



October 21, 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 Santa Clara County Using Discretionary Determinations

Dear Secretary of State Dr. Shirley Weber:

Pars Equality Center urges you to expand language assistance coverage around the state in this year's Section 14201 language determinations. We wish to emphasize in particular the need for discretionary coverage for Farsi-speaking Iranian Americans in Santa Clara County.

Pars Equality Center's mission is to catalyze social, civic, and economic integration of immigrants from Iran and other underrepresented communities into American society. Pars Equality Center is a registered 501(c)(3) non-profit. We serve our goal of helping the Iranian-American and other immigrant communities realize their full potential as informed, self-reliant, and responsible members of American society primarily by providing extensive social and legal services via our multi-lingual-staff.

As noted in a letter sent to you by the Partnership for the Advancement of New Americans (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: immigrants from Middle Eastern countries are left out of the federal definition of "language minority" and, as a result, LEP voters in communities like ours 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 the opportunity to address this coverage gap, 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 exercise your discretion to mandate coverage for Farsi-speaking communities in Santa Clara 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 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 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 statewide. 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(a) & (b). 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/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 Farsi 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 Santa Clara County

As noted above, the California Elections Code establishes a process for designating which language groups must be provided language assistance under state law. Elec. Code § 14201. As you know, you have the power and authority to go beyond the standard coverage formula because 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 these “discretionary determinations” to designate coverage for Santa Clara County’s LEP immigrant voters who speak Farsi as a primary language.

a. Size of Santa Clara County’s Farsi-Speaking Community

Santa Clara County is home to a large community of Farsi-speaking Iranian American immigrants, all of whom fall outside of the federal definition of “language minority.” According to Census Bureau data, there are 5,570 LEP Farsi-speaking adults in our County, with a significant concentration in the City of San Jose (3,433).¹

Recognizing the significance and unique needs of our community is reflected by Governor Gavin Newsom’s decision just this month to sign [AB 91](#) (Harabedian), which will require any state or local agency that currently collects demographic data as to the ancestry or ethnic origin of Californians to now collect that data on major Middle Eastern or North African groups. Our communities have been invisibilized by data collection, population studies, and policy solutions for too long -- we are happy to see that trend begin to change.

b. Census Undercount of Santa Clara County’s Farsi-Speaking Community

We believe the census data above underrepresent the size of the Iranian American community in Santa Clara County. It is by now well-established that the census substantially undercounts Middle Eastern communities, including Iranian Americans:

There are three main factors contributing to the undercounting of Iranian Americans:

1. Lack of a Proper Category: Historically, there has not been a specific category for Iranian Americans, making it difficult to accurately identify and count them.
2. Identification as “White:” Many Iranians consider themselves “white” and, when filling out census forms, mark themselves as such, without marking the subcategory, resulting in their Iranian identity not being counted.
3. Mistrust and Non-Participation: Some Iranians have a general mistrust of information gathering and choose not to participate in the census, further exacerbating the undercounting issue.²

Based on our community work and lived experience in the community, we believe the actual number of Iranian Americans in Santa Clara County to be 250,000 and would estimate that 23% percent of them are limited-English speaking adults.

c. The Desire for an Equal Vote Among Santa Clara County’s Farsi-Speaking Community

Pars Equality Center has a long track record of doing civic engagement work in our community. We routinely hear from Iranian Americans about their sense of exclusion from our democratic process and our elections. Offering facsimile ballots in Farsi would go a long way in showing our community that they too have a place in California’s diverse electorate. At current, our community members struggle to

¹ 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.

² Ali Sadr, Census 2020 Results: Undercounting Iranian Americans, Peyk Magazine, March 7, 2024, available at: <https://peykmagazine.com/en/2024/03/07/census-2020-results/>.

vote independently, have difficulty understanding California’s ballot measures, and/or do not cast their ballots with confidence. The following sentiments were shared with us through our bilingual staff members:

Leila, 62, is a retired teacher who lives in Cupertino. Leila became a U.S. citizen in 2015 and has voted in most local and national elections since. She always brings her daughter to help her understand the ballot measures.

“Voting is important to me because I want to have a say in this country, but it is hard when everything is in English. The explanations for propositions are full of legal words I don’t understand. If I had a ballot in Persian, I could finally read and decide for myself without asking my daughter for help.”

Reza, 47, is a small business owner. He has lived in the Bay Area for over 20 years but still struggles with complex written English.

“I have trouble voting because the ballot language is too difficult. I always skip some parts because I don’t want to make a mistake. Having a Persian ballot would make me feel respected and confident that my vote really counts.”

And Nasrin, 71, is a homemaker who lives in Sunnyvale. Nasrin only votes in presidential elections because she feels the local ballots are too confusing.

“When I face barriers to casting my ballot, I feel invisible — like my voice doesn’t matter. If I had a ballot in Persian, it would tell me that California sees me and values my participation.”

Our community has a significant and substantial need for language assistance in voting. We know that meeting that need is administratively doable. The Santa Clara County Registrar of Voters is very capable and serves the language needs of 13 languages in a diversity of scripts, including in several cases languages spoken by far smaller populations than our Farsi-speaking community.³ And, as you know, the Office of the Secretary of State has previously used its authority to extend discretionary coverage to the Farsi-speaking community in Los Angeles County.⁴ Further, in 2022, San Diego County agreed to provide voluntary Section 14201-style coverage in Farsi. We ask for the same right to an equal ballot for the Farsi-speaking community in Santa Clara County.

* * *

We respectfully urge you to take action to ensure that all immigrant voters in California and particularly Farsi-speaking voters in Santa Clara County have meaningful access to the ballot. We have seen the Farsi-speaking community in Los Angeles and San Diego receive coverage and language communities in Santa Clara County smaller than the Farsi-speaking community have it as well. We believe a fair and equitable next step is to provide discretionary coverage for our proud Iranian American community in Santa Clara County.

³ For example, Santa Clara County is required to provide facsimile ballots for the Nepali-speaking community (705 LEP adults), Khmer-speaking community (1,582 LEP adults), Gujarati-speaking community (1,883 LEP adults), and the Telugu-speaking community (2,265 LEP adults). 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 “Language Requirements for Election Materials,” California Secretary of State, available at: <https://www.sos.ca.gov/elections/voting-resources/language-requirements>.

We request a meeting with your staff to more fully make the case that a significant and substantial need exists for our communities; please contact Peyman Malaz, Chief Operating Officer, at pmalaz@parsequalitycenter.org to discuss.

Finally, we would like to note that while the Census Bureau and the Office of Secretary of State use “Farsi” as the name of our language, resulting in our use of the same term in this letter, the correct name is actually “Persian.” “Persian” is the official and internationally recognized English term, used in academic, diplomatic, and cultural contexts. In the United States and in international contexts, we refer to “German” instead of *Deutsch* or “Spanish” instead of *Español*. The same treatment in this case would be to use “Persian.”

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

Sincerely,

Peyman Malaz

Peyman Malaz, Chief Operating Officer
Pars Equality Center

cc:

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