



Policymakers' Guide to Language Access: A Summary



Key Benefits of Improving Language Assistance in Elections:

- High quality language assistance programs are positively associated with increased voter participation by Latino, Asian American, American Indian and Alaska Native citizens.
- Improved linguistic accessibility motivates more members of language-minority communities to run for office.
- Language assistance increases faith and trust in government among historically marginalized voters, which ensures long-term social stability.

YOU NEED TO KNOW:

Voting Rights Act Protections Applicable Nationwide

Section 208: Any person who needs assistance as a result of blindness, disability, or the inability to read or write can receive assistance from a person of their choice, as long as it is not an agent or officer of the voter's employer or union.

Section 4(e): Jurisdictions must ensure the ability to vote successfully of all native-born Americans who attended schools in which the predominant language of instruction was not English (primarily, individuals of Puerto Rican origin).

Section 2: Voting practices or procedures that discriminate on the basis of membership in a language minority group are prohibited.

YOU NEED TO KNOW:

Voting Rights Act Protections Applicable in Limited Areas

Section 203: Certain jurisdictions that meet population and literacy requirements must provide live voting assistance and any election-related information they make available in English in the covered language(s) as well.

In addition to federal requirements, state and local laws mandate language assistance-related actions in some jurisdictions around the country.

Beyond the Minimum: Policy Options

Federal requirements are a floor, not a ceiling: many jurisdictions offer assistance beyond federally-mandated requirements, for the benefit of voters and to strengthen local democracy.

On the other hand, some jurisdictions maintain laws which, if enforced, would violate federal requirements and expose state and local government to legal liability. Proven options that serve the best interests of local governments and their electorates include:

Lower the threshold for language coverage:

Set a lower minimum population threshold than federal law to require increased language assistance.

Cover additional languages:

Combat the gaps in federal coverage by requiring provision of materials in additional African, Caribbean, European, Middle Eastern, and other languages not treated in federal law. Expansion may be based on population formulas, or can list specific languages in which assistance must be provided.

Expand Right to Obtain Private Assistance:

Federal law predicates the right to private help with voting on an individual's blindness, disability or inability to read or write, but states and localities can extend this opportunity to any voter regardless of ability or literacy.

Authorize Employment of Youth and Legal Permanent Residents as Pollworkers:

Ease the difficulty of filling critical positions, and encourage the future civic engagement of people not yet eligible to vote, by permitting election authorities to hire bilingual 16- and 17-year olds and legal permanent residents.

Provide Funding for and Regulation of Community Outreach and Resource Development:

Set aside funding to obtain customized, professional translations; create and place in-language advertising; print multilingual materials and signage; and employ permanent Bilingual Coordinators. Policymakers can also facilitate the success of language assistance programs by mandating the organization of advisory committees and incentivizing other methods of community engagement.

Eliminate restrictions on the right to assistance in state law:

Restrictions currently in place include purported limits on the number of voters an individual can help and requirements around assistors' identity and relationship to the voter. These limitations are vulnerable to legal challenge, and limit the effectiveness of overall accessibility efforts.

RESOURCES

[U.S. Election Assistance Commission's Election Glossaries](#)

[Department of Justice's 2011 Language Assistance Guidelines](#)

Contact report authors for introductions to language-minority community stakeholders.

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