



Emerging Language Access Issues for Latinos and Other Language Minorities

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Language Access and the Strength of Our Democracy

- **Effective language assistance helps ensure that all eligible citizens can cast an informed ballot**
 - Ballot materials and electoral process can be confusing, even to English-language proficient voters
 - Citizens not fully proficient in English include those who have lacked access to educational or other opportunities to learn about voting and registration
 - Studies show that effective language assistance can increase participation rates
- **Effective language assistance helps improve election administration**
 - Less voter confusion about voting and registration
 - Makes polling site and other operations run more smoothly



Top 12 Counties with Increase in LEP Spanish-Speaking CVAP 2011-2016, by number of residents

County	Number of residents
Miami-Dade County, Florida	94,597
Los Angeles County, California	42,354
Harris County, Texas	34,835
Dallas County, Texas	26,011
Broward County, Florida	25,451
Bronx County, New York	21,623
Tulare County, California	19,587
Hidalgo County, Texas	17,146
Orange County, Florida	16,600
Riverside County, California	15,621
Hillsborough County, Florida	14,029
Tarrant County, Texas	13,343

Top 12 Counties with Increase in LEP Spanish-Speaking CVAP 2011-2016, by percentage change*

County	Percent change
Prince George's County, Maryland	137.8%
District of Columbia	111.5%
Denton County, Texas	106.2%
Tulare County, California	104.2%
Sonoma County, California	77.9%
Kings County, California	69.2%
Gwinnett County, Georgia	65.3%
McLennan County, Texas	65.3%
Merced County, California	64.6%
Travis County, Texas	61.4%
Manatee County, Florida	61.0%
Pinal County, Arizona	59.4%

***counties with at least 4,000 LEP Spanish-speaking CVAP in 2011.**

On-Going Language Access Issues

- **Know your community; customize your approach**
 - Use data from the Census and other sources
 - Consult formally and informally with language-minority-serving institutions
- **Invest time and resources to build relationships with language-minority-serving institutions; use the partnerships for all elections operations**
 - Translations
 - Outreach
 - Pollworker training and recruitment
 - “Trouble-shooting”
- **Develop evaluation and accountability mechanisms**
 - Monitor polling places and operations, investigate and act on complaints
 - Keep records of efforts undertaken
 - Use foregoing to make evidence-based adjustments



Evolving Language Access Issues

- **Understand opportunities/challenges of new technology**
 - Language access must be “baked-in” to systems such as on-line voter registration, new voting systems, digital outreach
 - Technology can enhance language access, but not a substitute for “classic” approaches
- **Go beyond minimum legal requirements**
- **Consider whether political environment affects how you talk with constituents and stakeholders about language assistance**



Enforcing Language Assistance Protections under the Voting Rights Act

■ Department of Justice actions

- Actions generally brought under Section 203, Section 208, or Section 4(e)
- Many cases settled through consent decrees or memoranda of agreement:
<https://www.justice.gov/crt/voting-section-litigation>
- More robust enforcement under Bush and Obama Administrations than the Trump Administration

■ Private actions

- Actions brought on behalf of individuals, tribal councils, community groups, by civil rights groups and private attorneys
- Alaska language access litigation



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Thank you.

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