

# Section 7

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## Minority Language Requirements

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# Bilingual Laws

**Department of Justice Bilingual Requirements Voting Rights Act of 1965.** This Act, established by President Johnson, provides federal oversight of election practices and procedures to ensure qualified voters are not denied their right to vote.

**1975 Language Minority Provision.** The Voting Rights Act of 1965 was originally passed to guarantee that African-Americans were not denied their right to participate in the electoral process. With more immigration happening in the United States, Congress found that English-only elections were excluding language minority citizens from also participating in the electoral process, and were often aggravated by physical, economic and political intimidation. (42 USC § 1973b(f)(1)). Congress declared that, in order to enforce the Fourteenth and Fifteenth Amendments of the U.S. Constitution, it was necessary to expand the English-only elections to include the languages of different minority citizens. (42 USC § 1973b(f)(1)).

In 1975, the Voting Rights Act was expanded by Congress to include a language minority provision. This provision ensures that any language minority citizen is not denied the opportunity to participate in the electoral process, (42 USC § 1973b(f)(2)). (Sections 203 [also known as 42 USC § 1973aa-4a] and Section 4(f)(4) [also known as 42 USC § 1973b(f)(4)]).

Originally the provision was to expire after 10 years, but over the years it has been extended; 1982, extended an additional 10 years, 1992, extended for 15 years, and 2006, extended for 25 years. (See Section 7. Extension of Bilingual Election Requirements [also known as 42 USC § 1973aa-1a(b)(1)]).

**How a Bilingual Area is Determined.** A state or political subdivision (usually a county) is subject to bilingual election requirements when Census Data shows:

- More than 5 percent of the citizens of voting age are members of a single language minority and are limited-English proficient (42 USC § 1973aa-1a (b)(2)(A)(i)(I));  
Or
- More than 10,000 of the citizens of voting age are members of a single language minority and are limited-English proficient (42 USC § 1973aa-1a(b)(2)(A)(i)(II));  
Or
- Voting age citizens in a single language group on an Indian reservation exceeds 5 percent of all reservation residents and the illiteracy rate of the group is higher than the national illiteracy rate. (42 USC § 1973aa-1a(b)(2)(A)(i)(III)).

**Voting Materials in Spanish, Chinese, or English.** If you are asked why some voting materials are printed in multiple languages you may offer the following explanation:



- Multilingual registration and election materials are a result of amendments to the Voting Rights Act of 1965 (VRA) that became law on August 6, 1975.
- Elections Code 14201[a] requires posting one copy of a translated facsimile of the ballot with the ballot measures and ballot instructions printed in Spanish & Chinese.

**Note:** It is the intent of the Legislature that non-English speaking citizens, like all other citizens, should be encouraged to vote. Therefore, appropriate efforts should be made to minimize obstacles to voting by citizens who lack sufficient skills in English to vote without assistance (EC 12303 [b]).

Should you have questions about multilingual election materials or your responsibilities as a Precinct Officer in carrying out the provisions of the Voting Rights Act, contact Precinct Operations by calling (916) 875-6100.

# Duties of a Bilingual Precinct Officer

Due to the mandates of the Voting Rights Act of 1965 and the 1975 Language Minority Provision, Sacramento County is required to provide bilingual Spanish or Chinese speaking Precinct Officers at polling places and provide multilingual materials relating to the election.

**Precinct Officers and Bilingual Precinct Officers** provide support to **all voters** at the polling place. All Precinct Officers are to abide by all procedures and codes established by the *California Elections Code* and the Registrar of Voters.

Spanish or Chinese speaking **Bilingual Precinct Officers** have the additional duty of communicating with and translating for voters that may not be proficient in English.

<b>Precinct Officer Responsibilities</b>	<b>Additional Bilingual Officer Responsibilities</b>
<ul style="list-style-type: none"><li>■ Arrive promptly at 6:00 a.m. Election morning.</li><li>■ Assist with opening procedures and Election Day set up.</li><li>■ Maintain and run the polling place throughout the day.</li><li>■ Follow California’s Elections Code policies and the Registrar of Voters’ office procedures.</li><li>■ Serve the voting public with patience and understanding.</li><li>■ Maintain order at the polls.</li><li>■ Ensure that all ballots are secure.</li><li>■ Assist with closing procedures and documents and prepare voting equipment for the return to the elections office.</li><li>■ Leave the polling place clean and secure.</li></ul>	<ul style="list-style-type: none"><li>■ Distinguish yourself to the voting public as a Bilingual Precinct Officer by wearing the provided name tag.</li><li>■ Evaluate the level of assistance needed by voters with limited English proficiency.</li><li>■ Provide instructions to voters with limited English proficiency on the voting process and how to mark the ballot correctly.</li><li>■ Interpret/translate conversations between the voter and other Precinct Officers.</li><li>■ Inform Spanish or Chinese speaking voters that voting documents are available in Spanish and Chinese (traditional).</li><li>■ Assist voters in locating their correct Polling Place and explain voting a provisional ballot.</li><li>■ Be aware of voters who may need assistance with translations or have questions about voting.</li></ul>

## Assisting Bilingual Voters

- Voters whose primary language is not English may be accompanied by an interpreter/translator to assist them. Voters can bring an assistant to provide interpretation or translation, read the ballot, or mark their selections on the ballot.
- The assistant can be of any age and does not have to be a registered voter.
- Voters can also ask any Precinct Officer for assistance. Precinct Officers can help voters with interpretation/translation of the ballot, read the ballot, and marking their selections on the ballot.
- Precinct Officers are **NOT ALLOWED** to suggest to a voter on who or what to vote for or against. If voters have questions about a candidate or a proposition refer them to the Voter Information Pamphlet for information.
- If a voter asks for assistance with marking their ballot, the Precinct Officer prints the name of the voter on the ‘Assisted Voters List’, located on the inside back cover of the Roster of Voters.

- Talk without raising the volume of your voice, assure voters that you are there to assist and preserve the voter’s privacy.
- Avoid looking at a voter’s ballot, unless assisting a voter in marking selections.

## Multilingual Materials

- Spanish and Chinese Election Terms Glossary (located in Section 8 of the Precinct Officers Manual)
- ‘I Voted’ Stickers
- Name Tags
- Sample Ballot and Voter Information Pamphlets
- Provisional Rights Posters
- Provisional Envelopes
- Top Two Primary Posters
- Polling Place Look-up Cards
- How to Mark Your Ballot
- State Pamphlets
- Restroom Sign
- No Cell Phone Sign
- Voting Instructions signs (in voting booth)
- Bill of Rights Posters
- H.A.V.A. Posters
- Information to be Posted at Polls Posters
- Polling Place with Arrow & 100 feet from Polls Signs

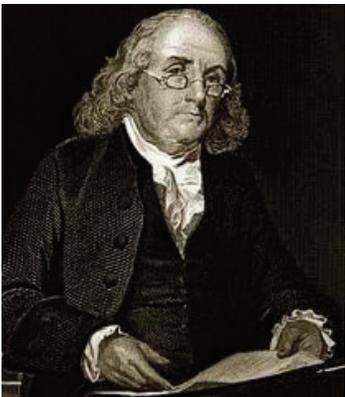
<p>ASSISTED VOTERS LIST</p> <p>(NO SIGNATURE REQUIRED)</p> <p>PRECINCT OFFICER: (Administer this oath.)</p> <p>I (Voter’s name) DO AFFIRM THAT I REQUEST ASSISTANCE MARKING MY BALLOT.</p> <p>The person(s) assisting a voter shall not give any information concerning the marking of that ballot, shall not be the voter’s employer, an agent of the voter’s employer, or an officer or agent of the union of which the voter is a member. (Elections Code Sections 14282 and 14283)</p> <p>PRINT NAME OF VOTER RECEIVING ASSISTANCE</p> <p>_____</p> <p>_____</p>
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- Continuously monitor voters in the precinct that may require assistance.
- Provide help to precinct officers working with non-English proficient voters.
- Look for voters that may be having difficulty voting at the booths.
- If a voter seems to be having difficulty reading the ballot, offer the AutoMARK (headphones).

# Multilingual Reading Materials



\*Chinese translations were unavailable at the time this manual went to print.



**“Being ignorant is not so much a shame, as being unwilling to learn.”**  
-Benjamin Franklin