Report on Translation Thresholds

King County Elections

Introduction

One of King County Election's three core priorities is to "actively identify and work to remove barriers at both the individual and community level." In a County that is becoming increasingly diverse - one in five residents speaks a language other than English at home – supporting language access in voting is more important than ever. The recently released King County Equity and Social Justice Strategic Plan lays out an entire goal area focused on "Communication and Education," with a specific focus on language access that aligns with current populations, needs and demographic changes.

This report reviews data and information relevant to the translation of voting materials and makes a recommendation on whether or not additional languages should be added to the Department's service.

> *Actively identify and work to remove barriers at both the individual and community level.*

Regulatory environment

Federal Voting Rights Act

Congress amended the Voting Rights Act in 1975 to include Section 203 which prescribes that certain jurisdictions must provide language assistance during elections for groups of citizens who are unable to speak or understand English adequately enough to participate in the electoral process. Section 203 only covers Spanish, Asian, Native American, and Alaskan Native languages.

In December 2016, King County Elections officially received notice of Section 203 Determinations from the U.S. Census. The determinations for Washington State have not changed and King County continues to be required to provide minority language materials in Chinese (including Taiwanese) and Vietnamese.

King County Legislation

Seeking to set a more inclusive bar, in 2015 the King County Council passed Ordinance 18086, which required all election materials to also be translated into Spanish and Korean. The ordinance required active outreach and engagement with these communities and a report from the Director of Elections regarding the addition of languages going forward.
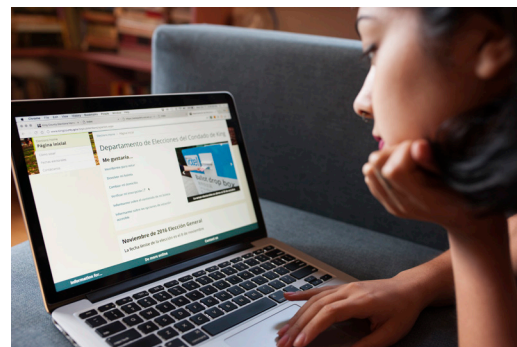
Adding a language: services and cost

Below are the services King County Elections provides for translated languages:

▸ **Translated election materials:** voter registration form and materials, ballot and ballot packet materials, voters' pamphlet – both local and state, voter registration cards, all voter correspondence (for example, signature challenge and returned-too-late letters), educational materials, community outreach toolkits and materials.

Chinese voting materials

- ▸ **Translated audio ballots:** as well as audio voters' pamphlets if they are requested.

- ▸ **On-going bilingual customer support:** voter services and customer support in person; dedicated language phone line; bilingual staffing (including temporary staff) at Accessible Voting Centers, translated signs and ballot drop box materials.

- ▸ **Website with translated information:** each language has its own website with translated information.

Voter using Elections website in Spanish

- ▸ **Ethnic media and bilingual social media advertising:** this is both for upfront outreach to get the word out about a new language, as well as on-going reminders about key voting information and deadlines.

- ▸ **Technical assistance to other election departments and jurisdictions:** because King County is leading the state in many of these community outreach and translation efforts, our staff is often called upon to assist other jurisdictions and the Office of the Secretary of State (OSOS) with translation and community outreach.

Adding a language is not inexpensive. There are both initial start-up and on-going costs. Based on the experience of adding Spanish and Korean in 2016, King County Elections estimates that it costs around $75,000 upfront and around $125,000 in annual on-going costs to add a language.

Also important to consider is what resources the Office of the Secretary of State does or does not provide when adding languages. Currently, the OSOS only provides a state Voters' Pamphlet and web resources, like MyVote for online voter registration, for Section 203 mandated languages. That means that Korean-language speaking voters can't currently access MyVote, the State's online voter registration system, or any other online resources in their preferred language (Spanish is available because it is a mandated language for other Washington State counties). It also means that King County Elections produces – and will continue to produce – a State Voters' Pamphlet in Korean and partially in Spanish to ensure that voters have all of the information needed to vote. The same would be true for any additional languages the County chooses to add.

Available data & information

Ordinance 18086 specifically requests the Director of Elections to determine, in consultation with community leaders of limited-English-proficient populations and the Office of Performance, Strategy and Budget, each single language that has 10,000 or more limited-English-proficient King County residents. The ordinance notes that this should be done by "referring to the best available data from the United States Census Bureau or other source the director considers relevant and reliable." The following is a summary of data and sources consulted for this report.

Census and American Community Survey Data

Section 203 determinations are made using statistical models based on the most recent decennial census and most recent American Community Survey (ACS) data. The exact methodology is not released, however ACS and PUMS (Public Use Microdata Sample) is readily available and has been analyzed at length by both the Office of Performance, Strategy and Budget and the Office of Equity and Social Justice.

The table below lays out the top 13 languages with populations who speak English "less than very well" based on a rolling average of ACS data. Based on the 10,000 individual threshold, King County Elections would translate all four currently provided languages (Spanish, Chinese, Vietnamese and Korean). According to this data, Tagalog and Russian are the next most appropriate languages with 8,500 and 7,000 respectively.

Census ACS PUMS, English "less than very well" 2010-2014		
Spanish 52,300	Russian 7,000	Mon-Khmer 4,400
Chinese 31,700	Cushite 6,300	Punjabi 4,200
Vietnamese 20,700	Amharic 6,000	Arabic 2,800
Korean 10,612	Ukrainian 5,300	
Tagalog 8,500	Japanese 4,700	

King County Language Tiers

In 2010, King County Executive Dow Constantine issued an Executive Order on Translation that laid out a standard process for translation as well as created language tiers to guide county priorities for translation. The tiers are intended to capture not only demand, but also community need for language access services. Updated in 2016, the Tier 1 and Tier 2 languages are listed to the right in priority order.

King County Elections is already providing four of the top six languages in Tiers 1 and 2. This suggests that if the County wanted to add additional translated election material requirements, Somali and Russian might be good options to consider.

What's more, the tiers are also helpful in determining which languages "evergreen" materials (publications that rarely change) should be translated. Election's "Guide to Voting in King County" has been translated into all 22 Tier 1, 2 and 3 languages and there is likely additional opportunity to translate other educational materials.

Tier 1	Rank*
Spanish	**1**
Tier 2	
Vietnamese	2.8
Somali	4.0
Russian	4.6
Chinese	6.0
Korean	8.0
Amharic	8.0
Arabic	8.8
Ukrainian	10

*Rank is compiled based on multiple data sources including ACS PUMS data, data from the Office of the Superintendent of Public Instruction, District Court Case data, WIC program participation and Public Health clinic data.

Feedback from Community Partners

In 2016, King County Elections partnered with the Seattle Foundation to fund 22 organizations to do community outreach and education. These organizations focused on getting the word out about Chinese, Spanish, Korean and Vietnamese translation, as well as making connections and removing barriers in other limited-English speaking communities for whom we don't provide translation.

Kick-off event for Community-Based Organization Partnerships Program

One of the most important components of the pilot project was regularly soliciting feedback from community partners on what's working, what's not and other barriers that need to be

addressed. In the culminating debrief the Department held in December, representatives from the community-based organizations shared that access to translated materials is not necessarily the biggest barrier to participation. Many communities would rather see resources and effort spent on basic education – including how voting works in King County, who is eligible, how you become a citizen and register, etc.

Other Sources

King County Elections also reached out to several governmental partners for help in assessing the current need for language translation. In collaboration with the Office of Performance, Strategy and Budget, the Department of Public Health assisted with analysis aimed at more accurately estimating the number of limited-English speaking residents who are eligible to vote, or soon will be (citizens over the age of 16). That analysis estimated the following populations:

- 16,691 Chinese-speaking LES voting eligible King County residents;
- 13,957 Vietnamese-speaking LES voting eligible King County residents;
- 10,504 Spanish-speaking LES voting eligible King County residents; and,
- 6,475 Korean-speaking LES voting eligible King County residents

The next most prominent language community based on that analysis is Tagalog with 4,890.

King County Elections also reached out to the King County Office of Equity and Social Justice and the Office of Immigrant and Refugee Affairs (OIRA) with the City of Seattle. Both of those offices underscored that language access is much more than just translation and that education, outreach and connection are just as important. Based on anecdotal evidence, OIRA also confirmed that of the many language translations they provide, Spanish, Korean, Chinese and Vietnamese are by far the most used and requested.

Finally, data on who is coming to Washington State may also be of interest. Since 2003 Washington has welcomed nearly 33,000 refugees, which is 8th most in the country and represents 4.3% of the total number of refugees entering the United States. Between 2000 and 2010, King County gained more than 200,000 new residents, half of which are foreign-born, according to data from King County's Immigrant and Refugee Task Force. OIRA estimates that 74,982 foreign-born individuals in King County are eligible to become naturalized citizens. Longer established refugee populations, who are primarily from Asia and Spanish-speaking countries, are more likely to be eligible to become citizens, as it's a five year process. New refugees to the County primarily speak Arabic, Farsi and African languages. Thus, it is important to keep in mind that language needs will evolve overtime as immigrant populations become eligible for citizenship.

What other jurisdictions are doing

Nearly 250 jurisdictions across the country have voter language requirements other than English. The vast majority of them only provide what is required by Section 203, the notable exception being Los Angeles County which provides election services in English, Spanish, Chinese, Hindi, Japanese, Khmer, Korean, Tagalog, Thai, and Vietnamese.

Conclusions & next steps

10,000 person threshold and additional languages

After reviewing available data, King County Elections does not see a compelling reason to deviate from the 10,000 limited-English speaking threshold for adding new languages and would not recommend adding any new languages at this time. The four currently translated languages are consistent with a variety of both qualitative and quantitative data sources. Adding a language is a significant commitment because of the upfront and on-going investment required and the clear need to continue service once it's started.

The Department would also recommend monitoring Somali and Russian as potential next languages, consistent with the County's translation tiers and policy.

Focus on alternative methods for access

Consistent with conversations with community and government partners, King County Elections will also focus on alternative methods to create language access. This means continuing to focus on voter education through the community-based organization and ambassador partnership programs; it means translating "evergreen" materials into more languages, especially with respect to educational tools and resources; and, it means partnering with organizations like the Office of Immigrant and Refugee Affairs, the Offices of the Secretary of State and school districts to reach limited-English speaking voters. Finally, the Department is also committed to exploring options to make voting more accessible in English, which is often a barrier even before you get to translation.