

VOICES OF DEMOCRACY

VOTING ACCESS IN
CALIFORNIA'S NOVEMBER
2022 ELECTIONS



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INTRODUCTION

During the November 2022 California general election, Asian Americans Advancing Justice - Asian Law Caucus (ALC) trained non-partisan volunteer poll monitors to observe 441 voting locations across 16 counties in Northern and Central California. For over a decade, ALC has run the largest non-partisan poll monitoring program in Northern California, with support from the Lawyers' Committee for Civil Rights of the San Francisco Bay Area, Disability Rights California, and community-based partners. The goal of our long-standing program is to help counties identify and fix potential barriers to voting, including language access and disability access issues. Our program works closely with local election offices and offers them feedback on improving the overall voter experience.

Overall, ALC poll monitors found that most Northern and Central California counties demonstrated strong compliance with federal and state accessibility requirements during the November 2022 election. At most polling places, voters were able to easily navigate the voting process, and poll workers were knowledgeable and helpful. Our program did not observe major incidents of voter harassment, intimidation, or electioneering in the November 2022 election.

At the same time, ALC poll monitors identified several systemic areas for improvement so that all Californians can equally and fairly exercise their right to vote. Those issues included: voting sites that did not meet physical accessibility standards; insufficient poll worker training on accessible voting equipment and voting procedures; low recruitment of bilingual poll workers for many federal- and state-mandated languages; and poorly posted multilingual resources and polling place signage.

To improve access to voting, we have included a list of suggestions for local election offices at the end of this report. These suggestions include: providing more detailed guidance about how to display signs and language resources; working more closely with community organizations to recruit diverse poll worker cohorts; reviewing voting site compliance with federal and state accessibility standards; developing consistent signage about curbside voting; and covering voting process issues more thoroughly in poll worker trainings.



BACKGROUND & METHODOLOGY

ABOUT OUR PROGRAM

ALC was founded in 1972 as the nation's first legal and civil rights organization serving low-income, immigrant, and underserved Asian American and Pacific Islander communities. Our nonprofit organization brings together legal services, community empowerment, and policy advocacy to promote immigrant justice, economic security, and a stronger democracy. We are based in the Bay Area and work closely with low-income and immigrant communities across Northern and Central California. ALC began poll monitoring in the early 1990s, and since 2012, our program has grown to become Northern California's largest nonpartisan election observation program.

Our November 2022 poll monitoring program evaluated 16 counties in Northern and Central California, including Alameda, Contra Costa, Fresno, Marin, Merced, Monterey, Napa, Placer, Sacramento, San Francisco, San Joaquin, San Mateo, Solano, Sonoma, Stanislaus, and Yolo Counties. These jurisdictions were chosen because of their large and diverse voting populations as well as their federal and state-mandated language obligations. We also placed special emphasis on counties that have recently transitioned to the Voter's Choice Act (VCA) model of election administration.

ALC poll monitors conducted observations at a total of 441 voting locations across the region, or approximately 29% of the roughly 1,500 voting sites open in these 16 counties during the November 2022 election. We selected individual voting sites to visit based on factors such as site-specific language requirements, proximity to immigrant and limited English speaking (LEP) communities, and anticipated usage among lower-propensity voters and voters with disabilities. The sites we visited included intercultural community centers, houses of worship, mobile home parks, senior living communities, and veterans associations.

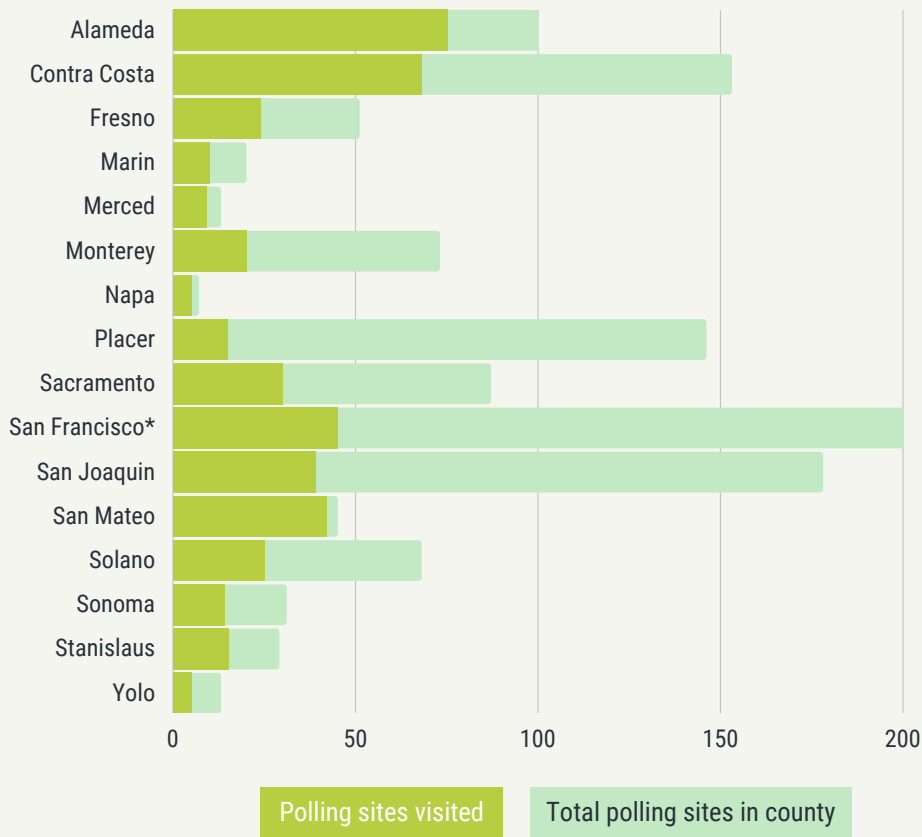
Prior to serving as poll monitors, ALC volunteers were required to attend a 90-minute virtual training. The training covered language and disability access requirements, as well as poll monitor rights and responsibilities under California law. We asked volunteers to observe voting locations for compliance with language access laws (under both Section 203 of the federal Voting Rights Act and Sections 12303 and 14201 of the California Elections Code), physical accessibility, and overall voting conditions, such as any voter harassment or electioneering. We also instructed poll monitors to identify themselves as non-partisan observers with ALC, respect all requests from poll workers and county election officials, and not disrupt the voting process in any way.

WHERE WE WENT IN NOVEMBER 2022



VISITS BY COUNTY

Number of voting locations observed in each county



441

Polling locations
visited

155

Volunteers

16

Counties visited

Visits to voting locations took place on Saturday, November 5 and Tuesday, November 8 (Election Day) and typically lasted 30-40 minutes each. Poll monitors were asked to complete a detailed questionnaire about each voting location. ALC also ran a helpline for volunteers to report any major issues they witnessed in real time. If serious problems emerged, we immediately escalated those to county election departments so they could be resolved as promptly as possible. Occasionally, with the election department's permission, our volunteers also helped poll workers identify and remediate certain issues during early voting or on Election Day. For example, thanks to live feedback from ALC volunteers, poll workers in several counties improved informational and directional signage and made translated ballots more visible to voters.

After all poll monitors submitted their questionnaires, ALC spent several months analyzing their feedback and identifying strengths as well as areas for further improvement. In addition to publishing this high-level summary, we sent county-level data reports—including detailed feedback about individual incidents and site-specific issues—to each county's elections department in March 2023. Our hope is that those reports, along with this one, will help election departments across California improve voting access in future elections.

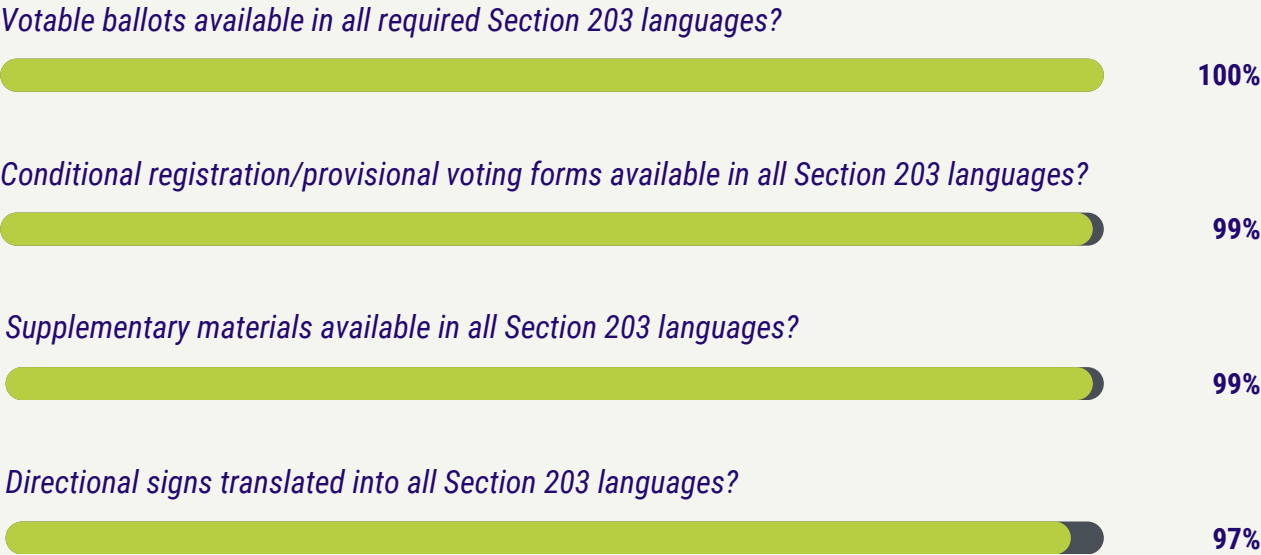
LANGUAGE ACCESSIBILITY

Translated Ballots & Election Materials

Twelve out of the 16 counties we visited had federal language requirements under Section 203 of the Voting Rights Act. In those counties, all election materials—including ballots, registration forms, voter guides, posters, and signs—must be translated into every covered language.

Overall, we found very strong compliance with these federal requirements. Nearly every polling site had translated votable ballots, conditional/provisional voting forms, and supplementary materials like state and county voter guides available in all covered languages. Outdoor and indoor directional signs were also translated, except at a handful of locations where outdoor signs were in English only. Alameda County switched the location of at least five vote centers, including a Sikh temple, on short notice. Signs telling voters that the original locations were closed were not translated into any of the county’s Section 203-mandated languages.

**PERCENTAGE OF POSITIVE
OBSERVATIONS (N=386)**

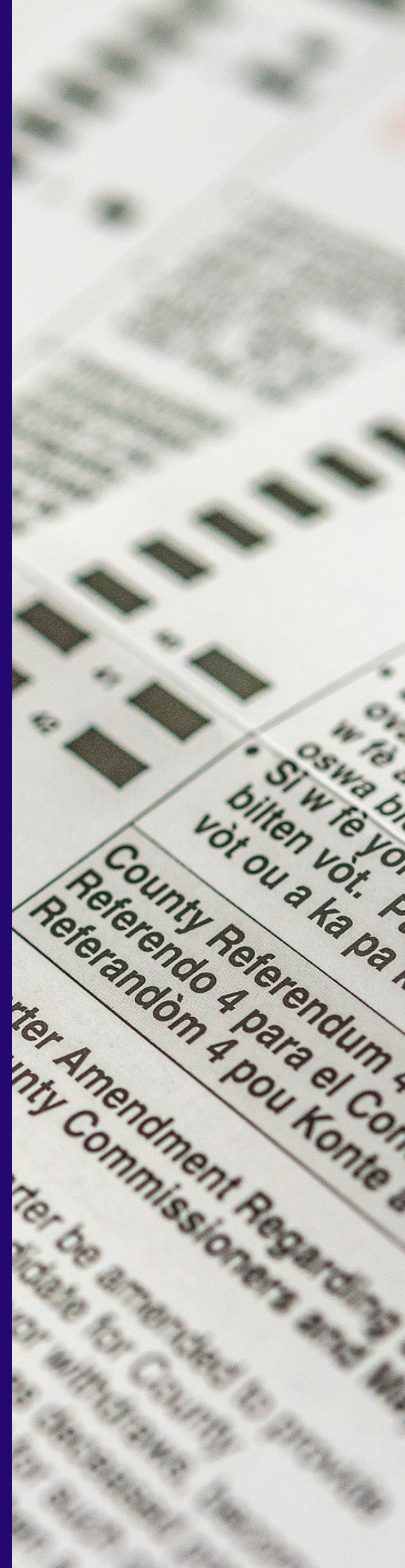


Facsimile Ballots

All 16 counties covered by ALC's poll monitoring program had state language requirements under Section 14201 of the California Elections Code. Nearly all voting locations we visited were required to post facsimile ballots--translated, non-votable copies of the ballot for use as a reference tool--in a clear and conspicuous location, along with multilingual signage near the check-in roster to inform voters about these resources.

Our poll monitors found that most voting locations had facsimile ballots available but that election workers were not always well-versed in how to post these resources clearly and conspicuously. Occasionally, facsimile ballots were hidden in a corner far from the voting machines, posted on an inaccessible wall behind other equipment, or simply not visible anywhere. In multiple cases, facsimile ballots were kept behind the check-in desk and displayed to voters "on request only," ostensibly due to space constraints. This issue was more prevalent in traditional polling place (i.e., non-VCA) counties, where voting sites tend to be smaller. When facsimile ballots are not clearly visible, voters are much less likely to notice and use these resources.

Signage about facsimile ballots was also inconsistent. To highlight some strong examples, Alameda, Fresno, Merced, Napa, Sacramento, Stanislaus, and Yolo Counties all prominently displayed facsimile ballots and had clear, multilingual signs about these resources. We appreciate the increased attention that many jurisdictions have put into language resources and associated signage in recent years. Still, in one Bay Area county, just 62% of voting locations we visited had these required signs. We hope that election departments will comply more consistently with these Section 14201 requirements in the future.



PERCENTAGE OF POSITIVE OBSERVATIONS (N=418)

Facsimile ballots conspicuously displayed or posted?



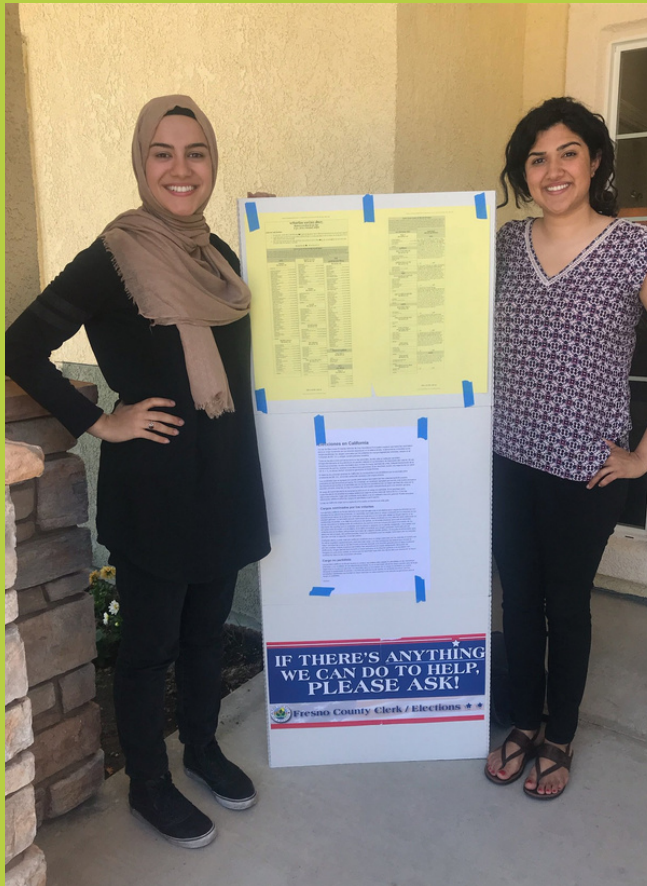
Looseleaf copies of facsimile ballots available in all required languages?



Sign indicating presence of facsimile ballots?



If a sign is present, is it translated into all relevant languages?





Bilingual Poll Workers

California's electorate is extraordinarily diverse and multilingual, and this was reflected in many counties' poll worker cohorts. Out of 2,939 election workers we counted across all locations, at least 768 (26%) of them were bilingual in a diverse range of languages, including but not limited to Spanish, Chinese, Tagalog, Hindi, Punjabi, Vietnamese, Burmese, Korean, Japanese, Urdu, Hmong, Khmer, Telugu, Assyrian, and Mien.

Both Section 203 of the federal Voting Rights Act and California Election Code Section 12303 have bilingual poll worker recruitment requirements. Under California law, counties must make "reasonable efforts" to recruit bilingual poll workers by working with community organizations, interested individuals, and media outlets that serve language minority communities.

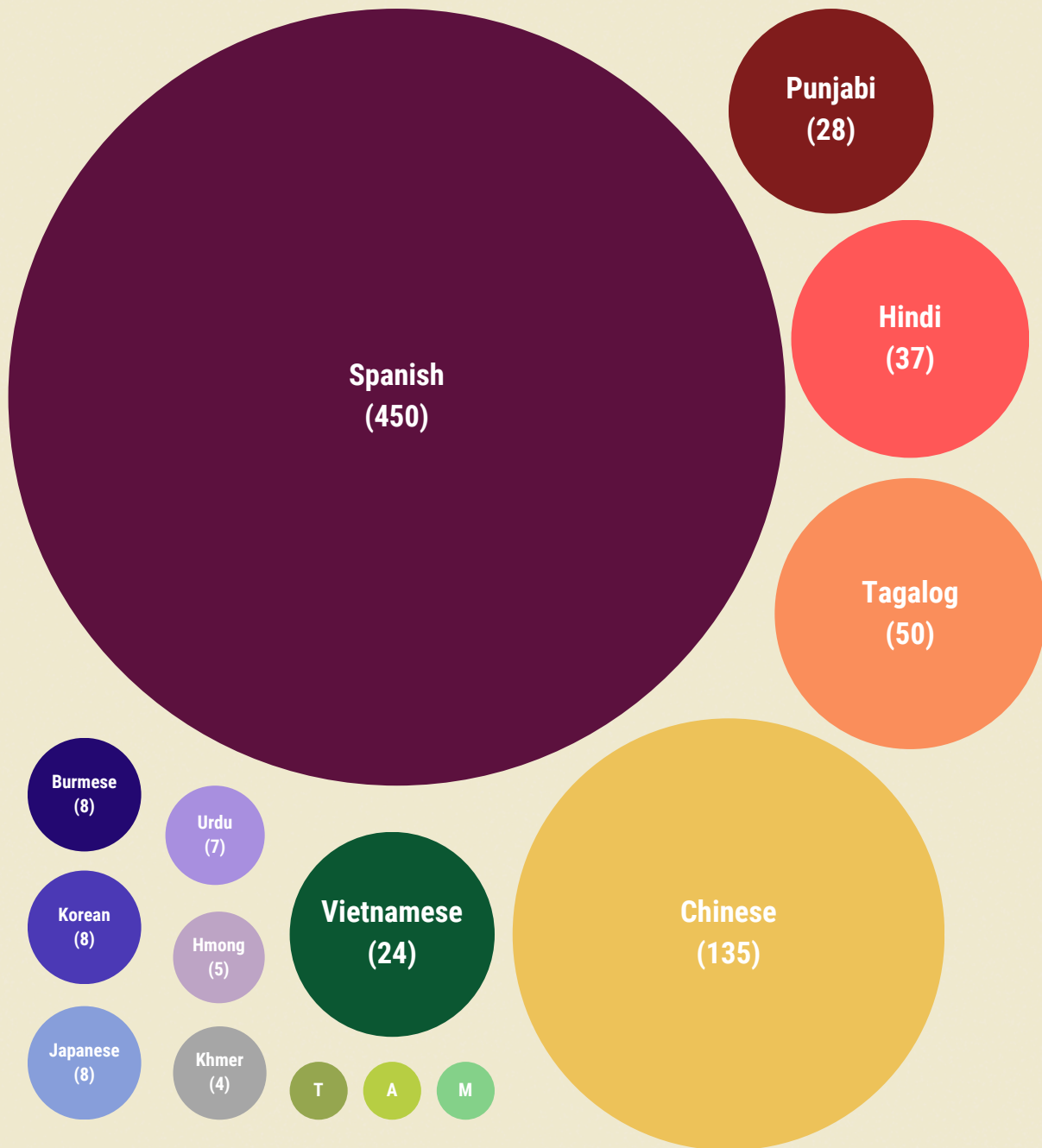
In particular, election departments appeared to struggle with recruitment for various South Asian and Southeast Asian languages.

The graph on the next page shows how many bilingual poll workers we identified across all 16 counties, broken out by language spoken. Our program only counted languages that were covered by state and federal law.

We found that languages like Spanish and Chinese were well represented across the region. Nearly every voting location had at least one Spanish speaker. Unfortunately, for other languages, bilingual poll worker recruitment still fell short of the need. In particular, election departments appeared to struggle with recruitment for various South Asian and Southeast Asian languages. For instance--just as in the June 2022 primary election--we did not observe a single poll worker who said they could speak Lao, even though it is a covered language in precincts in five counties we visited. We did not find any speakers of Mongolian, Nepali, Tamil, or Thai either. Languages like Mien, Assyrian, Telugu, Khmer, and Hmong also saw low representation.

LANGUAGE REPRESENTATION AT THE POLLS

BILINGUAL POLL WORKERS OBSERVED, BY LANGUAGE



Smallest icons are Telugu (2), Assyrian (1), and Mien (1). Zero bilingual poll workers counted for Lao, Mongolian, Nepali, Tamil, and Thai.

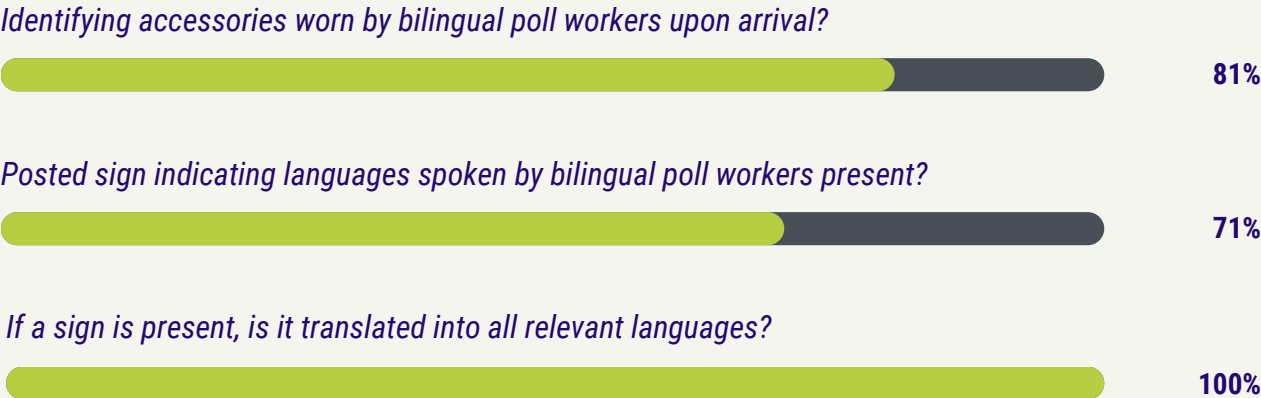


Representation of bilingual poll workers varied significantly between counties. In San Francisco, San Joaquin, and Merced Counties, over 40% of poll workers we observed identified themselves as being bilingual. Elsewhere, bilingual poll worker recruitment was much lower, despite those areas' ethnic and linguistic diversity. For example, in one Bay Area county, we found no bilingual poll workers for six of the county's 11 covered languages. In another, only 6% of poll workers said they were bilingual.

Beyond the need for more robust and diverse recruitment of poll workers, one general area for improvement is bilingual poll worker identification. At dozens of voting locations across almost all jurisdictions observed, bilingual poll workers were not seen wearing badges or other accessories indicating languages spoken, even though this is a legal requirement. Election department staff should consider reiterating this requirement during poll worker trainings and on Election Day itself. Several counties were also missing signage to advertise which languages were spoken by on-site poll workers. These required accessories are helpful, low-cost ways to let voters know about language assistance.

Another area for improvement is helping poll workers identify languages correctly. For example, at one Fresno County vote center, a Punjabi-speaking poll monitor found that Punjabi-language signs had all been placed upside down. In San Francisco, multiple poll workers did not recognize Vietnamese facsimile ballots. More robust training, clearer language labels, or "This Way Up" arrows on multilingual signs and ballots could help poll workers avoid this sort of confusion in the future.

PERCENTAGE OF POSITIVE OBSERVATIONS (N=441)



ACCESSIBILITY FOR VOTERS WITH DISABILITIES

ALC poll monitors also examined any potential obstacles for voters with disabilities. Under the Americans with Disabilities Act (ADA), Help America Vote Act (HAVA), and other federal and state laws, voting facilities must meet certain standards for accessible design. Those standards include (but are not limited to) providing accessible parking, ensuring sufficient clearance in doorways and pathways, having accessible voting systems where individuals can vote in privacy, and supplying auxiliary aids like magnifying glasses and signature guides. Our survey questions asked about compliance with these requirements and were written in partnership with Disability Rights California (DRC).

Our poll monitors reported barriers facing voters with disabilities in almost every county. Under California's accessibility laws, polling place doors should be propped open or easy to open with very light pressure. Unfortunately, at over 40 voting locations, the front entrance door was closed (mainly due to the inclement weather on Election Day), unattended, heavy, and impossible to open automatically. Many voting locations also had tight interior layouts or physical obstacles. This was especially true in non-VCA counties, since traditional polling places were often much smaller than vote centers. At one Fresno County vote center, poll monitors reported that "the room is so tiny that there's really only room for one person in a wheelchair (4' clearance)".

POLL MONITORS OBSERVED
40+ POLLING
SITES WITH FRONT ENTRANCE
ACCESSIBILITY ISSUES

At another site in San Joaquin County, they wrote: "The entire polling place was only about 20 feet by 20 feet and could barely accommodate the 3 poll workers, 2 large ballot boxes, 2 voting stations, and 1 accessible voting station... For a wheelchair user to access the voter machine, they would have had to move furniture. The room was simply too small to serve its function and they were only making the best of an unacceptable situation." ALC poll monitors described dozens of other polling sites around the region with faraway ADA entrances, inaccessible parking lots, steep ramps, narrow hallways, or malfunctioning elevators.

Across the region, our poll monitors also observed issues with accessible voting systems. In San Francisco, there were “boxes underneath the accessible voting tables that would block wheelchair access” at multiple polling sites. Similarly, poll monitors reported chairs, electrical cords, and even larger furniture items obstructing the pathway to accessible voting machines in several other counties. Making matters worse, accessible ballot marking devices were often not set up fully or properly. In San Joaquin County, poll monitors found two polling places that had power issues with their accessible voting equipment, five polling places that had not turned on their ballot marking devices or connected them to headphones/keypads, and one more polling place where the lead election worker could not find the code to boot up the accessible voting machines.

In general, we noticed that many poll workers, particularly those with less experience, would benefit from more thorough training on accessible voting equipment. For instance, one election worker described the ballot marking device as “just a provisional ballot machine” and was not aware of any accessibility assistance that the device could provide. Most poll workers were also unaware of their accessible voting machines’ multilingual capabilities. Poll workers sometimes explicitly said they would have appreciated more training.

Furthermore, our poll monitors reported very inconsistent provision of auxiliary aids, such as magnifying glasses/sheets and signature guides. Magnifiers were often tucked away in a box or placed behind a check-in table and brought out only if a voter knew to request one. Most counties did not supply polling sites with signature guides, which are small assistive tools that help people with visual impairments sign a document, such as a ballot envelope or check-in roster.





**PERCENTAGE OF POSITIVE
OBSERVATIONS (N=441)**

Clearly marked, accessible path to the voting location?



Accessible entrance to the voting location?



Sufficient width (5+ ft) for wheelchair mobility inside?



Accessible voting machines operational and ready to be used upon arrival?



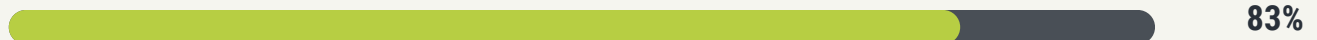
Sufficient space (5+ ft) around accessible voting machines?



Lead poll worker feels adequately trained on accessible voting machine?



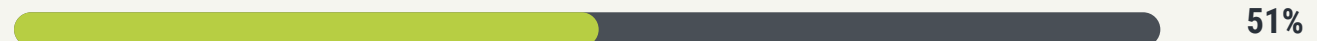
Magnifying glass/sheet available and laid out?



Signature guide available?



Curbside voting available and advertised?





Finally, ALC volunteers noted whether curbside voting was available and, if so, how well it was advertised. Curbside voting allows voters to cast a ballot outside of a polling place, such as from a vehicle. Poll workers will come outside and bring a voter their ballot, along with any other voting materials needed to cast their ballot privately and independently. Not all polling sites are required to offer curbside voting. However, Section 14282 of the California Elections Code requires curbside voting to be offered at any polling sites that are physically inaccessible under the Secretary of State's guidelines.

ALC poll monitors found that curbside voting was almost always available in principle, but poorly advertised in practice.

ALC poll monitors found that curbside voting was almost always available in principle, but poorly advertised in practice. When asked about it, most poll workers said they would offer the option to any voter who needed assistance. However, only 51% of voting locations we visited had signage letting voters know about this option. Most of the time, there was no information posted (e.g., a phone number to call) about how to request assistance from outside a polling site. Poll workers usually said that a voter or their companion would need to come inside in order to request assistance, negating one of the main benefits of curbside voting.

Regrettably, certain locations did not clearly offer curbside voting despite the fact that they were legally required to provide it. For example, in San Francisco, we visited two polling places that were explicitly marked as non-ADA accessible on the city's own election website. At one of those sites, our poll monitors saw no indication that curbside voting was available.

VOTING CONDITIONS, PROCEDURES & OTHER OBSERVATIONS

The final section of our questionnaire asked poll monitors to share open-ended feedback about poll workers, the voting process, electioneering, or any other potential issues. Most of our volunteers had very positive feedback about the poll workers they met, describing them as helpful, friendly, and eager to serve. Many poll workers went “above and beyond” to provide extra care and attention to voters who needed it.

For example, at one vote center in San Mateo County, poll workers compassionately and professionally assisted a voter who said he had recently suffered a stroke. In Sacramento County, a poll worker provided language interpretation for a voter who spoke Farsi, even though Farsi is not a federal- or state-mandated language in the county. Most poll workers were equally receptive and kind to election observers. They answered poll monitors’ questions graciously and gave thoughtful feedback about how they thought the voting process could be improved further.

ALC’s poll monitors did not observe major incidents of voter harassment, intimidation, or electioneering in the November 2022 election. In a few situations, campaign signs or canvassers were observed close to voting locations, but beyond the 100-foot legal threshold for electioneering.

In addition, our poll monitors described a handful of recurring issues and areas for improvement across the region. The next page describes some common themes we saw.





Voter privacy

One recurring issue in several counties was voter privacy. All voters have the right to cast their ballot privately and independently, which means that poll workers, observers, or other voters should not be able to view how an individual voted. Unfortunately this was not always the case. In one San Mateo County vote center, our volunteers wrote that the electronic voting stations were set up very close to where the line formed, such that people waiting in line could read voters' screens. Similarly, at three vote centers in Sonoma County, our poll monitors noted that accessible voting machines were "crowded" and "pretty close to each other". Election departments should consider how to rearrange ballot marking machines or find more spacious venues in order to safeguard voter privacy.

Voting procedures

Across the region, our poll monitors reported various issues related to the voting process. For instance, in Alameda County, a lead poll worker repeatedly told voters not to write in candidates on their ballots because write-in votes "wouldn't count". Other poll workers in the county expressed a desire for more training about voting processes.

In Napa County, an individual arrived at a vote center on Election Day but could not be found in the system, even though he claimed to have voted in the county for over 20 years. Instead of being offered a provisional ballot or the opportunity to register to vote same-day, the individual went home to try to find his mail-in ballot or other proof of voter registration. Our volunteers did not stay long enough to find out if the individual ultimately returned or was otherwise able to cast a ballot.

Similarly, in Solano County, an individual entered and was not sure whether he could vote. Poll workers seemed confused as well and did not present him with the option of same-day registration or provisional voting. The individual ended up leaving without casting a ballot.

While these anecdotes represent the exception rather than the norm, they still illustrate the need for more comprehensive poll worker training on voting procedures. We recommend that trainings discuss scenarios like these so that no voters are inadvertently turned away or given inaccurate information.

Directional signage

Poll monitors in many counties complained that voting sites were hard to find, even when given the exact address. They described directional signs that were pointed the wrong way, illegibly handwritten, or knocked down by the inclement weather on Election Day. In Contra Costa County, our volunteers said that outdoor signs were “small, low to the ground, and difficult to see from a car”. Likewise, volunteers in Stanislaus County noted that outdoor and indoor signs were small and hard to read, especially while driving. They even met a voter who was lost/confused about a vote center location and directed them to the right place.

Late openings

While the vast majority of voting locations opened on time, a handful did not. For example, in San Francisco, our volunteers visited a polling place that was at least 1 hour late in setting up its voting equipment and opening its doors to voters on Election Day. Unfortunately, at least two voters attempted to return their ballots within the first hour but left without doing so. Our volunteers also observed late openings in San Mateo, Contra Costa, and San Joaquin Counties.



ANALYSIS: IMPACT OF THE VCA

In addition to providing feedback to local election offices, another goal of our poll monitoring program is to study how the Voter's Choice Act (VCA) has impacted voters' experiences at the polls. The VCA is a relatively new, optional model of election administration in California, approved by state lawmakers in 2016. In counties that have adopted the VCA model, traditional polling places are consolidated into a smaller number of full-service vote centers that open either 10 days or 3 days before Election Day. Rather than being assigned a specific polling place, voters can cast a ballot at any vote center in their county of residence. This gives voters greater flexibility in where, when, and how they can vote. However, it also means that some voters have to travel farther to vote in-person.

The chart on the next page displays the data points where ALC poll monitors saw the largest discrepancies between VCA counties and traditional polling place counties. Overall, we found that vote centers in VCA counties tended to be more accessible and better resourced than voting sites in traditional polling place counties. Vote centers were usually larger, equipped with more voting machines, staffed with more poll workers, and more consistent about posting required signage and multilingual resources.

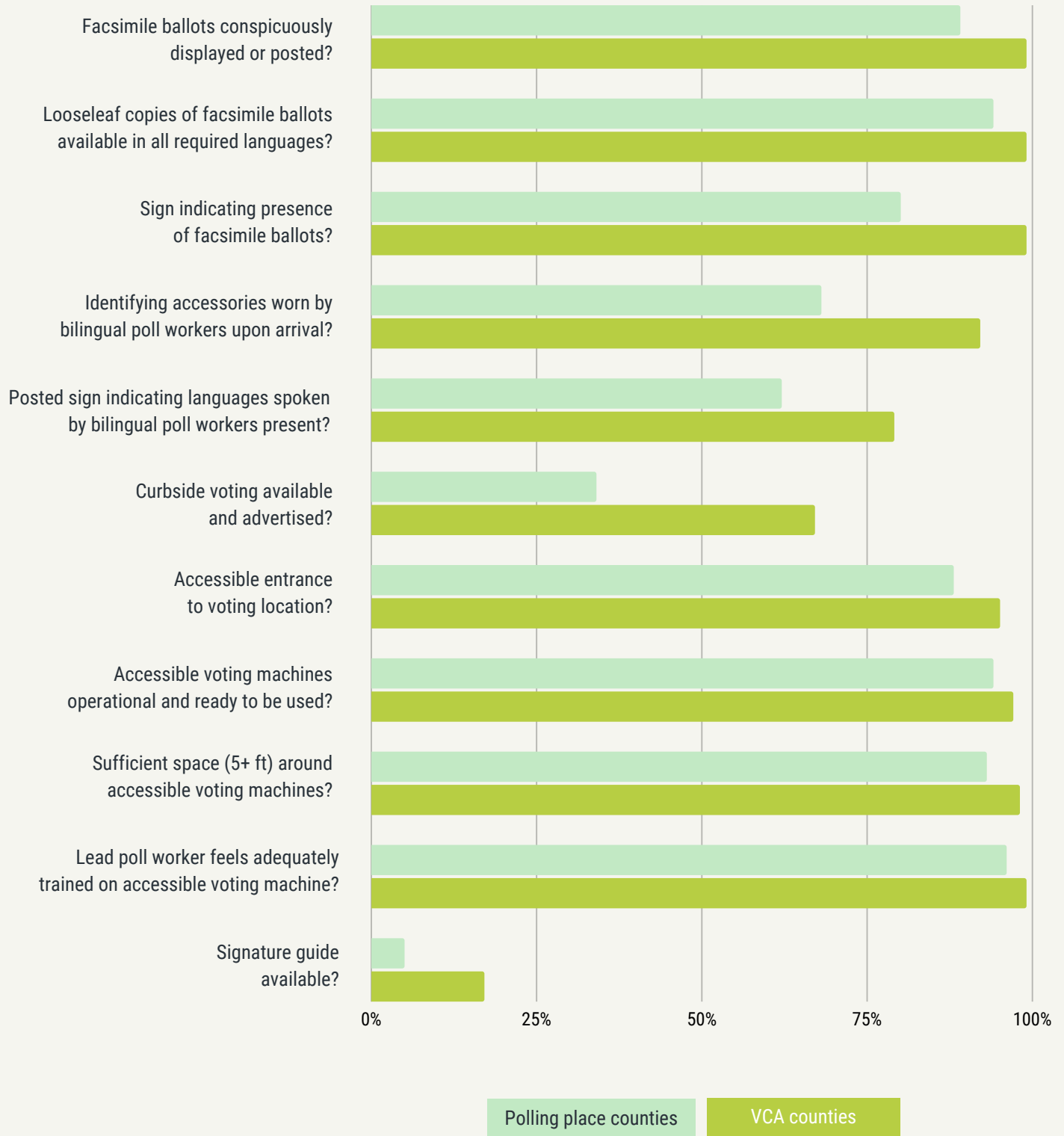
For example, facsimile ballots were much more likely to be displayed clearly and conspicuously in VCA counties compared to traditional polling place counties (99% vs. 89%). In traditional counties, several poll workers said that space constraints made it difficult for them to post facsimile ballots and associated signage in visible locations.

Vote centers in VCA counties also tended to have more poll workers, including more bilingual speakers. On average, vote centers were staffed with 7.7 poll workers each, compared to 5.6 poll workers at traditional polling places. Bilingual poll workers in VCA counties were much more likely to be wearing identifying accessories (92% vs. 68%), and vote centers also had more consistent signage about languages spoken on site.

Finally, vote centers tended to be more physically accessible than traditional polling places. Curbside voting was advertised much more consistently in VCA counties than in traditional counties (67% vs. 34%). Vote centers were also more likely to have fully accessible entrances, 5+ feet of space around accessible voting machines, and ballot marking devices that were fully set up.

VCA VS. TRADITIONAL COUNTIES

Selected data points, disaggregated by county type



OUR POLICY

RECOMMENDATIONS

1

Language access

- Offer more detailed guidance/examples to poll workers about how to post multilingual resources clearly in locations where voters will easily notice them
- Include “this way up” arrows or markings on non-English signage, and ensure poll workers can readily identify languages on facsimile ballots and signs
- Conduct an assessment of languages with high rates of missing bilingual workers
- Work with the LAAC and VEOAC (Voter Education and Outreach Advisory Committee) to reach out to community groups, nonprofits, ethnic media, local businesses, etc.
- Consider raising the poll worker stipend and bilingual supplement
- Improve poll worker training to ensure that bilingual poll workers understand the requirement to wear language identification badges

2

Disability access

- Provide the CA Secretary of State’s polling place accessibility checklist to poll workers
- Review federal and state polling place accessibility requirements, and consider replacing voting locations with reports of limited accessibility or tight space
- Develop consistent signage about curbside voting, including information on how to request assistance from outside a voting site
- Include more detailed information about how to fully set up accessible voting equipment in poll worker trainings, manuals, and checklists

3

Process & procedures

- Cover voting procedures like provisional ballot issuance, same day registration, and any voting procedures that are relatively new during poll worker trainings
- Run through real-world scenarios and discuss how poll workers should handle them
- Consider how to make directional signage larger and more visible
- Review polling place layouts to ensure that they safeguard voter privacy, particularly in locations that are more space-constrained

CONCLUSION & ACKNOWLEDGEMENTS

Conclusion

During the November 2022 elections, ALC's poll monitoring program surveyed 441 voting locations in 16 counties across Northern and Central California. Overall, we found that most counties complied with federal and state requirements and that voters generally had smooth, positive experiences casting their ballots. There were very few reports of voters waiting in long lines on Election Day. We did not observe major incidents of voter harassment, intimidation, or electioneering.

At the same time, our program found several areas for continued improvement in voting access across the state, particularly in terms of language and disability access. Some of the most frequently recurring issues included:

- Voting sites that did not meet physical accessibility standards;
- Insufficient poll worker training on accessible voting equipment and voting procedures;
- Poorly posted multilingual resources and polling place signage; and
- Low recruitment of bilingual poll workers for many federal- and state-mandated languages.

In general, we found that vote centers in VCA counties tended to be more accessible and better resourced than voting sites in traditional polling place counties. Vote centers were usually larger, equipped with more voting machines, staffed with more poll workers, and more consistent about posting required signage and multilingual resources.

Finally, we included a list of suggestions for election offices, including specific ideas for how to improve language access, disability access, and other aspects of the voting experience. We hope that state and county election offices will consider these recommendations in the spirit of making California's elections even more inclusive and accessible for all voters.



Questions or Comments?

For inquiries about this study or our methodology, please email pollmonitor@advancingjustice-alc.org.
For general information or media inquiries, please email media@advancingjustice-alc.org.

Acknowledgements

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