

February 8, 2018

Finance and Government Operations Committee  
Santa Clara County  
70 West Hedding Street  
San Jose, CA

Committee Members:

My name is Alice Smith and I am speaking today as an advocate for protecting and advancing civil rights and liberties, including the right to vote on behalf of the ACLU of Northern California.

I appreciate the Registrar of Voters, Ms. Bushley and her staff's, commitment to working with stakeholders in the past on a variety of election reform issues.

Why I am here:

1. to encourage that any plans for VCA participation in 2020 realistically assess the need for robust outreach, education, and accessibility; and
2. to not ignore 2018, and ask you to commit to more early voting and same day registration locations to increase participation now.

The June primary in 2018 should be seen as an opportunity by the county to expand access to same day voting as well as extending the times and locations for early voting throughout the county.

In her report, Ms Bushley explains the Voter's Choice Act, option A, which presents exciting opportunities for the 2020 election cycle to expand voting, including giving every voter a vote by mail ballot, more days of early voting, same day registration, and the option of voting anywhere in the county at vote centers. However, the vote center model will also be a major change for many voters, especially those who currently do not vote by mail and are used to voting at their neighborhood polling sites.

In planning the budget for 2020, and implementing the California Voter's Choice Act, it is not too early to begin the process of understanding the need for investment in public outreach and input to ensure that all the stakeholders are included and that the outcome is greater voter participation.

New research from the California Civic Engagement Project underscores the fact that "targeted and sustained education efforts will be critical to helping California voters know about, have confidence in, and successfully utilize the new election model. This is essential to ensuring that voters experience the new model positively, minimizing the risk that voters could be discouraged from casting their ballots".

In Santa Clara County alone, voting materials and/or assistance must be provided in an additional 6 languages: Spanish, Chinese, Filipino, Vietnamese, Korean, and Khmer. And it's impossible to assess how many voters with disabilities may have been disenfranchised or deprived of privacy when they voted because they didn't have the option of using a voting machine. Many voters with disabilities do not want to rely on a caretaker to read them a ballot or fill out a ballot for them. These issues add to the need to consider readily available in-person and accessible vote centers critical to many voters' ability to participate.

Asian American Advancing Justice looked at vote by mail rejection rates in four counties in 2016 including Santa Clara County and found that Asian American vote by mail ballots were rejected at a rate 35% higher than for all voters. Signature mismatches were the reason for 61% of rejected Asian

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American ballot, compared to 52% of all voters. Failing to sign also happened more frequently with Asian American voters.

The 2018 primary and general elections and planning for 2020's Option A have similar needs:

- The County should allocate sufficient resources to ensure a robust, targeted and sustained education and outreach plan to mitigate potential negative impact on underrepresented voters, overcoming low participation rates of voters of color, voters with limited English proficiency, voters with disabilities and young voters.
- The County should reach out to community organizations to optimize the opportunities afforded by early voting as well as same day registration throughout the county, addressing multiple language needs, disability needs and identifying suitable multiple voting locations throughout the county.
- The VCA requires participating counties to provide a robust, multilingual effort to first seek community input, and later to provide voter education to prepare voters in diverse communities for the new election system. New requirements include multilingual public service announcements, new multilingual outreach materials, workshops, the establishment of a Language Accessibility Advisory Committee, Voter Accessibility Committee. Why not start now in 2018 meeting these requirements?

I do not think it is realistic to expect the Registrar of Voters to conduct effectively this type of publicity, outreach and education without adequate funding.

Finally, returning to 2018, the Board has the opportunity to pilot the VCA and learning what works, what needs to be improved, by educating voters now and increasing voter participation through expanding early voting sites and same day registration. Widening participation will highlight the Santa Clara County's commitment to voting rights.

In 2018 please give the county the resources it needs. By having many vote centers throughout the county you will make same day registration truly available to all the eligible voters in the county regardless of where you live, whether you have a car or whether you work far from your home. This would be real equality of access to voting.

Thank you

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References:

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