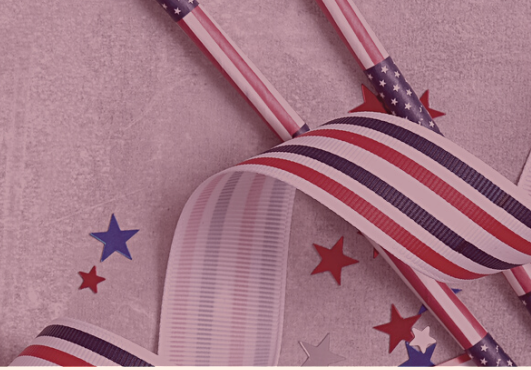


ADVANCING JUSTICE -
ASIAN LAW CAUCUS

VOICES OF DEMOCRACY:

Voting Access in California's
June 2022 Primary Election





Executive Summary

During the June 2022 California primary election, Asian Americans Advancing Justice - Asian Law Caucus (ALC) trained volunteer poll monitors who observed 247 voting locations across 15 counties in Northern and Central California. For six years, ALC has run the largest non-partisan poll monitoring program in Northern California, with pro bono support from the Lawyers' Committee for Civil Rights of the San Francisco Bay Area and volunteer recruitment support from community-based partners. The goal of our long-standing program is to examine voting conditions, including language access, disability access, and other potential barriers to voting.

Overall, ALC poll monitors found that most Northern and Central California counties complied with federal and state language access requirements during the June 2022 primary election. At most polling places, the majority of voters were able to easily navigate the voting process, and election workers were friendly, knowledgeable about the voting process, and eager to serve.

At the same time, in many counties ALC poll monitors identified ongoing, systemic challenges to ensuring all Californians can equally and fairly exercise their right to vote. These included inadequate posting of translated sample ballots (facsimile ballots) and related signage, lack of identification of bilingual poll workers, limited provision of assistive devices, and the need for more robust poll worker training on accessible voting equipment.

Through our June 2022 poll monitoring program, we were able to check for and confirm improvements in some counties that had not provided full language access in past elections. For example, we found that Alameda County conspicuously posted facsimile ballots in all required languages in nearly all voting locations visited by ALC poll monitors. This improvement came following extensive advocacy by ALC and partner organizations after our poll monitors found a systemic failure to post these resources in 2020. In Fresno County, we noted bilingual directional signage at 100% of voting locations visited by poll monitors, a significant improvement over the county's compliance rate in 2020. We hope this report will help lead to similar, lasting improvements in California's elections.



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ABOUT OUR PROGRAM

Methodology

Our June 2022 poll monitoring program evaluated 15 counties in Northern and Central California, including Alameda, Contra Costa, Fresno, Marin, Merced, Napa, Sacramento, San Francisco, San Joaquin, San Mateo, Santa Clara, 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 247 voting locations, or approximately 18% of the nearly 1,400 voting sites open in these counties during the June 2022 primary. We selected individual locations 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. For example, the voting locations we visited included many intercultural community centers, houses of worship, mobile home parks, senior living communities, and an association for people who are visually impaired. The map on page 5 shows a breakdown of how many voting sites we visited in each county.

Prior to serving as poll monitors, ALC volunteers attended a 90-minute virtual training. The training included language and disability access requirements, as well as poll observer rights and responsibilities under California law. Volunteers were asked 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.

* In counties that have adopted the Voter's Choice Act (VCA) model, traditional polling places are consolidated into a smaller number of full-service Vote Centers that open either 11 days or 4 days before Election Day. This relatively new model of election administration gives voters greater flexibility about where, when, and how to vote, although it also means that some voters may have to travel farther to vote in-person.

DATA HIGHLIGHT

ALC's volunteer poll monitors visited nearly one-fifth of all voting sites open during the June 2022 primary in the 15 counties we studied. At over 20 sites, our volunteers worked with election department staff and poll workers to make real-time improvements to voting accessibility.

Visits to voting locations took place on Saturday, June 4 and Tuesday, June 7 (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. Poll monitors also helped poll workers identify and remediate certain issues during early voting and on Election Day. For example, thanks to live feedback from ALC volunteers, poll workers at several locations 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 the data collected and identifying recurring issues or systemic trends. 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 early September 2022. Our hope is that those reports, along with this summary, will help improve voting access in future elections.

15 COUNTIES
88 VOLUNTEERS
247 VOTING SITES VISITED



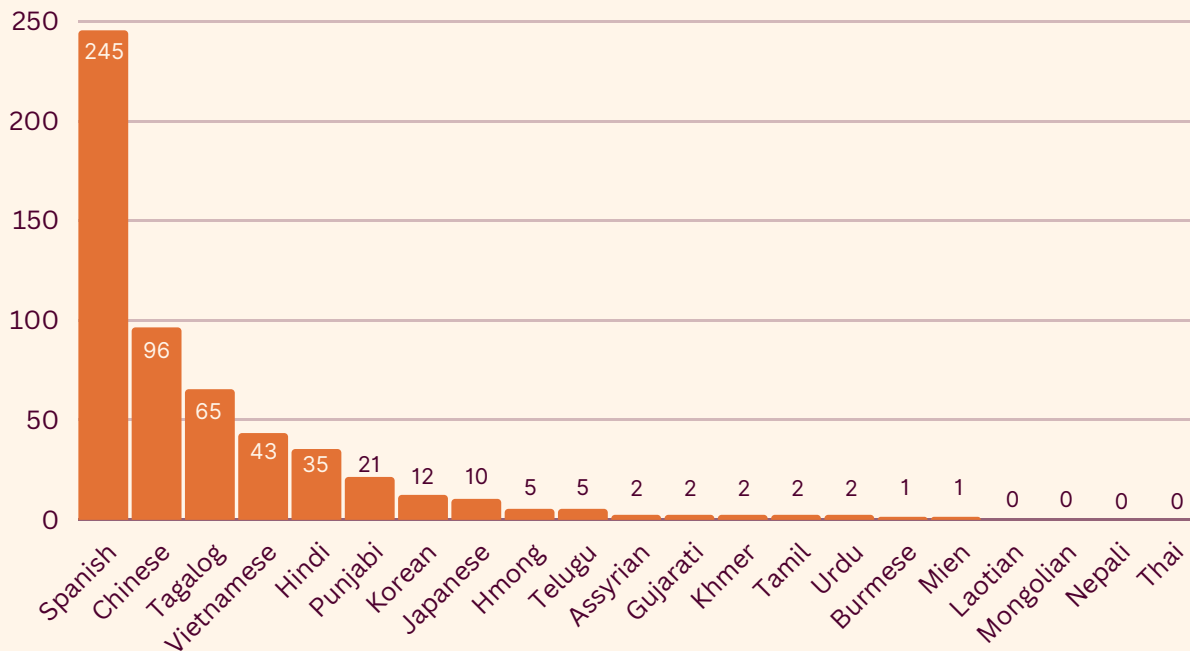
MULTILINGUAL STAFFING



Bilingual Poll Workers

California's electorate is extraordinarily diverse and multilingual, and this was reflected in many counties' poll worker cohorts. Out of 1,428 election workers we counted across all locations, at least 549 (38%) of them were bilingual in a diverse range of languages, including but not limited to Spanish, Chinese, Tagalog, Vietnamese, Hindi, Punjabi, Korean, Japanese, Hmong, Telugu, Assyrian, Gujarati, Khmer, Tamil, Urdu, Burmese, and Mien.

NUMBER OF BILINGUAL POLL WORKERS OBSERVED, BY LANGUAGE SPOKEN



The graph above shows how many bilingual poll workers we identified across all 15 counties, broken out by language spoken. Our program only counted languages that were required by state and federal law.

In general, election departments appeared to struggle with recruitment for various South Asian and Southeast Asian languages. Often, bilingual poll worker recruitment fell short of the need. For instance, we did not observe a single poll worker who could speak Lao, even though it is a covered language in five counties. We only observed two Khmer-speaking poll workers, even though we visited 135 voting locations in six counties where Khmer is a covered language under state law. We saw similar gaps in coverage for Hmong, Telugu, Burmese, and several other Asian languages.

While bilingual poll workers were numerous overall, recruitment varied significantly between counties. Santa Clara County had notably high bilingual recruitment among the counties we monitored: 80% of poll workers we counted identified themselves as being bilingual, and we identified poll workers who spoke most—but not all—covered languages in the county. Elsewhere, particularly in more suburban and rural counties, bilingual poll worker recruitment was lacking or inconsistent. In one county, we found no bilingual poll workers for eight of the county’s nine covered languages.

Another area for improvement across the board is bilingual poll worker identification. At dozens of voting locations across almost all jurisdictions observed, 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 also lacked signage indicating which languages were spoken by on-site poll workers.

DATA HIGHLIGHT

Overall, 38% of poll workers we identified were bilingual, but that figure varied tremendously by county. At the county level, the share of bilingual poll workers ranged from a low of 15% to a high of 80%.

PERCENTAGE OF POSITIVE OBSERVATIONS (N=210)

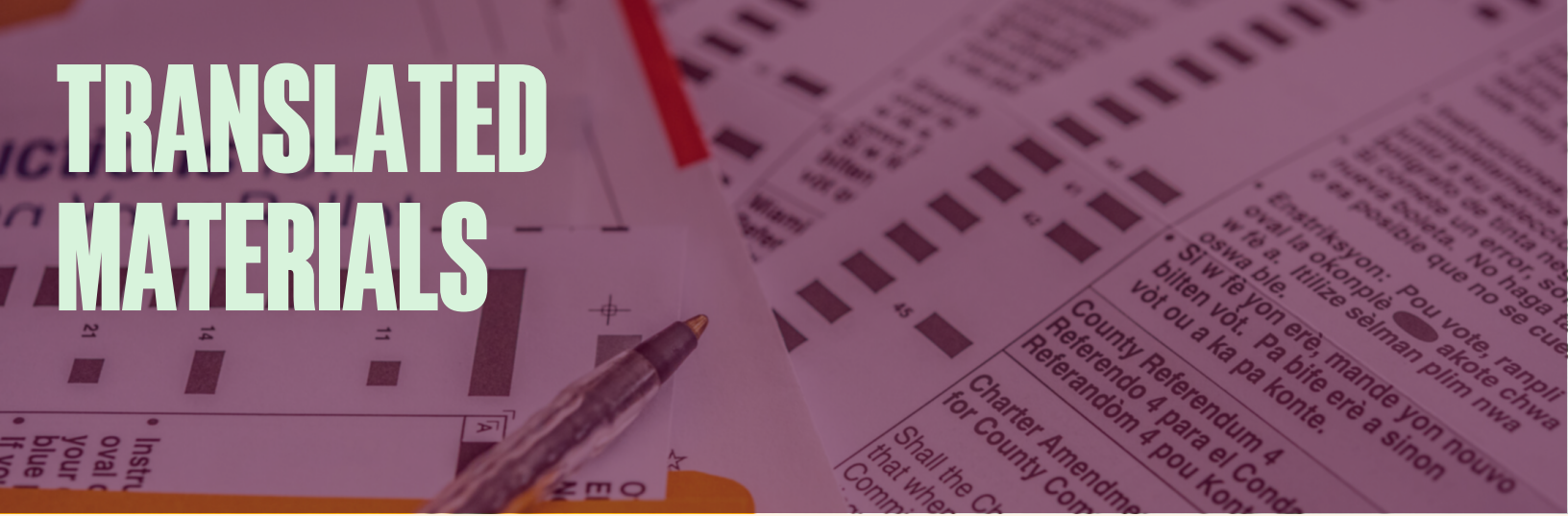
Identifying accessories worn by bilingual poll workers upon arrival?



Posted sign indicating languages spoken by bilingual poll workers present?



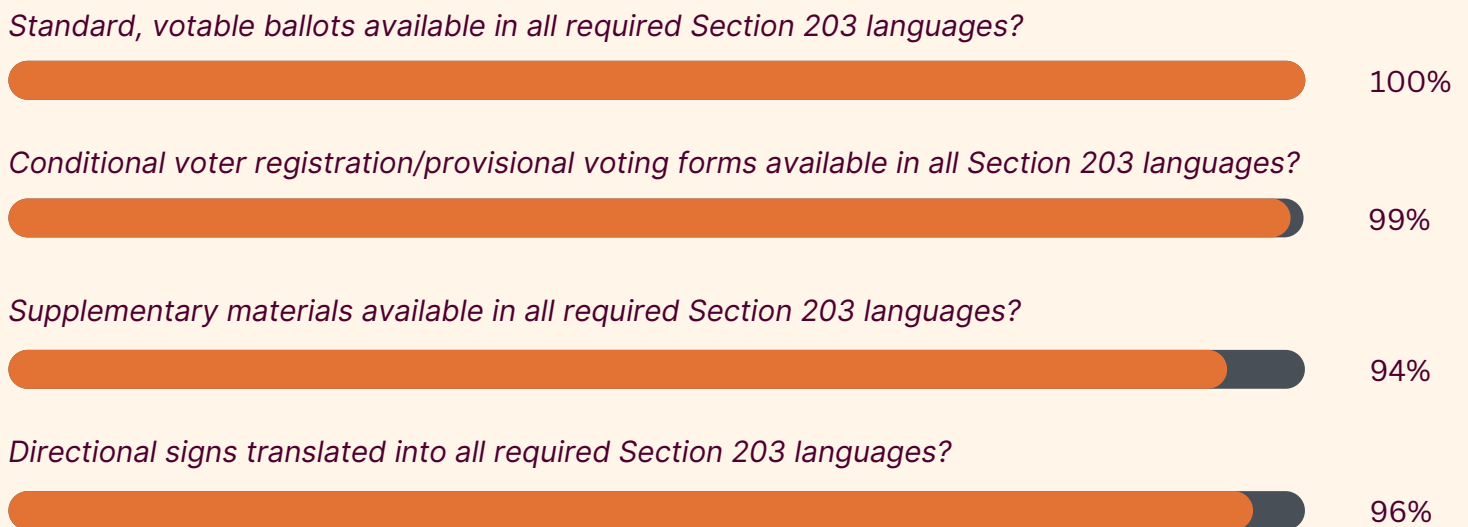
TRANSLATED MATERIALS



Translated Ballots & Election Materials

Twelve out of 15 counties we visited were covered by Section 203** of the Voting Rights Act, and we found that most of these counties complied with federal requirements. Almost every voting location had translated votable ballots and conditional/provisional voting forms available in all required languages. Outdoor and indoor directional signs were also translated, except in one county where outdoor signage was in English only. Counties can continue to improve how they provide translated supplementary election materials, such as state and county voter guides. On occasion, election workers were unable to find or print translated versions of these documents, which many voters rely on for information when they cast their ballot.

PERCENTAGE OF POSITIVE OBSERVATIONS (N=217)



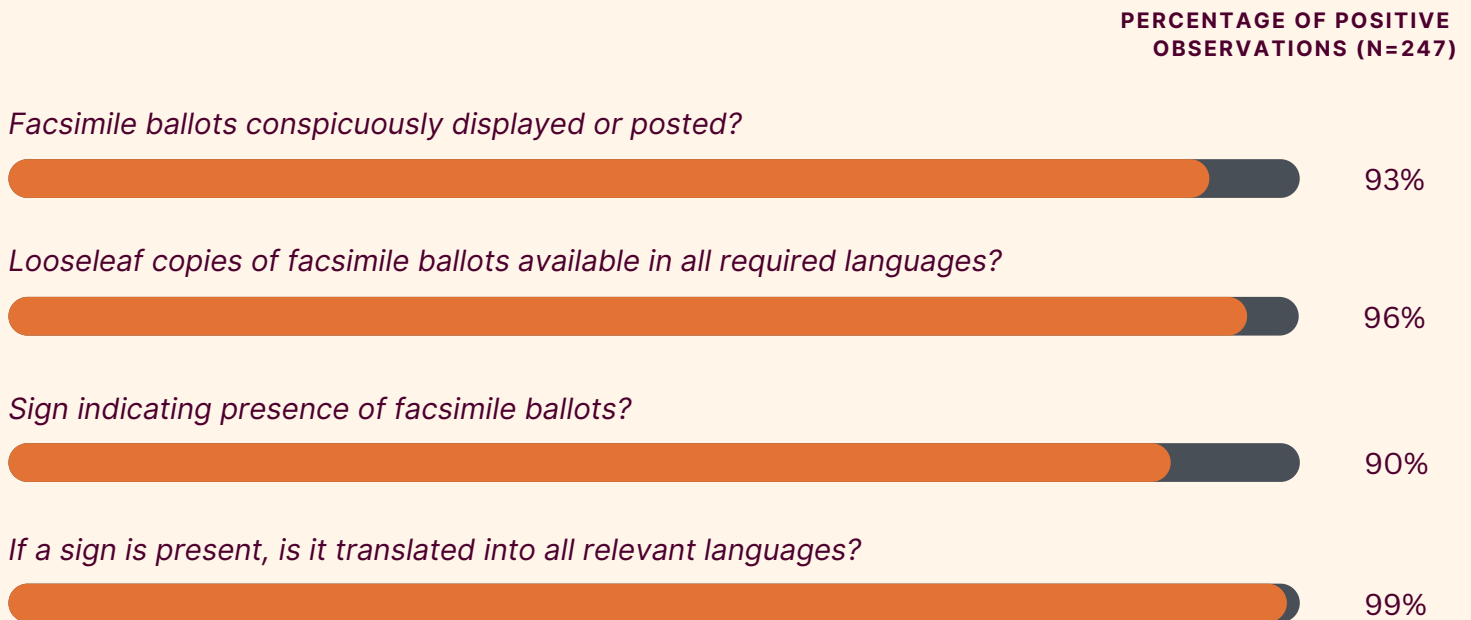
** Section 203 of the federal Voting Rights Act requires election materials (including votable ballots, registration forms, signs, and voter information guides) to be translated in counties with large language minority populations that reach a certain population threshold as determined by the U.S. Census Bureau.

Facsimile Ballots

All 15 counties covered by ALC’s poll monitoring program have state language requirements under Section 14201 of the California Elections Code. Nearly all voting locations poll monitors 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 translated signage indicating their presence.

Poll monitors found that virtually all voting locations they visited had facsimile ballots available in every covered language, 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 one county, several poll workers did not appear to understand what facsimile ballots were or why they were important, underscoring the need for improved training about language access. This is not the first time our poll monitoring program has observed this trend; poll monitors in previous election cycles have noticed similar misunderstandings about facsimile ballots.

We also found inconsistencies in facsimile ballot signage. To highlight a few strong examples, Sacramento, Merced, and Napa Counties all consistently and conspicuously displayed facsimile ballots and posted multilingual signage to inform voters about this resource. On the other hand, in one county, just 27% of voting locations we visited appeared to have this required signage. More thorough poll worker training and guidelines around displaying signage would help address this systemic issue.



DISABILITY ACCESS



Accessibility for Voters with Disabilities

Volunteer poll monitors also examined any potential obstacles for voters with disabilities. One of the most common issues was the lack of assistive devices, such as magnifying sheets and signature guides. At 16% of observed polling places, magnifying sheets or magnifying glasses were not supplied, and even when they were technically available, they were often in a storage container or out of sight from voters who might want to use them. Concerningly, a vast majority of counties did *not* provide signature guides at any of their voting locations, and many election workers did not know what these assistive devices were when poll monitors inquired about them.

Another recurring theme was the need and desire for more robust election worker training on disability access. In several counties, poll workers told our volunteers that they did not feel well equipped to operate the accessible voting machines and would appreciate more thorough training in future elections. Training should include detailed information on how to set up and operate accessible voting machines, and how to assist a voter who wants to use them.

Finally, we found a number of voting locations across different counties with physical obstacles. Poll monitors—and even election workers themselves—described several sites as uncomfortably small, tight, or narrow. Several sites also had steep ramps, doors that were unattended and not propped open, or accessible entrances that were poorly marked and/or far away from the main entrance. Curbside voting was sometimes available, but even when it was, we found that it was generally not advertised anywhere and very few counties had signage indicating that it was an option.

PERCENTAGE OF POSITIVE
OBSERVATIONS (N=247)

Clearly marked, accessible path to the voting location?



97%

Accessible entrance to the voting location?



97%

Sufficient space for wheelchair mobility?



98%

Accessible voting machines operational upon arrival?



97%

Lead poll worker feels adequately trained on accessible voting machine?



95%

Magnifying glass/sheet available and laid out?



84%

Signature guide available?



31%

Other Observations about Voting Conditions



Our election observers did not witness any incidents of voter rejection, harassment, intimidation, or other serious voting irregularities. ALC’s volunteer poll monitors overwhelmingly described election workers across Northern and Central California as helpful, welcoming, respectful, and eager to serve. One rare exception was a poll worker who demonstrated a highly troubling attitude towards limited English proficient voters and voters with disabilities, repeatedly saying they “should speak English” and should bring their own assistive devices.



A handful of voting locations appeared to be understaffed, particularly in traditional polling place counties***. Occasionally we found just two or three election workers staffing an entire voting location, and some of them understandably said they felt stressed and overwhelmed. A handful of locations opened late on Election Day because of staffing shortages, which were likely compounded by the ongoing COVID-19 pandemic. We recommend that counties recruit higher numbers of election workers than usual—and consider boosting stipends if necessary—in anticipation of potential staffing challenges this November.

PICTURED ABOVE: ALC STAFF AND VOLUNTEER POLL MONITORS ON ELECTION DAY

*** Traditional polling place counties are counties that have not adopted the Voter’s Choice Act (VCA) model of election administration. In traditional polling place counties, voters are assigned a specific precinct where they can vote in-person. There are more voting locations than in VCA counties, but most of those locations are only open on Election Day itself.

Policy Recommendations

Based on the findings shared above, we recommend that state and local election officials consider implementing some of the following actions:

AREA FOR IMPROVEMENT	SUGGESTED ACTION STEPS
Bilingual Poll Worker Recruitment & Identification	<ul style="list-style-type: none"> • Increase poll worker stipends, including supplement for bilingual poll workers • Partner more closely with local community groups to recruit bilingual poll workers • Remind bilingual poll workers to wear badges at all times on shift identifying the languages they speak
Facsimile Ballots	<ul style="list-style-type: none"> • Provide clearer guidance to poll workers on how specifically to post facsimile ballots in a visible, conspicuous way • During poll worker trainings, talk about translated and facsimile ballots and explain why they are important for many voters
Signage	<ul style="list-style-type: none"> • Ensure that indoor and outdoor directional signage is translated into all required languages • Post multilingual signage about on-site bilingual poll workers • Improve signage about curbside voting
Accessibility for Voters with Disabilities	<ul style="list-style-type: none"> • Supply magnifiers and signature guides at every voting location, and ensure they are easily accessible for voters • Create more opportunities for poll workers to gain hands-on practice setting up and operating accessible voting machines • Conduct accessibility reviews of voting sites to identify and remediate obstacles around entrances, hallways, and voting booths



Conclusion

ALC’s poll monitoring program surveyed 247 voting locations in 15 counties across Northern and Central California during the June 2022 primary elections. Overall, we found that most counties complied with federal and state requirements and that voters generally had smooth, positive experiences casting their ballots. At the same time, we found several ongoing challenges and areas for continued improvement in voting access across the state. These included:

- Inadequate posting of facsimile ballots and related signage
- Lack of identification of bilingual poll workers
- Limited provision of assistive devices
- Insufficient poll worker training on accessible voting equipment
- General staffing shortages and low recruitment of bilingual poll workers for many covered Asian languages

We hope that state and county election offices will take steps to address these challenges in the spirit of making California’s elections even more inclusive and accessible for all voters.

QUESTIONS?

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.

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Image credits: Canva, Creative Commons, and Press-Enterprise