach to the language minority community, providing translated ballots, and recruiting bilingual poll workers.

Where there has been noncompliance with Section 203, NAPALC Local Partners, NAPALC, and the Department of Justice (DOJ) have worked together with the county to enter into agreements. For example, in 2003, Harris County, TX (Houston) elections officials failed to provide Vietnamese ballots on electronic voting machines, thereby failing to comply with Section 203. Harris County attempted to fix this noncompliance problem by creating paper ballot templates in Vietnamese. These templates were not made widely available to voters and were not offered to voters at all polling sites. Advocacy by the Asian American Legal Center of Texas (a NAPALC Local Partner) and NAPALC, together with DOJ enforcement efforts, resulted in a solution.

Harris County agreed to more fully comply with Section 203. The agreement included the provision of a full-time employee to coordinate the Vietnamese election program for all elections within the County; establishment of an advisory group to assist and participate in the Vietnamese language program; and the placement of a bilingual poll worker at any polling place with more than 50 Vietnamese-surnamed registered voters at the time of an election.

In San Diego, which is covered for Spanish and Tagalog, NAPALC and NAPALC's Local Partner, the Council of Philippine American Organizations, worked with DOJ on a similar agreement for Section 203 compliance. Working with local Vietnamese American groups, they were also able to persuade the county to provide voluntary bilingual assistance in Vietnamese.

The poll monitoring efforts in the 466 sites in Cook County, IL, Harris County, TX, King County WA, Los Angeles County, CA, Orange County, CA, San Diego County, CA, San Mateo County, CA and Santa Clara County, CA (*refer to page 2 for jurisdiction breakdown of the polling sites monitored*) revealed some common problems across regions.⁶ The problems fall under three main categories: poll workers, written multilingual materials, and oral bilingual assistance.

The poll monitoring project identified model practices as well as persistent common problems (*see Appendix A for more detailed reporting for each county*). Many sites and poll workers worked to ensure LEP voters received the assistance needed to participate. The following overview of practices by Section 203-covered counties provides great working examples on how to comply with voting rights law. The overview of common problems highlights problems that frequently occur. In highlighting model practices, as well as problems and recommendations on how to remedy them, we hope to inform government voting officials and communities on how to ensure participation for all voters under the voting rights laws.

⁵ It is important to note that interest in complying with the requirements under Section 203 did not always manifest itself in actual compliance with the law.

⁶ To see more detailed poll monitoring information of specific jurisdictions, please refer to Appendix A, which includes letters and/or reports drafted to local county officials detailing the local poll monitoring results.

Overview of Good Practices by Section 203 Covered Counties

Cook County, IL

Cook County provided exemplary language assistance for covered and non-covered languages. The Chicago Board of Elections not only offered instructions cards in its covered languages (Chinese and Spanish), but it also provided a booklet called “We Speak Your Language” that contains instructions and other helpful information for limited-English speaking voters in the following languages:

- Arabic
- Assyrian
- Bosnian
- Chinese
- Croatian
- Gujarati
- Korean
- Polish
- Romanian
- Russian
- Serbian
- Spanish
- Tagalog
- Urdu
- Vietnamese

Niles Township, a suburb of Chicago, provided bilingual printed materials in Chinese, Korean, Polish, and Spanish. Additionally, both Chicago and Niles Township provided telephone hotlines in Chinese, Korean, Polish, and Spanish.

King County, WA

King County did an excellent job in producing and providing multilingual materials. At the polling places, all materials, with the exception of poll books, were available in bilingual or Chinese versions. Notice of Election, the Help American Vote Act poster advising voters of their rights, and other signs were posted in either bilingual or Chinese versions.

For the 2004 General Election, the Washington Secretary of State’s Office was responsible for preparing, printing and distributing the voters’ pamphlets.⁷ There were different versions of the voter pamphlet, called editions, which were specific to the different [zip codes] within King County to which they were being mailed. Claiming the state had no Section 203 obligation to provide translations, the state decided to translate only one “edition” of their voter pamphlet out of the total six English editions they produced, which would have been distributed to only 20% of Chinese voters that had requested Chinese ballots. The state asked King County to review the one translated version of the voter pamphlet. In addition to serious errors and inaccuracies, King County found that the awkward structure and grammar in the translation also adversely affected its readability and comprehension by LEP voters.

Once King County realized that only one version of the voters’ pamphlet would be translated and that many of the Chinese LEP voters would not have access to a translated voter pamphlet specific to their district, it started work immediately to re-translate the one poorly-translated version and to translate and print the remaining five versions for timely distribution with the Chinese mail-ballots. King County provided for the distribution of all the different translated versions of the voter pamphlets, ensuring that Chinese LEP voters were thus able to use the Chinese voters’ pamphlets and instructions to exercise their electoral rights.

⁷ For the Primary Election 2004, King County was responsible for preparing, printing, and distributing voters’ pamphlets.

Harris County, TX

Harris County recognized the importance of the Vietnamese community and took steps to help educate the community by providing a less intimidating and friendlier space for Vietnamese voters to vote. The county also provided VN TeamWorks with demonstration E-Slate machines for their Voters Education Campaign so that they could conduct E-Slate voting machine training sessions and provide voters with a place to practice. The county also chose VN TeamWorks' office as one of Harris County's Precinct Voting locations, providing the community with a familiar and accessible voting location.

Los Angeles County, CA

Los Angeles County continues to be responsive to its residents' multilingual needs. The county produced a well-done training video, "The All American Polling Place," that emphasizes the need to serve all voters, including those with language assistance needs, and educates its poll workers on their responsibilities and duties. The video shows an actual polling place located in a diverse neighborhood, where three bilingual poll workers served voters and provides illustrations of how to deal with various Election Day scenarios. Copies of the video can be obtained by contacting Julia Keh, Coordinator, Voters with Specific Needs, at Los Angeles County at (562) 462-2754.

The county once again provided a toll-free hotline for voters requiring language assistance. The county expeditiously responded to community groups' concerns that the phone greeting was in English only and that the long wait times are barriers to LEP voters. While improvements can always be made, the county's continual maintenance of a hotline provides a useful reference tool for voters.

Orange County, CA

Orange County made efforts to design effective trainings to foster education and awareness of all poll workers about the importance of language assistance. The county's practice of making follow-up calls to poll workers who had not yet attended class before the last week of training proved effective in ensuring close to full attendance. This translated into more knowledgeable poll workers who generally displayed a great understanding of the importance of assisting voters with bilingual needs, and resulted in poll workers who were active and effective in aiding voters needing bilingual assistance.

San Diego County, CA

San Diego County created, under its agreement with the Department of Justice, community-based Language Advisory Boards for each covered language to advise the county regarding the implementation of the language assistance programs. Each of the different language groups had its own particular approaches to translations, poll worker recruitment and training, and program logistics, such as availability of materials and targeting, which highlighted the diversity and further stressing that the “cookie cutter” approach does not apply for all language minority communities. The Language Advisory Boards were instrumental in the recruitment of the 2000+ bilingual poll workers required under the agreement. With a short timeline and a tremendous work load, the county utilized the Language Advisory Boards and language coordinators it hired to recruit beyond the required numbers with bilingual poll workers in reserve.

San Mateo County, CA

San Mateo County broke new ground by sponsoring California’s first Poll Worker Academy in August 2004. Two hundred election precinct inspectors participated in the seven-hour academic program which sought to enrich their understanding of the newer requirements of elections. The program began with a panel discussion entitled “Including More Americans: Landmark Laws Changing Elections” that focused on some of the major requirements of the federal election law and how they impact election operations. NAPALC’s Affiliate, the Asian Law Caucus, spoke on the history of Section 203 and the importance of cultural sensitivity at the polling booth. Other sessions include workshops on Election Integrity and Valuing Diversity, and future voting alternatives for the county. This successful program was undertaken in order to broaden precinct workers’ knowledge and skills in dealing with voters and the myriad of questions asked.

Santa Clara County, CA

Santa Clara County did an excellent job providing language assistance in non-covered languages by strategically placing non-Section 203 language poll workers in some precincts that needed those languages. The county was able to provide a South Asian language speaking poll worker, a Sign Language poll worker, a Korean-speaking poll worker, a Navajo-speaking poll worker, and a Farsi-speaking poll worker.

Overview of Common Problems

Poll Workers

- 1. Failure to accommodate LEP voters** – Poll workers and/or interpreters were frequently reluctant to help, were unaware of how to help, and/or were suspicious of bilingual poll workers or LEP voters. Instances of this were monitored in the following jurisdictions:
 - Poll workers lecturing or speaking to Asian American/LEP voters in a demeaning manner.
 - (1) A poll worker in King County, WA exhibited an impatient manner with an LEP Asian American voter, telling the voter "don't have a heart attack" when the voter appeared worried about difficulties identifying his name.
 - (2) Poll monitors found in San Diego County, CA that “some poll workers appeared to have unfriendly behavior towards minority voters,” and that one election official talked “to minorities (whether it be workers or voters) as if they are children.”
 - (3) In San Mateo County, CA, a poll worker questioned the competency of an LEP voter to vote because of the voter’s limited English proficiency.
 - Poll workers impeding Asian American/LEP voters’ ability to vote.
 - (1) In Los Angeles County, CA, a poll worker sent an Asian American voter to the back of the line for “causing too much trouble” due to the voter’s language barriers.
 - (2) Also in Los Angeles County, CA, a poll worker rushed Asian American/LEP voters to vote “quicker” by setting time limits, saying, “Everyone’s who’s been here for more than five minutes, you need to hurry up.”

- 2. Ignorance of the law** – Poll workers were often unaware of what the law required. They were either unable to help Asian American/LEP voters or provided misinformation about the voting process.
 - Poll workers were confused about how to implement the ID provision under the Help American Vote Act (HAVA). Rather than asking for ID from only first-time voters who registered by mail, many poll workers asked all voters for their ID. Of the poll workers who asked for ID, many were confused with what constituted acceptable IDs.
 - (1) In Los Angeles County and Orange County, CA, poll workers at a number of sites asked every voter for ID.
 - Poll workers were confused about how to use provisional ballots, another provision under HAVA. Poll workers were unaware of their existence or when to use them. Some poll workers who were aware of provisional ballots were reluctant to let voters vote with them.
 - (1) In Los Angeles County, Orange County, and San Mateo County, CA, poll workers were confused about the use of provisional ballots and turned voters away or generally were very reluctant to let voters vote with provisional ballots.

- 3. Poll monitor & poll worker interactions** – In a number of polling sites, poll monitors were not allowed into the polling site to observe the process as permitted by law, and the poll workers were belligerent or rude when dealing with the poll monitors.
- In Cook County, IL and Harris County, TX, many poll monitors had a hard time trying to converse with poll workers and were met with resistance to their monitoring attempts. In Orange County and Santa Clara County, CA, poll monitors experienced rude, difficult and uncooperative poll workers who refused them entry to the polling place or else did not allow them near the check-in tables or the bilingual materials.
 - In King County, a poll worker was described as being sarcastic to a Section 203 monitor and made a condescending comment regarding the non-Chinese speaking Asian American monitor who was checking on Chinese materials. The poll worker asked if the monitor spoke Chinese, and when she responded that she did not, the monitor replied in a mocking tone: “And you’re here checking for CHINESE material?”
 - In Los Angeles County, a poll worker demanded a poll monitor not make any calls after the poll monitor called to confirm that a provisional ballot situation was being handled correctly.

Written Multilingual Materials

- 4. Inaccessibility of multilingual materials** – Many LEP voters came to the polls looking for bilingual materials. Of the sites we monitored, 43% (202 out of 466 sites monitored) had inaccessible multilingual materials.
- In 21% of the polling sites monitored (96 sites), poll monitors found there were NO multilingual materials or translated instructions on how to use the voting machines, sample ballots, or directional signs.
 - In 23% of the polling sites monitored (106 sites), poll monitors found that multilingual materials were placed in such a way that voters were unable to see or reach them. Ballots and other materials were poorly displayed, hidden in boxes under tables, hidden under other materials, not taken out of their original packaging, or placed behind poll workers where voters could not reach them.
- 5. Lack of understanding of why multilingual materials are necessary** – Poll monitors witnessed poll workers who did not understand why multilingual materials were necessary and, thus, were unhelpful to LEP voters. Often, poll workers refused to place multilingual materials in plain view or in accessible areas because they assumed multilingual materials were unnecessary or should be requested by the voter if needed.
- For example, in Cook County, IL, one election judge commented that a voter he could not understand should learn to speak English. Another election judge, in refusing to have translated materials in visible or accessible places, stated that a voter must affirmatively ask for translated materials.
 - In a precinct with a very high concentration of Chinese American voters in Cook County, IL, there was only one Chinese ballot booth and no sign indicating that the booth was for Chinese speakers. When asked about this concern, the election judge replied, “They don’t need them anyway. They just use a piece of paper and punch numbers. They don’t read the names anyway so it doesn’t matter.”

- In King County, WA, translated materials were out of sight and placed far from poll workers who are responsible for signing in and interacting with voters.
- In Los Angeles County, CA, when a poll monitor asked a Caucasian poll worker whether she spoke any languages other than English, the poll worker replied, “I speak English; this is America.” Another poll worker did not initially display bilingual availability signs because he stated he had never seen a need for the signs in ten years of working at poll sites.
- In San Mateo County, CA, a poll worker commented that the poll worker’s precinct had no need for translated materials.

6. Quality of translations – The quality of translations of certain election materials was questionable. Serious errors, inaccuracies, and mistakes in translations have been found. Some materials were translated at a higher reading level than is understandable by the average voter. Additionally, the awkward structure and grammar in translations adversely affected its readability by LEP voters. Some jurisdictions were found to rely on translation software with no process for human review, resulting in materials that were nonsensical. There continues to be concern about the quality of translation in future election materials.

- For example, San Diego County, CA went with CTS Language Link based in Washington for translation services because of time constraints. The translations were made literally and were often written at a high language level. Since the translations were written outside of the general San Diego region, cultural nuances and particularities in local conversational language were not present in the translations.

Oral Bilingual Assistance

7. Inaccessibility of bilingual poll workers – There continues to be a vital need to recruit and train more experienced and assertive bilingual poll workers.

- In 18% of the polling sites monitored (84 sites), no or too few bilingual poll workers were present to assist voters.
- Counties often had no system to target where to recruit and place bilingual poll workers. Bilingual workers were often placed in a location that was not accessible or helpful to Asian American/LEP voters.
 - (1) Based on the number of targeted polling sites and the number of bilingual poll workers signed up, it was reasonable to expect that bilingual poll workers would staff at least 90% of the targeted polling places in King County. Unfortunately, out of the 67 targeted polling places, only 28 polling sites had bilingual poll workers. The remaining 34 bilingual poll workers were assigned to non-targeted polling places. Nine out of the 62 total General Election bilingual poll workers were assigned to polling places with no bilingual mail ballots issued in their precincts.
 - (2) San Gabriel Valley in Los Angeles County, CA covered certain languages such as Chinese at their poll sites, but lacked in other needed languages, such as Korean and Vietnamese. Several sites based in or near senior citizen housing should have been assigned an extra bilingual poll worker, given the large first-time voter turnout anticipated.

8. Lack of signs indicating availability of interpreters – In many of the polling sites, signs indicating the availability of interpreters were not supplied or posted, and bilingual poll workers were not identified as such. Because many LEP voters are intimidated by the voting process, the posting of signs and identifying of bilingual workers is an important measure that lets them know they can expect assistance.

- Signs indicating the availability of interpreters were not supplied or posted in 26% of sites monitored in Harris County, TX, and Los Angeles County, Orange County, San Diego County, San Mateo County and Santa Clara County, CA (111 sites out of 431 sites monitored).
- About 50% of the poll workers in Chicago, Cook County, IL and 62% of the bilingual poll workers in King County, WA did not wear a badge indicating language ability.

9. Inconsistent quality of oral bilingual assistance across polling sites – Bilingual assistance received by LEP voters varied across polling sites.

- Many bilingual poll workers provided oral assistance in a passive manner, forcing LEP voters to ask for help even if it was obvious they needed language assistance and were struggling to communicate in English.
 - (1) In Harris County, TX, Vietnamese bilingual poll workers in less than half the sites monitored actively approached voters.
 - (2) In Los Angeles County, CA, when a Cantonese-speaking couple was told that they were at the wrong polling site, the Cantonese-speaking poll worker did not help the couple locate their correct polling site.
 - (3) In San Mateo County, CA, poll workers were not proactive in helping LEP voters.
 - (4) In Santa Clara County, CA, poll workers waited to be approached by voters before providing assistance in half the sites monitored. At one site, a voter kept looking over the shoulders of other voters in order to figure out how to use the DRE before a poll worker finally came over to help him.
- Poll workers did not utilize bilingual poll worker in their polling sites, choosing instead to attempt to deal with the LEP voters themselves and causing great confusion.
 - (1) In King County, WA, a poll worker repeatedly insisted that an LEP voter use the English ballot, saying the Chinese ballot was “too busy.” The voter had to repeatedly ask for the Chinese ballot until assisted by the bilingual poll worker who went unnoticed by the voter until pointed out by a poll monitor.
 - (2) In Los Angeles County, CA, a poll worker did not make use of the Korean-speaking poll worker during the entire day. There were a lot of assistance problems at this site – almost all related to Korean-speaking voters.
 - (3) In Orange County, CA, bilingual poll workers at one site were isolated to the side because there was not enough space at the main poll worker table. They were passive in their approach to helping voters.
- Some bilingual poll workers could not speak English well themselves or were not fully familiar with voting procedures, causing confusion and slowing down the process.
 - (1) In Los Angeles County, CA, a number of Korean-speaking poll workers did not know how to use provisional ballots. Another bilingual poll worker could not speak English very well and thus could not fill out forms in English.

RECOMMENDATIONS

Improve poll worker training.

1. Poll workers need to be trained more thoroughly about the laws around voting so they can properly and efficiently run polling sites and help voters.
 - a. Section 203 of the Voting Rights Act and its requirements/obligations.
 - b. Provisions of the Help America Vote Act
 - i. Proper use of provisional ballots – This will help make the voting process more accessible to voters. Poll workers need to understand that a voter’s eligibility is decided by the Department of Elections, and not by the poll worker.
 - ii. ID requirement – When voters should be asked for identification.
 - c. Rules allowing third party assistance when voting.
2. Poll workers need to be trained about the importance of bilingual assistance to LEP voters, as well as on the rationale and necessity for Section 203 compliance to ensure sensitive and non-discriminatory treatment toward Asian American voters, including positioning of bilingual materials in a visible manner. The training should incorporate live training sessions along with a demonstration of proper setup of poll sites with appropriate language materials. Poll workers should be tested on the importance of providing bilingual assistance in trainings.
3. Poll workers need to be trained about the need to actively assist voters with language barriers or other barriers to voting. Poll workers also need to be trained on what role the bilingual poll worker should play, and how best to maximize their contribution.
4. Local elections officials need to develop trainings and hand-outs for bilingual poll workers that emphasize their particular role, commonly encountered problems, and how to best serve the public.
5. The counties should allow poll monitors in the polling sites to help with transparency of the voting process. To this end, poll workers should be trained about proper interactions with poll monitors.

- ### **Remove problematic poll workers.** If a poll worker is reported to hold discriminatory attitudes or their behavior is discriminatory or otherwise problematic, we urge that the county official immediately investigate the poll worker involved. There should be a trouble-shooter program implemented that addresses problematic poll workers. Once a complaint has been registered through the hotline or any other reporting mechanism, a trouble shooter should be dispatched to the polling site with the problematic poll worker to investigate the claim. If the trouble shooter deems the poll worker’s attitude to be entrenched, the problematic poll worker should be removed from the polling site and not allowed to work as a poll worker for the following two years. The same process should hold for complaints that arise after Election Day. Once the two years have passed, the problematic poll worker should be required to receive special cultural sensitivity training and pass a test on cultural sensitivity prior to being allowed back as a poll worker.

Increase accessibility of multilingual materials for LEP voters.

1. Ensure that written multilingual materials are allocated to all polling sites.
2. Provide sufficient quantities of multilingual materials for each polling site. This will require an understanding of the demographics of precincts in order to know what constitutes a sufficient quantity for each polling site.
3. Mandate that multilingual materials be displayed in an easily accessible and visible manner. For example, multilingual materials can be color-coded so that all materials in a particular language are printed in one color, materials in another language are printed in another color, and so forth.
4. Require the supervisor at the polling site to periodically check that multilingual materials are sufficiently stocked as well as easily accessible and visible.

Increase accessibility of oral assistance for LEP voters.

1. Increase recruitment of bilingual poll workers across the board. Develop a plan for recruitment with consultation from community-based organizations that includes ethnic media outreach and targeted recruitment efforts.
2. Improve the quality of bilingual assistance by recruiting bilingual poll workers who are truly proficient in both English and their Section 203 language. Difficulties in communication among poll workers can result in delays in the voting process or misunderstandings on how to handle problem situations.
3. Refine and prioritize bilingual poll worker assignments based upon need.
 - a. Particular emphasis needs to be made in areas where there is a significant community presence when providing bilingual assistance, such as locations that have a prevalence of ethnic community centers, such as non-profit organizations and churches, and ethnic focused businesses located outside of residential areas.
 - b. The use of a more comprehensive method for targeting is recommended. Instead of relying solely on a surname dictionary to determine language minority population density, the use of place of birth within a household can be another method employed to enhance and clarify targeting. The development and implementation of innovative strategies and tactics beyond traditional mainstream outreach methods is encouraged as a means of reaching as many voters as possible prior to and in between elections.
4. At the polling sites, require clear identification of language spoken by poll workers to increase the efficiency in processing voters. For example, the county can encourage bilingual poll workers to wear badges indicating language ability that are enlarged in size, text, and otherwise distinct from those of English-only speakers to make bilingual workers more conspicuous to LEP voters.
5. Provide a listing of poll sites with the amount of bilingual poll workers allocated and the amount of actual bilingual poll workers present with an explanation for any discrepancies that are found on the official roster. The county should take proactive measures to maintain the bilingual poll worker database by conducting continuous outreach and recruitment, and supplementing the current pool of bilingual poll workers with possible volunteers for upcoming elections. An ongoing program should be developed that maintains communication with the current pool of poll workers in the form of an informational periodical, such as a newsletter (electronic and hard copy),

which contains continuing education on the election process and topics of election law, such as elements of the Help America Vote Act and the importance of bilingual access.

- ☑ **Create multilingual instruction cards/videos or other instructional pieces in both Section 203-covered languages and other languages.** For example, the Chicago Board of Elections offers instructions cards in Chinese and Spanish, its covered Section 203 languages. It also provides a booklet called “We Speak Your Language” that contains instructions and other helpful information for non-English speaking voters in 15 additional languages: Arabic, Assyrian, Bosnian, Chinese, Croatian, Gujarati, Korean, Polish, Romanian, Russian, Serbian, Spanish, Tagalog, Urdu and Vietnamese. Los Angeles County, CA produced a video, “The All American Polling Place” that emphasizes the need to serve all voters, including those with language assistance needs.

- ☑ **Improve or maintain high quality of translation.** Counties should evaluate their election materials to provide the best possible translations so that LEP voters can be accurately informed about election procedures, instructions, candidates, and issues.
 1. The quality of the translation should be checked both by the county and a panel of community experts to ensure that translations are accurate and easy to read. For example, the Los Angeles County Registrar of Voters solicited input from voters and translation experts within the Chinese community to evaluate the quality of translation prior to materials being printed and distributed. Additionally, the county created a glossary of accepted translations for commonly used election terms to standardize future translations.
 2. Explore the development of a joint-translation program among the County, vendors, and community organizations whereby community organizations assist in translation and back-translation work and receive a stipend for such work.
 3. Local election officials should hire local vendors for translation services in order to make translations more relevant to the voters in that particular jurisdiction.

- ☑ **Increase voter education outreach in conjunction with community organizations.** Across the board, poll monitors observed many Asian American voters who required assistance in voting procedures. Increasing voter education in Asian American communities will streamline the voting process and decrease voting time. An LEP Voter Outreach program should involve the following:
 1. Bilingual workshops reaching out to community social service and civic organizations providing election and voting-related information, with ethnic media present.
 2. Participation by county election officials at community events to conduct voter registration drives and answer election related questions from Asian Americans.
 3. Extensive mailing to registered voters with ethnic-specific surnames to inform them of the Section 203 minority language assistance mandate, the availability of in-language ballots and election materials, and a bilingual form to request such materials.
 4. Distribution of information to community service organizations and media regarding the election process, the availability of language assistance, and the rights of voters.

VOTER EDUCATION FLYER
King County, WA

投票



十一月四日 (星期二)
為大選的投票日！請投票！

VOTE in the General Election

Tuesday, Nov 4th!



請記住：景郡已印有中文的選票及選民小冊子！

如需協助，可以中文求助！

有疑問，請致電(206) 296 – 8683 向景郡選舉辦公室查詢！

**Remember: King County ballot & voter's pamphlet
available in Chinese. Ask for help in Chinese, if needed.**

Questions? Call King County Elections at 206-296-8683

Sponsored by: Chinese Information Services Center, Eastside Asian Pacific Islanders, Japanese American Citizens League – Lake Washington Chapter,
Organization of Chinese Americans – Greater Seattle Chapter, Raising Our Asian Pacific Islander Representation, and Seattle Chinese Chamber of Commerce
Funded by: National Asian Pacific American Legal Consortium

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NAPALC, AFFILIATES AND LOCAL PARTNERS

NATIONAL ASIAN PACIFIC AMERICAN LEGAL CONSORTIUM (NAPALC)

1140 Connecticut Avenue N.W.

Suite 1200

Washington, DC 20036

Phone: (202) 296-2300

Fax: (202) 296-2318

Website: www.napalc.org

Founded in 1991, NAPALC, a non-profit, non-partisan 501(c)3 organization, works to advance the human and civil rights of Asian Americans through advocacy, public policy, public education, and litigation. In accomplishing its mission, NAPALC focuses its work to *Promote Civic Engagement*, to *Forge Strong and Safe Communities*, and to *Create an Inclusive Society in communities on a local, regional, and national level*. NAPALC is one of the nation's leading experts on issues of importance to the Asian American community including: affirmative action, anti-Asian violence/race relations, census, immigrant rights, language access, and voting rights.

Serving the nation from its capital, NAPALC is affiliated with the Asian Pacific American Legal Center of Southern California in Los Angeles, the Asian Law Caucus in San Francisco, and the Asian American Institute in Chicago. Working closely with its Affiliates, NAPALC works to eliminate discriminatory barriers to the participation of Asian Americans in our nation's political process. This includes working to enforce the protection of the Voting Rights Act, encouraging voter registration through enforcement of the National Voter Registration Act, and providing analysis of Asian American electoral participation through exit polling.

AFFILIATES

ASIAN AMERICAN INSTITUTE (AAI)

4753 North Broadway, Suite 904

Chicago, IL 60640

Tel: (773) 271-0899

Fax: (773) 271-1982

Website: www.aaichicago.org/

AAI was established in 1992 as a pan-Asian, 501(c)(3) not-for-profit organization. Its mission is to empower the Asian American community through advocacy, utilizing research, education and coalition building. Current programs include the Redistricting Education Project, the Asian Pacific American Political Empowerment Initiative, Asian Pacific American Education Resource Guide and advocacy against hate crimes. Its motto is to "empower, educate and advocate." AAI continues to work with NAPALC and other Affiliates to ensure compliance with Section 203 in Cook County and the City of Chicago for Chinese Americans.

ASIAN PACIFIC AMERICAN LEGAL CENTER OF SOUTHERN CALIFORNIA (APALC)

1145 Wilshire Boulevard, 2nd Floor

Los Angeles, CA 90017

Tel: (213) 977-7500

Fax: (213) 977-7595

Website: www.apalc.org

APALC is the largest, most diverse legal service and civil rights organization focusing on Asian Pacific Americans in the nation. For the past two decades, APALC has worked to ensure the equal access and protection of Asian Pacific Americans.

In the area of voting rights, APALC's Election Poll Monitoring Project works to ensure the protection of access by voters to the ballot booth. APALC uses Election Day observations to advocate for improved bilingual services to Asian American voters in accordance with the federal requirements of the Voting Rights Act. APALC also trains and provides technical assistance on voting rights to community groups around the nation. Because Los Angeles and other California counties have the largest and most diverse Asian American communities, the processes developed serve as models for other jurisdictions.

APALC is on the California HAVA State Commission, and coordinates local and statewide activity to ensure Asian Americans are best able to participate in the political process.

APALC conducts the largest and most comprehensive exit poll of Asian American voters in Southern California. The results are used to analyze voting preferences, voter needs and barriers of Asian American voters as well as their non-Asian American neighbors.

ASIAN LAW CAUCUS (ALC)

939 Market Street, Suite 201

San Francisco, CA 94103

Tel: (415) 896-1701

Fax: (415) 896-1702

Website: www.asianlawcaucus.org

The Asian Law Caucus, as the oldest legal and civil rights organization serving Asian American communities, works to ensure equal treatment and advancement of Asian Americans through community education and organizing, provision of direct legal services and strategic impact litigation.

The Asian Law Caucus with the Chinese for Affirmative Action and the Lawyer's Committee for Civil Rights worked on a poll-monitoring project in San Francisco to monitor the city's compliance with federal and state voting laws. Through poll monitoring and voter surveys, the three civil rights organizations came up with recommendations that the city of San Francisco should adopt in their report, "Increasing Access to the Ballot for New Citizens: Poll Monitoring Reveals Problems with Language Access and New Voting Machines in San Francisco's November 2000 Election."

NAPALC LOCAL PARTNERS

Harris County, TX

Asian American Legal Center (AALC)

590 Lyric Centre
440 Louisiana
Houston, TX 77002
Tel: (281) 665-6827

AALC is dedicated to providing the Asian American community with multilingual, culturally sensitive legal services and civic education. Working with VN TeamWorks, AALC assists Harris County in an advocacy effort to help the county meet Section 203 compliance for Vietnamese.

VN TeamWorks (VNTW)

11210 Bellaire, Suite 119
Houston, TX 77072
Tel: (281) 495-8936
Fax: (281) 495-8938

VNTW works to create and provide opportunities for the betterment of individuals' lives and to enhance the community in which they live through the promotion of cross-cultural understanding, community spirit, and community services, for the benefit of low income people in Houston and the surrounding vicinity. VNTW's programs and services include healthcare services, language training and computer literacy training. VNTW facilitates access to social services, immigration, legalization and naturalization legal aid and referral services and provides financial assistance through their Tax Clinic/VNTW VITA Program. As a NAPALC Section 203 grantee, VNTW aims to work within a local and statewide collaborative to advocate for Section 203 compliance in Harris County. To reinforce civil participation, the organization works to create non-partisan candidate forums and collaborate with local ethnic radio and newspaper to promote civic duty. Other activities include poll monitoring and exit polling.

King County, WA

Chinese Information Service Center (CISC)

409 Maynard Avenue South, Suite #203
Seattle, Washington 98104
Tel: (206) 624-5633
Fax: (206) 382-2089
Website: www.cisc-seattle.org

CISC provides information, referral, advocacy, social and support services to Chinese and other Asian immigrants throughout King County, Washington. CISC gives personal attention to every client with the goal of helping them to participate and thrive in the larger community. CISC provides up-to-date information on the broad range of social and health services in the appropriate language or dialect. CISC is the fiscal agent for a coalition working with NAPALC to ensure compliance with Section 203 in King County for Chinese Americans.

Orange County, CA

Orange County Asian and Pacific Islander Community Alliance (OCAPICA)

12900 Garden Grove Blvd., Suite 214A

Garden Grove, CA 92843

Tel: (714) 636-9095

Fax: (714) 636-8828

Website: www.ocapica.org

OCAPICA works to improve the health, social, and economic well being of Asians and Pacific Islanders in Orange County. OCAPICA works to improve and expand the community's opportunities through service, education, advocacy, organizing and research. OCAPICA is working with NAPALC to ensure Section 203 compliance in Orange County for Chinese, Korean and Vietnamese.

San Diego County, CA

Council of Philippine American Organizations (COPAO)

P.O. Box 1504

National City, CA 91951

Tel: (619) 477-4090

Website: www.copao.org

COPAO works to foster harmony and mutual cooperation among Filipino American community and organizations. It also promotes understanding of Filipino cultural heritage, protects the legitimate interest of Filipino and Filipino Americans and expands opportunities for education, health, business, employment and social services for the Filipino community. COPAO provides referral, information, counseling and advocacy programs and services. COPAO is working with NAPALC to ensure compliance with Section 203 in San Diego County for Filipino Americans.

Santa Clara County, CA

Asian Law Alliance (ALA)

184 E. Jackson Street

San Jose, CA 95112

Tel: (408) 287-9710

Fax: (408) 287-0867

Website: www.asianlawalliance.org

Over the past 28 years as a nonprofit corporation, the Asian Law Alliance has helped tens of thousands of people obtain decent housing, justice in the immigration process, and access to basic human and legal rights. ALA works with NAPALC to ensure compliance with Section 203 in Santa Clara County for Chinese-, Filipino- and Vietnamese- Americans.