

Appendix B

California Secretary of State

Voter's Choice Act Report for the 2020 Primary and General Elections

University of California, Los Angeles
Voting Rights Project

Appendix B1: California Voter's Choice Act: Language Access
During the March 2020 Primary Election

Appendix B2: California Voter's Choice Act: Language Access
During the November 2020 General Elections

Appendix B1

Secretary of State's Office Summary

California Voter's Choice Act: Language Access During the March 2020 Primary Election

The Secretary of State's office commissioned research from the Voting Rights Project at the University of California, Los Angeles to provide an overview of voting access for language minorities in VCA counties during the 2020 Primary Election. This analysis uses VoteCal data, supplemented by information reported by each county, to highlight voter behavior for persons requiring language assistance – here, defined as voters who have indicated a language preference on their voter registration. UCLA's findings are summarized in their report, *California Voter's Choice Act: Language Access During the March 2020 Primary Election*.¹ This report provides useful information about county budgets and expenditures and varying strategies that counties employed to provide services to their communities.

Background

The statutory framework for language assistance derives from Section 203 of the Voting Rights Act² of 1965 and Section 14201 of the California Elections Code.³

¹ Barreto, M., Waknin, S., Rios, M., Venzor, V., Friedman, A., Vivian, A., Cohen, M., Hansen, N., Acevedo, M. (2021). *California Voter's Choice Act: Language Access During the March 2020 Primary Election*. University of California, Los Angeles, Voting Rights Project.

² Section 203 provides: "Whenever any State or political subdivision [covered by the section] provides registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language."

³ EC 14201 (a) provides: "In counties and precincts where the Secretary of State has determined that it is appropriate, the county elections official shall provide facsimile copies of the ballot, as described in subdivision (b), with the ballot measures and ballot instructions printed in Spanish, one of which shall be posted in a conspicuous location in the polling place and at least one of which shall be made available for voters at the polling place to use as a reference when casting a private ballot. Facsimile ballots shall also be printed in other languages and provided in the same manner if a significant and substantial need is found by the Secretary of State. A facsimile copy of the ballot available for voters to use in casting a private ballot shall be sufficiently distinct in appearance from a regular ballot to prevent voters from attempting to vote on the facsimile copy."

These statutes place obligations on the state and covered county jurisdictions to provide various levels of language assistance services, including the translation of ballots and election materials required under Section 203, and the posting of translated facsimile ballots and recruitment of bilingual poll workers required under Section 14201.⁴

The March 2020 Primary Election occurred just prior to statewide stay-at-home orders due to the COVID-19 pandemic, limiting any impact of the pandemic on election administration in California.

Findings

Research from UCLA found lower turnout in VCA counties compared to non-VCA counties. Voters in VCA counties participated about 5 percentage points less, 35.2% compared to 40.7% in non-VCA counties.⁵

UCLA's research also found that in many VCA counties, turnout rates were lower among language minority voters than for English speakers, consistent with the Secretary of State's analysis of voter participation data. In 11 VCA counties, language minority voters participated in the election 7% to 30% less often than English-speakers.⁶

Interestingly, voters preferring translated ballots did not have any significantly different rates of ballot rejection than voters using English ballots. This suggests that understanding the content of a vote by mail ballot envelope, which includes various instructions on how to submit information, allows the county to correctly process the ballot regardless of language, thereby avoiding rejections. Rejection rates of translated mail ballots were higher than English ballots in only three VCA counties: Calaveras, Madera and Sacramento.⁷

UCLA's research also demonstrated that counties have utilized several different tools in their efforts to reach voters—some with more success than others. These included using the following:

- county language accessibility committees and other local organizations,

⁴ We note that section 14201, first enacted in 1994 has a coverage trigger formula that may create some structural impediments to more providing more cost-effective language assistance services.

⁵ California Voter's Choice Act: Language Access During the March 2020 Primary Election (Page 13)

⁶ California Voter's Choice Act: Language Access During the March 2020 Primary Election (Page 3)

⁷ *Id.*

- in-language media for radio and television markets,
- social media,
- targeted voter registration events,
- mailing postcards and other information requesting language preference information,
- recruitment and hiring of bilingual poll workers.

While many of the VCA counties researched in UCLA's study provided translated materials and services, the low numbers of voters taking advantage of language assistance services may be the result of Section 14201's coverage formula. The precinct-based formula results in only a few precincts within various counties requiring language assistance services.

Recommendation

UCLA recommended that the 15 VCA counties examined increase their efforts to reach language minority voters.

California Voter's Choice Act: Language Access During the March 2020 Primary Election

BY UCLA VOTING RIGHTS PROJECT IN PARTNERSHIP WITH
THE CALIFORNIA SECRETARY OF STATE OFFICE

This report was written by the UCLA Voting Rights Project in partnership with the California Secretary of State.

About the UCLA VRP

The UCLA Voting Rights Project (UCLA VRP) is a nonpartisan, educational project housed within the Latino Policy and Politics Initiative (LPPI) at the University of California, Los Angeles. The UCLA VRP educates undergraduate, graduate, and professional degree students through our flagship voting rights clinic. The UCLA VRP works with experts and election officials across the country to ensure equitable access to voting.

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Executive Summary

The COVID-19 pandemic has played a large role in transforming how voters participate in elections and access the ballot box. The March 2020 primary election took place both before the COVID-19 pandemic rose to the level of a national and statewide crisis, and before California implemented stay-at-home orders. While the pandemic did not affect the administration of the March 2020 primary, technical issues still arose. For example, Los Angeles, which implemented the Voter's Choice Act (VCA) for the 2020 elections, introduced a new voting machine system, a new vote center model that caused long lines and voter confusion, and was not required to send vote by mail ballots to all registered active voters during the March 2020 primary.¹

The March 2020 primary was likewise unique because California moved its primary back to March 2020 to participate in "Super Tuesday."² The previous two presidential primary elections, 2012 and 2016, took place in June. Legislation enacted in 2017 moved California's presidential and congressional primaries back to March.³

This report focuses primarily on language access voters and the availability of assistance for language minority voters in VCA counties. Overall, our research found that VCA counties did attempt to provide language access materials to voters who indicated that they had a language preference on their voter registration. Voters, however, bore the responsibility of obtaining assistance and information about language access services. Additionally, mail ballots cast by language access voters were not rejected at higher rates than English-speaking voters' ballots in a majority of VCA counties. Calaveras, Madera, and Sacramento were the only counties where limited-English voters' mail ballots were rejected at higher rate than their English-speaking counterparts.

One important finding of this report is that turnout rates were much lower for limited-English voters than their English-speaking counterparts in most VCA counties. In eleven of the fifteen VCA counties profiled, limited-English voter turnout was lower than English-speaking voter turnout by anywhere between seven and thirty percent. While all counties engaged in some sort of outreach to language minority communities, the counties featured in this report should increase their efforts to engage limited-English voters.

¹ See, e.g., Tim Reid, Massive Changes to California Voting Spark Fears of Iowa-style Primary Chaos, Reuters (Feb. 25, 2020), <https://www.reuters.com/article/us-usa-election-california-insight/massive-changes-to-california-voting-spark-fears-of-iowa-style-primary-chaos-idUSKBN20J1J7>; Janie Har & Stefanie Dazio, *Voting Problems, Long Lines Mar California Primary Voting*, NBC (March 3, 2020), <https://www.nbcbayarea.com/news/california/california-braces-for-long-lines-at-super-tuesday-primary/2246792>.

² Id.

³ James Doubek, *California Moves Up 2020 Primary Elections To March*, NPR (Sept. 28, 2017), <https://www.npr.org/sections/thetwo-way/2017/09/28/554147818/california-moves-up-2020-primary-elections-to-march>.

This report presents the results of our investigation, primarily focusing on VoteCal data and the affirmative actions each county took to provide assistance to language access voters. This data is not from the limited-English voters' perspective and is not a measurement of what was effective for voters.

First, this report examines the demographics of each VCA county. Second, it breaks down the Citizen Voting Age Population (CVAP) by language minority group and ability to speak English. Third, it details the vote by mail results. Finally, the report addresses the language access strategy used by each VCA county during the March 2020 primary, such as spending on outreach materials to language access voters and engaging with local community groups.

As with any data analysis, there are limitations to the various data sources used in this report. The UCLA VRP utilized VoteCal data for our analysis because provides insights on voters who have their language preference on file with the county and/or state. Even though this dataset is of high quality, it does not contain totally complete information about all voters' racial and ethnic backgrounds. For instance, there is no requirement to self-report race or ethnicity in California, and only a small percent of voter report this information. Moreover, the objective of this report was to assess VCA counties compliance with language access requirements. Additional research could study voter satisfaction with language access services, however that was beyond the scope here. Finally, not all voters who might need language assistance requested language assistance when registering to vote. There are potentially thousands of voters across California who might be interested in language services as they become aware and knowledgeable of this option.

Further, data about voter characteristics and method of voting gathered from county registrars and county election officials was varied from county to county. There is no state-mandated standard across VCA counties on how to maintain and report this information, which could be an opportunity for further guidance from the state. For example, some counties provided estimates, but not necessarily validated records, while other counties were unable to answer requests at all because they did not keep detailed records. While some counties did have better organized data related to language services, there is a need for more consistent and uniform reporting of this information.

Introduction

Signed into law in 2016, the California Voter's Choice Act (VCA) ushered in an election model used by fifteen counties during the March 2020 primary election: Amador; Butte; Calaveras; El Dorado; Fresno; Los Angeles; Madera; Mariposa; Napa; Nevada; Orange; Sacramento; San Mateo; Santa Clara; and Tuolumne. This new election model expanded early voting opportunities and methods for voters to return their ballots. Designed to provide greater flexibility and convenience for voters, this new election model allows voters to choose how, when, and where to cast their ballot.

Under the VCA, each voter is mailed a ballot, which they can then return by mail, to a secure drop box, or at a vote center. Voters may also cast a ballot at any vote center within their county or through other expanded in-person early voting options. Additionally, the 2020 election was the first time that all fifteen counties, including Los Angeles, Orange, and Fresno, implemented the VCA. Los Angeles County was the only one of the fifteen counties that did not implement vote by mail for all registered active voters for the March primary.

This report, commissioned by the California Secretary of State's office pursuant to California Elections Code Section 4005(g)(1)(A), provides a comprehensive overview of voting access for language minorities in VCA counties during the March 2020 primary election. This report primarily focuses on analyzing VoteCal data pertaining to voter registration and activity, supplemented by information reported by each county, to present research and findings related to minority language access to the ballot in the fifteen VCA counties during the March 2020 primary election.

Methodology

The purpose of this report is to provide an analysis of language access efforts and voter turnout rates for the March 2020 primary election in California's fifteen VCA counties.

Data Sources

VoteCal Data: This report primarily relies on data from VoteCal, California's single uniform, centralized voter registration database. This data includes information about voter registration, voter participation method, and voter participation by primary language group.

County Reported Data: Requests were sent to registrars in the fifteen VCA counties for data concerning various aspects of election administration, such as the issuance of ballots, the number of ballots dropped off at each vote center, and the accessibility requests made by limited-English voters. In addition, these same officials were asked to provide any information that could be relevant in assessing the impact of the VCA.

U.S. Census Bureau Data: This report draws on publicly available data from the U.S. Census Bureau. The report relies on the most recent data available, estimates from the 2018 5-year American Community Survey (ACS). The Census ACS data is widely considered to be the most accurate measure of CVAP since it is self-reported.

Data Limitations

As with any data analysis, there are limitations to the various data sources used in this report. The UCLA VRP utilized VoteCal data for our analysis because provides insights on voters who have their language preference on file with the county and/or state. Even though this dataset is of high quality, it does not contain totally complete information about all voters' racial and ethnic

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Further, data about voter characteristics and method of voting gathered from county registrars and county election officials was varied from county to county. There is no state-mandated standard across VCA counties on how to maintain and report this information, which could be an opportunity for further guidance from the state. For example, some counties provided estimates, but not necessarily validated records, while other counties were unable to answer requests at all because they did not keep detailed records. While some counties did have better organized data related to language services, there is a need for more consistent and uniform reporting of this information.

Presentation of Data

In addition to general demographics, this report includes four tables for each county: 1) primary election participants; 2) active voters by primary language; 3) voting method by language group; and 4) vote by mail (VBM) results by primary language.

Table Type 1: Primary Election Participants

These tables present the total number of eligible voters, the total number of eligible voters where their language preference is known, and the percent of voters where language is not known.

Table Type 2: Active Voters by Primary Language

These tables show the number of active voters by minority language and the proportion of limited-English voters they represent.

Table Type 3: Voting Method By Language Group

These tables present the preferred voting method for English and language minority voters, presenting the proportionate participation for each group.

Table Type 4: VBM Results by Primary Language

These tables are divided by primary language. They track the total number of VBM ballots cast that were accepted or rejected.

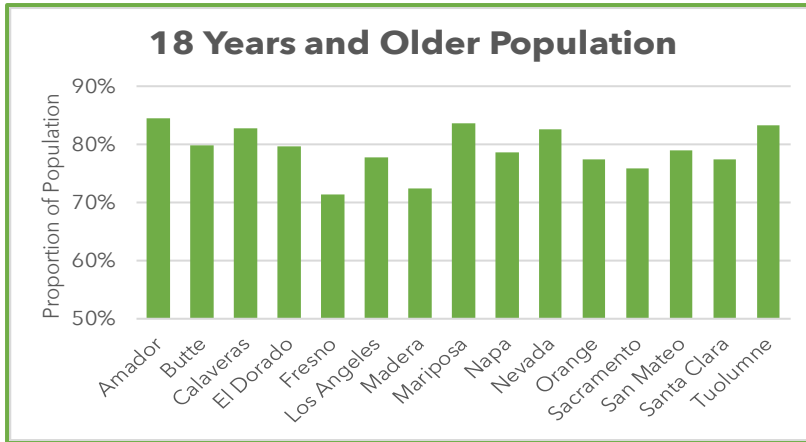
County Demographics

The demographic composition of VCA counties provides the essential context needed to understand voter participation and to diagnose any potential barriers to voting present in the current election model. This section breaks down the racial and/or ethnic, age, and language composition of the population of all fifteen VCA counties.

The following table presents the voting age population for each county relative to its total population. The total population in VCA counties ranges from approximately thirty-eight thousand to over ten million. Individuals in their early thirties represent the lowest median age, residing in Fresno and Madera. Those in their early fifties represent the highest median age, residing in Nevada, Amador, and Mariposa.

Population by Age in VCA Counties						
	Total Population	Median Age	Population Under 18 Years	% Under 18 Years	Population 18 Years and Over	% 18 Years and Over
Amador	37,829	50.5	5,822	15.4%	32,007	84.6%
Butte	227,075	37.1	45,658	20.1%	181,417	79.9%
Calaveras	45,235	52.1	7,768	17.2%	37,467	82.8%
El Dorado	186,661	45.8	38,016	20.4%	148,645	79.6%
Fresno	978,130	32	279,979	28.6%	698,151	71.4%
Los Angeles	10,098,052	36.2	2,246,521	22.2%	7,851,531	77.8%
Madera	155,013	33.9	42,814	27.6%	112,199	72.4%
Mariposa	17,540	51.4	2,865	16.3%	14,675	83.7%
Napa	140,530	41.1	29,894	21.3%	110,636	78.7%
Nevada	99,092	50.1	17,189	17.3%	81,903	82.7%
Orange	3,164,182	37.8	711,188	22.5%	2,452,994	77.5%
Sacramento	1,510,023	36	362,761	24.0%	1,147,262	76.0%
San Mateo	765,935	39.6	161,248	21.1%	604,687	78.9%
Santa Clara	1,922,200	37	432,684	22.5%	1,489,516	77.5%
Tuolumne	53,932	48.4	9,013	16.7%	44,919	83.3%

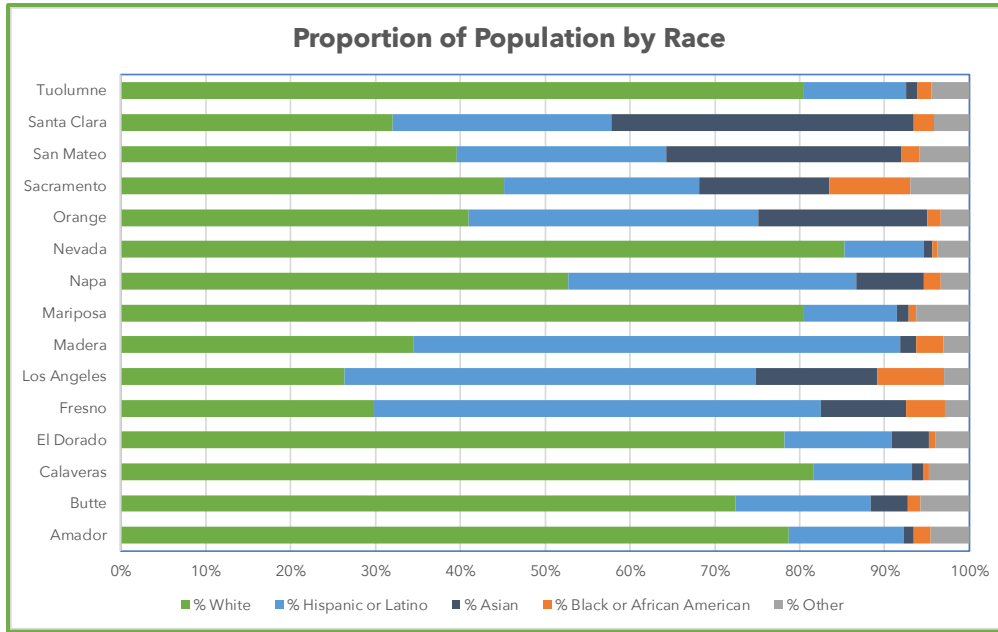
In most VCA counties, the voting-age population, those 18 years or older, makes up at least three-quarters of the total population. This result is consistent across different VCA counties, despite differences in population size and average age.



The table below presents the racial and/or ethnic breakdown of each VCA county.

Population by Race in VCA Counties										
	Hispanic or Latino Population (of Any Race)	% Hispanic or Latino	White (not Hispanic or Latino) Population	% White	Black (not Hispanic or Latino) Population	% Black or African American	Asian (not Hispanic or Latino) Population	% Asian	Other (not Hispanic or Latino) Population	% Other
Amador	5,132	13.6%	29,763	78.7%	749	2.0%	466	1.2%	1,719	4.5%
Butte	36,358	16.0%	164,390	72.4%	3,303	1.5%	9,900	4.4%	13,124	5.8%
Calaveras	5,297	11.7%	36,905	81.6%	299	0.7%	568	1.3%	2,166	4.8%
El Dorado	23,631	12.7%	145,990	78.2%	1,432	0.8%	8,237	4.4%	7,371	3.9%
Fresno	515,907	52.7%	291,455	29.8%	44,474	4.5%	97,991	10.0%	28,303	2.9%
Los Angeles	4,893,603	48.5%	2,659,052	26.3%	795,505	7.9%	1,451,560	14.4%	298,332	3.0%
Madera	88,806	57.3%	53,531	34.5%	4,835	3.1%	3,047	2.0%	4,794	3.1%
Mariposa	1,909	10.9%	14,125	80.5%	166	0.9%	243	1.4%	1,097	6.3%
Napa	47,687	33.9%	74,159	52.8%	2,764	2.0%	11,210	8.0%	4,710	3.4%
Nevada	9,281	9.4%	84,470	85.2%	601	0.6%	989	1.0%	3,751	3.8%
Orange	1,080,195	34.1%	1,296,036	41.0%	50,412	1.6%	629,637	19.9%	107,902	3.4%
Sacramento	347,025	23.0%	682,500	45.2%	144,003	9.5%	231,740	15.3%	104,755	6.9%
San Mateo	189,002	24.7%	303,047	39.6%	16,838	2.2%	212,474	27.7%	44,574	5.8%
Santa Clara	495,455	25.8%	615,912	32.0%	45,379	2.4%	685,265	35.7%	80,189	4.2%
Tuolumne	6,527	12.1%	43,364	80.4%	880	1.6%	732	1.4%	2,429	4.5%

Eight counties — Amador, Butte, Calaveras, El Dorado, Mariposa, Napa, Nevada, and Tuolumne — are mostly comprised of non-Hispanic, White residents. The remaining seven counties are majority non-White. Latinos comprise the largest racial and/or ethnic minority group in five of these counties — Fresno, Los Angeles, Madera, Orange, and Sacramento. The remaining two counties, San Mateo and Santa Clara, have sizeable Asian populations.

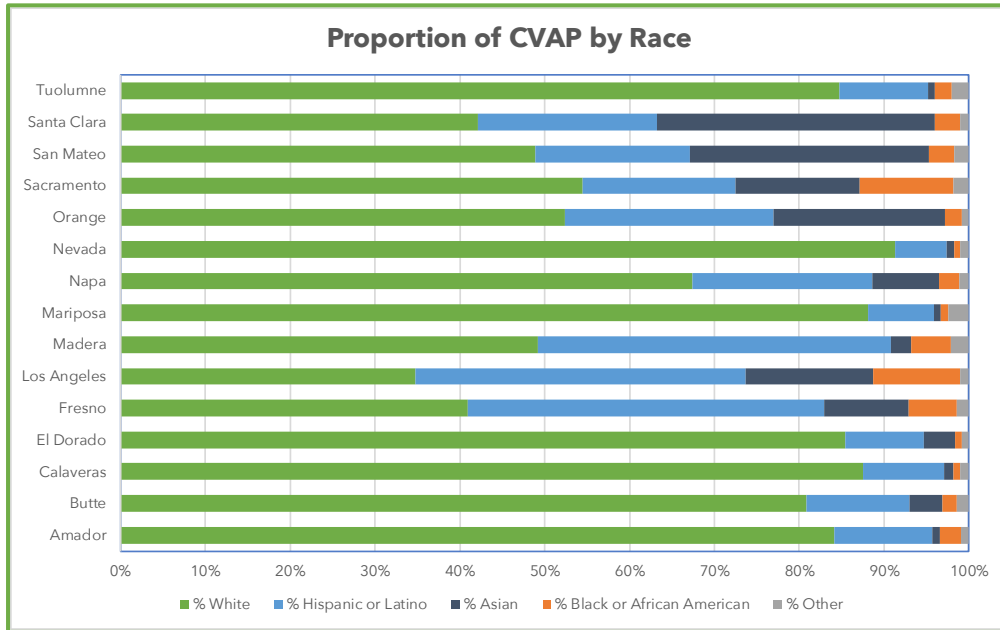


The composition of several VCA counties changes when considering the citizen voting-age population (CVAP).

Citizen Voting Age Population (CVAP) by Race and Ethnicity for VCA Counties

	Total CVAP	Hispanic CVAP	% of CVAP that is Hispanic	White (not Hispanic or Latino) CVAP	% of CVAP that is White	Black CVAP	% CVAP that is Black	Asian CVAP	% of CVAP that is Asian	Other Race CVAP	% of CVAP that is Other
Amador	31,113	3,482	11.2%	25,491	81.9%	741	2.4%	279	0.9%	290	0.9%
Butte	173,840	20,556	11.8%	135,945	78.2%	2,786	1.6%	6,490	3.7%	2,453	1.4%
Calaveras	36,166	3,336	9.2%	30,616	84.7%	279	0.8%	387	1.1%	364	1.0%
El Dorado	141,081	12,732	9.0%	117,747	83.5%	1,164	0.8%	4,988	3.5%	1,124	0.8%
Fresno	581,042	241,754	41.6%	235,104	40.5%	32,710	5.6%	57,051	9.8%	8,232	1.4%
Los Angeles	6,272,373	2,406,296	38.4%	2,148,230	34.2%	637,232	10.2%	927,026	14.8%	61,436	1.0%
Madera	91,296	37,442	41.0%	44,271	48.5%	4,220	4.6%	2,114	2.3%	1,947	2.1%
Mariposa	14,002	1,060	7.6%	11,881	84.9%	120	0.9%	102	0.7%	327	2.3%
Napa	94,891	19,777	20.8%	62,737	66.1%	2,229	2.3%	7,316	7.7%	1,009	1.1%
Nevada	78,928	4,713	6.0%	70,515	89.3%	507	0.6%	706	0.9%	801	1.0%
Orange	2,041,824	493,379	24.2%	1,049,625	51.4%	40,338	2.0%	403,309	19.8%	17,063	0.8%
Sacramento	1,027,552	179,349	17.5%	541,543	52.7%	110,128	10.7%	145,511	14.2%	17,926	1.7%
San Mateo	498,138	88,222	17.7%	237,153	47.6%	14,457	2.9%	136,956	27.5%	8,350	1.7%
Santa Clara	1,170,247	241,218	20.6%	482,045	41.2%	34,540	3.0%	373,827	31.9%	11,931	1.0%
Tuolumne	44,139	4,534	10.3%	36,566	82.8%	857	1.9%	358	0.8%	860	1.9%

Non-Hispanic Whites make up the majority of the CVAP in ten counties, while five counties — Fresno, Los Angeles, Madera, San Mateo, and Santa Clara — have a majority CVAP that is non-White. In Fresno and Los Angeles, Latinos make up the largest proportion of the CVAP for any racial and/or ethnic group. In Madera, Latinos are the largest non-White CVAP group. In San Mateo and Santa Clara, Asian residents are the largest non-White CVAP group.



In all VCA counties, at least half of the CVAP only speaks English. In five counties — Fresno, Los Angeles, Orange, San Mateo, and Santa Clara — more than 10% of the population speaks English “less than very well.”⁴

⁴ English-speaking ability data is collected by the American Community Survey (ACS). One of the three questions asked in the ACS is “how well does this person speak English?” The options include: “a) Very well b) Well c) Not well d) Not at all.” Bureau, US Census. “About Language Use in the U.S. Population.” The United States Census Bureau, May 14, 2019. <https://www.census.gov/topics/population/language-use/about.html>.

CVAP by Language and Ability to Speak English in VCA Counties						
	CVAP that Speak Only English	% of CVAP that Only Speaks English	CVAP that Speak English 'Less than Very Well'	% CVAP that Speak English 'Less than Very Well'	CVAP that Speak Spanish, but Speak English 'Less than Very Well'	CVAP that Other Languages, but Speak English 'Less than Very Well'
Amador	28,419	91.3%	539	1.7%	443	96
Butte	153,798	88.5%	6,019	3.5%	3,026	2,993
Calaveras	34,063	94.2%	320	0.9%	147	173
El Dorado	128,432	91.0%	3,207	2.3%	1,269	1,938
Fresno	376,484	64.8%	59,052	10.2%	36,166	22,886
Los Angeles	3,281,262	52.3%	1,022,607	16.3%	557,986	464,621
Madera	61,794	67.7%	7,719	8.5%	6,856	863
Mariposa	12,970	92.6%	180	1.3%	107	73
Napa	72,379	76.3%	7,869	8.3%	5,554	2,315
Nevada	74,529	94.4%	674	0.9%	346	328
Orange	1,307,294	64.0%	264,089	12.9%	90,532	173,557
Sacramento	764,624	74.4%	93,480	9.1%	23,453	70,027
San Mateo	308,968	62.0%	62,603	12.6%	19,194	43,409
Santa Clara	663,822	56.7%	187,528	16.0%	39,304	148,224
Tuolumne	41,203	93.3%	644	1.5%	373	271

Vote by Mail Results

Vote by mail is an essential component of the VCA, as participating counties send or will send every registered voter a mail ballot 28 days before election day.⁵

As presented in the table below, limited-English voters generally utilized vote by mail at smaller margins than English language voters. Rejection rates were similar between English and minority language voters in Los Angeles, Sacramento, and Santa Clara, where large numbers of voters cast mail ballots. In some cases, rejection rates were lower for voters whose primary language is not English. The only counties that had higher rejection rates for limited-English voters were Calaveras, Madera, and Sacramento.

⁵ Cal. Elec. Code 4005.(a)(8)(A). See also CALIFORNIA SECRETARY OF STATE, California Voter's Choice Act, <https://www.sos.ca.gov/elections/voters-choice-act/about-vca>.

VBM Ballots by Reason Rejected and Language Group												
	VBM ballot was undeliverable		Voter already voted		Issue with Signature on Ballot*		Other*		Total VBM Ballots Cast		% Rejected	
	English	Minority Language	English	Minority Language	English	Minority Language	English	Minority Language	English	Minority Language	English	Minority Language
Amador	55	0	0	0	0	0	0	0	14,958	13	0.37%	0.00%
Butte	428	0	0	0	6	0	0	0	65,785	81	0.66%	0.00%
Calaveras	69	2	31	0	0	0	0	0	17,619	20	0.57%	10.00%
El Dorado	451	0	0	0	1	0	3	0	70,046	88	0.65%	0.00%
Fresno	69	0	0	0	0	0	1	0	166,329	3,870	0.04%	0.00%
Los Angeles	82	3	3	0	3	1	15	3	1,086,096	51,384	0.01%	0.01%
Madera	3	0	23	1	0	0	0	0	27,421	803	0.09%	0.12%
Mariposa	11	0	0	0	0	0	0	0	7,108	6	0.15%	0.00%
Napa	188	4	0	0	0	0	2	0	44,761	958	0.42%	0.42%
Nevada	0	0	26	0	1	0	2	0	42,106	22	0.07%	0.00%
Orange	829	38	5	0	7	1	47	3	594,531	35,583	0.15%	0.12%
Sacramento	0	0	213	8	8	0	10	1	360,742	4,962	0.06%	0.18%
San Mateo	0	0	0	0	8	0	28	1	189,957	4,073	0.02%	0.02%
Santa Clara	1,721	55	0	0	1	0	23	3	399,704	27,064	0.44%	0.21%
Tuolumne	0	0	5	0	0	0	36	0	19,926	9	0.21%	0.00%

VCA Counties Performance Overall Compared to Non-VCA Counties

Using the available VoteCal data for the 2020 primary election, we joined the voter file, vote by mail ballot file, and voter participation history file by the “best” voter ID match. We repeated this process for VCA and non-VCA counties to estimate voter turnout and mail ballot rejection rates.

We determined the total number of eligible active and inactive voters to assess voter turnout in each county by counting unique voter IDs.⁶ In the 43 non-VCA counties, there were a total of 12,356,182 eligible voters. Of these, 5,031,405 voters, or 40.7%, participated in the 2020 primary election. In non-VCA counties, 3,850,800 individuals voted by mail, and about 150 thousand, or 3.9%, of mail ballots were rejected. In the fifteen VCA counties, there were a total of 13,007,538 eligible voters. Of these, 4,584,587 voters, or 35.2%, voted in the 2020 primary. In VCA counties, 3,416,931 residents voted by mail. Approximately 170 thousand, or about 5%, of all mail ballots cast in VCA counties were rejected.

⁶ VoteCal election data includes the method of participation by voter ID. The dataset lists a “NA” observation for voters who did not vote or whose participation method was unknown. In our analysis, we assume all NAs are for non-participants in the 2020 primary election.

Voter Turnout & Mail Ballot Participation - VCA vs. Non-VCA Counties		
	VCA Counties	Non-VCA Counties
Number of Counties	15	43
Total Eligible Voters	13,007,538	12,356,182
Voted	4,584,587	5,031,405
Turnout Rate	35.2%	40.7%
Voted-by-Mail	3,416,931	3,850,800
Rejected Mail Ballots	170,378	150,212
Rejection Rate	4.99%	3.9%

The table below shows the total number of eligible voters, including conventionally inactive voters, and voter turnout during the 2020 primary election. Seven VCA counties – Amador, Calaveras, El Dorado, Mariposa, Napa, Nevada, and Tuolumne – had a turnout rate of 50% or higher. Fresno and Los Angeles had turnout rates under 40%, with Los Angeles as the lowest with just under 30%.

Primary Election Participation - VCA Counties				
	Total Eligible Voters	Voted	Did Not Vote	Turnout
Amador	27,525	15,686	11,839	57.0%
Butte	145,602	67,316	78,286	46.2%
Calaveras	34,754	19,019	15,735	54.7%
El Dorado	136,276	75,462	60,814	55.4%
Fresno	548,277	197,784	350,493	36.1%
Los Angeles	7,096,555	2,116,292	4,980,263	29.8%
Madera	76,474	30,770	45,704	40.2%
Mariposa	12,183	7,157	5,026	58.7%
Napa	84,348	47,206	37,142	56.0%
Nevada	80,919	45,896	35,023	56.7%
Orange	1,968,694	815,900	1,152,794	41.4%
Sacramento	1,003,755	408,286	595,469	40.7%
San Mateo	538,050	226,650	311,400	42.1%
Santa Clara	1,217,951	489,769	728,182	40.2%
Tuolumne	36,175	21,394	14,781	59.1%

Language Access Strategies in VCA Counties in the March 2020 Primary election

This section of the report evaluates the language access obligations and strategies for the fifteen VCA counties. It likewise presents data regarding voter registration and activity in each county.

Amador County

Amador County is not covered by §203 of the Voting Rights Act (VRA), but it is covered by Cal. Elec. Code §14201 for Spanish. The County has a total population of approximately thirty-eight thousand. The CVAP, over thirty-one thousand, represents 82.2% of the County's population. About 82% of the CVAP is White and 18% are racial and/or ethnic minorities. Latinos make up the majority of the non-White CVAP at 11.2%. The next largest group is African Americans, who make up 2.4%. 1.7% of Amador citizens 18 years and older are limited-English proficient and speak English "less than very well."

Amador County provides a Google Translate tool on its County Clerk website to translate online information into Spanish,⁷ but spends little on non-English language voter education. The County does make Spanish-language voter education materials available through the Secretary of State's office for organizations to freely use.⁸ In total, the County spent \$1,500 on advertising and notices for the primary election and only \$2,000 for translation services.⁹ Amador County also provided facsimile ballots in Spanish.¹⁰ Facsimile ballots were only available at vote centers for in person voting, but none were used. Further, voters could have facsimile ballots mailed to them, but no one submitted such a requested.¹¹

For the 2020 primary election, the County implemented the ExpressVote Ballot Marking Device, a touch-screen technology that produces a paper record of a voter's ballot for tabulation.¹² The ExpressVote handles the entire marking process, eliminating unclear or ambiguous marks. This reduces the need to interpret the voter's mark. Currently, the technology is only available in English and would need to be manually programmed if the county wanted to include different language translations for future elections. The Amador County Elections Office has a toll-free voter assistance hotline with Language Line interpreter services for Spanish-language speakers

⁷ AMADOR COUNTY, Recorder-Clerk, <https://www.amadorgov.org/government/recorder-clerk>.

⁸ AMADOR COUNTY, Voter's Choice Act Election Administration Plan, <https://www.amadorgov.org/home/showdocument?id=34376> [hereinafter Amador Election Administration Plan].

⁹ *Id.* at 12.

¹⁰ Email from Mark Hammergren, Chief Deputy Registrar of Voters, Amador County, to Vivian Alejandre, UCLA Voting Rights Project (Oct. 7, 2020) (on file with author).

¹¹ Email from Mark Hammergren, Chief Deputy Registrars of Voters, Amador County, to Vivian Alejandre, UCLA Voting Rights Project (Jan. 4, 2021) (on file with author).

¹² Amador Election Administration Plan, *supra* note 8 at 5.

in the County, though no assistance calls were reportedly received.¹³ The County contracted with The Ledger Dispatch newspaper to promote this hotline.¹⁴

Translation services were also available during the primary, including video translation, on iPads at the Amador County Elections Office and all three vote centers.¹⁵ Reportedly, only one voter used these services, and that was for American Sign Language.¹⁶ The County does not hire bilingual staff, and hires only two election officials.¹⁷ The County reports receiving calls only in English and not in any other language.¹⁸ The County did not hire bilingual poll workers, despite attempting to do so.¹⁹ Officials stated that due to the new election process, only 30 election workers were needed and more than enough workers were already scheduled.²⁰

Poll workers were trained on how to provide language assistance and how to access such assistance from third parties.²¹ The County does not maintain written guidelines of these trainings, as poll worker training is word-of-mouth.²² The Amador County Elections Office held one bilingual voter education workshop to increase outreach to and engagement with the County's Spanish speaking community,²³ but no one participated.

Amador County has a five-member language access advisory committee, the Voting and Language Accessibility Advisory Committee (VLAAC).²⁴ Its members are: Kim Grady, County Clerk/Recorder, Registrar of Voters; Mark Hammergren, Chief Deputy Registrar of Voters; Lurali Moore, Director of Operations, The Arc of Amador and Calaveras; Jennifer Priest, Independent Living Specialist/Assistive Technology Advocate, Disability Resource Agency for Independent Living (DRAIL); and Jennifer Grabowski, Independent Living Specialist, DRAIL.²⁵ The committee met three times in preparation for the primary election, and the minutes from these meetings are publicly available. The committee discussed different ways to conduct voter

¹³ Email from Mark Hammergren, Chief Deputy Registrar of Voters, Amador County, to Vivian Alejandre, UCLA Voting Rights Project (Aug. 27, 2020) (on file with author).

¹⁴ Amador Election Administration Plan, *supra* note 8, at 7.

¹⁵ Email from Mark Hammergren, Chief Deputy Registrar of Voters, Amador County, to Vivian Alejandre, UCLA Voting Rights Project (Aug. 27, 2020) (on file with author).

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ Email from Mark Hammergren, Chief Deputy Registrar of Voters, Amador County, to Vivian Alejandre, UCLA Voting Rights Project (Sept. 8, 2020) (on file with author).

²⁰ Email from Mark Hammergren, Chief Deputy Registrar of Voters, Amador County, to Vivian Alejandre, UCLA Voting Rights Project (Jan. 4, 2020) (on file with author).

²¹ Email from Mark Hammergren, Chief Deputy Registrar of Voters, Amador County, to Vivian Alejandre, UCLA Voting Rights Project (Sept. 8, 2020) (on file with author).

²² *Id.*

²³ Amador Election Administration Plan, *supra* note 8, at 7.

²⁴ Amador County, Voting and Language Accessibility Advisory Committee, <https://www.amadorgov.org/government/elections/vlaac-home>.

²⁵ Amador County, California, Voting and Language Accessibility Advisory Committee Meeting Minutes (June 19, 2019), <https://www.amadorgov.org/home/showdocument?id=33389>

outreach, discussed details about Amador County’s voting process, and explored different ways to expand accessibility.²⁶

Amador County does not have any media outlets that are specific to the Spanish speaking population. Elections Office consulted with the public and the VLAAC to generate a list of community partners who could assist with educating the Spanish speaking communities in Amador County.²⁷ These partners have access to the aforementioned Spanish-language election materials provided by the Secretary of State’s office. Community partners distributed Spanish educational material at their discretion, but the Amador County Elections Office recommends distributing material via emails, newsletters, flyers at public events, or through their daily operations.²⁸

VoteCal Data

The VoteCal data shows that there are 27,534 total possible voters in Amador County. Voter turnout was approximately 57% among all active and inactive voters. For language minorities, turnout was about 48%, with most language minorities voting by mail. The most selected participation voting method was voting by mail during the primary.

Amador County	
	Primary Election Participants
Total Eligible Voters	27,534
Total Eligible Voters - Language is Known	27,416
% Voters - Language Known	99.6%
Language is Not Known	118
% Language is Not Known	0.43%

The following table displays the breakdown of active voters with limited-English proficiency. Although Spanish speakers represent 0.07% of total primary voters, they compose 61% of minority language voters.

²⁶ *Id.*

²⁷ Amador Election Administration Plan, *supra* note 8, at 7.

²⁸ *Id.*

Amador County - Language Breakdown	
	Primary Election Participants
English	27,383
% English	99.9%
Total - Minority Languages	31
% Total - Minority Languages	0.11%
Spanish	19
% Spanish	0.07%
Chinese	3
% Chinese	0.01%
Hindi	1
% Hindi	0.00%
Japanese	2
% Japanese	0.01%
Korean	2
% Korean	0.01%
Tagalog	1
% Tagalog	0.00%
Vietnamese	3
% Vietnamese	0.01%

In the 2020 primary election, thirteen limited-English voters opted to vote by mail in Amador County. Of those voters, eight were Spanish speaking, two were Korean speaking, and one voter from each of the Hindi, Japanese, and Vietnamese speaking communities voted by mail. No limited-English voters in this county opted to vote early, and two voters, one Chinese speaking and one Japanese speaking, used a nonprovisional conditional voter registration (CVR).

While Spanish speaking voters were the largest voting group other than English speaking voters, this group had one of the lowest turnout rates. Eleven out of nineteen Spanish speaking voters were registered but did not vote. All of the eight remaining Spanish speaking voters voted by mail.

Casting a mail ballot was the preferred participation method for all primary language groups.

Amador County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Election Day	CVR/Non-Provisional CVR	In Person - Early
English	11,766	14,953	600	66	0
% English	99.4%	99.6%	99.2%	94.3%	-
Total - Minority Languages	16	13	0	2	0
% Total - Minority Languages	0.14%	0.09%	0.00%	2.86%	-
Spanish	11	8	0	0	0
% Spanish	0.09%	0.05%	0.00%	0.00%	-
Chinese	2	0	0	1	0
% Chinese	0.02%	0.00%	0.00%	1.43%	-
Tagalog	1	0	0	0	0
% Tagalog	0.01%	0.00%	0.00%	0.00%	-
Japanese	0	1	0	1	0
% Japanese	0.00%	0.01%	0.00%	1.43%	-
Korean	0	2	0	0	0
% Korean	0.00%	0.01%	0.00%	0.00%	-
Vietnamese	2	1	0	0	0
% Vietnamese	0.02%	0.01%	0.00%	0.00%	-
Hindi	0	1	0	0	0
% Hindi	0.00%	0.01%	0.00%	0.00%	-

No vote by mail ballots were rejected for voters of a minority language. However, 0.45% of English-speaking voters' ballots were rejected.

Amador County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	15,089	15,020	69	0.46%
Total Voters - Language is Known	15,033	14,966	67	0.45%
Language is Not Known	56	54	2	3.57%
English	15,020	14,953	67	0.45%
Total - Minority Languages	13	13	0	0.00%
Spanish	8	8	0	0.00%
Hindi	1	1	0	0.00%
Japanese	1	1	0	0.00%
Korean	2	2	0	0.00%
Vietnamese	1	1	0	0.00%

Key Takeaways

Amador invested approximately \$3,500 into translation services and spent a small amount on limited-English voter outreach. No ballots in a language other than English were requested, and, to the County’s knowledge, there were no formal grievances concerning language access by limited-English voters.

Butte County

Butte County is not covered by §203 of the VRA, but it is covered by Cal. Elec. Code §14201 for Hmong and Spanish. The County has a total population of approximately 227 thousand. Butte County has a CVAP of over 173 thousand, representing 76.6% of the population. Of the CVAP, about 78.2% are White and 21.8% are racial and/or ethnic minorities. Latinos make up the majority of the non-White CVAP at 11.8%, and Asians make up 3.7%. About 3.5% of Butte citizens 18 years and older are limited-English proficient and speak English “less than very well.”

The County invested in non-English advertising to educate voters, predominantly through written advertisements and a minority language focus group.²⁹ The County made minority language voting resources available to community groups in order to reach voters that the County could not reach directly.³⁰ The County employs at least two staff in the main office to take calls or make visits to assist voters with Spanish or Hmong translation services. It also offers assistance from Language Solutions, making bilingual workers available at the front counter of their office, in public meetings, by phone, and by and email.³¹ It is not clear how much the County spends on these resources. The County reportedly received no calls requiring the services of Language Solutions staff.³² Likewise, there were no such requests in the Voter Assistance Centers.³³

The County provided facsimile ballots,³⁴ translated facsimile ballots in-person to those who request them, and each vote center had at least one Image Cast X (ICX) ballot marking device, which uses language-assistance technology.³⁵ Translated facsimile ballots were not mailed out to voters for the 2020 primary. The County also recruited bilingual poll workers, though it is unclear how officials decided which vote centers to send these poll workers to, or even how many were ultimately deployed during the primary election.

There is a language access advisory committee (LAAC) in Butte, and any information regarding the committee can be found in the County’s election administration plan (EAP).³⁶ Information on who the members are, how many members there are, and minutes from their meetings are not

²⁹ Email from Madison Wyman, Assistant County Clerk, Butte County, to Vivian Alejandre, UCLA Voting Rights Project (Sept. 8, 2020) (on file with author).

³⁰ Butte County, Election Administration Plan, at 8 https://clerk-recorder.buttecounty.net/elections/pdf/2019_eap_amended_9_18.pdf [hereinafter Butte County Election Administration Plan].

³¹ Wyman, *supra* note 29.

³² Email from Madison Wyman, Assistant County Clerk, Butte County, to Vivian Alejandre, UCLA Voting Rights Project (Aug. 27, 2020) (on file with author).

³³ *Id.*

³⁴ Butte County Election Administration Plan, *supra* note 30, at 9.

³⁵ *Id.*

³⁶ Wyman, *supra* note 29.

readily available to the public. It is unclear who Butte County contracted with for language translation and media services to fulfill minority language community needs.³⁷

VoteCal Data

In Butte, voter turnout was approximately 46% of all voters, and 32% of language minority voters. Voting by mail was the preferred participation method for both English speaking and language minority voters by a large margin.

Butte County	
	Primary Election Participants
Total Eligible Voters	145,897
Total Eligible Voters - Language is Known	144,973
% Voters - Language Known	99.4%
Language is Not Known	924
% Language is Not Known	0.63%

The table below displays the breakdown of active voters with limited-English proficiency. Spanish speaking voters represent the largest proportion of limited-English voters at 79%, but only make up 0.14% of total primary voters in the county.

³⁷ Wyman, *supra* note 29.

Butte County - Language Breakdown	
	Primary Election Participants
English	144,698
% English	99.8%
Total - Minority Languages	257
% Total - Minority Languages	0.18%
Spanish	204
% Spanish	0.14%
Chinese	16
% Chinese	0.01%
Hindi	2
% Hindi	0.00%
Japanese	4
% Japanese	0.00%
Korean	8
% Korean	0.01%
Tagalog	1
% Tagalog	0.00%
Vietnamese	17
% Vietnamese	0.01%
Thai	5
% Thai	0.00%

In the 2020 primary election, 81 limited-English voters opted to vote by mail. Of those mail voters, sixty-seven were Spanish speaking, four were Chinese speaking, four were Korean speaking, four were Vietnamese speaking, one spoke Hindi, and one spoke Thai. No limited-English voters in this County opted to vote early or in-person on election day.

Voter turnout was low among all language minority groups. In particular, only 68 of a possible 204 Spanish speaking voters participated in the primary election. Voter turnout was also low for Asian language groups; only 14 out of a possible 53 voters participated in the election.

Butte County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Election Day	CVR/Non-Provisional CVR	In Person - Early
English	77,836	65,664	741	475	0
% English	99.4%	99.5%	84.0%	62.7%	-
Total - Minority Languages	175	81	0	1	0
% Total - Minority Languages	0.22%	0.12%	0.00%	0.13%	-
Spanish	136	67	0	1	0
% Spanish	0.17%	0.10%	0.00%	0.13%	-
Chinese	12	4	0	0	0
% Chinese	0.02%	0.01%	0.00%	0.00%	-
Tagalog	1	0	0	0	0
% Tagalog	0.00%	0.00%	0.00%	0.00%	-
Japanese	4	0	0	0	0
% Japanese	0.01%	0.00%	0.00%	0.00%	-
Korean	4	4	0	0	0
% Korean	0.01%	0.01%	0.00%	0.00%	-
Vietnamese	13	4	0	0	0
% Vietnamese	0.02%	0.01%	0.00%	0.00%	-
Thai	4	1	0	0	0
% Thai	0.01%	0.00%	0.00%	0.00%	-
Hindi	1	1	0	0	0
% Hindi	0.00%	0.00%	0.00%	0.00%	-

No vote by mail ballots were rejected for voters of a minority language. However, 0.63% of English-speaking voters' ballots were rejected.

Butte County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	66,401	65,966	435	0.66%
Total Voters - Language is Known	66,158	65,740	418	0.63%
Language is Not Known	243	226	17	7.00%
English	66,077	65,659	418	0.63%
Total - Minority Languages	81	81	0	0.00%
Spanish	67	67	0	0.00%
Hindi	1	1	0	0.00%
Korean	4	4	0	0.00%
Vietnamese	4	4	0	0.00%
Chinese	4	4	0	0.00%
Thai	1	1	0	0.00%

Key Takeaways

According to Butte County officials, it is unknown how much was spent on bilingual staffing and other translation services. Language minority voters had a turnout rate nearly fifteen percent lower than English speaking voters. The translation services provided on election day were sparsely used by language minority voters.

Calaveras County

Calaveras County is not covered by §203 of the VRA, but it is covered by Cal. Elec. Code §14201 for Spanish. The County has a total population of approximately forty-five thousand. The CVAP is over thirty-six thousand, about 80% of the population. Of the CVAP, 84.7% are White and 15.3% are racial and/or ethnic minorities. Latinos make up the majority of the non-White CVAP at 9.2%. 0.9% of Calaveras citizens 18 years and older are limited-English proficient and speak English “less than very well.”

Calaveras spent \$3,000 during the 2020 primary election on non-English advertising for voter education. Election officials specifically targeted minority language, first-time mail voters.³⁸ Calaveras spent \$40,000³⁹ on sending two direct mailers to inform voters about the, “all-mail ballot election; vote center locations, ballot drop-off locations, dates and hours of availability, information about the availability of the Remote Accessible Vote-by-mail System and additional information about the upcoming election,” as required by California law.⁴⁰

The County also spent \$7,500 to conduct public workshops, meetings, and equipment demonstrations.⁴¹ Officials stated that this spending was mainly directed at limited-English proficient voters and voters with disabilities, but also stated that the services were general for all voters. Facsimile ballots were provided upon request and all registered voters were provided with a postage-paid postcard with which to request such a ballot.⁴²

Each vote center was equipped with Verity Touch Accessible Ballot Marking Devices, which allow visually impaired voters needing assistance to mark ballots using a touch screen display with audio and tactile features.⁴³ The devices were far enough apart to allow voters to mark their ballots privately. Touch Writers were also made available for Spanish-language use.⁴⁴ The Registrar of Voters provided a toll-free hotline where minority language assistance was available via an interpreter.⁴⁵ There were no reported calls received pertaining to the March 2020 Primary.⁴⁶

³⁸ Calaveras County Registrar of Voters, Adopted Election Administration Plan, E.C. 4005(A)(10)(L) 11 (Aug. 14, 2020), [https://elections.calaverasgov.us/Portals/Elections/Documents/VCA/Calaveras%20County%20EAP%20Adopted-Supplemental%20\(003\)_2.pdf?ver=1eeaqhwSo6NtExgPffXbJA%3d%3d](https://elections.calaverasgov.us/Portals/Elections/Documents/VCA/Calaveras%20County%20EAP%20Adopted-Supplemental%20(003)_2.pdf?ver=1eeaqhwSo6NtExgPffXbJA%3d%3d) [hereinafter Calaveras County Election Administration Plan].

³⁹ Calaveras County Election Administration Plan, *supra* note 38, at 11.

⁴⁰ Calaveras County Election Administration Plan, *supra* note 38, at 11-12.

⁴¹ Calaveras County Election Administration Plan, *supra* note 38, at 11.

⁴² Calaveras County Election Administration Plan, *supra* note 38, at 4, 11.

⁴³ Calaveras County Election Administration Plan, *supra* note 38, at 15.

⁴⁴ Email from Robin Glanville, Assistant Clerk-Recorder, Calaveras County, to Vivian Alejandre, UCLA Voting Rights Project (Oct. 14, 2020) (on file with author).

⁴⁵ The hotline can be reached at (833)536-8683. Calaveras County Election Administration Plan, *supra* note 38, at 15.

⁴⁶ Glanville, *supra* note 44.

Calaveras County has a language access advisory committee made up of six members⁴⁷: Marti Crane; Sharon Romano; Lurali Moore; Jennifer Priest; and Sam Cook.⁴⁸ This Committee met three times in preparation for the 2020 primary.⁴⁹ No minutes were taken during these committee meetings. Bilingual poll workers were recruited; there were seven active bilingual poll workers who were placed in precincts where 3% or more of the registered voters were members of a, “single language minority.”⁵⁰

Calaveras County contracted for language translation and media services, including television, newspaper, radio stations, movie previews, and social media platforms. Media advertisements were used to inform voters about the, “availability of a vote by mail ballot in an accessible format and the process for requesting such a ballot.”⁵¹ The television station contracted with was Calaveras County Public Access T.V. The newspapers were: *The Valley Springs News*; *The Calaveras Enterprise*; *The Union Democrat*; *The Pine Tree & The Mountain Chronicle*; *Sierra Sentinel*; and *Copper Gazette*. Radio stations included: KQBM 90.7; KVMR 99.5; KZSQ92.7; KKBN 93.5; KVGK 96.5/1340 AM; KRVR 105.5; KBYN 95.9 (Spanish); KCFA 106.1/106.7/105.7 (Spanish); KMPO 88.7 (Spanish); and KGRB 94.3 (Spanish). “Before the Movie” advertisements ran at the Cinema West Angels Theatre. Finally, the Clerk-Recorder posted online announcements on its Facebook, Twitter, and County Clerk web page.⁵² The County employed these outlets to provide accessible information in English and Spanish about the voting process and how to obtain a mail-in ballot.⁵³

Further, the County Registrar partnered with community groups to identify voter education opportunities, provide demonstrations of voting equipment, explain the process for obtaining accessible ballots,⁵⁴ and held a bilingual voter education workshop for Spanish speakers.⁵⁵

VoteCal Data

In Calaveras County, voter turnout was approximately 55% of all active and inactive voters. For language minorities, turnout was about 49%. Both English speaking and language minority voters chose to vote by mail at considerable rates.

⁴⁷ This report, when referring to language access advisory committees may use the words member or persons/people. This is because some counties use the term member to refer to persons on their language access advisory committees in their election administration plans or election materials.

⁴⁸ Glanville, *supra* note 44.

⁴⁹ Glanville, *supra* note 44.

⁵⁰ Glanville, *supra* note 44.

⁵¹ Calaveras County Election Administration Plan, *supra* note 38, at 8.

⁵² Calaveras County Election Administration Plan, *supra* note 38, at 8-9.

⁵³ Calaveras County Election Administration Plan, *supra* note 38, at 8.

⁵⁴ Calaveras County Election Administration Plan, *supra* note 38, at 8.

⁵⁵ Calaveras County Election Administration Plan, *supra* note 38, at 13.

Calaveras County	
	Primary Election Participants
Total Voters	34,814
Total Voters - Language is Known	34,704
% Voters - Language Known	99.7%
Language is Not Known	110
% Language is Not Known	0.32%

The following table displays a breakdown of active voters with limited-English proficiency. In the county, Spanish speaking voters represent 0.09% of the total primary voters and 73% of the language minority voters.

Calaveras County - Language Breakdown	
	Primary Election Participants
English	34,656
% English	99.9%
Total - Minority Languages	45
% Total - Minority Languages	0.13%
Spanish	33
% Spanish	0.09%
Chinese	1
% Chinese	0.00%
Hindi	3
% Hindi	0.01%
Japanese	2
% Japanese	0.01%
Korean	1
% Korean	0.00%
Vietnamese	1
% Vietnamese	0.00%
Khmer	3
% Khmer	0.01%
Other Languages (Not Listed)	1
% Other Languages	0.00%

In the 2020 primary election, twenty limited-English voters opted to vote by mail. Of those voters, thirteen were Spanish speaking, three were Khmer speaking, two were Japanese speaking, one voter was Vietnamese speaking, and one voter was Hindi speaking. No limited-English voters voted early, and only two Spanish speaking voters voted in-person at a vote center on election day.

Calaveras County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Election Day	CVR/Non-Provisional CVR	In Person - Early
English	15,695	17,571	1,156	237	0
% English	99.7%	99.5%	99.6%	92.6%	-
Total - Minority Languages	23	20	2	0	0
% Total - Minority Languages	0.15%	0.11%	0.17%	0.00%	-
Spanish	18	13	2	0	0
% Spanish	0.11%	0.07%	0.17%	0.00%	-
Chinese	1	0	0	0	0
% Chinese	0.01%	0.00%	0.00%	0.00%	-
Japanese	0	2	0	0	0
% Japanese	0.00%	0.01%	0.00%	0.00%	-
Korean	1	0	0	0	0
% Korean	0.01%	0.00%	0.00%	0.00%	-
Vietnamese	0	1	0	0	0
% Vietnamese	0.00%	0.01%	0.00%	0.00%	-
Thai	0	0	0	0	0
% Thai	0.00%	0.00%	0.00%	0.00%	-
Hindi	2	1	0	0	0
% Hindi	0.01%	0.01%	0.00%	0.00%	-
Khmer	0	3	0	0	0
% Khmer	0.00%	0.02%	0.00%	0.00%	-
Other Languages (Not Listed)	1	0	0	0	0
% Other Languages	0.01%	0.00%	0.00%	0.00%	-

Two minority language voters had their vote by mail ballots rejected (9.09%). In comparison, only eighty-five of the mail ballots cast by English speaking voters (0.48%) were rejected.

Calaveras County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	17,764	17,662	102	0.57%
Total Voters - Language is Known	17,678	17,591	87	0.49%
Language is Not Known	86	71	15	17.44%
English	17,656	17,571	85	0.48%
Total - Minority Languages	22	20	2	9.09%
Spanish	14	13	1	7.14%
Hindi	1	1	0	0.00%
Japanese	3	2	1	33.33%
Vietnamese	1	1	0	0.00%
Khmer	3	3	0	0.00%

Key Takeaways

Calaveras spent approximately \$50,500 on advertising and public workshops targeted at educating limited-English voters about election resources and materials. The County also partnered with community organizations to reach underrepresented voters more directly.

The language minority voter turnout rate that was about 7 percent lower than English speaking voters during the primary election. It is unknown whether any formal complaints about language access were expressed by limited-English voters.

El Dorado County

El Dorado County is not covered by §203 of the VRA but is covered by Cal. Elec. Code §14201 for Chinese and Spanish and still provides language assistance. The County has a total population of over 186 thousand. Representing 75.6% of the population, the CVAP is approximately 141 thousand. Of the CVAP, 83.5% are White and 16.5% are racial and/or ethnic minorities. Latinos make up the majority of the non-White CVAP at 9%, and Asians make up 3.5%. 2.3% of El Dorado citizens 18 years and older are limited-English proficient and speak English “less than very well.”

El Dorado County employed a variety of strategies to engage non-English speaking voters. The County invested \$25,000⁵⁶ between 2019 and 2020 in non-English advertising for voter education, specifically targeting minority language speaking, first-time absentee voters.⁵⁷ As mandated by SB 450, El Dorado County contacted each registered voter at least twice by postcard or email to inform them about the election and of the availability of a toll-free voter assistance hotline.⁵⁸ These mailings were only conducted in English. County election officials stated that the mailings were conducted in English because there were no requests to provide these mailings in another language.

Postage-paid postcards were provided to voters to request accessible materials in a language other than English.⁵⁹ Only a small number of voters returned the postcard asking for an accessible ballot.⁶⁰ The County budgeted \$135,000 for these expenses, although it is unclear how much was ultimately spent.⁶¹ The County emailed voters a link that allowed them to select their preferred language for their ballot, printing the resulting material and mailing it back to the County.⁶²

El Dorado County also provided language assistance directly to voters; offering a toll-free hotline that received no more than five calls for the March 2020 primary.⁶³ The County also offered an SOS hotline service called Language Line, which received about two calls between March and September 2020.⁶⁴ This hotline offers assistance to voters in any language via an

⁵⁶ El Dorado County Voter Registration and Elections, Voter’s Choice Act Election Administration Plan, at 9-10 (Sept. 2019), <https://edcgov.us/Government/Elections/Documents/EDC%202019%20English%20Final.pdf> [hereinafter El Dorado County Election Plan].

⁵⁷ El Dorado County Election Plan, *supra* note 56, at 9.

⁵⁸ El Dorado County Election Plan, *supra* note 56, at 9.

⁵⁹ El Dorado County Election Plan, *supra* note 56, at 9.

⁶⁰ Email from Jonathan Podkomorka, Elections Technician, El Dorado County, to Vivian Alejandre, UCLA Voting Rights Project (Jan. 7, 2021) (on file with author).

⁶¹ El Dorado County Election Plan, *supra* note 56, at 9.

⁶² Email from Jonathan Podkomorka, Elections Technician, El Dorado County, to Vivian Alejandre, UCLA Voting Rights Project (Jan. 7, 2021) (on file with author).

⁶³ *Id.*

⁶⁴ *Id.*

interpreter.⁶⁵ One part-time Spanish-speaking employee was employed for Spanish-language assistance.⁶⁶

Five and ten bilingual poll workers were hired to provide language assistance at different vote centers.⁶⁷ These particular vote centers were determined based on the proximity to the voters' residences.⁶⁸ Trainings were provided for poll workers on how to provide language assistance through a language assistance service, and all workers were trained to assist limited-English voters.⁶⁹ At the voting locations, there were iPads with the Language Line app, allowing poll workers to request to speak with an interpreter either over the phone or video conference to receive ASL assistance.⁷⁰ El Dorado County also offered various pieces of accessibility technology at vote centers. Each vote center had a minimum of three Image Cast X accessible ballot marking devices, and each was equipped with a Mobile Ballot Printing module to print ballots on-demand in all the required languages.⁷¹

El Dorado County has a language access advisory committee.⁷² Persons on the Committee include: Linda Webster; Barbara Dockter; Kim Smith; Bill O'Neill; Kevin Bannon; Don Meyer; Dave Ashcraft; Raul Macias; and Isela Bravo. The Committee met twice in advance of the 2020 primary. These meetings are publicly reported.⁷³

The County partnered with both media services and community partners to satisfy its language needs. This included contracting with media services to deliver Spanish-language public service announcements, which were broadcast on Latino radio stations (99.9 FM La TriColor and 104.3 La Suavecita) and the Latino television station Telemundo 33.⁷⁴ These announcements provided information about the upcoming election, the vote center model, voting options, and the toll-free access hotline.⁷⁵ The County also partnered with community groups to engage in voter education. In the 2020 Primary, the County used these partnerships to, “identify opportunities to educate [County] voters, offer demonstrations of the voting equipment, and explain the process of how to request and obtain an accessible ballot.”⁷⁶

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ Email from Jonathan Podkomorka, Elections Technician, El Dorado County, to Vivian Alejandre, UCLA Voting Rights Project (Oct. 20, 2020) (on file with author).

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ El Dorado County Election Plan, *supra* note 56, at 4.

⁷² The Committee can be reached at (530) 621-7471.

⁷³ See El Dorado County, *Language Accessibility Advisory Committee*, EDCGOV.US (last visited Sept. 24, 2020), <https://edcgov.us/Government/Elections/Pages/LAAC-Meetings.aspx>.

⁷⁴ El Dorado County Election Plan, *supra* note 56, at 11.

⁷⁵ *Id.*

⁷⁶ *Id.* at 7.

VoteCal Data

In El Dorado County, voter turnout was approximately 55% among all active and inactive voters. For language minorities, turnout was about 26%, with most voters voting by mail.

El Dorado County	
	Primary Election Participants
Total Voters	136,348
Total Voters - Language is Known	135,337
% Voters - Language Known	99.3%
Language is Not Known	1,011
% Language is Not Known	0.74%

Spanish and Chinese speaking voters represent 0.17% and 0.04%, respectively, of active voters with limited-English proficiency who voted in the primary. Of the 363 minority language voters in the county, Spanish speaking voters represent the largest proportion at about 63%, followed by Chinese voters who represent nearly 15%.

El Dorado County - Language Breakdown	
	Primary Election Participants
English	134,971
% English	99.7%
Total - Minority Languages	363
% Total - Minority Languages	0.27%
Spanish	228
% Spanish	0.17%
Chinese	56
% Chinese	0.04%
Hindi	5
% Hindi	0.00%
Japanese	9
% Japanese	0.01%
Korean	27
% Korean	0.02%
Tagalog	14
% Tagalog	0.01%
Vietnamese	17
% Vietnamese	0.01%
Thai	7
% Thai	0.01%

In the 2020 primary election, eighty-eight limited-English voters opted to vote by mail. Of those voters, forty were Spanish speaking, seventeen were Chinese speaking, eleven were Korean speaking, nine were Vietnamese speaking, five were Thai speaking, four were Tagalog speaking, and two were Japanese speaking. No limited-English voters in this county opted to vote early. On election day, however, five Spanish speaking voters, one Chinese speaking voter, and one Japanese speaking voter voted in person at a vote center.

El Dorado County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Election Day	CVR/Non-Provisional CVR	In Person - Early
English	60,229	69,997	4,573	175	0
% English	99.0%	99.2%	99.4%	46.9%	-
Total - Minority Languages	268	88	7	0	0
% Total - Minority Languages	0.44%	0.12%	0.15%	0.00%	-
Spanish	183	40	5	0	0
% Spanish	0.30%	0.06%	0.11%	0.00%	-
Chinese	38	17	1	0	0
% Chinese	0.06%	0.02%	0.02%	0.00%	-
Tagalog	10	4	0	0	0
% Tagalog	0.02%	0.01%	0.00%	0.00%	-
Japanese	6	2	1	0	0
% Japanese	0.01%	0.00%	0.02%	0.00%	-
Korean	16	11	0	0	0
% Korean	0.03%	0.02%	0.00%	0.00%	-
Vietnamese	8	9	0	0	0
% Vietnamese	0.01%	0.01%	0.00%	0.00%	-
Thai	2	5	0	0	0
% Thai	0.00%	0.01%	0.00%	0.00%	-
Hindi	5	0	0	0	0
% Hindi	0.01%	0.00%	0.00%	0.00%	-

No vote by mail ballots were rejected for voters of a minority language. 0.64% of English-speaking voters' ballots were rejected.

El Dorado County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	71,028	70,562	466	0.66%
Total Voters - Language is Known	70,538	70,085	453	0.64%
Language is Not Known	490	477	13	2.65%
English	70,450	69,997	453	0.64%
Total - Minority Languages	88	88	0	0.00%
Spanish	40	40	0	0.00%
Japanese	2	2	0	0.00%
Korean	11	11	0	0.00%
Vietnamese	9	9	0	0.00%
Chinese	17	17	0	0.00%
Thai	5	5	0	0.00%
Tagalog	4	4	0	0.00%

Key Takeaways

El Dorado budgeted approximately \$160,000 for various minority language outreach strategies and non-English mail ballot accessibility efforts. There is no estimate for the precise amount spent nor how it was specifically disbursed.

Language minority voters had a turnout rate that was more than 29 percent less than English speaking voters. With the exception of Thai speaking voters, non-English language groups had participation rates of under 50%, with Spanish speaking voters being the least involved. The County reported that no complaints were filed by limited-English voters. Only about 20.5% of issued non-English mail ballots were returned during the primary.

Fresno County

Fresno County is covered by both §203 of the VRA for Spanish and Cal. Elec. Code §14201 for Chinese, Hmong, Korean, Cambodian (Khmer), Punjabi, Tagalog (Filipino), and Vietnamese. The County has a total population of approximately 978 thousand and a CVAP of over 581 thousand, which represents 59.4% of the total population. Of the CVAP, only 40.5% are White, and 59.5% are racial and/or ethnic minorities. Latinos make up the majority of the non-White CVAP at 41.6%, and Asians make up 9.8%. 21.2% of Fresno citizens 18 years and older are limited-English proficient and speak English “less than very well.”

Approximately \$50,000 was invested in non-English voter education and outreach, a majority of which was for a media consultant and production costs.⁷⁷ The County contracted with seventeen television, radio stations,⁷⁸ and twenty-nine print and electronic media companies.⁷⁹ In order to serve non-English speaking citizens, the County sought to have at least one public service announcement in each of the required languages published across newspapers, radio, and television. The goal was to inform voters of the upcoming election and to promote the toll-free voter assistance hotline, discussed below.⁸⁰ As required by law, the County also allocated \$250,000 for two mailings (printing and postage) in English and Spanish to each voter, conducted community presentations, media interviews, and other activities to ensure that voters were informed about the vote center model and voting process.⁸¹

Voter education workshops geared toward non-English speakers and voters with disabilities were conducted before the primary. Likewise, presentations and information regarding accessible voting were made available at various community events.⁸² The changes related to the VCA were discussed in at least one workshop in each of the following languages: Spanish; Punjabi; Hmong; Chinese; Korean; Khmer; Vietnamese; and Tagalog.⁸³ Language minority voters were

⁷⁷ Fresno County, Elections Administration Plan (Nov. 2019), <https://www.co.fresno.ca.us/home/showdocument?id=39855> [hereinafter Fresno County Elections Administration Plan].

⁷⁸ These were: Central Valley Talk Radio, Crossing TV Xfinity Channel 398, Fresno State Radio KFSR 90.7, Hmong Radio KBIF AM 900, Hmong USA Television, KFSN Ch. 30, KGPE Ch. 47, KMJ AM 580, KMPH Ch. 26, KSEE Ch. 24, KVPR FM 89, KVPT Ch. 18, Mega 97.9 KMGV FM, Punjabi Radio KBIF AM 900, Radio Bilingüe KSJV FM 91.5, Soft Rock 98.9 KSOF FM, Univision Ch. 21. *Id.* at 17.

⁷⁹ These were: Business Journal, California Advocate, CA Latina Democrats Fresno County, California State University, Fresno - The Collegian Central California Life Magazine, Clovis Roundup, Coalinga Press, Community Alliance, Firebaugh/Mendota Journal, Fowler Ensign, Fresno Bee, Fresno Building Healthy Communities Enews Fresno City College RAMPAGE, Fresno County Daily News, Fresno Free Press, Fresno Magazine, Fresno Pacific College - The Syrinx, Fresno Unified Newsletter "Building Futures," GV Wire e-news, Kerman News, Kingsburg Recorder, League of Women Voters Newsletter, Maddy Daily e-news, Mi Familia Vota California Newsletter, Mid Valley Times, Mountain Press, Movimiento Latino, Orange Cove Times, Retired Employees of Fresno County Newsletter San Joaquin/Tranquillity West Side Advance Sanger Scene, Selma Enterprise, Vida en Valle. *Id.* at 18.

⁸⁰ *Id.* at 14-15.

⁸¹ *Id.* at 8.

⁸² *Id.* at 4.

⁸³ *Id.* at 7.

identified through the language preference selection on voter registration forms, direct contact with voters, and the returned pre-paid postcards disseminated to all voters.⁸⁴

Ballot translation guides were provided at vote centers and were mailed to voters who requested language assistance⁸⁵ Vote centers were also equipped with a minimum of three accessible ballot marking devices in the form of Image Cast X machines.⁸⁶ The County also ran a language access hotline, making staff available to assist callers in over 100 languages, including all languages required by the VRA and Cal. Elec. Code §14201.⁸⁷ The County did not track the number of calls received; no requests for language assistance were recorded.⁸⁸ Bilingual poll workers were hired, with their official projected numbers and distribution of staff tabulated below:⁸⁹

	Expected Minimum Staffing Required	Operational Staffing Target
Spanish Speakers	106	212
Hmong Speakers	32	64
Punjabi Speakers	18	36
Chinese Speakers	4	8
Vietnamese Speakers	2	4
Korean Speakers	2	4
Khmer Speakers	2	4
Tagalog Speakers	2	4
Total Vote Center Workers	530	1,060

Vote centers located in or adjacent to other required Cal. Elec. Code §14201 language areas were staffed with Election Board Members who spoke the required languages.⁹⁰

Persons involved with the County’s language access committee, as stated publicly, include: Brandi Orth; Cindy Lee; James Kus; Susan Anderson; Luis Ojeda; Kamal Kaur; Katie Moua; Adam Rodriguez; Angela Delgado; Silvina Elliott; Samuel Molina; Joy Clark; and Ancilla

⁸⁴ *Id.* at 8.

⁸⁵ Email from James Kus, Assistant County Clerk, Fresno County to Vivian Alejandre, UCLA Voting Rights Project (Jan. 7, 2021) (on file with author).

⁸⁶ Fresno County Elections Administration Plan, *supra* note 77, at 12.

⁸⁷ *Id.* at 8.

⁸⁸ Email from Brandi L. Orth, County Clerk, Fresno County to Vivian Alejandre, UCLA Voting Rights Project (Sept. 20, 2020) (on file with author).

⁸⁹ Fresno County Elections Administration Plan, *supra* note 77, at 32.

⁹⁰ *Id.* at 11.

Cheek.⁹¹ Anyone who attends an LAAC meeting is considered a member of the committee and members include county election staff. They met three times in preparation for the primary election and their meeting minutes were publicly available.⁹²

VoteCal Data

In Fresno County, voter turnout was approximately 36% of all active and inactive voters. For language minorities, turnout matched the total population at about 37%.

Fresno County	
	Primary Election Participants
Total Voters	548,886
Total Voters - Language is Known	547,199
% Voters - Language Known	99.7%
Language is Not Known	1,687
% Language is Not Known	0.31%

As noted in the following breakdown of active voters with limited-English proficiency, Spanish speaking voters represent the largest proportion of primary election participants at 2.11%. However, Spanish speakers made up approximately 92% of the limited-English voters who participated in the 2020 primary election.

⁹¹ Fresno County, California, Language Accessibility Advisory Committee (LAAC), <https://www.co.fresno.ca.us/departments/county-clerk-registrar-of-voters/language-accessibility-advisory-committee-laac>.

⁹² *Id.*

Fresno County - Language Breakdown	
	Primary Election Participants
English	534,570
% English	97.7%
Total - Minority Languages	12,536
% Total - Minority Languages	2.29%
Spanish	11,588
% Spanish	2.11%
Chinese	173
% Chinese	0.03%
Korean	89
% Korean	0.02%
Tagalog	49
% Tagalog	0.01%
Vietnamese	217
% Vietnamese	0.04%
Khmer	61
% Khmer	0.01%
Other Languages (Not Listed)	359
% Other Languages	0.07%

In the 2020 primary election, 3,867 limited-English voters opted to vote by mail in Fresno County. Of those voters, 3,583 were Spanish speaking, seventy-five were Vietnamese speaking, forty-five were Chinese speaking, twenty were Korean speaking, seventeen were Tagalog speaking, twelve were Khmer speaking, and 115 spoke a different language. No limited-English speaking voters voted early in-person. Six hundred and seventy-one limited-English voters voted in person at a vote center on election day. Of the limited-English vote center voters, six hundred and fifty-five were Spanish speakers, six spoke other languages (not listed), four were Chinese speakers, two were Korean speakers, two were Vietnamese speakers, one was a Khmer speaker, and one was a Tagalog speaker.

Fresno County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Election Day	CVR/Non- Provisional CVR	In Person - Early
English	342,406	166,104	24,721	1,432	0
% English	97.7%	97.3%	96.9%	66.7%	-
Total - Minority Languages	7,923	3,867	671	75	0
% Total - Minority Languages	2.26%	2.27%	2.63%	3.49%	-
Spanish	7,278	3,583	655	72	0
% Spanish	2.08%	2.10%	2.57%	3.35%	-
Chinese	124	45	4	0	0
% Chinese	0.04%	0.03%	0.02%	0.00%	-
Tagalog	31	17	1	0	0
% Tagalog	0.01%	0.01%	0.00%	0.00%	-
Korean	67	20	2	0	0
% Korean	0.02%	0.01%	0.01%	0.00%	-
Vietnamese	140	75	2	0	0
% Vietnamese	0.04%	0.04%	0.01%	0.00%	-
Khmer	48	12	1	0	0
% Khmer	0.01%	0.01%	0.00%	0.00%	-
Other Languages (Not Listed)	235	115	6	3	0
% Other Languages	0.07%	0.07%	0.02%	0.14%	-

No vote by mail ballots were rejected for voters of a minority language. However, 0.04% of English-speaking voters' ballots were rejected.

Fresno County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	170,793	170,723	70	0.04%
Total Voters - Language is Known	170,039	169,970	69	0.04%
Language is Not Known	754	753	1	0.13%
English	166,172	166,103	69	0.04%
Total - Minority Languages	3,867	3,867	0	0.00%
Spanish	3,583	3,583	0	0.00%
Korean	20	20	0	0.00%
Vietnamese	75	75	0	0.00%
Chinese	45	45	0	0.00%
Khmer	12	12	0	0.00%
Tagalog	17	17	0	0.00%
Other	115	115	0	0.00%

Key Takeaways

Fresno invested approximately \$300,000 into translation services, voter education, and language minority outreach. While voter participation was nearly equal between English-speaking voters and limited-English voters at 36% and 37% respectively.

Los Angeles County

Los Angeles County is covered by both §203 of the VRA for Cambodian, Chinese (including Taiwanese), Korean, Tagalog (Filipino), Spanish, and Vietnamese, and by Cal. Election Code §14201 for Armenian, Bengali, and Farsi (Persian).

The County has a total population of over ten million and a CVAP of approximately 6.3 million, representing 62.1% of the population. Of the CVAP, only 34.2% are White, and 65.8% are racial and/or ethnic minorities. Latinos make up the majority of the non-White CVAP at 38.4%, Asians make up 14.8%, and African Americans account for 10.2%. 16.3% of Los Angeles citizens 18 years and older are limited-English proficient and speak English “less than very well.”

Los Angeles established its Language Accessibility Advisory Committee (LAAC) in 2017. The committee is comprised of representatives from: California Common Cause; Asian American Advancing Justice □ Los Angeles; CAUSE; City Clerk of Glendale; City Clerk of Pasadena; City Clerk of Sierra Madre; City of Bellflower; City of West Hollywood; Deputy Mayor of City of Bell; FarsiVote; Khmer Girls in Action; Korean American Coalition; L.A. City; League of Women Voters, Los Angeles; NAELO; National Iranian American Council; Pars Equality Center; South Asian Network; Thai CDC; and UCP.⁹³

The County partners with community-based organizations, providing access to public and private facilities throughout the county. It invests in non-English language advertising for voter education, specifically targeting ads at minority language speaking first-time absentee voters.

For the 2018-2019 fiscal year, the County budgeted \$1.5 million in media spending and \$25,000 for voter outreach. In the next fiscal year, the media budget was \$7.5 million, while the outreach budget remained the same.⁹⁴ The County sent news releases to media partners and contracted for language translation and media services for television, radio, and print media.⁹⁵ Media partners worked with the County’s Registrar-Recorder and County Clerk Department to run on-air informational segments, including interviews, to educate residents about upcoming elections and language access.⁹⁶ It also employed other strategies such as direct mailings, email notifications, and automated robocalls to contact registered voters. Direct mail was sent to voters to educate them about Voting Solutions for All People (VSAP) and the California Voter’s Choice Act (VCA).⁹⁷

⁹³ Los Angeles County Registrar-Recorder/County Clerk, <https://www.lavote.net/home/voting-elections/community-voter-outreach/language-accessibility-advisory-committee>.

⁹⁴ Los Angeles County, Election Administration Plan (2019), https://vsap.lavote.net/wp-content/uploads/2020/02/EAP_FINAL-ENGLISH.pdf [hereinafter Los Angeles County Election Administration Plan].

⁹⁵ Telemundo and Univision are contracted for Spanish language services. For radio, Entravision and Liberman broadcasting are contracted. For print media, La Opinion provides Spanish-language services; The Korea Times provides Korean-language services, and the World Journal provides Chinese-language service. *Id.* at 9.

⁹⁶ *Id.* at 7.

⁹⁷ *Id.* at 11.

Election administrators hosted a Mock Election in September 2019 at fifty vote centers spread throughout the county. The mock election featured “Demo Centers,” which allowed the public to experience hands-on voting and practice using ballot marking devices. The ballot marking devices themselves provided visual and audio access in thirteen languages and, “produce[d] human-readable paper ballots that exceed national voting system security standards.”⁹⁸

For the March primary, bilingual speakers were placed at voter centers to assist non-English speaking voters. The County collected data from multiple sources, including the U.S. Census, the American Community Survey, voter registration applications, and language assistance requests from community groups⁹⁹ and used the data to determine where to best place multilingual vote center staff. Every vote center in Los Angeles County was staffed by a person who is bilingual in English and Spanish.¹⁰⁰ Typically, vote centers were staffed with five to twenty-seven workers, up to eight of whom were bilingual in the languages necessary to meet the precinct vote center language requirements.¹⁰¹ Los Angeles County also had a multilingual assistance hotline for voters to access.¹⁰² It is unclear how many bilingual staff the County had or how many calls were received during the March 2020 primary. We were not able to determine whether Los Angeles County conducted training for poll workers on how to provide language assistance or training regarding the rules around receiving language assistance from third parties.

VoteCal Data

In Los Angeles County, voter turnout was approximately 30% among all active and inactive voters. For language minorities, turnout was about 28%, with about 54% voting by mail.

Los Angeles County	
	Primary Election Participants
Total Voters	7,105,984
Total Voters - Language is Known	7,072,328
% Voters - Language Known	99.5%
Language is Not Known	33,656
% Language is Not Known	0.47%

⁹⁸ *Id.* at 4.

⁹⁹ *Id.* at 46.

¹⁰⁰ *Id.*

¹⁰¹ *Id.* at 67.

¹⁰² *Id.* at 46

Spanish speakers represent the largest proportion of language minorities in Los Angeles County at 68%, followed by Chinese speaking voters at 13%. As displayed in the following table, Spanish and Chinese speaking voters make up 3.27% and 0.63% of total voters from the primary election.

Los Angeles County - Language Breakdown	
	Primary Election Participants
English	6,730,497
% English	95.2%
Total - Minority Languages	340,045
% Total - Minority Languages	4.81%
Spanish	232,262
% Spanish	3.27%
Chinese	44,849
% Chinese	0.63%
Hindi	517
% Hindi	0.01%
Japanese	2,977
% Japanese	0.04%
Korean	37,664
% Korean	0.53%
Tagalog	6,884
% Tagalog	0.10%
Vietnamese	11,640
% Vietnamese	0.16%
Thai	1,665
% Thai	0.02%
Khmer	926
% Khmer	0.01%
Other Languages (Not Listed)	661
% Other Languages	0.01%

In the 2020 primary election, 51,317 limited-English voters opted to vote by mail. Of those voters, thirty thousand were Spanish speaking, ten thousand were Korean speaking, nearly seven thousand were Chinese speaking, and nearly two thousand were Vietnamese speaking. 794 Tagalog speakers voted by mail, as well as 553 Japanese speakers, 336 Thai speakers, 188 Khmer speakers, sixty-six Hindi speakers, and eighty-two people who spoke a different language.

No limited-English speakers in Los Angeles County voted early. On election day, nearly thirty-seven thousand Spanish speakers, over two thousand Chinese speakers, and nearly two thousand Korean speakers voted at a vote center. Additionally, 582 Vietnamese speakers, 259 Japanese speakers, 417 Tagalog speakers, 122 Thai speakers, fifty-seven Khmer speakers, forty-one Hindi speakers, and sixty voters who spoke another language voted in person at a vote center.

Los Angeles County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Early	CVR/Non-Provisional CVR	In Person - Election Day
English	4,735,859	1,084,821	0	31,752	879,739
% English	95.1%	94.9%	-	72.3%	93.8%
Total - Minority Languages	244,698	51,317	0	1,376	42,766
% Total - Minority Languages	4.91%	4.49%	-	3.13%	4.56%
Spanish	163,817	30,398	0	1,204	36,936
% Spanish	3.29%	2.66%	-	2.74%	3.94%
Chinese	35,608	6,838	0	55	2,353
% Chinese	0.71%	0.60%	-	0.13%	0.25%
Tagalog	5,665	794	0	9	417
% Tagalog	0.11%	0.07%	-	0.02%	0.04%
Japanese	2,161	553	0	5	259
% Japanese	0.04%	0.05%	-	0.01%	0.03%
Korean	25,519	10,148	0	66	1,939
% Korean	0.51%	0.89%	-	0.15%	0.21%
Vietnamese	9,129	1,914	0	18	582
% Vietnamese	0.18%	0.17%	-	0.04%	0.06%
Thai	1,201	336	0	6	122
% Thai	0.02%	0.03%	-	0.01%	0.01%
Hindi	409	66	0	1	41
% Hindi	0.01%	0.01%	-	0.00%	0.00%
Khmer	675	188	0	6	57
% Khmer	0.01%	0.02%	-	0.01%	0.01%
Other Languages (Not Listed)	514	82	0	6	60
% Other Languages	0.01%	0.01%	-	0.01%	0.01%

Seven mail ballots were rejected by minority language voters, while 101 mail ballots cast by English speaking voters were rejected.

Los Angeles County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	1,142,241	1,142,130	111	0.01%
Total Voters - Language is Known	1,135,473	1,135,365	108	0.01%
Language is Not Known	6,768	6,765	3	0.04%
English	1,084,216	1,084,115	101	0.01%
Total - Minority Languages	51,257	51,250	7	0.01%
Spanish	30,363	30,358	5	0.02%
Korean	10,131	10,129	2	0.02%
Chinese	6,832	6,832	0	0.00%
Vietnamese	1,912	1,912	0	0.00%
Hindi	66	66	0	0.00%
Japanese	553	553	0	0.00%
Thai	336	336	0	0.00%
Khmer	188	188	0	0.00%
Tagalog	794	794	0	0.00%
Other	82	82	0	0.00%

Key Takeaways

Los Angeles invested over \$9 million into media partnerships and voter outreach between 2018 and 2020. Less than one-third of eligible voters in Los Angeles County participated in the primary election. Language minority voters had a comparable turnout rate that was less than 2 percent lower than English speaking voters during the primary election.

Madera County

Madera County is covered by §203 of the VRA for Spanish and by Cal. Elec. Code §1401 for Punjabi. The County has a total population of approximately 155 thousand and a CVAP of over 91 thousand, representing 58.9% of the total population. Of the CVAP, 48.5% are White and 51.5% are racial and/or ethnic minorities. Latinos make up the majority of the non-White CVAP at 41%, and African Americans make up 4.6%. 8.5% of Madera citizens 18 years and older are limited-English proficient and speak English “less than very well.”

Madera County provides a language assistance toolbar on the top left-hand corner of their County Clerk website,¹⁰³ however, the tool is not immediately obvious to find and may be hard for a voter to understand or access.

The County spent an estimated total of \$10,000 on non-English voter education, specifically newspaper publications, television public service announcements, and radio public service announcements.¹⁰⁴ This included targeting minority language speaking first-time absentee voters. The County also spent \$6,000¹⁰⁵ on the Madera County Registrar of Voters (MCROV), which, “contact[ed] each Madera County registered voter a minimum of two times, by mail, to provide information on the upcoming election and the availability of MCROV’s toll-free assistance hotline.”¹⁰⁶ All voters were mailed an information guide in English and Spanish along with their ballot. These voter information guides were also available at all vote centers.

At vote centers, the County deployed the following accessibility technologies: the Image Cast Voting System (ICVS); an Image Cast X (ICX) accessible ballot marking device with image capturing and audit-mark capabilities from Dominion Voting Systems (DVS); and a Mobile Ballot Printing (MBP) module, a technology that prints ballots on demand in all required language at all vote centers.¹⁰⁷ Additionally, Madera County deployed the DVS Remote Accessible Vote By Mail system for voters who requested an accessible mail ballot. There was a toll-free voter assistance hotline for language minority voters in the County¹⁰⁸ and an SOS hotline for language assistance,¹⁰⁹ though no assistance calls were reportedly collected or tracked during the 2020 primary election.¹¹⁰

¹⁰³ Madera County, Vote Madera, <https://votemadera.com>.

¹⁰⁴ Madera County, Election Administration Plan (Nov. 2019), <https://votemadera.com/wp-content/uploads/2019/12/MadCo-v3.2-Final-November-2019.pdf> [hereinafter Madera County Election Administration Plan].

¹⁰⁵ *Id.*

¹⁰⁶ *Id.*

¹⁰⁷ *Id.*

¹⁰⁸ *Id.*

¹⁰⁹ Email from Justin White, Chief Assistant County Clerk-Recorder, Madera County to Vivian Alejandre, UCLA Voting Rights Project (Aug. 28, 2020) (on file with author).

¹¹⁰ Email from Justin White, Chief Assistant County Clerk-Recorder, Madera County to Vivian Alejandre, UCLA Voting Rights Project (Aug. 28, 2020) (on file with author).

Bilingual staff were employed for the 2020 primary election. There is also a language access advisory committee in the County composed of seven members: Samuel Molina; Leticia Gonzalez; Alexander Salazar; Johanna Torres; Nadeem Ahmad; Felipe Grimaldo Jimenez; and Humberto Avila.¹¹¹ The committee met two times in preparation for the primary election, and the minutes from the meetings are publicly available.¹¹²

Madera County consulted with several community groups to identify opportunities to educate the county’s voters, offer demonstrations of the voting equipment, and explain how to request and obtain an accessible ballots.¹¹³ Postage-paid postcards were provided for voters to request materials in an alternative language or an accessible format.¹¹⁴ Madera County partnered with Fresno County to conduct media outreach, using the outlets in Fresno¹¹⁵ because Madera residents are served by regional television and radio stations based in Fresno, in addition to their own Spanish radio stations. Lastly, Madera County initiated grassroots efforts to educate voters through VAAC, LAAC, and Community Election Working Group meetings.¹¹⁶

VoteCal Data

In Madera County, voter turnout was approximately 40% among all active and inactive voters. For language minorities, turnout was about 38%, with about 84% voting by mail.

Madera County	
	Primary Election Participants
Total Voters	77,028
Total Voters - Language is Known	76,125
% Voters - Language Known	98.8%
Language is Not Known	903
% Language is Not Known	1.17%

¹¹¹ Madera County, Language Accessibility Advisory Committee Member Roster (2019-2020), <https://votemadera.com/wp-content/uploads/2019/08/LAAC-2019-2020-Roster.pdf>

¹¹² Madera County, Vote Madera, Workshop, <https://votemadera.com/language-accessibility-advisory-committee-laac-2>.

¹¹³ Madera County Election Administration Plan, *supra* note 104, at 8.

¹¹⁴ *Id.* at 9.

¹¹⁵ *Id.* at 7.

¹¹⁶ *Id.* at 7.

The following table displays the breakdown of active voters with limited-English proficiency. In Madera County, Spanish speaking voters made up 3.19% of the total primary voters and about 98% of the limited-English voter population.

Madera County - Language Breakdown	
	Primary Election Participants
English	73,609
% English	96.7%
Total - Minority Languages	2,513
% Total - Minority Languages	3.30%
Spanish	2,460
% Spanish	3.19%
Chinese	8
% Chinese	0.01%
Hindi	13
% Hindi	0.02%
Japanese	1
% Japanese	0.00%
Korean	6
% Korean	0.01%
Tagalog	2
% Tagalog	0.00%
Vietnamese	7
% Vietnamese	0.01%
Thai	2
% Thai	0.00%
Khmer	1
% Khmer	0.00%
Other Languages (Not Listed)	13
% Other Languages	0.02%

In the 2020 primary election, 801 limited-English voters opted to vote by mail. Of those voters, 787 were Spanish speaking, three were Chinese speaking, three were Hindi speaking, two were Korean speaking, and one was Japanese speaking. Five voters spoke another language. No limited-English speaking voters voted early in-person, and one hundred and forty-five voted in a vote center on election day. Of those one hundred and forty-five voters, one hundred and thirty-eight were Spanish speaking, three were Hindi speaking, two were Chinese speaking, one voter was Vietnamese speaking, and one voter was a speaker of another language.

Madera County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Election Day	CVR/Non-Provisional CVR	In Person - Early
English	44,121	26,899	2,454	138	0
% English	96.5%	94.6%	94.1%	50.5%	-
Total - Minority Languages	1,560	801	145	7	0
% Total - Minority Languages	3.41%	2.82%	5.56%	2.56%	-
Spanish	1,528	787	138	7	0
% Spanish	3.34%	2.77%	5.29%	2.56%	-
Chinese	3	3	2	0	0
% Chinese	0.01%	0.01%	0.08%	0.00%	-
Tagalog	2	0	0	0	0
% Tagalog	0.00%	0.00%	0.00%	0.00%	-
Japanese	0	1	0	0	0
% Japanese	0.00%	0.00%	0.00%	0.00%	-
Korean	4	2	0	0	0
% Korean	0.01%	0.01%	0.00%	0.00%	-
Vietnamese	6	0	1	0	0
% Vietnamese	0.01%	0.00%	0.04%	0.00%	-
Thai	2	0	0	0	0
% Thai	0.00%	0.00%	0.00%	0.00%	-
Hindi	7	3	3	0	0
% Hindi	0.02%	0.01%	0.11%	0.00%	-
Khmer	1	0	0	0	0
% Khmer	0.00%	0.00%	0.00%	0.00%	-
Other Languages (Not Listed)	7	5	1	0	0
% Other Languages	0.02%	0.02%	0.04%	0.00%	-

In Madera County, only one minority-language voter's mail ballot (0.12%) was rejected, while 26 (0.1%) English speaking voters' ballots were rejected.

Madera County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	28,468	28,440	28	0.10%
Total Voters - Language is Known	27,727	27,700	27	0.10%
Language is Not Known	741	740	1	0.13%
English	26,925	26,899	26	0.10%
Total - Minority Languages	802	801	1	0.12%
Spanish	788	787	1	0.13%
Hindi	3	3	0	0.00%
Japanese	1	1	0	0.00%
Korean	2	2	0	0.00%
Chinese	3	3	0	0.00%
Other	5	5	0	0.00%

Key Takeaways

The County invested approximately \$16,000 into public service announcements and translation services. Officials stated that they had not received any complaints by limited-English proficiency voters. The VoteCal analysis shows that only one ballot was rejected among all language minority voters – the rejected ballot was translated into Spanish. Language minority voters had a turnout rate comparable to English speaking voters during the primary election.

Mariposa County

Mariposa County is not covered by §203 of the VRA, but it is covered by Cal. Elec. Code §14201 for Spanish and Tagalog (Filipino). The County has a total population of approximately 17.5 thousand and a CVAP of over 14 thousand, representing 79.8% of the County’s population. Of the CVAP, 84.9% are White and 15.1% are racial and/or ethnic minorities. Latinos make up the majority of the non-White CVAP at 7.6%. 1.3% of Mariposa citizens 18 years and older are limited-English proficient and speak English “less than very well.”

Mariposa County reported that only seventeen voters countywide selected Spanish as their language of choice on their voter registration.¹¹⁷ The County is an all-mail ballot county, so it did not employ poll workers. While Spanish and Tagalog translators were made available, the County did not have to use them. Additionally, all voting materials available at all county vote centers were translated into both Spanish and Tagalog.¹¹⁸ Registered voters had the option to use one of the accessible ballot marking devices at vote centers.¹¹⁹ Voters could check-in, request an accessible ballot, and then would be provided with a key card that populated the accessible device with their ballot.¹²⁰ Ballots could be marked using the provided audio-tactile device on the touch-screen display or by using assistive technology.¹²¹ The County did not have designated non-English speakers in key offices. While the County offered a non-English voter hotline, no calls were reportedly received.¹²² The County did not provide facsimile ballots, since none were requested.¹²³

Mariposa County has a language access advisory committee composed of four members: Lilly Phillips; Eva Ramos; Terri Peresan; and Latoya Rodrick.¹²⁴ They met twice prior to the 2020 primary election, though the minutes are not publicly available.¹²⁵ In addition to contracting with local radio (KRYZ radio 98.5FM) and newspapers (the Mariposa Gazette), the County disseminates information about accessible voting via local community video blogs, county departments, social media, and outreach to various community groups. The information describes what ballot options are available as well as how to request, mark, and submit such a

¹¹⁷ Email from Courtney Morrow, Chief Deputy County Clerk, Mariposa County to Vivian Alejandre, UCLA Voting Rights Project (Sept. 24, 2020) (on file with author).

¹¹⁸ Email from Courtney Morrow, Chief Deputy County Clerk, Mariposa County to Vivian Alejandre, UCLA Voting Rights Project (Jan. 11, 2021) (on file with author)

¹¹⁹ Mariposa County, Election Administration Plan (2019), <http://www.mariposacounty.org/DocumentCenter/View/81705/Final-EAP> [hereinafter Mariposa County Election Administration Plan].

¹²⁰ *Id.* at 15.

¹²¹ *Id.* at 15.

¹²² Email from Keith Williams, County Clerk, Mariposa County to Vivian Alejandre, UCLA Voting Rights Project (Sep. 3, 2020) (on file with author).

¹²³ Williams, *supra* note 122.

¹²⁴ Williams, *supra* note 122.

¹²⁵ *Id.*

ballot through the County’s Remote Accessible Vote-by-Mail (RAVBM) program.¹²⁶ This outreach did not specifically target minority language speakers.

The County did, however, coordinate with its language access advisory committee to identify opportunities to educate minority language speaking voters. These educational efforts included a bilingual voter education workshop for each language required by federal and state law.¹²⁷ Public service announcements were made about the election and the associated language assistance hotline, specifically targeting minority language voters on the County website and social media pages.¹²⁸ Additionally, all registered voters received a postage-paid postcard alongside the County Voter Information Guide or vote by mail ballot packet. Voters could return this to the County Elections Official in order to request a vote by mail ballot in a language other than English or to request a vote by mail ballot in an accessible format.¹²⁹

VoteCal Data

In Mariposa County, voter turnout was approximately 59% for all active and inactive voters. For language minorities turnout was about 19% .

Mariposa County	
	Primary Election Participants
Total Voters	12,191
Total Voters - Language is Known	12,111
% Voters - Language Known	99.3%
Language is Not Known	80
% Language is Not Known	0.66%

As displayed in the following table, Spanish speaking voters made up 0.12% of the total primary participants and accounted for the largest proportion of minority language voters at about 71%.

¹²⁶ Mariposa County Election Administration Plan, *supra* note 119, at 1.

¹²⁷ *Id.* at 1, 4.

¹²⁸ *Id.* at 4.

¹²⁹ *Id.* at 2-3.

Mariposa County - Language Breakdown	
	Primary Election Participants
English	12,090
% English	99.8%
Total - Minority Languages	21
% Total - Minority Languages	0.17%
Spanish	15
% Spanish	0.12%
Chinese	2
% Chinese	0.02%
Korean	3
% Korean	0.02%
Khmer	1
% Khmer	0.01%

In the 2020 primary election, six limited-English speaking voters opted to vote by mail in Mariposa County. Of those voters, four were Spanish speaking, one was Korean speaking, and one was Khmer speaking. No voters opted to vote early in-person, and no limited-English voters voted in-person on election day at a vote center.

Mariposa County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Election Day	CVR/Non- Provisional CVR	In Person - Early
English	4,967	7,101	12	10	0
% English	98.8%	99.6%	70.6%	66.7%	-
Total - Minority Languages	15	6	0	0	0
% Total - Minority Languages	0.30%	0.08%	0.00%	0.00%	-
Spanish	11	4	0	0	0
% Spanish	0.22%	0.06%	0.00%	0.00%	-
Chinese	2	0	0	0	0
% Chinese	0.04%	0.00%	0.00%	0.00%	-
Korean	2	1	0	0	0
% Korean	0.04%	0.01%	0.00%	0.00%	-
Khmer	0	1	0	0	0
% Khmer	0.00%	0.01%	0.00%	0.00%	-

In Mariposa County, no vote by mail ballots were rejected for language minorities, but 0.15% of mail ballots from English-speaking voters were rejected.

Mariposa County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	7,144	7,133	11	0.15%
Total Voters - Language is Known	7,118	7,107	11	0.15%
Language is Not Known	26	26	0	0.00%
English	7,112	7,101	11	0.15%
Total - Minority Languages	6	6	0	0.00%
Spanish	4	4	0	0.00%
Korean	1	1	0	0.00%
Khmer	1	1	0	0.00%

Key Takeaways

Mariposa did not record voter outreach expenditures. The language minority voters turnout rate was 32 percent lower than the turnout for English speaking voters. Additionally, Mariposa has one of the smallest non-English speaking populations among VCA counties.

Napa County

Napa County is not covered by §203 of the VRA, but it is covered by Cal. Elec. Code §14201 for Spanish and Tagalog (Filipino). The County has a total population of approximately 140 thousand and a CVAP of nearly 95 thousand, representing 67.5% of the County's population. Of the CVAP, 66.1% are White and 33.9% are racial and/or ethnic minorities. Latinos make up the majority of the non-White CVAP at 20.8%, and Asians make up 7.7%. 8.3% of Napa citizens 18 years and older are limited-English proficient and speak English "less than very well."

Despite not being required by §203 of the VRA, Napa County provides language assistance and voter education materials through social media and television advertisements. Further, two mailers were required before the primary to inform voters about the VCA, which the County translated into Spanish and Tagalog, according to County officials. In total, the County spent \$50,200 on voter outreach for the 2020 primary election, which included mailers and postage.¹³⁰ Napa County also provided facsimile ballots for Filipino voters that were available at vote centers and could be requested via mail.¹³¹

At the polls, the County used a ballot-marking device that included accessibility features for voters such as options to change text, font size, and background color, included a braille-embossed handheld keypad (auto-tactile interface), and headphones with audio instructions in English and Spanish.¹³² The device was compatible with several assistive devices such as sip-and-puff systems, paddles, and head-pointers, so voters could bring in their own devices.¹³³ There was a toll-free assistance hotline for Spanish-language speakers, which reportedly received some calls.¹³⁴ The Elections Office also had an email and physical address posted on their website where Spanish-language speakers could obtain Spanish-language materials.¹³⁵

Napa County had eight vote centers, with at least one in each municipality. Each was staffed with two vote center leads and at least five vote center clerks.¹³⁶ All vote centers in the County employed at least one bilingual staff member fluent in Spanish and Tagalog.¹³⁷ The County did

¹³⁰ Napa County, Elections Administration Plan (2019), <https://www.countyofnapa.org/DocumentCenter/View/15927/Napa-County-Election-Administration-Plan-PDF> [hereinafter Napa County Election Administration Plan].

¹³¹ *Id.* at 1.

¹³² Napa County, Accessible Voting, <https://www.countyofnapa.org/2714/Accessible-Voting>.

¹³³ *Id.* The sip-and-puff system is mainly used for those who do not have use of their hands and is an assistive technology that sends signals to a device by inhaling (sipping) or exhaling (puffing). Similarly, head-pointers is an assistive device for paraplegic voters or those with limited hand use. The head brace that is worn allows the movement of the mouse pointer to be controlled through head movements.

¹³⁴ Email from John Tuteur, County Clerk, Napa County to Vivian Alejandre, UCLA Voting Rights Project (Sept. 1, 2020) (on file with author).

¹³⁵ Napa County, Elections, <https://www.countyofnapa.org/Elections>.

¹³⁶ Napa County County Election Division, Vote Center Recruitment Brochure, <https://www.countyofnapa.org/DocumentCenter/View/7821/Vote-Center-Worker-Recruitment-BrochurePDF->.

¹³⁷ *Id.*

not have special training on how to engage with language access voters.¹³⁸ Napa County has a language access advisory committee with 24 members. The committee met once before the 2020 primary election, but the minutes from the meeting are not publicly reported.¹³⁹

Napa County has media outlets that are specific to the Spanish speaking population. These outlets are: GDTV-Ca Univision 28 (Television); KVON/KVYN/KBBF 89.1 (Radio); Napa Register; St. Helena Star; Calistoga Tribune; American Canyon Eagle; Yountville Sun; La Voz; and Lake Berryessa News.¹⁴⁰ The County also used other media outlets such as Next Door, Facebook, Instagram, and Twitter¹⁴¹ to promote the official voter information website and the toll-free voter assistance hotline and educate voters about how to obtain their ballot in an accessible format, as well as to make available the multilingual and accessibility services to voters who needed them.¹⁴²

Additionally, advertisements in Spanish and Filipino-Tagalog media were purchased to promote the assistance hotline. Community partners could be involved in disseminating information by placing a flyer in an office, including an article in an organizational newsletter or on a website, or have an Election Division representative present information on the VCA to clients, members, and residents. Educational tools, such as presentations, flyers, and an FAQ, were available to download from the County's Election website. Hard copies were also available from the Election Division office. An online toolkit included messages, graphics, and other resources customized for various needs.¹⁴³

VoteCal Data

In Napa County, voter turnout was approximately 56% for all active and inactive voters. For language minorities, voter turnout was over ten percent less at 45%. Over 96% of language minorities voted by mail.

¹³⁸ Tuteur, *supra* note 134.

¹³⁹ Email from John Tuteur, County Clerk, Napa County to Vivian Alejandre, UCLA Voting Rights Project (Sept. 18, 2020) (on file with author).

¹⁴⁰ Napa County Election Administration Plan, *supra* note 130, at 15. Newspapers were both online and in print.

¹⁴¹ *Id.* at 15.

¹⁴² *Id.* at 5.

¹⁴³ *Id.* at 6.

Napa County	
	Primary Election Participants
Total Voters	84,353
Total Voters - Language is Known	83,723
% Voters - Language Known	99.3%
Language is Not Known	630
% Language is Not Known	0.75%

The following table displays the breakdown of active voters with limited-English proficiency. In Napa County, Spanish speaking voters composed 2.48% of total primary voters. Spanish speakers made up over 95% of all language minority voters, followed by Chinese, Tagalog, and Vietnamese speaking voters.

Napa County - Language Breakdown	
	Primary Election Participants
English	81,530
% English	97.4%
Total - Minority Languages	2,193
% Total - Minority Languages	2.62%
Spanish	2,091
% Spanish	2.48%
Chinese	24
% Chinese	0.03%
Hindi	8
% Hindi	0.01%
Japanese	2
% Japanese	0.00%
Korean	9
% Korean	0.01%
Tagalog	30
% Tagalog	0.04%
Vietnamese	27
% Vietnamese	0.03%
Khmer	2
% Khmer	0.00%

In the 2020 primary election, 958 limited-English speaking voters opted to vote by mail in Napa County. Of those voters, 907 were Spanish speaking, fifteen were Vietnamese speaking, twelve were Chinese speaking, twelve were Tagalog speaking, four were Hindi speaking, one voter was Japanese speaking, and one voter was Khmer speaking. No voters opted to vote early in-person at a vote center. Four Spanish speaking voters voted in person at a vote center on election day.

Napa County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Election Day	CVR/Non-Provisional CVR	In Person - Early
English	35,784	44,761	73	912	0
% English	96.3%	97.0%	92.4%	91.9%	-
Total - Minority Languages	1,203	958	4	28	0
% Total - Minority Languages	3.24%	2.08%	5.06%	2.82%	-
Spanish	1,153	907	4	27	0
% Spanish	3.10%	1.97%	5.06%	2.72%	-
Chinese	12	12	0	0	0
% Chinese	0.03%	0.03%	0.00%	0.00%	-
Tagalog	18	12	0	0	0
% Tagalog	0.05%	0.03%	0.00%	0.00%	-
Japanese	1	1	0	0	0
% Japanese	0.00%	0.00%	0.00%	0.00%	-
Korean	3	6	0	0	0
% Korean	0.01%	0.01%	0.00%	0.00%	-
Vietnamese	12	15	0	0	0
% Vietnamese	0.03%	0.03%	0.00%	0.00%	-
Hindi	3	4	0	1	0
% Hindi	0.01%	0.01%	0.00%	0.10%	-
Khmer	1	1	0	0	0
% Khmer	0.00%	0.00%	0.00%	0.00%	-

In Napa County, four vote by mail ballots (0.42%) were rejected from language minority voters, specifically Spanish speaking voters. 190 mail ballots (0.42%) from English speaking voters were rejected.

Napa County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	46,307	46,112	195	0.42%
Total Voters - Language is Known	45,912	45,718	194	0.42%
Language is Not Known	395	394	1	0.25%
English	44,950	44,760	190	0.42%
Total - Minority Languages	962	958	4	0.42%
Spanish	911	907	4	0.44%
Vietnamese	15	15	0	0.00%
Chinese	12	12	0	0.00%
Tagalog	12	12	0	0.00%
Hindi	4	4	0	0.00%
Japanese	1	1	0	0.00%
Korean	6	6	0	0.00%
Khmer	1	1	0	0.00%

Key Takeaways

Napa invested approximately \$50,200 into voter outreach for the primary election, though it is unknown how much specifically was allocated to reach non-English speaking voters. According to the County Clerk’s Office, there are no reported requests for additional assistance from limited-English proficient voters or voters with disabilities during the primary. Language minority voters had a turnout rate that was more than 10 percent lower than English speaking voters.

Nevada County

Nevada County is not covered by §203 of the VRA, but it is covered by Cal. Elec. Code §14201 for Spanish. It does not provide additional non-English language assistance. The County has a total population of approximately ninety-nine thousand and a CVAP of nearly seventy-nine thousand, representing 79.7% of the County’s population. Of the CVAP, 89.3% are White, and 10.7% are racial and/or ethnic minorities. Latinos make up the majority of the non-White CVAP at 6%. 0.9% of Nevada citizens 18 years and older are limited-English proficient and speak English “less than very well.”

Nevada County invested in limited non-English advertising for voter education that specifically targeted minority language-speaking, first-time absentee voters.¹⁴⁴ There are no media outlets in Nevada County that specifically target the Spanish speaking population. The County did not advertise in media outlets outside the County for fear of causing voter confusion. The Elections Office organized and attended community organizations events, among others, as a way to consult with the public and with their Language Access Advisory Committee (LAAC) to generate a list of community partners who could educate the Spanish speaking community.¹⁴⁵

The County contracted with two newspapers, *The Union* and *The Sierra Sun*, to provide Spanish language public service announcements to inform residents about the toll-free voter assistance hotline.¹⁴⁶ In addition to advertisements, the Elections Office made direct contact twice with all voters in English and Spanish to inform them about the upcoming election, to provide them with voting materials, and to inform them about the Spanish toll-free hotline.¹⁴⁷ The County also provided Spanish language facsimile ballots upon request.¹⁴⁸ For the 2020 primary, the County budgeted \$64,000 for mail outreach, \$20,000 for all advertising (including advertising in English) and \$1,085 for translation services.¹⁴⁹ Finally, Nevada County held two bilingual voter education workshops, one in Spring 2018 and one on March 1, 2020, targeting the County’s Spanish speaking population.

The County relied on community partners identified by the LAAC to distribute the remainder of Spanish language voter assistance information. Nevada County distributed materials provided by the California Secretary of State through these partners.¹⁵⁰ The County recommended that community partners include voter education information in emails, newsletters, and flyers at

¹⁴⁴ Nevada County, Election Administration Plan 5-6 (Mar. 2, 2020), https://www.mynevadacounty.com/DocumentCenter/View/34021/2020-Election-Administration-Plan_FINAL-Rev-3-2-2020 [hereinafter Nevada County Election Administration Plan].

¹⁴⁵ *Id.* at 6

¹⁴⁶ *Id.* at 1

¹⁴⁷ *Id.* at 2.

¹⁴⁸ *Id.* at D-5.

¹⁴⁹ *Id.* at I-1.

¹⁵⁰ *Id.* at 6. The only partner identified by the Registrar of Voters in 2020 was the Family Resource Center of Truckee, but that organization has since partnered with organizations to form the Sierra Community House, and no longer exists under its previous name. See Family Resource Center of Truckee, <http://truckeeffc.org>.

public events.¹⁵¹ Ultimately, the form of engagement was left to the discretion of the partner organizations.¹⁵²

The County provided some direct language assistance to voters, including offering a toll-free voter assistance hotline for Spanish-language assistance during election periods. The hotline was available beginning twenty-nine days before election day and through 5:00 p.m. the day following the election.¹⁵³ The phone number for this hotline was posted on the County's website and was included in election materials sent to voters. In addition to the Spanish hotline, the County offered a Language Line tool that virtually assisted voters in over 200 languages, though this was only made available during the voting period.¹⁵⁴

Limited Spanish language assistance was also provided at vote centers. All vote centers were equipped with a minimum of three HART Verify print ballot marking devices.¹⁵⁵ These devices were available in Spanish and included both an audio ballot option and sip-and-puff technology.¹⁵⁶ Bilingual poll workers were recruited to assist voters in Spanish.¹⁵⁷ In past elections, they had employed about two bilingual poll workers.¹⁵⁸ The County determined where to place the bilingual poll workers by looking at precinct-level information and engaging in discussions with the community during the planning process.¹⁵⁹

The Registrar of Voters did not employ a designated Spanish speaking staff person and had no bilingual staff in the office. If the Registrar of Voters received a call from a voter requesting language assistance, it attempted to find someone who could provide that assistance.¹⁶⁰ The Registrar of Voters did not track calls from voters requesting non-English language assistance. The Assistant Clerk-Recorder/Registrar of Voters noted that there were very few calls of this nature.¹⁶¹

The County has a LAAC.¹⁶² We do not know how many members there are or who they might be, as that information was not available nor updated for the 2020 primary. LAAC meetings were publicly reported in 2017, but none have been published since that time.¹⁶³ The Assistant Clerk-Recorder/Registrar of Voters noted that the meetings had not been publicly reported

¹⁵¹ Nevada County Election Administration Plan, *supra* note 144 at 6.

¹⁵² *Id.*

¹⁵³ *Id.* at 6. Notably, this means that the hotline stops operations prior to the deadline for receipt of mailed vote by mail ballots. As such, the hotline would likely not be available to a voter who mails their ballot on election day and is seeking information about whether their ballot was accepted.

¹⁵⁴ Call with Natalie Adona, Assistant Clerk-Recorder/Registrar of Voters.

¹⁵⁵ Nevada County Election Administration Plan, *supra* note 144, at 3.

¹⁵⁶ *Id.*

¹⁵⁷ Call with Natalie Adona, Assistant Clerk-Recorder/Registrar of Voters.

¹⁵⁸ *Id.*

¹⁵⁹ *Id.*

¹⁶⁰ *Id.*

¹⁶¹ *Id.*

¹⁶² County of Nevada, CA, *Voters Choice Act Committees*, mynevadacounty.com (last visited Sept. 27, 2020), <https://www.mynevadacounty.com/2322/Voters-Choice-Act-Committees>.

¹⁶³ *See id.*

because they are largely unattended.¹⁶⁴ Lastly, it is unclear whether the County conducted trainings for their poll workers on how to provide language assistance or what the rules were for language assistance from third parties.

VoteCal Data

In Nevada County, voter turnout was approximately 57% for all active and inactive voters. For language minorities, however, voter turnout was significantly lower at about 28%.

Nevada County	
	Primary Election Participants
Total Voters	81,100
Total Voters - Language is Known	80,611
% Voters - Language Known	99.4%
Language is Not Known	489
% Language is Not Known	0.60%

As noted in the following table, voters represent over seven different languages. Spanish speaking voters made up about 0.09% of the total voters, followed by Chinese speaking voters at 0.01%. Of the minority language voters, Spanish and Chinese speakers composed about 74% and 10% respectively.

¹⁶⁴ Call with Natalie Adona, Assistant Clerk-Recorder/Registrar of Voters.

Nevada County - Language Breakdown	
	Primary Election Participants
English	80,483
% English	99.9%
Total - Minority Languages	94
% Total - Minority Languages	0.12%
Spanish	70
% Spanish	0.09%
Chinese	9
% Chinese	0.01%
Hindi	2
% Hindi	0.00%
Japanese	2
% Japanese	0.00%
Korean	3
% Korean	0.00%
Vietnamese	4
% Vietnamese	0.00%
Thai	4
% Thai	0.00%

In the 2020 primary election, twenty-two limited-English voters opted to vote by mail. Of those mail voters, fourteen were Spanish speaking, three were Chinese speaking, two were Vietnamese speaking, and one voter each was Japanese, Korean, and Thai speaking. No voters chose to vote early at their vote center. Four Spanish speaking voters voted in-person at a vote center on election day.

Nevada County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Election Day	CVR/Non-Provisional CVR	In Person - Early
English	34,947	42,075	3,134	361	0
% English	99.8%	99.3%	95.8%	82.8%	-
Total - Minority Languages	68	22	4	0	0
% Total - Minority Languages	0.19%	0.05%	0.12%	0.00%	-
Spanish	52	14	4	0	0
% Spanish	0.15%	0.03%	0.12%	0.00%	-
Chinese	6	3	0	0	0
% Chinese	0.02%	0.01%	0.00%	0.00%	-
Japanese	1	1	0	0	0
% Japanese	0.00%	0.00%	0.00%	0.00%	-
Korean	2	1	0	0	0
% Korean	0.01%	0.00%	0.00%	0.00%	-
Vietnamese	2	2	0	0	0
% Vietnamese	0.01%	0.00%	0.00%	0.00%	-
Thai	3	1	0	0	0
% Thai	0.01%	0.00%	0.00%	0.00%	-
Hindi	2	0	0	0	0
% Hindi	0.01%	0.00%	0.00%	0.00%	-

No vote by mail ballots were rejected from voters of a language minority. Twenty-nine ballots from English speaking voters (0.07%) were rejected.

Nevada County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	42,396	42,366	30	0.07%
Total Voters - Language is Known	42,126	42,097	29	0.07%
Language is Not Known	270	269	1	0.37%
English	42,104	42,075	29	0.07%
Total - Minority Languages	22	22	0	0.00%
Spanish	14	14	0	0.00%
Japanese	1	1	0	0.00%
Korean	1	1	0	0.00%
Vietnamese	2	2	0	0.00%
Chinese	3	3	0	0.00%
Thai	1	1	0	0.00%

Key Takeaways

Nevada invested over \$85,000 into mail outreach, advertising, and translation services. Language minority voters had a turnout rate that was nearly 30 percent lower than English speaking voters during the primary election. Nevada County has one of the smallest non-English voting electorates among VCA counties.

Orange County

Orange County is covered by §203 of the VRA for Chinese (including Taiwanese), Korean, Spanish, and Vietnamese. Orange County is also covered by Cal. Elec. Code §14201 for Tagalog (Filipino) and Farsi (Persian). The County has a total population of over 3.16 million and a CVAP of approximately 2.04 million, representing 64.5% of the County's population. Of the CVAP, 51.4% are White and 48.2% are racial and/or ethnic minorities. Latinos make up the majority of the non-White CVAP at 24.2%, and Asians make up 19.8%. 12.9% of Orange citizens 18 years and older are Limited-English proficient and speak English "less than very well."

The County has invested \$300,000 in non-English voter education advertising, but it did not specifically target minority language speaking first-time absentee voters.¹⁶⁵ Attempting to educate language assistance voters, the County planned to send two of four direct mailers to advise all registered voters of the toll-free voter assistance hotline and voting and election changes.¹⁶⁶ The County had also contracted for language translation and media service in Farsi (Persian), Tagalog, Vietnamese, Chinese, Korean, and Spanish. Some of these outlets included Orange County Persian Community T.V., California Journal for Filipino Americans, VNA TV, Chinese L.A. Daily News, The Korea Daily, and La Opinion.¹⁶⁷ The County's goal was to dedicate full-time staff to serve as liaisons to the language communities and to develop strong relationships with language media partners.

The County hired customer service representatives to assist voters at vote centers.¹⁶⁸ For the 2020 primary, they had 164 Spanish, fifty-six Vietnamese, forty Chinese, thirty-four Korean, thirteen Farsi (Persian), and eight Tagalog customer service representatives.¹⁶⁹ These workers were placed in vote centers in order to comply with the requirements set forth in Elections Code §4005(a)(6)(B)(i).¹⁷⁰

Orange County also conducted training for voters who required language assistance and required workers to follow accessibility guidelines. Poll workers also had to wear name badges that included the languages they speak. Further, translated materials needed to be visibly displayed for voters.¹⁷¹ At vote centers, there were a minimum of three accessible ballot marking devices where voters could mark their ballot using touch screen displays, audio-tactile devices, or other assistive technologies.¹⁷²

¹⁶⁵ Email from Jackie Wu, Community Outreach Manager 9/18/2020

¹⁶⁶ Orange County, Election Administration Plan, https://www.ocvote.com/fileadmin/vc/assets/eap_final_v3.pdf [hereinafter Orange County Election Administration Plan].

¹⁶⁷ Orange County Election Administration Plan, *supra* note 166, at 58-60.

¹⁶⁸ Email from Jackie Wu, Orange County, Community Outreach Manager to Vivian Alejandre, UCLA Voting Right Project (Sept. 19, 2020) (on file with author).

¹⁶⁹ *Id.*

¹⁷⁰ *Id.*

¹⁷¹ *Id.*

¹⁷² Orange County Election Administration Plan, *supra* note 166, at 18.

Orange County partnered with community groups to help fulfill language needs. Several workshops were conducted to educate voters on the electoral process, to provide information on special programs, and pursue collaborative opportunities.¹⁷³ The County also fulfilled language access services through video conferences that ensured trained bilingual staff could verbally and visually guide the voter to meaningfully participate in the voting process.

The County further rolled out a custom-made Community Engagement Mobile Outreach Vehicle.¹⁷⁴ This Mobile Outreach Vehicle traveled to underrepresented populations and high-density locations to reach as many voters as they could to provide more voting opportunities. Unlike other counties, Orange did not provide a dedicated language assistance hotline for voters. Instead, all calls were routed through its main phone number. There were bilingual phone agents who spoke Spanish (10), Vietnamese (5), Chinese (3), and Korean (3).¹⁷⁵ Officials did not track how many assistance calls were received in different languages.

There is a twenty-person language access advisory committee in Orange County that helped with language access needs. Committee participants include: Alba Ramiro; Charles Kim; Faye Hezar; Jini Shim; Jonathan Paik; June Shang; Kerry Lieu; Kiyana Asemanfar; Kwang Ho Kim; Mike Chen; Natalie A. Tran; Shikha Bhatnagar; Sudi Farokhnia; Tammy Kim; Teresa Mercado-Cota; ThuyVy Luyen; Tim Cheng; Tracy La; Vattana Peong; and Zeke Hernandez. Meetings are publicly reported.¹⁷⁶

VoteCal Data

Voter turnout in the 2020 primary election was approximately 41% for all active and inactive voters. For language minorities, turnout was about 38%.

Orange County	
	Primary Election Participants
Total Voters	1,970,113
Total Voters - Language is Known	1,952,688
% Voters - Language Known	99.1%
Language is Not Known	17,425
% Language is Not Known	0.88%

¹⁷³ Orange County Election Administration Plan, *supra* note 166, at 35.

¹⁷⁴ Orange County Election Administration Plan, *supra* note 166, at 22 and 42.

¹⁷⁵ Email from Jackie Wu, Orange County, Community Outreach Manager to Vivian Alejandre, UCLA Voting Right Project (Sept. 18, 2020) (on file with author)..

¹⁷⁶ Orange County, California, CEW Meeting Notices and Minutes, <https://www.ocvote.com/community/community-election-working-group/cew-meeting-notices-and-minutes>.

As noted in the following table, Orange County voters represent over seven languages. Vietnamese speaking voters represent the largest population of language minorities at 2.19%, followed by Spanish speaking voters at 2.10%, and Korean speaking voters at 0.76%.

Orange County - Language Breakdown	
	Primary Election Participants
English	1,843,848
% English	94.4%
Total - Minority Languages	108,600
% Total - Minority Languages	5.56%
Spanish	41,428
% Spanish	2.10%
Chinese	7,580
% Chinese	0.38%
Hindi	241
% Hindi	0.01%
Japanese	420
% Japanese	0.02%
Korean	14,983
% Korean	0.76%
Tagalog	410
% Tagalog	0.02%
Vietnamese	43,126
% Vietnamese	2.19%
Thai	181
% Thai	0.01%
Khmer	147
% Khmer	0.01%
Other Languages (Not Listed)	84
% Other Languages	0.00%

In the 2020 primary election, over 35.5 thousand voters voted by mail. Of those voters, over seventeen thousand were Vietnamese speaking, ten thousand were Spanish speaking, five thousand were Korean speaking, and two thousand were Chinese speaking. Additionally, 136 Japanese speakers, 101 Tagalog speakers, forty-six Hindi speakers, forty-two Thai speakers, thirty-two Khmer speakers, and forty-six voters who speak another language voted by mail.

A little over five thousand limited-English voters voted in-person at a vote center on election day. Of those voters, three thousand were Spanish speaking, thirteen hundred were Vietnamese speaking, three hundred and sixty-seven were Korean speaking, two hundred and sixty-nine were

Chinese speaking, eighteen were Japanese speaking, seventeen were Tagalog speaking, thirteen were Hindi speaking, ten were Khmer speaking, seven were Thai speaking, and four were voters speaking another language.

Orange County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Election Day	CVR/Non-Provisional CVR	In Person - Early
English	1,081,906	594,029	161,391	6,753	0
% English	93.8%	93.5%	94.9%	58.8%	-
Total - Minority Languages	67,412	35,554	5,106	537	0
% Total - Minority Languages	5.85%	5.59%	3.00%	4.68%	-
Spanish	28,030	10,049	3,093	261	0
% Spanish	2.43%	1.58%	1.82%	2.27%	-
Chinese	5,212	2,074	269	25	0
% Chinese	0.45%	0.33%	0.16%	0.22%	-
Tagalog	288	101	17	4	0
% Tagalog	0.02%	0.02%	0.01%	0.03%	-
Japanese	262	136	18	4	0
% Japanese	0.02%	0.02%	0.01%	0.03%	-
Korean	8,784	5,796	367	37	0
% Korean	0.76%	0.91%	0.22%	0.32%	-
Vietnamese	24,384	17,232	1,308	205	0
% Vietnamese	2.12%	2.71%	0.77%	1.79%	-
Thai	132	42	7	0	0
% Thai	0.01%	0.01%	0.00%	0.00%	-
Hindi	181	46	13	1	0
% Hindi	0.02%	0.01%	0.01%	0.01%	-
Khmer	105	32	10	0	0
% Khmer	0.01%	0.01%	0.01%	0.00%	-
Other Languages (Not Listed)	34	46	4	0	0
% Other Languages	0.00%	0.01%	0.00%	0.00%	-

In Orange County, forty-two vote by mail ballots were rejected from voters of a language minority (0.12%). For English speaking voters, 879 ballots were rejected (0.15%).

Orange County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	636,568	635,612	956	0.15%
Total Voters - Language is Known	630,499	629,578	921	0.15%
Language is Not Known	6,069	6,034	35	0.58%
English	594,903	594,024	879	0.15%
Total - Minority Languages	35,596	35,554	42	0.12%
Vietnamese	17,249	17,232	17	0.10%
Spanish	10,065	10,049	16	0.16%
Korean	5,802	5,796	6	0.10%
Chinese	2,076	2,074	2	0.10%
Hindi	46	46	0	0.00%
Japanese	136	136	0	0.00%
Thai	42	42	0	0.00%
Khmer	32	32	0	0.00%
Tagalog	102	101	1	0.98%
Other	46	46	0	0.00%

Key Takeaways

Orange invested approximately \$300,000 into educating limited-English voters. Like other large counties, voter participation for the primary election was under 50%, with the language minority voter turnout rate more than 13 percent lower than that of English-speaking voters. Additionally, language minority populations had lower voter registration rates than other VCA counties.

Sacramento County

Sacramento County is covered by §203 of the VRA for Chinese (including Taiwanese) and Spanish and is covered by Cal. Elec. Code §14201 for Hmong, Korean, Punjabi, Tagalog, and Vietnamese. The County has a total population of approximately 1.51 million and a CVAP of over 1.02 million, representing 68% of the County's population. Of the CVAP, 52.7% are White and 47.3% are racial and/or ethnic minorities. Latinos make up the majority of the non-White CVAP at 17.5%, Asians make up 14.2%, and African Americans account for 10.7%. 9.1% of Sacramento citizens 18 years and older are limited-English proficient and speak English "less than very well."

The County spent \$75,000 in voter education advertising in advance of the primary election. The County offered a toll-free language assistance hotline with live translators, promoted through a host of media companies, for non-English speaking voters.¹⁷⁷ The County reported receiving ninety-nine calls to its Spanish phone bank and five calls to its Chinese phone bank (two Cantonese and three Mandarin).¹⁷⁸ Further, the County had one Vietnamese and three Punjabi calls, for which the County relied on Language Line interpreting services.¹⁷⁹ The Assistant Registrar took several Vietnamese calls and provided front counter assistance.¹⁸⁰

There were minority language voter education workshops conducted, though the total number is unclear.¹⁸¹ At these workshops, language preference forms, bilingual voter registration forms, and translated VCA materials in all federally and state-required languages were distributed. The County disseminated ballots in both Chinese and Spanish, as well as facsimile ballots in Vietnamese, Tagalog, Punjabi, Hmong, and Korean.¹⁸²

The County used ImageCast X (ICX) accessible ballot marking devices at vote centers.¹⁸³ The machines included a touch screen, Braille keypad, audio in English, Spanish, Mandarin, Cantonese, and Taiwanese, and allowed for the use of assistive technology devices.¹⁸⁴ The County recruited 1,146 bilingual poll workers who were placed in and adjacent to precincts covered by Cal. Elec. Code §14201.¹⁸⁵ The County determined how many poll workers to assign to each location based on the vote center's anticipated turnout.¹⁸⁶ All poll workers were trained

¹⁷⁷ Sacramento County, Election Administration Plan 8 (Jan. 2020), <https://elections.saccounty.net/Documents/EAP%20-%202019/EAP-English-2020.pdf> [hereinafter Sacramento County Election Administration Plan].

¹⁷⁸ Email from Courtney Bailey-Kanelos, Registrar of Voters, Sacramento County to Vivian Alejandre, UCLA Voting Rights Project (Sept. 18, 2020) (on file with author).

¹⁷⁹ *Id.*

¹⁸⁰ *Id.*

¹⁸¹ Sacramento County Election Administration, *supra* note 177, at 8.

¹⁸² *Id.* at 8

¹⁸³ *Id.* at 24

¹⁸⁴ *Id.*

¹⁸⁵ Bailey-Kanelos, *supra* note 178.

¹⁸⁶ *Id.*

on how to provide language assistance, and workers were informed of the significance of minority language voting access. This training included what to do if a worker could not understand a voter and how to then use the County's translation resources.¹⁸⁷

Sacramento County has a language access advisory committee of thirteen members: Edgar Calderon; Inderjit Kallirai; Palvinder Kaur; Hyowan Kim; Clarissa Laguardia; Elena Morrow; Edson Perez; Roberto Rizo; Koy Saeteurn; Terry Schanz; Brooke Crotzer; Theresa Riviera; and Hang Nguyen. The committee met eight times between February 2019 and February 2020.¹⁸⁸ The minutes from those meetings remain publicly available.¹⁸⁹ The County also contracted for media services to target the Spanish,¹⁹⁰ Chinese,¹⁹¹ Vietnamese,¹⁹² Russian,¹⁹³ Hmong,¹⁹⁴ Korean,¹⁹⁵ Tagalog,¹⁹⁶ and Punjabi¹⁹⁷ language communities. This outreach included press releases announcing the toll-free voter assistance hotline.¹⁹⁸ County officials also attended community events, presented to organizations, and trained interested groups to assist with further education and outreach.¹⁹⁹ The County offered a toolkit consisting of videos, graphics, flyers, and brochures, to organizations for free.²⁰⁰

VoteCal Data

In Sacramento County, voter turnout in the 2020 primary election was approximately 41% for all active and inactive voters. For language minority voters, turnout was 40%.

¹⁸⁷ *Id.*

¹⁸⁸ *Id.*

¹⁸⁹ Sacramento County, Language Accessibility Advisory Committee, <https://elections.saccounty.net/Pages/Language-Accessibility-Advisory-Committee.aspx>.

¹⁹⁰ The county contracted with: Telemundo KCSO-LD (Television), Univision KUVS-DT (Television), 104.7 FM & 890 AM KVMX, Lotus Communications (Radio), 92.1 FM KMJE, Lotus Communications (Radio), d'primeramano Magazine (Print), d'primeramano Website (Digital Advertising), d'primeramano Facebook (Digital Advertising). Sacramento County Election Administration Plan, Appendix C.

<https://elections.saccounty.net/VoteCenters/Pages/Election-Administration-Plan.aspx>

¹⁹¹ The county contracted with: Crossings TV, Asian Pacific American News & Review, World Journal, NTD Digital. *Id.* at 2-3.

¹⁹² The county contracted with NTD digital. *Id.* at 3

¹⁹³ The county contracted with SlavicSac (Digital Advertising). *Id.*

¹⁹⁴ The county contracted with Crossings TV (Television). *Id.*

¹⁹⁵ The county contracted with Crossings TV (Television). *Id.*

¹⁹⁶ The county contracted with Crossings TV (Television). *Id.*

¹⁹⁷ The county contracted with Crossings TV (Television) and Sade Lok (Print). *Id.*

¹⁹⁸ Sacramento County Election Administration Plan, *supra* note 176, at 8.

¹⁹⁹ *Id.* at 5.

²⁰⁰ *Id.* at 5-6.

Sacramento County	
	Primary Election Participants
Total Voters	1,005,284
Total Voters - Language is Known	1,000,798
% Voters - Language Known	99.6%
Language is Not Known	4,486
% Language is Not Known	0.45%

As noted in the table below, there are more than seven language minority groups. Spanish speaking voters are the largest limited-English proficient group, representing nearly 0.76% of all active voters in the primary. The next two largest language groups are Vietnamese and Chinese speaking voters at about 0.21% and 0.21% respectively.

Sacramento County - Language Breakdown	
	Primary Election Participants
English	987,091
% English	98.6%
Total - Minority Languages	13,599
% Total - Minority Languages	1.36%
Spanish	7,631
% Spanish	0.76%
Chinese	2,078
% Chinese	0.21%
Hindi	381
% Hindi	0.04%
Japanese	69
% Japanese	0.01%
Korean	568
% Korean	0.06%
Tagalog	371
% Tagalog	0.04%
Vietnamese	2,119
% Vietnamese	0.21%
Thai	83
% Thai	0.01%
Khmer	38
% Khmer	0.00%
Other Languages (Not Listed)	261
% Other Languages	0.03%

During the 2020 primary election, nearly five thousand language minority voters voted by mail. Of these limited-English voters, over 2.7 thousand were Spanish speaking, 779 were Vietnamese speaking, and 728 were Chinese speaking. Among the smaller language minority groups, 202 were Korean speaking, 144 were Tagalog speaking, 121 were Hindi Speaking, twenty-nine were Japanese speaking, twenty-three were Thai speaking, twelve were Khmer Speaking, and 152 spoke other languages.

No voters of any primary language groups voted early in-person. Of the 32,004 voters who cast their ballots at vote centers on election day, nearly 99% of these voters were English speaking.

Sacramento County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Election Day	CVR/Non-Provisional CVR	In Person - Early
English	587,277	360,242	32,004	7,676	0
% English	98.6%	98.2%	98.7%	73.7%	-
Total - Minority Languages	8,164	4,956	335	144	0
% Total - Minority Languages	1.37%	1.35%	1.03%	1.38%	-
Spanish	4,510	2,766	260	95	0
% Spanish	0.76%	0.75%	0.80%	0.91%	-
Chinese	1,324	728	18	8	0
% Chinese	0.22%	0.20%	0.06%	0.08%	-
Tagalog	220	144	5	2	0
% Tagalog	0.04%	0.04%	0.02%	0.02%	-
Japanese	36	29	3	1	0
% Japanese	0.01%	0.01%	0.01%	0.01%	-
Korean	357	202	9	0	0
% Korean	0.06%	0.06%	0.03%	0.00%	-
Vietnamese	1,308	779	18	14	0
% Vietnamese	0.22%	0.21%	0.06%	0.13%	-
Thai	59	23	1	0	0
% Thai	0.01%	0.01%	0.00%	0.00%	-
Hindi	244	121	12	4	0
% Hindi	0.04%	0.03%	0.04%	0.04%	-
Khmer	25	12	1	0	0
% Khmer	0.00%	0.00%	0.00%	0.00%	-
Other Languages (Not Listed)	81	152	8	20	0
% Other Languages	0.01%	0.04%	0.02%	0.19%	-

A total of 228, or 0.06%, of English-speaking voters' mail ballots were rejected. By comparison, 9, or 0.18%, of limited-English proficient voters' mail ballots were rejected.

Sacramento County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	367,184	366,943	241	0.07%
Total Voters - Language is Known	365,435	365,198	237	0.06%
Language is Not Known	1,749	1,745	4	0.23%
English	360,470	360,242	228	0.06%
Total - Minority Languages	4,965	4,956	9	0.18%
Spanish	2,769	2,766	3	0.11%
Vietnamese	781	779	2	0.26%
Chinese	731	728	3	0.41%
Hindi	121	121	0	0.00%
Japanese	29	29	0	0.00%
Korean	202	202	0	0.00%
Thai	23	23	0	0.00%
Khmer	12	12	0	0.00%
Tagalog	144	144	0	0.00%
Other	153	152	1	0.65%

Key Takeaways

Sacramento invested approximately \$75,000 for voter education but spent an unknown amount on limited-English voter outreach. Language minority voters turned out at a comparable rate, about 40%, to English speaking voters in the primary election.

San Mateo County

San Mateo County is covered by §203 of the VRA for Chinese (including Taiwanese) and Spanish and is covered by Cal. Elec. Code §14201 for Korean and Tagalog (Filipino). The County has a total population of approximately 766 thousand and a CVAP of over 498 thousand, representing 65% of the county's population. Of the CVAP, 47.6% are White and 52.4% are racial and/or ethnic minorities. Asians make up the majority of the non-White CVAP at 27.5%, and Latinos make up 17.7%. 12.6% of San Mateo citizens 18 years and older are Limited-English proficient and speak English "less than very well."

The County has a language access advisory committee (LAAC) with twenty to thirty members.²⁰¹ The committee meets twice per year and publicly reports their minutes.²⁰² The County spent \$150,000 on non-English language advertising for voter education in Spanish, Chinese, Tagalog (Filipino), and Korean.²⁰³ Minority language groups were one of the populations specifically targeted, but not based on the method of voting.²⁰⁴ Some funds were given to community based organizations for in-person voter outreach in precincts within the lowest 20% of voter turnout for previous elections.²⁰⁵ Three postcards were mailed to voters to inform them of the new election model. The County contracted for professional translation and media services.²⁰⁶ The Elections Division contracted with court-certified translation firms to translate outreach materials.²⁰⁷

Facsimile ballots were provided in Korean, Burmese, Hindi, and Tagalog. At vote centers, ballot marking tablets were programmed to provide audio and visual language assistance in English, Spanish, and Chinese.²⁰⁸ The County also maintained a voter assistance hotline. In the March 2020 primary, the majority of calls received were placed by English-language speakers. The hotline also received calls from Spanish speakers and Chinese speakers. If a caller did not speak a language that a staff member spoke, they used a telephone translation service called Language Line to facilitate voter assistance.

At the polls, directional signage to vote centers were visible and vote center representatives received additional training to ensure that facsimile ballots in Korean and Tagalog were

²⁰¹ San Mateo County, Voter Education and Outreach Advisory Committee, <https://www.smcacre.org/voter-education-outreach-advisory-committee>.

²⁰² San Mateo County Language Accessibility Advisory Committee (LAAC) Charter, https://www.smcacre.org/sites/main/files/file-attachments/laac_charter.pdf?1515199718.

²⁰³ San Mateo County, Election Administration Plan, January 2020-January 2024 (Jan. 3, 2020) https://www.smcacre.org/sites/main/files/file-attachments/eap_jan2020-jan2024_web.pdf?1580352676 [hereinafter San Mateo County Election Administration Plan].

²⁰⁴ Email from Travis Dunn, Management Analyst, San Mateo County to Vivian Alejandre, UCLA Voting Rights Project (Aug. 27, 2020) (on file with author).

²⁰⁵ San Mateo County Election Administration Plan, *supra* note 203, at 16.

²⁰⁶ Including Certified Languages International or AT&T USA Direct Language Line Services. San Mateo County Election Administration Plan, *supra* note 203, at 17.

²⁰⁷ San Mateo County Election Administration Plan, *supra* note 203, at 93.

²⁰⁸ *Id.* at 3.

visible.²⁰⁹ The County recruited bilingual poll workers, aiming to place at least one Spanish speaking and one Chinese speaking election worker at each vote center. In the March primary, vote centers were staffed by workers who could speak Arabic, Cantonese, Mandarin, Farsi, French, Greek, Hebrew, Hindi, Spanish, Tagalog, Thai, and Urdu. Bilingual staffers were placed at vote centers closest to minority language clusters in which 3% or more of voting-age residents were members of that language minority. Bilingual staffers were identified by “I speak” cards on their name tags. When a voter had language access needs that could not be met by a staffer, staffers used a telephone translation services to assist the voter.

VoteCal Data

In San Mateo County, voter turnout in the 2020 primary election was approximately 42% for all active and inactive voters. Voter turnout was 34.6% for language minority voters.

San Mateo County	
	Primary Election Participants
Total Voters	538,342
Total Voters - Language is Known	536,356
% Voters - Language Known	99.6%
Language is Not Known	1,986
% Language is Not Known	0.37%

As shown in the table below, San Mateo County had a total of 13,350 eligible limited-English speaking voters in the 2020 primary election. The two largest minority language groups were Spanish speaking voters and Chinese speaking voters at 1.40% and 0.90% respectively. Of the limited-English speaking voters, Spanish speakers made up about 56%, and Chinese speakers made up approximately 36%.

²⁰⁹ *Id.* at 17.

San Mateo County - Language Breakdown	
	Primary Election Participants
English	522,817
% English	97.5%
Total - Minority Languages	13,530
% Total - Minority Languages	2.52%
Spanish	7,527
% Spanish	1.40%
Chinese	4,852
% Chinese	0.90%
Hindi	42
% Hindi	0.01%
Japanese	116
% Japanese	0.02%
Korean	304
% Korean	0.06%
Tagalog	471
% Tagalog	0.09%
Vietnamese	134
% Vietnamese	0.02%
Thai	66
% Thai	0.01%
Khmer	9
% Khmer	0.00%
Other Languages (Not Listed)	9
% Other Languages	0.00%

Over 189 thousand San Mateo residents voted by mail during the 2020 primary election. Approximately 2% of ballots were cast by limited-English voters. No limited-English ballots were cast early in-person. Five hundred fifty-nine limited-English voters used a San Mateo vote center on election day.

San Mateo County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Election Day	CVR/Non-Provisional CVR	In Person - Early
English	302,503	189,841	28,888	1,592	1
% English	97.1%	97.6%	97.1%	61.3%	50.0%
Total - Minority Languages	8,854	4,068	559	50	0
% Total - Minority Languages	2.84%	2.09%	1.88%	1.93%	0.00%
Spanish	4,743	2,278	464	42	0
% Spanish	1.52%	1.17%	1.56%	1.62%	0.00%
Chinese	3,313	1,461	74	5	0
% Chinese	1.06%	0.75%	0.25%	0.19%	0.00%
Tagalog	312	148	9	2	0
% Tagalog	0.10%	0.08%	0.03%	0.08%	0.00%
Japanese	69	42	5	0	0
% Japanese	0.02%	0.02%	0.02%	0.00%	0.00%
Korean	224	76	4	0	0
% Korean	0.07%	0.04%	0.01%	0.00%	0.00%
Vietnamese	98	34	2	0	0
% Vietnamese	0.03%	0.02%	0.01%	0.00%	0.00%
Thai	46	20	0	0	0
% Thai	0.01%	0.01%	0.00%	0.00%	0.00%
Hindi	32	8	1	1	0
% Hindi	0.01%	0.00%	0.00%	0.04%	0.00%
Khmer	8	1	0	0	0
% Khmer	0.00%	0.00%	0.00%	0.00%	0.00%
Other Languages (Not Listed)	9	0	0	0	0
% Other Languages	0.00%	0.00%	0.00%	0.00%	0.00%

Only thirty-seven vote by mail ballots were rejected during the 2020 primary election, amounting to a 0.02% rejection rate for both English and minority language voters.

San Mateo County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	194,638	194,601	37	0.02%
Total Voters - Language is Known	193,946	193,909	37	0.02%
Language is Not Known	692	692	0	0.00%
English	189,877	189,841	36	0.02%
Total - Minority Languages	4,069	4,068	1	0.02%
Spanish	2,279	2,278	1	0.04%
Chinese	1,461	1,461	0	0.00%
Tagalog	148	148	0	0.00%
Hindi	8	8	0	0.00%
Japanese	42	42	0	0.00%
Korean	76	76	0	0.00%
Vietnamese	34	34	0	0.00%
Thai	20	20	0	0.00%
Khmer	1	1	0	0.00%

Key Takeaways

San Mateo County invested approximately \$150,000 in advertising targeting limited-English voters. Language minority voters had a turnout rate that was about 7 percent lower than English speaking voters during the primary election.

Santa Clara County

Santa Clara County is covered by §203 of the VRA for Chinese (including Taiwanese), Tagalog (Filipino), Spanish, and Vietnamese. The County is also covered by Cal. Elec. Code §14201 for Korean and Cambodian (Khmer). The County has a total population of approximately 1.92 million and a CVAP of over 1.17 million, representing 60.9% of the county's population. Of the CVAP, only 41.2% are White and 58.8% are racial and/or ethnic minorities. Asians make up the majority of the non-White CVAP at 31.9%, and Latinos make up 20.6%. 16% of Santa Clara citizens 18 years and older are limited-English proficient and speak English "less than very well."

The County had a total budget of \$1,048,900 for the 2020 primary, which included newspaper ads, radio spots, social media ads, news radio spots, and sports franchises.²¹⁰ The County contracted for language translation and media services to assist minority communities. The contractors provided services for local television, community cable stations, newspapers, radio, social media, department websites, language minority community newsletters, and public service announcements.²¹¹ Services included, but were not limited to, Univision, Epoch Times, Korean Times, Philippine News, Namaste, and Vien Thao.²¹²

Santa Clara County spent \$1,320,000 for two direct mailings to each registered voter as required by California law. The mailings included information on the new election model, the upcoming election, where to find more information about these changes, and a link to where voters could access the dates, locations, and hours that vote centers and ballot drop-box would be open.²¹³ The mailings that the County provided were sent out based on voters' language preferences.

The County did not provide facsimile ballots; instead, they decided to disseminate Official Ballots for English, Spanish, Chinese, Vietnamese, Tagalog, Japanese, Korean, Khmer, and Hindi.²¹⁴ The County partnered with community groups to fulfill language needs through instructional materials and by making staff members available to present about the Vote Center Model.²¹⁵

During the 2020 primary, election officials recruited bilingual poll workers to assist non-English speaking voters. The staffing depended on the vote center size and proximity to election day, but the county planned to have six to fifteen election officers placed according to data from maps

²¹⁰ Santa Clara County, Election Administration Plan, <https://www.sccgov.org/sites/rov/VCA/EAP/Documents/Final%20EAP/Final%20EAP%20%28full%29/Election%20Administration%20Plan%20-%20Final%20Packet.pdf> [hereinafter Santa Clara County Election Administration Plan].

²¹¹ *Id.* at 24-25.

²¹² *Id.* at 20-21.

²¹³ *Id.* at 17.

²¹⁴ *Id.* at 192.

²¹⁵ *Id.* at 21-22.

and the voter database.²¹⁶ Poll workers received cultural sensitivity training on how to work with voters with disabilities. The training included technical aspects, a diversity video, and an oath to be responsive and respectful to the uniqueness of each voter as part of a commitment to the diversity of all voters.²¹⁷

Furthermore, vote centers had ballot marking devices available to help non-English voters and those with disabilities. The ballot marking devices included new touch-screen machines to accommodate people who are legally blind or have limited vision, which included an audio component that allows voters to listen to the ballot and make their choices using a keypad.²¹⁸ Finally, Santa Clara County has a language access advisory committee composed of more than ten members, including: Serene Kim; David Kim; Frank Valenzuela; Vishnu Karnataki; Adria Orr; Christopher Chin; Jessica Ho; Merryl Kravitz; Effrain Delgado; and Nicole Wong.²¹⁹ This committee met about five times before the 2020 primary to help minority voters fulfill language access needs and resources.²²⁰

VoteCal Data

Voter turnout was over 40% for all active and inactive voters. Turnout was 33% for limited-English voters.

Santa Clara County	
	Primary Election Participants
Total Voters	1,219,157
Total Voters - Language is Known	1,211,637
% Voters - Language Known	99.4%
Language is Not Known	7,520
% Language is Not Known	0.62%

There were over 89 thousand eligible language minority voters in the 2020 primary election. These limited-English speaking voters were primarily composed of Vietnamese, Spanish, and

²¹⁶ *Id.* at 13.

²¹⁷ *Id.* at 27.

²¹⁸ County of Santa Clara, *More Days, More Ways*, https://issuu.com/news_review/docs/sccvote_01232020?fr=sMzljMzU0ODU5.

²¹⁹ *Id.*

²²⁰ Santa Clara County, Language Accessibility Advisory Committee (LAAC), <https://www.sccgov.org/sites/rov/VCA/LAAC/Pages/home.aspx>

Chinese speaking voters, who made up 3.09%, 1.74%, and 1.72% of the total primary participants, respectively.

Santa Clara County - Language Breakdown	
	Primary Election Participants
English	1,122,457
% English	92.6%
Total - Minority Languages	89,075
% Total - Minority Languages	7.35%
Spanish	21,188
% Spanish	1.74%
Chinese	20,908
% Chinese	1.72%
Hindi	357
% Hindi	0.03%
Japanese	238
% Japanese	0.02%
Korean	2,044
% Korean	0.17%
Tagalog	6,209
% Tagalog	0.51%
Vietnamese	37,694
% Vietnamese	3.09%
Thai	76
% Thai	0.01%
Khmer	88
% Khmer	0.01%
Other Languages (Not Listed)	273
% Other Languages	0.02%

Based on the VoteCal data, no participants in the 2020 primary election voted early at a vote center. Most Santa Clara voters voted by mail, with nearly four hundred thousand mail ballots cast. The next most popular voting method was in-person at vote centers on election day, with over fifty-three thousand voters casting their ballot there. The preferred voting method for language minority voters was voting by mail.

Santa Clara County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Election Day	CVR/Non-Provisional CVR	In Person - Early
English	665,878	399,487	53,637	3,555	0
% English	91.4%	93.3%	93.9%	64.0%	-
Total - Minority Languages	59,660	27,037	2,232	151	0
% Total - Minority Languages	8.19%	6.31%	3.91%	2.72%	-
Spanish	14,175	5,800	1,142	74	0
% Spanish	1.95%	1.35%	2.00%	1.33%	-
Chinese	13,917	6,647	328	16	0
% Chinese	1.91%	1.55%	0.57%	0.29%	-
Tagalog	5,113	1,008	86	2	0
% Tagalog	0.70%	0.24%	0.15%	0.04%	-
Japanese	139	95	4	0	0
% Japanese	0.02%	0.02%	0.01%	0.00%	-
Korean	1,419	609	14	2	0
% Korean	0.19%	0.14%	0.02%	0.04%	-
Vietnamese	24,371	12,654	621	50	0
% Vietnamese	3.35%	2.95%	1.09%	0.90%	-
Thai	55	19	2	0	0
% Thai	0.01%	0.00%	0.00%	0.00%	-
Hindi	227	102	23	5	0
% Hindi	0.03%	0.02%	0.04%	0.09%	-
Khmer	60	25	3	0	0
% Khmer	0.01%	0.01%	0.01%	0.00%	-
Other Languages (Not Listed)	184	78	9	2	0
% Other Languages	0.03%	0.02%	0.02%	0.04%	-

Of the 430,043 mail ballots cast during the 2020 primary, approximately 1,738 English ballots (0.42%) and 58 minority language ballots (>0.001%) were rejected.

Santa Clara County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	430,043	428,225	1,818	0.42%
Total Voters - Language is Known	428,320	426,524	1,796	0.42%
Language is Not Known	1,723	1,701	22	1.28%
English	401,225	399,487	1,738	0.43%
Total - Minority Languages	27,095	27,037	58	0.21%
Vietnamese	12,669	12,654	15	0.12%
Chinese	6,656	6,647	9	0.14%
Spanish	5,823	5,800	23	0.39%
Tagalog	1,010	1,008	2	0.20%
Hindi	102	102	0	0.00%
Japanese	95	95	0	0.00%
Korean	614	609	5	0.81%
Thai	19	19	0	0.00%
Khmer	26	25	1	3.85%
Other	81	78	3	3.70%

Key Takeaways

Santa Clara County budgeted over \$1 million for voter outreach, which included advertising in different languages and providing translation services. Language minority voters had a turnout rate that was about 7 percent lower than English speaking voters during the primary election.

Tuolumne County

Tuolumne County is not covered by §203 of the VRA, but it is covered by Cal. Elec. Code §14201 for Spanish. The County has a total population of approximately 54 thousand and a CVAP of over 44 thousand, representing 81.8% of the population. Of the CVAP, about 82.8% are White and 17.2% are racial and/or ethnic minorities. Latinos make up the majority of the non-White CVAP at 10.3%. 1.5% of Tuolumne citizens 18 years and older are limited-English proficient and speak English “less than very well.”

The County targeted minority language speaking first-time absentee voters by communicating with organizations and hosting workshops that catered to the Spanish speaking community. Participation, however, was limited.²²¹ The County spent a total of \$5,000 on newspaper publications (legal notices and advertisements) and radio public service announcements describing translation services for non-English voters.²²² Tuolumne County does not have any media outlets specific to the Spanish speaking community or outlets that target its residents.²²³ The County instead relied on community partners to distribute educational material in Spanish, consisting of emails, newsletters, flyers, and a toll-free voter assistance hotline.²²⁴

The County made two direct contacts with voters to inform them of the upcoming elections and about the toll-free voter assistance hotline. The first contact was sent to all registered voters regardless of vote by mail preference. The second direct contact was sent after ballots were mailed, informing voters of their in-person voting options at vote centers and of the methods by which they could return their mail ballots.²²⁵ In total, the County spent \$25,000 on direct voter contact mailings to all voters, an additional \$20,000 on voter education and outreach, and \$7,000 on public workshops and meetings.²²⁶

County election officials also recruited bilingual poll workers and had ballot marking devices available in different languages. In total, there were three vote centers that offered Spanish language assistance, the locations of which were determined after discussions with community groups. These centers were placed in the Jamestown area, where the majority of the known Spanish speaking community was located.²²⁷ When Tuolumne County received a call requiring language assistance, they assigned a county staff member who was fluent in the language to field the call. The County did not keep records of these calls.²²⁸

²²¹ Email from Robbie Bergstrom, Assistant County Clerk, Tuolumne County to Vivian Alejandre, UCLA Voting Rights Project (Aug. 21, 2020) (on file with author).

²²² Tuolumne County, Election Administration Plan (Jan. 30, 2020), <https://www.tuolumnecounty.ca.gov/DocumentCenter/View/13867/Tuolumne-EAP-Amended-Final-2020-01-30> [hereinafter Tuolumne County Election Administration Plan].

²²³ *Id.* at 14.

²²⁴ *Id.*

²²⁵ *Id.* at 10.

²²⁶ *Id.* at 17.

²²⁷ Bergstrom, *supra* note 221.

²²⁸ *Id.*

Facsimile ballots in English and Spanish were provided to voters.²²⁹ Vote centers were also equipped with at least three accessible electronic voting machines that had the option of an audio ballot, a connection for sip-and-puff technology, or paper ballots if desired.²³⁰ Lastly, Tuolumne County has a language access advisory committee (LAAC) of about five members who met about five times before the primary election.²³¹

VoteCal Data

Voter turnout was approximately 59% for all active and inactive voters, but was as low as 31% for limited-English voters in the 2020 primary election.

Tuolumne County	
	Primary Election Participants
Total Voters	36,199
Total Voters - Language is Known	35,691
% Voters - Language Known	98.6%
Language is Not Known	508
% Language is Not Known	1.40%

There are twenty-nine active language minority voters in Tuolumne; twenty-seven, or 0.07%, are Spanish speaking.

²²⁹ *Id.*

²³⁰ Tuolumne County Election Administration Plan, *supra* note 222, at 11.

²³¹ *Id.*

Tuolumne County - Language Breakdown	
	Primary Election Participants
English	35,660
% English	99.9%
Total - Minority Languages	29
% Total - Minority Languages	0.08%
Spanish	27
% Spanish	0.07%
Thai	1
% Thai	0.00%
Other Languages (Not Listed)	1
% Other Languages	0.00%

Vote by mail was the preferred voting method for all voters during the primary election. In fact, 100% of the language minority voters casted their ballot through the mail.

Tuolumne County - Participation Method by Language					
	Did Not Vote	Vote-by-Mail	In Person - Election Day	CVR/Non-Provisional CVR	In Person - Early
English	14,751	19,919	884	108	0
% English	99.8%	98.0%	96.6%	58.1%	-
Total - Minority Languages	20	9	0	0	0
% Total - Minority Languages	0.14%	0.04%	0.00%	0.00%	-
Spanish	19	8	0	0	0
% Spanish	0.13%	0.04%	0.00%	0.00%	-
Thai	0	1	0	0	0
% Thai	0.00%	0.00%	0.00%	0.00%	-
Other Languages (Not Listed)	1	0	0	0	0
% Other Languages	0.01%	0.00%	0.00%	0.00%	-

Only 0.2%, or forty-one out of a possible 19,938, of mail ballots were rejected. All of these rejected ballots were from English speaking voters.

Tuolumne County - Vote-by-Mail Participation				
	Total Mail Ballots Cast	Accepted	Rejected	% Rejected
Total Voters	20,355	20,314	41	0.20%
Total Voters - Language is Known	19,968	19,927	41	0.21%
Language is Not Known	387	387	0	0.00%
English	19,959	19,918	41	0.21%
Total - Minority Languages	9	9	0	0.00%
Spanish	8	8	0	0.00%
Thai	1	1	0	0.00%

Key Takeaways

Tuolumne invested over \$52,000 in mail outreach, advertising, and translation services. It is unknown how much money was allocated to target limited-English voters. Language minority voters had a turnout rate that was nearly 28 percent lower than English speaking voters during the primary election. Tuolumne County has one of the smallest non-English voting electorates among VCA counties.

Conclusion

It appears that all counties satisfied the minimum legal requirements to provide language access and engaged in some sort of outreach to language minority communities. As demonstrated above, a major finding of this report is that turnout rates were lower for limited-English voters than their English-speaking counterparts in most VCA counties during the 2020 primary election. In eleven of the fifteen VCA counties profiled, limited-English voter turnout was lower than the English-speaking voter turnout in the same county by anywhere between seven and thirty percent.

Furthermore, the data collected likely does not capture the full potential universe of limited-English proficient voters who may need assistance when voting. Additionally, limited-English proficient voters were not consulted for feedback on their experiences for this report.

Practices that can be improved, based on the findings of this report, including creating a consistent and uniform process for data collection. All VCA counties should be required to track, collect, and maintain the same types of information around voter characteristics, methods of participation, and language access. Mandating and maintaining consistent data is important and will facilitate further research efforts.