

- Good afternoon, good morning, depending on where you are, everyone. Thank you so much for being here and for joining the Democracy Fund 2021 Language Access for Voters Summit. I'm sure folks will still be coming in as we get started, but we have a packed agenda today, so I wanna get things going. My name is Lindsay Daniels, and I'm the Director of Elections and Voting at the Democracy Fund. I'm excited to be with you all today. I have spent many years of my career, working to ensure that all voters have, in language, the information they need to participate in the electoral process. Prior to coming to the Democracy Fund, I spent over a decade at the National Council La Raza, which is now UnidosUS, where we focused on helping Latino immigrants become citizens, register to vote, and get out to vote. My first election on the ground was doing voter registration and education with Chicanos Por La Causa in Tucson, Arizona. I, myself, did not grow up in a state with a ballot initiative process, and I have to admit I was completely overwhelmed by trying to understand the initiative language and the long ballot in English, let alone helping native Spanish speakers understand the details. It became clear to me during that first campaign and in many years since, how critical language access is to new voters, and it continues to be as they engage in the process over time. Now, at the Democracy Fund, I have the privilege of working on this issue as part of the Elections Program, where we focused on building an election system that is accessible and equitable for all voters. Dating back to 2016, Democracy Fund has partnered with the US Election Assistance Commission, and later were able to bring on as a partner, the Arizona State University Pastor Center, to host a language access summit. We weren't able to meet in 2019 and 2020, but I am so pleased that we're restarting this tradition, and in particular, this is a very timely conversation, given the new Section 203 determinations that were published last week. In the past, we've been in person for this event, which allowed for breakout groups to discuss language access, trends, needs, and trading best practices between advocacy organizations and election officials. While we don't have the opportunity to be in person this year, this remains a very important space for election officials, government officials, and advocates can all come together. The Zoom format, in some ways, helps us out with this, because it makes it possible for us to have participants from across the country. I was just looking at the participant list, and we have folks all the way from Alaska, to Florida, and everywhere in between. We have representatives from local, state, and federal government, including later, we will be joined by Assistant Attorney General, Kristen Clarke from the Department of Justice. All of this amazing content came together thanks to the work of our Democracy Fund Elections Team and our Elections Program Senior Fellow, Terry Ao Minnis. In particular, I wanna give a huge shout-out to Tammy Patrick, our Elections Program Senior Advisor and lead organizer for this event, and she's also our MC for today and tomorrow. Thanks to all of these folks, to you, our participants, and to our speakers. I just know that we are going to be in for a very robust conversation today, and really thinking through and centering the needs, the language access needs of voters at a very critical time in our democracy and in our voting and election system. So I will hand it off to Tammy, keep my remarks brief. Let's get the show on the road. So thank you, Tammy.

- Wonderful. Thanks so much, Lindsay. And just doing a... There we go, everyone can see me. Let's go ahead and jump into the housekeeping real quickly, so we can get into the content of the day. As I'm sure you've noticed, we will have sign language translation available during the broadcast, as well as the recording of this event. This will be a recorded session. Closed captioning in English is available by selecting from a couple of different viewing options. So if you click on your Live Transcript feed, there is both a traditional live feed, as well as, if we can go to the next slide, you can also click and change the appearance of the transcript and your font size, you can move the text around on your screen. Next slide, please. Additionally, you can view the full transcript down the side of your screen, which is similar to what

the chat function or Q and A functions, oftentimes how those work. So I wanna call out real quickly, the two translators that we have on board for today is Mark Kreidler and Judith Rackovich. So thank you both very, very much. Next slide, please. This summit, as I mentioned, will be recorded. It'll be made publicly available on the Democracy Fund website, along with biographies of all of our presenters. I'm going to drop a slide, or a URL rather, in the chat function. And that goes to a internal box file, where you can view the full biographies of all of our fabulous speakers today. It does have a password, but it will eventually, in the next day or two, make its way onto the summit website. At the time that we post everything on the website, we will also be getting translations of the transcript to be made available in Spanish on the recorded version. Next slide, please. One of the things I really wanted to do with this summit this year, was to make sure that we had actual language represented within the summit content itself. So for today's summit, the videos that we will have as interludes and segues from one session to the next are going to focus on the importance of language assistance, and making sure that we go beyond just simple, quote, unquote, "simple" translation, to make sure that we're also offering a welcoming culture to our voters, and we make sure and ensure that they are well served. Next slide, please. So there are four sessions today, each one running approximately 30 minutes. We're first going to hear about the 2020 census and the 2021 determinations, as well as the impact that the census determinations will have on future elections. Then, as Lindsay mentioned, we're going to hear from the Department of Justice about what federal law says about assistance to voters. And we're thrilled to have Assistant Attorney General Clarke here. We're then going to dive into the specific challenges with voting methods, and particular pressure points that can occur around providing language assistance, depending on how a voter chooses to vote. It's very different to provide assistance in a vote-by-mail or vote-at-home construct than it is for on Election Day at a precinct-based situation. And then, we're going to have a really exciting conversation, I think, with Colorado individuals, to talk about additional coverage. How do we push our practice to do more than simply make sure we're compliant with Section 203? Next slide, please. With that, we're going to start with this video by Minnesota Secretary of State, Steve Simon, as I felt it really kicked off the summit in a great way. So, let's go ahead and roll the film.

- Hi, this is Steve Simon. I'm Minnesota Secretary of State. One of the things that I am proudest of in this job, and from our office over the last few years, is the fact that we have more than doubled the number of non-English languages that we use when servicing people all over Minnesota, particularly for voting matters. It was once five, and now it's 12, and, I hope, growing. To me, and to our office, it's not just about access, it's also about empowerment. Every eligible voter, no matter where they came from, no matter what their life experience, has the right to understand what is in front of them, both on the ballot and beforehand. They have a right to understand what the rules are. And we, I think, have an obligation to communicate those things to them in ways that they can best understand. So while I'm proud of that, I'm also cognizant of the fact that I, and we, sometimes get pushback on that very idea. And the pushback usually goes something like this, and I'm paraphrasing: "Why should any voter have any voting materials in languages other than English?" After all, you can only vote if you're a US citizen, obviously, but you can only become a US citizen if you pass an English test. So, by definition, shouldn't everyone who's eligible to vote have sufficient command of English, so as not to need anything translated into other languages? And I have two basic responses to that. It's a fair question, by the way. And my two basic responses are these: Number one, I know how the real world works when it comes to immigrant communities. Why? Because I'm the son of an immigrant. My mother grew up outside of Vienna. She was born at the very end of World War II in Austria, she came over to this country after she met my father, who was a native-born American, and she made a new life for herself. Now, my mother spoke almost

accent-free, fluent English. That wasn't the issue. The issue was that with her, and I suspect with a vast majority of immigrants and new Americans, she much preferred technical instructions in her own native language, which was German. Technical instructions, not conversational English, but technical things. So whether it was the refrigerator manual or a government document, I saw this. I grew up in a bilingual household. That is the way it actually works. And I think for those of us who are native English speakers, we would be the same. You know, even if I spoke fluent French, which I don't, and I worked for a company in Paris, I would probably feel more comfortable with technical instructions in my own language. So did she, and so do the vast number of new Americans, of immigrants who make our country home. They feel the same way. So I know that in my gut 'cause I grew up with it. I watched it, I learned it, I absorbed it. So that's number one. Number two, and this is somewhat specific to Minnesota, but maybe not. In Minnesota at least, and I suspect in many other places around this country, this is nothing new. Translating materials into other languages to accommodate and empower new Americans, new immigrants to our states, this is not some new thing. We're not bending over backwards for this generation of immigrants, as opposed to our grandparents' or great grandparents'. That is just not true. In Minnesota, the fact is that we have been doing a version of this that is translating election and voting-related materials into other languages since 1896. Not 1996, 1896, 125 years. Now back then, the languages that were translated were things like Swedish and Norwegian, and German, and French, and Italian. Of course, that represented and reflected the immigrants of the time. Now, those languages do not reflect the immigrants of today. And in Minnesota at least, they are different languages. It is Spanish, it is Hmong, it is Somali, and so forth. So there's no principle difference between what we did starting in 1896 in Minnesota and what we're doing today. The only difference, the only difference whatsoever is the actual languages. But the principle endures, and is that we want to make sure that everyone who is an American, everyone who is eligible to vote, uses their voice and translate that into their vote. And the best way to do that is to give them the rules and information they need to know in a language that best suits the way that they intake information. So I'm proud of our record of going from 5 to 12 languages, and I hope, and I expect, that we're gonna keep growing that list. It's the right thing for Minnesota, it's the right thing for democracy.

- [Tammy] You can see why I'm so very excited for today's summit. If we can go to the next slide, please, we're gonna kick off day one, session one, which is the census and impact on future elections. I'm so thrilled that we're able to have two outstanding national experts join us for this very first session. So first, we'll have Terry Ao Minnis. Terry, and if we can advance to her bio slide so we can see her lovely photo. Terry is with the Asian Americans Advancing Justice. She's the senior director of Census and Voting Programs. And as Lindsay had mentioned, she's also a senior fellow with the Democracy Fund. Welcome, Terry. We also are really excited to have the national census expert extraordinaire, James Whitehorne, who I've known for a number of years, and have had the privilege of working with. He is, of course, with the United States Census Bureau. He's the chief of Redistricting & Voting Rights Data Office. With that, Terry, I'm gonna turn it over to you. And I look forward to this session.

- Great. Thank you so much, Tammy. And thank you to everybody for joining us today. As noted, I am Terry Ao Minnis, senior director of Census and Voting Programs at Asian Americans Advancing Justice, AAJC, a national nonprofit organization dedicated to protecting and advancing the civil and human rights of Asian Americans in building a fair and equitable society for all. I'm happy to join you all today to provide some broad strokes about the intersection between census and voting, before turning this over to James to dive more deeply into the Section 203 determinations. Next slide, please. So I wanted to start the discussion by flagging a number of census surveys that are relevant to voting and voting rights. First

up is the decennial census. This is the mandatory count taken every 10 years of every person living in the United States, that provides basic information. Second is the American Community Survey, which is an ongoing mandatory survey that provides vital information on a year basis about our nation and its people. Conducted every month of every year and sent to a sample of addresses across the country, the ACS asks about topics not on the 2020 census, such as education, employment, internet access, language ability, and educational attainment, and the like. Finally, I'd like to flag the Current Population Survey, which is a voluntary survey that provides the primary source of labor force statistics for the population of the United States, but is also used to collect data for a variety of other studies through the addition of a set of supplemental questions to the monthly basic CPS questionnaire. Next slide, please. So first up is the decennial census. And the purpose of taking the census is directly related to voting. Article I, Section 2 of the Constitution requires this count for the purposes of reapportioning the 435 seats of the US House of Representatives. As we saw, the 2020 census resulted in California, Illinois, Michigan, Ohio, West Virginia, Pennsylvania, and New York all losing a seat, and Texas gaining two seats, while Oregon, Montana, Colorado, North Carolina, and Florida gained one. Next slide, please. Next, census data are used for the purposes of redistricting. Redistricting applies to all levels of government where district elections are held, and is the process used by governments to redraw the political district boundaries. The Census Bureau, through the office that James leads, produces the PL 94-171 redistricting file, which provides the population data down to the census block, for purposes of redrawing these lines. Next slide, please. Census data are critical to Section 203 of the Voting Rights Act, which we will be talking about extensively over the next two days, and which James will delve into more deeply after my presentation. Next slide, please. Many of you are likely familiar with the voting and registration data produced by the Census Bureau, and collected biannually in the November Current Population Survey since 1964. This is, of course, where we get information on voter registration rates, voter turnout rates, and at the national/state level, as well as by the OMB racial categories, at least for those that have a sample size large enough to be able to report out on. Next slide, please. So I want to use the remainder of my presentation to talk about some of the census issues that impacted the 2020 census and some issues to consider looking forward to the future, particularly as it relates to Section 203 determinations and language assistance. First, I'd like to flag the chaos of the 2020 census. As we all know, we saw both unprecedented political interference in the census, but also the unprecedented pandemic that really threw several monkey-wrenches, if you will, into the 2020 census. So as we all remember, in March, 2020, as concern about the COVID-19 pandemic really began to publicly intensify in the United States, many states started to issue stay-at-home orders. And the Census Bureau decided, in light of all of this, to suspend its field activities and close its field offices. In April, 2020, the bureau adjusted its operational schedule and extended its census data collection into the fall, which was intended to end in the summer. Then, between July, 2020 and fall, 2020, we saw a ramp-up of political interference by the Trump administration, that resulted in the truncation of census operations and uncertainty in data processing and delivery. So, previously, we had already seen an unprecedented effort to shoehorn in a citizenship question into the decennial census questionnaire at the last minute, completely bypassing the general standard operating procedures that the bureau has undertaken in looking at the topics and questions that get added to the census questionnaire every decade. Now, in July, 2020 through the fall of 2020, we saw an effort by the previous administration to reconfigure, if you will, unconstitutionally, the way that this country counts people for purposes of apportionment. And because of that effort, there was a domino effect with respect to efforts to truncate or speed up the field operations and end the non-response followup operations earlier, and to shorten the time it would take to actually process the data, all in an effort to produce data more quickly, so that the previous administration could implement its efforts to change the way apportionment count goes.

So, in light of all of that, next slide, please. Here is sort of what we saw as a result of all of that chaos, if you will, in 2020. So first, we saw delays to the release of census data, right? The apportionment data was delayed from the end of 2020, which is when it would have come out, to April 26th, 2021. We also saw the delay of redistricting data, which would have come out by the end of 2021, to September 16th, 2021, for the release of the official PL 94-171 redistricting file, and on August 12th, release of a Legacy file version of the same redistricting data. Additionally, one other change we saw was that the data for all states were shared at once, as opposed to the rolling basis that we had seen in the previous decade, which was a result of the delays. Another fallout, if you will, from the chaos of the census, was that there have been increased, I guess you could say questions about the accuracy of data, or maybe another better way to say it is concern about the accuracy of the data. Certainly, the turmoil of the 2020 census from the political interference and the pandemic, really leads many to worry about how accurate the resultant data are. And, of course, we will not actually have the official undercount until next year, so we won't know, from the bureau at least, certainly the official report back on how well, if you will, the census went. But there are many that were concerned that either because of the political interference, that there might be people unwilling to respond to the census, as well as the effects of the pandemic potentially also affecting the ability to get as accurate a count as possible. One other issue that I will flag that has also fed into this question about how accurate the data will be for the 2020 census, was a effort by the Census Bureau to modernize its disclosure avoidance system. That is the way that it ensures that census data are indeed protected and kept confidential. And the Census Bureau decided to utilize a process called differential privacy, to try to meet this need for the 2020 census. That I will not devolve this conversation into a conversation about differential privacy. For those who have been involved in those conversations, that can quickly lead to a black-hole effect. But I will just note that it has raised questions about the accuracy of the data, and, in some ways, I think has helped to show some of the sausage-making of how census data are produced, that has also just helped enlighten people, but also raised other questions that I think we will be grappling with moving forward. Next slide, please. So I wanted to also flag the implications for the American Community Survey of the pandemic. We saw that because of the impacts of the COVID-19 pandemic on data collection, the Census Bureau actually decided not to release its standard one-year estimates for the 2020 ACS, and instead, they released an experimental one-year estimates, covering a limited number of topics for the nation, all 50 states and DC. So I think we saw that the ability to collect the data was hampered by the pandemic, and so not only was the one-year estimates bypassed, if you will, for 2020, we also are seeing a delay to the 2016, 2020 five-year ACS data release, which was originally targeted for this month, recognizing that additional time is needed to continue refining the methodology to minimize the impact of non-response bias due to the pandemic. The main concern is just that those who did respond, there is a concern that there is a bias with respect to who was able to respond versus who wasn't. That is something that needs to be rectified before data can be shared. The current plan targets a March, 2022 release date. And I'm sure the bureau will keep us informed how that process is going, and if that date needs to slide some. I will note that there seems to be minimal impact on Section 203 determinations, as James will get into. The American Community Survey is sort of the bedrock or the foundation for making these determinations because of the dataset that were used, the five-year dataset was used that ended in 2019. So there was actually no impact on this set of determinations that were made last week. And moving forward, when determinations are made in another five years, hopefully the blip of 2020 will be smoothed out through the methodology and the collection over five years. But more than happy to hear James's thoughts after we get through our presentations as well. Next slide, please. So with my remaining few minutes, I just wanted to flag some of the other issues that could implicate language assistance moving forward. In my mind, these are some of the census policy issues that could

affect the accuracy or affect the ability to collect the needed data for our communities to make the Section 203 determinations. One issue that I wanted to flag is just the recognition there is an overall declining willingness for the public to participate in surveys generally, but also the census surveys. And, unfortunately, we also have seen some waning confidence in the Census Bureau, in part because of the unprecedented amount of political interference that we had seen for the 2020 census. And I just heard today from a colleague, something that also resonated with me, this idea that disasters tend to exacerbate or speed up trends that we see. So that is one concern, too, that we already knew going into the 2020 census, that there was a declining willingness or increased resistance to participate in these surveys. And so one can anticipate also seeing what we saw happen with the ACS, that this is something that we will all be struggling with. And so, we really all need to be helping to raise up the importance of participating in census surveys and continuing the need to educate people about not just the decennial census, but why it's important to participate in the American Community Survey and other surveys that the bureau produces. Another issue that particularly can become increasingly relevant, particularly for our ability to get the most accurate Section 203 determinations, is we've had a stagnant ACS sample size, right? And as our population continues to grow and continues to diversify and get larger, having a stagnant sample size really isn't stagnant, right? It's actually, in some ways, shrinking, when you think about it in proportion to the overall population. And what this means is that it is possible that we are not reaching the limited-English proficient communities that we need to, to collect the data that we need for James and his office to make these determinations. I will, again, flag that the differential privacy rearing its head again, and the disclosure avoidance system, the conversation will need to happen around the American Community Survey, or, I should say, the bureau has already flagged that this conversation will need to happen around the American Community Survey, and so that could have significant implications. And so, more voices and more perspectives need to be a part of the discussion, to make sure that all the different needs are being addressed. Two other quick items I just wanted to flag: There is a reliance sometimes, I feel, could be potentially an over-reliance on the use of administrative records to fill in data for non-responses or people who choose not to respond, recognizing that, yes, there is a place for administrative records to be used. In my mind, there needs to be something that is a last-resort effort to try to assess a response when the bureau's not able to actually ascertain one from a respondent directly, but there is a concern that there might be a move to try to jump to the use of administrative records in the first instance, or very quickly in the process, and not giving people the opportunity to respond. If you think about it, the problem is those who are least likely to respond are the ones who are also least likely to be accurately and adequately captured in administrative records. And so, you could see this impact or effect happening from an over-reliance on administrative records, and again, recognizing that. And James will go into the characteristics and the data points that'll be used for determinations, but, some of that data isn't going to be captured in administrative records. And if you are not getting the information directly from the respondent, then you are also missing out on crucial information, particularly for purposes of determining Section 203 coverage. And then, finally, just wanted to flag that we are hoping that there will be an attempt, again, to reinvigorate the discussion around revising the OMB standards on racial and ethnic classifications and modernizing how race and ethnicity questions are asked on census surveys. This is potentially very important because it could impact the way or the data that are collected, and could have an impact on the determinations themselves. And with that, I think I will turn it over to James to talk through the Section 203 of determinations. And then, hopefully, we'll have a couple of minutes afterwards to chat about this more.

- All right, well thank you very much. I greatly appreciate the opportunity to be here to speak with everyone today about the Section 203 determinations, especially given the timing that we just released the latest version of those determinations last week. Next slide, please. So I've been told that we have both experts on this topic and people to whom this might be completely new today. So I thought I'd start with just a short refresher statement on Section 203, and then I'll get into more details around the census's role in creating those determinations. So Section 203 is part of the Voting Rights Act. It requires states and other political subdivisions to provide language assistance for voters when the need for that assistance is established, based on a set of criteria that's indicated in the law. It puts the requirement on the director of the Census Bureau. It's a little unusual; usually the things that the Census Bureau's required to do is put on the secretary of commerce, and then is matriculated down. But in this regard, the director is called out to provide these determinations of areas and languages that need that support. So we'll often use the term determined because he has to make those determinations, so we call them determined areas. Next slide, please. So for some historical background, the first set of determinations were published in 1977, based on the addition of Section 203 to the Voting Rights Act in 1975. They used 1970 census data. There was no English proficiency requirement within those criteria, and there was no English proficiency question on the 1970 census, so that was not included at that time. The next set of determinations were published in 1984, and they did have an English language proficiency consideration, directed by a 1982 amendment to the Voting Rights Act. The addition of the English proficiency is often referred to as the Nichols Amendment, after Senator Nichols from Oklahoma. There was a concern felt in the state of Oklahoma that Oklahoma's tribal statistical areas were becoming triggered for language support, when the majority of the people spoke English and spoke English very well in those areas. So that occurred, and that criteria was added into the process. In the determinations published in 1992, two additional triggers were added. One was for adding the 10,000-person population threshold, and the other was specifically for American Indian/Alaskan Native areas. And I'll talk about that in a little bit. So we then, again, used the same criteria with the addition of those two different classifications for the 2002 determinations. And then, in 2006 is where we kind of modernized to where we are today With the reauthorization of the Voting Rights Act. Congress took advantage of the change from a decennial long-form census to the continuous American Community Survey. And they directed the Census Bureau to use that ACS, the American Community Survey, and other census data, to generate the determinations every five years, and to do so through 2032. So we've changed the data source to the American Community Survey, but we've also increased the frequency with which these determinations need to be made from every 10 years, to every five. And we're currently operating under those criteria as set through those cycles. Next slide, please. So the law identifies specific language groups that need to be considered for the required assistance. There's Spanish, the American Indian/Alaskan Native languages, and the Asian languages. However, the bureau has to look at a single language minority group, so this becomes Spanish, and then those individual specific languages within the larger American Indian, Alaska Native, and Asian groups. One important point about the language minority groups: The Census Bureau uses race as a proxy for language. So we're using the racial count or the detailed race counts that we have in the ACS for these determinations. The races are based on those used in the decennial census. So for 2011 and 2016, that created 68 possible language minority groups. And for these 2021 determinations, it created 73 possible language minority groups. Then, these language minority groups are broken down further by their citizenship, voting age, their ability to speak English, and their literacy rate. Literacy rate is measured actually through educational attainment, 5th grade or higher education. Next slide, please. So the characteristics are evaluated against the criteria that are set out in the law for multiple jurisdictions. We look at states as a whole, we look for counties in most states, and then we look at county subdivisions, which are towns or

townships in a subset of states. It depends on who has that functioning level of government, whether it's done at the township level or the county level. So we look at the states for where that, what government level is functioning, so state level, county level, and township level as well, depending on the state. Finally, there's other considerations written into the law, specifically for American Indian/Alaska Native areas, which I mentioned. But you'll see on the list on the slide, that there are many types of American Indian/Alaska Native areas that are included in this evaluation. The way the law in the legislative history is written is we're to use the 1990 definitions of the American Indian/Alaska Native areas that were present in the census for a glossary of those areas at that time. So this is the universe of what we check against when we're making those calculations. Next slide, please. So with all these criteria, it becomes a matter of evaluating the language minority groups by those criteria, to see if either 5% of the citizen voting age population are part of the language minority group, and are limited-English proficient. Limited-English proficient would be speaks English less than very well, or, 10,000 citizen voting age population are part of the limited language minority group, and are limited-English proficient. And, so it can be either one of those two, and the citizen voting age population that's limited-English proficient has a higher illiteracy rate than the national rate. So the national rate this time around was 1.32%. And that changes each time we recalculate that national rate, each time we do these determinations, so that it stays current along with the determinations that we're making. So you get either of the first two items can cause a jurisdiction to be determined, as long as it's joined with that last one, the and about the literacy rate. Next slide, please. So I mentioned a specific trigger being added to the law for American Indian/Alaska Native populations in 1992. This trigger has us calculate the determinations for the American Indian/Alaska Native areas. If an American Indian/Alaska Native area triggers, where it becomes determined, then rather than it becoming determined, any county or township that intersects that area becomes determined. So it transfers that status of being determined as needing coverage, to the intersecting governmental units that actually have the responsibility for putting on the elections. It's a slight variation in how we do the determinations, but essentially, it's the 5% threshold combined with the literacy rate, but calculated for that American Indian area, also in recognition of the fact that American Indian/Alaska Native areas typically don't follow our governmental units. Next slide, please. So just from a historical point, these are all the timeframes for when the Federal Register publication happened for each of the Section 203 determinations through time. We also have two more that will come up. We have one that's in a month, to be determined in 2026, and another in a month, to be determined in 2031. That'll be the final one, unless the Section 203 is extended in the Voting Rights Act. Next slide, please. So I wanted to point out here, just some of the support products that we've put to try to help people understand. So these are the current support products, or just examples of them that we've produced for the 2021 determinations that were published last week. We try to do different slices and dices to make it easier for people to look at this and see what the impact is, and not only the impact for this cycle, but try to look at things over time. So the first table we have in this comparison table, and these are available on our website, the Census Bureau website for Section 203. We just do a jurisdiction count. So regardless of how many language minority groups are within a jurisdiction or covered for a jurisdiction, we just count the number of jurisdictions that actually have coverage requirements, and so that goes into this table. Next slide, please. Then, what we do is we do the same sort of thing, but now we're paying a little more attention to which language minority groups are covered. So we break them out by the major OMB race groups and the ethnicity. So we do American Indian/Alaska Native, the Asian groups, and the Hispanic jurisdictions, and we count these. So if, let's say for example, in Los Angeles county, which has at least five languages covered, we would count that five times for the groups that are in this table. But it gives you a breadth of coverage by state, so you can also see that. And you can see it over time; we go back to 2002 for these

tables that we've created. But you can see how with each cycle, that has changed for those major groups and the states. Next slide, please. We also try to do this jurisdiction agnostic, just to look at how many groups are covered each time. And then, we try, when we create these tables, to keep them in line, or to just show the broad total summary of how many jurisdictions get covered for each language. Next slide, please. Finally, we also look at who's benefiting from these determinations. We have the table that we calculate the language minority voting age citizen population for each of the jurisdictions that's covered within states. So you can see the number of language minority group voting age citizens in each state that are covered. We break it out by the major OMB language and ethnicity groups, we total it up, and then we give a total overall population, like that. So you can see the number of people who are eligible to benefit from this important voting rights tabulation. Next slide, please. And then, one that helps us, at least at the Census Bureau, answer the most questions is this one here, which actually has all the determinations broken out by the jurisdiction, the language minority group, and the year in which it was determined, going back to 2002. And we do it in such a way that it's a large spreadsheet, where each jurisdiction is specifically lined up with itself for that jurisdiction-language minority group combination. So going through here, you've got Dillingham has been determined for Yupik since 2011. So you can see, all the way across. So it helps you really identify if you're looking at that level of detail. Next slide, please. And then, the most powerful tool that we provide the public is what we call the public use file. The public use file has all of the calculations for each of those different criteria in which we have to compare, for every jurisdiction that was calculated in the entire United States. So it has all the American Indian/Alaska Native areas, it has the counties, the townships. Whether they were triggered or not, they're in this file for every single language minority group. And so, we report all those numbers so that people can actually see the numbers behind it. And the reason why this is really powerful is it allows jurisdictions to see what caused them to trigger or not trigger. And a great example that I like to always point out is that in the last cycle, there was a county that triggered for, I believe it was Vietnamese, and they called and they said, "We expected to trigger for Korean as well. "Can you tell us why we didn't?" When we looked up in here, we could see that the Korean population would have triggered, except it was only at 9,800 people, but it met all the other criteria necessary for coverage. And so, that jurisdiction just took it upon themselves to translate them both. As long as they were hiring a translator, they translated into both languages. So it's very useful in that sense, to see what's going on. And this is also available online for people who want to take a look at this. And next slide, please. And then, just briefly, for how people can be involved, I get that question a lot, and specifically, there's not a lot that the public can do other than some of the things that Terry mentioned in her, when she was talking about some of the issues and things that people can do, which is just making sure people are informed about the importance of the American Community Survey, making sure they fully participate, they fill out the detailed information. As I mentioned, we use detailed race as our proxy for language, so making sure that information's in the American Community Survey. Also, making sure that when the Boundary and Annexation Survey comes around, or the Tribal Boundary and Annexation Survey come out, make sure that we have the correct boundaries for counties, for your tribal areas, and for your townships. Those are probably the most important of them all. Next slide, please. And then, just, thank you. And I will stop talking 'cause I'd like us to be able to get in a few questions if we can. Thanks.

- Sure, thank you, James. I think, with some of the questions from the audience is, is there a way to appeal the determination for a jurisdiction?

- There is not. This is one of those sort of oddball items in the law, where actually written into the law says that the determinations are non-justiciable. Pardon me. So there is no real appeals process for it, but if you see something that you think would be worthy of an appeal, certainly, please let my office know. We would like to understand all of the impacts and considerations that are going on out there, so that if there's anything we can ever do to improve our methodology, that we can incorporate that feedback when possible.

- Great. And I know we only have a couple more minutes, so I did want to give you an opportunity to weigh in on the impact or lack thereof of the effect of the pandemic on both the recent Section 203 determinations, as well as future ones.

- Yeah, so the impact, you've got it just right in your presentation, Terry, but the impact for this cycle is non-existent because we were using the 2015 to 2019 ACS, and so, of course, that data was completed, the collection was complete well before the pandemic hit. So there's no pandemic impact there. We do know that there are challenges with the 2020 collection for the ACS as was pointed out with turning the one-year product into an experimental product, and the additional time needed to process the five-year product. But the Census Bureau has identified this as a high-priority consideration, that as they work to improve the methodology and account for the non-response bias that they found in the collections for the 2020 ACS, that they keep in mind the importance of this important voting rights tabulation, so that, as we work through the pipeline and this moves through the pipeline until we get to the next cycle, that any impacts can be ameliorated or addressed as best as possible with the numbers that we have.

- Great. And then, the last question, before I turn you back over to Tammy, would be, somebody had referenced that Wisconsin was shown in your presentation to go from 3 to 50, counting from the previous determination. Is there anything particularly interesting to explain what happened there?

- There is, actually. So that was caused by the triggering of a single reservation that has a lot of land, but the land is scattered across a large area. So the Ho-Chunk Nation was found to trigger for language assistance. And then, based on the requirements of the law, any jurisdiction that intersected with the Ho-Chunk Nation had to become determined. So that's why there's a large number increase. What we do is we work with the Department of Justice, who takes over once these are published, as far as an enforcement process, and we provide them with reservation-par information within the jurisdictions, so that they can understand where the actual language need is and where it may not exist if there's a zero-person population in a piece of reservation within a certain jurisdiction. But then we leave it up to the Department of Justice to work with the localities to determine the level of support that's needed when those anomalies occur.

- Great. Well, I want to thank you so much, James, for joining us today, and providing us all that really detailed and useful information. I shared some of the links. I hope I got them all with folks on the table, but I don't know if you wanted to do one last plug with respect to the information you're interested to hear about from people. I think, also, if you could take maybe a minute just to explain, when you had said that people could get involved with discussions around the boundaries and whatnot, what does that mean for people who maybe haven't been involved in this process before?

- Sure. The first thing I would point out is if you lose the links, if you go to www.census.gov/rdo, Richard Daniels Oscar, that'll take you to the main redistricting page, and there's a voting rights link on the left-hand side of that page all the time that will take you to the Section 203 determinations, both for the 2021 and the previous cycles. When we ask for feedback and assistance, what we're looking for is, first off, if anyone sees something that they think is unrealistic, or if they see something that they don't understand, we always want to be able to address that. And as we do that research, we always learn more, too. And the, getting involved is really, there's a couple different things: One is making sure that we get a full ACS participation whenever one occurs, and making sure we educate the public that the ACS is important, and this is one of those tangible, touchable benefits from the ACS, that their participation can be. But one of the other things is the Census Bureau conducts geographic programs, and as you can hear me talk about how this is calculated, it's all based on jurisdictions and jurisdiction boundaries, so making sure we have our jurisdictions, and that includes the American Indian/Alaska Native areas, making sure that we have those boundaries accurate in the census geography universe. So census's geographic programs, we work with tribal governments, or we work with local county governments, we work with township governments, to make sure the boundaries are correct is important to make sure that we're measuring the right population and we're calculating these numbers based off the right population. 'Cause this is very much a data-driven exercise, as you can imagine.

- [Tammy] Thank you both so very much, Terry and James, for sharing all that information. A lot of data tables, a lot of links to share. We'll make sure that more information goes out as well, and is posted on the website later on this week and into next week. Now, I'm thrilled to be able to offer this next video from the Election Assistance Commission.

- Hello, I'm Vice Chairman, Thomas Hicks with the United States Election Assistance Commission. Thank you to the Democracy Fund for inviting the EAC to participate in this language summit. The EAC is committed to providing resources for election officials as they navigate the new language requirements. Today, I'm joined by one of the EAC's Clearinghouse Department's subject matter experts, Kim Smith. Prior to joining the EAC, Kim served as a deputy director for Defiance County, Ohio Board of Elections. Kim, I'll turn this over to you to discuss some of the EAC language access resources for election officials and voters.

- Thank you, Commissioner Hicks, and to the Democracy Fund for allowing us the opportunity to share some of the EAC's language access resources. A big challenge for election officials is discussing elections in a way that all voters can understand. One of the first projects the Clearinghouse Department took on this year was to update the Glossary of Election Terminology. The glossary covers approximately 13 hundred common words and phrases used in election administration. And while an English-language version is currently available on our website, it will soon be available in 20 languages. The translated glossary is an important resource to assist election officials in developing voter materials and ballots for their language minority communities. We hope this will be a helpful reference for election officials as they serve their voters. Additionally, following every federal election year, the EAC publishes the Election Administration and Voting Survey Report, commonly known as EAVS. EAVS provides valuable insight into voting practices and election administration throughout the country. The EAVS report executive summary is also being translated into 20 languages, making this valuable information more accessible than ever before. The EAC has promoted and recognized best practices in election administration through its Clearinghouse Awards, since 2016. Past Clearing winners include innovative partnerships with

bilingual high school students to serve as poll workers in Native American communities, to improve access to voting. We encourage anyone who has implemented a program or formed a partnership to address language access issues, to consider submitting it for a Clearinghouse Award. This is a great way to share ideas with election officials who may be facing similar challenges. Finally, the EAC features a library of language access resources on its website at eac.gov. The site features EAC products, including information on past language access summits. Additionally, it includes links to other federal government resources and information from state and local jurisdictions across the country. Election officials can utilize these resources as they work to provide or expand language access in their communities. As we work to fulfill the EAC's mission by creating resources and highlighting best practices for election officials, accessibility, including language access, informs all of our work products. We want our products to be responsive to the needs of election officials and voters. If you have suggestions or any feedback, we encourage you to reach out to us at clearinghouse@eac.gov. Thank you, and we look forward to hearing from you.

- [Tammy] And now, I'm really excited. We've heard a lot already in the last hour or so, around what some of the determinations are. And what we wanted to do is make sure that people were also given the context around what federal law says about assistance to voters. So if you do find yourself managing a jurisdiction, living in a jurisdiction, advocating for voters in a jurisdiction, if falls under these determinations, how do we make sure that they are, in fact, being serviced in a way that is compliant with federal law? So it's my honor to introduce Assistant Attorney General, Kristen Clarke, if we could advance the slide, please, who has taken office this year. And we're so thrilled to have you here, Ms. Clarke. Thank you for joining us. I know you've got a very, very busy schedule, and everyone is excited to hear from you, so I would like to turn it over to you for your comments. Thank you so much. Op, just one moment. If we could please unmute Ms. Clarke's... There we go. It is a Zoom world after all, so thank you.

- Excellent. Well, listen, thank you so much for that very kind introduction, and many thanks to the Democracy Fund for inviting me to participate in this event and for convening this virtual summit. It is a pleasure and an honor to be here today. Protecting and promoting the right to vote is deeply rooted in the Justice Department's founding. The department is committed to ensuring that all eligible voters can cast a vote in our country, ensuring that all lawful votes are counted, and ensuring that every voter has access to accurate information. Enforcement of federal voting rights laws continues to be a top priority for the Civil Rights Division of the Justice Department. To that end, under Attorney General Garland's leadership, the department significantly increased the division's enforcement staff for protecting the right to vote. As head of the Civil Rights Division, I oversee three sections whose work touches directly on these issues. Our Voting Section enforces the civil provisions of statutes like the Voting Rights Act, the Uniformed and Overseas Citizens Absentee Voting Act, the National Voter Registration Act, the Help America Vote Act, and the Civil Rights Acts of both 1960 and 1964. Our Disability Rights Section works on issues involving voting by citizens with disabilities, particularly issues like polling place or voting accessibility under the Americans with Disabilities Act. And our Criminal Section has jurisdiction over election-related crimes that involve racial discrimination or intimidation targeting protected minority groups. And the Civil Rights Division has had an incredibly busy season. In recent months, we have issued guidance about voting, worked with jurisdictions to ensure that voter registration applications are processed appropriately and that polling places are made accessible, and we've also mounted litigation across the country, challenging state restrictions on the right to vote. For example, we recently issued several guidance documents, including one providing our legal interpretation on federal laws that affect methods

of voting, including early voting and voting by mail. Another outlines Section 2 of the Voting Rights Act's prohibition against policies and practices that dilute the voting strength of protected minority groups. This document is particularly important, as Section 2 applies nationwide and applies to the redistricting cycle that is now underway. A third guidance document addresses post-election audits and notes limits imposed by federal law. Second, the Civil Rights Division has worked to promote compliance with our nation's federal voting rights laws in a number of areas. The department recently secured a settlement with a county in New York pursuant to the help of America Vote Act and the National Voter Registration Act. In this case, we found that the Oneida County Board of Elections failed to process approximately 24 hundred timely-submitted voter registration applications completed through state motor vehicle offices. We also found that officials summarily rejected nearly 18 hundred provisional ballots cast during the November, 2020 federal election, without verifying voters' eligibility, and without counting those provisional ballots that were cast by eligible voters. Our settlement will help ensure that voters are added to the rolls in a timely manner going forward, and ensure that provisional ballots are issued, where appropriate, and counted. We also secured a settlement with the state of New Jersey, to ensure that citizens with disabilities are given opportunities to register at paratransit agencies. And in Arkansas, we reached a settlement with the county to ensure that the county provides an accessible voting program, including accessible polling sites for people with disabilities. And, of course, you may have heard about a few other pieces of litigation that we recently filed. In June, we filed a lawsuit contending that several provisions of Georgia's Senate bill 202 were adopted with the purpose of denying or abridging the right to vote on account of race. Our lawsuit alleges that the cumulative and discriminatory effect of these laws, particularly on Black voters, was known to lawmakers, and that lawmakers adopted the law in spite of this. In November, we filed a lawsuit challenging Texas Senate bill 1, which we allege improperly restricts what assistance voters who have a disability, or are unable to read or write, can receive. Our lawsuit also contends that Senate bill 1 violates federal law by authorizing the rejection of mail ballots and mail ballot request forms because of certain paperwork errors or omissions that are not material to establishing a voter's eligibility to cast a ballot. And just last week, we filed suit against the state of Texas, alleging that its new redistricting plans for both Congress and the state House violate the Voting Rights Act by impermissibly diluting the voting strength of Latino and Black voters. We will continue monitoring redistricting efforts across the country, to ensure compliance with the Voting Rights Act. But today, I want to focus on another aspect of our work: language access at the ballot box. The department works to promote language access in a number of areas, including access to the courts, access to law enforcement services, and more. And our work to assure that eligible voters can cast a vote, regardless of the language they speak, is of central importance. I understand that this is an area of special focus for this convening. Federal law recognizes that many American citizens have a primary language other than English, and recognizes that they may require information in their primary language, in order to be informed voters and participate effectively in our representative democracy. Section 203 of the Voting Rights Act, which is a law that the department enforces, is a key mechanism to ensure that voters who have only limited-English proficiency are able to participate in the electoral process. Section 203 was added to the Voting Rights Act in 1975 because Congress found that various practices had excluded language minorities from participation in the electoral process. Section 203 provides that in communities with large numbers of people with limited-English proficiency, materials and information relating to the electoral process must be provided in the language of the applicable minority group, as well as in English. States, counties, and in some instances, cities, may be covered by Section 203. Communities will be covered where there are more than 10,000 voting-age citizens, or more than 5% of the total voting-age citizens in the area are members of a language minority group who have limited-English proficiency, and where the proportion of the

voting-age citizens in that minority language group with less than a 5th-grade educational level is higher than the national average. The statute also sets out a formula for determining when a jurisdiction is required to provide language assistance to Native American voters. Section 203 specifically focuses on language minority communities that have suffered a history of exclusion from our political process: Spanish speakers, Native Americans, Asian Americans, and Alaskan Natives in particular. Within those language groups, the Census Bureau further identifies specific subgroups, such as Vietnamese or Navajo, depending on the community. A jurisdiction may be covered for more than one language, depending on its population. When a jurisdiction is covered under Section 203, it needs to determine what languages or dialects are most used within the jurisdiction, and will be most effective in reaching the protected voters. For example, a few counties are currently covered to serve the Asian Indian community, and that community speaks several languages. Those jurisdictions should determine the most common dialect or language spoken in their counties by that community, and must provide written materials in that language, and in any other languages that may be covered within that jurisdiction. Those communities also should provide bilingual poll workers that serve multiple languages within that community. If a state, county, or city is found to be covered by Section 203 for a specific language group, it must provide materials and information about the electoral process, in the language of the minority group. This includes, but is not limited to things like ballots, voter registration forms, polling place notifications, instructions on how to vote by mail, as well as information provided at the polling site, and inside the voting booth, and more. Any information or assistance that would be offered to voters in English must also be available in the required language or languages. Bilingual poll workers must be available to provide assistance. Most Native American languages historically are unwritten, so in jurisdictions with a significant Native American or Alaskan Native population, that information must be transmitted orally. It is important that bilingual poll workers be able to assist the voter in the voting booth, if needed for the voter to effectively cast their ballot for their choice of candidates. There are multiple points when voting assistance may be required. In addition to assistance in the voting booth, there are a few common problems for which poll workers should be prepared. First, poll workers may not be able to find the voter's name on the registration list because of a misspelling or because of confusion, if a voter has two surnames. Bilingual poll workers can help resolve the problem because they can communicate to the voter in a language that the voter is most comfortable with. Second, a would-be voter may not be on the registration list. In that case, the bilingual poll worker can explain the situation and provide instruction in a language that the limited-English proficient voter can better understand. And third, voters may need help in understanding how the voting machine works. Under Section 203, a successful program should be tailored to the needs of the local language minority community after close and ongoing consultation with that community. Even within the same county, what works best to reach one language minority community may not work as well to reach others in a different community. But there are some common elements to successful programs, including ongoing consultation with the language minority community, procedures to ensure accurate translations, publicity on minority language media, procedures to recruit and train bilingual poll workers, including testing for their fluency, ensuring that these workers are assigned to the right locations where they are most likely to be needed, having backup procedures in case poll workers do not show up on Election Day, training all poll workers on the rights of language minority voters, procedures for updating the language program based on population shifts or other new information, procedures for oral translation and assistance, and effective record keeping. Finally, another provision of the Voting Rights Act, Section 4e, protects voters who were educated in Spanish in Puerto Rico, by prohibiting jurisdictions from conditioning their right to vote on their English language ability. Communities with significant Puerto Rican populations also have obligations to ensure that limited-

English proficient Puerto Rican voters have materials translated into Spanish and bilingual poll workers available to assist them. This conversation today is especially timely. The Census Bureau releases a new list of jurisdictions that are required to provide language assistance pursuant to Section 203, every five years. And the newest determinations were just released last week, on December 8th. There has been steady growth in language coverage. Under the new census data, more than 330 individual jurisdictions and three states, California, Texas, and Florida, are covered under Section 203. Of those, about 90 are newly-covered jurisdictions, including a number of cities and towns. In addition, 12 jurisdictions that had previously been covered, including Dallas, Philadelphia, and Seattle are now covered for an additional language. The Civil Rights Division regularly communicates with jurisdictions about their obligations under Section 203, and we also monitor elections throughout the country, to ensure compliance with federal law, including the language minority provisions. The Civil Rights Division also brings civil legal actions to remedy violations of the language minority provisions of the Voting Rights Act. In the past 20 years, the division has brought 35 such cases under the minority language provisions of the Voting Rights Act, including Section 203. Right now, the Justice Department is reaching out to cover jurisdictions, to discuss their responsibilities. And we want to continue that outreach in 2022, particularly to those areas that are newly covered, or that have added a new language. If you have questions on fulfilling these requirements, we stand ready to assist. And I encourage you to visit our website, which has additional information about our federal voting rights laws, or to reach out to our voting section if you have questions. We can be reached through the Civil Rights Division's internet reporting portal at civilrights.justice.gov. Or, you can call us at 800-253-3931. We want jurisdictions to effectively serve their voters and encourage you to reach out if you need support. Voting is a cornerstone of our democracy, and the United States is a diverse country with citizens who speak numerous languages. All eligible voters deserve access to the ballot, and language should not stand as a barrier to participation in our democracy. Language access, including the access provided pursuant to Section 2 of the Voting Rights Act, opens doors to voters who do not have proficiency in English. And this is critical to ensuring a healthy democracy in which all communities can have a voice and cast a meaningful ballot. As Billy McCann, an Alaska Native Elder and plaintiff in successful litigation to enhance language assistance for Yupik-speaking voters, stated, "I have said all along that all we wanted "was to be able to understand what we are voting for. "Now that will happen." Our work ensuring that jurisdictions comply with Section 203 can help our country to fully realize one of the key tenets of our democracy: that we have a government truly elected by the people. Thank you for this opportunity to speak with you today, and thank you for the important work that you are leading on the ground in your communities.

- [Tammy] Thank you again for your time today, we certainly appreciate it. If we could advance the slide to our next video... I wanna give a brief introduction to this video. I was thrilled to be able to meet a newly-elected Pima County Recorder, Gabriella Cazares-Kelly, recently. And we had a long conversation around the very notion and the very question I just posed to the assistant attorney general, and that was about assisting voters. And so, I wanted her to specifically submit some video comments today for us to share with you her perspective, and really her origination story on how she got involved in running for office and taking on the role of an election administrator in her county, because I think it's an important facet to consider when we think about who our local election officials are, or our state election officials, for that matter, the types of assistance that they provide, and this also, I think, is a good dovetail to what the assistant attorney general just mentioned around voter registration, and the way in which individuals' names appear on our voter rolls, and some of the additional challenges that they may face. And

sometimes, as County Recorder Cazares-Kelly will tell us, it falls down to how we ask the question. So with that, Freddie, let's go ahead and, as they say, roll the tape.

- Hi, my name is Gabriella Cazares-Kelly. I'm from the communities of Pisinemo and Kupk, which are located on the Tohono O'odham Nation, which is right here in beautiful Pima County of Southern Arizona. I am the Pima County recorder. I was elected into office in 2020, and made history as the first Native American to hold an elected countywide seat in this county, and the third Native American to hold an elected countywide seat anywhere within the state. My journey to this office has been really interesting. It actually started after I was asked to host a voter registration table at the tribal community college where I worked. The tribal community college was a public institution, and so, although we had a lot of Native American students, people who had lived within the county all their lives, we also had a pretty significant population of non-Native students from all over the state and all over the country. And so, I really didn't think it would take a lot to register all those students. It was a really small campus, and we knew every single student on campus, and we thought it would take us only two afternoons to get everybody registered. Right away, we started understanding that we were running into language issues. And that's not with the Tohono O'odham language, which is the language that is spoken in that area, but it was actually with the English language. And it started with the question, "Are you registered to vote?" That question was confusing because Native American students who are part of a federally-recognized tribe, who participate in their tribal elections where they elect their tribal leadership, which is different from local, state, and federal, were unsure of whether or not they were eligible to vote. And so, they were asking a lot of questions about the different processes, and I had to change the way that I was talking about it, and say, "I'm not registering people for tribal elections, "that's done with your tribe. "This is for local, state, and federal." And so, those conversations were a tiny bit different. The other issue that we often encountered was students who didn't have a physical address, who used a PO box, often, of course, had a place name where they lived, but they lived in communities that had place names like Schuk Toak, or Chukut Kuk, or Hickiwan, or Topawa. And some of those students had questions that really, only the Pima County Recorder's Office could answer. And so, at first, I was encouraging folks to contact the Pima County Recorder's Office, and I could see, I could literally see the look of frustration from those students, because they already knew that they were going to have to call somewhere an hour away and speak to a non-Native person, and a person who was probably unfamiliar with our community. And they would have to present them with a place name where they had to use a different language. And so, right away, we were noticing that students were really reluctant to call. And when I did call, 'cause I would call on their behalf, oftentimes I would be transferred a couple of times to the one or two people in the office who was familiar with those place names. And so, it was really discouraging. And so, one of the things that I have done since I've been in office is to reach out to those communities and to share information about how to get in contact with the right person within this office, but also have created a presentation to share with my staff, so that they're more familiar and are able to pronounce some of these place names where students or where voters are sending voter registration forms, so that it's easier for them to place them in the correct precinct. One cool thing that was here before I came on board: I really love these little stickers. This says, "Ani ant hechu wodalt," and what it means is, "I voted early in Pima County." And there's "Vote temprano," of course. And these types of small gestures to the community shows that we want the community to be involved. Recently, we developed this poster. It says, "Vota," "Vote," "E-wodalt," incorporating three of the languages that are spoken in this area: the Tohono O'odham language, which is the traditional language of the land we're standing on, "Vote," which is English, and "Vota," which is in Spanish. And this really just shows our community that we're interested in the different people who speak

these languages, and that it's important to them. And so, I'm sure I have a million other things to say about language and language access, but really, it's about making things more understandable, easier to understand, more accessible to everyday people, and helping people, and encouraging them to participate in our most fundamental rights as citizens. And I thank you for allowing me to share a little bit of my thoughts, and we'll see you soon. Dom nei.

- Wonderful. So let's go ahead and, Lenny, if you can, there we go. One of the things I wanted to jump in here quickly as we're about a little more than halfway through the summit, is to raise a couple of things that I think are coming out of the conversation today, and position what we're gonna be doing tomorrow as well with some of the content. So as we've learned, and as we've heard from both the census, and then from DOJ and others, there's a federal construct here on what it means to provide language assistance and assistance to voters. There's also this personal aspect and very tangible way in which this access and the materials that are being used and being provided, impact of voters, welcome feeling at the polling place or in the process, in addition to providing them with the information that they need in order to effectively participate. So one of the things that I thought of when we first created our language assistance program that I mentioned a minute ago with Attorney General Clarke, in Maricopa County, back in about 2004, was where to start, right? So, she mentioned that there are 90 new jurisdictions. If those 90 new jurisdictions are watching or are going to be watching the recorded version, it's gonna seem like this huge task that you need to undertake, but I think there was a really nice segue of where to start. And the first thing that you need to do is, as she mentioned, understand the dialects that, in fact, you're providing the information in, so that the work that you're doing, the information that you're providing, will be the information that the voters need and can use. We also know that, what are the materials? It's basically everything. It's all of the materials that you translate or that you provide to voters, so that they can effectively participate in English, needs to also be effectively provided in your covered language, and also, knowing the proper channel. So there are going to be some of you who are newly covered, perhaps in an unwritten language. Or, when you start talking to members of the community, you'll find out that, in fact, there's a literacy challenge in addition to the limited-English proficiency challenge. So the way in which assistance is provided is tailored to those who need the assistance, and that's one of the things that we're gonna dive into tomorrow. I'm gonna give a teaser here for tomorrow's sessions because tomorrow we're gonna focus on the election administration side of all of this. We're gonna talk about that in a minute as well, on the voting channels and the way in which, with the next session, the way in which we translate materials. How we provide that assistance can vary depending on the type of voting method that's going to be used. But tomorrow, we're gonna dive into some of those other things that Attorney General Clarke mentioned along the lines of, how do you make sure that the translations are accurate and correct. How do you think about training poll workers to provide unbiased assistance? So one of the things that we'll be doing tomorrow, the videos that we're highlighting will actually be videos in language. I think we have seven or eight different languages that the videos will be in. And you will see election officials, poll workers from all across the country, from Alaska to Rhode Island, and everywhere in between, providing assistance to voters, both through recordings that are used on ballot-marking devices in Los Angeles County, by telephone in Yupik to translate the ballot content for a voter. And what I really wanted to do tomorrow is to have you hear the languages being spoken in providing our voters assistance, and also know that one of the things that is important when we talk about providing assistance is making sure that there is an unbiased assistance that's being provided, and that's something that we can train, too. And it's something you need to be cognizant of. I know one of the things we did in bilingual training class is my bilingual coordinator, Leticia Castro would read the propositions to the poll workers, so that she knew,

one, or that they knew what was on the ballot, 'cause sometimes, as Lindsay mentioned earlier, Ms. Daniels mentioned, it's sometimes difficult to understand the legalese of the ballot. And so, that's one of the things that we're gonna dive into tomorrow. But you need to hear it because when we're providing assistance, we want to make sure that when we're reading candidates' names, that we're not having some unintended influence on the voter by just the way we say a candidate, because it might be someone that you're passionate about. Whether you passionately like them or you passionately dislike them, we can't have that come across in the way in which we assist our voters. So that's some of the things that we're going to be discussing tomorrow. I also liked the way in which Attorney General Clarke summarized everything in how to think about the procedures that you lay forth in a program, and really formalize it in a way that works through with the community. So tomorrow, we have a session on collaborative partnerships, what tasks should you tackle, how should you go about forming these. And we're going to hear from Commissioner Chris Piper from Virginia, who has a case study on their elections this year. And so, these are the sort of things that we're gonna dive into tomorrow. So we hope that, for those of you who have joined us today, that you can come back tomorrow as well, and for those of you who are just here for today, that you can watch tomorrow as a recording. So as of right now, I'm getting ready, I think we are waiting for one more of our session three panelists, but what we might do is go ahead and we might get started just a couple of minutes early if that's all right with folks. Let me do a quick time check here. Okay, excellent. So I've got our discussant. Let's go ahead, and I'm gonna start with the introductions, and we'll see if everyone is here by the time the bells toll, as they say. So if you could advance the slide to the next one, I'm gonna go and stop my video and do the introductions, and see where we go from here. Just one moment, okay. So the next session, I'm pleased that the discussant is going to be Nia Jones with the Democracy Fund. She's the elections team program assistant. You've got a mouthful there, my dear. She's going to be joined by three panelists. First is, if we could advance the slide, the next person is going to be Angela Willeford. And Angela and I worked together when I was in Maricopa County. She's with the Salt River Pima-Maricopa Indian Community. She serves as the intergovernmental relations project manager. And again, we will have all of these full bios showing all of the amazing work all of our panelists have been doing, that'll be posted online. Our next panelist will be, if we could advance the slide, there's Angela! It's going to be Adria Orr. And Adria's with the Asian Americans Advancing Justice, the Asian Law Caucus, she's the senior program coordinator, Voting Rights Census. So she's got a lot on her plate as well. Thank you so much for joining us today. And then, last, but most definitely not least, is Andy Kang. Many of you will remember Andy from all of his years of work and diligence in the Chicago County area, and he's now with Pennsylvanian Immigration and Citizenship Coalition, he's the executive director there. So welcome all of you. Thank you so much for joining us today. And we're gonna kick off the session on voting methods and the various challenges that each of them have.

- Thank you, Tammy for that great introduction. As Tammy was just saying, we're gonna talk about just how to vote in day-to-day for people. And so, I want to start with Angela, and she's gonna just talk about some of the remote voting options. So go ahead and take it away, Angela. If we could pause one second, I think you're muted.

- Yes, I'm muted.

- Perfect.

- And let me turn my phone off. Good afternoon. Thank you for giving me this opportunity to address and talk about what products, not products, what we have out there for remote... Sorry, my brain is so... Can you ask the question?

- No worries, it is pandemic life, got you. So some of the questions we were just gonna ask is what are the particular challenges with this method of voting and ensuring voters get the assistance they need, as well as what are some examples of how this has been overcome, what are challenges you've seen in the field, and also, what are resources that you think people in this Zoom Room could benefit from, from your experience?

- Okay. Definitely. Sorry, I was on redistricting, and now I'm going to voting, so...

- [Angela] Awesome.

- Well, one thing, in Arizona, there's 22 tribes. And I think that's something that people need to be mindful of. 22 tribes means 22 different languages. And even for the Salt River Pima-Maricopa Indian Community, we're comprised of two tribes and two different languages. And so, some of the challenges that we have, after 2006, after the Voting Rights Act was reauthorized, in 2016, almost all tribes lost the language protection coverage. And so, what we've been doing is we've been working with the Indian Legal Program, who's been a rockstar for our group, to see what we can do to have some of those languages reintroduced to get protected. What else have we done? You know, we've been working with so many different groups. Sorry, and I'm not feeling well, so my brain is not there, so... That's all we've been doing. Sorry.

- Cool. Thank you. So we're gonna head to our next individual, to Adria, and she's gonna talk about early voting, and vote centers, and some of her experiences of what she's seen. So take it away, Adria.

- Yeah, thanks so much, Angela. I totally feel you, I've been in redistricting mode, and sometimes turning on election brain, the date is obviously incorrect on the slides, so clearly just switching between modes, definitely feel you. Thank you all so much for having me. Just to give a little background about some of the observations I'm gonna share, I'm gonna speak about some of the challenges that we've seen with making sure that voters who have language needs get the assistance they need at early voting locations and vote centers, I'm gonna talk about some of the solutions and strategies that we've seen. And so, I wanted to provide a little context for the work and some of the observations we're gonna talk about. So part of my role at Asian Law Caucus is that I run our poll monitoring program. We're at 13 different counties in the Bay area, Sacramento Valley, Northern Central Valley, and really focusing on those areas that do have the most limited-English proficient voters. And we train our volunteers to check for state and federal-level language requirements, among other voting accessibility issues. And in addition to that, we also work with elections offices, and try to attend some poll monitor trainings, and do some advocacy on the implementation side of things, also that way. So in the past election in November 2020, we saw almost all the counties that we worked in actually did early voting, and also had, if not vote centers, then vote center-style voting locations, and that was because, of course, of the pandemic, there was some emergency legislation that allowed some changes in the way that people administered elections. So we can go to the next slide. Yeah, so one of the challenges that I really wanted to mention is that we know that outreach to voters is something that's really critical anytime that you're changing something that's going on. So if

we're switching to implementing vote centers or adding early voting, that's gonna be really crucial. And we know that within that, limited-English proficient voters are often especially hard to reach. And one element of the challenge here is that the outreach really needs to make sure that that outreach is language-inclusive. So one thing that we've seen is we have counties that will send out a bunch of mailers or put a bunch of ads, and it's not always in other languages, it might only be in English, talking about some of the changes. And that's something that leaves folks out. I think another challenge when it comes to the outreach, oh, sorry, just still on the first bullet, is that election offices are often not really well-equipped to do community outreach effectively, both in terms of resources and experience that they have on their staff. And we know that the best outcomes are going to be achieved when there are these ongoing sustained relationships with community groups, but that can require a really significant shift in priorities from how election offices have been run in the past. And so, that's something that can be really challenging as well. And to give a quick example, during the pandemic in the November 2020 election, California passed this emergency legislation to change all the voting options that folks had. And this was actually accompanied by really robust voter outreach campaigns in all of the counties across the state run by the secretary of state. And afterwards, the Center for Inclusive Democracy did a survey of eligible voters, to see whether folks knew that options had changed, their voting options had changed. And what they found was that only about 1/3 of eligible voters knew that their options had changed. And within that, we found that older eligible voters, Latinx eligible voters, and Asian American eligible voters had the lowest awareness that the voting models had changed. And so what that shows us is even when there's resources and attention being put on some of these shifts, that there's still a real risk that you can leave folks out. So we need to make sure we're paying a lot of attention to that. Next bullet, please. So yeah, I think within the vote center model, one of the things that can be hard is actually targeting language assistance. So it's no longer a given, necessarily, that limited-English proficient voters will be voting close to home if they can go anywhere in the county to vote, right? So things like thinking about bilingual poll worker placement can be really challenging, 'cause you wanna make sure that the approach for placing bilingual poll workers, to the extent that you can, correlates with where the voters who need language access are actually gonna vote. I think, similarly, it can also be really hard to recruit bilingual poll workers to work more days, and so you can end up having challenges with having consistent support and bilingual poll workers at those locations. There can also be challenges with existing policies designed with precinct-based voting in mind. That's something that we've seen where the messaging starts to get a little confusing about what's available at vote centers versus what's available at specific, when it's precinct-based voting at a more traditional polling place model. And then, we also wanna make sure that when we're deciding where the vote centers and the early voting locations might be, that there is intention and care used to place those locations, to avoid creating inequities in access to those services. Next bullet, please. Yeah, and then the last challenge that I just wanted to mention is that it's just the space of it, right? So oftentimes, vote centers are just larger than traditional polling places. And while you might have more poll workers, so you might potentially have more bilingual poll workers available, it can also be harder to make sure that the flow of the space is set up in such a way that translated materials are clearly displayed, are really accessible to voters, that bilingual poll workers, it's easy and obvious how you can find them. And the other thing that we've seen is that there can also be differing levels in consistency. So if some counties are really good about and prescriptive in their setup and training, you can have really good consistency across the voting locations. But if it's not so good, then you can have a lot of inconsistency, and so that can be really challenging just to manage the space and how people are seeing that language assistance. Next slide, please. Yeah, so talking about some of the solutions and strategies that we've used, I think the first thing is that, definitely, really building strong community partnerships, as I mentioned, and also, thinking

about how to build the outreach capacity within elections offices. So we know that community partnerships are especially important for those communities of color and limited-English proficient communities, that election offices really benefit from working with folks who are trusted messengers within these communities, and the folks at those organizations are often able to provide the expertise that the elections folks don't necessarily have in-house. I think a big part of that is also creating formal coalition and collaboration spaces where community advocates and election officials can collaborate. So in California, we are a part of a great network, The Future of California Elections, where elections officials across the state and community advocates across the state come together and really brainstorm, and try to work together and problem-solve, and think about how to take on different issues that are encountered by voters who need more assistance or who are harder to access. And then, we've also seen a lot of success in various counties with things like language accessibility, advisory committees, voter engagement and outreach advisory committees, so these spaces where you're really creating a formal channel for community members, community leaders, community advocates to interact directly with election officials and give them direct feedback, do brainstorming, do problem-solving. And then, additionally, it shouldn't all rest on community partners, right? So we wanna see election officials, election offices hiring more folks, outreach workers who actually belong to the communities that they're trying to reach, especially bilingual workers, because having that capacity and language ability in-house really is invaluable. Next bullet, please. Yeah, then I think one of the real benefits with the vote center model, actually is that with the vote centers being open more days and poll workers being asked to take on a wider variety of tasks, we do really typically see a lot more robust training, and that provides a lot more opportunity for language access content, things around cultural sensitivity, as well as covering all of the different resources and needs of voters to be covered in a more meaningful way in that training. And so, the poll workers who are on site, actually can often be more helpful to voters who need assistance. And the additional days of operation can give them more of a chance to become acquainted with the different materials and the resources that are available to them. And then, the last point that I just want to talk about in terms of some strategies or solutions, is that the vote center setup often allows counties to incorporate more supplemental resources into what's available. So, for example, having connectivity and fewer locations means that we've seen more counties use things like having iPads on site with a contracted interpretation service, so that voters who need help, if there's not a bilingual poll worker on site, can also video chat with an interpreter and actually provide even more than just the covered languages to be available through services like that. Or, the good, old-fashioned volunteer method. So some counties will use supplemental folks as greeters who have bilingual ability, but maybe they're not able to commit to a full poll worker shift. Still helpful to have folks like that on site at the vote centers, helping folks navigate, and covering the more days that they're in operation. And then, lastly, with the setup, just acknowledging that there may be a variety in the spaces that vote centers are in. Some of the counties we worked with have had a lot of success with just making sure that there are language tables at every vote center, that have all the language materials and all the resources there, and so, thinking about how we can create that kind of consistency and clarity in accessing resources at vote centers. So yeah, I think I probably blew through all the time that was allocated to me. I'm sorry if I went over. There's some resources available on the next page. There's some great research out there that gets into different outreach methods and stuff that I talked about. If anyone wants to chat more, please feel free to reach out. And yeah, thanks for having me.

- Thank you definitely for coming, and I definitely learned some things. And it was just really interesting hearing you talk about how you can build better community relationships by, again, having that language access there being staffed by people from your community. So, again, thank you so much, Adria, for that.

And so, our last panelist is gonna be Andy, and he's gonna talk about Election Day language access. So take it away, Andy.

- Yeah, and I appreciate it, Adria, for the PowerPoint deck. Seeing the little flame and all that makes me feel nostalgic for my old PowerPoint templates. So just to build off of what has already been said, I don't think this will be a huge departure from this conversation, what we've had up to this point. I will say this: My comments are mostly geared towards jurisdictions that are experiencing a new language, or perhaps you have a new administration with new staff that came in, and maybe they lost some of the institutional knowledge that they previously had around language assistance. Or, you're a new community group for the practitioner folks on the community side, and this is your first go-around with a new language being added either voluntarily or because of the census, the determinations that just came out. For example, here in Philadelphia, Philadelphia County just added a Chinese language group for the county. So that's very exciting. I am gonna give a shout-out to Al-Sharif Nassef from All Voting is Local, who has been leading the campaign for expanded language assistance here in Philadelphia, hosted by a leadership conference. I apologize for missing our previous few calls. I will make it up to you with coffee and tea next week, or donuts, you name your price. But I am sorry for that. But the number-one issue that we oftentimes see is this is a new thing for polling places on Election Day, right? So what that can mean to Adria's flagging this as an issue, is sometimes the poll workers themselves, we all know that the trainings are long, sometimes they miss that note about displaying new translated materials. And you know how the ballot is laid out, these could be separate hard copies, right? They could have been added to the touchscreens, and even experienced longtime poll workers may not be aware that that new language is on there, and we all know they have a very early morning, that we shouldn't always expect that that's gonna be fresh in their mind as they set up their polling places. Sometimes those translated materials do not get put on display, either because of inexperience with language assistance, or they don't know they're there. We did see this at some polling places when we first had some new languages, Asian Indian being added to Cooke County. Didn't happen everywhere, but there were well-meaning and well-intentioned poll workers, they saw the envelope, but they didn't realize that those things had to be put on display. And so, something to note for those that are poll watching or exit polling, just asking, "Hey, did you know that this location "had these ballots available?" If they said, "No, I didn't know that," or you're actually able to, in your jurisdiction, be in the polling place and observe, a simple, innocent question about whether the materials are there, if you don't see them. 'Cause if you don't see them, it's very likely the voters are not gonna see them, right? So that's something on both ends. We know sometimes things slip through on Election Day can be resolved, especially if you have a morning wave of QC'ing, either on the administration side with your own investigators going around, or if you're working with a community group that has poll watchers and they're able to flag this for you. Building off of that, adequate interpreters or bilingual, or sometimes multilingual poll workers, which are fantastic, we know that it is hard to recruit, and oftentimes there is that partnership with the community to drive recruitment for a new language group in particular. Hopefully by the time you get to Election Day, there has already been a conversation about whether there's an adequate number pool of folks for Election Day, or if you know you're gonna fall short. Now, one of the things we have seen, especially with new poll workers or new election judges that are recruited, there are no shut-offs, okay? I'm gonna just say that, in this safe space, that we know sometimes poll workers are like, "What am I doing waking up this early?" And you have people call in sick, people who, a lot of things happen, right? These aren't necessarily folks that have been longtime poll workers, and so that muscle's not necessarily there. Having a plan for that, being able to communicate both between the community groups that may have poll watchers, or a reserved pool of

student volunteers, you name it, it won't be a perfect solution, but having some kind of emergency plan should that occur. Ideally, again, there is a reserve pool of folks that you can poll from, but we know that that's not always possible. Third is polling place buy-in and know-how. And this is just, I know this sounds very fundamental, but sometimes folks get very set in their ways about, they've been a poll worker at a polling place for 15, 20 years, they know what they're doing, they don't need a young whippersnapper like me coming in as a poll watcher, and asking them how they're doing and whether they have a plan about how that bilingual poll worker can be best utilized, right? How can they be freed up in their role to provide assistance when needed? Some places we've observed over the years, folks are set in a role and its run as a very tight team. But that then limits the flexibility of the person with the language ability to do the other role that they need, which is if a voter requests assistance, can they step away from whatever role they've been assigned and provide that assistance, and will the team buy into everyone shifting, and making that possible, right? That is sometimes a very short conversation that takes maybe three to five minutes before things get really busy, but when you don't have that among the poll workers, we all know that when the rush comes, it can be quite stressful, right? And that's when, unfortunately, you may end up with voters that aren't getting the help they need, and that can just make things worse and even more hectic, so encouraging folks to talk about how they're gonna do this, have a plan, and again, allowing flexibility for them to do that, but just making sure that they have a plan about how they're gonna do it. And then, lastly, sorry, I lied. I added a fifth one, unfortunately, given the timeframe. So number four is troubleshooting communication plan. And this is something, more specifically to folks in the administration side, but also on the community side, is do you have a clear channel of communication of how you're gonna communicate really pressing, urgent, serious problems. Yes, we know there will be a followup conversation of how things went, and oftentimes, this happens in the advisory group setting, people giving feedback. Depending on your poll watching operation, you may collect data, right? Sharing that data after it's been compiled and analyzed can be a really healthy conversation. On the day of, when there's something that's fairly significant, do folks know how they're gonna talk to each other? Is it clear what the administration needs as far as information: the where, the when, the who, those pieces of facts that they will really need for them to be able to act decisively on a particular problem. I should give a plug, since I know many of you are aware, but for folks that are new to this, the Lawyers' Committee runs a hotline. You may have a localized hotline through your local chapter of the Lawyers' Committee, or you may have one that feeds into the national. That's okay, too, because you want to make sure that information is captured, potentially in multiple places, so that nothing is lost the day after election. I don't know about you, but my mind is pretty blank, and so I think it's really the freshest recollection, getting that on record with either the hotline or, if you do have a data collection issue spotting collection system, internally keeping that, and then sharing that with the appropriate people. And then, lastly, just to close, this is something we saw a little bit here and there over the years during my time at Advancing Justice Chicago. Unfortunately, I think the feedback I've heard after debrief notes on some poll workers, and election administration folks here in Pennsylvania sharing their experience over the last year, we anticipate that political intimidation, folks acting unruly, may be making things tense and inviting conflict in polling places is likely something we know is going to rear its ugly head, depending on where you are. But in particular, with limited-English voters, especially if it's something new, we want to make sure that there are conversations about how can we best equip our poll workers to foster a safe environment where people feel like they can vote, they can vote in dignity without being harassed. What are those red lines that your poll workers are clear, like, "Okay, this is a real major problem, "I have definitive authority here to take action "and ask someone to leave?" You don't wanna leave your poll workers in a situation where they're not sure what their authority, they're not 100% sure, "What are those examples "that that clearly

crosses a line, "and I can take action?" I pray that nobody has this problem, but we know this is gonna happen, and so I raise it because, in particular, if other voters, depending on whatever their politics are, are hostile to the idea of non-English speakers voting, and they're in a space that that is occurring, and they see the assistance being provided, it can be fairly disruptive if they start voicing their opinion on that issue, right? And so, those are the big fundamental ones that we have historically seen as issues. Again, hopefully much of this can be, as much as possible, have contingency plans put in place 30 days, even further out from Election Day. But I think all of these if you gotta plan at least to work off of with each one of these, there will be other issues, I'm sure, that will pop up, but these are the big ones, and hopefully this has been helpful.

- Andy, I think what I've learned the most from this and both working with Tammy for years, is plan everything. Plans are powerful and they can save so much work. So I want to thank all three of you guys for just being here and talking us through some of these content. We have a few minutes for questions, so I want to start off with you, Angela. Could you talk about the impact of vote by mail in your community, the Indian country in Arizona, and some of the bad impacts you've seen, the good impacts, and what are the daily challenges you're dealing with when dealing with individuals who are just trying to vote by mail?

- Definitely. So thank you for giving me the opportunity to keep speaking and talk about, so vote by mail, we have issues such as we have non-standard addresses in Indian country. And a long time ago, I was told right when I started helping with voting was that Native people don't vote by mail. Well, data shows that they are voting by mail now. I mean, tribes have a unique situation where they live in rural areas with no addresses. And in Arizona, just recently with this past legislation, there was 31 new voting provisions signed into law. So that's something that we're dealing with: constantly monitoring. In the end, we're talking about rural communities that don't have individuals that can advocate for them on different levels, so we appreciate you guys going at that for our tribal communities, smaller communities. Another thing is, that came up in Indian country, was ballot harvesting. So one thing Tammy did teach us is to plan. And so, we're like, let's plan if individuals are receiving their ballot by mail, then we'll have a family member go and take their ballot and drop it off. Well, that became troublesome, and now individuals are not able to do that. And then another thing is individuals are, there's urban, and tribal, and metro communities. So urban communities, again, like I said, they're in rural areas, and there are smaller communities. I mean, we have a tribe in Arizona that is at the bottom of the Grand Canyon. The only way to get there is by a horse, or, I think... It's a long trench. So those are issues that we're dealing with. One of the other things is voter protection. One thing that I forgot to mention is that our current secretary of state did implement the language protection in her new voting manual. So I wanted to put that in there because I think I was shocked when I first came on earlier. But Arizona, I'm sure if anyone across the state or across the nation that sees Arizona, there's some craziness going on, so having some individuals advocating for us is very important. So I hope that answers your question need.

- Yes, you did, definitely answered my question. And so, it looks like we have still three to four more minutes left, so I was just wondering if there's any last words of wisdom, or resources, or hope for people as it is about to be 2022, which shocks me, and that's another election coming up. But just any wise words of wisdom, resources, any last thoughts, and you can share with everyone?

- Young poll workers.

- I would definitely second that. That's actually, if you're thinking about vote centers, there's increasing, and just, even not voter centers, just increasingly more technology that is involved with voting, and having folks that feel really comfortable with that, I feel like is huge.

- Yeah, the only thing I would add is I know that sometimes we've experienced in the past when we're trying to recruit poll watchers or even bilingual poll workers for a partner administration that we're working with, it's been hard because younger people, to this point, wanna oftentimes get involved in partisan electoral activities, right? And I think we know we're competing for folks where their passions lie. I hope we can maybe make a case, I think our marketing recruiting plan is, especially now, more than ever, I think folks investing their time and their effort and volunteering to support our democracy, I hope the value and the importance of that is pretty clear to everyone, and especially younger folks and people that have the skillsets that we need in order to run our elections well and have voters have a smooth process where they're treated with dignity. So I'm inspired and hopeful that we can have a good surge in recruitment, and make sure that folks have the people they need to do this job. So I also just want to thank everyone here. I think the work that you all are doing is tremendous, and it is an honor to share a space with all of you.

- That's the perfect thing to end on, such a good, uplifting moment. And again, I hope everyone online has been able to learn a bunch of things. I have. Again, the importance of making sure that everyone has language access in all of these three different ways of voting, whether it's early, vote by mail, day of. And again, I will uplift the importance of the plan. I do believe that my team has already sent out the information about all these panelists, so you can hear more about them and their work. But again, I wanted to thank all of you guys. And I'll turn it over to Tammy now.

- [Tammy] Great, thank you all. Thanks again. Before we start the next video, which is another one that we received from the Election Assistance Commission, I want to just put a couple final notes on some of the things that we just heard in the last panel. I think what you'll see both today and tomorrow, is that many of the things we talk about transcend the method in which someone is voting or the jurisdiction that they are voting in. And what we really want to think about is, is it helpful to the voter to have that ballot content, and the translation, and the material for a longer period of time? And in some cases, that might mean remote voting or voting by mail, voting at home. It may mean receiving a sample ballot and having the available option of getting information online or through other channels before they go and vote in person, and having someone who can assist them, whether it's in-person at the polls, or as we'll see tomorrow, maybe having someone available with a telephone, or telephonic, or audio, or oral support if needed. So with that, I want to go ahead and get started on the next video from the United States Election Assistance Commission.

- I'm Ben Hovland with the US Election Assistance Commission. I appreciate the Democracy Fund's invitation to contribute to the Language Access and Voter Summit. This is a critical issue and one I'm excited to see the EAC engage on. You should have heard earlier from Commissioner Hicks and Kammi Foote about some of the work that we've been doing at the EAC, and some of the resources we have to support election officials and voters on language access issues. In this video, we want to tell you a little bit more about what the EAC will be working on going forward. And as a big part of that, I'm so proud to introduce you to one of our newest team members at the EAC, and the agency's first ever subject matter expert, primarily focused on language access, Rosangela Ortiz. Rosangela came to the EAC from the New

Mexico Secretary of State's Office, and again, we're excited about the work she'll be doing. And with that, Rosangela, I'll turn it over to you.

- Thank you, Commissioner Hovland. My name is Rosangela Ortiz, welcome. It's a pleasure to meet you virtually. As Commissioner Hovland mentioned, I am part of the EAC's Clearinghouse Department, which consists of five subject matter experts. And my role is focused on language requirements. Like accessibility, we want language access to permeate the culture of the agency and inform all of our products. Language access should no longer be a stand-alone or a silent component of the voting process. And in my time at the New Mexico Secretary of State, I often found myself wondering how other states address language challenges. And now, it is part of my job, along with a team of subject matter experts, to do the research, collect best practices, and produce resources to better assist election officials across the country. We at the EAC want to work with all stakeholders and be a resource to election officials to better serve their language community. Our Clearinghouse Department recently released a resource: "Voting Access for Native American Case Studies "and best practices." And that is the type of work we want to provide you: information that is practical, timely, and relevant in assisting new language communities. As part of the EAC's celebration of National Native American Heritage Fund, we released three translations of the mail voter registration form in Yupik, Navajo, and Apache languages. Now, it is available in 21 different languages. In addition, the Spanish Glossary of Election Terminologies was a document I frequently used, and we're happy and excited to share that we will also be releasing the glossary in Yupik, Navajo, and Apache languages in the coming weeks. At the EAC, we will continue to identify additional ways to assist election officials in serving their language minority communities. Given that the new Section 203 determinations will be in effect immediately, we want to give you a word of advice and know that election officials are not alone. Please reach out to your peers that have gone through the process, use existing interested resources. We at the EAC have a new service, a new position tasked with finding practical ways to be a resource, and we want to facilitate the sharing of resources. We want to help build relationships, battle misinformation, and assist everyone in participating effectively in the electoral process. Thank you for the wonderful work you do, and I look forward to connecting and working with each and every one of you.

- [Tammy] Well, you can see from the short videos that we have, that the Election Assistance Commission has a variety of materials that are available on their website. And I can't tell you how, and you can go to the next slide if you'd like, Lenny, how important the glossaries were. When I was conducting our bilingual training classes, we had both the EAC glossary of Spanish, and then we had our localized glossary of Spanish, and they weren't always the same. And that's part of what ties back to what Attorney General Clarke was saying, is that it's important to know what word is being used in your community, something as simple as ballot. In Arizona, we said "balota." In other jurisdictions in the EAC glossary, it has papeleta. Both are correct, and it just reinforces that the languages that are being used may be the same language but with different dialects, and different terms, and different phraseology. And that's not to say that any of them are incorrect, but it's important to know what your voters are saying, so that they understand what's necessary for them to participate in the franchise. I also wanted to say that there are other federal resources available. So one of the resources is lep.gov. And I chose this screenshot because it highlights the new voter registration forms that were mentioned, that the EAC has just recently provided. So it's great that those are available. With that, let's go ahead and start. I'll preview the next session, which is our final session of the day. I knew this was going to go quickly. So if we can go to the next slide, so I get the exact title correct. So the last session, we wanted to talk about pushing our practice to do more. What

exactly is that supposed to mean? What I mean by that is that we've learned what Section 203 requires, we learned about 4e, there's also 4f4 and some of these other parameters. But there are more and more states and jurisdictions that are seeing, as Mr. Whitehorne mentioned, James mentioned the jurisdiction that had 9,800 voters with limited-English proficient in one of the covered language categories, and they chose to go ahead and provide that service. Because we know that in the next five years, more than likely, or they're gonna have that 10,000, or they have the 10,000, it's just that the new American Community Survey didn't hit all of those houses in order to completely reflect the 10,000 threshold. So what we wanted to cover in this particular session is there are states like California, and now Colorado, that have decided that they're going to expand the interpretation of what it means to provide language assistance in a specific language, and what are going to be those triggers or those thresholds that need to be met. So I'm really excited to turn over this next session to my colleague. And let's go ahead, and we'll jump into the bios. We're running a minute or two early, but that's okay. I think we've got most of the panelists here. So our discussant for this session is gonna be Viviana Perez, who is the elections team senior program associate. She and I work very, very closely in the Voter-Centric Election Administration track of work. And she's going to be joined from three individuals who have worked very prominently in the Colorado legislation. So, first is going to be, I'm trying to remember who's next up in the slide deck. So if we can go ahead and advance it, I think, okay, it is Amanda. We're going to hear from Amanda Gonzalez, hi, Amanda, who was formerly with Common Cause Colorado, and is now the director of lawyer engagement at We the Action. We're also gonna be joined by Elena Nunez, who is with Common Cause, in the national office. She's the director of State Operations & Ballot Measure Strategies. So, welcome, Elena. And then, lastly, we're going to hear from John Magnino, who's with the Colorado Secretary of State's Office. He's the director of government and public affairs. So, welcome, everyone. I really look forward to hearing what has gone on in Colorado, and what we might learn from it nationally. So I'll turn it over to you, Viviana.

- Good afternoon, everyone. Thank you, Tammy. I should mention my name's Viviana Perez. I am so excited to be here today to talk about the Colorado Multilingual Ballot Access for Voters bill, and the impact it has on voters in Colorado, and its potential implications nationally. At Democracy Fund, we talk about Voter-Centric Election Administration, voter-centric policies for the citizens in our country, and we are excited about what is going on in Colorado and how it really puts citizens at the forefront of what's going on in our state and our country. So we'll drop the link to the bill in the chat at some point, so you can read it when you choose to. And I'll just do a really brief introduction of the bill, and then we'll dig into what the bill means, its implications, how it came about, with our three panelists. So in one sentence, which isn't gonna cover it all, the bill requires the secretary of state and county clerks and recorders of certain counties to provide multilingual ballot access. So I will kick off by asking Amanda and John, and we can have John go first, 'cause I see your picture there. What was the impetus behind the legislation, and can you review, specifically, what the legislation will do, its content, and specificities? Thank you.

- Yeah, absolutely. I'm John Magnino, here from the Colorado Secretary of State's Office, and just have to say that Secretary Griswold was thrilled to engage on this bill, and really thrilled with the enactment of the legislation this past year. It was a multi-year effort that preceded my time in the office, but has a really strong coalition and a strong cohort of sponsors as well. So before even launching into the impetus, I do have to give a shout-out to three incredible sponsors: Representative Yadira Caraveo, Senator Julie Gonzales, and Senator Dominick Moreno, who got this bill through the legislature over multiple years, and we have the bill that's in front of us currently. And so, the impetus for the legislation was really a

recognition that Colorado can do more to advance language access for voters that speak a language other than English primarily at home. There are five counties that were covered in the requirements from the Voting Rights Act, but recognizing that Colorado has a very strong Spanish-speaking population, and that there is more that we could do to really ensure that Colorado's ballot was accessible and that speakers of languages other than English could really command that ballot. I think it's also really important to provide as a backdrop in Colorado, just how strong a history of direct democracy that we have. Our ballot is consistently pretty long. As a Denver voter, I am often looking at two to three front-and-back ballot cards. And statewide issue questions are really a major policy driver in the state of Colorado, particularly that Colorado is a state that just about all of our major revenue decisions are made on the ballot because we are under the Taxpayer Bill of Rights. And so, really, the ability for voters to command and understand the sophisticated, complex ballot issues is really also critically important for really healthy democracy here. So what the bill does is, you have it on your screen, just in broad strokes, and then I'll kick it over to Amanda, is it really provides two major drivers of expanded access to ballot content. The first of that is it directs our office, here at the Secretary of State's Office, to administer a hotline to translate ballot content, and that's the language in the legislation, provides that for any language for which there are 2,000 or more speakers that are citizens over the age of 18 that speak English less than very well. And based on the most recent Section 203 determinations, those five languages that are accessible statewide to phone in are Spanish, Vietnamese, Mandarin, Cantonese, and Korean, and that is done through a three-party translation at our office, where that hotline will be staffed from the minute ballots drop, 22 days out. Important to also note, Colorado is a strong vote-by-mail state. In fact, 90% plus of voters choose to vote that mail ballot, about 75% of them choose to vote in-mail ballot by dropping it off in the drop box. And so, being able to provide expanded language access for voters across the state to call in and do a translation with a member of our staff reading the ballot content and having that translated by an accredited translation service for which we will be contracting centrally through our office. The other major component is a requirement for a number of counties throughout the state of Colorado to provide minority language sample ballots and in-person ballots as well. And what those requirements are is, it's either/or here, so if a county hits either of these thresholds, it's if they have 2.5% of their citizens 18 or older that speak English less than very well, or if they have 2,000 or more citizens total in that county, that they need to provide a ballot that's translated in that minority language. For this provision, it's all Spanish. We actually, just off the 203 data, last week, we made these determinations, and there are 20 counties that will need to comply with the requirements of this legislation. And if you wouldn't mind just going to the next slide really quick, I have included what those counties are, and then I'll kick it over to Amanda. I've been talking a lot here. But these are the 20 counties. It is an incredible expansion of access to the ballot for speakers of languages other than English at home. You're looking at these counties, it reflects the majority of the population of Colorado. You have large counties, as well as small counties pulled into this, because it's that 2.5% or 2,000 plus. So you have major counties, Denver, El Paso, Jefferson, as well as a number of smaller counties that will have requirements on their county clerks to translate that ballot. And I should note that that ballot will be posted online, and that's either a master ballot with all potential races, or can be provided by ballot-style with the different permutations of races that might appear, but it's also really important that if a voter goes into a voter service and polling center, that that ballot is available through a ballot-marking device or a print ballot. The counties can choose if it's a ballot-marking device or provided through a print ballot, but in either case, in these 20 counties, in Spanish, a voter can go in and expect to have a ballot-marking device or a print ballot to access their ballot. So that's kind of the impetus, that's what the legislation does. And, Amanda, I'll toss it over to you.

- Yeah, thanks so much for having me. It's great to speak on this. Talking about the genesis of this, it really was something that was, in some ways, both personal and for the greater good. Representative Caraveo, who really led on this bill, her first language was Spanish, her parents are native Spanish-speakers, and the that she represents has a lot of native Spanish-speakers. And when she was knocking doors, trying to get out the vote, she was having Spanish-speaking constituents who were eligible voters, coming to the door and saying, "Oh, yeah, I've got my ballot, "but this is really hard to read. "Can you help me fill it out?" She was like, "Nope." "I'm a candidate, I won't be doing that." But, as John mentioned, we already had a handful of counties in Colorado where voters could access a translated ballot. There are 64 counties, that left roughly 60 counties out, which meant we had over 80,000 eligible voters that, according to the census, spoke English less than very well, which means that if you were outside of that handful of counties, you were asking your neighbor to come over and help you navigate your ballot, or you were asking your cousin or your kiddo. And really, that's not the goal, right? You should be able to vote your ballot privately and independently, no matter what language you're strongest in. And so we're really excited to bring this bill forward. It did take us three years, and I'm happy to get into those reasons if it's useful, but it took us three years to finally get over that finish line. Initially, what the representative was interested in doing was wholesale lowering those 203 requirements, so looking at mailing multilingual ballots to every voter in certain counties. And, as John said, this expanded to about 20 counties. We really worked with the county clerks in Colorado, and heard loud and clear how expensive that was gonna be and how much opposition we were gonna face. And so, the resulting policy was really a compromise of how do we get voters the support they need to be able to independently vote those ballots, while understanding the constraints of everyday budgets. Right? I think we would all love to make ballots that were accessible in multiple languages even easier to get a hold of, but we felt like this gave voters a good opportunity to access the resources that they need.

- Wonderful, thank you. And then, I wanted to go to Elena and ask you, from where you stand, can you provide a perspective on how this plays out nationally, other states that have done similar work, or how you see this across the country?

- Great, thank you. And nice to see all of you today. You know, I really like the way that Amanda framed this issue, because I think when we talk about language access, it's important to remember why we're here. And it's easy to get bogged down by numbers and thresholds, but what we're talking about is making sure that everyone who's eligible to vote is able to participate and feel comfortable doing so. And what we saw in Colorado, we're seeing all over the country. Before I talk about that, though, I wanna actually go back ten years. So in 2011, when I was the director in Colorado, we were waiting for the determinations to come out for Section 203. And everyone, county, clerks, the secretary of state, advocates, expected that we'd see a huge jump, that we'd have probably 16 counties that would be covered under 203. And before that, we were at six. We thought it was really gonna increase pretty significantly. When it came out, we were shocked because it turned out only three counties were covered. And there are lots of reasons for that, which aren't really the point of why we're here today, but the fact that we knew from the work we were doing in communities that there were people who had language access needs, and that they weren't gonna get coverage under the federal Voting Rights Act, revealed that there was a gap and that there was a need to do more to make sure that everyone in our community was able to vote and feel comfortable. So, again, going back to how Amanda framed it, I think what we're seeing is several trends. There's the legislative path, which Colorado took, and that California, and California's not new, it's actually been updated, but that's going back decades to create state-level standards for when we have the requirement

for multilingual access in polling places. We're also, though, seeing that other states are really looking at how both individuals or community groups and election officials can work together to try to bridge the gap a little bit. And I think one of the really interesting examples comes out of Michigan this last cycle, where the secretary of state made a concerted effort to pull together the language access group, to help bridge the gap for counties where there wasn't a language compliance requirement, but they knew there was a need. And I think that increasingly is what we're seeing, that ideally, as Amanda said, we'd like everybody to have a ballot that they can vote in the language of their choice. Practically speaking, especially as we think about budget constraints and in a vote-by-mail context, there are reasons where that's not always possible. But we do know that there are gaps in information, and that for voters to feel confident and welcome when they go to cast a ballot, there are things that we can do: so, programs that look at recruiting poll workers who speak multiple languages and can be of assistance, training those poll workers to affirmatively offer and be welcoming. And that's something we've seen. There have been issues in places where there may be services available, but they're not put in front of voters. And then, finally, where we can, providing sample ballot materials and other things to bridge that gap. And the ideal is to do what Colorado's done and do it so that no matter where in the state you live, the same standard applies that puts those practices into place, but we're also seeing in some places, community groups and local election officials are trying to bridge that gap by providing those services locally as well.

- This is fascinating. I think one thing that really strikes home with me on this particular bill is that it provides access for people who might be bilingual, but not biliterate, by providing the ballots, because that's something that we see more and more in our country as we're becoming more diverse in terms of language ability. So I have a fair amount of followup questions. Some of them, I might ask one of you particularly to speak on, others, whenever the mood strikes you. So we have fairly diverse audience here. We have election officials, we have community members and groups, lawmakers, media, academics. So for those people who might be interested in pursuing something like this in their county, jurisdiction, state, can you talk a little bit about the benchmarks, how those were created or finalized in your state, and in particular, if you talk a little bit about the 2K, 2.5 thresholds? So I'm kind of looking on the Zoom screen at Amanda and John.

- Yeah. So, again, this was a process that was driven by advocates, we made sure. So this ballot was supported by a coalition of nearly three dozen organizations. And the core group of folks that were working on it were organizations that were either led by people of color, or whose mission supporting folks of color was central. And we really wanted this to be something that was led by P of C folks, that it wasn't, "Oh, hey, we think this policy "is best for you." And I think that was really integral in developing those thresholds that were meaningful. And I think we looked at that, along with the Secretary of State's Office, the county clerks and the County Clerks Association, and lawmakers, to say, "Okay, what would work?" And what was most important to the advocates that we are making sure that people could read and understand their ballot, was that we hit those major counties, and that if you were a significant population within a smaller county where there would likely be less resources, you're less likely to go to your local voter service and polling center and have an election worker there that speaks your language, right? That might not happen if you're living in a teeny, tiny county on the eastern side of Colorado. We wanted to make sure that both groups of people were able to get the resources that they needed. And so, these thresholds hit that in making sure, as John mentioned, that we covered a lot of the big counties where the majority of Coloradans live, and that we also had a percentage threshold that was right-sized for those smaller counties as well.

- And I'll just add, I think that's exactly right in that the partnership between community advocates and election administrators is crucial, because we see different things. And you put them all together, and I think it gives a more complete map of where the needs are and how best to serve them. And a lot of jurisdictions, not only with respect to language access, but for other issues as well, have created ongoing working groups that are just a great way to foster that, even if there's not immediate legislation on the horizon. So I think that's one takeaway to keep in mind. I think the other piece in thinking about California's model, they look at how the determination is made on a precinct level, and so, depending on your community or your county, it could be that it's county-level compliance, and that that makes a lot of sense, or it could be looking at something more local. And, again, based on your voting model, the populations you're trying to serve, and resources, it may look different, but it's really helpful to have advocates and administrators working together to identify where the greatest need is and where some of the pain points might be.

- And just to tackle into that, and I'm seeing Kurt's question in the comments, so I do want to respond to that, but then it also reminds me of another point that I think pertains to this conversation, but that Colorado does take effect this upcoming year. It will be in place for the '22 general, then every November election in the ensuing years beyond it. So we are working on building this hotline and what that will look like, as we speak, towards next November, and then counties will need to be compliant on that same timetable. The legislation calls for the secretary of states to publish a list come January 5th of every even year that determines which counties need to participate based upon the requirements laid out in the legislation. And the other thing I want to note, and I think is important for the thresholds, is the Secretary of State's Office is also directed to update that list every other year, every even-number year. So with new census data, with new ACS data, that list will be living. It's not just a once-in-a-decade process, but it will be that we hope to see these numbers scale up for county participation as we go for an update based on new data as it comes out. And then, the only other piece I have to add to Amanda and Elena's points, which I think they absolutely hit the nail on the head, is just how broad and diverse the coalition was as well, as Amanda noted, who was led by organizations led by people of color. And we had a really rich tapestry of groups engaging. You had the Archdiocese of Denver, you had One Colorado, the premier LGBTQIA advocacy organization, Mi Familia Vota, League of Women Voters, AARP, the Secretary of State's Office, so really a rich coalition of folks pushing for this legislation, Under the Dome in Colorado, which I think also lent support as it worked its way through the building and developed over three years.

- So, again, as I mentioned, we have a diverse audience on the line. And I know there are others who are interested in pursuing a pathway similar to this, so I'd love to hear from the panelists what recommendations that you might have for others who are interested in pursuing legislation such as this or language access, in the way that Colorado has done, whether that is successes that you've seen along the way, implications or challenges that have been encountered thus far, or that you could see occurring in other states? Don't all jump at once.

- John, do you want to start, or should I? All right, great. So I would say, this piece about a broad coalition was absolutely critical. I think that we absolutely improved the policy over time, and that was a direct result of having a diverse set of voices at the table, the communities that were directly impact, as well as clerks that were going to have to implement. I think was really critical, actually, to have some counties that were either already doing translation because they were required under Section 203, or because they

were voluntarily doing so. There was a lot of heartburn at different places around how much is this gonna cost, how easy or hard is it to find a translator. There isn't a certifying body saying this person is competent to translate the ballot, and that gave some folks a lot of heartburn. And so, talking to counties that were already doing this, and saying, "What does the process look like? "How do you know that you are doing this accurately?" It was really helpful to have a county that their county clerk was already voluntarily creating sample ballots that were available to voters. And I think that I'm gonna goof up their translational cost a little bit because it's been a minute, but in the prior year's election, it cost something like \$713 to do all of the translation, right? That was really helpful to hear for other counties that were having a little bit of heartburn. And then, like I said, the other piece was just having that broad coalition, both so that we could talk to legislators and have people hear us, but also to make sure that we were getting that policy right and thinking about it through all of the different angles that we needed to.

- Mostly from the implementation side of things, and really thinking through from the Secretary of State's Office, who will be charged with the administration of the hotline, it was invaluable to talk to Denver Elections, which had been doing translations services through a hotline. It was invaluable. We picked up the phone and talked to the great people at the California Elections Division and the Secretary of State's Office. Lean on the other jurisdictions and states that have done this. I will put my hand up. Obviously, we still have a year to go in terms of administering this hotline, but we always want to lean in to being a resource for other states and jurisdictions that want to do work like this, so we are happy... Viviana, I'm sure my contact information might get sent around. I'll drop it in the chat as well. But to really lean on those jurisdictions as well that may have already been there or worked through some of the challenges. I think it will be, we have a lot of work to do in the next nine months to make sure that this hotline, for its first year of implementation, goes off without a hitch, and we're really excited to do that. But I feel like we're in a fantastic position to do that based on the lessons learned from other states. So I do wanna give a shot-out to Denver and California in particular, as two jurisdictions that were vitally helpful for us. And then, I'll just repeat one piece that has been said earlier, but I think is really critical to making sure that this policy captures a broad group of people, in that setting your threshold to ensure that you are capturing counties, while they might have a lower proportion of individuals that might speak a language other than English very well, or speak English less than very well and speak another language primarily at home, having an absolute threshold to still capture those counties is critical, as well as having a proportion there that is going to pull in a lot of the smaller counties with density of speakers of those languages. So I think that is central to the ability of this policy to pull in 20 counties. Again, that's about one in three counties here in the state of Colorado, and it reflects most of the population within those counties. So I think that's key.

- And I'll just echo, the stakeholder piece, I don't think we can say enough. It's just huge to have everyone at the table. I think the other piece is that even after the bill's signed into law, the work's not over. So implementation and keeping everyone together to evaluate what works and what doesn't, and then be able to adjust as needed, I suspect, if this is like other laws, we're gonna learn a lot over the next year. Counties are gonna learn from one another, community partners are gonna have feedback about ways that it's working or that it could be tweaked. And having that ongoing conversation and being willing to evaluate how do we strengthen this program is really important. And that could be legislation, it could be that there are a handful of counties that decide that they wanna run something similar to what Denver does with their language advisory group. So, doesn't have to be something that's codified, it could just be there are other best practices that get lifted up and shared. So I think that willingness to continue to learn and

evolve how to best serve voters is just an important thing to keep an eye on, even after something is enacted.

- And I love that concept of a feedback loop, whether it's something that's written in stone, or it's something that happens between community groups, elected officials, and others. And then, I wanted to end on a question for the panelists. So, clearly, many groups, many people have worked on this legislation, and it's something that we're very excited to see implemented in the next year. And thinking about unintended consequences, other things that happen, what would be a hope, a wish, or a desire that you have that would come out of this, or another voter-centric practice that you might want to see happen in the next few years?

- I could take a stab at that, to start. For this, I think it's going to be really... Our office is just incredibly excited to see how this bill develops over the next nine months, and figure out, to Elena's point earlier, if there are tweaks that need to be developed in practice and administration, and then looking, I don't think the door is shut to are there tweaks to expand this bill later down the road. So right now with the Secretary of State's Office, we are incredibly excited to get the work of implementation administration done, making sure that, particularly for our piece of administering the hotline, and then working to support the counties in their deployments of the sample ballot content online and at VSPCs, that we do that dutifully here in the next number of months and see what... I'm really interested, to Elena's point, in seeing what tweaks can be done to make this individual policy stronger, and if we need to, come back to the legislation to do that. And we're really excited to do that this first year here, in November.

- Yeah, and I guess I would say, I think this legislation is such an important framework for improving access. And one of the challenges is that because Colorado is a heavily vote-by-mail state, we have a lot of learning to do, I think, about how to best reach voters who are not going into a voter service and polling center. So how is it partnering with community groups, how are we educating voters about the resources available, is online enough, is there something else we need to do? Thinking through all of those pieces and making sure that we are reaching all of the voters, whether they choose to vote in person or they choose to cast that ballot at home by mail, I think that's something I'm really excited to see, 'cause I just don't think we know enough yet, and that future iterations, it's something that we'll be able to learn and adapt possibly.

- I mean, this is just a policy that I am so genuinely excited about, right? It is real that there are now 82,000 voters in Colorado that weren't able to read their ballot on their own previously, that now have the resources to do so. I think the other piece of this, Common Cause is one of the organizations that runs election protection hotlines, and in Colorado, we were doing that in English and Spanish. And every election cycle, we have people call in, saying, "I can't read my ballot." And my volunteer attorney, who speaks Spanish, is like, "Amanda, I'm an attorney who speaks Spanish, I'm not a translator or an interpreter. That's not my skillset." And in my new role at We the Action, I still get to help recruit those attorneys. So I'm so excited about that piece, that I get to stay in this world. But I really think the next step is gonna be making sure that voters know about this resource, that, as John said, the majority of voters in Colorado love voting at home, love using their ballot that's mailed directly to them, and so how do we make sure that they know that if they are unable to read that ballot, that there is a hotline that's resourced to them, that they can go online and get a sample ballot, or they can go into a voter service and polling center, and either pick up that sample ballot or a printed ballot, or vote on a ballot-marking device? My

theory in 2022 is that in some of these counties, we're gonna have about six people who request help, but that will largely be because they don't necessarily know that the resource is available to them, so making sure that voters know all the ways that they can vote, and all of the ways that they can make sure they're able to do so safely, securely, and independently.

- Wonderful. Thank you all so much for joining us. I know that you are all extraordinarily busy, and we're wrapping up 2021, and there's so much stuff going on, so we're so appreciative of your time here and your expertise. And I am going to kick it back over to Tammy. Thank you so much.

- [Tammy] Awesome. Thank you, Viviana. Thank you to everyone for sharing. I know that the first thing I did when I got the slide deck was look to see what was going on in Weld County, because back when Steve Moreno was there, he brought some staff down to Maricopa because he thought for sure, surely they'd be covered for Spanish. It was unquestionable that they wouldn't be covered for Spanish. And then, the determinations came out and, lo and behold, they weren't covered for Spanish. So I think the takeaway is to trust your gut on these things. What do voters need to get the services that they need in order to be able to be active participants in the franchise, and understand both the process, as well as that which they're voting on and voting for or against. So I wanna thank everyone for joining us today. We have one last segment, and that is, I wanna turn it over to Lenny. So can we get... This is the best biopic ever. This is Lenny DeFoe. He is... Sorry, Lenny, but every time I see that picture, it makes me smile, and I'm gonna say something about how great it is. He's the elections team intern, and is gonna close us out for the day. But I would be remiss if I didn't also call out Freddie Salas, who has been behind the scenes with Lenny, pinning voters, unpinning voters, letting people in, making sure people were promoted, too. There's Freddie, thank you, sir. Showing your pinning and spotlighting skills... So I want to thank you both tremendously for all of your help today, and, oh I don't know, let's do it again tomorrow. So with that said, I'm gonna turn it over to Lenny for today's wrap.

- Thank you so much, Tammy. Hello, everyone. I wanna thank you all for your devoted attention and engagement during day one of the Language Access for Voters Summit. As mentioned, my name is Lenny, and I am Democracy Fund's Elections Program intern. And I now have the wonderful privilege of trying to summarize all the important information and insight we received in day one of today's summit. As you all know, we had a jam-packed schedule, full of amazing speakers, presentations, dialogues, and videos. Our first session outlined the relationship between the decennial census and Section 203 of the Voting Rights Act, and how these two together impact language access through the language determinations that come out every five years. In our second session, we were fortunate enough to hear from Assistant Attorney General Kristen Clarke on several initiatives the Department of Justice are hard at work in. Specifically, Assistant Attorney General Clarke emphasized how federal law recognizes one's right to acquire information in their primary language if that is sufficient for them to participate in our electoral processes. In our third session, we were introduced to a discussion around some of the challenges presented when meeting language access among differing voting methods, among building coalitions, and among meeting the needs of newly-covered jurisdictions, and what are some of the best strategies and best practices for ensuring those accommodations. And in our last and most recent session, we were made aware of some of the limitations of the Section 203 statute, and how states like Colorado have passed legislation providing multilingual ballot access, and how that has gone beyond 203, to ensure language minority voters get the access they need and deserve. I would be remiss if I did not mention the wonderful video submissions we also received and played throughout today's summit. Secretary Simon of Minnesota

spoke about how language access is really about empowerment, and how translating information for voters is nothing new in Minnesota or in this country. The two videos we displayed, the US Election Assistance Commission also outlined some of the resources available to improve upon those accommodations for language minority voters, such as their Spanish Glossary of Election Terminology, or their Election Administration Survey Report. At this time, I want to give a big thank you to today's panelists, presenters, discussants, and all of those behind the scenes who made this run smooth and efficiently. I also want to give a special thank you to Mark Kreidler and Judith Brajkovich, who served as our sign language interpreters today. And, of course, of course, another big, big, big thank you and shout-out to Tammy Patrick, who is the main organizer for this entire event, and served as today's MC. So as we wrap up and reflect on all we heard and learned from today, I wanna give us a preview of the content and conversations we will engage with tomorrow, on day two. So next slide, thank you. We will have a diverse set of panelists cover content on the translation of ballot legalese, Election Administration Assistance 101, partnerships, and media engagement. We will also display several videos, this time, showing what language assistance really looks and sounds like from the perspective of different languages. So you would really wanna tune in for that. So with that, I wanna thank you all for coming, and we hope to see you again tomorrow for our final day of the summit. And thank you again, take care, and we will see you all soon. Bye-bye.

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