



ASIAN AMERICANS
**ADVANCING
JUSTICE**
LOS ANGELES

September 13, 2017

To: Little Hoover Commission
From: Deanna Kitamura, Voting Rights Project Director
at Asian Americans Advancing Justice-LA
Re: September 28, 2017 Hearing on Los Angeles County's Voting Reform Model

Asian Americans Advancing Justice-LA (Advancing Justice-LA) appreciates the second invitation to provide testimony regarding the implementation of California Voter's Choice Act. As noted in our written submission of May 23, 2017 Advancing Justice-LA was part of the stakeholder group that provided input on SB 450 as it worked through the legislative process. We are part of the Secretary of State's Voter's Choice Act (VCA) taskforce and are part of the Future of California Elections (FOCE) collaborative steering committee focused on implementation of the VCA. We are also part of the Secretary of State's Language Accessibility Advisory Committee (LAAC) and Los Angeles County LAAC. We are also a member of Los Angeles County's Voting Systems Assessment Project (VSAP) Advisory Committee

Los Angeles County provides the most language assistance in the nation during elections. Comprehensive language assistance is available in 9 languages: Chinese, Hindi, Japanese, Khmer (the Cambodian language), Korean, Spanish, Tagalog, Thai, and Vietnamese. Limited assistance is provided in Armenian, Farsi, and Russian.

Vote-By-Mail

Last month, we released an Issue Brief regarding the vote-by-mail rejection rate among Asian Americans during the November 2016 election. www.advancingjustice-la.org/media-and-publications/publications/asian-american-vote-mail-ballot-rejection-rates-california. Vote-by-mail ballot use is higher among Asian American voters than voters in general (66% versus 58%). However, vote-by-mail rejection rate is higher among Asian Americans than voters in general in the counties we studied (1.02% versus .89%). In Los Angeles, about 47% of Asian American voters cast their vote using a vote-by-mail ballot. The VBM rejection rate among these voters was 1.19%, slightly higher than the 1.06% average. However, when taking into account age and nativity, the rejection rate increases. For voters 18-24, the rejection rate among Asian Angelenos is 2.12%. Among the counties we studied, non-matching signature was the most common reason a VBM ballot was rejected. Foreign-born Asian American VBM voters were more likely to have their ballot rejected due to a signature mismatch than their native-born counterparts across all age groups.

We have a list of recommendations in our Issue Brief. They can be found on page 17.

Los Angeles Voter's Choice Act (SB 450) Model

Unlike other counties, Los Angeles will not be required to mail ballots to all voters when it adopts the Voter's Choice Act. (Election Code Section 4007) As noted above, 47% of Asian American voters in Los Angeles used a VBM ballot in November 2016. That means a majority of Asian American voters in Los Angeles voted in person. If this statistic remains unchanged, voting by mail and drop box locations will not be unavailable to a majority of Asian American voters in Los Angeles. Therefore, where Los Angeles County decides to locate vote centers is a crucial factor in whether voters turn out to vote.

As an example of the importance of vote center locations, we have been informed by service providers in Los Angeles' Chinatown that it is a struggle for senior residents to participate in local neighborhood council elections when the elections are held in the neighboring Arts District. Although the Arts District is less than 2 miles from Chinatown, many of the senior residents in Chinatown do not have cars. Public transportation from Chinatown to the Arts District that does not involve walking requires taking two busses. While many of the seniors may be vote-by-mail voters, those who are not will be disenfranchised if a vote center is not located near them or along a bus line that stops near their complexes. It is important to note that the Chinatown seniors are not unique to Los Angeles. Little Tokyo, Koreatown, and other communities in Los Angeles have senior apartment and condominium complexes with voters who will have difficulty traveling due to transportation limitations. Moreover, transportation issues are not limited to the elderly. Any voter who relies on public transportation, including people with disabilities, students, and low income voters, could be disenfranchised if there are not enough vote centers and if they are not strategically placed. As in any county adopting the Voter's Choice Act model, community input will be crucial in ensuring that voters will use the voter centers. However, given that Los Angeles County will not be mailing vote-by-mail ballots to all voters, the importance of community input regarding vote center locations cannot be overstressed.

VSAP Model

As noted above, I am on Los Angeles County's VSAP advisory committee. In addition to providing input as a committee member, I participated in two focus groups: (1) a mock election in Koreatown and (2) a test of the vote-by-mail ballot. I found the prototype voting machine to be relatively user friendly and am of the belief that the new system will greatly improve the voting experience of a vast majority of voters *provided transportation and travel time issues are not a barrier*. The voting experience for most will be improved whether voting in-person or by mail. Limited English proficient voters should benefit from the new system because the voting machine at all vote centers will allow voters to access a ballot in all 9 federally covered languages. Unlike a paper ballot, the system has the advantage of allowing voters to toggle between the federally covered languages and English.

In addition to participating in the mock election in Koreatown, observed other mock voters. From my observations, many of the mock voters were able to quickly adapt to the new model and successfully cast a ballot. However, seniors who were not computer literate and did not read English struggled to use the system. Many needed assistance at *every step* of the process.

September 13, 2017

Page 3 of 3

A concerted effort to educate voters will be necessary for voters who are not technologically savvy. And because some voters will need assistance at every step, it is imperative that hands on, bilingual support be available.

The creation of the VSAP system has been an iterative process. Additional recommendations have been proposed and are being considered. As mentioned above, voters are able to toggle between one of the federally covered languages and English. The toggle link is easily accessible when starting in a language other than English. However, if a voter starts in English, the ability to toggle is not self-evident. Earlier this year, Advancing Justice-LA recommended that the toggle link be visible when starting in English. This recommendation is based on the Center for Civic Design's focus group experience observing limited English proficient readers start something in English but then switch to materials in their native language as a reference. The Los Angeles County Registrar of Voters has indicated that modifications and enhancement opportunities are possible during the manufacturing/implementation phase.