

Language Assistance and Voting Rights: Limitations of the VRA / State & Local Policies

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Section 203 Limitations

- Benchmarks
 - Sizable LEP populations may fall short of 5% or 10,000
 - Literacy levels may be higher because of education in country of birth
- Groups Excluded from “Language Minority” Definition
 - Pacific Islanders
 - Arab Americans
 - African and Caribbean
 - Non-Spanish European
 - Non-U.S. Indigenous

State and Local Policies

- State & Local Governments Have Added Coverage By:
 - Providing language assistance for specific groups with sizable populations
 - Employing Alternative Coverage Formulas
 - Lowering Thresholds for Language Group Coverage
 - Extending Coverage for Languages Not Mandated by the Federal Voting Rights Act

State and Local Policies: Examples of Adding Languages

- Miami-Dade County, Florida
 - VRA Section 203: Spanish
 - Haitian Creole Added in 1990s
- Dearborn & Hamtramck, Michigan
 - Hamtramck: VRA Section 203 - Asian Indian (Bengali)
 - Arabic Added in 2022
- Chicago, Illinois
 - Cook County: VRA Section 203 - Spanish, Chinese, Hindi
 - Additional Languages on Touchscreen/Audio: Arabic, Gujarati, Korean, Polish, Russian, Ukrainian, Urdu, Tagalog



State and Local Policies: Examples of Lowering Thresholds

- California Election Code § 14201
 - Secretary of State Determines Precincts Where a Single Language Minority Group is 3% or More of the Voting Age Population
 - Covered County Must Provide Translated Sample Ballots and Translated Voter Instructions

State and Local Policies: Examples of Lowering Thresholds

- City & County of San Francisco
 - VRA Section 203
 - Chinese, Spanish
 - Section 14201 Additional Languages
 - Burmese, Filipino, Japanese, Korean. Thai, Vietnamese

State and Local Policies: Examples of Lowering Thresholds

- Connecticut Voting Rights Act (2023)
 - Lower Mathematical Triggers
 - Percent Test: 2%
 - Numerical Test: 4,000
 - Not Limited to VRA “Language Minorities”
 - Voting age citizens who “speak a particular shared language other than English and are limited English proficient individuals”
 - VRA Section 203: 10 Townships for Spanish
 - CTVRA: 23 Additional Municipalities for Spanish