



October 15, 2025

Sent via e-mail

Dr. Shirley N. Weber
California Secretary of State
1500 11th Street
Sacramento, CA 95814
secretary.weber@sos.ca.gov

Re: Section 14201 Determinations and Furthering Language Assistance in San Diego County Using Discretionary Determinations

Dear Secretary of State Dr. Shirley Weber:

The Partnership for the Advancement of New Americans (“PANA”) writes to you separately on the question of this year’s Section 14201 language determinations to reiterate the need for expanded language assistance coverage around the state and particularly to emphasize the need for discretionary coverage of Somali, Farsi, Assyrian, Amharic, and Oromo in San Diego County.

As noted in a letter sent to you by PANA, Asian Law Caucus, California Common Cause, the ACLU, and CAIR, every election tens of thousands of limited English proficient (“LEP”) California voters must struggle to vote in English without assistance or forgo voting entirely because their languages are not covered in the Section 14201 determinations. This exclusion is arbitrary: African and Middle Eastern immigrants who make up PANA’s community are left out of the federal definition of “language minority” and, as a result, LEP voters in our communities are denied the assistance that is routinely provided to voters who speak Spanish, Asian languages, and Native American languages. There is no policy-based or moral justification for our exclusion.

Your office has the authority and opportunity to address this gap in coverage and we urge you to do so through your upcoming Section 14201 determinations, which are required by January 1, 2026. First, we ask that you implement a statewide solution by mandating that counties offer language assistance to *all* LEP communities that meet Section 14201’s three percent population threshold. Second, should that not occur, we request that you use your discretionary powers to mandate coverage for African and Middle Eastern immigrant communities in San Diego County.

I. Request for a Statewide Solution: 2026 Section 14201 Determinations

Special tabulation data from the U.S. Census shows that, as of 2023, nearly 300,000 LEP adults in California do not currently receive in-language assistance to help them navigate the voting process. Within this population, approximately 60,000 LEP adults live in precincts where their language community meets Section 14201’s three percent population threshold but receive no language assistance because they fall outside of the definition of “language minority” used in federal law and by the Secretary of State’s office. This includes sizable African and Middle Eastern language communities.

You have long been a champion for voting rights and language access, and demonstrated this in 2022 by reinstating prior language determinations after Census data underreported counts of LEP adults, showing

that you have both the authority and the track record to address such inequities. We call on you to continue that leadership now.

State law gives you two distinct mechanisms to expand language access. First, the Secretary has a mandatory duty to designate coverage for “single language minority” communities if the number of LEP adults is three percent or more of the voting-age population (VAP) of a precinct. Elec. Code §§ 14201. In the past, the Office of the Secretary of State has interpreted “single language minority” to mean only those language groups that receive coverage under Section 203 of the federal Voting Rights Act, namely speakers of Spanish, Asian languages, and Native American languages. But that is not the only reasonable interpretation or definition of “single language minority.” Indeed, when the Court of Appeal reviewed this statute in *AAAJ v. Padilla*, it held only that then-Secretary Alex Padilla did not “err or abuse his discretion in referring to the Voting Rights Act’s definitional guidance” of “language minority.” 41 Cal. App. 4th 850, 875 (2019); *see also id.* at 853 (the Secretary “acted within his discretion in looking to the [federal VRA] to inform his interpretation of ‘single language minority’”). But while the Court of Appeal confirmed that the Secretary may look to the federal definition, it did not hold that she is limited to it. We therefore urge you to adopt a broader definition of “single language minority” -- one that includes all non-English speaking communities.

Alternatively, the Legislature expressly granted the Secretary of State the authority to designate coverage whenever there is “a significant and substantial need,” outside of precincts covered by state law’s coverage formula mentioned above. Elec. Code § 14201(a). That need exists throughout California for all language communities that are not covered by the federal definition but that nonetheless have populations of LEP voters meeting Section 14201’s population thresholds. There is no meaningful difference in need between LEP voters who speak Spanish or Chinese and meet Section 14201’s threshold and those who speak Arabic or Somali and also meet the same threshold. You can use your discretionary powers to cover *all* LEP language communities that reach the three percent threshold in their precinct of residence.

You can use either of these methods to ensure that LEP voters in currently excluded communities receive assistance. Doing so would close the coverage gap for tens of thousands of LEP Californians and reaffirm the state’s commitment to meaningful participation for every voter.

II. Request for Discretionary Language Coverage Services in San Diego County

As noted above, the California Elections Code establishes a process for designating which language groups must be provided language assistance under state law, revolving around a now-familiar threshold of three percent LEP VAP in a precinct. Elec. Code § 14201. These designations are positioned as a *floor* for coverage, as Section 14201(b)(1) enables the Secretary of State to provide elections materials in other languages if “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 call upon the Secretary to use what is sometimes referred to as “discretionary determinations” to designate coverage for San Diego’s LEP immigrant voters from the Middle East and Africa.

a. Language Access Needs of San Diego County’s Immigrant Communities from the Middle East and Africa

i. Size of San Diego County’s Immigrant Communities from the Middle East and Africa

San Diego County is home to a robust, proud, and rapidly growing community of Middle Eastern and African immigrants, all of whom fall outside of the federal definition of “language minority.” Your office

acknowledged this when it extended discretionary coverage to Arabic-speaking communities in San Diego County.¹ The County went even further in acknowledging this by extending voluntary coverage to Somali-speaking voters and Farsi-speaking voters in 2022.²

Nevertheless, several communities were not served by these moves and continue to face language barriers. According to the most recent American Community Survey (“ACS”) data, the following populations live in San Diego County precincts where they meet the three percent threshold in Section 14201:

- 3,238 Assyrian-speaking LEP adults, including a concentration of 2,340 in the City of El Cajon;
- 977 Amharic-speaking LEP adults, including a concentration of 821 in the City of San Diego; and
- 260 Oromo-speaking LEP adults, all in the City of San Diego.³

ii. Census Undercount of San Diego County’s Immigrant Communities from the Middle East and Africa

We believe these numbers underrepresent the size of the Middle Eastern and African immigrant communities in San Diego County. Chaldean immigrants speaking Assyrian (as well as Iranian immigrants speaking Farsi) have no appropriate category on the Census with which to identify, leading to confusion and incomplete data; this and other reasons have led to a distinct and documented undercount among Middle Eastern and Arab communities.⁴ Ethiopian immigrants speaking Amharic and immigrants from Ethiopia, Somali, and Kenya who speak Oromo are similarly invisibilized on the Census because they are marked as Black/African-American instead of as African immigrants.

This undercount has been validated by external sources. Take the Chaldean community as an example, which is identified in the census data above as having a population of only 2,340 LEP Assyrian-speakers in El Cajon. In 2019, CalMatters estimated that there were 15,000 Chaldeans in El Cajon.⁵ The online news source Arab America puts the number even higher, writing, “there are roughly 50,000 Chaldeans living in El Cajon, making it the second largest community of Chaldeans in the US behind Detroit.”⁶ The

¹ “Language Requirements for Election Materials,” California Secretary of State, available at: <https://www.sos.ca.gov/elections/voting-resources/language-requirements>.

² Sofia Mejías-Pascoe, “San Diego struggles to hire bilingual poll workers — but voters need them,” KPBS, Oct. 28, 2022, available at: <https://www.kpbs.org/news/politics/2022/10/28/san-diego-struggles-to-hire-bilingual-poll-workers-but-voters-need-them>.

³ U.S. Census Bureau, Special Tabulation of the American Community Survey: Limited English Proficient Voting-Age Population (Nov. 2023), prepared for Asian Law Caucus & California Common Cause.

⁴ Arab American Institute, National Arab American Demographics, available at:

<https://www.aausa.org/demographics>. (“There is no existing category on Census Bureau forms to collect accurate data about Arab Americans. As such, AAI research concludes the 2020 decennial census count of 2,815,469 Arab Americans is a significant undercount. In the absence of a minimum reporting category, the decennial census numbers are based on a voluntary write-in response. Similarly, the American Community Survey (ACS) identifies only a portion of the Arab population through a question on “ancestry.” Additional reasons for the undercount include the placement and limitations of the ancestry question (as distinct from race and ethnicity); the effect of the ACS’s sample methodology on small, unevenly distributed ethnic groups; high levels of out-marriage among the third and fourth generations; and distrust/misunderstanding of government surveys among recent immigrants. Correcting for the undercount, AAI uses the most recent census estimates, population growth models, and immigration statistics to estimate the Arab American population is approximately 3.7 million.”)

⁵ Claire Trageser, “Large Chaldean Iraqi population thrives in San Diego suburb”, CalMatters, Dec. 11, 2019, available at: <https://calmatters.org/california-divide/2019/12/large-chaldean-iraqi-population-el-cajon/>.

⁶ Mohamed Erekat, “Little Baghdad: the Hidden Chaldean Community of San Diego,” Arab America, Sep. 15, 2021, available at: <https://www.arabamerica.com/little-baghdad-the-hidden-chaldean-community-of-san-diego/>.

undercount is also visible to us in our lived experience. For example, when we work with Oromo community members to host events, we often gather 400-500 attendees who are all limited-English speaking adults from within San Diego County in a single place; a total count of 260, as noted above, does not remotely match our experience.

iii. The Desire for an Equal Vote Among San Diego County's Immigrant Communities from the Middle East and Africa

Our community members who are eligible voters want to cast their ballots and do so in a fully informed way. A recently-released report by Asian Law Caucus, PANA, and California Common Cause titled *Forging Ahead: Community Voices and the Impact of Language Access in the Electoral Process*, tells the story of Saliyo Usman, an immigrant from Ethiopia who currently lives in San Diego. Saliyo is a native Oromo speaker who believes passionately in the vote. “The advice I give myself and my communities is that people need to vote,” he says. “Read the policies, bring them to the community, and [talk about] what would benefit the community most in terms of our culture, religion, economy, peace, and security.”

When Saliyo began voting during the 2016 elections, he struggled with the English ballot. He cared deeply about expressing his views accurately and even used a dictionary to help him translate the ballot measures. Despite his efforts he left several questions blank. “Yes, it [does] take time of course to translate the ballot into Oromo. On top of that, we’re working, we have family, it’s a lot of time. On the other hand we have [an] election, [and] we need our voices to be heard as citizens of this country.”⁷

Rahmo Abdi, a PANA staff member and Somali speaker, shared her experience working directly with LEP voters in the *Forging Ahead* report. Many of them are able to vote with the assistance of family but wish to vote privately and independently. “I am tired of taking kids and neighbors . . . to vote,” one such voter told Rahmo. “Voting should be between me, myself, and I. Whoever you are voting for should be private.”⁸

Ibrahim Nuru, is an Amharic-speaking Ethiopian immigrant who came to the United States in 2002. Of life in Ethiopia, Ibrahim says, “Real democracy didn’t exist, nor did our voice matter. Coming to America [meant] finally, we can vote, we can speak up. Finally I can be part of shaping the life around me.” But Ibrahim has challenges because he is denied language assistance when casting his ballot. “It is not that easy here when the ballot is not in your language. The language barrier makes the ballot confusing, and I can’t always rely on the way they explain things,” he told us. “Sometimes I feel invisible, like this society hasn’t thought about people like me. It’s a lonely, frustrating feeling to be allowed to participate but still left out.”

Ibrahim has an easy solution. “If ballots were available in our language, like Amharic, it would change everything. It would show that we matter, that our voices are valued, that we truly belong here. Voting isn’t just filling out a form, it’s claiming a place in the community, in decisions that affect our lives and our families. Everyone deserves that chance. We shouldn’t have to fight just to be seen and heard.”

PANA’s communities have a significant and substantial need for translated ballot materials. As you know, your office has previously met a similar need by issuing determinations that included discretionary coverage for the Arabic-speaking community in our county. We ask that you extend this coverage to all Middle Eastern and African immigrants in San Diego County.

⁷ Asian Law Caucus, California Common Cause, Partnership for the Advancement of New Americans, *Forging Ahead: Community Voices and the Impact of Language Access in the Electoral Process* at 19, available at <https://online.fliphtml5.com/designmyprintxpress/ibej/#p=1>.

⁸ *Id* at 24.

b. Securing Language Assistance for San Diego County's Somali- and Farsi-Speaking Communities

We additionally call on your office to include Somali and Farsi among the discretionary determinations for San Diego County. In 2022, the County agreed to provide voluntary Section 14201-style coverage in Somali and Farsi, following a long advocacy effort by PANA and its many partners. But as this is currently a voluntary offering from the County that could be revoked at any time, we request that Somali and Farsi coverage be formalized via discretionary determinations.

Leading up to the County's decision to provide voluntary Somali and Farsi coverage, a number of community organizations engaged in months of research, interviews, and community engagement to understand and document the needs of Somali-speaking voters in San Diego County. In 2019 and 2020, we found the same views and experiences in the Somali community that are being expressed by LEP voters today.

One eligible voter, Ubah, who is Somali American but 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."⁹

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."¹⁰

Parwin Yusufi, a US citizen of 28 years living in San Diego, shared her thoughts with us in Farsi. "I care about what happens here. Voting is important to me because I want to select good people to be in government to make America a better country," she said. "When the ballot is not in Farsi, I feel that I cannot express myself the way that I want to. Sometimes I cannot understand the grammar and it is difficult for me to vote. It doesn't make me feel good about myself."

Parwin shared a common view: Relying on family to cast a ballot is not an equal vote. "I want to be able to participate in democracy and be able to understand properly who are the good candidates and what things to vote for. I rely on my daughter to help me, but I would feel much more independent if I could vote on my own."

The perspectives shared here by speakers of a range of languages show the need for inclusion and for assistance in the voting process is the same whether someone speaks Somali, Farsi, Amharic, or Oromo, or for that matter, Spanish or any other language. We ask that you include Somali and Farsi coverage for San Diego County in your discretionary determinations, as it is currently a voluntary offering from the County that could be revoked at any time. Coverage for Somali and Farsi alongside Arabic (already covered), Assyrian, Amharic, and Oromo would result in fair and inclusive coverage for San Diego's African and Middle Eastern immigrant communities.

⁹ August 4, 2020 letter to the Language Access Advisory Council, "Re: Arabic & Somali Speaking Voters Need Language Access Services Now!" CAIR Central California, Partnership for the Advancement of New Americans, ACLU.

¹⁰ *Id.*

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We respectfully urge you to take action to ensure that all immigrant voters in California and in San Diego County have meaningful access to the ballot. We request a meeting with your staff to more fully make the case that “a significant and substantial need” exists for African and Middle Eastern immigrant communities in San Diego County; please contact Rahmo Abdi, our Director of Organizing and Campaigns, at rahmo@panasd.org to discuss.

We look forward to your response and to working together to uphold the state’s commitment to equal participation for every voter.

Sincerely,

A handwritten signature in black ink, appearing to read "Ramla Sahid". The signature is fluid and cursive, with the first name "Ramla" on the left and the last name "Sahid" on the right, connected by a flourish.

Ramla Sahid, Executive Director
Partnership for the Advancement of New Americans

cc:

Steve Reyes, Chief Counsel, sreyes@sos.ca.gov
State Language Accessibility Advisory Committee, laac@sos.ca.gov