LANGUAGE ACCESS

ELECTIONS CODE SECTION 14201
What is Section 14201?

CCROV 17-148

Dec. 2017

CCROV 18-051

Mar. 2018
Determine

The Secretary of State shall make determinations as to which languages are covered by Section 14201 by January 1 of year when Governor is elected (every 4 years)
What are County Responsibilities?

Translate
Translate facsimile copies of ballots & related instructions in designated languages.

Post
Post translations in conspicuous location at specified polling places.

Provide
Provide additional facsimile copies of ballots for voters to use while voting.

Train
Train pollworkers on purpose and proper handling of the facsimile copies of ballots and inform voters.

List
At least 14 days before election, on county website, list polling places providing facsimile copies of ballots.

Refer
County voter information guide must refer voters to its website with info on language access services.

Recruit
Recruit bilingual pollworkers. EC 12303.
14201 New Language Highlights

**Punjabi**
Alameda, Fresno, Kern, Madera, Merced, Sacramento, San Joaquin, Stanislaus, Sutter

**Arabic**
San Diego

**Armenian**
Los Angeles

**Persian**
Los Angeles, Orange

**Hmong**
Butte, Fresno, Merced, Sacramento, Yuba

**Syriac**
Stanislaus
14201 Language Net Gains/Losses*

*excludes counties with no 2014/2018 coverage

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Alameda, Amador, Calaveras, Del Norte, El Dorado, Humboldt, Inyo, Lassen, Modoc, Mono, Plumas, Riverside, San Joaquin, San Luis Obispo, Sacramento, Shasta, Sierra, Siskiyou, Tehama, Tulare, Tuolumne, Ventura

+1
Butte, Colusa, Madera, Mariposa, Placer, Stanislaus, Yuba

+2
Los Angeles, Merced, Santa Barbara, Sutter

+3
Fresno, Sonoma

-1
Mendocino, Monterey, San Bernardino, San Francisco, San Mateo, Solano, Yolo

-2
Marin, Orange, San Diego, Santa Clara, Santa Cruz

-3
Contra Costa
Methodology & Data

California Statewide Database Assistance

Analysis of existing datasets

Secretary of State Request for Special Tabulation from United States Census Bureau

Result: More refined precinct-level data for language determinations
Coverage Methods

Formula

Precinct covered IF:
- 3% (or more) of persons are 18 and over; and
- Members of “single language minority;” and
- Lack sufficient skills in English to vote without assistance (LEP).

Need

Precinct covered IF:
- The Secretary of State determines there is a “significant and substantial need” for language coverage.

Advocacy

Precinct may be covered IF:
- Interested parties provide information to the Secretary of State’s office indicating language need.
3% formula under Section 14201(b)(1) - applies to groups from a “single language minority”

“Single language minority” not defined in the Elections Code

SOS continued prior practice of interpreting “single language minority” in manner consistent with usage in Section 203 of the Voting Rights Act (VRA)

Sec. 203 of VRA defines “single language minority” into 4 groups: Hispanic, Asian, American Indian, Alaskan Native
This portion of the Elections Code not previously utilized.

SOS used the number of precincts that met 3% threshold for a particular language, then divided by the total number of precincts in the county.

If the total number of precincts meeting the 3% threshold exceeded 3% of total number of county precincts, SOS considered that language for inclusion under this determination method.

Then considered whether particular language groups meeting calculation referenced above has been subject to discrimination/burdens.

What about languages not covered?
Section 14201(b)(1): Interested parties may provide information to SOS indicating language need.

SOS received input prior to issuing its Section 14201 language access determinations.

What’s required?
Data Availability

Check/verify observed demographic shifts

Stakeholders, advocacy groups, counties can identify other non-covered groups that could benefit from additional information & services

Registration precinct data can be used to provide visualization of where language communities live.
Section 14201: Looking Ahead

- Looking back to look forward
- Revisiting California language assistance provisions
- 40+ years old
- Thinking differently
- Voter needs & County resources
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