

Department of Elections
Sherril Huff, Director

June 23, 2014

The Honorable Larry Phillips
Chair, King County Council
Room 1200
COURTHOUSE
Seattle WA 98104

Dear Councilmember Phillips:

The Department of Elections has dedicated a substantial amount of research, outreach and relationship building to align our work and resources with the needs of LEP communities in King County. Attached is a report in response to the 2013 Adopted Budget, Ordinance 17695: Section 33, Elections Proviso 1. Below is a link to our webpage that contains Instructional Videos on *How to Vote by Mail*, *Signing your Ballot Envelope*, *Registering to Vote* and *Tour of Elections*. Please note that most of these instructional videos are demonstrated in the American Sign Language (ASL).

<http://kingcounty.gov/elections/news/psa.aspx>

The report provides the information as requested in the proviso and additional information and recommendations that are the result of the strategic planning and LEP community outreach work that the Elections Department has engaged in this past year.

Sincerely,


Sherril Huff, Director

cc: King County Council Members
Anne Noris, Clerk of the Council



King County
Department of Elections

Ordinance 17695: Section 33
Elections Proviso 1

Analysis of options for LEP population

June 2014

I. Introduction

King County Elections is dedicated to advancing the following mission statement: "With integrity and a commitment to innovation, we provide all citizens the opportunity to participate in and protect the democratic process." To that end, King County Elections (KCE) provides translation and interpretation services in a variety of languages and formats. The Elections Department also complies with Federal mandates that require language translation involving the provision of materials and services in specific languages. Consistent with our mission, the department has developed a five year strategic plan that includes strategies to reach King County's Limited English Proficient (LEP) communities. Through a combination of research, resource development, community outreach activities and most importantly the development of partnerships, we intend to broaden our reach and implement new election services in a financially responsible manner.

The King County Council enacted a proviso to the 2014 budget that affected all departments and specifically required the Elections Department to provide:

- A. ...an analysis of options or factors that could provide minority language voting materials for LEP populations in Tiers 1 and 2 that have not yet reached the thresholds required by Section 203 of the Voting Rights Act of 1965, as amended, at a cost lower than the current costs for such materials for minority languages required by the act. The analysis shall, at a minimum, include the following:
 - 1. A description of alternative translation materials and services that could be provided to these LEP populations;
 - 2. Cost estimates related to each of the alternative options; and
 - 3. The feasibility of implementing these alternative options.

First Tier: Spanish

Second Tier: Vietnamese, Russian, Somali, Chinese, Korean, Ukrainian, Amharic, Punjabi

II. Background

Key to fulfilling our mission is to ensure that all citizens, who are eligible to vote, have that opportunity. KCE has provided voter registration forms in English, Chinese, Spanish, Vietnamese, Cambodian, Korean, Laotian, and Russian for over 10 years and online registration in Chinese, Vietnamese and Spanish for over 4 years through the Secretary of State. KCE provides interpretation services in more than 170 languages through Language Line Services in-person and by phone. We regularly participate in a diverse array of community events where we offer voter education and registration services, and we register new citizens at nearly every weekly naturalization ceremony in King County.

KCE translates all election materials and provides assistance in Chinese (since 2002) and Vietnamese (since 2010) as required by the federal Voting Rights Act. The Act establishes extensive federal

oversight over elections. Translation requirements for jurisdictions are determined at a federal level by data collected through the Census and the American Community Survey. The formula set out in the Voting Rights Act is the number of United States citizens of voting age in a single language group within the jurisdiction:

- Is more than 10,000, or
- Is more than five percent of all voting age citizens, or
- On an Indian reservation, exceeds five percent of all reservation residents; and
- The illiteracy rate of the group is higher than the national illiteracy rate

KCE translates essential information that can be directly used by a voter to participate in the electoral process. The types of election materials our office translates can be divided into six categories:

1. **Registration materials:** voter registration form (paper and electronic), voter notification card, request for cancellation, etc.
2. **Voting materials:** electronic ballots (text and audio), paper ballots, mail ballot packets, replacement ballot request forms, voting instructions for Accessible Voting Centers, ballot drop box decals, etc.
3. **Election publications:** notice of election and local voters' pamphlets.
4. **Voter outreach and education:** print materials about registration and voting, such as brochures and flyers.
5. **Website information:** KCE provides all information on our website in the above four categories in Chinese and Vietnamese.
6. **Assistance:** KCE also staffs each of our Accessible Voting Centers with translators to assist Chinese and Vietnamese voters in compliance with the federal mandate, at outreach events, in our office and over the phone.

KCE participates in a variety of events that help connect all communities to the voting process. Elections staff attends, on average, 31 events a year to conduct voter education and outreach, we partner with over 300 organizations for voter registration and attend weekly naturalization ceremonies at the United States Citizenship and Immigration Services (USCIS) office in Tukwila to register new citizens. Elections engages supervisors at the two main correctional facilities in King County to ensure inmates (that have not been convicted of a felony) know that they can receive their ballot and how. At least once a year an Elections manager meets with a large group at the Seattle/King County Coalition on Homelessness (SKCCH) to answer questions, provide voter registration training and discuss challenges for this community.

To ensure that King County Elections continues to address the needs of the citizens we serve, given the dynamic environment we operate within, we developed a five-year department strategic plan that functions in consort with the overarching King County strategic plan.

The strategic plan work began by conducting comprehensive engagement involving input from all department employees and key stakeholders.

- External stakeholders, representing 13 of the groups that govern, receive services and interact with King County Elections, built upon these values and added insight to the department's past performance, role, and future vision, goals, and service needs. The Elections Director and

members of the management team met with stakeholders (legislators, county councilmembers, mayors, Citizens' Election Oversight Committee members, community groups/organizations and more) either in person or by phone to ask them each a series of consistent questions that included conversations about equity and social justice, as well as voter needs and specific services the Elections Department should pursue. The interviews provided critical insights into the elections-related priorities and values of stakeholders; and informed the work that led to the development of the five year strategic plan (transmitted to the Council earlier this year). Included in that plan is a goal to "Broaden access and opportunities to vote for all eligible citizens" which is supported by two initial strategies:

- Conduct a full assessment of Limited English Proficiency (LEP) community's barriers to voting and related solutions/opportunities for minimizing them
- Conduct a full assessment of barriers to voting for those with disabilities, aging and other social factors and the related solutions and opportunities to minimize the impacts

The Department is currently engaged in forming project teams that will be tasked with developing these projects and creating work programs for completing them.

Additionally, Elections staff has met with LEP community advocates and formed an Election LEP Advisory Committee. This committee is comprised of the department director, members of the department's management team, community based organization leaders, a city councilmember, civil servants and more. The committee was created to seek direction and input, assess needs and discuss the most effective approach for delivering materials and services to King County's LEP citizenry. This created an opportunity for an open and critical dialogue regarding the needs of the LEP population.

The committee members have recommended that KCE focus on community engagement and partnerships rather than direct provision of translating election materials. Committee recommendations on this subject include:

- **Engage and listen** directly with community-based organizations, their elders and others active in each community to identify what their needs are
 - There is not a one size fits all approach when providing greater access for LEP communities
- **Community engagement** is essential to build ongoing, permanent relationships to deliver any message effectively to LEP communities
- **Build**, alongside one another, a long- term solution to removing barriers to access
- **Translation** is not the problem and therefore not the solution
 - Citizens in many immigrant communities do not read their native language
 - Many communities communicate (vital and non-vital information) by word of mouth gaining information from those trusted community members at their faith based establishments, coffee shops and community centers, and when gathered with friends, neighbors and family

Many citizens in the LEP community are reluctant to vote for various reasons: feeling intimidated or fearful of "government"; government tracking concerns; do not understand the purpose of voting or what they are voting for (school districts, fire districts, etc.); candidates and issues do not represent the needs of their community; Lack of recognition that voting is an important part of building communities and realizing their future vision.

III. Analysis of proviso requirements

Translation of all election materials

Description: Translate essential information that can be directly used by a voter to participate in the electoral process. The types of election materials to translate can be divided into six categories:

1. **Registration materials:** voter registration form (paper and electronic), voter notification card, requests for cancellation, etc.
2. **Voting materials:** electronic ballots (text and audio), paper ballots, mail ballot packets, replacement ballot request forms, voting instructions for Accessible Voting Centers, ballot drop box decals, etc.
3. **Election publications:** notice of election and local voters' pamphlet.
4. **Voter outreach and education:** print materials about registration and voting, such as brochures and flyers.
5. **Website information:** all information on our website in the above four categories in Chinese and Vietnamese.
6. **Assistance:** translators (KCE staff) at each accessible voting center to assist voters, outreach events, in our office and over the phone.

Cost estimate: It would cost approximately \$1,200,000 annually for Elections to translate and provide all election material into the Tier 1 and 2 languages.

Feasibility: Legislative requirements that impact the information on materials can change from year to year and will impact the cost estimates of providing materials and services to Tier 1 and 2 languages. The current Elections budget does not include the necessary funds to make this a feasible option. KCE has not received requests from citizens or communities for these translations.

1. Registration materials

Registration forms are already available in Chinese, Spanish, Vietnamese, Cambodian, Korean, Laotian, and Russian. KCE has requested the state provide forms in the remaining four languages in Tier 2 that are not currently provided.

Most citizens register to vote at the Department of Licensing or through the Secretary of State's online system. Currently, a citizen cannot indicate their language preference (other than Chinese and Vietnamese). Adding this feature would require a major application development and changes to both systems by both State agencies.

2. and 3. Voting materials and Elections publications

We have a significant concern associated with providing all voting materials in additional languages due to the compact election schedule we must operate within. There are very compressed schedules driven by legal deadlines that must also accommodate staff-intensive activities including ballot building and production, production of voter pamphlets and more. Producing everything in each additional language more than doubles the work and amount of time needed. The magnitude of this task is immense. For example, in the 2010 Primary

Election, there were 2,583 different ballot styles produced in a single language to serve the needs of King County voters and in 2013 there were over 500 candidates.

Offering voting materials in additional languages creates more work than the creation of translated materials—the Elections Department would need to identify specific voters who request materials in one of these languages provided. KCE would need to conduct a countywide mailing to ascertain this information from voters and then enter and maintain the information provided into the Election Management System. Voters' Pamphlets would need to be mailed to each of these identified individual voters based on their language preference which comes at a substantial additional cost.

4. and 6. Outreach, education and assistance

The current Elections structure requires two full time Elections staff/translators for each language at a per language cost of approximately \$53,000 per year. The translators work at each Accessible Voting Center to assist voters, outreach events and provide translation services in our office and over the phone.

5. Website information

The KCE website could offer basic voter education information in additional languages at a cost within our \$1.2 million estimate. The ability to offer additional services such as ballot tracking (a mandated requirement) and other features that are currently available to voters would involve applications development work at a substantial additional cost.

IV. Alternative translation materials and services

Analysis of options or factors...

1. A description of alternative translation materials and services that could be provided to these LEP populations;
2. Cost estimates related to each of the alternative options; and
3. The feasibility of implementing these alternative options.

Instructional brochure

Description: Develop and translate into Tier 1 and 2 languages a brochure of instructional information about voting and elections. This brochure would include information such as: Elections Department contact information, registering to vote, voting tips, general vote by mail information, signature importance, accessible voting and online resources. This brochure could be available online as well as in a printed version available at the Election offices and outreach events. An existing printed brochure in Chinese and Vietnamese is already produced for use at targeted outreach events. Although it is available at KCE offices for distribution, it is rarely requested.

Cost estimate: \$8,000 for year one and an annual maintenance cost of \$1,200 (as election laws are constantly changing and the brochure would need to be updated on a regular basis.)

Feasibility: This could be made available without substantial impact.

Tool kit

Description: An online toolkit where voter education and outreach materials are housed in one spot, created with simplified language and easy for citizens to access and use for community engagement including translation. Here are a few items the toolkit could provide:

- Videos with simplified language, visual reference to process
 - Vote-by-mail and voter registration
- Voter registration form
- Brochure of key instructional messages for all with graphics
- Key election dates and deadlines

Cost estimate: Minimal cost and staff time are associated with development of an online tool kit.

Feasibility: This could be made available without substantial impact.

Elections Ambassador Program

After significant effort to ascertain the highest and best investments for serving LEP citizens' voting related needs, stakeholders have identified an elections ambassador program as the preferred alternative for addressing the spirit of the Council's translation proviso.

Description: Create a King County Elections Ambassador Program. Election ambassadors would be recruited and trained by elections staff to serve as experienced civic activists, fluent in English, who are available to assist Elections with interpretation and facilitation services. Elections would utilize these ambassadors to create a direct connection with communities to have a partnership in voter registration, elections education, etc. These individuals would work in their communities to register citizens, educate them on Washington State elections and vote-by-mail processes. Any hurdles or questions would be referred back to KCE from the ambassador for them to brainstorm solutions and to keep an open dialogue with these voters.

Communities that *may* be represented in the program with:

- Spanish-speaking Mexican elders
- Russian-speaking Russian elder or activist
- Somali-speaking female and male elder or activist
- Korean-speaking activist
- Ukrainian-speaking Ukrainian elder or activist
- Amharic-speaking female and male elder or activist
- Punjabi-speaking female and male elder or activist

Cost estimate: approximately \$150,000 per year

In other jurisdictions with similar programs, the cost for liaisons is up to \$75 per hour. Either hourly service or stipends are recommended for such programs to provide compensation for non-partisan partnerships. Each ambassador is estimated to work 5 hours a month in this cost estimate and an Elections staff would need to be dedicated to the program.

Feasibility: This is a long-term program that will take time to identify and recruit ambassadors, and create and develop the program. More research with jurisdictions that currently have this model would be worth exploring prior to implementation.

Civics engagement in schools

Description: King County Elections would provide the Seattle School District with election ballot packet materials and guidance to support a mock election for kids K through 12. Learning about the elections process from an early age through civics program in schools can improve and empower all communities through an enhanced awareness of voting and participating in government. Moreover, establishing good voting practices from the start will help reduce voter errors later. KCE believes that experience is an excellent approach to learning and such a partnership can offer voting experiences to students.

Cost estimate: approximately \$50,000 per year, materials would be provided for five years, at which point an efficacy review would be performed.

Feasibility: This is a feasible option with joint collaboration with the county and school district.

V. Recommendations

KCE welcomes and encourages a centralized approach to providing greater access for LEP communities and supports the development of a centralized county office that coordinates with community organizations to build relationships for on-going partnerships.

Long-term outreach and engagement is the best alternative for meeting needs for voting in King County. Elections will conduct a full assessment of the Limited English Proficiency (LEP) community's barriers to voting and related solutions/opportunities for minimizing them. Election's recommends the plan as outlined in the above report titled "Elections Ambassador Program".