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CENTRAL CALIFORNIA



**Partnership for the  
Advancement of  
New Americans**

**ACLU**  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATIONS  
**California**



August 04, 2020

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Language Accessibility Advisory Committee  
California Secretary of State  
1500 11th Street, Floor 5  
Sacramento, CA 95814  
laac@sos.ca.gov

*Via Electronic Mail*

**Re: Arabic & Somali Speaking Voters Need Language Access Services Now!**

Dear Members of the Secretary of State's Language Accessibility Advisory Committee (LAAC):

We call on you to join us in urging Secretary of State Alex Padilla to begin providing language access services to Arabic-speaking voters in Fresno County and Somali-speaking voters in San Diego County starting this November 2020 election. Despite requests from members of these communities that Secretary Padilla provide these services, Secretary Padilla believes it is acceptable to delay the provision of these services until at least 2022. These services are critical and cannot be delayed without the risk of disenfranchisement.

While this request is new, the need for language access services in these communities is not. These communities are past due to receive these critical language access services in order to fully exercise their right to vote. To that end, since late 2019, the Council on American-Islamic Relations - Central Valley (CAIR) in Fresno, Partnership for the Advancement of New

Americans (PANA) in San Diego, American Civil Liberties Union of California (ACLU of CA), and law students from Berkeley Law’s Election Law Practicum Seminar engaged in months of research, interviews, and community engagement to understand and document the needs of these two communities in order to submit robust requests to Secretary Padilla and ask him to use his discretionary authority to provide language access services to these two communities starting this November 2020.<sup>1</sup> (*See Attachments 1-2.*) Secretary Padilla responded by stating he would consider these requests when he makes the next mandatory language determination on January 1, 2022. (*See Attachments 3-4.*) Despite having the power to review and approve these critical requests to address language access needs *now*, Secretary Padilla decided these communities of voters can wait.

The urgency of this issue is reflected in interview responses of these community members. For example, some of those interviewed in Fresno County stated:

- “I know people who will not take part in the voting process due to their lack of English proficiency and not wanting to deal with the difficulties they could face.”
- Some Arabic speaking voters aren’t “able to understand most of the process” which makes it “hard to participate” and as a result, some “Arabic speakers most likely won’t vote . . . a lot of voices will be lost.”
- Dr. El Sayed Ramadan, imam of a Fresno mosque with a large Arabic-speaking population, stated simply that if LEP Arabic-speaking voters do not receive any voting services in Arabic, “they will not be able to vote.”

(*See Attachment 1 to read the entire Request for Arabic Language Services in Fresno County.*)

In San Diego County, for example, some interviewees explained:

- “I know of people who wanted to vote but couldn’t because they did not know the language. They did not know how to vote. They had to go and seek help, because they were motivated in voting. But it was difficult, and it shouldn’t be.”
- Several Somali voters reported struggling to cast a ballot and outright disenfranchisement: Because the ballot presents a language barrier, Somali-speakers are unfamiliar with many of the names and terms on the ballot. The impact of this is that many LEP Somali voters end up only voting for a name they recognize.
- Because Somali voters do not receive information in Somali beforehand, many lack the ability to read and understand the issues, differences between candidates, and other ballot

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<sup>1</sup> The California Elections Code establishes a process for designating which language groups must be provided language assistance under state law. *See* Cal. Elec.Code §14201. These designations are a floor, and elections officials have the discretion to provide additional language assistance as needed. *See id.* §§ 12303, 14201. The Secretary of State and elections officials may cover additional languages when requested by interested citizens or organizations. Specifically, Section 12303(c)(1) requires elections officials to make reasonable efforts to recruit bilingual poll workers “if interested citizens or organizations provide[] information that the elections official believes indicates a need for voting assistance for qualified citizens” Section 14201(b)(1) requires the Secretary of State to provide elections materials in other languages “if interested citizens or organizations provide the Secretary of State with information that gives the Secretary of State sufficient reason to believe a need for the furnishing of facsimile ballots . . . and ballot instructions.”

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measures. Consequently, during presidential elections many voters mark the box for president and then walk away without voting for down ballot candidates and other issues.

*(See Attachment 2 to read the entire Request for Somali Language Services in San Diego County.)*

These are just some examples of the impact of the lack of language access services for these two communities and the voices which will be lost if these services are not rendered this November.

All voters, regardless of how well they speak English, deserve equal access to the ballot. We hope members of the LAAC are similarly concerned that there are voters who need services, have asked for services, but have been denied, and that many risk not being able to fully exercise their right to vote.

We respectfully ask you to call on Secretary Padilla to begin providing language access services to Arabic-speaking voters in Fresno County and Somali-speaking voters in San Diego County starting this November election. These services cannot be delayed.

Sincerely,



Sukaina Hussain  
Central California Outreach Director  
**Council on American-Islamic Relations (CAIR)**  
**Sacramento Valley/Central California**



Geneviève Jones-Wright, Esq., LL.M.  
Executive Director  
**Community Advocates for Justice and Moral Governance (MoGo)**

*/s/ Ramla Sahid*

Ramla Sahid  
Executive Director  
**Partnership for the Advancement of New Americans (PANA)**



Christina E. Fletes-Romo  
Voting Rights Attorney  
**American Civil Liberties Union Foundations of California (ACLU of CA)**

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*Joined by:*

*/s/ Liza Chu*

Liza Chu

California Policy Manager

**Asian Americans Advancing Justice -CA**

*/s/ Bertrall Ross*

Bertrall Ross

Chancellor's Professor of Law

**Berkeley Law School**

*/s/ Jesus Martinez*

Jesus Martinez, Ph.D.

Executive Director

**Central Valley Immigrant Integration Collaborative**

*/s/ Nkauj Iab Yang*

Nkauj Iab Yang

Co-Director

**Hmong Innovation Politics (HIP)**

*/s/ Samuel Molina*

Samuel Molina

CA State Director

**Mi Familia Vota**

*/s/ Socorro Santillan*

Socorro Santillan

Director of Public Affairs – Fresno

**Planned Parenthood Mar Monte**

*/s/ Maricela Gutiérrez*

Maricela Gutiérrez

Executive Director

**SIREN (Services, Immigrant Rights & Education Network)**

CC: Reina Miller (rmiller@sos.ca.gov); Astrid Ochoa (astrid@futureofcaelections.org); Clarissa Laguardia (clarissa@laguardiatranslations.com)

# **Attachment 1**



June 23, 2020

The Honorable Alex Padilla  
Secretary of State of California  
1500 11th Street, 6th Floor  
Sacramento, CA 95814  
Secretary.Padilla@sos.ca.gov  
Elections@sos.ca.gov

Ms. Brandi Orth  
Fresno County Clerk and Registrar of Voters  
2221 Kern Street  
Fresno, CA 93721  
BOrth@fresnocountyca.gov

*Via Electronic Mail*

**RE: Request for Language Access Services in Arabic in Fresno County**

Dear Secretary of State Padilla and Registrar Orth:

On behalf of the Council on American-Islamic Relations of Sacramento Valley/Central California (“CAIR-CC”)<sup>1</sup> and the American Civil Liberties Union Foundation of California (ACLU of California), we write to inform you that Arabic speakers in Fresno County require language access services in order fully to exercise the right to vote, and we respectfully request that you begin providing those services. Specifically, we request that Secretary of State Alex Padilla require a translated facsimile ballot and related instructions in Arabic, as well as translations posted in a conspicuous location in each polling place, and that Registrar Brandi Orth make a reasonable effort to recruit bilingual poll workers for vote centers throughout the county. We make this request pursuant to California Elections Code Sections 12303 and 14201 (hereinafter “Section 12303” and “Section 14201”).

We, along with other civil rights and community-based organizations, including many Fresno-based organizations, have previously requested that the Fresno County Elections Office (“Elections Office”) provide language access services in Arabic. These requests have been made in writing on at least 3 different occasions (*see Attachments 1-3*) and at least once during a public meeting.<sup>2</sup> Having not received a response to our written inquiries, we are now formally submitting this request.

Over the last several months, the Sacramento Valley/Central California chapter of CAIR-CC, a branch of which is based in Fresno, has partnered with the ACLU of California and law students enrolled in an election law seminar at UC Berkeley School of Law to conduct research and interviews in order to document the language access needs of Fresno’s Arabic-speaking population, with a particular focus on citizens of voting age and soon-to-be-eligible voters. We

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<sup>1</sup> CAIR is America’s largest Islamic civil liberties group, with regional offices nationwide. CAIR’s mission is to enhance understanding of Islam, protect civil rights, promote justice and empower American Muslims. CAIR’s regional office is located at 1273 E Shaw Avenue, Fresno, CA 93710.

<sup>2</sup> During the May 15, 2019 Fresno County Voter’s Choice Act Advisory Committee, a Fresno County resident and representative from CAIR-CC asked if the Elections Office would be able to provide language access services in Arabic, but was told that the only languages covered would be those required under federal and state law.

found that Fresno’s Arabic-speaking voters and soon-to-be-eligible voters both want and need language access services, and that a portion of this electorate is disenfranchised because they do not have the necessary language access to vote. Moreover, community organizations that serve this population of voters are eager to partner with the Elections Office to assist with these efforts. We respectfully request that you expand language access services to include Arabic for the November 2020 general election, or as soon as otherwise practicable.

This letter will briefly discuss (I) the statutory authority for providing language access services in Arabic and (II) provide a review of our research that demonstrates the compelling need for language access, including (III) an overview of the Arabic community in Fresno County, (IV) the difficulties the Arabic-speaking community has faced while attempting to vote, and (V) the importance of voting to the Arabic-speaking community.

## **I. Statutory Authority to Cover Arabic**

The California Elections Code establishes a process for designating which language groups must be provided language assistance under state law. *See* Section 14201. These designations are a floor, and elections officials have the discretion to provide additional language assistance as needed. *See* Sections 12303 and 14201. For example, Los Angeles County has provided language assistance in Japanese, Thai, and Hindi, even during elections when they were not mandated to.<sup>3</sup>

Further, the Secretary of State and elections officials may cover additional languages when petitioned by interested citizens or organizations. Specifically, Section 12303(c)(1) requires elections officials to make reasonable efforts to recruit bilingual poll workers “if interested citizens or organizations provide[] information that the elections official believes indicates a need for voting assistance for qualified citizens....” Section 14201(b)(1) requires the Secretary of State to provide elections materials in other languages “if interested citizens or organizations provide the Secretary of State with information that gives the Secretary of State sufficient reason to believe a need for the furnishing of facsimile ballots...and ballot instructions.”

We believe the information we provide below indicates a sufficient need for these language access services in Fresno County.

## **II. Primary & Secondary Research Overview**

To prepare this request, we conducted secondary research on the importance of language access in California and the Arabic-speaking community in Fresno County. We met with statewide language access experts, advocates, and researchers, to understand the applicable California law including California Elections Code Sections 12303 and 14201. In addition, we reviewed Section 12303 and 14201 coverage formulas, their legislative histories, and conducted research on the American Community Survey (“ACS”) and undercounting.

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<sup>3</sup> Los Angeles County, Multilingual Election Services, 2017. Available at <https://lavote.net/docs/rrcc/documents/Multilingual-Services-Evaluation-Report.pdf>.

In conducting the primary research for this request, we interviewed members of the Arabic-speaking community of Fresno County over the course of March and April 2020. Specifically, we interviewed four senior staff members from three community organizations serving over 8,000 Arabic speakers in Fresno, as well as an Arabic-speaking social worker working with refugees. In addition, we conducted four other interviews with Arabic-speaking voters and soon-to-be eligible voters in both English and Arabic, over the phone and via Zoom. As you will see, we don't always list names of interviewees as not all felt comfortable with their identities being public.

### **III. The Arabic Speaking Population in Fresno County**

Fresno County is home to a large Arabic-speaking population.<sup>4</sup> Like the County as a whole,<sup>5</sup> the Arabic-speaking community is extraordinarily diverse and growing fast.<sup>6</sup> The overwhelming majority are citizens or on the path to citizenship.<sup>7</sup> The newest arrivals are Syrian refugees, most of whom came to the United States in 2016 and will become citizens in 2021.<sup>8</sup>

Critically, official government data likely significantly undercounts the Arabic-speaking population in Fresno County.<sup>9</sup> While the most recent ACS data from 2018 shows that the Fresno Arabic-speaking population is 4,169,<sup>10</sup> among whom the Limited English Proficient (“LEP”) population is 1,453,<sup>11</sup> information we obtained from interviews suggests that the actual size of the Fresno Arabic-speaking population is approximately 6,000-10,000 individuals, half of whom are LEP. As one community leader noted, because “the census includes Middle Eastern communities as white, someone has to actually specify Arabic as first language to be counted,”

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<sup>4</sup> Arabic speakers have called Central California home for generations. Yemeni farmworkers started arriving as early as the 1940s and 1950s, and then began to immigrate in large numbers in the 1960s and 1970s. Neama Alamri, “Yemeni Farm Workers and the Politics of Arab Nationalism in the UFW,” *Boom California* (online journal published by the University of California Press) (Feb. 18, 2020), available at:

<https://boomcalifornia.com/2020/02/18/yemeni-farm-workers-and-the-politics-of-arab-nationalism-in-the-ufw/>.

<sup>5</sup> “Quick Facts: Fresno County, CA,” U.S. Census Bureau, available at:

<https://www.census.gov/quickfacts/fact/table/fresnocitycalifornia.fresnocountycalifornia/PST120218>.

<sup>6</sup> Arabic speakers are integral members of the Fresno community and deserve equal access to the ballot. Like their neighbors, many work as farm, factory, and slaughterhouse workers, Uber drivers, non-profit and faith leaders, and owners of convenience stores and other small businesses. Interview with Mohammed Talib, Fresno Interdenominational Refugee Ministries (FIRM), April 9, 2020; interview with Dr. El Sayed Ramadan, Masjid Fresno Islamic Center (MFIC), April 22, 2020. Some came to Fresno seeking economic opportunity; others are refugees or asylum seekers; still others came to reunite with family members already here. *Id.* While the majority of Fresno’s Arabic speakers are Yemeni or Palestinian, the community also includes immigrants from Syria, Egypt, Jordan, Iraq, Lebanon, Saudi Arabia, and other countries across the Middle East and North Africa. Interview with Reza Nekumanesh, Executive Director of Islamic Community Center of Fresno (ICCF), April 13, 2020.

<sup>7</sup> Interview with Seyed Ali Ghazvini, Imam of ICCF, April 2, 2020 (“We have very few undocumented immigrants. Very few. 95% or more are citizens or documented immigrants with green cards.”).

<sup>8</sup> Miriam Jordan, “When Syria Came to Fresno: Refugees Test Limits of Outstretched Hand,” *N.Y. Times* (July 20, 2017), available at: <https://www.nytimes.com/2017/07/20/us/fresno-syrian-refugees.html>; interview with Mohammed Talib, FIRM, April 9, 2020.

<sup>9</sup> Even the Census Bureau acknowledges the difficulties in accurately counting language minorities. See O’Hare, W. *Differential Undercounts in the U.S. Census: Who is Missed?* SpringerBriefs in Population Studies. 2019. p. 46.

<sup>10</sup> U.S. Census Bureau. ACS 5 Year Estimates – Public Use Microdata Sample (2018). Accessible at [https://data.census.gov/mdat/#/search?ds=ACSPUMS5Y2018&rv=ucgid,LANP\(4500\)&wt=PWGTP&g=7950000US0601901.0601902.0601903.0601904.0601905.0601906.0601907](https://data.census.gov/mdat/#/search?ds=ACSPUMS5Y2018&rv=ucgid,LANP(4500)&wt=PWGTP&g=7950000US0601901.0601902.0601903.0601904.0601905.0601906.0601907).

<sup>11</sup> *Id.*



which many people do not realize they should do.<sup>12</sup> Sukaina Hussain, Fresno-based Outreach Director for CAIR-CC, estimates that there are 10,000 Arabic speakers in Fresno County.<sup>13</sup> Reza Nekumanesh, Executive Director of the Islamic Cultural Center of Fresno, estimates that there are 7,000-8,000 Arabic speakers in the County, including 5,000 Arabic speakers in the city of Fresno alone.<sup>14</sup> Many Arabic speakers, including those who have become citizens and lived in Fresno for several years, have not learned English “very well.”<sup>15</sup> Ms. Hussain of CAIR-CC estimates that half of Fresno’s Arabic speakers—as many as 5,000 people—are LEP.<sup>16</sup>

#### **IV. Barriers to Voting for Limited English Proficient (LEP) Arabic Speakers in Fresno**

LEP Arabic speakers face significant barriers to voting in Fresno County, including a lack of understanding about the voting process, issues, and candidates on the ballot. Without language access, Arabic speakers are effectively disenfranchised and cannot exercise their rights as American citizens.<sup>17</sup>

Language access is necessary for LEP Arabic speakers to understand the electoral process. Seyed Ali Ghazvini, imam of the Islamic Cultural Center of Fresno (“ICCF”), explained, “some community members have never seen a voter registration form, never been in a ballot box, never cast their ballot. You’ve immigrated to a new home where an essential way of expressing yourself is through voting.” The language barrier greatly exacerbates many immigrants’ fears of misunderstanding, and consequently messing up, the voting process in their new home. Diala H., a 30-year-old originally from Lebanon who came to the United States 5 years ago, explained that one of the biggest barriers she and other LEP voters face is their “fear of making the wrong decision due to not understanding the process and everything else that is going on during voting.”<sup>18</sup>

For some would-be voters, the language barrier feels insurmountable. For example, Diala H. stated: “I know people who will not take part in the voting process due to their lack of English proficiency and not wanting to deal with the difficulties they could face.”<sup>19</sup> Another eligible voter said that because Arabic speakers aren’t “able to understand most of the process, it’ll be hard to participate.”<sup>20</sup> As a result, some “Arabic speakers most likely won’t vote... a lot of voices

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<sup>12</sup> Interview with Reza Nekumanesh, ICCF, April 13, 2020.

<sup>13</sup> Interview with Sukaina Hussain, CAIR-CC, March-April 2020.

<sup>14</sup> *Id.* Similarly, his colleague Seyed Ali Ghazvini estimated that alone there are at least 5-6,000 Yemeni and Palestinian Arabic speakers, the two largest subsets of the population. Interview with Seyed Ali Ghazvini, ICCF, April 2, 2020. Mohammed Talib of FIRM estimated the number of Arabic speakers as “5,000 or a bit more...[and you] could add an extra 1,000 who didn’t do the census, if not more.” Interview with Mohammed Talib, FIRM, April 9, 2020.

<sup>15</sup> *See* interview with Seyed Ali Ghazvini, ICCF, April 2, 2020 (“In my own community, there are members who are citizens maybe for 10 or 20 years, [yet] their English is very limited.”); interview with Diala H., an Arabic speaker in Fresno, April 2020 [translated] (“My in-laws have lived here for the past 30 years...[but] have limited English levels.”).

<sup>16</sup> Interview with Sukaina Hussain, CAIR-CC, March-April 2020.

<sup>17</sup> Interview with Seyed Ali Ghazvini, Imam of ICCF, April 2, 2020.

<sup>18</sup> Interview with Diala H., an Arabic speaker in Fresno, April 2020 [translated].

<sup>19</sup> *Id.*

<sup>20</sup> Interview with N.B., an Arabic speaker in Fresno, April 2020 [translated].

will be lost.”<sup>21</sup> Dr. El Sayed Ramadan, imam of a Fresno mosque with a large Arabic-speaking population, stated simply that if LEP Arabic-speaking voters do not receive any voting services in Arabic, “they will not be able to vote.”<sup>22</sup>

Even when Arabic-speaking voters are able to access a ballot and vote, many do not understand the issues they are voting on. Zena Chafi, a Syrian-American fluent in English but with several family members who are not, identified the problem: “How can you vote if you don’t know who you’re voting for or what their position is?”<sup>23</sup> Because the ballot is in English, LEP eligible voters are unfamiliar with many of the names and terms on the ballot. As a result, many end up only voting for names they recognize.<sup>24</sup> They are effectively precluded from participating in many down-ballot races where candidates’ name recognition often is less. Moreover, because Arabic-speaking eligible voters do not receive information beforehand, such as voter guides in Arabic, they lack the ability to read and understand the issues, differences between candidates, and other ballot measures. Ensuring that all voters can understand their ballots, and thus cast informed votes, helps ensure a fair electoral process.<sup>25</sup> All voters, regardless of how well they speak English, deserve equal access to all aspects of the ballot.

The need for Arabic language election materials may be most acute for women. Seyed Ali Ghazvini of ICCF noted that many middle-aged women, who may have immigrated several years prior but become busy raising their families and find it difficult to attend English classes, have a particular need for voting materials in Arabic.<sup>26</sup> Bayan M., a 41-year-old woman originally from Saudi Arabia, said that her husband and children know English, but that she doesn’t.<sup>27</sup> Zena Chafi, a Syrian-American, stated that she knows a lot of people, particularly women, who are “not too fluent in English, that prefer Arabic. They want to vote, but don’t know how. They don’t know where to start, don’t understand the process or how to do it.”<sup>28</sup>

Nearly every person interviewed noted that Arabic-speaking voter participation is low, but that expanded language services would significantly increase voter participation. Offering Arabic language materials is an essential step to greater civic engagement for this important segment of Fresno’s population.

## **V. Importance of Voting to the Community**

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<sup>21</sup> *Id.*

<sup>22</sup> Interview with Dr. El Sayed Ramadan, MFIC, April 22, 2020.

<sup>23</sup> Interview with Zena Chafi, CAIR-CC, April 15, 2020.

<sup>24</sup> Interview with Reza Nekumanesh, Executive Director of ICCF, April 13, 2020 (“If you don’t understand what’s on the ballot, you’re not going to understand what you’re going to vote for...[instead] just clicking on the name you’ve heard the most.”).

<sup>25</sup> The mission statement of the Fresno County Clerk/Registrar of Voters Office is to “provide citizens with fair and honest elections and professional customer-services...recogniz[ing] and respect[ing] all individuals while continually improving and providing the highest quality of service,” and to “[c]onduct elections in a manner that protects the integrity of the electoral process.” See “Mission Statement,” Fresno County Clerk/Registrar of Voters, accessed Apr. 27, 2020, <https://www.co.fresno.ca.us/departments/county-clerk-registrar-of-voters/about-us>. Expanding language coverage is in line with this mission statement.

<sup>26</sup> Interview with Seyed Ali Ghazvini, Imam of ICCF, April 2, 2020 (estimating that while 15-20% of Fresno’s Yemeni Arabic speakers can’t speak English at all, for women, this number is higher, perhaps 25-30%).

<sup>27</sup> Interview with Bayan M., an Arabic speaker in Fresno, April 2020 [translated].

<sup>28</sup> Interview with Zena Chafi, CAIR-CC, April 15, 2020.

Every individual interviewed spoke enthusiastically about the importance of voting to them and the Arabic-speaking community. Like other Fresno voters, Arabic-speaking voters care about having their voices heard on issues ranging from education, healthcare, social security,<sup>29</sup> and acceptance of refugees.<sup>30</sup> Interviewees explained that decreased voter participation resulting from the lack of language access has harmed the Arabic-speaking community's ability to influence policy and form relationships with lawmakers. When asked why voting is important to his community, Reza Nekumanesh responded, "Representation. We haven't mattered, we haven't shown up. When we go to ask City Hall for things it's like we're aliens, we haven't been there for the process, canvassing, winning...because we didn't show up, we have no power."<sup>31</sup> Fresno's Arabic-speaking community would like to fully engage in our democracy and be able to weigh in on issues that affect the community.

Interviewees discussed the need for language services in order to increase voter participation:

- Diala H. said, "*We have the right to vote and the right to fully understand our voting process before making any decisions. Having it presented to us in our language will help those in need of support...the more we are informed, the more likely we are to vote.*"<sup>32</sup>
- Zena Chafi noted that without Arabic language access, "*We're missing out on so many voters because they don't understand what's going on. They don't know the importance of it. If we can reach them in their mother tongue and explain to them, give them the resources they need to vote, it would make a huge difference.*"<sup>33</sup>
- When asked why Arabic language access is important, N.B. responded, "*because there is a big Arabic community in Fresno...having the Arabic coverage is important to get most of the community [to] participate.*"<sup>34</sup>
- Mohammed Talib stated that "*Arabic ballots would greatly increase the population of Arabic speakers that would want to vote. That's their first language and they are more comfortable with that language.*"<sup>35</sup>

Many Fresno organizations serving Arabic speakers already go to great lengths to educate their members about upcoming elections, and see integrating new citizens into American democracy as part of their mission.<sup>36</sup> ICCF, for example, reported "turn[ing] our center into a place where people can register for voting...for those who need help for registering, we have volunteers who

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<sup>29</sup> Interview with Seyed Ali Ghazvini, ICCF, April 2, 2020 ("Our community is just like any other community, they need their voice heard in the nation when it comes to healthcare...social security and employment, education in the schools. All of this is just like other communities.").

<sup>30</sup> Interview with Mohammed Talib, FIRM, April 9, 2020.

<sup>31</sup> Interview with Reza Nekumanesh, ICCF, April 13, 2020.

<sup>32</sup> Interview with Diala H., an Arabic speaker in Fresno, April 2020 [translated].

<sup>33</sup> Interview with Zena Chafi, CAIR-CC, April 15, 2020.

<sup>34</sup> Interview with N.B., an Arabic speaker in Fresno, April 2020 [translated].

<sup>35</sup> Interview with Mohammed Talib, FIRM, April 9, 2020.

<sup>36</sup> Interview with Seyed Ali Ghazvini, ICCF, April 2, 2020 ("One of our focuses is to help immigrants integrate within the society"). FIRM has run citizenship workshops and plans to do voter education, candidate forums, and education about the electoral college and how to vote in 2021 and 2022, when most Syrian refugees become eligible for citizenship. Interview with Mohammed Talib, FIRM, April 9, 2020. Masjid Fresno has hosted voter registration drives after Friday prayers and at other events. Interview with Dr. El Sayed Ramadan, MFIC, April 22, 2020.

go around and ask people, are you registered voters, and if not, would you like to register, do you need help registering.”<sup>37</sup> But the impact of voter education and outreach is inherently limited when election materials remain in a language many cannot understand. As Reza Nekumanesh stated, “having access to information in your own language will allow your vote to be more in line with what you believe, not just the first name that pops up or the name of a bill without understanding what it’s all about.”<sup>38</sup>

## **VI. Request to Provide Language Access Services in Arabic**

In summary, we request that language access services be provided in Arabic in time for the November general election.<sup>39</sup> Specifically, we request that Secretary Padilla require translated facsimile ballots and related instructions in Arabic, with translations posted at conspicuous locations in each vote center, and further request that Registrar Orth make a reasonable effort to recruit bilingual poll workers in accordance with Sections 12303 and 14201.

We understand the importance of a strong partnership between the Elections Office and community organizations in order to make sure implementation is a success. The undersigned and other community organizations that formed part of this effort are eager to help expand access to the ballot for Arabic-speaking voters and to partner with the Elections Office to help find bilingual poll workers, review translations, and provide other support as necessary.<sup>40</sup> Further, these organizations are ready to help direct their members to the vote centers with Arabic-speaking poll workers.<sup>41</sup>

We ask that you please respond to us by **Friday, July 3rd, 2020**. We look forward to working together to expand language access for the large Arabic-speaking population of Fresno County in time for the November general election.

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<sup>37</sup> Interview with Seyed Ali Ghazvini, ICCF, April 2, 2020.

<sup>38</sup> Interview with Reza Nekumanesh, ICCF, April 13, 2020.

<sup>39</sup> Voting materials should be translated into Modern Standard Arabic, also known as Formal Arabic, which is widely used in literature, education, and news broadcasts through the Arabic-speaking world. Interview with Zena Chafi, CAIR-CC, April 15, 2020; see also “Arabic,” Center for Global Education, Asian Society, available at: <https://asiasociety.org/education/arabic>.

<sup>40</sup> CAIR-CC and the ICCF, in particular, are ready to act. Reza Nekumanesh of ICCF noted that his members already are getting more interested in political engagement, including poll working. Interview with Reza Nekumanesh, ICCF, April 13, 2020. Sukaina Hussain of CAIR-CC also will help recruit bilingual poll workers. Interview with Sukaina Hussain, CAIR-CC, March-April 2020.

<sup>41</sup> Interview with Reza Nekumanesh, ICCF, April 13, 2020. While Arabic speakers live throughout the county, in both urban and rural areas, North Fresno is home to many: Recent Syrian refugees are clustered near El Dorado Park on East San Ramon Avenue, and many others of all backgrounds living in the northeast part of the city. Arabic-speaking poll workers would be most beneficial in these areas. Miriam Jordan, “When Syria Came to Fresno: Refugees Test Limits of Outstretched Hand,” *N.Y. Times* (July 20, 2017), available at: <https://www.nytimes.com/2017/07/20/us/fresno-syrian-refugees.html> (“more than a dozen Syrian families... [live] in two apartment blocks on East San Ramon Avenue”); interview with Dr. El Sayed Ramadan, Masjid Fresno Islamic Center (MFIC), April 22, 2020 (“Many of them [Arabic speakers] lie close to the Masjid,” located at 2111 East Shaw Ave); interview with Diala H., an Arabic speaker in Fresno, April 2020 [translated] (“I live in Fresno, around the Maple and Nees area”); interview with Bayan M., an Arabic speaker in Fresno, April 2020 [translated] (“Fresno N. Boyd Ave.”).

Please do not hesitate to contact us with any questions. Thank you for your consideration and we look forward to your response.

Sincerely,



Basim Elkarra  
Executive Director  
**CAIR Sacramento Valley/Central California**



Sukaina Hussain  
Outreach Director  
**CAIR Sacramento Valley/Central California**



Christina E. Fletes-Romo  
Voting Rights Attorney  
**ACLU of California**



Luis Ojeda  
Central Valley Organizing and Program Manager  
**ACLU of Northern California**

# **Attachment 2**



Partnership for the  
Advancement of  
New Americans



June 08, 2020

The Honorable Alex Padilla  
Secretary of State of California  
1500 11th Street, 6th Floor  
Sacramento, CA 95814  
Secretary.Padilla@sos.ca.gov  
Elections@sos.ca.gov

Mr. Michael Vu  
Registrar of Voters  
5600 Overland Avenue  
San Diego, CA 92123  
Michael.Vu@sdcounty.ca.gov

*Via USPS and Electronic Mail*

**RE: Request for Language Access Services in Somali in San Diego County**

Dear Secretary of State Padilla and Registrar Vu:

On behalf of The Partnership for the Advancement of New Americans (PANA),<sup>1</sup> a San Diego based organization, and the American Civil Liberties Union Foundation of California (ACLU), we write to urge Secretary of State Alex Padilla to require translated facsimile ballots and related instructions in the Somali language and Registrar Michael Vu to make a reasonable effort to recruit bilingual poll workers. Somali-speakers in San Diego require language access services in order to fully to exercise the right to vote, and we respectfully request that you begin providing those services. We make this request pursuant to California Elections Code Sections 12303 and 14201 (hereinafter “Section 12303” and “Section 14201”).

It is well documented that language access increases turnout for Limited English Proficient (LEP) voters.<sup>2</sup> After the federal government required San Diego County to improve its language access efforts, voter registration rates among Latino and Filipino Americans increased by more than twenty percent, and the voter registration rate among Vietnamese Americans increased by forty percent.<sup>3</sup> With these positive statistics, we believe the addition of language access services could greatly increase participation of Somali-speaking voters.

Over the last several months, PANA partnered with the ACLU of California and law students at UC Berkeley School of Law to conduct research to document the language access needs in San

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<sup>1</sup> PANA is a research, community organizing, and public policy hub dedicated to advancing the full economic, social, and civic inclusion of refugees and Muslims in the region. PANA is focused on ensuring families who have fled violence and persecution by oppressive regimes are on a path to meaningfully rebuild a sense of home in this country and achieve economic and social belonging. PANA is located at 4089 Fairmount Avenue, San Diego, CA 92105.

<sup>2</sup> See, e.g., Hopkins, D., *Translating into Votes: The Electoral Impacts of Spanish-Language Ballots*, American Journal of Political Science, 813-829 (2011), <https://onlinelibrary.wiley.com/doi/pdf/10.1111/j.1540-5907.2011.00534.x>.

<sup>3</sup> Gonzales, A. U.S. Attorney General, “Prepared Remarks at the Anniversary of the Voting Rights Act, Lyndon B. Johnson Presidential Library, Austin, Texas,” Aug. 2, 2005, <https://www.justice.gov/archive/ag/speeches/2005/080205agvotingrights.htm>.

Diego's Somali population, with a particular focus on citizens of voting age and soon to be eligible voters. We found that San Diego's Somali-speaking voters and soon to be eligible voters want and need these services. Furthermore, a portion of this electorate is disenfranchised because they do not have necessary language access to vote. Community organizations that serve this population of voters are eager to partner with the San Diego Registrar's Office to assist with these efforts. As a result, we respectfully request that you expand language access services to include the Somali language for the November 2020 general election, or as soon as otherwise practicable.

This letter will briefly discuss (I) the statutory authority for providing language access services in Somali and (II) provide a review of our research that demonstrates the compelling need for language access, including (III) an overview of the Somali community in San Diego County, (IV) the difficulties the Somali-speaking community has faced while attempting to vote, and (V) the importance of voting to the Somali community.

## **I. Statutory Authority to Cover the Somali Language**

The California Elections Code establishes a process for designating which language groups must be provided language assistance under state law. *See* Section 14201. These designations are a floor, and elections officials have the discretion to provide additional language assistance as needed. *See* Sections 12303 and 14201. For example, although it is not currently mandated, Los Angeles County provides language assistance in Japanese, Thai, and Hindi.<sup>4</sup>

Furthermore, the Secretary of State and elections officials may cover additional languages when petitioned by interested citizens or organizations. Specifically, Section 12303(c)(1) requires elections officials to make reasonable efforts to recruit bilingual poll workers "if interested citizens or organizations provide[] information that the elections official believes indicates a need for voting assistance for qualified citizens...." Section 14201(b)(1) requires the Secretary of State to provide elections materials in other languages "if interested citizens or organizations provide the Secretary of State with information that gives the Secretary of State sufficient reason to believe a need for the furnishing of facsimile ballots ... and ballot instructions."

We believe the information we provide below indicates a sufficient need for these language access services in San Diego County.

## **II. Primary & Secondary Research Overview**

To prepare this request, we conducted secondary research on the importance of language access in California and the Somali community in San Diego. We met with statewide language access experts, advocates, and researchers to understand the applicable California law and Sections 12303 and 14201. In addition, we reviewed coverage formulas for Sections 12303 and 14201, their legislative histories, and conducted research on the census, American Community Survey (ACS), and undercounting and data suppression.

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<sup>4</sup> Los Angeles County, Multilingual Election Services, 2017. Available at <https://lavote.net/docs/rcc/documents/Multilingual-Services-Evaluation-Report.pdf>. Although not currently mandated, Los Angeles will be required to start covering these three languages for the November 2020 election.



In conducting the research for this letter, we interviewed members of the Somali community of San Diego throughout March and April. Specifically, we interviewed the executive directors of two community organizations that serve approximately 10,000 Somali community members in San Diego. In addition, we conducted interviews with Somali residents of San Diego in both English and Somali over the phone and via Zoom.

### **III. The Somali Population in San Diego County**

The city of San Diego has the second largest population of Somali people in the United States.<sup>5</sup> However, it is widely believed that the Census and ACS significantly undercount the San Diego Somali-speaking population.<sup>6</sup> While the most recent ACS 5-year estimate from 2018 shows that the San Diego Somali-speaking population is 2,756,<sup>7</sup> among whom the LEP population is 1,263,<sup>8</sup> information we obtained from news sources and interviews suggests that the actual size of the San Diego Somali-speaking population is approximately 15,000-25,000 individuals, half of whom are likely LEP.<sup>9</sup> As one community leader noted, “Somalis tend to be very invisible when it comes to data because they’re marked as Black/African-American” rather than Somali.<sup>10</sup>

Almost all of the 15,000-25,000 Somali people in San Diego are US citizens.<sup>11</sup> While some Somali people live in North Park and Clairemont Mesa, most Somali people in San Diego live near

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<sup>5</sup> Peter Rowe, “Tense, Troubling Time for Somalis in San Diego,” *San Diego Tribune* (Nov. 20, 2010), available at: <https://www.sandiegouniontribune.com/sdut-somalis-san-diego-tense-and-troubling-time-2010nov20-story.html>; The Somali community has been an integral part of San Diego’s makeup since the 1980’s, with strong family ties serving as a powerful draw for refugees fleeing Somalia which in turn has not only led to the continual growth of this community but the establishment of several Somali-serving community organizations, including PANA, Somali Bantu Community of San Diego, and the International Rescue Committee. See Miriam Raftery, “Little Mogadishu: From East Africa to East San Diego,” *East County Magazine* (April 2011), available at: <https://www.eastcountymagazine.org/little-mogadishu-east-africa-east-san-diego>; Megan Burks, “San Diego’s Somali Population Explained,” *KPBS* (Feb. 22, 2013), available at: <https://www.kpbs.org/news/2013/feb/22/san-diegos-somali-population-explained/>; Interview with Ramla Sahid, Executive Director of the Partnership for the Advancement of New Americans (PANA), April 9, 2020.

<sup>6</sup>PANA believes that, through its organizing and outreach efforts, phone bankers have spoken to over 2,000 Somalis during one campaign; Even the Census Bureau acknowledges the difficulties in accurately counting language minorities. See O’Hare, W. *Differential Undercounts in the U.S. Census: Who is Missed?* SpringerBriefs in Population Studies. 2019. p. 46.

<sup>7</sup> U.S. Census Bureau. ACS 5 Year Estimates – Public Use Microdata Sample (2018). Accessible at <https://data.census.gov/mdat/#/search?ds=ACSPUMS5Y2018&rv=ucgid,LANP%284840%29&wt=PWGTP&g=7950000US0607301,0607302,0607303,0607304,0607305,0607306,0607307,0607308,0607309,0607310,0607311,0607312,0607313,0607314,0607315,0607316,0607317,0607318,0607319,0607320,0607321,0607322>

<sup>8</sup> *Id.*

<sup>9</sup> The most recent news article to estimate the Somali population in San Diego puts the population size at 20,000 to 30,000 Somalis. (Tarryn Mento, “San Diego’s Somalis Worried About Mental Health Needs,” *KPBS* (March 23, 2018), available at: <https://www.kpbs.org/news/2018/mar/12/san-diegos-somalis-worried-about-mental-health-nee/>); Our interviews with community leaders revealed similar estimates. Hamadi Jumale, the Executive Director of the Somali Bantu Community of San Diego, a non-profit organization that helps refugee families adjust to their new lives in the United States, calculates that his organization alone has helped over 10,000 Somali-speaking residents adjust to life in San Diego after resettling. (Interview with Hamadi Jumale, Executive Director of Somali Bantu Community of San Diego, April 7, 2020.) Ramla Sahid, the Executive Director of PANA, estimates that the Somali population in San Diego is 15,000-25,000, at least half of whom are LEP. (Interview with Ramla Sahid, Executive Director of PANA, April 9, 2020.)

<sup>10</sup> Interview with Ramla Sahid, Executive Director of PANA, April 9, 2020.

<sup>11</sup> Interview with Ramla Sahid, Executive Director of PANA, April 9, 2020.

University and 50th Street in the City Heights neighborhood, commonly known as “Little Mogadishu.”<sup>12</sup>

#### **IV. Barriers to Voting for LEP Somali Speakers in San Diego**

There are significant barriers to voting for the Somali-speaking population in San Diego. For example, many Somali people do not understand the voter registration process, or the importance of filling out a voter registration form.<sup>13</sup> As a result, when voting-related materials arrive in the mail, many throw out these forms because they do not understand the language or the significance.<sup>14</sup> Translated materials are essential to rectify this. One eligible voter, who does not speak English, stated in an interview: “I know of people who wanted to vote but couldn’t because they did not know the language. They did not know how to vote. They had to go and seek help, because they were motivated in voting. But it was difficult, and it shouldn’t be.”<sup>15</sup>

Several other Somali voters have reported struggling to cast a ballot and outright disenfranchisement. Because of unfamiliarity with Somali names, there have been instances of poll workers who were unable to locate Somali voters on the registration lists, and have refused to provide Somali voters with a ballot.<sup>16</sup> Having poll workers who can speak the Somali language is particularly important because the Somali community is “a very oral community.”<sup>17</sup> Many eligible voters haven’t learned how to read and write even in Somali, so having bilingual poll workers is one of the most crucial language services that can be offered to the community.<sup>18</sup>

Even when Somali voters are able to access a ballot and vote, many do not understand the issues they are voting on.<sup>19</sup> Because the ballot presents a language barrier, Somali-speakers are unfamiliar with many of the names and terms on the ballot. The impact of this is that many LEP Somali voters end up only voting for a name they recognize.<sup>20</sup> Moreover, because Somali voters do not receive information in Somali beforehand, they lack the ability to read and understand the issues, differences between candidates, and other ballot measures.<sup>21</sup> Consequently, during presential elections many voters mark the box for president and then walk away without voting for down ballot candidates and other issues.<sup>22</sup> The Executive Director of PANA, Ramla Sahid, reiterated this point in a recent interview, stating that “[e]very election, I go line by line with folks [to] help[] explain the issues to everyone. Sometimes it is easy, but sometimes it’s difficult because they

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<sup>12</sup> Miriam Raftery, “Little Mogadishu: From East Africa to East San Diego,” *East County Magazine* (April 2011), available at: <https://www.eastcountymagazine.org/little-mogadishu-east-africa-east-san-diego>.

<sup>13</sup> Interview with Hamadi Jumale, Executive Director of Somali Bantu Community of San Diego, April 7, 2020. In the interview, Mr. Jumale stated that several of his family members do not speak English and will trash voting information received in the mail because they do not understand it: “If it would be in Somali language, people would know what is going on and what to do with the form. When it comes to voting, people don’t know the importance of what they receive in the mail because they aren’t familiar with it because it is in English.”

<sup>14</sup> *Id.*

<sup>15</sup> Interview with Ubah, a Somali speaker in San Diego, April 2020 [translated].

<sup>16</sup> Interview with Ramla Sahid, Executive Director of PANA, April 9, 2020.

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

haven't been engaged and haven't been given information in their language. So it takes a really long time to vote, and when it takes that long to vote, people don't want to vote, and just don't vote. We've had people stop voting because of lack of time.”<sup>23</sup> These voters are effectively precluded from participating in other races on the ballot. Yet, all voters, regardless of how well they speak English, deserve equal access to all aspects of the ballot.

Nearly every person interviewed noted that Somali voter participation is low and that expanded language services would significantly increase Somali voter participation. Many also stated that if there was even just a facsimile ballot with Somali translation, “more Somali [people] would vote.”<sup>24</sup>

Fuad, a 35 year-old born in Somalia, and now living in San Diego, expressed that the lack of language access impacted her mother's ability to vote. During a recent election, Fuad's mother was unsure whom or what to vote for because she does not understand English. This ultimately left her unable to vote. Fuad argued it was important for her mother to be involved in the November 2020 election, particularly understanding how to vote for the next president: “We live in the U.S. Our votes matter too. The Somalis here have come a long way and have a long way to go.”<sup>25</sup>

## V. Importance of Voting to the Community

Every individual interviewed for this request spoke enthusiastically about the importance of voting for them and the Somali community. There are a number of issues that directly impact the Somali community that are decided upon at the ballot box, and Somali voters care deeply about having their voice heard on these issues including: healthcare access,<sup>26</sup> policing and law enforcement,<sup>27</sup> immigrant rights,<sup>28</sup> affordable housing,<sup>29</sup> and land use policy.<sup>30</sup>

Interviewees explained that decreased voter participation resulting from the lack of language access has harmed the Somali community's ability to influence policy and form relationships with lawmakers and the police. This has been particularly detrimental to Somali people who are historically “othered” because they are Black and Muslim, and whose communities are more heavily policed. Voting allows the Somali population to “take their voice back” and speak up about these issues by casting votes on these issues.<sup>31</sup> This has become even more important in recent years as a number of issues such as housing policy have been decided at the ballot box via the initiative process, some of which were decided by just several hundred votes.<sup>32</sup>

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<sup>23</sup> *Id.*

<sup>24</sup> Interview with Hamadi Jumale, Executive Director of Somali Bantu Community of San Diego, April 7, 2020.

<sup>25</sup> Interview with Fuad, a Somali speaker in San Diego, April 2020 [translated].

<sup>26</sup> Interview with Hamadi Jumale, Executive Director of Somali Bantu Community of San Diego, April 7, 2020.

<sup>27</sup> Interview with Ramla Sahid, Executive Director of PANA, April 9, 2020.

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

Many of those interviewed discussed the need for language access services in order to increase voter participation:

- When asked why voting is important to her community, Ikra Awaleh responded that, voting is important *“so the Somali community is able to achieve the kind of change they came to the United States for, and so they have the opportunity to vote for the right people to make opportunities available to them and their families.”*<sup>33</sup>
- Ramla Sahid noted that *“if we want a democracy, we need to give language access to people. Otherwise, we do not live in a fair democracy. The Somali community is being excluded from practicing their constitutional right to vote when they don’t have the language access necessary to do so.”*<sup>34</sup>
- Hamadi Jumale stated that *“we’ve been waiting for this for a long time. It will give us relief when we can vote. We are doing our best to work in our community and translate voting registration and try to encourage the community to vote. But we also need San Diego to help provide language access. It would give leaders relief because it would mean more people would be voting in the community.”*<sup>35</sup>

Further, the Somali Bantu Community of San Diego is currently executing an advocacy and organizing campaign throughout the community to spread awareness about the November election and how to vote. They have seen increased excitement to vote from this awareness campaign alone, and numerous community members have stated their intention to vote. This underscores the importance of having election materials, including those for registration, be available in Somali.

San Diego’s Somali community requires language access services in order to fully participate in our democracy and weigh in on issues that affect the community.

## **VI. Request to Provide Language Access Services in Somali**

In summary, we request that language access services be provided to Somali-speaking voters in time for the November general election. Specifically, we request that Secretary Padilla require translated facsimile ballots and related instructions in Somali, with translations posted at conspicuous locations in each polling place, and further request that Registrar Vu make a reasonable effort to recruit bilingual poll workers in accordance with Sections 12303 and 14201.

The undersigned and other community organizations that formed part of this effort are eager to help expand access to the ballot for Somali-speaking voters and to partner with the San Diego Elections Office to help find bilingual poll workers, review translations, and provide other support as necessary.<sup>36</sup>

We look forward to working together to expand language access for the large Somali-speaking population of San Diego in time for the November general election.

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<sup>33</sup> Interview with Ikra Awaleh, Executive Assistant at PANA, April 6, 2020.

<sup>34</sup> Interview with Ramla Sahid, Executive Director of PANA, April 9, 2020.

<sup>35</sup> Interview with Hamadi Jumale, Executive Director of Somali Bantu Community of San Diego, April 7, 2020.

<sup>36</sup> The Somali Bantu Community of San Diego and PANA both noted that they know of individuals in the community who can serve as bilingual poll workers.

Please do not hesitate to contact us with any questions. Thank you for your consideration and we look forward to your response.

Sincerely,



Geneviève L. Jones-Wright, Esq., LL.M.  
Legal Director  
**The Partnership for the Advancement of  
New Americans (PANA)**



Christina E. Fletes-Romo  
Voting Rights Attorney  
**ACLU of California**

# **Attachment 3**



**ALEX PADILLA** | SECRETARY OF STATE | STATE OF CALIFORNIA  
ELECTIONS DIVISION

1500 11<sup>th</sup> Street, 5<sup>th</sup> Floor, Sacramento, CA 95814 | Tel 916.657.2166 | Fax 916.653.3214 | www.sos.ca.gov

July 1, 2020

Mr. Basim Elkarra  
CAIR Sacramento Valley/Central California  
1122 Del Paso Blvd.  
Sacramento, CA 95815  
*Sent via email to [belkarra@cair.com](mailto:belkarra@cair.com)*

Ms. Sukaina Hussain  
CAIR Sacramento Valley/Central California  
1122 Del Paso Blvd.  
Sacramento, CA 95815  
*Sent via email to [S.Hussain@cair.com](mailto:S.Hussain@cair.com)*

Ms. Christina E. Fletes-Romo  
American Civil Liberties Union of  
California (ACLU)  
39 Drumm Street  
San Francisco, CA 94111  
*Sent via email to [CFletes@acluca.org](mailto:CFletes@acluca.org)*

Mr. Luis Ojeda  
American Civil Liberties Union of  
Northern California (ACLU)  
39 Drumm Street  
San Francisco, CA 94111  
*Sent via email to [lojeda@aclunc.org](mailto:lojeda@aclunc.org)*

Dear Mr. Elkarra, Ms. Hussain, Ms. Fletes-Romo, and Mr. Ojeda:

On behalf of the Secretary of State, I want to thank you for your June 23, 2020 letter requesting the provision of language access services to the Fresno County Arabic community, under California Elections Code sections (Sections) 12303 and 14201.

Our office remains committed to increasing language access services to voters across California and continues to expand these services in uncharted ways, such as, previously adding new language requirements under the Secretary's discretionary authority under Section 14201. As part of the Secretary's discretionary authority under Section 14201, subdivision (b), our office will indeed consider your request to add Arabic as a required language for Fresno County's next set of language determinations.

Section 14201, subdivision (f), requires the Secretary of State to make the determinations and findings set forth in subdivisions (a) and (b) by January 1 of each year in which the Governor is elected. The next determination is scheduled to take place by January 1, 2022. Our office appreciates the information you have provided in your letter, as it will assist us in making this next set of language determinations under Section 14201.

In addition, for this November 2020 General Election, we encourage you to engage and coordinate the recruitment of bilingual poll workers with the Fresno County Clerk/Registrar of Voters, Ms. Brandi Orth. In your facilitation of the recruitment of bilingual poll workers, Ms. Orth can provide more information on where interested bilingual poll workers can apply as well as the training requirements.

Mr. Elkarra  
Ms. Hussain  
Ms. Fletes-Romo  
Mr. Ojeda

July 1, 2020  
Page 2 of 2

Thank you for your partnership in seeking to increase language access to California's voters and sharing this valuable information with our office. If you have any questions, please contact me at (213) 335-1929.

Sincerely,

*/s/ Lisa M. Alarcón*

LISA M. ALARCÓN  
Special Counsel  
California Secretary of State

cc: Ms. Brandi Orth  
Fresno County Clerk/Registrar of Voters  
*Sent via email to BOrth@fresnocountyca.gov*



# **Attachment 4**



**ALEX PADILLA** | SECRETARY OF STATE | STATE OF CALIFORNIA  
ELECTIONS DIVISION

1500 11<sup>th</sup> Street, 5<sup>th</sup> Floor, Sacramento, CA 95814 | Tel 916.657.2166 | Fax 916.653.3214 | [www.sos.ca.gov](http://www.sos.ca.gov)

July 1, 2020

Ms. Geneviève Jones-Wright  
The Partnership for the Advancement of New  
Americans (PANA)  
4089 Fairmount Avenue  
San Diego, CA 92105  
*Sent via email to [genevieve@panasd.org](mailto:genevieve@panasd.org) and  
[Joneswrightesq@gmail.com](mailto:Joneswrightesq@gmail.com)*

Ms. Christina E. Fletes-Romo  
American Civil Liberties Union of  
California (ACLU)  
39 Drumm Street  
San Francisco, CA 94111  
*Sent via email to [CFletes@acluca.org](mailto:CFletes@acluca.org)*

Dear Ms. Jones-Wright and Ms. Fletes-Romo:

On behalf of the Secretary of State, I want to thank you for your June 8, 2020 letter requesting the provision of language access services to the San Diego County Somali community, under California Elections Code sections (Sections) 12303 and 14201.

Our office remains committed to increasing language access services to voters across California and continues to expand these services in uncharted ways, such as, previously adding new language requirements under the Secretary's discretionary authority under Section 14201. As part of the Secretary's discretionary authority under Section 14201, subdivision (b), our office will indeed consider your request to add Somali as a required language for San Diego County's next set of language determinations.

Section 14201, subdivision (f), requires the Secretary of State to make the determinations and findings set forth in subdivisions (a) and (b) by January 1 of each year in which the Governor is elected. The next determination is scheduled to take place by January 1, 2022. Our office appreciates the information you have provided in your letter, as it will assist us in making this next set of language determinations under Section 14201.

In addition, for this November 2020 General Election, we encourage you to engage and coordinate the recruitment of bilingual poll workers with the San Diego Registrar of Voters, Mr. Michael Vu. In your facilitation of the recruitment of bilingual poll workers, Mr. Vu can provide more information on where interested bilingual poll workers can apply as well as the training requirements.

Thank you for your partnership in seeking to increase language access to California's voters and sharing this valuable information with our office. If you have any questions, please contact me at (213) 335-1929.

Ms. Jones-Wright  
Ms. Fletes-Romo  
July 1, 2020  
Page 2 of 2

Sincerely,

*/s/ Lisa M. Alarcón*

LISA M. ALARCÓN  
Special Counsel  
California Secretary of State

cc: Mr. Michael Vu  
San Diego Registrar of Voters  
*Sent via email to Michael.Vu@sdcounty.ca.gov*