

Testimony of

Ms. Deborah Wright

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THE SENATE COMMITTEE on the JUDICIARY

Examining the Need for Voting Rights Act Section 203's Provisions Regarding Bilingual Election Materials

by Deborah Wright

on behalf of the County of Los Angeles, California
Registrar-Recorder/County Clerk
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Thank you for the invitation to appear before the Committee to offer testimony and to submit written materials with regard to Los Angeles County's comprehensive program that provides much-needed assistance to limited-English proficient (LEP) voters throughout Los Angeles County, California.

Los Angeles (L.A.) County is the largest and most diverse local election jurisdiction in the United States. No other jurisdiction provides assistance in as many languages. In compliance with Section 203 of the Voting Rights Act (VRA), Los Angeles County provides assistance to voters in six languages in addition to English: Chinese, Japanese, Korean, Spanish, Tagalog (Filipino) and Vietnamese. Our extensive multi-lingual (ML) program involves provision of both translated written election materials and oral assistance at up to 5,000 voting precincts on election day.

The costs of L.A. County's ML program are reasonable in light of the challenges the County faces. Only eight States have more registered voters than our nearly four million registered voters. The 2000 Census reported that L.A. County has approximately five million voting age citizens, 12.9 percent of whom (644,505) are LEP in one of the six covered languages: 428,580 Spanish speakers; 95,700 Chinese speakers; 42,390 Korean speakers; 34,985 Tagalog speakers; 30,340 Vietnamese speakers; and 12,510 Japanese speakers. The cost of providing language assistance to these LEP voters, many of whom are unable to read and write in any language, is slightly less than ten percent of the County's annual election expenses. Considering all of these challenges, the percentage of election expenses for language assistance is reasonable and is virtually the same as the percentage of voters who need assistance.

My role with the County's program is to provide direct management oversight of the ML assistance program. In my capacity, I routinely provide data to the Voting Section of the U.S. Department of Justice Voting Rights Division in response to their ongoing inquiries about the program. Los Angeles County has long maintained a cooperative and professional relationship with this agency, recognizing that we share the fundamental aim of ensuring full access to voting for all eligible citizens.

California often presents voters with numerous, complex ballot initiatives and propositions. Such complicated ballots challenge all voters to be prepared and to have the information they need prior to casting their ballots. Often a high level of English proficiency is needed even by native speakers of English to understand these ballot initiatives and to cast an informed ballot. Our experience persuades us that appropriate, targeted language assistance makes it much more likely that informed voter intent is realized. Ballot measures alone highlight the importance of providing translated materials and oral assistance to voters whose native language is not English.

Three key facets comprise the core of L.A. County's comprehensive multilingual (ML) program:

- 1) provision of translated written materials;
- 2) oral assistance at voting locations; and
- 3) collaboration with key community based organizations (CBOs).

Translated Written Materials

The extensive array of translated election materials available to ML voters includes, but is not limited to:

- ? Sample ballot and voter information booklet mailed to each registered voter in advance of every election
- ? State ballot pamphlet mailed to households of registered voters for applicable elections
- ? Voter registration forms
- ? absentee ballot and permanent absentee ballot application forms, envelopes and instructions
- ? Instructions on how to use the voting system(s)
- ? Provisional ballot instructions and materials
- ? Voter education guides and pamphlets containing key election information such as how to register to vote, where to vote, upcoming elections and deadlines and available voting options (i.e. at the neighborhood voting location or via absentee/mail ballot or early voting)

Also, samples of translated polling place signs and numerous additional translated polling place materials are available at the voting precincts on election day.

Additionally, prior to and on election day Limited-English Proficiency (LEP) voters have the opportunity to obtain translated written materials by calling our office via a toll-free line to request materials be mailed to them and/or by accessing our website at www.lavote.net LEP voters may request that translated written material automatically be mailed to them prior to each election. Such requests are entered into the voter database.

Our website prominently advises voters of the ML services available and the toll-free number, 800-815-2666, provides oral ML assistance. Among the website's most popular features is the availability, at a click of the mouse, of each voter's specific translated sample ballot for his/her geographic address.

In recent years we have been able to realize cost savings in providing multilingual materials by analyzing the cost components and restricting printing to the exact precincts within the County where written materials are needed. All ballot materials are translated into all required languages - for use on electronic voting equipment during our Early Voting period - but our costs were cut in half when we began printing these materials in a targeted way.

Oral Assistance

L.A. County's provision of ML oral assistance far exceeds the specified legal requirements of targeting precincts based on U.S. Census data. We believe that a key variable in voters experiencing a positive election day entails voters entering a polling place where the composition of the precinct's election workers reflects the neighborhood including languages spoken. Therefore, our office developed a comprehensive ML targeting program to recruit and place ML poll workers that is comprised of four components:

- 1) Census data
- 2) Number of Requests on File from voters who have requested that ML materials be mailed to them in advance of each election
- 3) Input from CBOs that a neighborhood is in need of language assistance; and
- 4) Information gathered from poll workers who complete a tally card at every election denoting how many requests they received for ML assistance

For the November 2004 Election, for example, there were 4,835 voting precincts. Overlaying Census data with precinct geography displayed the number of precincts to target for specific language assistance. These numbers reveal, for example, that 170 voting precincts were required to be targeted for Chinese language assistance based on Census data. However, based on the number of Requests on File from voters in 254 additional precincts, the number of actual targeted precincts increased to 424 for recruitment of poll workers who speak Chinese.

Additionally, the total goal of targeted precincts for Chinese was also increased by an additional 27 precincts based on input from CBOs and an additional 61 precincts where past elections ML tally cards indicated more than five voters had requested ML assistance in that language.

This same process is followed for all six VRA-designated languages. Additionally, due to CBO identification of heavy concentration of voters who speak Armenian, Russian and Khmer (Cambodian) in specific neighborhoods, efforts are made to recruit poll workers who speak these languages in order to expand ML services to voters in need. We are not required under Section 203 of the Voting Rights Act to provide oral language assistance in these other languages, but we do so because we want to facilitate the ability of all voters to participate and cast informed ballots. Hiring bilingual poll workers does not incur extra costs, as bilingual poll workers are paid the same stipend as other election day staff, and of course perform regular duties of a poll worker as well.

As with translated written materials, oral assistance is also available prior to as well as on election day by calling our toll-free number at 800-815-2666.

Collaboration with CBOs

The third key component of L.A. County's ML program is our active partnerships with numerous Community Based Organizations. Beginning in 1998 with the institution of the Community Voter Outreach Committee (CVOC), L.A. County has expanded this program to a current list of 104 participating organizations and the list is continually growing.

CBOs including NALEO, MALDEF, APALC and many others collaborate with L.A. County in identifying neighborhoods and voting precincts in need of ML assistance in specific languages. This process is incorporated into the four-part targeting formula to recruit poll workers who speak the languages spoken in the neighborhoods served by the designated voting precincts.

The CBOs have provided assistance in recruiting bilingual pollworkers, distributing and suggesting additional venues for voter education and outreach, and assist in proofreading multilingual materials prior to distribution.

Training for Poll Workers and Precinct Coordinators

L.A. County has an extensive program of training for poll workers. Approximately 400 separate, 2-hour training classes are held for poll workers at locations throughout the County prior to each statewide election. Poll workers are mailed a training schedule prior to each election to let them know where and when classes will be held. The training schedule also designates which classes will have language assistance services available in which of the six designated languages.

Precinct coordinators troubleshoot and assist poll workers at 10 to 15 voting precincts on Election Day. Coordinators receive extensive training, including a section on Cultural Awareness that is focused on ML services.

Getting the Word Out

How do voters learn about the widespread availability of L.A. County's extensive ML services program?

Every registered voter in L.A. County is mailed a sample ballot and voter information booklet approximately 3-4 weeks prior to every election. This booklet contains a full-page of information on ML services.

LEP voters may request that their names be included on our permanent list of voters who have a Request on File to receive automatically a translated version of the sample ballot booklet prior to each election in the mail.

An advertising program develops Public Service Announcements shown at no cost on cable TV and radio.

A multi-media advertisement campaign was initiated in advance of the November 2004 Election using Help America Vote Act (HAVA) funds.

Partnership with numerous CBOs has been invaluable in getting the word out.

How Do We Measure Success?

A comprehensive, multifaceted program is only as good as the results it achieves. The growth of L.A. County's ML services program is clearly revealed by a number of indices. These include:

The large number of voting precincts that are targeted for recruitment of poll workers who speak the languages that have been identified as needed. For most elections the actual recruitment of ML poll workers achieved better than 90% of the established goal.

The number of voters who have called our office to request that translated written material be mailed to them in advance of each election (that is, the number of Requests on File).

In both pre- and post-election meetings with attorneys from the U.S. Department of Justice (USDOJ), L.A. County's ML services program has been described as very good and comprehensive. Feedback from other jurisdictions Counties covered by Section 203 of the VRA indicates that the USDOJ holds L.A. County's multi-faceted program as a model for other jurisdictions to follow.

Our commitment to the permanence of our extensive, successful ML program is demonstrated by assigning specified staff to this program including a designated ML Coordinator, an Executive Liaison Officer and several additional full and part-time staff.

In conclusion, L.A. County is proud of our proactive, multi-faceted ML program that reaches beyond minimum standards of legal compliance and focuses on a commitment to excellence in serving all voters in our most diverse community.