

Civil Rights *and* Voting in Illinois



A Briefing Report of the
Illinois Advisory Committee to the
U.S. Commission on Civil Rights

February 2018

Advisory Committees to the U.S. Commission on Civil Rights

By law, the U.S. Commission on Civil Rights has established an advisory Committee in each of the 50 states and the District of Columbia. These Committees are composed of state/district citizens who serve without compensation; they are tasked with advising the Commission of civil rights issues in their states/district that are within the Commission's jurisdiction. Committees are authorized to advise the Commission in writing of any knowledge or information they have of any alleged deprivation of voting rights and alleged discrimination based on race, color, religion, sex, age, disability, national origin, or in the administration of justice; advise the Commission on matters of their state or district's concern in the preparation of Commission reports to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public officials, and representatives of public and private organizations to Committee inquiries; forward advice and recommendations to the Commission, as requested; and observe any open hearing or conference conducted by the Commission in their states/district.

Acknowledgements

The Illinois Advisory Committee would like to thank each of the panelists who presented to the Committee during the March 9, 2017 meeting of the Illinois Advisory Committee, and the members of the public who either submitted written testimony or who spoke during the period of public comment. The Committee would also like to thank the Ralph H. Metcalfe Federal Building for hosting the public event.

The Committee is also grateful to Juan Carlos Linares, Chair of the Illinois Advisory Committee, who presided over the 2017 hearing; and all of the Committee members who assisted in the project planning and hearing preparations.

**Illinois Advisory Committee to the
U.S. Commission on Civil Rights**

The Illinois Advisory Committee to the U.S. Commission on Civil Rights submits this report regarding civil rights and voting in Illinois, and the potential disparate impact in access to voting on the basis of race, color, age, religion, or disability. The Committee submits this report as part of its responsibility to study and report on civil rights issues in the state of Illinois. The contents of this report are primarily based on testimony the Committee heard during a public hearing on March 9, 2017 in Chicago, IL.

This report details civil rights concerns relating to potential disparities regarding access to voting and discrimination based upon the race, national origin, religion, sex, disability, and age of the electorate. It also addresses challenges to voting facing the incarcerated and formerly incarcerated, Limited English Proficient individuals, individuals with disabilities, and those experiencing homelessness. Primary concerns included inconsistent training of election judges and implementation of instruments to assist access to voting, the debate on pieces of legislation that could either enhance or limit access to voting across the state, such as automatic voter registration and election day registration, the practices of prison gerrymandering and the need to expand access to voting for inmates awaiting trial, and the ongoing need to educate youth on the importance of voting. From these findings, the Committee offers to the Commission recommendations for addressing this problem of national importance.

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I. INTRODUCTION

The U.S. Commission on Civil Rights (Commission) is an independent, bipartisan agency established by Congress and directed to study and collect information relating to discrimination or a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, age, disability, national origin, or in the administration of justice. The Commission has established advisory Committees in each of the 50 states and the District of Columbia. These advisory Committees advise the Commission of civil rights issues in their states/district that are within the Commission's jurisdiction.

Among the responsibilities of each Advisory Committee is to inform the Commission "of any knowledge of information it has of any alleged deprivation of the right to vote and to have the vote counted by reason of color, race, religion, sex, age, disability, or national origin, or that citizens are being accorded or denied the right to vote in Federal elections as a result of patterns or practices of fraud or discrimination."¹ Through this study, the Illinois Advisory Committee examines voting rights and voter participation in Illinois. Specifically, the Committee examines the extent to which voters in the state have free, equal access to exercise their right to vote without regard to race, color, disability status, national origin, age, religion, and/or sex.

On July 8, 2016, the Illinois Advisory Committee (Committee) to the U.S. Commission on Civil Rights voted unanimously to conduct a study of the civil rights issues surrounding voting throughout the state. Specifically, the Committee sought to examine potential disparities regarding access to voting and discrimination based upon the protected categories of the electorate as designated by the Constitution. The Committee also sought to explore challenges to voting facing the incarcerated and formerly incarcerated, Limited English Proficient individuals, individuals with disabilities, and those experiencing homelessness.

On March 9, 2017, the Committee convened a public meeting in Chicago, Illinois to hear testimony regarding challenges and recommendations to improve access to voting across Illinois. The following report results from the testimony provided during this meeting, as well as testimony submitted to the Committee in writing during the related period of public comment. It begins with a brief background of the issue to be considered by the Committee. It then presents an overview of the testimony received. Finally, it identifies primary findings as they emerged from this testimony, as well as recommendations for addressing related civil rights concerns. The focus of this report is specifically on concerns of disparate access to voting in Illinois on the basis of race, color, age, religion, national origin, or other federally protected category. While other important topics may have surfaced throughout the Committee's inquiry, those matters that

¹ 45 C.F.R. § 703.2.

are outside the scope of this specific civil rights mandate are left for another discussion. The Committee adopted this report and the recommendations included within it on October 24, 2017.

II. BACKGROUND

A. The United States Voting Rights Act

The right to vote is one of the most fundamental components of democracy—so important in fact that the United States Constitution includes four amendments protecting it.

- Amendment XV guarantees that the right to vote will not be denied on the basis of “race, color, or previous condition of servitude”;²
- Amendment XIX guarantees that the right to vote will not be denied “on account of sex”;³
- Amendment XXIV guarantees that the right to vote will not be denied “by any reason of failure to pay poll tax or other tax”;⁴
- Amendment XXVI guarantees that the right to vote will not be denied on account of age for all citizens aged 18 years or older.⁵

Though it does not explicitly address enfranchisement, the 14th Amendment to the U.S. Constitution granting citizenship to “all persons born or naturalized in the United States” and guaranteeing “equal protection of the laws”⁶ to all within its jurisdiction has also been used to protect voting rights.

However, throughout much of American history, jurisdictions instituted discretionary, inconsistently applied, requirements such as poll taxes, literacy tests, and vouchers of “good character” to suppress the African American vote.⁷ Many of these jurisdictions also

² U.S. Const. amend. XV, § 1, *available at* <http://www.law.cornell.edu/constitution/overview>.

³ U.S. Const. amend. XIX, § 1, *available at* <http://www.law.cornell.edu/constitution/overview>.

⁴ U.S. Const. amend. XXIV, § 1, *available at* <http://www.law.cornell.edu/constitution/overview>.

⁵ U.S. Const. amend. XXVI, § 1, *available at* <http://www.law.cornell.edu/constitution/overview>.

⁶ U.S. Const. amend. XIV, § 1, *available at* <http://www.law.cornell.edu/constitution/overview>.

⁷ The U.S. Dep’t. of Justice, *Before the Voting Rights Act*, Introduction to Federal voting Rights Laws (June 29, 2017), <https://www.justice.gov/crt/introduction-federal-voting-rights-laws>.

disenfranchised individuals who committed "crimes of moral turpitude" for the same purpose.⁸ In addition, terrorist organizations such as the Ku Klux Klan and the Knights of the White Camellia used harassment and violence to keep African American voters away from the polls.

In response to such continued voter intimidation and suppression, the 1965 United States Congress passed the Voting Rights Act (VRA) in an attempt to eliminate discriminatory voting practices.⁹ Among its key provisions, the VRA included a section that prohibited "drawing election districts in ways that improperly dilute minorities' voting power."¹⁰ It also required that states and counties with a "history of discriminatory voting practices or poor minority voting registration rates" secure preclearance approval from the United States Attorney General or a three-judge panel of the District of Columbia District Court prior to making any changes to their local legislation.¹¹

When Congress renewed the VRA in 1975, they added protections designed to bring an end to discrimination against "language minority citizens."¹² In 1982, the Act was again renewed and amended to include a clause stating that a violation of the Act's nondiscrimination section could be established "without having to prove discriminatory purpose."¹³ In other words, the clause declared that if the voting requirements in a particular jurisdiction are found to have a discriminatory impact, those requirements are illegal, regardless of intent.

According to the U.S. Department of Justice Civil Rights Division, soon after the VRA was passed, "black voter registration began a sharp increase," and as a result, the "Voting Rights Act itself has been called the single most effective piece of civil rights legislation ever passed by Congress."¹⁴

On June 25, 2013, the U.S. Supreme Court released their *Shelby County v. Holder* ruling, stating that the formula used to determine which states should be subjected to VRA preclearance requirements was outdated and, thus, unconstitutional.¹⁵ So, the preclearance requirement of the

⁸ *Id.*

⁹ 42 U.S.C. § 1973.

¹⁰ Voting Rights Act, 42 U.S.C. § 1973, available at https://www.law.cornell.edu/wex/voting_rights_act.

¹¹ *Id.*

¹² The U.S. Dep't of Justice, *The History of Federal Voting Rights Laws*, *Justice.gov* (June 16, 2017), <https://www.justice.gov/crt/history-federal-voting-rights-laws>.

¹³ *Id.*

¹⁴ The U.S. Dep't. Of Justice, *The Effect of the Voting Rights Act*, Introduction to Federal Voting Rights Laws (July 14, 2016). <https://www.justice.gov/crt/introduction-federal-voting-rights-laws-0>.

¹⁵ *Shelby Cnty., Ala. v. Holder*, 570 U.S. 529, (2013), available at https://www.supremecourt.gov/opinions/12pdf/12-96_6k47.pdf; see also John Schwartz, *Between the Lines of the Voting Rights Act Opinion*, *The New York Times*, June 25, 2013, available at

VRA cannot be used to regulate jurisdictions until Congress can agree upon a new formula, which they have yet to do.

Many states have enacted legislation to limit ballot access since the *Shelby County* decision. At least 77 bills aiming to restrict voter registration have been introduced or passed during the prior congressional session.¹⁶ In November of 2016, state efforts to expand voter access had outpaced the enactment of restrictive measures overall,¹⁷ but, nevertheless, 14 states had new restrictive voting laws in effect for the first time in a presidential election.¹⁸

At the same time, concerns about voter fraud have been expressed at the national level. On May 11, 2017, President Trump's administration issued an executive order establishing the Presidential Advisory Commission on Election Integrity.¹⁹ This newly established Commission aims to study voting practices and identify "vulnerabilities in voting systems and practices used for Federal elections that can lead to improper voter registrations and improper voting, including fraudulent voter registrations and fraudulent voting."²⁰ On June 28th, 2017, the Presidential Advisory Commission on Election Integrity's co-chair Kris Kobach sent each state a letter requesting all publicly available voter data including: names, birth dates, political party, voting history (from 2006 onward), felony convictions and the last four digits of voter's Social Security numbers.²¹ In the letter, co-Chair Kobach asked that the data be shared by July 14, 2017.²² The Illinois State Board of Elections has yet to turn over the requested data, citing concerns that doing so may violate

http://www.nytimes.com/interactive/2013/06/25/us/annotated-supreme-court-decision-on-voting-rights-act.html?_r=2&

¹⁶ Brennan Center for Justice at the N.Y. Univ. Sch. of Law, *Voting Laws Roundup 2016* (July 21, 2016), <https://www.brennancenter.org/analysis/voting-laws-roundup-2016>.

¹⁷ *See Id.* (noting that the Brennan Center for Justice reported that as of March 25, 2016, 422 bills to enhance voting access were introduced or carried over from the previous session in 41 states plus the District of Columbia, while at least 77 bills to restrict access to registration and voting were introduced or carried over from the previous session in 28 states).

¹⁸ *Id.*

¹⁹ The White House Office of the Press Secretary, *Presidential Executive Order on the Establishment of Presidential Advisory Commission on Election Integrity* (May 22, 2017), <https://www.whitehouse.gov/the-press-office/2017/05/11/presidential-executive-order-establishment-presidential-advisory>.

²⁰ *Id.*

²¹ Lynn Sweet & Sam Charles, *Illinois to delay Trump Commission Voter Data Request Until August*, Chicago Sun Times, July 5, 2016, available at <http://chicago.suntimes.com/news/illinois-to-decide-on-trump-commission-voter-data-request-in-august/>.

²² *Id.*

state law.²³ In September 2017, the IL State Board of Elections sent a letter to the Commission seeking additional information regarding how the voter data would be used.²⁴ At this point in time, it appears unlikely that Illinois will provide all of the requested information, as Ken Menzel, general counsel to the Illinois State Board of Elections, stated that the Presidential Advisory Commission on Election Integrity is “certainly not going to get the last four numbers of (each registrant’s) Social Security number...we don’t give that out to anybody.”²⁵ As of July 6, 2017, 11 states and the District of Columbia have announced that they will not comply with the request, 16 states (including Illinois) are undecided and 22 states indicated that they have (or will) hand over partial information as allowed by state law.²⁶

In this context, the Illinois Advisory Committee addresses the voting climate in Illinois, and the extent to which all qualified voters in the state have equal access to voter registration and ballots at the polling place.

B. Current Voting Regulations

Across the United States, current policies designed to restrict voting access include: eliminating early voting, requiring documentary proof of citizenship during voter registration, prohibiting people with prior felony convictions from voting, purging the identification data associated with those accused of being registered in more than one state, moving and consolidating polling places, and prohibiting third parties from collecting and turning in early ballots on behalf of voters.²⁷ The extent to which jurisdictions have adopted such measures varies widely.

²³ Associated Press, *More than a dozen states still refuse to release voter data* Los Angeles Times (October 30, 2017), <http://www.latimes.com/nation/sns-bc-us--voting-commission-state-responses-20171022-story.html>.

²⁴ *Id.*

²⁵ See Greg Hinz, *Illinois Balks at Vote Fraud Panel’s Data Request*, Crain’s Chicago Business (July 6, 2016), <http://www.chicagobusiness.com/article/20170705/BLOGS02/170709989/illinois-balks-at-vote-fraud-panels-data-request> (noting that under Illinois Law, Social Security numbers are not available to the public).

²⁶ *Id.*

²⁷ The Advancement Project, *Barriers to the Ballot: Restrictive Voting Procedures in 2016* (Sept. 22, 2016), http://b3cdn.net/advancement/8579f669557471b98c_yfm6bxkd8.pdf.

1. *The National Voter Registration Act*

In 1993, Congress enacted the National Voter Registration Act (NVRA), which was designed facilitate voter registration and make it easier for voters to maintain their registered status.²⁸ Under the NVRA, states must allow citizens to register to vote at the same time they apply for their driver's license or seek to renew their license.²⁹ The NVRA also requires states to forward completed voter registration applications to the appropriate election officials.³⁰ In addition, the Act also requires states to provide voter registration support for individuals with disabilities and allows any eligible person to register by mail if they so choose.³¹

2. *Voting in Illinois*

Illinois requires two forms of identification for any individual who wishes to register to vote (in person, by mail or online), change their name on voter registration, or change their registration address (after October 11 in a given election year).³² At least one identifier must include the registrant's residential address.³³ Acceptable forms of identification are limited to the following documents:³⁴

- Passport or Military ID;
- Vehicle registration card;
- Social Security, Medicare, or Medicaid card;
- Illinois FOID card;
- Driver's License or State ID card;
- Lease, mortgage, or deed to home;

²⁸ The U.S. Dep't of Justice, *About the National Voter Registration Act*, (Sept. 26, 2016), <https://www.justice.gov/crt/about-national-voter-registration-act>.

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² *When Voters Do (And Don't) Need Identification (ID)* (June 29, 2017), <http://app.chicagoelections.com/pages/en/when-you-need-id-to-vote.aspx>.

³³ *Id.*

³⁴ *Id.*

- Civic, union or professional membership card;
- College/University/School/Work ID;
- Credit or debit card;
- LINK/Public Aid/Department of Human Services card.

Additionally, mail addressed to the registrant may also be accepted in some cases.³⁵ Examples of acceptable mail include: bills, transcripts/report cards from school, bank statements, pay stubs, pension statements, utility/medical/insurance bills and official mail from any government agency.³⁶

While Illinois does not require all voters to present government issued photo identification at the polls, a voter may be asked to show identification if they registered to vote by mail and did not submit the required identification in time.³⁷ Illinois voters may also be subject to an ID request if an election official challenges their right to vote for any other reason.³⁸

Automatic Voter Registration

Voting-eligible individuals in Illinois are not automatically registered to vote, but, because of the NVRA, they are given opportunity to indicate that they would like to register when they fill out certain government forms, such as an application for a driver's license.³⁹ Outside of Illinois, seven states have implemented automatic voter registration.⁴⁰ In automatic voter registration jurisdictions eligible citizens are registered to vote when they provide identifying information to state government agencies, unless they explicitly indicate that they would not like to register.⁴¹ For instance, if an individual applied to obtain or renew a driver's license through their state Department of Motor Vehicles, they would automatically be registered to vote unless they stated that they would not like to be registered. Voter information is then securely transferred to election

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Motor Voter: Driver Services* (June 7, 2017), <http://www.cyberdriveillinois.com/departments/drivers/motorvoter.html>.

⁴⁰ Brennan Center for Justice at the N.Y Univ. Sch. Of Law, *Automatic Voter Registration* (June 27, 2016), <https://www.brennancenter.org/analysis/automatic-voter-registration>.

⁴¹ *Id.*

officials, which is why proponents of automatic voter registration argue that such a process would both save money and lessen the potential for voter fraud.⁴²

In May 2016, both chambers of the Illinois General Assembly passed legislation that would have instituted automatic voter registration throughout the state. Illinois Governor Bruce Rauner however, vetoed the bill two months later, citing concerns regarding potential fraud and conflicts with federal law.⁴³ The Illinois House sought to override the veto in November of 2016, but failed to do so when they fell four votes short of the seventy-one person majority needed to turn the bill into law.⁴⁴ In May 2017, the Illinois Senate voted 115-0 to approve SB1933, a bipartisan automatic voter registration bill that included revisions that addressed the Governor's concerns.⁴⁵ On June 29, 2017, the bill was sent to Governor Rauner's desk.⁴⁶ Governor Rauner signed the bill into law on August 28, 2017.⁴⁷

Election Day Registration

Election Day registration allows individuals to complete voter registration and cast a ballot on the day of an election. In 2014, the Illinois General Assembly instituted a pilot program that permitted Election Day voter registration during the general election held that year.⁴⁸ Subsequently, the Illinois General Assembly passed additional legislation (SB 0172) making same day voter registration permanent throughout the state.⁴⁹ Under SB 0172, counties with fewer than 100,000 eligible voters and no electronic registration records are permitted to opt out of same day registration at some of their polling locations, provided that same day registration remains

⁴² *Id.*

⁴³ Rick Pearson, *Rauner Vetoes Automatic Voter Registration Bill*, Chicago Tribune (Sept. 23, 2016), <http://www.chicagotribune.com/news/local/politics/ct-bruce-rauner-veto-automatic-voter-registration-met-0813-20160812-story.html>.

⁴⁴ Jessie Hellmann, *Illinois Passes Automatic Voter Registration* The Hill (June 7, 2017), May 29, 2017, <http://thehill.com/homenews/state-watch/335555-illinois-legislature-passes-automatic-voter-registration>.

⁴⁵ *Id.*

⁴⁶ S. 1933, 100th Gen. Assemb. (Ill. 2017) available at <http://www.ilga.gov/legislation/BillStatus.asp?DocNum=1933&GAID=14&DocTypeID=SB&SessionID=91&GA=100>.

⁴⁷ *Id.*

⁴⁸ Sophia Tareen, *Same-day Voter Registration at Issue in Illinois Lawsuit*, Associated Press (Oct. 13, 2016), <http://bigstory.ap.org/article/55cf8dad5b944a06822b5214393d68ef/same-day-voter-registration-issue-illinois-lawsuit>.

⁴⁹ Illinois Public Act, Pub L. No. 98-1171.

available at the county election authority's main office and at "a polling place in each municipality where 20% or more of the county's residents reside."⁵⁰

In August 2016, U.S. House of Representatives candidate Patrick Harlan and the Crawford County Republican Central Committee filed a lawsuit in federal court alleging that Illinois SB 0172's small county exception put voters from rural counties at an unfair disadvantage.⁵¹ In September of 2016, U.S. District Court Judge Samuel Der-Yeghiayan granted the plaintiff's motion for a preliminary injunction to block same day voter registration in the state prior to the 2016 presidential election.⁵² In October of 2016, the 7th U.S. Circuit Court of Appeals stayed this injunction, re-opening same day voter registration for the November 8, 2016, presidential election.⁵³ In August of 2017, the Seventh Circuit Court of Appeals issued a stay reinstating same-day voter registration for the November election.⁵⁴

3. *Felony Disenfranchisement*

In a vast majority of U.S states, individuals who have been convicted of a felony lose their right to vote some duration of time. A person convicted of a felony automatically becomes permanently ineligible to vote in 9 U.S states.⁵⁵ Twenty-nine states automatically restore voting rights after the completion of an offender's entire sentence, including parole and probation.⁵⁶ Illinois is one of 14 states that automatically restore voting rights to people with felony convictions upon their release

⁵⁰ Illinois Public Act, Pub L. No. 97-766.

⁵¹ *Harlan v. Scholz*, 210 F. Supp. 3d 972 (N.D. Ill. 2016), *vacated*, 866 F.3d 754 (7th Cir. 2017), *available at* <https://d2dv7hze646xr.cloudfront.net/wp-content/uploads/2016/08/Harlan-v.-Scholz-complaint-with-expert-report.pdf>.

⁵² *Id.*

⁵³ Kim Geiger, *Same-Day Voter Registration Will be an Option November 8 in Illinois*, Chicago Tribune (Oct. 13, 2016), <http://www.chicagotribune.com/news/local/politics/ct-illinois-same-day-voter-registration-1009-20161007-story.html>.

⁵⁴ Bailey Lorraine, *Seventh Circuit Upholds Same-Day Illinois Voter Registration*, Courthouse News (Aug. 4, 2017), <https://www.courthousenews.com/seventh-circuit-upholds-day-illinois-voter-registration/>.

⁵⁵ *Felon Voting Rights*, National Conference of State Legislatures, *available at* <http://www.ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx>.

⁵⁶ *Id.*

from prison.⁵⁷ In Maine and Vermont, persons with felony convictions never lose the right to vote, even while they are incarcerated.⁵⁸

The National Conference of State Legislatures reported that, even in states like Illinois where voting rights are automatically restored after an individual completes their prison sentence, a lack of information and/or timely communication between courts, corrections officers, and elections officials can “result in uneven application of the law, even when the laws are clear.”⁵⁹ Specifically, “ex-offenders sometimes are not aware that they regain their voting rights automatically upon completion of their sentence” causing them to “go through life believing they cannot vote when, in fact, they can.”⁶⁰

III. SUMMARY OF PANEL TESTIMONY

The panel discussion on March 9, 2017, at the Ralph H. Metcalfe Federal Building in Chicago, Illinois included testimony from diverse panels of academic experts; legal professionals; community advocates; and elected officials who discussed challenges in access to voting along with recommendations for potential improvements.⁶¹ At the direction of the Committee’s bipartisan members, panelists were selected to provide a balanced overview of the civil rights issues impacting voters in Illinois. Testimony included the perspective of both proponents and opponents of election-day registration, recommendations of best practices for election judges, expert testimony on disenfranchisement of the incarcerated and formerly incarcerated, the challenges faced by Limited English Proficient voters, homeless voters, young voters and voters with disabilities. The Illinois Secretary of State or clerks from jurisdictions outside of Cook County did not respond to outreach attempts.

The Committee notes that where appropriate, all invited parties who were unable to attend personally were offered the opportunity to send a delegate; or, at a minimum, to submit a written statement offering their perspective on the civil rights concerns in question. The Committee did receive a number of written statements from the public offering supplemental information, which are included in Appendix B. It is in this context that the Committee submits the findings and recommendations following in this report.

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ The complete agenda from this meeting can be found in Appendix A.

A. Voting Rights in Illinois

1. Election Day Registration

Through the hearing, panelists provided testimony on the laws, procedures, and policies that impact voting rights in the state of Illinois. For instance, the Committee heard arguments both for and against Illinois' Election Day registration policies. Mr. Jacob Huebert, Senior Attorney at the Liberty Justice Center and counsel to the plaintiff in the aforementioned lawsuit contesting the constitutionality of Illinois' Election Day registration policy, shared his perspective on why the Illinois' Election Day registration procedures violate the 14th amendment's equal protection clause.⁶² Mr. Huebert contends that the expanded opportunity for voter registration on Election Day is unconstitutional because individuals are only guaranteed the right to register last minute at every polling place in 20 of the 102 total counties in the state of Illinois.⁶³ He also stated that in the 2016 general election, only 4 of Illinois' 82 low population counties voluntarily offered Election Day registration at every polling place, making registration accessible to some and inaccessible to others.⁶⁴

Mr. Huebert explained that “when a citizen challenges a law that restricts voting rights or favors some voters over others, the law can only be upheld if the Court concludes that the burden the restriction imposes on voting rights is outweighed by the government interest.”⁶⁵ He testified that that, under this legal standard, Illinois has defended its Election Day registration scheme by arguing that it improves voting access for Illinoisans in general.⁶⁶ However, Mr. Hubert argues that residents of small counties without Election Day registration are unfairly disadvantaged because, in some cases, they would have to travel over twenty miles for the opportunity to register on Election Day while people in highly populated jurisdictions could register at their own local polling place.⁶⁷ Mr. Huebert also noted that there may be a partisan interest in limiting mandatory

⁶² Huebert Testimony, Hearing before the Illinois Advisory Committee to the U.S. Commission on Civil Rights, hearing transcript, p. 34 (2017), available at <http://facadatabase.gov/committee/meetingdocuments.aspx?flr=147706&cid=246> (hereinafter cited as *Transcript*).

⁶³ Huebert, *Transcript* at 36.

⁶⁴ *Id.*

Id. at 38.

⁶⁶ *Id.* at 38.

⁶⁷ *Id.* at 40.

Election Day registration to high-population counties, which have consistently favored the Democratic Party in statewide elections throughout the past decade.⁶⁸

Mr. Huebert proposed altering the Illinois' Election Day registration legislation so that a system that is fair to voters all throughout the state may be implemented.⁶⁹ To do this, he suggested that Illinois should either revoke all Election Day registration or guarantee last minute registration at every polling place, just as every other state allowing Election Day registration does.⁷⁰ Rebecca Glenberg, a Senior Attorney at the ACLU of Illinois, stated that, in fact, the initial draft of the Election Day registration bill called for a uniform state of access to polling place Election Day registration, "but low population counties advocated for an ability to opt out of that requirement especially if they had a cost concern."⁷¹ Ami Gandhi, Director of Voting Rights and Civic Empowerment of the Chicago Lawyers' Committee for Civil Rights Under Law argued that Election Day registration should not be removed from places where it has already proven to be useful and necessary, arguing that Election Day registration should simply be required in more polling places.⁷²

According to Ms. Gandhi, revoking Election Day registration would be a step backwards for Illinois voters because the ability to register at the last-minute expands ballot access.⁷³ Ms. Gandhi reported that over 100,000 voters across the state registered on the day of the November 2016 general election.⁷⁴ She also explained that Voting Rights Project of the Chicago Lawyer's Committee received numerous public comments indicating that voters rely on Election Day registration.⁷⁵ Specifically, she noted that the Voting Rights Project heard "stories of voters of color in urban areas using Election Day registration, as well as veterans, rural voters who work on farms, and a diversity of others who use Election Day registration."⁷⁶ This increased rate of registration among people of color is especially noteworthy for, as Juan Thomas, chair of the National Association for the Advancement of Colored People's Legal Redress Committee reported, 35% of Illinois' voting eligible African Americans were not registered to vote in the year

⁶⁸ *Id.* at 41.

⁶⁹ *Id.* at 42-43.

⁷⁰ *Id.* at 43.

⁷¹ Glenberg, *Transcript* at 57- 58.

⁷² Gandhi, *Transcript* at 3.

⁷³ Gandhi, *Transcript* at 32.

⁷⁴ Gandhi, *Transcript* at 3.

⁷⁵ Gandhi, *Transcript* at 28.

⁷⁶ Gandhi, *Transcript* at 3.

2014.⁷⁷ Additionally, Mr. Andy Kang, the Legal Director of Asian Americans Advancing Justice Chicago, highlighted the importance of Election Day registration when he described the municipal primary races in Chicago's 11th and 25th Wards in which 12,000 voters registered on Election Day, resulting in races that were decided by approximately 515 votes each.⁷⁸

2. *Fraud Allegations and Voter ID Requirements*

Several panelists provided testimony on recent allegations of voter fraud and their impact on the electoral process. Ms. Glenberg discussed the recent increase in allegations of voter fraud in national level political rhetoric and its effect on voting within the state of Illinois. She stated that between the years 2000 and 2014, there were over a billion votes cast but only 31 credible allegations of voter impersonation throughout the country, which nearly all turned out to be caused by accidental election judge or voter error, not a malicious attempt to influence an election.⁷⁹ None of these incidents occurred in Illinois.⁸⁰

Other panelists specifically addressed the recent voter fraud allegations that claim noncitizens have been registering to vote in American elections. Ruth Greenwood, Deputy Director of Redistricting at The Campaign Legal Center stated that there is no evidence of illegal non-citizen voter registration.⁸¹ Ms. Gandhi explained that, among noncitizens, there is a widespread understanding that voter registration is a deportable offense.⁸² She also noted that the tension within the current political climate has even caused eligible immigrant citizens to be hesitant about registering to vote.⁸³ Furthermore, Ms. Gandhi added that inadvertent registration of non-citizens through the Illinois NVRA system is not typically a problem but that reforms like automatic voter registration in Illinois have been constructed to even further strengthen safeguards against registration of non-citizens.⁸⁴

⁷⁷ Thomas, *Transcript* at 200.

⁷⁸ Kang, *Transcript* at 170.

⁷⁹ Glenberg, *Transcript* at 45.

⁸⁰ Justin Levitt, *A Comprehensive Investigation of Voter Finds 31 Credible Incidents out of One Billion Ballots Cast*, Washington Post, Aug. 6, 2014, available at https://www.washingtonpost.com/news/wonk/wp/2014/08/06/a-comprehensive-investigation-of-voter-impersonation-finds-31-credible-incidents-out-of-one-billion-ballots-cast/?utm_term=.badaf18f08d2.

⁸¹ Greenwood, *Transcript* at 61-62.

⁸² Gandhi, *Transcript* at 62.

⁸³ *Id.*

⁸⁴ *Id.* at 64.

Ms. Glenberg asserted that Illinois should consider the potential impacts of laws requiring identification at the polls because in 2016 alone, “14 states had new restrictions on voting that had not existed before.”⁸⁵ Furthermore, she noted that the Illinois General Assembly has seen proposals for voter identification bills during the past 8 years, which, if passed, would be some of the strictest laws voter ID laws in the nation.⁸⁶ She explained that, for instance, there is currently a bill the Illinois General Assembly requiring unexpired and valid photo identification at polling places, which poses the question of whether someone is still eligible to vote if, say, their driver’s license had been suspended because of a traffic violation.⁸⁷

When describing the recently enacted laws requiring voter identification at the polls, Ms. Glenberg posited that voter identification laws “reduce voter participation in direct opposition to our country’s overall trend of including more Americans in the Democratic process.”⁸⁸ Ms. Glenberg further clarified that state voter identification laws vary from state to state and generally do not justify or explain for why particular forms of identification are required.⁸⁹ According to Ms. Greenwood, federal law requires that government issued identifiers (such as the last four digits of a person’s social security or driver’s license number) must be presented in order to register to vote, so “adding a photo identification requirement on top [of the current requirements] is just restricting who can access the polls.”⁹⁰

Additionally, the Committee heard testimony on the disparate impact of voter ID law. Ms. Glenberg testified that many Americans do not possess one of the acceptable forms of identification required by strict voter ID laws.⁹¹ She noted that, in the year 2006, 11% of American citizens did not have government-issued photo identification and added that the elderly, members of racial/ethnic minority groups, and people earning less than \$35,000 annually were less likely to possess a government ID than individuals who did not belong to any of those groups.⁹² On a similar note, Jeff Raines, Director of Communications and Engagement at CHANGE Illinois, reported that individuals living in black and Latino neighborhoods are much less likely to have drivers’

⁸⁵ Glenberg, *Transcript* at 49.

⁸⁶ Glenberg, *Transcript* at 50.

⁸⁷ Glenberg, *Transcript* at 73.

⁸⁸ Glenberg, *Transcript* at 46.

⁸⁹ Glenberg, *Transcript* at 72.

⁹⁰ Greenwood, *Transcript* at 70.

⁹¹ Glenberg, *Transcript* at 46.

⁹² Glenberg, *Transcript* at 47.

licenses or state IDs than white people.⁹³ Ms. Glenberg explained that after strict voter ID laws were enacted in Kansas and Tennessee, both states saw lower overall rates of voter turnout, with a larger decrease in electoral participation among African Americans than among whites.⁹⁴ Additionally, she noted that voter ID requirements are particularly burdensome for low income people who need to show utility bills or other documents to identify themselves, but do not have the proper documentation in their name because their bills are issued to the family members or friends with whom they live.⁹⁵ Also, Ms. Glenberg stated that voter ID laws also burden individuals who do not have access to the reliable forms of transportation that are often necessary to access the government offices that issue official identification.⁹⁶

3. *Issues with Redistricting*

In addition, a number of panelists provided testimony on current redistricting practices, which can function as a barrier to equitable representation throughout the state. Redistricting is the process in which partisan actors draw district lines, which is often done in a way that maximizes the probability that members of their political party will be elected. According to Ruth Greenwood, current incumbents have an advantage due to the manner in which partisan interests have dominated redistricting processes since 1980.⁹⁷ Ms. Greenwood further emphasized that incumbents remain in power without consideration for the preferences of their constituents because partisan redistricting reduces the number new candidates running for office, since there little incentive to fundraise and campaign in an election that seems impossible to win because of the way districts are drawn.⁹⁸ To illustrate this point, Ms. Greenwood reported that, within Illinois, “in 2016, 64 percent of state house races were uncontested and 75 percent of State Senate races were uncontested.”⁹⁹ She also explained that as the greater Chicagoland region continues to become residentially integrated, it becomes even more difficult to ascertain minority representation because it must be shown that a community is segregated to a certain degree in order to draw a

⁹³ Raines, *Transcript* at 1 – 2.

⁹⁴ Glenberg, *Transcript* at 49.

⁹⁵ Glenberg, *Transcript* at 74.

⁹⁶ Glenberg, *Transcript* at 47.

⁹⁷ Greenwood, *Transcript* at 19.

⁹⁸ *Id.* at 22.

⁹⁹ *Id.*

district around it using special provisions.¹⁰⁰ Drawing a district around a minority community would increase the likelihood that the minority group's preferred candidates would win the district.

The U.S. Supreme Court has declared redistricting on the basis of racial demographics in a manner that disadvantages minority voters unconstitutional, but it has never determined that political gerrymandering violates the U.S. Constitution.¹⁰¹ On June 19, 2017, the Supreme Court of the United States agreed to hear a Wisconsin case on partisan redistricting/gerrymandering.¹⁰² It is suspected that this case will set a standard that lower courts will be able to use to determine whether an instance of partisan redistricting is unconstitutional.¹⁰³

4. Challenges to Equal Representation

Electing Members of Minority Communities

Many panelists agree that minority groups currently lack sufficient political representation. Several of these panelists referenced the 2015 Joyce Foundation report titled "The Color of Representation: Local Government in Illinois"¹⁰⁴, which found that "people of color are underrepresented in hundreds of local governments across Illinois."¹⁰⁵ The report specifically identifies 38 Illinois jurisdictions that have "severe underrepresentation of one or more racial or ethnic minority groups."¹⁰⁶ Also, Ms. Greenwood testified that the report "showed that there are numerous cities, towns, villages and school boards have growing minority populations but all or majority white councils or boards to govern them."¹⁰⁷ In reference to the same report, Mr. Thomas noted that, in some districts, "...African-American and Latino votes are not only suppressed, but also

¹⁰⁰ *Id.* at 16.

¹⁰¹ Adam Liptak, *Justices to Hear Major Challenge to Partisan Gerrymandering*, The New York Times, June 19, 2017, https://www.nytimes.com/2017/06/19/us/politics/justices-to-hear-major-challenge-to-partisan-gerrymandering.html?_r=0.

¹⁰² *Id.*

¹⁰³ *Id.*

¹⁰⁴ The Joyce Foundation, *The Color of Representation: Local Government in Illinois* (May 24, 2017), https://static1.squarespace.com/static/53e11e1be4b0d63b5fc97ee3/t/55de53dde4b0e78736571d1b/1440633821328/CLC_TheColorOfRep_FINAL_41315-2.pdf.

¹⁰⁵ *Id.*

¹⁰⁶ *Id.*

¹⁰⁷ Greenwood, *Transcript* at 14.

marginalized in a way that does not create fair and equal representation based upon peoples of colors population numbers.”¹⁰⁸

According to Ms. Greenwood, civic participation and trust in government within communities of color would be enhanced if minority representation were improved.¹⁰⁹ Ms. Greenwood stated that it is difficult to increase minority representation because of factors including a lack of resources allocated to local organization efforts, the reality that ballot initiatives are controlled and manipulated by central authorities, and the fact that litigation efforts can be very time-consuming and costly.¹¹⁰

Ms. Greenwood suggested implementing a ranked choice voting system with multi-member districts in order to increase the number of minority board members elected within integrated communities.¹¹¹ She explained that, on a ranked choice ballot, each person writes out their electoral preferences in order by marking their favorite candidate as “1”, their second favorite candidate as “2”, and so forth.¹¹² If a voter’s favorite candidate does not get many votes, their vote will be counted towards their second favorite candidate, so each person’s vote is allocated to their most preferred candidate remaining in a run-off between the most popular candidates.¹¹³ According to Ms. Greenwood, this ballot format would likely improve minority representation in jurisdictions with more than one racial group.¹¹⁴ She explained that if “a black community and a Latino community [may] have different number one preferences, but as long as they preference each other for number two”¹¹⁵ they will end up with an elected official that was preferred by the minority community as a whole.¹¹⁶ Ms. Greenwood reported that San Francisco, CA; Cambridge, MA; Minneapolis, MN; the entire country of Australia and numerous other localities have all successfully implemented rank a choice voting system.¹¹⁷ She also testified that, on a more local

¹⁰⁸ Thomas, *Transcript* at 201.

¹⁰⁹ Greenwood, *Transcript* at 15.

¹¹⁰ *Id.* at 15.

¹¹¹ *Id.* at 16.

¹¹² *Id.* at 16.

¹¹³ *Id.* at 16 -17.

¹¹⁴ *Id.* 17.

¹¹⁵ *Id.*

¹¹⁶ *Id.*

¹¹⁷ *Id.*

level, the New York City School Board saw a dramatic increase in the number of elected officials of color when they switched to a ranked choice ballot.¹¹⁸

Voter Intimidation

The Committee also heard testimony on voter intimidation in Illinois. Instances of intimidation at the polls have been reported by Illinoisans, many of whom were non-white.¹¹⁹ Cook County Clerk David Orr reported that in Cicero, Illinois, police officers have harassed voters and asked people for voting “permits.”¹²⁰ Mr. Orr explained that between 60 and 70 off-duty Chicago police officers were armed and present at the polls, intimidating Cicero residents.¹²¹ It took the County Clerk’s office between 4 and 5 hours to clear the police officers from the polling place.¹²²

Ms. Gandhi also described instances of voter intimidation. She testified that police improperly told voters they needed identification to vote during the 2015 municipal elections in Illinois, and she also stated that voters reported police harassment because of political views at the November 2016 general election polls.¹²³ Ms. Gandhi emphasized that “the lasting sting of such an experience is not trivial to voters who are made to feel like they do not belong at the polls.”¹²⁴

B. Voting Access among Jail Inmates and the Formerly Incarcerated

1. Background

According to DePaul University Political Science Professor Christina R. Rivers, the history of felony disenfranchisement is linked to the concept of “civil death,” which can be traced back to Ancient Greece.¹²⁵ She explained that the Ancient Greeks used the term in reference to the deprivation of one’s political personhood through punishment after having committed an offense against an individual or society.¹²⁶ She then noted that, centuries later, the concept was reflected

¹¹⁸ *Id.* at 56.

¹¹⁹ *Voting Matters*, Illinois Voting 2016 (June 29, 2017), <http://2016.electionprotectionillinois.org/>.

¹²⁰ Orr, *Transcript* at 256.

¹²¹ *Id.* at 257.

¹²² *Id.*

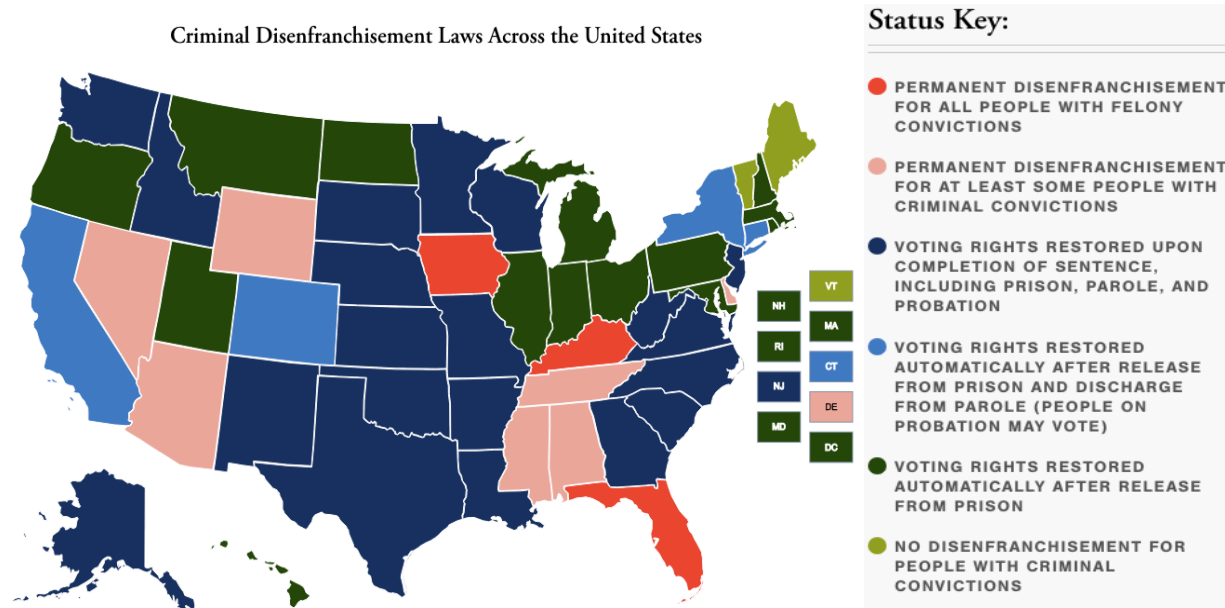
¹²³ Gandhi Written, *Transcript* at 3.

¹²⁴ *Id.*

¹²⁵ Rivers, *Transcript* at 78.

¹²⁶ *Id.*

in Section 2 of the 14th Amendment to the United States Constitution, which exempts those who have participated in a crime from representation.¹²⁷ Ms. Rivers explained that there is controversy surrounding this issue; for, despite remaining U.S. citizens, the fundamental right to vote can still be taken away from people who are or have been incarcerated.¹²⁸ The following map from the Brennan Center for Justice illustrates the current felony disenfranchisement laws across the United States:



Brennan Center for Justice, “Criminal Disenfranchisement Laws Across the United States” <http://www.brennancenter.org/criminal-disenfranchisement-laws-across-united-states>

The issue of felony disenfranchisement is particularly pertinent in the United States, because, as Ms. Rivers testified, it incarcerates more people than any other nation, with prison inmates making up 2.5 percent of the total population.¹²⁹ She stated State laws restricting the right to vote after a felony conviction vary between jurisdictions,¹³⁰ with most states disenfranchising those who are in prison, on parole or on probation. Michelle Mbekeani-Wiley, the Community Justice Staff

¹²⁷ *Id.*; see also U.S. Const. amend. XIV, § 1, available at <http://www.law.cornell.edu/constitution/overview>.

¹²⁸ Rivers, *Transcript* at 93.

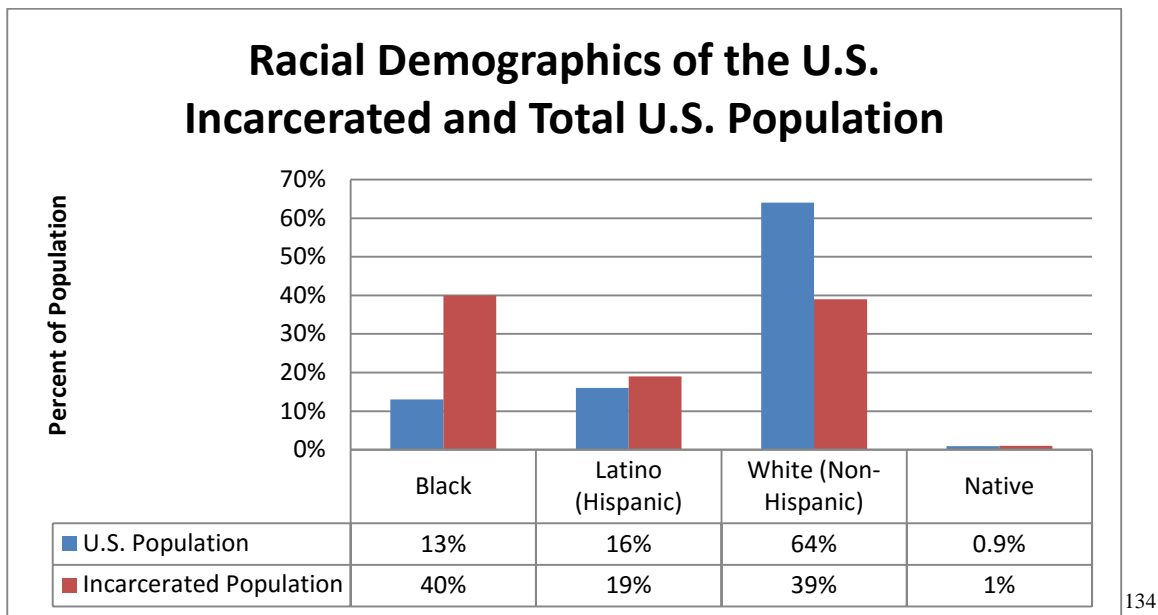
¹²⁹ *Id.* at 80; see also Christina R. Rivers, *Mass Incarceration and the Execution of Black Political Power*, in *Minority Voting in the United States* 35, 35-36 (Kyle L. Kreider & Thomas J. Baldino eds., 2015).

¹³⁰ Rivers, *Transcript* at 8.

Attorney at the Sargent Shriver National Center on Poverty Law explained that in Illinois, only those who are currently serving a felony sentence in prison are ineligible to cast a vote.¹³¹

Race/Ethnicity

The Committee heard testimony regarding voting barriers affecting jail inmates and individuals who have been released from prison; two populations which are disproportionately composed of people of color (see graphs below).¹³² Currently, 60% of prisoners come from racial/ethnic minority groups.¹³³ The over-representation of racial/ethnic minorities among the incarcerated population in the U.S. results in racial disparities in voting rights.



As the graph above indicates, black people are over-represented in prisons and jails throughout the United States while white people are underrepresented.¹³⁵ The graph also indicates that at the national level, Latino (Hispanic) people are slightly over-represented within the incarcerated population.¹³⁶

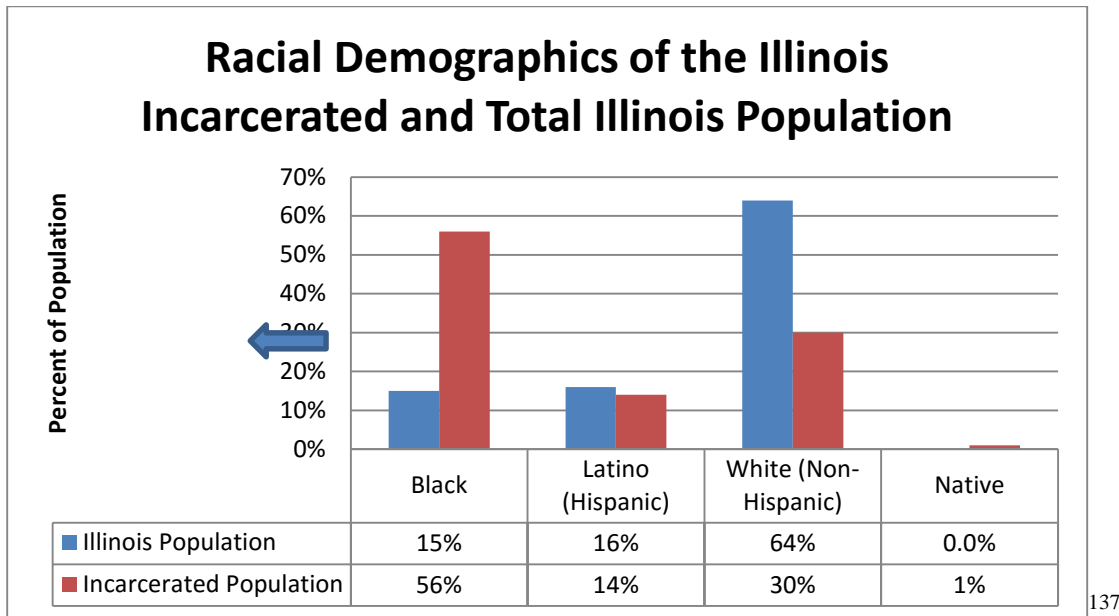
¹³¹ Mbekeani-Wiley, *Transcript* at 102.

¹³² Peter Wagner & Bernadette Rabuy, *Mass Incarceration: The Whole Pie 2017*, Prison Policy Initiative (June 7, 2017), <https://www.prisonpolicy.org/reports/pie2017.html>.

¹³³ *Supra* note 130, at 36.

¹³⁵ *Supra* note 132.

¹³⁶ *Id.*



In the state of Illinois, black people are over-represented within the incarcerated population while white people are under-represented.¹³⁸ The Latino (Hispanic) population is slightly under-represented within the prisons and jails at the state level.¹³⁹ These demographic trends indicate that the voting rights issues discussed throughout this section have a disparate impact on the basis of race. To that point, Ms. Mbekeani-Wiley asserted that “barriers for voting while behind bars will always have a disproportionate impact on black and brown people so long as contact with the justice system disproportionality impacts black and brown people.”¹⁴⁰

2. *Prison Gerrymandering*

The Committee heard testimony indicating that, like felony disenfranchisement, prison gerrymandering is manner by which incarceration impacts the democratic process. Ms. Rivers explained that prison gerrymandering occurs as a result of the fact that U.S. Census counts prisoners as residents of the particular facility in which they are incarcerated. Ms. Rivers stated that, in the current system, a non-incarcerated person is still counted as a resident of their

¹³⁷ Prison Policy Initiative, *Illinois Profile*, 50 State Incarceration Profiles (June 7, 2017), <https://www.prisonpolicy.org/profiles/IL.html>.

¹³⁸ *Id.*

¹³⁹ *Id.*

¹⁴⁰ Mbekeani-Wiley, *Transcript* at 104.

permanent home for electoral representation purposes, but individuals in prison are counted as constituents of the location in which they are serving their sentence.¹⁴¹ Ms. Rivers reported that the typical Census procedures that apply to citizens who are temporarily residing outside their homes (including college students, military personnel, and individuals working out of state/abroad) do not apply to the incarcerated, despite the fact that the average stay in prison of three to five years is comparable to the academic tenure of a college student.¹⁴² She also stated that, since the prison population is counted as part of the prison district's population, inmates become "phantom constituents, zombie constituents, [or] ghost constituents" who are ineligible to vote.¹⁴³ Ms. Rivers noted that "in this way, inmates provide political power to their elected officials through their population numbers, without the accompanying right to vote."¹⁴⁴ She also drew a parallel between this prison gerrymandering and the three-fifths clause of the U.S. Constitution, which allowed slaves who were not afforded the right to vote to be counted for representation within the Electoral College.¹⁴⁵ Specifically, Ms. Rivers stated that "in a very real sense, there is a reinvigoration of the three-fifths clause, this time not strictly targeting African Americans, but also it's at a one-to-one ratio."¹⁴⁶

Additionally, Ms. Rivers explained that the process of prison gerrymandering presents certain districts with an unfair advantage because of the fact that they use their local prison population to obtain added representation.¹⁴⁷ Ms. Mbekeani-Wiley described how Pinckneyville, Illinois

¹⁴¹ Rivers, *Transcript* at 84.

¹⁴² *Id.*; see also Mbekeani-Wiley, *Transcript* at 121.

¹⁴³ Rivers, *Transcript* at 84.

¹⁴⁴ *Id.* at 83-84.

¹⁴⁵ See *Id.* (noting that the three-fifths clause (Article 1, Section 2, Subsection 3 of the United States Constitution) states: "Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons." The three-fifths clause is was a compromise between the northern, non-slaveholding states who argued that disenfranchised slaves should not be counted for representation and the southern, slaveholding states who wanted to increase their representation in congress by counting slaves as individuals requiring representation. The implementation of the Three-Fifths Compromise greatly increased the representation and political power of slave-owning states. The Southern states, if represented equally [if only those who could vote/non-slaves were counted for representation] would have accounted for 33 of the seats in the House of Representatives. However, because of the Three-Fifths Compromise, the Southern states accounted for 47 seats in the House of Representatives of the first United States Congress of 1790).

¹⁴⁶ *Id.* at 84.

¹⁴⁷ *Id.* at 85.

exemplifies this phenomenon.¹⁴⁸ Ms. Mbekeani-Wiley reported that there are more inmates in Pinckneyville Correctional Center than there are non-incarcerated people in the city, yet both inmates and eligible voters are counted for electoral representation, which increases each voting eligible Pinkney resident voting power.¹⁴⁹ She also stated that cities like Pinckneyville can obtain government funding using these artificially inflated population statistics, which in turn, may lead elected officials to seek a prison within their district as a way to raise money for their constituents.¹⁵⁰

According to “The Color of Representation” Report, Cook County is one of the Illinois jurisdictions influenced by prison-based gerrymandering because “60% of the state prison population comes from Cook County, yet 99% of the population is housed and counted in districts outside of Cook County.”¹⁵¹ The report indicates that prison gerrymandering reduces comparative urban representation within Cook County and increases rural representation in rural prison-containing counties, which leaves minority voters (who make up a large portion of urban communities) underrepresented.¹⁵²

Legislators concerned with the issue of prison gerrymandering drafted Illinois State Senate bill HB1489, which would create the “No Representation Without Population Act” and make it illegal to count disenfranchised prisoners as constituents in the county they are incarcerated.¹⁵³ The bill has been tabled and no future hearing date has been assigned.¹⁵⁴

3. *Barriers to Voting in Jail*

The Committee was also presented testimony on the difficulties associated with voting while in jail. Although Illinois residents residing in jail while waiting for trial or serving a misdemeanor sentence are eligible to vote, panelists identified several barriers that place limitations on jail inmates’ ability to engage in the electoral process. Cara Smith, the Policy Chief for Cook County Sheriff Tom Dart, noted that the majority of inmates in Illinois’ Cook County Jail, the largest

¹⁴⁸ Mbekeani-Wiley, *Transcript* at 121.

¹⁴⁹ *Id.*

¹⁵⁰ Rivers, *supra* note 142, at 86.

¹⁵¹ The Joyce Foundation, *supra* note 105, at 29.

¹⁵² *Id.*

¹⁵³ H.R. 1489, 99th Gen. Assembly. (Ill. 2017) Illinois General Assembly, *available at* <http://www.ilga.gov/legislation/BillStatus.asp?DocNum=1489&GAID=13&DocTypeID=HB&LegId=86237&SessionID=88&GA=99>.

¹⁵⁴ *Id.*

single site jail in the nation¹⁵⁵, are eligible to vote absentee. Specifically, she stated that that “95 percent [of inmates in Cook County Jail] are pre-trial, and only about 30 percent are maximum security detainees.”¹⁵⁶

Panelist Michael Nasir Blackwell of the Inner-City Muslim Action Network revealed that he spent time some in Cook County Jail before he entered prison to serve 24 and a half years inside the Illinois Department of Corrections.¹⁵⁷ Mr. Blackwell testified that he would have liked to vote in the state election that took place while he was awaiting his trial in Cook County Jail, but he was “adamantly told by jail officials, you [Mr. Blackwell] do not have the right to vote.”¹⁵⁸

While discussing the demographic markup of voting-eligible inmates in Cook County Jail, Ms. Smith testified that 90 percent of the inmates Cook County Jail are non-white.¹⁵⁹ Ms. Mbekeani-Wiley also noted that the majority of inmates who are eligible to vote in Cook County Jail are black men under the age of twenty-five, which demonstrates that the barriers to voting that disadvantage the jail population have a disparate impact on people of color.¹⁶⁰

Social Security Numbers

Ms. Mbekeani-Wiley stated that one of the main barriers to voting access in jail is the potential registrants’ inability to access their social security numbers.¹⁶¹ She explained that, although social security numbers are frequently used to identify voters, they are not included on standard arrest reports or criminal court case dockets.¹⁶² Because of this, people in jail must rely on their own memory and/or resources to find their social security number. Ms. Mbekeani-Wiley testified that this requirement is difficult to meet because many jail inmates have transitioned straight from the juvenile justice system to jail and have become adults while in custody awaiting trial, never having the occasion to learn their social security number.¹⁶³

¹⁵⁵ Smith, *Transcript* at 107.

¹⁵⁶ *Id.* at 105.

¹⁵⁷ Blackwell, *Transcript* at 108.

¹⁵⁸ *Id.*

¹⁵⁹ Smith, *Transcript* at 105.

¹⁶⁰ Mbekeani-Wiley, *Transcript* at 95-96.

¹⁶¹ *Id.* at 96.

¹⁶² *Id.* at 116.

¹⁶³ *Id.* at 104.

Lack of an Address

In addition to providing testimony on social security numbers access, Ms. Mbekeani-Wiley also testified that the inability to register to vote without providing a residential address makes it difficult for inmates to exercise their right to vote. Ms. Mbekeani-Wiley reported that people awaiting trial in Illinois may find themselves in jail for extraordinarily lengthy periods of time, which, in some instances, can extend up to four years.¹⁶⁴ She explained that, despite this fact, inmates are not allowed to list a jail address as their place of residence on a voting registration form, regardless of the amount of time they have spent there.¹⁶⁵ Even though the inmates physically reside in jail, they cannot register the jail as either their personal residence or claim the address as shelter in an attempt to register as a homeless voter.¹⁶⁶ Ms. Mbekeani-Wiley asserted that, within the present system, jail inmates are essentially living in “residential exile.”¹⁶⁷ She clarified that the current legislation makes it impossible for some inmates to register because the duration of time spent in jail can be so lengthy that an individual may no longer recall their last address or no longer have family ties at their most recent place of residence.¹⁶⁸

4. *Misinformation among the Formerly Incarcerated*

The Committee also heard testimony indicating that barriers to voting access impede democratic participation among individuals who have been released from prison after serving a felony conviction. Illinois law states that individuals who were convicted of a felony are eligible to vote immediately after they are released from prison, even if they must remain on parole or probation.¹⁶⁹ However, Mr. Marlon Chamberlain of the Community Renewal Society testified that he was not informed of his right to vote after he served 10 years in federal prison. Mr. Chamberlain reported that “when I was released from prison, my probation officer told me that I couldn’t vote, and along with like pretty much 90 percent of [the residents at] the halfway house that I was sent home to I was under the impression that we couldn’t vote.”¹⁷⁰ Similarly, Mr. Blackwell testified that an individual who had just served 33 years in Statesville Maximum Security Prison did not know that

¹⁶⁴ *Id.* at 98.

¹⁶⁵ *Id.* at 99.

¹⁶⁶ *Id.* at 100.

¹⁶⁷ *Id.*

¹⁶⁸ *Id.* at 99-100.

¹⁶⁹ Rivers, *Transcript* at 82; see also *Illinois Online Voter Application: State Board of Elections*, Illinois Online Voter Registration Application (May 12, 2017), <https://ova.elections.il.gov/>.

¹⁷⁰ Chamberlain, *Transcript* at 113.

he had the ability to vote because prison officials did not inform him of his renewed right.¹⁷¹ Along the same lines, Ms. Mbekeani-Wiley described her interactions with a formerly incarcerated 64 year old black man who recently registered to vote for the first time. She explained that the man had never registered previously because he thought his prior felony convictions disqualified him.¹⁷² According to Ms. Mbekeani-Wiley, such misinformation was cited as a frequent reason why those with felony records do not engage in the electoral process.¹⁷³ Because of this, she suggested that the State Election Board should be responsible for challenging the myth that individuals with past convictions cannot vote in Illinois.¹⁷⁴

5. *Overcoming Voting Barriers*

Distributing Ballots in Jails

Additionally, Ms. Mbekeani-Wiley provided testimony on recent efforts to increase voter registration and facilitate in person ballot access within Cook County Jail. She explained the Sargent Shriver National Center on Poverty Law has posted signs describing inmates' voting rights in all eight divisions of the facility.¹⁷⁵ Ms. Mbekeani also noted that that within same year, the Shriver Center, the Cook County Sheriff's office and the Cook County Clerk's office collaboratively distributed 7,500 registration forms and absentee ballots to what was essentially the entire population of Cook County Jail.¹⁷⁶ Ms. Mbekeani-Wiley revealed that, after these efforts, more than 1,000 people registered to vote in Cook County Jail throughout the period leading up to the November 8, 2016, general election.¹⁷⁷ During the same election, nearly 1,200 ballots were cast from Cook County Jail.¹⁷⁸

After describing the process by which absentee ballots were distributed throughout Cook County Jail, Ms. Mbekeani-Wiley stated that Cook County Jail is currently the only facility outside the District of Columbia where ballots are distributed in person rather than by mail.¹⁷⁹ She noted that,

¹⁷¹ Blackwell, *Transcript* at 110.

¹⁷² Mbekeani-Wiley, *Transcript* at 102.

¹⁷³ *Id.* at 101.

¹⁷⁴ *Id.* at 104.

¹⁷⁵ *Id.* at 102.

¹⁷⁶ *Id.*

¹⁷⁷ *Id.* at 95.

¹⁷⁸ La Risa Lynch, *Ability to Vote Compromised for Thousands Behind Bars*, Chicago Rep. (July 6, 2017), <http://chicagoreporter.com/ability-to-vote-compromised-for-thousands-behind-bars/>.

¹⁷⁹ Mbekeani-Wiley, *Transcript* at 103.

in order for efforts like those undertaken in Cook County Jail to be successful, both inter-organization coordination and sufficient funding are necessary.¹⁸⁰ She also asserted that the success of future efforts is contingent on the political landscape of a particular county, which can determine whether elected leadership will be enthusiastic about jail voting initiatives.¹⁸¹ To that point, Ms. Mbekeani-Wiley suggested that some counties may be unlikely to support jail absentee voting initiatives because of partisan beliefs, just as they have historically resisted funding other inmate programs (including ones dedicated to basic education).¹⁸²

Jail Voter Registration IDs

In order to facilitate voter registration among jail inmates who are unable to access their social security numbers, Ms. Mbekeani-Wiley suggested expanding the range of acceptable forms of identification. Ms. Mbekeani explained that, although municipal jail records do not include social security numbers, they do include fingerprint information for every inmate.¹⁸³ Because of this fact, she suggested that these readily available fingerprints could be used as alternative form of identification in lieu of a social security number, especially since fingerprints are technically a more reliable form of identification.¹⁸⁴ Alternatively, she proposed that an inmate's county jail identification card, which contains both their name and photograph, could potentially serve as a form of identification for voter registration.¹⁸⁵

Training Jail and Prison Staff

Panelists also testified that teaching jail and prison staff about voting polices would help increase rates of voter registration among individuals who are or have been incarcerated. According to Mr. Blackwell, maximum security prisons do not provide adequate pre-release programs that teach inmates about their rights outside of the correctional facility.¹⁸⁶ Ms. Mbekeani-Wiley suggested that a possible way to ensure that inmates are properly informed would be to assign the dissemination of information to probation and parole officers who already discuss government programs with their parolees. She testified that the Sargent Shriver National Center on Poverty Law has worked extensively to teach probation and parole about Medicaid and the Affordable

¹⁸⁰ *Id.* at 127.

¹⁸¹ *Id.* at 127-28.

¹⁸² *Id.* at 129.

¹⁸³ *Id.* at 116.

¹⁸⁴ *Id.* at 116-117.

¹⁸⁵ *Id.* at 119.

¹⁸⁶ Blackwell, *Transcript* at 110.

Health Care Act eligibility requirements so that the officers can help inmates register.¹⁸⁷ Ms. Mbekeani-Wiley speculates that a similar program focused on voting rights education could be also implemented, since the “Office of Probation and Parole have typically been fairly open to receiving” training.¹⁸⁸

Community Engagement

In addition to the aforementioned efforts to increase voter registration among jail inmates and the formerly incarcerated, a number of Illinois community groups are working to improve voting rights awareness and education for individuals who have been released from prison. For example, Mr. Chamberlain explained that the Chicago-based Community Renewal Society holds both Know Your Rights and Exercise Your Rights workshops for formerly incarcerated community members in order to teach people who their representatives are and to encourage engagement in the development of legislation that will affect their lives.¹⁸⁹ Additionally, Mr. Blackwell explained that the Inner-City Muslim Action Network will be making an effort to distribute community surveys focused specifically on this matter, which will ask people about their basic knowledge regarding voting rights. He stated that the data collected will be used to inform individuals who plan to create programs that will address the gaps in voter education.¹⁹⁰ According to Mr. Blackwell, the organization’s ultimate goal is to increase voter registration within the community.¹⁹¹

C. Voting Access for Limited English Proficient Voters

1. The Voting Rights Act

The Voting Rights Act of 1965 prohibited discrimination against voters because of race or ethnicity, but did not mandate language access until ten years later when Congress recognized that guaranteeing the availability of translated materials would prevent discrimination based on national origin, race, and level of education.¹⁹² While justifying the 1975 language access

¹⁸⁷ Mbekeani-Wiley, *Transcript* at 126.

¹⁸⁸ *Id.*

¹⁸⁹ Chamberlain, *Transcript* at 113.

¹⁹⁰ Blackwell, *Transcript* at 112.

¹⁹¹ *Id.*

¹⁹² The U.S. Dep’t of Justice, *The History of Federal Voting Rights Laws*, Justice.gov (May 12, 2017), <https://www.justice.gov/crt/history-federal-voting-rights-laws>.supra note ; *see also*: Cortazar, *Transcript* at 135

provisions, United States Congress stated: “citizens of language minorities have been effectively excluded from participation in the electoral process.”¹⁹³ Additionally, they remarked that “among other factors, the denial of the right to vote of such minority group citizens is ordinarily directly related to the unequal education opportunities afforded them resulting in high illiteracy and low voting participation.”¹⁹⁴ Ryan Cortazar of the Chicago Lawyers’ Committee for Civil Rights Under Law reported that the language access provisions guaranteed by the 1975 amendment have not been updated since, despite the fact that “language and minority communities have evolved over the last 40 years, not just geographically, but also in terms of the different languages that these communities speak.”¹⁹⁵

2. *Background Information on Sections 203 and 208*

Several panelists discussed the ways in which the provisions guaranteed in the amended Voting Rights Act have impacted limited English proficient voters. Specifically, Mr. Cortazar explained that sections 203 and 208 of the Voting Rights Act were established in 1975 in order to provide assistance to “language minorities” at the polls.¹⁹⁶ Together, these two sections were designed to make voting accessible to all Americans as guaranteed by 14th and 15th Amendments of the Constitution.

Mr. Cortazar stated that, under Section 203, jurisdictions are required to provide written and oral assistance in a language other than English if that particular jurisdiction demonstrates a significant need for translated materials.¹⁹⁷ He noted that, specifically, if more than 10,000 or 5% of voting age citizens within a particular jurisdiction are a) members of a single language minority, b) limited English proficient, and c) have an illiteracy rate higher than the national average, then that particular jurisdiction will be covered by Section 203.¹⁹⁸ Mr. Cortazar reported that there are currently 263 jurisdictions that receive Section 203 accommodations.¹⁹⁹ He added that, although

¹⁹³ U.S. Dep’t of Justice, *The Language Minority Provisions of the Voting Rights Act*, Justice.gov (May 12, 2017), <https://www.justice.gov/crt/about-language-minority-voting-rights>.

¹⁹⁴ *Id.*

¹⁹⁵ Cortazar, *Transcript* at 136.

¹⁹⁶ *Id.* at 138.

¹⁹⁷ *Id.* at 139.

¹⁹⁸ *Id.*

¹⁹⁹ *Id.*

these Section 203 eligible regions make up only 3.3% of the total jurisdictions in the nation, 31.3% of voters cast their ballots in these districts.²⁰⁰

Mr. Cortazar also explained that, since Section 203 does not provide resources to every jurisdiction, limited English proficient voters often rely on the provisions guaranteed by Section 208.²⁰¹ Mr. Cortazar reported that Section 208 allows voters to bring any person (other than a representative of their employer or their union) with them to their polling place to translate a ballot.²⁰² Furthermore, he stated that Section 208 allows voters to bring a person of their choice to assist them if they are unable to (or lack confidence in their ability to) vote by themselves because of impaired vision, a disability, or the inability to read or write.²⁰³

The Committee also heard testimony on the topic language access from the Chicago Board of Elections, a body that, according to Shobhana Verma, Director of the South Asian Outreach Program at the Chicago Board of Election Commissioners, “oversees one of the largest election operations in the United States with approximately 1.6 million registered voters and 2,069 precincts.”²⁰⁴ Although the Committee only had the opportunity to hear from the Board of Elections for the city of Chicago, the testimony provided gave sufficient insight into the government’s perspective on the efforts required to accommodate language minorities. Ms. Verma reported that the Chicago Board of Election Commissioners provides translated materials for three major language groups: Spanish which it has incorporated since the 1970’s, Chinese, which was included in the early 2000’s, and most recently, Hindi, which was included after the 2010 Census findings.²⁰⁵ The Board has emphasized the importance of community outreach as a method to reach the various diverse immigrant groups in the city of Chicago.²⁰⁶

Additionally, Ms. Verma spoke about the efforts required for a jurisdiction to implement Section 203. She stated that dispensing adequate verbal and written assistance requires “translating every possible voter contact material, every voter form, all polling place signs and materials including the smallest of stickers on voting equipment, all banners for outreach events or election functions like early voting by mail and election day voting, all news releases, all legal notices that are

²⁰⁰ *Id.* at 6.

²⁰¹ *Id.* at 139-40.

²⁰² *Id.* at 140.

²⁰³ U.S. Dep’t of Justice, *About Language Minority Voting Rights*, Justice.gov (May 12, 2017), <https://www.justice.gov/crt/statutes-enforced-voting-section>.

²⁰⁴ Verma, *Transcript* at 154.

²⁰⁵ *Id.* at 155.

²⁰⁶ *Id.* at 163-64.

published in local newspapers”²⁰⁷ Mr. Cortazar also emphasized that providing effective language access services for voters requires a strong cross-agency effort that can only be achieved through a “constant collaboration between voters, between civic groups, and between the election authorities.”²⁰⁸

Currently, the Election Assistance Commission delivers language access voting materials to Section 203 jurisdictions by certifying specialized voting equipment and providing technical support to election officials.²⁰⁹ Additionally, the Election Assistance Commission works collaboratively with advocacy and policy organizations to create and disseminate materials through the Commission’s Language Accessibility Program.²¹⁰

In January 2017, a bill seeking to terminate the programs and activities of the Election Assistance Commission (H.R. 634, also known as the “Election Assistance Commission Termination Act”) was filed in the United States House of Representatives.²¹¹ Most recently, H.R. 634 is has been ordered to be reported in the house administration Committee.²¹² Mr. Kang expressed concern that this bill would jeopardize e the future of voting rights for limited English proficient voters.²¹³ If passed, the impacts of this piece of legislation would be far reaching, because, according to Ms. Verónica Cortez, Staff Attorney at the Mexican American Legal Defense and Education Fund, “70 percent of [Limited English Proficient] people have said they would not vote if they didn’t have language access.”²¹⁴

3. *Determining Language Access Eligibility*

Panelists identified several issues impeding voter language access, some of which pertained to the manner in which jurisdictions are selected for Section 203 coverage. Mr. Cortazar explained that, in the current system, jurisdictions may be unduly denied coverage because the federal government uses the American Community Survey, rather than the decennial Census, to determine Section 203

²⁰⁷ *Id.* at 158.

²⁰⁸ Cortazar, *Transcript*, at 141.

²⁰⁹ *Voting Accessibility*, the U.S. Election Assistance Comm’n (May 12, 2017). <https://www.eac.gov/election-officials/voting-accessibility/>.

²¹⁰ *Id.*

²¹¹ H.R.634, 115th Cong. (2017), available at <https://www.congress.gov/bill/115th-congress/house-bill/634>.

²¹² *Id.*

²¹³ Kang, *Transcript* at 185.

²¹⁴ Cortez, *Transcript* at 151.

jurisdiction eligibility.²¹⁵ Mr. Cortazar stated that the sample of survey respondents from a given district is used to make generalizations about the district as a whole, creating the potential for sampling error.²¹⁶ Furthermore, he explained that the extrapolated survey data will probably indicate that there are fewer language minority citizens than their actually are, for it is likely that people who are not comfortable with their English will not respond a government survey at all.²¹⁷ Additionally, Mr. Cortazar suggested that those who do submit responses may overestimate their level of English proficiency since the survey does not explicitly mention that responses will be used to determine whether a community needs translated election materials.²¹⁸ He explained that, “for example, a voter may think she speaks English ‘very well’ but still be uncomfortable navigating confusing election procedures and ballot language without language assistance.”²¹⁹ Mr. Cortazar stipulates that data collection and sampling error made DuPage County ineligible for Section 203 coverage in 2016, although they were previously covered in 2011.²²⁰ These issues with methodology, Mr. Cortazar explains, may cause districts to lose Section 203 coverage even though the need for language access in that particular jurisdiction had grown.²²¹

Additionally, Mr. Cortazar suggested that the American Community Survey data may not accurately identify the jurisdictions that require language access because limited English proficient immigrant communities have high rates of mobility. Mr. Cortazar explained that there is “a constant shift in these populations across the [Chicago] metropolitan area, not just in the city, but also in the suburbs... and so even though we might have a county be covered, from election to election, those populations might shift from one precinct to another.”²²²

4. *Language Access in Illinois*

The Committee heard testimony on the number of voters whose fundamental civil rights are affected by language access provisions in Illinois. Ms. Cortez stated that there are approximately 435,000 Limited English Proficient voters in Illinois, a majority of whom are located in Cook,

²¹⁵ Cortazar, *Transcript* at 7.

²¹⁶ *Id.* at 140.

²¹⁷ *Id.* at 140-41.

²¹⁸ *Id.* at 8.

²¹⁹ *Id.*

²²⁰ *Id.* at 144.

²²¹ *Id.* at 184.

²²² *Id.* at 143.

Lake, and Kane Counties, and, to a slightly lesser extent, in Will and DuPage Counties.²²³ She clarified that Cook, Kane, and Lake Counties qualify for Section 203 coverage because they each have Limited English Proficient Spanish speaking voter populations of more than 10,000.²²⁴ Additionally, Ms. Verma testified that select precincts in Chicago are required to provide translated materials in Chinese and Hindi.²²⁵ Ms. Cortez testified that DuPage County lost Section 203 Spanish language coverage in 2016 because their population of Spanish-speaking Limited English Proficient voters fell just 220 under the 10,000 population requirement.²²⁶ Similarly, she reported that Will County fell just 400 voters short of qualifying for Spanish Language Section 203 coverage with a Spanish-speaking population of 9,600 in 2016.²²⁷

5. *The Implementation of Language Access Provisions*

Ballot Issues

Several panelists identified various barriers to language access that exist within Section 203 jurisdictions. For instance, Mr. Cortazar explained that even when ballots and supplemental information is translated, voting materials can include complex and technical language to the extent that it is very difficult for people who are proficient in a language to understand it.²²⁸ He noted that the complexity of voting material language causes “difficulties ...for context specific minority language translations.”²²⁹

Ms. Cortez also explained that in Section 208 jurisdictions where voting materials are only available in English, many voters are unaware that they have right to bring a ballot translator into the polling place with them, and many of those who are aware of this right are unsure of the procedures for doing so.²³⁰ She also stated that, if election judges do not clearly explain that the voter and the person assisting them must sign affidavits, the voter and translator may be confused and unnecessarily intimidated.²³¹

²²³ Cortez, *Transcript* at 145.

²²⁴ *Id.* at 145-46.

²²⁵ Verma, *Transcript* at 158.

²²⁶ Cortez, *Transcript* at 146.

²²⁷ *Id.*

²²⁸ Cortazar, *Transcript* at 141.

²²⁹ *Id.*

²³⁰ Cortez, *Transcript* at 147-48.

²³¹ *Id.*

Election Judges

Panelists explained that, in addition to facing ballots issues, limited English proficient voters may also be denied the language access because of issues with poll staff. Ms. Cortez explained that there are not always bilingual judges at the polls, even though Section 203 jurisdictions are required to have such staff present.²³² When a jurisdiction has more polling places than bilingual election judges, only certain polling places will be fully language accessible. Ms. Cortez also noted that Limited English proficient voters may be left unassisted because authorities reduce the total number of open polling places during local elections, which leads to instability in the location of polling places with bilingual workers.²³³ In addition, she explained that there may be only one bilingual election judge at a particular polling place, which makes it highly unlikely that every voter who needs language assistance can interact with bilingual personal.²³⁴ Ms. Cortez testified that when there are not enough bilingual officials available, language access voters may need to perform requisite verbal check in process in English, which would be extremely intimidating to a person who is limited English proficient.²³⁵

Additionally, Ms. Cortez, Mr. Kang and Mr. Cortazar provided testimony on the ways in which improper election judging can also adversely impact limited English proficient voters. Ms. Cortez noted that she once saw translated materials stored away in a locker, even though judges were required to post those materials throughout the polling place.²³⁶ Mr. Kang revealed that during the March 2016 primary election there were eighteen instances in which required language access materials were not displayed, and election judges in two of those instances expressed resistance when they were asked to provide the appropriate Section 203 materials.²³⁷ Mr. Cortazar noted that there have been instances in which election judges have directed racially charged and xenophobic comments towards limited English proficient voters.²³⁸ This type of inappropriate commentary, and many of the other obstacles that limited English proficient individuals encounter at the polls, are likely to have a disparate impact based on race/ethnicity and national origin.

²³² *Id.* at 149.

²³³ Cortazar, *Transcript* at 11.

²³⁴ Cortez, *Transcript* at 150.

²³⁵ *Id.*

²³⁶ *Id.* at 148.

²³⁷ Kang, *Transcript* at 168.

²³⁸ Cortazar, *Transcript* at 143.

6. *Improving Voter Language Access*

In order to ensure that the jurisdictions with significant language access needs are covered by Section 203, Mr. Cortazar suggested that district eligibility determinations should be altered. Specifically, he proposed that the accuracy of Section 203 eligibility determinations could be improved if the Census Bureau were engaged with the public and accepted public comment in the jurisdiction selection process.²³⁹ Mr. Cortazar suggested that, this were the case, the public would have the opportunity to report that Section 203 coverage was mistakenly revoked from a particular district.²⁴⁰ Additionally, Ms. Cortez suggested that officials can improve voter language access at the polls is by engaging election judges and community leaders during the periods between elections to ensure that language access requirements are maintained between years.²⁴¹ More generally, enhancing the frequency and scope of election judge training would make it more likely that election judges are aware of the specific requirements for jurisdictions covered under Section 203 and/or Section 208.

Expanding Language Access

Ms. Cortez explained that the goal of language access is to engage as many voters as possible, regardless of their English language ability. To that point, Ms. Cortez testified that, as long as survey data continues to indicate that voter populations continue to “need help with accessing the ballots because of their language abilities...then we’re hoping they’re still going to continue to receive those services.”²⁴²

Additionally, the Committee heard testimony indicating that, in order to expand language access, strong community outreach programs will be necessary. Ms. Verma explained that a community liaison who can work with both voters and election officials must be available in order to guarantee the effective provision of language assistance. Specifically, she stated that “having a language assistance program does not automatically benefit the community...it requires extensive voter outreach, education, and communication with voters.”²⁴³

Mr. Kang emphasized the importance of maintaining language access when he reported that the number of individuals requiring language assess is likely to increase, particularly among first

²³⁹ Cortazar, *Transcript* at 143-44.

²⁴⁰ *Id.* at 143.

²⁴¹ *Id.* at 142.

²⁴² *Id.* at 176.

²⁴³ Verma, *Transcript* at 157.

generation immigrants who have expressed the desire to engage in the democratic process during the recent years.²⁴⁴ After acknowledging the political climate surrounding the 2016 general elections, Mr. Kang explained that recent events have led to “stronger interest in voting among immigrants” and a “renewed, healthy interest in being engaged” within immigrant communities.²⁴⁵ Also, Ms. Cortez testified that, because naturalization applications are on the rise, there are “going to be more people probably that are going to need language access that are citizens but also more people that are going to want to go and register.”²⁴⁶

D. Voting Access within Other Community Groups

1. The Homeless

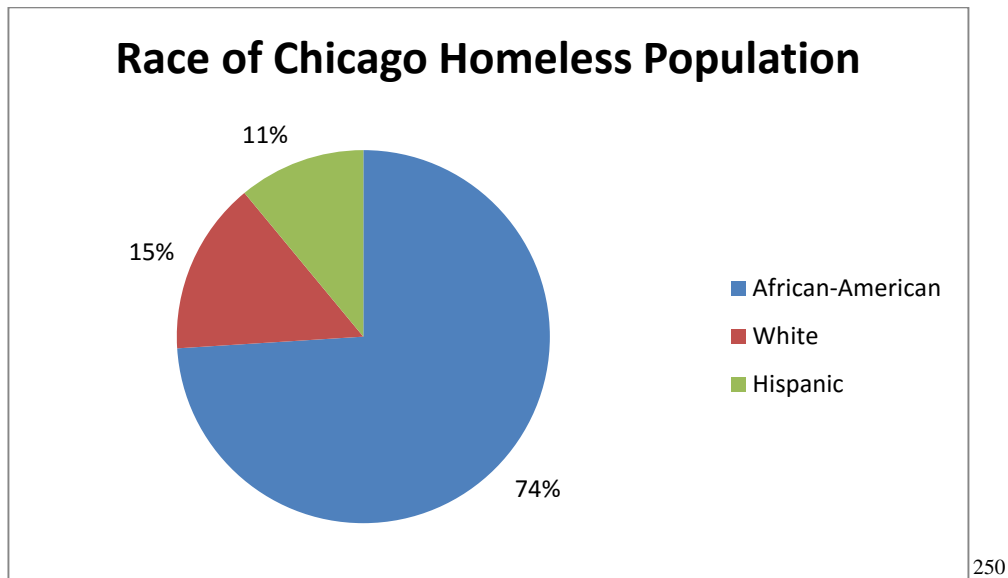
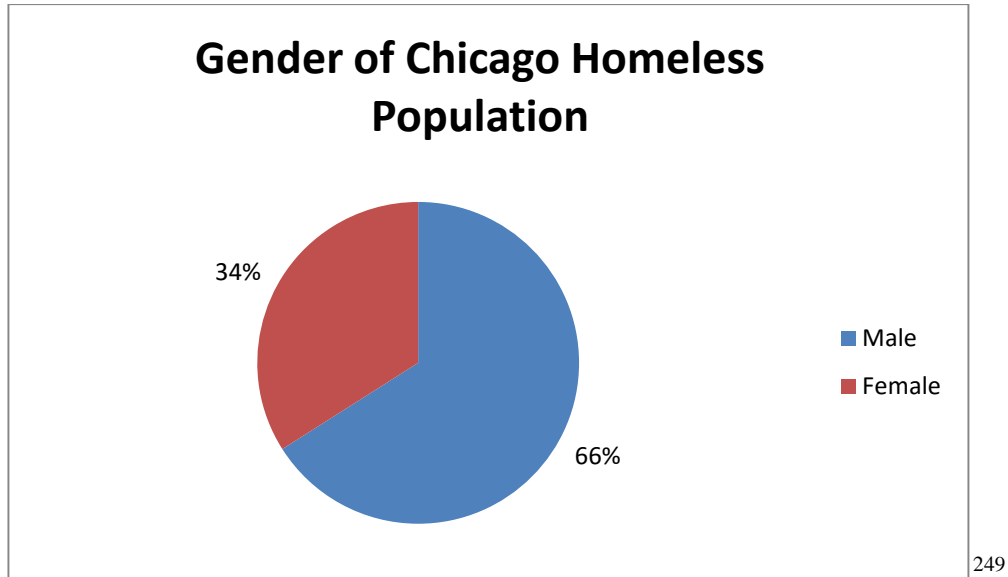
In addition to hearing testimony on the manner in which incarcerated and limited English proficient individuals are impacted by Illinois voting laws, the Committee also heard testimony on voting rights within various community/social groups. Panelist Sharon Legenza, the Executive Director of Housing Action Illinois, explained that a person is considered to be homelessness if they are unsheltered (living in locations generally not considered inhabitable) or if they are living in transitional housing, supportive housing, a temporary shelter, or with friends or relatives.²⁴⁷ Ms. Legenza reported that, according to the US Census, there were 259,484 homeless individuals experiencing homelessness in Illinois. She also noted that half of this population was based in Chicago.²⁴⁸ The gender and racial demographics of Chicago’s homeless population (not including those living “doubled up” with family or friends) are broken down as follows:

²⁴⁴ Kang, *Transcript* at 176.

²⁴⁵ *Id.* at 180-81.

²⁴⁶ Cortez, *Transcript* at 181.

²⁴⁷ Legenza, *Transcript* at 211.



Like the Illinois incarcerated population, Chicago's homeless population is disproportionately black/African American, which means that the barriers impeding democratic participation among the homeless have a disparate impact on racial/ethnic minority individuals.

²⁴⁹ *Id.* at 213 (noting that within the population depicted, 0.5% of individuals are transgender).

²⁵⁰ *Id.*

According to Ms. Legenza, 53% of males and 26% of females within the Chicago homeless population reported that they had been previously incarcerated.²⁵¹ Additionally, veterans account for 14% of Chicago's homeless population.²⁵²

Ms. Legenza explained that in 2013, the Illinois State Legislature approved the Bill of Rights for the Homeless, which prohibits the denial of any rights, privileges, or access to public service because of homelessness.²⁵³ Ms. Legenza stated that, among other things, this act requires Illinois to provide homeless individuals who receive assistance from a social service agency the opportunity to obtain a Homeless Status Certification, which may be used to acquire identification acceptable for voter registration.²⁵⁴ To apply for a Homeless Status Certification, an applicant must provide identification that states their name, date of birth, and social security number.²⁵⁵

Ms. Legenza testified that, despite the protections guaranteed by the Bill of Rights for the Homeless Act, homeless individuals still face numerous challenges when attempting to exercise their right to vote. For instance, she reported that homeless people lack the forms of identification required to register as homeless (such as a birth certificate) and explained that it is very difficult for homeless individuals to obtain such documentation because the process often requires fees, which many homeless people cannot afford to pay.²⁵⁶ Ms. Legenza also noted that many of the homeless individuals that are able to register to vote and have trouble accessing their polling places, which can be located in areas that cannot be reached via public transit.²⁵⁷ Furthermore, Ms. Legenza revealed that those who advocate for homeless voters are "usually under-resourced and over-stretched," and thus their ability to assist the homeless with applications and transportation is often limited.²⁵⁸

During her testimony, Ms. Legenza shared the story of a homeless voter who called the Chicago Lawyers Committee for Civil Rights' Election Protection Program hotline on the day of the 2016

²⁵¹ *Id.*

²⁵² *Id.*

²⁵³ *Id.* at 214; see also Ellyn Fortino, *Illinois Enacts Landmark Homeless Bill of Rights*, Progress Ill. (June 7, 2017), <http://progressillinois.com/quick-hits/content/2013/08/27/illinois-enacts-landmark-homeless-bill-rights>; see also Bill of Rights for the Homeless Act (2013), <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=3517&ChapterID=64>.

²⁵⁴ Legenza, *Transcript* at 216.

²⁵⁵ *Homeless Status Certification*, Office of the Sec'y of State Driver Serv. Dep't (May 12, 2017), https://www.cyberdriveillinois.com/publications/pdf_publications/dsd_a230.pdf.

²⁵⁶ Legenza, *Transcript* at 216.

²⁵⁷ *Id.* at 217.

²⁵⁸ *Id.* at 216.

election.²⁵⁹ The caller was temporarily staying with a friend, but did not possess documentation or mail tying him to that address.²⁶⁰ Ms. Legenza testified that when the homeless voter arrived at his polling place, he found that the election judges were not familiar with the Illinois provision allowing homeless voters to cast a ballot in the precinct where they receive mail.²⁶¹ According to Ms. Legenza, the situation was resolved when “the voter, the friend [with whom the homeless voter was living] and the election judge, and the election protection worker were all able to get on the phone and figure out what was going on and get the proper documentation.”²⁶² Ms. Legenza testimony indicates that, although the election judge was ultimately able to assist the voter, this situation exemplifies the manner in which uninformed election judges can limit ballot access among the homeless.²⁶³

2. *Individuals with Disabilities*

During the panel on community/social groups, the Committee heard from Cheryl Jansen, Public Policy Director for Equip for Equality, who provided testimony on voting rights within the community of individuals with disabilities. Ms. Jansen explained that the Help America Vote Act, which was approved by Congress in 2002, requires areas in and around polling places (e.g., electronic voting machines, balloting areas, the path of travel, facility entrances, and facility exits) to be accessible to people with disabilities.²⁶⁴ Ms. Jansen stated that the Act also requires election officials be trained to assist individuals with disabilities and mandates the distribution of information on disability accommodations through outreach programs.²⁶⁵

Although the Help America Vote Act requires all polling places to accommodate individuals with disabilities, Ms. Jansen testified that individuals with disabilities are very likely to report that they have had or expect to encounter issues at the polls.²⁶⁶ Specifically, she stated that, in the 2012 election, 30% of people with disabilities reported difficulty voting, while only 8% of people

²⁵⁹ *Id.* at 217.

²⁶⁰ *Id.*

²⁶¹ *Id.* at 218.

²⁶² *Id.* at 217.

²⁶³ *Id.*

²⁶⁴ Jansen, *Transcript*, at 222, 224-25; see also: *Help America Vote Act*, the U.S. Election Assistance Comm’n (May 15, 2017), <https://www.eac.gov/about/help-america-vote-act/>.

²⁶⁵ *Help America Vote Act*, the U.S. Election Assistance Comm’n (May 15, 2017), <https://www.eac.gov/about/help-america-vote-act/>.

²⁶⁶ Jansen, *Transcript* at 221.

without disabilities reported difficulty.²⁶⁷ According to Ms. Jansen, this is likely the case because less than one third of U.S. polling places are fully accessible to disabled voters.²⁶⁸ She also noted that these difficulties are reflected in the fact that 57% of eligible voters with disabilities voted 2012 presidential election, while 63% of voters without disabilities cast ballots that same year.²⁶⁹

Ms. Jansen also mentioned that there have recently been surveys designed to measure the level of disability access at the polls. She reported that the Equip for Equality partnered with the Chicago Board of Election to create the Voting Access Chicago program in preparation for the 2016 election.²⁷⁰ Ms. Jansen stated that, together, these two organizations enlisted volunteers who distributed surveys that asked about the level of disability access at 1,900 polling places in Chicago.²⁷¹ She also reported that, at the same time, the U.S. Department of Justice's Election Access Initiative identified numerous polling place problems that had an adverse impact on individuals with disabilities in several cities, including Chicago.²⁷² Ms. Jansen testified that both voting access surveys found that there are often circumstances that make it difficult for individuals with disabilities to cast their vote in person. Specifically, she stated that the Voting Access Chicago program found that some voters believed that accessible voting machines were not working, although upon investigation, officials later discovered that the machines were not plugged in.²⁷³ Furthermore, she noted that the report revealed that disabled voters were asked to wait up to 30 minutes while judges or other volunteers attempted to get the accessible machines working.²⁷⁴ In other reported instances, voters with disabilities were told come back and vote at another time because a technician had to be called in to repair or setup the accessible voting system.²⁷⁵ Additionally, Ms. Jansen stated that there have been reported incidences in which election judges have failed to display assistance tools, including magnifying lenses used to assist individuals with visual impairments.²⁷⁶

²⁶⁷ *Id.*

²⁶⁸ *Id.* at 223.

²⁶⁹ *Id.* at 221.

²⁷⁰ *Id.*

²⁷¹ *Id.*

²⁷² *Equip for Equality Partner with Chicago Board of Election to Conduct Accessibility Surveys of 1700 Polling Places*, PR Newswire (May 15, 2017), <http://www.prnewswire.com/news-releases/equip-for-equality-partners-with-chicago-board-of-election-to-conduct-accessibility-surveys-of-1700-polling-places-300359155.html>.

²⁷³ Jansen, *Transcript* at 225.

²⁷⁴ *Id.*

²⁷⁵ *Id.*

²⁷⁶ *Id.* at 224.

Ms. Jansen recommended improving voting access for Illinoisans with disabilities by taking basic and practical steps towards making polling places universally accessible.²⁷⁷ She suggested that, if officials would like to make polling places more welcoming to individuals with disabilities, they should designate parking areas with the international symbol for disability access, position accessible voting systems in a location that is both easily reachable and private, and install doorbells that voters can use to let election judges know they require assistance.²⁷⁸

3. Youth

Panelist Christian Diaz, the former-director of Chicago Votes, testified about voting rights among youth. Mr. Diaz explained that Millennials (individuals between age 18 and 45) will soon be the most powerful age-based voting bloc in the country.²⁷⁹ Specifically, he stated that by 2036, it is estimated that there will be 81.1 million Millennials, which would make voters born between 1982 and 2004 the largest age group constituency in history.²⁸⁰ Furthermore, Mr. Diaz reported that the levels of civic and political engagement among college students are currently the highest they have been in a decade.²⁸¹ Mr. Diaz also testified that commitment to community engagement has also become increasingly important to young people, with the majority of millennials surveyed reporting that community engagement is either a “very important” or “essential” objective.²⁸²

Mr. Diaz reported that, although the U.S. has seen a recent increase in political engagement among youth, Illinois remains the state with the fifth lowest rate of youth participation in local elections.²⁸³ However, he also revealed that Illinois had the 13th highest level of youth reporting that they discuss community issues with their friends and families²⁸⁴, which shows potential for increased electoral participation among Illinois youth. To that point, Mr. Diaz stated that Illinois already had

²⁷⁷ *Id.* at 223.

²⁷⁸ *Id.* at 224.

²⁷⁹ Diaz Testimony, *Transcript* at 203-04.

²⁸⁰ *Id.* at 204.

²⁸¹ Kevin Eagan et al., *The American Freshman: National Norms Fall 2015* (May 12, 2017), <https://www.heru.ucla.edu/monographs/TheAmericanFreshman2015.pdf>.

²⁸² *Id.*

²⁸³ Diaz, *Transcript* at 203.

²⁸⁴ *Id.*

the second largest increase in primary election voter turnout among young people during the 2016 election year, indicating that a surge in electoral participation among youth has already begun.²⁸⁵

However, Mr. Diaz testified that the likelihood of electoral participation among any given millennial is highly dependent upon that young person's background. Mr. Diaz stated that "as early as the 4th grade and continuing into 8th and 12th grade, African-American, Hispanic, and poor students perform significantly worse on tests of civic knowledge than their white, Asian and middle class peers."²⁸⁶ He explained that youths who receive a low quality civics education are less likely to understand and participate in the electoral process, which inevitably decreases political candidates' motivation to cater to the needs of low-SES and minority people.²⁸⁷

This disparity in the quality of civics education may soon be reduced, for, as Mary Schaafsma, Executive Director of the League of Women Voters of Illinois, noted, the Illinois General Assembly approved House Bill 4025, which requires that all high school students take a stand-alone civics course before graduation.²⁸⁸ In August 2015, Governor Rauner signed HB4025 into law and recognized the importance of "helping young people acquire and learn to use the skills, knowledge, and attitudes that will prepare them to be competent and responsible citizens throughout their lives."²⁸⁹

E. Voting Procedures in Illinois

1. Illinois Election Judges

Election Judge Recruitment

Election judges hold a crucial role in ensuring free and fair elections, where all eligible citizens have equal access to vote. However, testimony indicated that recruiting election judges is a significant challenge in many jurisdictions. Brent Davis, Director of Election Operations for the Illinois State Board of Elections, explained that it is difficult to recruit election judges because there is provision in the Illinois Election Code requiring officials to work from the time the polls

²⁸⁵ *Id.* at 207.

²⁸⁶ *Id.* at 205-06.

²⁸⁷ *Id.* at 206.

²⁸⁸ Schaafsma, *Transcript* at 240.

²⁸⁹ H.R. 4025, 99th Gen. Assemb. (Ill. 2015), *available at*:

<http://ilga.gov/legislation/billstatus.asp?DocNum=4025&GAID=13&GA=99&DocTypeID=HB&LegID=90242&SessionID=88>.

open to the time that they close.²⁹⁰ This provision was designed to keep election judges accountable and allows officials to maintain a complete record of poll activity on an election day, which can last up to 14 hours.²⁹¹ Owing to the long hours, Mr. Orr described this provision as “the biggest single impediment to [recruiting] good judges who want to do the job.”²⁹²

Additionally, Mr. Davis noted that it can be difficult to recruit election judges because of funding limitations.²⁹³ He explained to the Committee that, in well-funded jurisdictions, it is relatively easy to recruit election judges because each poll worker can be paid enough to incentivize participation.²⁹⁴ In counties with smaller budgets, recruitment is difficult because judges must work between 13 and 14 hours for little pay.²⁹⁵

In addition to the aforementioned challenges, Mr. Davis explained that it can be difficult to hire election judges because recruits are required to state that they are a Democrat or Republican in order to be considered for the job. In Illinois, all election judges must be appointed by the two most popular political parties (currently Democrat and Republican) in order to ensure that there is an equal balance of partisan individuals at each polling place.²⁹⁶ The county chairmen of a political party may provide the county clerk with a list of election judge recruits from each precinct, but it is more often the case that the county clerk must find election judges themselves by distributing application forms.²⁹⁷ In this system, potential election judges may not submit an application because they do not identify as a Democrat or Republican or because they are hesitant to reveal political affiliation.²⁹⁸

Election Judge Training

In addition to the selection of election judges, panelists noted that the training judges receive can also have a significant impact on the way elections are administered in each jurisdiction. However, Mr. Davis testified that election judge training is inconsistent between jurisdictions because of

²⁹⁰ Davis, *Transcript* at 279-90.

²⁹¹ *Id.*

²⁹² Orr, *Transcript* at 278.

²⁹³ Davis, *Transcript* at 252.

²⁹⁴ *Id.*

²⁹⁵ *Id.*

²⁹⁶ *Id.* at 276.

²⁹⁷ *Id.* at 276-77.

²⁹⁸ *Id.* at 277.

differences in district funding.²⁹⁹ The Illinois State Board of Elections provides training to jurisdictions only that do not have the resources necessary to instruct their own election judges; as a result, approximately half of Illinois jurisdictions are trained by the board.³⁰⁰ In 2016, the Illinois State Board of Elections conducted training in 51 of the state's 109 jurisdictions, a majority of which were small districts.³⁰¹ The typical Illinois State Board of Elections training presentation varies slightly from jurisdiction to jurisdiction due to regional differences in polling place regulations, but the vast majority of presentations include information on setting up the polling place, the use of affidavits, provisional ballot procedures, accommodating special needs, and electioneering.³⁰² The Illinois State Election Board also offers to consult jurisdictions that provide their own training, but they do not require jurisdictions to confer with them.³⁰³

Mr. Davis explained that the 58 Illinois jurisdictions that do not receive state board training must educate their election judges themselves, which causes between-jurisdiction variability in the extent to which judges are taught regulations and requirements. Although there are some basic requirements, there is room for each locality to decide what they would like cover in training.³⁰⁴

Additionally, Ms. Schaafsma explained that election judge training may be further restricted by budgetary constraints, so much so that some jurisdictions cannot afford to retrain judges between elections.³⁰⁵ She told the Committee that, without retraining, when "laws rapidly change and as some things get replaced with other things, there's some confusion at the polls."³⁰⁶

Panelists testified also that, even in well-funded jurisdictions with high quality training, enforcing such policies can pose an additional challenge. Mr. Davis reported that issues arise because, within the population of over 50,000 Illinois election judges, some individuals have been judging for decades and do not wish to follow current rules because they are used to different procedures.³⁰⁷ Karyn Bass Ehler of the Civil Rights Bureau of the Office of the Illinois Attorney General noted that, in some instances, election judges might not follow procedure for

²⁹⁹ *Id.* at 246.

³⁰⁰ *Id.* at 245.

³⁰¹ *Id.* at 246.

³⁰² *Id.* at 246-52.

³⁰³ *Id.* at 274.

³⁰⁴ *Id.*

³⁰⁵ Schaafsma, *Transcript* at 231.

³⁰⁶ *Id.*

³⁰⁷ Davis, *Transcript* at 252.

the sake of efficiency. Ms. Bass Ehler reported that Illinois election judges have asked voters for a driver's license at the polls in an effort to expedite the check-in process.³⁰⁸ This improper procedure gave voters the erroneous impression that photo ID was required to vote.³⁰⁹ In an effort eliminate incidents like this one, the Office of the Attorney General reminds voters and local officials that voters "do not need to show identification to cast [their] vote so long as [their] voter registration is active and you are in the correct precinct."³¹⁰

Also, Mr. Davis explained that when multiple districts share a polling place, there is a risk that voters may receive the incorrect ballot if judges are not trained properly. Mr. Davis explained that if an individual submits a ballot from a jurisdiction that they do not reside in, their vote will not be counted in the appropriate local races.³¹¹ He further noted that, although it is not difficult to determine the correct ballot to give a voter, one of the most frequent grievances his office hears pertains to an individual who was given the wrong ballot style.³¹² Ms. Schaafsma revealed that she herself was once given wrong ballot, and she expressed that if she had not been an employee of the League of Women Voters, she may not have recognized the error.³¹³ Upon asking for a new ballot, an election judge told Ms. Schaafsma that "it really doesn't matter because that person [candidate] is going to win any way."³¹⁴ Ms. Schaafsma testified that she was horrified to have that sort of value judgement raised in this situation.³¹⁵ She also revealed that when she insisted on receiving the correct ballot, the election judge complained that retrieving the correct ballot would be extra work.³¹⁶

Additionally, Mr. Thomas stated that early voters from municipalities that spread over county lines may also encounter issues because officials do not clearly explain which specific location/building each individual must visit to pick up their ballot.³¹⁷ Mr. Thomas explained that he resides in the

³⁰⁸ Bass Ehler, *Transcript* at 269.

³⁰⁹ *Id.*

³¹⁰ *Id.* at 272.

³¹¹ Davis, *Transcript* at 243-249.

³¹² *Id.* 250-251.

³¹³ Schaafsma, *Transcript* at 232.

³¹⁴ *Id.*

³¹⁵ *Id.*

³¹⁶ *Id.*

³¹⁷ Thomas, *Transcript* at 233.

city of Aurora, which is “in Kane, DuPage, Kendall and a portion of Will” counties.³¹⁸ Mr. Thomas noted that some of Aurora’s early voting population is required to receive their ballots at the Will County Clerk’s office, while others are required to retrieve their ballots at the Kane County Clerk’s office.³¹⁹ Mr. Thomas testified that that the location of early ballot pickup is can be confusing for it is sometimes “not explained to voters in a way that they fully understand.”³²⁰ Mr. Thomas also revealed that that in Aurora (and the city of Naperville) some municipal elections are run by the city’s election commission while others are run by the county election commission, which causes confusion for voters and election officials alike.³²¹ Specifically, Mr. Thomas stated that the municipal election system may be confusing because “sometimes voters are told to go the wrong place to go vote early or to register to vote or to change their voter registration information.”³²²

Mr. Davis testified that improper judge training can result in issues related to the distribution of provisional ballots. According to Mr. Davis, even if an individual is unable to register on or before Election Day, they can still exercise their right to vote using a provisional ballot.³²³ He stated that these ballots are distributed in various circumstances, including when an individual cannot register on Election Day because they do not have the necessary forms of identification or when a voter’s registration forms cannot be located.³²⁴ Ms. Schaafsma stated that her organization has received public comments expressing confusion about provisional ballots, along with concerns that provisional votes will not be counted.³²⁵ She presumes that provisional ballots confuse the public because election judges are not aware of all the options that should be provided at each polling location.³²⁶

Mr. Davis reported that the Illinois State Board of Elections is currently looking to expand election judge training by providing on-line orientations and attempting by to make training sessions more accessible to judges who cannot attend their local training sessions.³²⁷

³¹⁸ *Id.*

³¹⁹ *Id.*

³²⁰ *Id.*

³²¹ *Id.* at 233-234.

³²² *Id.* at 234.

³²³ *Id.* at 248.

³²⁴ *Id.*

³²⁵ Schaafsma, *Transcript* at 235-236.

³²⁶ *Id.* at 236.

³²⁷ Davis, *Transcript* at 275.

2. *Potential Improvements*

Improving Election Judge Training

As noted in previous sections of this report, improperly trained election judges can adversely impact individuals attempting to exercise their right to vote. Panelists testified that increasing funding for election judge compensation, expanding the reach of the Illinois State Election Board Election programs, and increasing the frequency of mandatory election judge training sessions would make officials more prepared to help voters at the polls.³²⁸ Additionally, Ms. Bass Ehler testified that enforcement efforts that can be used to ensure that election officials are trained and held accountable “are key to ensuring that our elections are fair and balanced.”³²⁹

All In

Mr. Orr provided a detailed description of All In, his proposed plan to increase voter registration rates in Illinois. Upon implementation, All In would automatically register eligible voters, require data sharing between state agencies, and guarantee election day registration.³³⁰

According to Mr. Orr, the first provision of All In would guarantee automatic voter registration when an individual interacts with a state government agency.³³¹ This system would allow eligible individuals to opt out of voter registration, instead of requiring them request registration as the current system does.³³² Research has shown that, in this form, automatic voter registration would increase overall voter registration rates and eliminate the costs associated with traditional on-paper registration at the local level.³³³ In addition, automatic voter registration would help increase registration rates among language minority voters.³³⁴ Specifically, Mr. Kang suggested that automatic voter registration would provide a great deal of assistance to the Asian American community, which currently has the lowest registration and voter turnout rates of any racial/ethnic group in Illinois.³³⁵ Ms. Legenza stated that automatic voter registration would also simplify the registration process for homeless individuals, who frequently interact with state agencies, but often

³²⁸ Diaz, *Transcript* at 209; see also Schaafsma, *Transcript* at 231; see also Davis, *Transcript* at 253.

³²⁹ Ehler, *Transcript* at 272.

³³⁰ Orr, *Transcript* at 260-261.

³³¹ *Id.* at 260.

³³² *Id.*

³³³ Chapin & Keunnen Written, *Transcript* at 10.

³³⁴ Kang, *Transcript* at 171.

³³⁵ *Id.* at 172.

do not have access to the financial means or methods of transportation necessary to acquire the identification required for registration.³³⁶

Additionally, Mr. Orr explained that the voter registration system proposed in All In would automatically update a registrant's address, which would be a significant change from Illinois' current system requiring individuals to re-register every time they move.³³⁷ Mr. Orr justified the necessity of this provision by explaining that the current registration policy places an unfair burden on members of highly mobile groups, which disproportionality include the low income and racial/ethnic minority communities.³³⁸ Specifically, he testified that, in the year 2015, more than 13% of all Illinois residents moved.³³⁹ He then noted that, of those 1.7 million total movers, 21% of people low-income, 15% were African American and 13.9% were Hispanic.³⁴⁰ Mr. Orr also told the Committee that, in any given year, individuals living in poverty are two times more likely to move than those living above the poverty line and African American people are likely to move twice as often as white people.³⁴¹ If All In were implemented, highly mobile groups would no longer be subject to the inconvenience associated with repeating the voter registration process after each move.

Mr. Orr also explained All In's second provision, which calls for secure data sharing between States to ensure that all voter information on file can be used to register people who move across state lines.³⁴² He stated that Illinois is currently a member of Electronic Registration Information Center, which allows states to share driver's license data, social security information, birth records and death records.³⁴³ According to Mr. Orr, All In would allow Illinois to share voter registration data with other states on Electronic Registration Information Center, which would eliminate instances of duplicate registration between states and improve registration efficiency.³⁴⁴

³³⁶ Legenza, *Transcript* at 218-219.

³³⁷ Orr, *Transcript* at 260-261.

³³⁸ *Id.* at 262.

³³⁹ *Id.*

³⁴⁰ *Id.*

³⁴¹ *Id.*

³⁴² *Id.* at 263.

³⁴³ *Id.*

³⁴⁴ *Id.* at 264.

The third provision of All In mandates Election Day registration at polling places.³⁴⁵ According to Mr. Orr, if All In were implemented, Election Day registration would serve as a backstop allowing eligible voters who were not registered automatically to receive a ballot at the last minute.³⁴⁶ Mr. Orr asserted that the recent success of Election Day registration within Illinois' larger counties indicates that expanding Election Day registration would further increase democratic participation throughout the state.³⁴⁷

Mr. Orr reported that the State Board of elections is currently considering adapting All In, but they are not ready to implement the provisions quite yet.³⁴⁸

Expanding the Teen Judge Program

In addition to proposing All In, two panelists also suggested expanding the Teen Judge Program in order to improve the Illinois election system. In the year 2000, the Chicago Board of Election teamed up with Mikva Challenge, an organization that aims to help young people become “informed, empowered, and active citizens and community leaders”³⁴⁹, to create the Student Judge Program.³⁵⁰ Since its inception, the program has provided election judge training to 2,000 high school juniors and seniors from over 50 schools across the city of Chicago.³⁵¹ Ms. Diaz explained that, in addition to providing the city with many well-trained judges, the Student Judge Program teaches young people about voting rights so that they can share the information they learned with their peers and family members.³⁵² According to Mr. Orr, the program has been highly successful, in part because the teenaged program participants understand technology well, making them extremely helpful at polling places.³⁵³ While describing the program's success, Mr. Orr stated that Student Judge Program is “one of the best things” that he had ever worked on.³⁵⁴ Mr. Diaz, who was also enthusiastic about the program, proposed expanding training to include City Colleges of

³⁴⁵ *Id.* at 260-261.

³⁴⁶ *Id.*

³⁴⁷ *Id.* at 264.

³⁴⁸ *Id.* at 261.

³⁴⁹ *Elections in Action*, Mikva Challenge (June 13, 2017), <http://www.mikvachallenge.org/programs/electoral-engagement/>.

³⁵⁰ *Id.*

³⁵¹ *Id.*

³⁵² Diaz, *Transcript* at 239.

³⁵³ Orr, *Transcript* at 254.

³⁵⁴ *Id.*

Chicago students, which would further broaden the base of young people engaged in the electoral process.³⁵⁵

A Day Off to Vote

Additionally, the Committee heard testimony on the possibility of addressing some of the issues facing the Illinois electoral system by making Election Day a holiday. Mr. Orr noted that, currently, the United States is one of only two major nations that hold elections on a work day.³⁵⁶ He suggested that the federal government should make Election Day a holiday because it is very difficult for low income people and individuals with transportation issues to vote without the day off.³⁵⁷ Mr. Orr argued that the federal government could move Election Day to an already existing federal holiday (such as Veteran's Day), but recognized that it would take a great deal effort to alter the United States' statute requiring elections to take place the first Tuesday of November.³⁵⁸ Alternatively, Mr. Orr proposed closing schools for elections, which would eliminate many of the issues associated with election judge recruitment.³⁵⁹ He argued that, if schools were closed on Election Day, thousands of teachers, administrators, and students, who are well suited to serve as election judges, would be available to work at the polls.³⁶⁰

Public Campaign Financing

After hearing testimony on civil rights issues related to voting in Illinois, the Committee also heard testimony on civil rights concerns associated with campaign finance. In the 2010 *Citizens United* decision, the Supreme Court ruled that the First Amendment's freedom of speech clause protects political campaign donations.³⁶¹ This ruling made limiting individual campaign donation illegal, which led to a dramatic increase in large donations from wealthy people and special interest groups.³⁶²

³⁵⁵ Diaz, *Transcript* at 239.

³⁵⁶ Orr, *Transcript* at 259.

³⁵⁷ *Id.* at 290.

³⁵⁸ *Id.* at 290-291.

³⁵⁹ *Id.* at 254.

³⁶⁰ *Id.*

³⁶¹ *Citizens United v. Fed. Election Comm'n*, 558 U.S 310, available at <https://www.supremecourt.gov/opinions/09pdf/08-205.pdf>

³⁶² Sarah Childress, *Report: After Citizens United, Outside Spending Doubles*, PBS Frontline (June 14, 2017), <http://www.pbs.org/wgbh/frontline/article/report-after-citizens-united-outside-spending-doubles/>.

Brian Gradstein, Executive Director of Illinois Common Cause, an organization that aims to “ensure that every eligible citizen has an opportunity to cast a vote, free from discrimination and obstacles”³⁶³ noted that the individuals who make large political donations are more likely to be older, white and male.³⁶⁴ These trends were reflected in an analysis of campaign contributions during Chicago’s 2015 mayoral race, which found that over 90% donations to the top two mayoral candidates came from donors who gave more than \$1000 each, 80% of donations to the current mayor’s campaign came from individuals earning more than \$100,000 per year, and 94% of the current mayor’s donors were white.³⁶⁵ Mr. Gladstein reported that the policy preferences of influential donors tend to be very different from marginalized groups’ preferences, and that elected officials are likely influenced by the donors who helped them secure their position.³⁶⁶

Other panelists also expressed concern that the current system of campaign finance is fundamentally unfair.³⁶⁷ Speaking generally, Mr. Orr stated “if we don’t deal with money and politics and the rise of voter suppression in this country, our fragile democracy will be gone.”³⁶⁸ He later explained that campaign donations contribute to both election outcomes and public policy changes, which is why political actors may support policies that please their donors rather than the policies that would benefit the average voter.³⁶⁹ Mr. Orr suggested that this disparity between public opinion and political outcome may be a reason why people give up on the democratic process altogether.³⁷⁰ Ms. Schaafsma described the manner in which campaign finance impacts individuals who are deciding whether to become a political candidate themselves. She explained that, while the League of Women Voters of Illinois encourages females to run for office, they realize that candidates are challenged by the need to raise money to mount a serious campaign.³⁷¹ Mr. Orr and Ms. Schaafsma both recommended campaign finance reform.³⁷²

³⁶³ Gladstein, *Transcript* at 2.

³⁶⁴ *Id.* at 3.

³⁶⁵ *Id.*

³⁶⁶ *Id.* at 3-4

³⁶⁷ Schaafsma, *Transcript* at 195; *see also* Orr, *Transcript* at 265.

³⁶⁸ Orr, *Transcript* at 265.

³⁶⁹ *Id.* at 297-298.

³⁷⁰ *Id.* at 298.

³⁷¹ Schaafsma, *Transcript* at 195.

³⁷² *Id.*; *see also* Orr, *Transcript* at 265, 298.

Mr. Gladstein proposed that Illinois should replace its private campaign donation system with a voluntary public campaign finance system, just as New York City did.³⁷³ He explained that, in New York City's public campaign finance system, political contributions are limited to \$500 in aggregate per election cycle per donor.³⁷⁴ The first \$175 each individual donates is matched 6 to 1 with money from the district's general fund.³⁷⁵ In order to receive these funds, politicians must raise a requisite number of small donations, agree not to accept any donations from corporate interests and abide by restrictions that limit self-funding.³⁷⁶ He testified that this form of campaign finance aims to: "help contain campaign expenditures; ensure that politicians remain in close contact with the people that voted them into office; and provide a pathway for citizens with limited access to capital to support the candidate of their choosing to run for office themselves."³⁷⁷

Mr. Gladstein stated that after New York City switched from private to public campaign finance, more people donated money to candidates, which contributed to an overall increase in political participation.³⁷⁸ He also explained that public campaign finance increases civic engagement because people who contribute to political campaigns (even through very small donations) are more likely to vote on Election Day.³⁷⁹

Alternatively, Mr. Orr suggested that Illinois could instead improve campaign finance by adapting a voucher system similar to the one that will be implemented in Seattle, Washington.³⁸⁰ In 2015, Seattle residents voted create new a campaign finance system in which each citizen will be allotted four \$25 "Democracy Vouchers" to donate to whichever political candidate(s) they choose.³⁸¹ Seattle will hold its first voucher-funded election in the fall of 2017.³⁸²

³⁷³ Gladstein, *Transcript* at 308.

³⁷⁴ *Id.*

³⁷⁵ *Id.* at 308, 314.

³⁷⁶ *Id.* at 4-5.

³⁷⁷ *Id.* at 5.

³⁷⁸ *Id.* at 309.

³⁷⁹ *Id.* at 298.

³⁸⁰ Orr, *Transcript* at 298.

³⁸¹ *Id.*; see also *Democracy Voucher Program: About the Program*, Seattle Gov't (June 21, 2017), <http://www.seattle.gov/democracylvoucher/about-the-program>.

³⁸² *Id.*

IV. FINDINGS AND RECOMMENDATIONS

Among their duties, advisory Committees of the U.S. Commission on Civil Rights are authorized to advise the Commission (1) concerning matters related to discrimination or a denial of equal protection of the laws under the Constitution and the effect of the laws and policies of the Federal Government with respect to equal protection of the laws and (2) upon matters of mutual concern in the preparation of reports of the Commission to the President and the Congress.³⁸³ The Illinois Advisory Committee heard testimony that current voting access may disproportionately disenfranchise voters on the basis of race, color, sex, age, disability, and national origin. In addition, the Committee heard concerns regarding the need to find reasonable ways to prevent voter fraud and maintain the integrity of all elections at the local, state, and federal levels.

Below, the Committee offers to the Commission a summary of concerns identified throughout the Committee's inquiry. Following these findings, the Committee proposes for the Commission's consideration several recommendations that apply both to the State of Illinois and to the nation as a whole.

A. Findings

1. Election Day Registration

- a. Only districts with both electronic voting records and more than 100,000 eligible voters are required to offer Election Day registration at all jurisdiction polling places. In 2016, 24 Illinois jurisdictions provided universal polling place Election Day registration while 82 counties did not.
- b. In 2016, over 100,000 voters registered on Election Day.

2. Voter Fraud and ID Laws

- a. The Illinois Board of Elections has estimated that suspected instances of voter fraud in Illinois equate to a couple thousandths of a single percent of the votes cast in the state. No evidence was presented that widespread voter fraud was a problem in Illinois between 2000 and 2016.

3. Voter Intimidation

³⁸³ 45 C.F.R. § 703.2.

- a. Multiple incidents of polling place voter intimidation and harassment have been reported in Illinois.

4. Electoral Representation

- a. Partisan redistricting has been associated with Illinois' high rates of uncontested state house and senate races, along with low levels of minority representation throughout the state.
- b. Individuals of color are underrepresented within hundreds of elected bodies in Illinois.
- c. Illinois jurisdictions legally engage in prison gerrymandering, a process by which disenfranchised prison inmates are counted as constituents of the district in which they are incarcerated for the purposes of electoral representation. Prison gerrymandering unfairly advantages prison-containing districts, which, in most instances, increases comparative rural representation in within elected bodies.

5. Voting in Jail or with a Prior Felony Conviction

- a. Barriers inhibiting electoral participation within jails include difficulty accessing social security numbers and restrictions prohibiting inmates from listing a jail as a residential address.
- b. Individuals who have been released from prison after serving a felony conviction can be discouraged from voting because they are unaware of their renewed enfranchisement.

6. Language Access

- a. The current method used to determine Section 203 jurisdiction eligibility utilizes survey responses from a sample of a given district's population to measure that district's language access needs. These estimates of language access need can be affected by sampling error and biased rates of response.
- b. In jurisdictions covered by Section 203 of the VRA, limited English proficient voters may still be disadvantaged by complicated ballot language and/or election judge misconduct. Limited English Proficient voters in Section 208 jurisdictions may also be adversely impacted by the same issues, along with the potential that they could be misinformed or unaware of their right to bring a translator to the polls.

7. Voting in Social/Community Groups

- a. It is difficult for homeless individuals to engage in the electoral process because of financial and transportation barriers that limit their ability to partake in voter registration and/or access their polling place.
 - b. Individuals with disabilities are often disadvantaged by inaccessible polling places and faulty voting machines.
 - c. Electoral participation among youth depends on education quality, which is influenced by social class and race/ethnicity.
8. Illinois Election Judges
- a. Election judge recruitment is limited by the Illinois Election Code provision requiring judges to work from the time the poll opens to the time that it closes. In addition, individuals may be dissuaded from applying to be an election judge because judges are required to declare that they are either a Democrat or a Republican.
 - b. Jurisdiction funding impacts election judge recruitment because wealthier districts are able to pay election judges more than jurisdictions with limited funding. Budgetary constraints also determine how often jurisdictions can afford to hold judge retraining.
 - c. In 2016, the Illinois State Board of Elections conducted election judge training in 51 of the state's 109 districts. Jurisdictions that are not trained by the Illinois State Board of Elections have freedom to decide what to cover in training, which allows for between-jurisdiction variability in the extent to which judges are taught regulations and requirements.
 - d. Panelists testified that election judge error and misconduct adversely impacted Illinois voters.

B. Recommendations

1. The U.S. Commission on Civil Rights' national study on voting rights in the United States should include:
 - a. An analysis of changes in state voting laws and related changes in voter participation following the 2013 U.S. Supreme Court *Shelby County v. Holder* decision;
 - b. An analysis of changes in voter participation following the 2010 U.S. Supreme Court *Citizens United v. Federal Election Commission* decision;

- c. An analysis of changes in voter participation following the passage of Automatic Voter Registration and/or Election Day registration legislation;
 - d. An analysis of current allegations of voter fraud and its related evidence; such a review should include a cost/benefit analysis comparing evidence of voter fraud with evidence of voter suppression, including concerns regarding potential fees associated with required identity documents, poll worker training, and public education efforts.
2. The U.S. Commission on Civil Rights should issue the following formal recommendations to the U.S. Congress:
 - a. The U.S. Congress should establish a working committee to study the impact of the 2013 U.S. Supreme Court decision *Shelby County v. Holder* including a review of any changes in state voting laws and related changes in voter participation since the ruling;
 - b. According to the results of this study, the Congress should develop updated formulae to identify which states require continued review under the Voting Rights Act and/or require Section 203 language access, then introduce appropriate legislation to implement the new formulae.
3. The U.S. Commission on Civil Rights should issue the following, formal recommendations to the U.S. Department of Justice, Civil Rights Division, Voting Section:
 - a. The Division should conduct a thorough review of the requirements imposed under Illinois voting laws to assess their compliance with applicable federal law including but not limited to: the Voting Rights Act, the Help America Vote Act, and the National Voter Registration Act; and
 - b. If such a review reveals areas of noncompliance or conflict with federal law, then the Division should take appropriate enforcement action to correct them.
4. The U.S. Commission on Civil Rights should issue a letter to the U.S. Election Assistance Commission, to the Illinois Governor, and the Illinois Legislature urging them to:
 - a. Review the findings and recommendations contained within this report; and
 - b. Further investigate identified areas of concern within their jurisdiction and take appropriate action to address them.

V. APPENDIX

A. Hearing Agenda: March 9, 2017

B. Written Testimony:

1. Ami Gandhi
2. Jeff Raines
3. Ryan Cortazar
4. Chapin and Keunnen
5. Brian Gladstein

C. Panelist Presentations

1. Ami Gandhi
2. David Orr
3. Ryan Cortazar
4. Shobhana Johri-Verma

**Illinois Advisory Committee to the
United States Commission on Civil Rights**



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U.S. COMMISSION ON CIVIL RIGHTS



Civil Rights and Voting in Illinois

Hosted By:

The Illinois Advisory Committee to the U.S. Commission on Civil Rights

Date:

Thursday March 9, 2017

Time:

8:00am—5:00pm

Location:

Ralph H. Metcalfe Federal Building, 3rd Floor

77 W. Jackson Blvd.
Chicago, IL 60604

U.S. COMMISSION ON CIVIL RIGHTS

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The Illinois Advisory Committee to the United States Commission on Civil Rights is hosting a public meeting to hear testimony regarding civil rights concerns related to voting rights in the State. This meeting is free and open to the public.

- *Opening Remarks and Introductions (8:00am-8:15am)*
 - *Panel 1: Legal and Academic Research on Voting Rights (8:15am-9:30am)*
 - *Panel 2: Voting and Incarceration (9:45am-11:00am)*
 - *Panel 3: Language Access (11:15am-12:30pm)*
- *Break (12:30pm-1:30pm)*
 - *Panel 4: Voting Across Social Groups (1:30pm-2:45pm)*
 - *Panel 5: Government Perspectives (3:00pm-4:15pm)*
 - *Open Forum (4:15pm-5:00pm)*
- *Closing Remarks (5:00pm)*

The Committee will hear public testimony during the open forum session, as time allows. Please arrive early if you wish to speak. The record is also open for written testimony and will remain so for thirty days following the hearing. For more information please contact the Midwestern Regional Office of the U.S. Commission on Civil Rights.

State Advisory Committees to the U.S. Commission on Civil Rights are composed of state citizens who serve without compensation. The Committees advise the Commission of civil rights issues in their states, providing recommendations and advice regarding such matters to the Commission.

Agenda

Opening Remarks and Introductions (8:00-8:15am)

Juan Carlos Linares, Chair, Illinois Advisory Committee
Mauro Morales, Staff Director, U.S. Commission on Civil Rights

Legal and Academic Research on Voting Rights (8:15am –9:30pm)

Ruth Greenwood, Campaign Legal Center
Ami Gandhi, Chicago Lawyers Committee for Civil Rights Under Law, Inc.
Jacob H. Huebert, Liberty Justice Center
Rebecca Glenberg, American Civil Liberties Union of Illinois

Voting and Incarceration (9:45am-11:00am)

Christina R. Rivers, DePaul University Political Science Department
Michelle Mbekeani-Wiley, Sargent Shriver National Center on Poverty Law
Cara Smith, Office of the Cook County Sheriff
Nasir Blackwell, Inner-City Muslim Action Network
Marlon Chamberlain, Community Renewal Society

Language Access (11:15am-12:30pm)

Ryan Cortazar, Chicago Lawyers Committee for Civil Rights Under Law, Inc.
Shobhana Verma, Chicago Board of Election Commissioners
Verónica Cortez, Mexican American Legal Defense and Education Fund
Andy Kang, Asian Americans Advancing Justice

Break (12:30pm-1:30pm)

Voting Across Social Groups (1:30pm-2:45pm)

Cheryl Jansen, Equip for Equality
Sharon Legenza, Housing Action Illinois
Christian Diaz, Chicago Votes
Juan Thomas, National Association for the Advancement of Colored People
Mary H. Schaafsma, League of Women Voters of Illinois

Government Perspectives (3:00pm-4:15pm)

Brent Davis, Illinois State Board of Elections
David Orr, Cook County Clerk
Karyn Bass Ehler, Civil Rights Bureau, Office of the Illinois Attorney General
Representative, Illinois Secretary of State (*tentative*)

Open Forum (4:15pm-5:00pm)

Closing Remarks (5:00pm)



**TESTIMONY BY CHICAGO LAWYERS' COMMITTEE FOR CIVIL RIGHTS
BEFORE THE ILLINOIS ADVISORY COMMITTEE TO THE
U.S. COMMISSION ON CIVIL RIGHTS
MARCH 9, 2017**

Submitted By:

Ami Gandhi, Director of Voting Rights & Civic Empowerment
Chicago Lawyers' Committee for Civil Rights
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I. Introduction

Thank you for the opportunity to speak today. My name is Ami Gandhi, and I am the director of voting rights and civic empowerment at Chicago Lawyers' Committee for Civil Rights. Chicago Lawyers' Committee is a nonprofit, nonpartisan civil rights legal organization in operation since 1969, and we work to secure racial equity and economic opportunity for all. We provide legal representation through partnerships with nearly 50 member law firms. We also collaborate with grassroots organizations and diverse coalitions to implement community-based solutions that advance civil rights.

The Voting Rights Project of the Chicago Lawyers' Committee was established to prevent, reduce, and eliminate barriers to voting for communities of color and low-income residents in Illinois. We advocate for expanded voter access for all communities, regardless of race, ethnicity, socioeconomic, or disability status. A major component of our work is Election Protection, the nation's largest non-partisan voter protection program, which operates the 866-OUR-VOTE hotline and supports companion lines at 888-VE-Y-VOTA and 888-API-VOTE. Election Protection hotline and pollwatcher volunteers have answered thousands of voter questions over the phone and in person. That puts us in a unique position to understand voter access barriers, investigate and remedy problematic practices, provide information on voting rights, and advocate for necessary reforms. For the 2016 general election, we trained and deployed hundreds of law firm and other volunteer attorneys with diverse political views – but they stand united in the belief that all eligible voters should have access to the polls.

Illinois has made great strides to expand its citizens' voting rights in recent years, but much work remains, particularly for those voters who are most vulnerable to discrimination and exclusion. To address these barriers in a comprehensive and practical way, community organizations, elected officials, and election administrators must all work together.

II. Takeaways from November 2016 Election

Chicago Lawyers' Committee led 300 legal volunteers who served as nonpartisan Election Protection poll watchers and who answered more than 1,000 calls to the 866-OUR-VOTE



hotline on November 8, 2016 from across Illinois and Indiana. On Election Day, we helped many voters who experienced disenfranchisement, and fortunately, we worked with voters and election officials to resolve many of the problems. At the same time, many of the problems are preventable, especially through modernization of registration. A diversity of communities in Illinois have advocated for the preservation of Election Day Registration, which is currently being challenged in federal litigation, and are currently advocating for Automatic Voter Registration.

Data and stories from Illinois voters are available at www.electionprotectionillinois.org, with a particular focus on the November 2016 election. The content points to recent voter experiences and provides ideas for aspects of voter access that should be improved going forward. Below are highlights of the content available at our site:

- An overview of the voting experience, including confirming the polling place, checking into the polling place, receiving the ballot, filling in the ballot, submitting the ballot, and leaving the polling place;
- Breakdown of when and where in Illinois voting issues arose, represented in maps and charts;
- Breakdown of types and locations of voter problems and questions, including ballot issues, registration issues, and polling place issues;
- An explanation of how we assist voters who report voting rights issues and how we take action after Election Day, through community outreach, legislative reform, administrative reform, and litigation;
- Description of ballot-related problems, including problems requesting mail-in ballots (also called absentee ballots), mail-in ballots being lost in the mail, vague ballot instructions, partially completed ballots, fragmented ballots, and the perception of insecure ballot storage;
- Description and examples of registration problems, including general registration and information needs, incorrect status on voter rolls, and unclear steps to confirm registration status;
- Description and examples of polling place problems, including difficulty locating polling place, needing to switch polling places, unexpectedly encountering a closed polling place, electioneering, incorrect voting procedures, and voting equipment malfunctions and delays; and
- Voter stories about the types of problems mentioned above, as well as questions from voters with disabilities, voters with limited English proficiency, homeless voters, voters facing intimidation and electioneering, and voters interfacing with the criminal justice system.

A few examples of voter access issues are detailed below and throughout today's testimonies. We would be glad to provide more details about these or other issues upon request.



III. Voter Intimidation

We all can agree that we must not tolerate any instances of voter intimidation, as they are a threat to our values of freedom and democracy. Throughout our country's history as well as today, voter intimidation uniquely impacts communities of color, particularly African American voters. This intimidation can come from fellow voters, election personnel, police officers or guards, or others. In order for all our communities to have the full and fair right to vote, it is critical for every voter to feel safe at the polling place. Safety means different things for different people, especially given the vastly different experiences between communities of color and law enforcement.

While police officers and guards work hard to keep our polling places safe, there are still incidents of voter intimidation involving police or authority figures in Illinois. We received a report of police officers outside a polling place during the 2015 municipal elections, improperly telling voters that they needed identification or voter registration information to vote. Unfortunately, this is not the first time that we have received a report like this. In the November 2016 election, a voter reported harassment by the police regarding the voter's political views. We also received a report of a police officer inaccurately stating the poll closing time to young African American voters in line to vote. We were proud to collaborate with community organizations such as Chicago Votes and Black Youth Project 100, as well as election administrators, to resolve some of these problems and open lines of communication. However, the lasting sting of such an experience is not trivial to voters who are made to feel like they do not belong at the polls.

The problem of political inclusion for people whose lives have intersected with the criminal justice system extends beyond these instances. To tackle these problems, we must eliminate voting barriers for individuals in pretrial detention and ensure that individuals can get back on the voter rolls after completing a sentence. These barriers that exclude eligible voters do not reflect the type of inclusive and fair community that we strive for in Illinois.

We urge government leaders to work closely with community organizations to decrease voter intimidation and increase safety and comfort for voters of all backgrounds, especially those who have faced discrimination and exclusion. It is essential that reforms to improve voter access are designed with input from community members and election administrators so that the implementation is positioned for success. We welcome the chance to work with government and community leaders to improve channels of communication so that when intimidation does occur, it can be addressed rapidly and effectively.

IV. Election Day Registration

Over 100,000 voters in Illinois used Election Day Registration (EDR) in the March 2016 primary election and over 100,000 voters used it in the November 2016 general election – in every single county in Illinois. We hear stories of voters of color in urban areas using EDR, as well as veterans, rural voters who work on farms, and a diversity of others who use EDR. [Research](#) shows that that “many [EDR voters] had tried to update their



information prior to the registration deadline but, due to administrative errors by government agencies or confusion over the procedure to update their voter registration, were unable to do so.”

EDR is required by statute to be in every county in Illinois, and there is an additional requirement for high-population counties that EDR be required in each polling place. The litigation addresses whether it is constitutional for there to be polling place EDR in high population counties. It is important to remember that, as we argued in our [amicus brief](#) in the case, that EDR could be required in more polling places, rather than removed where it has already proven to be useful and even necessary. It is also important to remember that even after the lawsuit was filed, election administrators from Democratic-leaning and Republican-leaning counties are proudly implementing EDR in polling places in a diversity of areas and working hard to improve voter access and registration access in their jurisdictions. Many election administrators are trying to move forward, not backward, in terms of modernizing elections.

We saw the huge success of EDR in Illinois and the ability of eligible voters to navigate through the process and eventually vote successfully. This was in stark contrast to our experience helping voters in Indiana - now remember, we focused today's remarks on Illinois but we also took Indiana calls on Election Day. We received numerous calls from voters seeking to register to vote on or shortly before Election Day in Indiana, but unfortunately, we were unable to help them cast a ballot. We also observed and documented other concerning barriers facing voters in Indiana and would be happy to provide additional details upon request.

V. Automatic Voter Registration

Automatic Voter Registration (AVR) is a proposed reform in Illinois that would add over 1,000,000 voters to the rolls by leveraging information from other state databases, including those relating to drivers' licenses, social services, and other interactions that we all have with state government agencies. There is bipartisan support of this reform in Illinois, and it has been reformulated this year in a way that is more likely to bring consensus from voters, community advocates, elected officials from both parties, and election administrators and government agencies who would be tasked with implementing these changes to the registration system.

Registration systems have been used in our country's history to [disenfranchise](#) voters of color and reduce and self-select the electorate. That said, expanding access to registration would benefit not only communities of color. Senior voters, military personnel, and low-income citizens of all races would be brought onto the rolls through AVR. Today, fair access to registration *goes hand in hand* with modernizing our country's registration system to increase the integrity of our election systems so that we have a full and accurate list of eligible voters.



VI. Conclusions and Recommendations

Numerous voting barriers can be resolved when lines of communication are open between advocates, voters, and election officials, and such problem solving often occurs in both Democratic-leaning and Republican-leaning counties in Illinois. **In order to improve election administration, it is essential for voters to trust their election officials. Recent renewed rhetoric about widespread voter fraud threatens to weaken such trust and intimidate voters.** We urge government leaders to denounce restrictive voting laws and myths of widespread voter fraud.

Illinois could serve as a model for ensuring full and fair ballot access for eligible voters from all communities, but a variety of interrelated barriers exist at the current time, including barriers for voters with disabilities, voters with limited English proficiency, and homeless voters. Registration barriers, improper requests for identification, equipment problems, and errors by election judges also happen much more than they should. Many voter access problems point to the need for systemic reforms. In addition to Election Day Registration and Automatic Voter Registration, we also need robust election judge training, voting modernization, improved protocols for mail-in ballots, access for voters with disabilities and limited English proficiency, redistricting reform, and fairness for voters interfacing with the criminal justice system.

Voting rights are intertwined with civil rights more broadly. In our civil rights work, we see that barriers to voting and civic engagement can cause or exacerbate barriers to education, housing, economic stability, and safety. And for community members facing inequities, for example unjust treatment by police, it is difficult for communities to achieve meaningful change unless there is a mechanism to elect candidates of their choice and hold government leaders accountable. While we focus our remarks today on a few examples of barriers to voter access, we urge the United States Commission on Civil Rights and the Illinois State Advisory Committee to keep in mind the broader systemic barriers to voting and civic engagement and to continue working with federal agencies, local election administrators, and community advocates to address them.

Voting rights are fundamental, not only as an inherently vital part of our democratic system, but also as a means for self-empowerment and self-determination for all of our communities. It is imperative that our laws reflect our values and that our government actively seeks to ensure the full and fair right to vote for all eligible voters.



MEMORANDUM

To: Cook County Commissioner Larry Suffredin
From: Emily Powers, Business and Professional People for the Public Interest
Ami Gandhi, Chicago Lawyers' Committee for Civil Rights Under Law, Inc.
Jennifer Vollen-Katz, John Howard Association
Patrick Keenan-Devlin, James B. Moran Center for Youth Advocacy
Michelle Mbekeani-Wiley, Sargent Shriver National Center on Poverty Law

Date: April 20, 2017

Re: Improving Cook County's efforts to support inmates obtain vital records and secure the franchise

Issue Presented:

Recently released inmates lack access to the vital identification records they need to obtain state identification, such as a birth certificate or Social Security card either because they did not have these documents when they entered custody, or because these documents were lost or misplaced while they were in custody.¹ Without vital identification documents, reentrants have a weak foundation to start a new life and are more likely to recidivate. A study conducted by the H.I.R.E Network found that without state identification, a reentrant is not only unable to access critical services for reintegration, such as housing, public benefits and subsidies, and entrance into mandated treatment programs, but he or she may also experience difficulty obtaining employment and be prompted to partake in criminal activity to fulfill basic needs.² Further, detention also may undermine individuals' proper standing to vote if they have been removed from voter rolls, if they lack access to voter registration (or even ways to check the status of their voter registration), or if they lack access to the actual voting process itself. While the relationship between civic engagement and the criminal justice system is complex, supporting voting while awaiting trial and supporting registration upon release affirms the returning community member's value to the polity, encourages participation in civic life, and thus helps to rebuild the ties to fellow citizens that motivate law-abiding behavior.³

¹ La Vigne, Nancy, Elizabeth Davies, Tobi Palmer, Robin Halberstadt (2008 September). Release Planning for Successful Reentry: A guide for Corrections, Service Providers, and Community Groups. Urban Institute- Justice Policy Center. Retrieved from: <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/411767-Release-Planning-forSuccessful-Reentry.PDF>.

² Id.

³ Restoring the Right to Vote, Brennan Center for Justice at New York University School of Law (2009); measuring the causal relationship between voting rights and criminal behavior is difficult. But the one published study tracking the relationship between voting and recidivism did find "consistent differences between voters and non-voters in rates of subsequent arrest, incarceration, and self-reported criminal behavior." Christopher Uggen & Jeff Manza, Voting and Subsequent Crime and Arrest: Evidence From a Community Sample, 36 Colum. Hum. Rts. L. Rev. 193, 213 (2004). In fact, the study found that the former offenders who voted were half as likely to be re-arrested as those who did not. Id. at 205. And in a more recent study, Brennan Center concluded that protecting and restoring voting rights is gaining traction as a smart-on-crime reform because of the associated public safety benefits. The Sustained Momentum and Growing Bipartisan Consensus for Voting Rights Restoration, Brennan Center for Justice at New York University School of Law (2015).



Background:

In its December 2015 report, the Illinois Governor's Commission on Criminal Justice and Sentencing Reform identified that an offender's access to a state identification card upon release is critical to successful reentry. In 2016, the Illinois General Assembly and Governor Rauner acted upon the Commission's recommendation, enacting Public Act 99-0907 ("the Act"). The Act provides for the Illinois Secretary of State to issue a free Illinois Identification Card to persons being released from the Illinois Department of Corrections ("IDOC") and Illinois Department of Juvenile Justice ("IDJJ") ("the Departments") who present their birth certificate, Social Security card, or other documents authorized by the Secretary, as well as two proofs of address. For those who cannot offer proofs of address, they can present a limited-verification issued by the Departments valid for 90 days. Unfortunately **many inmates will still lack access to the delineated identifying documents and will be unable to obtain a state identification card.**

Cook County operates the Department of Cook County Corrections, which houses approximately 100,000 detainees annually,⁴ and the Juvenile Temporary Detention Center, which detains 4,500 youth annually.⁵ The Circuit Court of Cook County also commits 49.6% of all persons sentenced to the IDOC, totaling approximately 25,000 individuals per year,⁶ and 42% of all youth sentenced to the IDJJ, totaling approximately 300 juveniles per year.⁷

With Cook County either locally detaining or committing nearly 130,000 individuals to state penitentiaries each year, the County is well positioned to help a significant number of incarcerated adults and youth in Illinois obtain the critical records necessary to reenter society upon release and register to vote.

Recommendations:

- Issue a certified birth certificate to all inmates in the Cook County Department of Corrections ("CCDOC") and Juvenile Temporary Detention Center ("JTDC"), who were born in Cook County, upon their release as an intergovernmental exchange of records;
- Issue a birth certificate to the IDOC or IDJJ for all individuals born in and sentenced from Cook County, either by including a certified paper copy in inmates' IDOC Master Files or through a secure electronic system from the Cook County Clerk to IDOC, as an intergovernmental exchange of records;
- If the Cook County Department of Corrections does not presently have a Memorandum of Understanding with the Social Security Administration ("SSA"), we strongly recommend entering into such a formal agreement so that inmates can obtain **free replacement** Social Security cards (given that the SSA will accept the facility's certification as proof of identity.)⁸ Once the MOU is in place, then apply for free replacement Social Security cards on behalf of inmates;

⁴ Cook County Department of Corrections.

⁵ Juvenile Justice in Illinois: A Data Snapshot, April 2014.

⁶ Illinois State Commission on Criminal Justice and Sentencing Reform, 2015.

⁷ Juvenile Justice in Illinois: A Data Snapshot, April 2014.

⁸ SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10225.125 Replacement SSN Cards for Prison Inmates Covered by a Memorandum of Understanding (February 27, 2014).



- Partner with local election authorities to register all eligible CCDOC and JTDC inmates to vote while awaiting trial and prior release; and
- Partner with local election authorities and advocacy organizations, like the Chicago Lawyers' Committee for Civil Rights Under Law, Shriver Center, and JHA, to ensure all eligible CCDOC and JTDC inmates have ready access to vote in elections during their period of detention – replicating and expanding upon efforts from the April 4, 2017 municipal election.



CHANGE Illinois Testimony to the Illinois Advisory Committee to the U.S. Commission on Civil Rights

Submitted By:

Jeff Raines, Director of Communications & Engagement at CHANGE Illinois
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www.changeil.org

Thank you for the invitation to provide testimony for your March 9th hearing on voting rights in Illinois. CHANGE Illinois is a part of the Just Democracy Coalition (Asian Americans Advancing Justice- Chicago, Chicago Votes, Common Cause Illinois, the Illinois Coalition for Immigrant and Refugee Rights, & Illinois Public Interest Research Group). Our broad, diverse coalition is comprised of dozens of organizations that recognize that access to the vote and robust civic participation is fundamental to a thriving democracy.

Our coalition strongly supports electoral modernization proposals in SB1933 and HB3695. These two bills would enact automatic voter registration (AVR), a procedure that would alleviate costs incurred by the state of Illinois close to a registration deadline, reduce barriers to ballots access for communities of color, and streamline registration processes for voters.

Research from Oregon’s first-in-the-nation automatic voter registration law indicates that by enacting AVR here in Illinois, our cash-strapped state could actually save money. Because of the influx of registration applications right before a registration deadline, it is common for a state government to have to spend additional money and hire temporary staff to process all the paper registrations and complete the follow-ups for erroneous or illegible forms before the deadline. Many election offices also incur high mailing costs related to sending out paper voter registration that would be reduced by AVR.

Second, automatic voter registration would act as one safeguard for voter disenfranchisement. U.S. Census Bureau data from 2016 demonstrates a concerning racial disparity in Illinois voter registrations. In fact, it’s 50 percent lower in Illinois than nationwide. Overall, Illinois is below the national average for voter registration. National research also demonstrates that communities of color – especially in Black and Latino neighborhoods – are much less likely to have a drivers’ licenses/state IDs than whites, lowering the chances that the state’s current DMV/ “motor voter” registration laws adequately engage

these minority populations. AVR would expand the number of state agencies that are permitted to be used to update a person's voter registration.

Lastly, automatic voter registration would modernize and improve the accuracy of Illinois voter rolls while ensuring safeguards are in place to prevent ballot access issues for communities of color and stop ineligible residents from voting.

CHANGE Illinois on behalf of the Just Democracy Coalition encourages you to recommend AVR legislation in Illinois and nationwide.

**TESTIMONY BY CHICAGO LAWYERS' COMMITTEE FOR CIVIL RIGHTS
BEFORE THE ILLINOIS STATE ADVISORY COMMITTEE TO THE
U.S. COMMISSION ON CIVIL RIGHTS
MARCH 9, 2017**

Submitted By:
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I. INTRODUCTION

Thank you for the opportunity to testify today. The Chicago Lawyers' Committee for Civil Rights (Chicago Lawyers' Committee) has operated as Chicago's preeminent nonprofit, nonpartisan civil rights legal organization since 1969, and we work to secure racial equity and economic opportunity for all. The Chicago Lawyers' Committee provides legal representation through partnerships with the private bar, including our nearly 50 member law firms. We collaborate with grassroots organizations to implement community-based solutions that advance civil rights, and we participate in coalitions such as Just Democracy Illinois.

The Voting Rights Project of the Chicago Lawyers' Committee was established to eliminate, reduce, and prevent barriers to voting for communities of color and low-income residents in Illinois. We advocate for expanded voter access for all communities, regardless of race, ethnicity, socioeconomic, or disability status. A major component of our work is Election Protection, the nation's largest non-partisan voter protection program, which operates the 866-OUR-VOTE hotline and supports

companion lines at 888-VE-Y-VOTA and 888-API-VOTE. Partnering with area law firms and nonprofit organizations, Election Protection hotline and poll watcher volunteers have answered thousands of voter questions and resolved numerous problems at the polls.

Because Illinois has elections of some kind every year, the Chicago Lawyers' Committee for Civil Rights works year-round with local election authorities to make sure that the officials who run our elections comply with federal and state voting rights laws and know about voting barriers experienced by community members. Our voting rights work often involves open communication and collaboration with election officials to address voters' concerns on Election Day and throughout the year. Our voting rights attorneys meet with election officials in the months leading up to Election Day to assess their plans and provide any assistance that we can in improving training materials, recruiting poll workers, assisting voters, and facilitating community input about areas where language assistance is needed. An important part of this outreach is helping election authorities meet their bilingual election requirements and expand language access in the voting process.

Every American citizen has the right to cast an informed ballot in the language they are most comfortable speaking and reading. Congress first planted the seed of this right in the Voting Rights Act of 1965,¹ and it blossomed in subsequent amendments in

¹ Pub. L. No. 89-110, 79 Stat. 437 (1965).

the 1970s² as Congress recognized the growing need of language access and the substantial language barriers that had been erected to discriminate against American based on national origin, educational level, and language ability in exercising their voting rights. Although there are administrative determinations about language needs every few years, Congress has not revisited these language access requirements since the 1970s, even as the needs of our country's language minority communities have significantly evolved over the last forty years. It is past time for the federal government to revisit its language access laws to ensure every citizen's right to vote. Any expansion of language access rights must take into account past and current discrimination against voters based on their English-language proficiency, current Voting Rights Act requirements for bilingual elections, how local governments implement or fail to implement bilingual elections, and the sufficiency of the government's data analysis to meet community needs, including U.S. Census Bureau methodologies. Any future action must also take into account America's growing diversity both in terms of the geographic distribution of individuals with limited English proficiency as they move to new areas outside of core cities as well as the growing number of languages that these individuals speak.

² Voting Rights Act Amendments of 1970, Pub. L. No. 91-285, 84 Stat. 314; Act of Aug. 6, 1975, Pub. L. No. 94-73, Tit. I, 89 Stat. 400.

II. HISTORY

For generations, states have erected language access barriers to discriminate against a broad swath of eligible voters with limited English proficiency, from natural born Americans to naturalized immigrant citizens. When Congress banned literacy tests in jurisdictions that historically disenfranchised black voters through the Voting Rights Act of 1965, it also banned discrimination against Puerto Rican voters in New York.³ Section 4(e) of the Act forbade states from disenfranchising voters based on English literacy tests if a voter had completed sixth grade in a school in the United States and its territories.⁴ The direct attack on New York's history of discrimination is apparent from the statute itself, which specifically names Puerto Rico as a covered jurisdiction.⁵ The Supreme Court, in declaring the provision unconstitutional, noted that prejudice against Southern and Eastern European immigrants "played a prominent role in the enactment" of New York state's literacy test,⁶ and the Court emphasized that the requirement "may be viewed as a measure to secure for the Puerto Rican community residing in New York nondiscriminatory treatment."⁷

From this tiny but important intervention, recognition of this type of discrimination grew, and Congress revisited this issue in 1970 when it included additional protections in the Voting Rights Act. Although some courts and election

³ See *Katzenbach v. Morgan*, 384 U.S. 641, 643–45 & n.1 (1966).

⁴ Voting Rights Act of 1965, 79 Stat. 439, 52 U.S.C. § 10303(e) (2012).

⁵ See *id.*

⁶ *Katzenbach*, 384 U.S. at 654, 654 n.14 (1966).

⁷ *Id.* at 652.

authorities read the original law expansively to provide bilingual voting resources, Congress recognized that a legislative fix was needed because the original law had been drafted too narrowly to only apply to certain jurisdictions and certain ethnic minorities.⁸ In particular, the growing Chicano movement and civil rights litigation brought attention to voting discrimination against Mexican Americans in Texas and California that fell outside of the original Voting Rights Act protections.⁹ To better protect the rights of language minorities nationwide, Congress adopted a nationwide ban on literacy tests and passed several provisions aimed at assisting language minorities at the polls. These protections developed as a result of crosspollination between social movements as civil rights advocates and minority communities saw commonality between discriminatory literacy tests aimed at African American communities throughout the South and literacy tests directed at language minorities in other parts of the country. The most important of these provisions for Illinois are sections 203 and 208.

III. LEGAL REQUIREMENTS

With this context in mind, we can better understand the legal requirements of the Voting Rights Act. Section 203 requires covered states and political subdivision —

⁸ James Thomas Tucker, *Enfranchising Language Minority Citizens: The Bilingual Election Provisions of the Voting Rights Act*, 10 N.Y.U. J. LEGIS. & PUB. POL'Y 195, 203–04 (2006).

⁹ David H. Hunter, *The 1975 Voting Rights Act and Language Minorities*, 25 CATH. U. L. REV. 250, 254-57 (1976); *id.* at 255 n.29.

typically counties¹⁰ – to provide election materials in minority languages. A jurisdiction is covered by section 203 when it meets one of the following two thresholds:

- (1) five percent of the voting age population of the jurisdiction are members of a single language minority and limited-English proficient; *or*
- (2) more than 10,000 citizens in a political subdivision are members of a single language minority and are limited-English proficient.¹¹ Additionally, the illiteracy rate of the citizens of the language minority as a group must be higher than the national illiteracy rate.¹²

Once the federal government determines that a jurisdiction meets these requirements, that jurisdiction must provide written and oral assistance in the designated minority language for voters. There are currently 263 covered jurisdictions.¹³ Although this is just 3.3 percent of the country's political subdivisions, these areas have 68,800,641 eligible voters, or 31.3 percent of the total eligible voters in the country.¹⁴ In other words, nearly one in three eligible voters lives in a community that is mandated by law to provide bilingual election resources.

Section 203 is a practical provision that measures the community need for bilingual resources in light of the administrative concerns of election authorities.

Because of this, section 203 does not assist every voter who has language access needs.

¹⁰ In Illinois, these subdivisions include some cities that have election authorities that operate independently of county authorities. For example, Chicago and Cook County both execute their bilingual election requirements independently.

¹¹ 52 U.S.C. § 10503 (2014).

¹² *Id.*

¹³ U.S. Census Bureau, *Census Bureau Releases 2016 Determinations for Section 203 of the Voting Rights Act* (Dec. 5, 2016), <https://www.census.gov/newsroom/press-releases/2016/cb16-205.html>.

¹⁴ *Id.*

For voters not residing in section 203-covered jurisdictions, section 208¹⁵ is critical. In section 208, Congress provided that any eligible voter may receive language assistance from any person that the voter chooses so long as that person is not an agent of the voter's employer or union.¹⁶ This means that voters who require language assistance can bring their relatives, including their children, friends, or neighbors to help them vote. This provision is an essential part of the regulatory scheme not only for individuals who live in areas without significant language minorities but also for voters who reside areas that have significant need for bilingual resources but that Census Bureau studies have concluded do not meet section 203 criteria.

IV. IMPLEMENTATION

The Voting Rights Act delegates to the Census Bureau the work of determining whether counties meet the demographic requirements for section 203-coverage outlined above. The Census Bureau collects data for this determination through the American Community Survey. The survey asks individuals what languages other than English the person speaks at home and how well they speak English. All responses that rank below "very well" are categorized as limited-English proficient.¹⁷ The survey has substantial sampling error in small populations, so it uses regression techniques and weighting to get more accurate estimates of language minority populations.¹⁸

¹⁵ 52 U.S.C. § 10508.

¹⁶ *Id.*

¹⁷ See U.S. Census Bureau, Voting Rights Act Section 203 Determinations 23 (2011), https://www.census.gov/2010census/news/pdf/20111011_203slides.pdf.

¹⁸ *Id.* at 25.

In the last decade, the Census Bureau has prioritized improving the quality of data from individuals with limited English proficiency. Despite improvements, challenges remain.¹⁹ According to its own data, the Census estimated undercounts for Black, Hispanic, and American Indian and Alaskan Native populations while it estimated an overcount for the Non-Hispanic white population.²⁰ Based on qualitative observations of the changing demographics in the Chicago metropolitan area, advocates and community members have expressed concern that the determinations made by the Census Bureau do not match demographic changes that they have witnessed over the years. These advocates have highlighted a number of factors that may lead to the Census underestimating the number of limited English proficient voters, including lower response rates and incomplete responses from these voters as well as overestimation of the level of English proficiency since the survey does not explicitly tie its English proficiency questions to voting needs. For example, a voter may think she speaks English “very well” but still be uncomfortable navigating confusing election procedures and ballot language without language assistance. In fact, many voters who use bilingual voter resources do speak English and have passed a citizenship test in English but feel more comfortable voting in their native language. Additionally, many voters using bilingual resources are actively working to improve their English fluency.

¹⁹ See U.S. Census Bureau, American Community Survey Design and Methodology (January 2014), at 98–102, http://www2.census.gov/programs-surveys/acs/methodology/design_and_methodology/acs_design_methodology_report_2014.pdf.

²⁰ U.S. Census Bureau, DSSD 2010 Census Coverage Measurement Memorandum Series #2010-G-01, at 1–2 (May 22, 2012), https://www.census.gov/coverage_measurement/pdfs/g01.pdf.

Effective language access does not automatically materialize after the federal government makes its section 203 designations. In practice, providing language access at the polls requires relationship-building and coordination between election administrators and language minority communities, often with the input of civil rights advocates. Election authorities often have tight budgets that limit their resources. Although some election authorities like the Chicago Board of Election Commissioners and the Cook County Clerk's office have retained staff to aid in bilingual election assistance, others do not. Decisions on whether to hire professional staff devoted to language assistance should not be made only by considering additional labor costs because noncompliance and litigation may end up being more costly in the long run. These decisions should also take into account equitable factors like the importance of serving all members of a constituency and the increased voter participation that can result from greater bilingual resources.²¹ But even those election authorities that have hired translation, interpretation, and outreach staff must work closely with community groups to ensure effective implementation.

Other presenters today will provide more details on how to leverage the relationships between public officials and civic groups to improve the efficiency and effectiveness of language access, but I want to highlight the key types of assistance that government agencies can obtain from community groups. Covered jurisdictions must

²¹ See DEMOS, MILLIONS TO THE POLLS: PRACTICAL POLICIES TO FULFILL THE FREEDOM TO VOTE FOR ALL AMERICANS 63 (2014).

provide translated informational materials and ballots. These documents often contain specialized language that requires professional, context-sensitive translation – something that tools like free web translation tools are ill equipped to provide. Community groups have often facilitated connections between election authorities and professional translators to make sure that the translators retained by the government are high quality. Election authorities also struggle to recruit and retain poll workers of any type, but bilingual poll workers can be particularly difficult although not impossible to recruit. Community groups often play a crucial role in helping the government recruit and retain high-quality bilingual poll workers to provide oral assistance at the polling place. This involvement in the political process also leads to greater political empowerment. Studies have shown that higher rates of voting also correlate with higher levels of civic and community engagement.²²

V. RECENT DEVELOPMENTS

Because of the periodic nature of elections, election officials and community groups must constantly engage each other to guarantee that advancements in bilingual services are not lost in the space between elections and that election authorities appropriately address any demographic changes that occur within the jurisdiction. If

²² E.g. Jennifer Oser, *Assessing How Participators Combine Acts in Their "Political Tool Kits": A Person-Centered Measurement Approach for Analyzing Citizen Participation*, J. SOC. INDICATORS RES. (2016), <https://link.springer.com/article/10.1007/s11205-016-1364-8>; Seth H. Werfel, *Voting and Civic Engagement: Results from an Online Field Experiment*, RES. & POLITICS 1–3 (Jan.-Mar. 2017), <http://journals.sagepub.com/doi/pdf/10.1177/2053168017690736>; RGK Center, *The Investigator #2: Volunteering by States*, <http://rgkcenter.org/research/4/investigator/2>.

these details fall through the cracks, eligible voters are excluded from elections, and the discriminatory effects of language-based disenfranchisement fall along lines of national origin, language ability, education level, and race.

Because all communities are mobile and language minority communities are particularly mobile, the nature and location of bilingual election services should evolve from election to election. Other factors can also complicate the effective administration of bilingual election services. For example, election authorities sometimes change polling places based on projected turnout needs. Since far fewer voters turn out for local elections than for presidential elections, some election authorities reduce the number of polling places for local elections. This means that the locations having bilingual poll workers are not stable, and the election authorities have to adjust their recruitment of bilingual poll workers accordingly.

Beyond these inevitable polling place changes, demographic changes also complicate bilingual election needs. Over the past few decades, immigrant communities have expanded outside of urban centers and moved to more suburban and rural locales. In addition to the City of Chicago, Suburban Cook County, Kane, Lake, and DuPage counties have all met the requirements for section 203 coverage in the last ten years.²³ Several jurisdictions in Illinois currently fall just short of federal language access coverage despite significant language access needs in those areas, such

²³ Voting Rights Act Amendments of 2006, Determinations Under Section 203, 76 Fed. Reg. 63,602, 63,604 (Oct. 13, 2011), https://www.census.gov/rdo/pdf/2011_26293.pdf.

as DuPage and Will counties, and we expect those areas to meet the requirements for bilingual election coverage in the future.²⁴ In addition to greater geographic coverage, language diversity has greatly increased over time. In Chicago and suburban Cook County, the Census Bureau requires bilingual language access for Hispanic, Chinese, and Indian voting populations. In practice, written materials are provided in Spanish, Chinese, and Hindi, and oral assistance is provided in Spanish, Mandarin, Cantonese, Hindi, Gujarati, and Urdu. Additionally, Kane and Lake counties must provide language access services in Spanish.

And beyond federal requirements, election authorities also provide voluntary language access in certain circumstances. Chicago and suburban Cook County election officials also provide language access in Polish and Korean, and DuPage County will continue to provide Spanish language access services even though it is not required to do so after the most recent December 2016 section 203 determinations. We applaud these efforts and welcome the opportunity to collaborate with jurisdictions looking to expand their language access in the future.

These concrete data points can obscure more subtle changes that complicate language access programs every year. Although we know what counties must provide these language services, determining what specific communities in these massive counties require language assistance is a more difficult determination. Continuous

²⁴ See U.S. Census Bureau, Public Use Data File and Technical Documentation (Dec. 5, 2016), https://www.census.gov/rdo/data/voting_rights_determination_file.html.

population shifts mean that every year some polling places might need bilingual election judges or materials that they did not carry in previous elections.²⁵ And while the demographics of these communities are changing, often many of the poll workers have worked the precincts for much longer periods of time and have not been trained fully on the changes to the law or regulations and how to implement them.

In addition to the recruiting problems that election officials face in finding new poll workers who can provide bilingual oral assistance, election authorities at times must address ethnic tensions, cultural clashes, and even problems of xenophobia and racism that arise as these communities diversify. As Cook County Clerk David Orr testified, despite training that advises poll workers on the legal rights of limited English proficient voters, some poll workers inject their personal frustration with bilingual voting and limited English proficient voters into the voting process.²⁶ In early voting for the November 2016 election, we received a report of local poll workers complaining about South Asian and Latino limited English proficient voters to other poll workers and voters. In other circumstances, even years of experience operating bilingual elections has not prevented serious problems arising on Election Day. On November 8, 2016, a local Spanish-speaking voter was improperly turned away from the polls even

²⁵ An appendix to this memorandum contains a list compiled by the Chicago Lawyers' Committee for Civil Rights of polling sites in the greater Chicago area that local election authorities identified as needing bilingual election judges.

²⁶ See Transcript, U.S. Commission on Civil Rights, Civil Rights and Voting in Illinois 299-300 (Mar. 9, 2017) (comments of Cook County Clerk David Orr).

though she was a registered voter and unsuccessfully tried to find a bilingual election judge to help her explain this fact to other election judges.

VI. PATHS FORWARD

As mentioned earlier, the most recent Census estimates removed the requirement for Spanish bilingual language access in DuPage County despite the belief from community groups and election officials that the need for language access in DuPage County may actually be growing. This problem raises serious concerns about the adequacy of the Census Bureau's determinations. To improve these processes, we recommend that the Census Bureau open up its section 203 determinations to a notice and comment process for community input and response to its determinations. Section 203's requirements are purely quantitative and based on one data set, but we believe that community input in these determinations would point to how language access can be implemented most efficiently and effectively and also put pressure on the Census Bureau to look more critically at its methodology for weaknesses and areas of improvement that might expand language access to new jurisdictions under section 203.

Information from our Election Protection program also raises serious concerns about the adequacy of section 203 to meet the needs of an increasingly diverse voting population. Through our hotline and poll watchers we received reports of voters unsuccessfully seeking assistance in different languages, beyond the language coverage that the election jurisdiction offered. At least eight states and the District of Columbia

have expanded language access beyond the requirements of section 203.²⁷ Proposals are currently being considered in Illinois, and while we support increased language access to the polls for all eligible voters, it is essential that state-level language access protections are designed and implemented with input from community members and election administrators so that the on-the-ground implementation of language assistance is successful.

Additionally, while section 208 provides an important failsafe for limited English proficient voters by allowing them to bring the person of their choice to help them translate the ballot, too few voters, poll workers, and observers are aware of this right. As Illinois State Advisory Committee member Tabassum Haleem noted, election authorities throughout the state should create clearer and more accessible voters bills of rights that they distribute widely to inform voters of the availability of personal language assistance at the polls.²⁸ If necessary, polling sites should post prominent materials that advise voters of this important right.

As I laid out before, in the first ten years after passage of the Voting Rights Act, Congress continuously amended its language access provisions in growing recognition of the barriers to voting encountered by citizens with limited English proficiency. Since then, Congress has allowed these protections to stagnate as the facts on the ground and

²⁷ See Brian J. Sutherland, *The Patchwork of State and Federal Language Assistance for Minority Voters and a Proposal for Model State Legislation*, 65 N.Y.U. ANN. SURV. AM. L. 323, 352-60 (2009).

²⁸ See Transcript, U.S. Commission on Civil Rights, *Civil Rights and Voting in Illinois 298-99* (Mar. 9, 2017) (comments of Illinois Advisory Committee Member Tabassum Haleem).

the demographics of the electorate have changed. To meet these demands, Congress should examine the voting rights expansions of the several states that have expanded language access beyond federal requirements as well as the technological advances that make the administration of bilingual elections significantly easier since 1975.

In addition to these technological changes, the country has also undergone significant social changes in the last forty years and even the last two years. The damage from false rhetoric about voting fraud and undocumented immigrant votes falls hard on language minorities. Part of this rhetoric undoubtedly comes from ignorance of the language access laws we passed decades ago. Even knowledgeable voters are unaware that section 208 permits eligible voters to bring a friend or relative to help them with translation and interpretation. As we work to expand voting rights on the local and state level and protect the voting rights from an attorney general hostile to the Voting Rights Act and voices amplifying xenophobia, we continue to strive to protect the right of all citizens, regardless of their English proficiency, to cast an informed ballot.

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
3	3	Chinese
3	13	Chinese
3	26	Chinese
4	1	Chinese
4	35	Chinese
4	36	Chinese
4	38	Chinese
11	1	Chinese
11	4	Chinese
11	5	Chinese
11	7	Chinese
11	8	Chinese
11	9	Chinese
11	10	Chinese
11	11	Chinese
11	14	Chinese
11	15	Chinese
11	16	Chinese
11	17	Chinese
11	18	Chinese
11	19	Chinese
11	20	Chinese
11	22	Chinese
11	23	Chinese
11	25	Chinese
11	26	Chinese
11	27	Chinese
11	29	Chinese
11	30	Chinese
11	32	Chinese
11	34	Chinese
11	35	Chinese
11	36	Chinese
11	37	Chinese
12	1	Chinese
12	2	Chinese
12	3	Chinese
12	4	Chinese
12	5	Chinese
12	6	Chinese
12	8	Chinese
12	9	Chinese
12	17	Chinese

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
	12	19 Chinese
	12	23 Chinese
	14	31 Chinese
	15	10 Chinese
	15	11 Chinese
	25	3 Chinese
	25	4 Chinese
	25	6 Chinese
	25	14 Chinese
	25	18 Chinese
	25	25 Chinese
	25	27 Chinese
	25	32 Chinese
	48	2 Chinese
	48	7 Chinese
	48	10 Chinese
	48	11 Chinese
	48	19 Chinese
	4	6 Hindi
	11	2 Hindi
	11	7 Hindi
	11	33 Hindi
	25	3 Hindi
	25	27 Hindi
	39	3 Hindi
	39	13 Hindi
	39	15 Hindi
	39	16 Hindi
	39	18 Hindi
	39	22 Hindi
	39	25 Hindi
	39	30 Hindi
	39	34 Hindi
	39	43 Hindi
	40	1 Hindi
	40	4 Hindi
	40	9 Hindi
	40	10 Hindi
	40	14 Hindi
	40	17 Hindi
	40	18 Hindi
	40	20 Hindi
	40	24 Hindi
	40	29 Hindi
	40	30 Hindi
	40	34 Hindi
	40	35 Hindi

Chicago Precincts with Bilingual Judges		
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Ward	Precinct	Language
40	39	Hindi
42	3	Hindi
42	16	Hindi
42	41	Hindi
49	2	Hindi
49	7	Hindi
49	12	Hindi
49	17	Hindi
50	7	Hindi
50	10	Hindi
50	13	Hindi
50	17	Hindi
50	19	Hindi
50	20	Hindi
50	22	Hindi
50	23	Hindi
50	25	Hindi
50	26	Hindi
50	28	Hindi
50	29	Hindi
50	30	Hindi
50	31	Hindi
50	32	Hindi
50	35	Hindi
50	36	Hindi
50	37	Hindi
50	39	Hindi
1	1	Spanish
1	2	Spanish
1	3	Spanish
1	4	Spanish
1	5	Spanish
1	6	Spanish
1	7	Spanish
1	8	Spanish
1	9	Spanish
1	10	Spanish
1	11	Spanish
1	12	Spanish
1	13	Spanish
1	14	Spanish
1	15	Spanish
1	16	Spanish
1	17	Spanish
1	18	Spanish
1	19	Spanish
1	20	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
1	21	Spanish
1	22	Spanish
1	23	Spanish
1	24	Spanish
1	25	Spanish
1	26	Spanish
1	27	Spanish
1	28	Spanish
1	29	Spanish
1	30	Spanish
1	31	Spanish
1	32	Spanish
1	33	Spanish
1	34	Spanish
1	35	Spanish
1	37	Spanish
1	38	Spanish
1	39	Spanish
1	40	Spanish
1	41	Spanish
1	42	Spanish
1	43	Spanish
1	44	Spanish
2	1	Spanish
2	3	Spanish
2	4	Spanish
2	5	Spanish
2	6	Spanish
2	8	Spanish
2	20	Spanish
3	5	Spanish
3	10	Spanish
3	18	Spanish
3	23	Spanish
3	29	Spanish
3	35	Spanish
4	27	Spanish
5	11	Spanish
5	18	Spanish
5	20	Spanish
5	23	Spanish
7	25	Spanish
7	28	Spanish
7	30	Spanish
7	31	Spanish
7	45	Spanish
7	46	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
9	7	Spanish
9	28	Spanish
9	31	Spanish
9	37	Spanish
9	46	Spanish
10	1	Spanish
10	2	Spanish
10	3	Spanish
10	5	Spanish
10	6	Spanish
10	7	Spanish
10	8	Spanish
10	9	Spanish
10	10	Spanish
10	11	Spanish
10	12	Spanish
10	13	Spanish
10	14	Spanish
10	16	Spanish
10	17	Spanish
10	18	Spanish
10	19	Spanish
10	20	Spanish
10	21	Spanish
10	22	Spanish
10	23	Spanish
10	24	Spanish
10	26	Spanish
10	27	Spanish
10	28	Spanish
10	29	Spanish
10	30	Spanish
10	31	Spanish
10	32	Spanish
10	33	Spanish
10	34	Spanish
10	35	Spanish
10	36	Spanish
11	1	Spanish
11	3	Spanish
11	4	Spanish
11	5	Spanish
11	8	Spanish
11	9	Spanish
11	10	Spanish
11	11	Spanish
11	12	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
11	11	13 Spanish
11	11	15 Spanish
11	11	16 Spanish
11	11	17 Spanish
11	11	18 Spanish
11	11	19 Spanish
11	11	22 Spanish
11	11	25 Spanish
11	11	26 Spanish
11	11	28 Spanish
11	11	31 Spanish
11	11	32 Spanish
11	11	34 Spanish
11	11	35 Spanish
11	11	37 Spanish
11	11	38 Spanish
12	12	1 Spanish
12	12	2 Spanish
12	12	3 Spanish
12	12	4 Spanish
12	12	5 Spanish
12	12	6 Spanish
12	12	7 Spanish
12	12	8 Spanish
12	12	9 Spanish
12	12	10 Spanish
12	12	11 Spanish
12	12	12 Spanish
12	12	13 Spanish
12	12	14 Spanish
12	12	15 Spanish
12	12	16 Spanish
12	12	17 Spanish
12	12	18 Spanish
12	12	19 Spanish
12	12	20 Spanish
12	12	21 Spanish
12	12	22 Spanish
12	12	23 Spanish
12	12	24 Spanish
13	13	1 Spanish
13	13	2 Spanish
13	13	3 Spanish
13	13	4 Spanish
13	13	5 Spanish
13	13	6 Spanish
13	13	7 Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
13	8	Spanish
13	9	Spanish
13	10	Spanish
13	11	Spanish
13	12	Spanish
13	13	Spanish
13	14	Spanish
13	15	Spanish
13	16	Spanish
13	17	Spanish
13	18	Spanish
13	19	Spanish
13	20	Spanish
13	21	Spanish
13	22	Spanish
13	23	Spanish
13	24	Spanish
13	25	Spanish
13	26	Spanish
13	27	Spanish
13	28	Spanish
13	29	Spanish
13	30	Spanish
13	31	Spanish
13	32	Spanish
13	34	Spanish
13	35	Spanish
13	36	Spanish
13	37	Spanish
13	38	Spanish
13	39	Spanish
13	40	Spanish
13	41	Spanish
13	42	Spanish
13	43	Spanish
13	44	Spanish
13	45	Spanish
13	46	Spanish
13	47	Spanish
14	2	Spanish
14	3	Spanish
14	4	Spanish
14	5	Spanish
14	6	Spanish
14	7	Spanish
14	8	Spanish
14	9	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
14	10	Spanish
14	11	Spanish
14	12	Spanish
14	13	Spanish
14	14	Spanish
14	15	Spanish
14	16	Spanish
14	17	Spanish
14	18	Spanish
14	19	Spanish
14	20	Spanish
14	21	Spanish
14	22	Spanish
14	23	Spanish
14	24	Spanish
14	25	Spanish
14	26	Spanish
14	27	Spanish
14	28	Spanish
14	29	Spanish
15	1	Spanish
15	3	Spanish
15	4	Spanish
15	5	Spanish
15	6	Spanish
15	8	Spanish
15	9	Spanish
15	10	Spanish
15	11	Spanish
15	12	Spanish
15	13	Spanish
15	14	Spanish
15	15	Spanish
15	16	Spanish
15	19	Spanish
16	1	Spanish
16	2	Spanish
16	3	Spanish
16	4	Spanish
16	6	Spanish
16	7	Spanish
16	8	Spanish
16	10	Spanish
16	11	Spanish
16	12	Spanish
16	13	Spanish
16	17	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
16	18	Spanish
16	19	Spanish
16	21	Spanish
16	22	Spanish
16	23	Spanish
16	32	Spanish
16	35	Spanish
17	1	Spanish
17	6	Spanish
17	7	Spanish
17	12	Spanish
17	14	Spanish
17	16	Spanish
17	25	Spanish
17	30	Spanish
18	1	Spanish
18	2	Spanish
18	3	Spanish
18	6	Spanish
18	7	Spanish
18	8	Spanish
18	10	Spanish
18	11	Spanish
18	12	Spanish
18	13	Spanish
18	15	Spanish
18	17	Spanish
18	21	Spanish
18	23	Spanish
18	24	Spanish
18	25	Spanish
18	27	Spanish
18	28	Spanish
18	29	Spanish
18	30	Spanish
18	31	Spanish
18	35	Spanish
18	36	Spanish
18	37	Spanish
18	39	Spanish
18	40	Spanish
18	42	Spanish
18	43	Spanish
18	44	Spanish
18	45	Spanish
18	46	Spanish
18	47	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
18	49	Spanish
18	50	Spanish
19	32	Spanish
20	2	Spanish
20	4	Spanish
20	6	Spanish
20	15	Spanish
20	17	Spanish
20	20	Spanish
20	21	Spanish
20	38	Spanish
20	39	Spanish
22	2	Spanish
22	3	Spanish
22	4	Spanish
22	5	Spanish
22	6	Spanish
22	7	Spanish
22	8	Spanish
22	9	Spanish
22	10	Spanish
22	11	Spanish
22	12	Spanish
22	13	Spanish
22	14	Spanish
22	15	Spanish
22	16	Spanish
22	17	Spanish
22	18	Spanish
22	19	Spanish
22	20	Spanish
22	21	Spanish
22	22	Spanish
22	24	Spanish
22	25	Spanish
23	1	Spanish
23	2	Spanish
23	3	Spanish
23	4	Spanish
23	5	Spanish
23	6	Spanish
23	7	Spanish
23	8	Spanish
23	9	Spanish
23	10	Spanish
23	11	Spanish
23	12	Spanish

Chicago Precincts with Bilingual Judges		
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Ward	Precinct	Language
23	13	Spanish
23	14	Spanish
23	15	Spanish
23	17	Spanish
23	18	Spanish
23	19	Spanish
23	20	Spanish
23	22	Spanish
23	23	Spanish
23	24	Spanish
23	25	Spanish
23	26	Spanish
23	28	Spanish
23	29	Spanish
23	30	Spanish
23	31	Spanish
23	32	Spanish
23	33	Spanish
23	34	Spanish
23	35	Spanish
23	36	Spanish
23	37	Spanish
23	39	Spanish
24	7	Spanish
24	9	Spanish
24	16	Spanish
24	39	Spanish
24	41	Spanish
25	1	Spanish
25	2	Spanish
25	5	Spanish
25	7	Spanish
25	8	Spanish
25	9	Spanish
25	11	Spanish
25	12	Spanish
25	13	Spanish
25	14	Spanish
25	15	Spanish
25	17	Spanish
25	19	Spanish
25	22	Spanish
25	23	Spanish
25	24	Spanish
25	26	Spanish
25	27	Spanish
25	28	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
25	30	Spanish
25	32	Spanish
26	1	Spanish
26	2	Spanish
26	3	Spanish
26	4	Spanish
26	5	Spanish
26	6	Spanish
26	7	Spanish
26	8	Spanish
26	9	Spanish
26	10	Spanish
26	11	Spanish
26	12	Spanish
26	13	Spanish
26	14	Spanish
26	15	Spanish
26	16	Spanish
26	17	Spanish
26	18	Spanish
26	19	Spanish
26	20	Spanish
26	21	Spanish
26	22	Spanish
26	23	Spanish
26	24	Spanish
26	25	Spanish
26	26	Spanish
26	27	Spanish
26	28	Spanish
26	29	Spanish
26	30	Spanish
26	31	Spanish
26	32	Spanish
26	33	Spanish
26	34	Spanish
26	35	Spanish
26	36	Spanish
26	37	Spanish
26	38	Spanish
26	39	Spanish
26	40	Spanish
26	41	Spanish
26	42	Spanish
26	43	Spanish
26	44	Spanish
26	45	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
26	46	Spanish
26	47	Spanish
26	48	Spanish
26	49	Spanish
27	1	Spanish
27	3	Spanish
27	5	Spanish
27	7	Spanish
27	13	Spanish
27	19	Spanish
27	22	Spanish
27	24	Spanish
27	27	Spanish
27	28	Spanish
27	29	Spanish
27	33	Spanish
27	36	Spanish
27	40	Spanish
27	43	Spanish
27	48	Spanish
28	11	Spanish
28	19	Spanish
28	23	Spanish
28	34	Spanish
28	38	Spanish
29	1	Spanish
29	3	Spanish
29	6	Spanish
29	7	Spanish
29	9	Spanish
29	10	Spanish
29	15	Spanish
29	22	Spanish
29	23	Spanish
29	29	Spanish
29	30	Spanish
29	31	Spanish
29	32	Spanish
29	34	Spanish
29	36	Spanish
29	38	Spanish
29	39	Spanish
29	42	Spanish
29	43	Spanish
30	1	Spanish
30	2	Spanish
30	3	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
30	4	Spanish
30	5	Spanish
30	6	Spanish
30	7	Spanish
30	8	Spanish
30	9	Spanish
30	10	Spanish
30	11	Spanish
30	12	Spanish
30	13	Spanish
30	14	Spanish
30	15	Spanish
30	16	Spanish
30	17	Spanish
30	18	Spanish
30	19	Spanish
30	20	Spanish
30	21	Spanish
30	22	Spanish
30	23	Spanish
30	24	Spanish
30	25	Spanish
30	26	Spanish
30	27	Spanish
30	28	Spanish
30	29	Spanish
30	30	Spanish
30	31	Spanish
30	32	Spanish
31	1	Spanish
31	2	Spanish
31	3	Spanish
31	4	Spanish
31	5	Spanish
31	6	Spanish
31	7	Spanish
31	8	Spanish
31	9	Spanish
31	10	Spanish
31	11	Spanish
31	12	Spanish
31	13	Spanish
31	14	Spanish
31	15	Spanish
31	16	Spanish
31	17	Spanish
31	18	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
31	19	Spanish
31	20	Spanish
31	21	Spanish
31	22	Spanish
31	23	Spanish
31	24	Spanish
31	25	Spanish
31	26	Spanish
31	27	Spanish
31	28	Spanish
31	29	Spanish
31	30	Spanish
31	31	Spanish
31	32	Spanish
31	33	Spanish
31	34	Spanish
31	35	Spanish
31	36	Spanish
31	37	Spanish
31	38	Spanish
31	39	Spanish
31	40	Spanish
31	41	Spanish
32	1	Spanish
32	3	Spanish
32	4	Spanish
32	5	Spanish
32	6	Spanish
32	9	Spanish
32	11	Spanish
32	12	Spanish
32	14	Spanish
32	15	Spanish
32	16	Spanish
32	17	Spanish
32	19	Spanish
32	20	Spanish
32	22	Spanish
32	26	Spanish
32	29	Spanish
32	31	Spanish
32	32	Spanish
32	33	Spanish
32	34	Spanish
32	35	Spanish
32	37	Spanish
32	43	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
33	1	Spanish
33	2	Spanish
33	3	Spanish
33	4	Spanish
33	5	Spanish
33	6	Spanish
33	7	Spanish
33	8	Spanish
33	9	Spanish
33	10	Spanish
33	11	Spanish
33	12	Spanish
33	13	Spanish
33	14	Spanish
33	15	Spanish
33	16	Spanish
33	17	Spanish
33	18	Spanish
33	19	Spanish
33	20	Spanish
33	21	Spanish
33	22	Spanish
33	23	Spanish
33	24	Spanish
33	25	Spanish
33	26	Spanish
33	27	Spanish
33	28	Spanish
35	1	Spanish
35	2	Spanish
35	3	Spanish
35	4	Spanish
35	5	Spanish
35	6	Spanish
35	7	Spanish
35	8	Spanish
35	9	Spanish
35	10	Spanish
35	11	Spanish
35	12	Spanish
35	13	Spanish
35	14	Spanish
35	15	Spanish
35	16	Spanish
35	17	Spanish
35	18	Spanish
35	19	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
35	20	Spanish
35	21	Spanish
35	22	Spanish
35	23	Spanish
35	24	Spanish
35	25	Spanish
35	26	Spanish
35	27	Spanish
35	28	Spanish
35	29	Spanish
35	30	Spanish
35	31	Spanish
36	1	Spanish
36	2	Spanish
36	3	Spanish
36	4	Spanish
36	5	Spanish
36	6	Spanish
36	8	Spanish
36	9	Spanish
36	10	Spanish
36	11	Spanish
36	12	Spanish
36	13	Spanish
36	14	Spanish
36	15	Spanish
36	16	Spanish
36	17	Spanish
36	18	Spanish
36	19	Spanish
36	20	Spanish
36	21	Spanish
36	22	Spanish
36	23	Spanish
36	24	Spanish
36	25	Spanish
36	26	Spanish
36	27	Spanish
36	28	Spanish
36	29	Spanish
36	30	Spanish
37	2	Spanish
37	3	Spanish
37	4	Spanish
37	6	Spanish
37	7	Spanish
37	8	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
37	10	Spanish
37	12	Spanish
37	13	Spanish
37	14	Spanish
37	16	Spanish
37	19	Spanish
37	21	Spanish
37	22	Spanish
37	24	Spanish
37	26	Spanish
37	27	Spanish
37	28	Spanish
37	30	Spanish
37	41	Spanish
38	2	Spanish
38	3	Spanish
38	4	Spanish
38	5	Spanish
38	6	Spanish
38	7	Spanish
38	8	Spanish
38	9	Spanish
38	11	Spanish
38	12	Spanish
38	14	Spanish
38	15	Spanish
38	16	Spanish
38	18	Spanish
38	19	Spanish
38	20	Spanish
38	21	Spanish
38	23	Spanish
38	26	Spanish
38	30	Spanish
38	33	Spanish
38	34	Spanish
38	35	Spanish
38	36	Spanish
38	37	Spanish
38	38	Spanish
38	39	Spanish
38	40	Spanish
39	3	Spanish
39	5	Spanish
39	6	Spanish
39	7	Spanish
39	8	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
39	9	Spanish
39	10	Spanish
39	11	Spanish
39	12	Spanish
39	13	Spanish
39	14	Spanish
39	16	Spanish
39	17	Spanish
39	18	Spanish
39	19	Spanish
39	22	Spanish
39	28	Spanish
39	29	Spanish
39	30	Spanish
39	31	Spanish
39	33	Spanish
39	35	Spanish
40	1	Spanish
40	2	Spanish
40	3	Spanish
40	4	Spanish
40	5	Spanish
40	6	Spanish
40	7	Spanish
40	8	Spanish
40	9	Spanish
40	10	Spanish
40	11	Spanish
40	12	Spanish
40	13	Spanish
40	14	Spanish
40	15	Spanish
40	16	Spanish
40	18	Spanish
40	19	Spanish
40	20	Spanish
40	21	Spanish
40	22	Spanish
40	23	Spanish
40	24	Spanish
40	25	Spanish
40	27	Spanish
40	28	Spanish
40	29	Spanish
40	30	Spanish
40	32	Spanish
40	33	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
40	34	Spanish
40	35	Spanish
40	36	Spanish
40	37	Spanish
40	38	Spanish
40	39	Spanish
41	11	Spanish
41	16	Spanish
41	21	Spanish
41	22	Spanish
41	27	Spanish
41	32	Spanish
41	35	Spanish
45	1	Spanish
45	2	Spanish
45	3	Spanish
45	5	Spanish
45	7	Spanish
45	8	Spanish
45	9	Spanish
45	10	Spanish
45	11	Spanish
45	12	Spanish
45	13	Spanish
45	14	Spanish
45	15	Spanish
45	16	Spanish
45	17	Spanish
45	30	Spanish
45	33	Spanish
45	34	Spanish
45	35	Spanish
45	36	Spanish
45	37	Spanish
45	38	Spanish
46	1	Spanish
46	4	Spanish
46	5	Spanish
46	6	Spanish
46	8	Spanish
46	9	Spanish
46	10	Spanish
46	11	Spanish
46	14	Spanish
46	20	Spanish
46	21	Spanish
46	22	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
46	23	Spanish
46	26	Spanish
46	27	Spanish
46	29	Spanish
46	32	Spanish
46	34	Spanish
46	35	Spanish
46	38	Spanish
47	3	Spanish
47	5	Spanish
47	8	Spanish
47	9	Spanish
47	10	Spanish
47	12	Spanish
47	13	Spanish
47	14	Spanish
47	15	Spanish
47	17	Spanish
47	18	Spanish
47	19	Spanish
47	20	Spanish
47	22	Spanish
47	23	Spanish
47	24	Spanish
47	25	Spanish
47	26	Spanish
47	28	Spanish
47	30	Spanish
47	31	Spanish
47	32	Spanish
47	34	Spanish
47	35	Spanish
47	36	Spanish
47	38	Spanish
47	39	Spanish
47	40	Spanish
47	41	Spanish
47	42	Spanish
47	45	Spanish
47	46	Spanish
47	48	Spanish
48	1	Spanish
48	20	Spanish
48	25	Spanish
48	30	Spanish
48	31	Spanish
48	32	Spanish

Chicago Precincts with Bilingual Judges		
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.		
Ward	Precinct	Language
48	34	Spanish
48	37	Spanish
48	38	Spanish
48	40	Spanish
48	42	Spanish
48	44	Spanish
48	45	Spanish
49	1	Spanish
49	2	Spanish
49	3	Spanish
49	4	Spanish
49	5	Spanish
49	6	Spanish
49	10	Spanish
49	11	Spanish
49	13	Spanish
49	14	Spanish
49	15	Spanish
49	16	Spanish
49	18	Spanish
49	19	Spanish
49	20	Spanish
49	22	Spanish
49	23	Spanish
49	24	Spanish
49	28	Spanish
49	30	Spanish
49	32	Spanish
49	33	Spanish
50	6	Spanish
50	10	Spanish
50	13	Spanish
50	15	Spanish
50	17	Spanish
50	19	Spanish
50	20	Spanish
50	21	Spanish
50	22	Spanish
50	23	Spanish
50	26	Spanish
50	28	Spanish
50	29	Spanish
50	30	Spanish
50	31	Spanish
50	32	Spanish
50	34	Spanish
50	36	Spanish

Chicago Precincts with Bilingual Judges

Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where the Chicago Board of Election Commissioners will station bilingual judges.

Ward	Precinct	Language
	50	39 Spanish
	50	40 Spanish

Cook County Precincts with Bilingual Judges		
<p>Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where Cook County will station bilingual judges.</p>		
<p>The first two numbers in the precinct codes below correspond to the township, and the remaining numbers correspond to the precinct. The pink boxes on the right provide the numeric code for each township.</p>		<p>The locations of all polling places in Cook County is searchable here.</p>
Precinct	Language	
8300008	Chinese	70-Barrington
8300009	Chinese	71-Bloom
8300023	Chinese	72-Bremen
8300028	Chinese	73-Calumet
8300037	Chinese	74-Elk Grove
8300045	Chinese	75-Evanston
7400017	Hindi	76-Hanover
7400018	Hindi	77-Lemont
7600019	Hindi	78-Leyden
8000015	Hindi	79-Lyons
8000033	Hindi	80-Maine
8000040	Hindi	81-New Trier
8000057	Hindi	82-Niles
8000070	Hindi	83-Northfield
8000071	Hindi	84-Norwood Park
8000090	Hindi	85-Oak Park
8200003	Hindi	86-Orland
8200007	Hindi	87-Palatine
8200030	Hindi	88-Palos
8200032	Hindi	89-Proviso
8200038	Hindi	90-Rich
8200046	Hindi	91-River Forest
8200050	Hindi	92-Riverside
8200052	Hindi	93-Schaumburg
8200060	Hindi	94-Stickney
8200062	Hindi	95-Thornton
9300018	Hindi	96-Wheeling
9300027	Hindi	97-Worth
9300031	Hindi	98-Cicero
9300035	Hindi	99-Berwyn
9300043	Hindi	
9300044	Hindi	
9300045	Hindi	
7400004	Hindi/ Spanish	
7400015	Hindi/ Spanish	

Cook County Precincts with Bilingual Judges

Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where Cook County will station bilingual judges.

The first two numbers in the precinct codes below correspond to the township, and the remaining numbers correspond to the precinct. The pink boxes on the right provide the numeric code for each township.

[The locations of all polling places in Cook County is searchable here.](#)

Precinct	Language	
7400024	Hindi/ Spanish	
7400031	Hindi/ Spanish	
7400036	Hindi/ Spanish	
7400038	Hindi/ Spanish	
7400049	Hindi/ Spanish	
7600024	Hindi/ Spanish	
8000001	Hindi/ Spanish	
8000002	Hindi/ Spanish	
8000005	Hindi/ Spanish	
8000008	Hindi/ Spanish	
8000023	Hindi/ Spanish	
8000028	Hindi/ Spanish	
8000045	Hindi/ Spanish	
8000051	Hindi/ Spanish	
8000056	Hindi/ Spanish	
8000066	Hindi/ Spanish	
8000073	Hindi/ Spanish	
8000078	Hindi/ Spanish	
8000081	Hindi/ Spanish	
8000084	Hindi/ Spanish	
8000089	Hindi/ Spanish	
8000092	Hindi/ Spanish	
9300001	Hindi/ Spanish	
9300004	Hindi/ Spanish	
9300005	Hindi/ Spanish	
9300006	Hindi/ Spanish	
9300007	Hindi/ Spanish	
9300008	Hindi/ Spanish	
9300009	Hindi/ Spanish	
9300012	Hindi/ Spanish	
9300015	Hindi/ Spanish	
9300022	Hindi/ Spanish	
9300029	Hindi/ Spanish	
9300030	Hindi/ Spanish	
9300034	Hindi/ Spanish	
9300038	Hindi/ Spanish	
9300039	Hindi/ Spanish	
9300042	Hindi/ Spanish	
9300049	Hindi/ Spanish	
9300051	Hindi/ Spanish	

Cook County Precincts with Bilingual Judges		
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<p>The first two numbers in the precinct codes below correspond to the township, and the remaining numbers correspond to the precinct. The pink boxes on the right provide the numeric code for each township.</p>		<p>The locations of all polling places in Cook County is searchable here.</p>
Precinct	Language	
9300058	Hindi/ Spanish	
9300060	Hindi/ Spanish	
9300068	Hindi/ Spanish	
9300071	Hindi/ Spanish	
9300077	Hindi/ Spanish	
9300078	Hindi/ Spanish	
7100001	Spanish	
7100004	Spanish	
7100009	Spanish	
7100012	Spanish	
7100025	Spanish	
7100028	Spanish	
7100031	Spanish	
7100035	Spanish	
7100042	Spanish	
7100046	Spanish	
7100050	Spanish	
7100051	Spanish	
7100054	Spanish	
7100056	Spanish	
7100057	Spanish	
7100059	Spanish	
7100061	Spanish	
7200006	Spanish	
7200009	Spanish	
7200012	Spanish	
7200014	Spanish	
7200015	Spanish	
7200021	Spanish	
7200034	Spanish	
7200041	Spanish	
7200043	Spanish	
7200044	Spanish	
7200045	Spanish	
7200052	Spanish	
7200055	Spanish	
7200073	Spanish	
7300001	Spanish	
7300002	Spanish	
7300003	Spanish	

Cook County Precincts with Bilingual Judges		
<p>Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where Cook County will station bilingual judges.</p>		
<p>The first two numbers in the precinct codes below correspond to the township, and the remaining numbers correspond to the precinct. The pink boxes on the right provide the numeric code for each township.</p>		<p>The locations of all polling places in Cook County is searchable here.</p>
Precinct	Language	
7300006	Spanish	
7300007	Spanish	
7300008	Spanish	
7400006	Spanish	
7400008	Spanish	
7400021	Spanish	
7400022	Spanish	
7400026	Spanish	
7400028	Spanish	
7400032	Spanish	
7400035	Spanish	
7400039	Spanish	
7400041	Spanish	
7400042	Spanish	
7400044	Spanish	
7400048	Spanish	
7400050	Spanish	
7400052	Spanish	
7502002	Spanish	
7502003	Spanish	
7502004	Spanish	
7504004	Spanish	
7504005	Spanish	
7505001	Spanish	
7505003	Spanish	
7505004	Spanish	
7508002	Spanish	
7508003	Spanish	
7508004	Spanish	
7508005	Spanish	
7600002	Spanish	
7600003	Spanish	
7600004	Spanish	
7600005	Spanish	
7600006	Spanish	
7600007	Spanish	
7600008	Spanish	
7600010	Spanish	
7600011	Spanish	
7600012	Spanish	

Cook County Precincts with Bilingual Judges

Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where Cook County will station bilingual judges.

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[The locations of all polling places in Cook County is searchable here.](#)

Precinct	Language	
7600013	Spanish	
7600014	Spanish	
7600015	Spanish	
7600017	Spanish	
7600018	Spanish	
7600020	Spanish	
7600021	Spanish	
7600022	Spanish	
7600023	Spanish	
7600025	Spanish	
7600027	Spanish	
7600029	Spanish	
7600030	Spanish	
7600032	Spanish	
7600033	Spanish	
7600034	Spanish	
7600035	Spanish	
7600037	Spanish	
7600040	Spanish	
7600041	Spanish	
7600044	Spanish	
7800001	Spanish	
7800002	Spanish	
7800004	Spanish	
7800005	Spanish	
7800006	Spanish	
7800007	Spanish	
7800008	Spanish	
7800009	Spanish	
7800010	Spanish	
7800013	Spanish	
7800014	Spanish	
7800015	Spanish	
7800016	Spanish	
7800017	Spanish	
7800018	Spanish	
7800020	Spanish	
7800021	Spanish	
7800024	Spanish	
7800025	Spanish	

Cook County Precincts with Bilingual Judges		
<p>Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where Cook County will station bilingual judges.</p>		
<p>The first two numbers in the precinct codes below correspond to the township, and the remaining numbers correspond to the precinct. The pink boxes on the right provide the numeric code for each township.</p>		<p>The locations of all polling places in Cook County is searchable here.</p>
Precinct	Language	
7800027	Spanish	
7800028	Spanish	
7800029	Spanish	
7800030	Spanish	
7800031	Spanish	
7800032	Spanish	
7800033	Spanish	
7800035	Spanish	
7800036	Spanish	
7800040	Spanish	
7800041	Spanish	
7800043	Spanish	
7800044	Spanish	
7800045	Spanish	
7800046	Spanish	
7800047	Spanish	
7800048	Spanish	
7900001	Spanish	
7900003	Spanish	
7900010	Spanish	
7900019	Spanish	
7900022	Spanish	
7900025	Spanish	
7900030	Spanish	
7900037	Spanish	
7900047	Spanish	
7900049	Spanish	
7900053	Spanish	
7900056	Spanish	
7900057	Spanish	
7900059	Spanish	
7900060	Spanish	
7900064	Spanish	
7900066	Spanish	
7900076	Spanish	
8000006	Spanish	
8000009	Spanish	
8000018	Spanish	
8000034	Spanish	
8000041	Spanish	

Cook County Precincts with Bilingual Judges		
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<p>The first two numbers in the precinct codes below correspond to the township, and the remaining numbers correspond to the precinct. The pink boxes on the right provide the numeric code for each township.</p>		<p>The locations of all polling places in Cook County is searchable here.</p>
Precinct	Language	
8000047	Spanish	
8000048	Spanish	
8000049	Spanish	
8000053	Spanish	
8000061	Spanish	
8000079	Spanish	
8000086	Spanish	
8200017	Spanish	
8200024	Spanish	
8200055	Spanish	
8300001	Spanish	
8300004	Spanish	
8300042	Spanish	
8300052	Spanish	
8300056	Spanish	
8600001	Spanish	
8600007	Spanish	
8600009	Spanish	
8600031	Spanish	
8600038	Spanish	
8600064	Spanish	
8700001	Spanish	
8700002	Spanish	
8700004	Spanish	
8700006	Spanish	
8700014	Spanish	
8700016	Spanish	
8700032	Spanish	
8700035	Spanish	
8700042	Spanish	
8700056	Spanish	
8700057	Spanish	
8700058	Spanish	
8700060	Spanish	
8700064	Spanish	
8700066	Spanish	
8700069	Spanish	
8900001	Spanish	
8900002	Spanish	
8900003	Spanish	

Cook County Precincts with Bilingual Judges		
<p>Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where Cook County will station bilingual judges.</p>		
<p>The first two numbers in the precinct codes below correspond to the township, and the remaining numbers correspond to the precinct. The pink boxes on the right provide the numeric code for each township.</p>		<p>The locations of all polling places in Cook County is searchable here.</p>
Precinct	Language	
8900007	Spanish	
8900009	Spanish	
8900010	Spanish	
8900011	Spanish	
8900012	Spanish	
8900013	Spanish	
8900014	Spanish	
8900015	Spanish	
8900016	Spanish	
8900017	Spanish	
8900018	Spanish	
8900019	Spanish	
8900020	Spanish	
8900022	Spanish	
8900030	Spanish	
8900031	Spanish	
8900039	Spanish	
8900041	Spanish	
8900045	Spanish	
8900047	Spanish	
8900048	Spanish	
8900049	Spanish	
8900050	Spanish	
8900051	Spanish	
8900052	Spanish	
8900053	Spanish	
8900057	Spanish	
8900059	Spanish	
8900060	Spanish	
8900064	Spanish	
8900069	Spanish	
8900071	Spanish	
8900078	Spanish	
8900080	Spanish	
8900082	Spanish	
8900083	Spanish	
8900085	Spanish	
8900087	Spanish	
8900088	Spanish	
8900091	Spanish	

Cook County Precincts with Bilingual Judges

Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where Cook County will station bilingual judges.

The first two numbers in the precinct codes below correspond to the township, and the remaining numbers correspond to the precinct. The pink boxes on the right provide the numeric code for each township.

[The locations of all polling places in Cook County is searchable here.](#)

Precinct	Language	
8900092	Spanish	
8900094	Spanish	
8900095	Spanish	
8900098	Spanish	
8900099	Spanish	
8900100	Spanish	
8900101	Spanish	
9200001	Spanish	
9200002	Spanish	
9200003	Spanish	
9200004	Spanish	
9200005	Spanish	
9200006	Spanish	
9200007	Spanish	
9200012	Spanish	
9200013	Spanish	
9300002	Spanish	
9300003	Spanish	
9300013	Spanish	
9300014	Spanish	
9300020	Spanish	
9300023	Spanish	
9300024	Spanish	
9300028	Spanish	
9300032	Spanish	
9300036	Spanish	
9300040	Spanish	
9300041	Spanish	
9300046	Spanish	
9300050	Spanish	
9300053	Spanish	
9300061	Spanish	
9300063	Spanish	
9300065	Spanish	
9300072	Spanish	
9400001	Spanish	
9400002	Spanish	
9400003	Spanish	
9400004	Spanish	
9400005	Spanish	

Cook County Precincts with Bilingual Judges		
<p>Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where Cook County will station bilingual judges.</p>		
<p>The first two numbers in the precinct codes below correspond to the township, and the remaining numbers correspond to the precinct. The pink boxes on the right provide the numeric code for each township.</p>		<p>The locations of all polling places in Cook County is searchable here.</p>
Precinct	Language	
9400006	Spanish	
9400007	Spanish	
9400009	Spanish	
9400010	Spanish	
9400011	Spanish	
9400012	Spanish	
9400014	Spanish	
9400015	Spanish	
9400016	Spanish	
9400017	Spanish	
9400019	Spanish	
9400020	Spanish	
9500001	Spanish	
9500002	Spanish	
9500003	Spanish	
9500004	Spanish	
9500005	Spanish	
9500010	Spanish	
9500011	Spanish	
9500012	Spanish	
9500014	Spanish	
9500030	Spanish	
9500031	Spanish	
9500032	Spanish	
9500039	Spanish	
9500041	Spanish	
9500042	Spanish	
9500048	Spanish	
9500049	Spanish	
9500050	Spanish	
9500053	Spanish	
9500062	Spanish	
9500068	Spanish	
9500078	Spanish	
9500085	Spanish	
9500094	Spanish	
9500097	Spanish	
9500099	Spanish	
9500112	Spanish	
9500114	Spanish	

Cook County Precincts with Bilingual Judges		
<p>Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where Cook County will station bilingual judges.</p>		
<p>The first two numbers in the precinct codes below correspond to the township, and the remaining numbers correspond to the precinct. The pink boxes on the right provide the numeric code for each township.</p>		<p>The locations of all polling places in Cook County is searchable here.</p>
Precinct	Language	
9500116	Spanish	
9500123	Spanish	
9600001	Spanish	
9600004	Spanish	
9600005	Spanish	
9600009	Spanish	
9600016	Spanish	
9600022	Spanish	
9600029	Spanish	
9600031	Spanish	
9600033	Spanish	
9600037	Spanish	
9600047	Spanish	
9600048	Spanish	
9600049	Spanish	
9600050	Spanish	
9600056	Spanish	
9600064	Spanish	
9600065	Spanish	
9600067	Spanish	
9600069	Spanish	
9600074	Spanish	
9600076	Spanish	
9600077	Spanish	
9600080	Spanish	
9600084	Spanish	
9600088	Spanish	
9600089	Spanish	
9700014	Spanish	
9700017	Spanish	
9700019	Spanish	
9700020	Spanish	
9700024	Spanish	
9700036	Spanish	
9700040	Spanish	
9700043	Spanish	
9700048	Spanish	
9700068	Spanish	
9700096	Spanish	
9800001	Spanish	

Cook County Precincts with Bilingual Judges		
<p>Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where Cook County will station bilingual judges.</p>		
<p>The first two numbers in the precinct codes below correspond to the township, and the remaining numbers correspond to the precinct. The pink boxes on the right provide the numeric code for each township.</p>		<p>The locations of all polling places in Cook County is searchable here.</p>
Precinct	Language	
9800002	Spanish	
9800003	Spanish	
9800004	Spanish	
9800005	Spanish	
9800006	Spanish	
9800007	Spanish	
9800008	Spanish	
9800009	Spanish	
9800010	Spanish	
9800011	Spanish	
9800012	Spanish	
9800013	Spanish	
9800014	Spanish	
9800015	Spanish	
9800016	Spanish	
9800017	Spanish	
9800018	Spanish	
9800019	Spanish	
9800020	Spanish	
9800021	Spanish	
9800022	Spanish	
9800023	Spanish	
9800024	Spanish	
9800025	Spanish	
9800026	Spanish	
9800027	Spanish	
9800028	Spanish	
9800029	Spanish	
9800030	Spanish	
9800031	Spanish	
9800032	Spanish	
9901002	Spanish	
9901003	Spanish	
9902001	Spanish	
9902002	Spanish	
9902003	Spanish	
9902004	Spanish	
9903001	Spanish	
9903002	Spanish	
9903003	Spanish	

Cook County Precincts with Bilingual Judges		
<p>Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where Cook County will station bilingual judges.</p>		
<p>The first two numbers in the precinct codes below correspond to the township, and the remaining numbers correspond to the precinct. The pink boxes on the right provide the numeric code for each township.</p>		<p>The locations of all polling places in Cook County is searchable here.</p>
Precinct	Language	
9903004	Spanish	
9904001	Spanish	
9904002	Spanish	
9904003	Spanish	
9904004	Spanish	
9905001	Spanish	
9905002	Spanish	
9905003	Spanish	
9906001	Spanish	
9906002	Spanish	
9906003	Spanish	
9906004	Spanish	
9907001	Spanish	
9907002	Spanish	
9907003	Spanish	
9907004	Spanish	
9908001	Spanish	
9908002	Spanish	
9908003	Spanish	

DuPage County Polling Places with Bilingual Election Judges					DuPage County only provides language assistance in Spanish.
The following polling places have multiple precincts. DuPage has not indicated in which precincts the bilingual judges will be located. DuPage is no longer covered under Section 203 of the Voting Rights Act, which requires bilingual election resources, but the county is providing them voluntarily.					
Poll Name	Address	City	Total Judges	Bilingual Judges	
Addison Links & Tees Golf Facility	950 W Lake St	Addison	8	2	
Lutheran Church of the Master	580 Kuhn Rd	Carol Stream	6	2	
St John Lutheran Church	7214 Cass Ave	Darien	9	2	
Marquette Manor Baptist Church	333 75th St	Downers Grove	7	2	
Historic Log Cabin	1600 S Main St	Lombard	6	2	
The Oak Brook Club	1 Oak Brook Club Dr	Oak Brook	4	2	
Oak Brook Golf Club	2606 York Rd	Oak Brook	6	3	
Wegner School	1180 Marcella Ln	West Chicago	7	3	
Leman Middle School	238 E Hazel St	West Chicago	9	2	
Westmont Community Center	75 E Richmond St	Westmont	7	2	
Hinsdale Lake Terrace Apartments	16w610 Honeysuckle Rose Ln	Willowbrook	7	2	

Kane County Precincts with Bilingual Judges		
Township	Precinct	
Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the precincts where Kane County will station bilingual judges.		Kane County is only required to provide language assistance in Spanish.
Aurora	2	
Blackberry	2	
Elgin	2	
Geneva	2	
St. Charles	2	
Sugar Grove	2	
Aurora	3	
Blackberry	3	
Elgin	3	
Aurora	4	
Dundee	4	
Elgin	4	
Aurora	5	
Dundee	5	
Elgin	5	
St. Charles	5	
Aurora	6	
Dundee	6	
Elgin	6	
Dundee	7	
Elgin	7	
Dundee	8	
Elgin	8	
Aurora	9	
Dundee	9	
Elgin	9	
St. Charles	9	
Dundee	10	
Elgin	10	
Aurora	11	
Dundee	11	
Elgin	11	
Aurora	12	
Dundee	12	
Dundee	13	
Elgin	13	
Dundee	14	
Elgin	14	
Dundee	15	

Kane County Precincts with Bilingual Judges		Kane County is only required to provide language assistance in Spanish.
Township	Precinct	
	15	
	17	
	18	
	18	
	19	
	19	
	20	
	20	
	21	
	21	
	22	
	22	
	22	
	23	
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	32	
	32	
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	34	
	34	
	35	
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	40	
	42	
	47	
	52	
	58	
	59	

<p>Lake County Polling Places with Bilingual Election Judges Under Section 203 of the Voting Rights Act, certain jurisdictions must provide bilingual written materials and bilingual judges. The information below details the polling places where Lake County will station bilingual judges.</p>	<p>Lake County is only required to provide language assistance in Spanish.</p>
<p>Polling Place</p>	
<p>Beach Haven Tower - RLB</p>	
<p>RLB Cultural Civic Center - RLB</p>	
<p>Calvary Presbyterian Church - Round Lake</p>	
<p>Round Lake Park Village Hall - RLP</p>	
<p>North Point Christian Church - Winthrop Harbor</p>	
<p>Kenneth Murphy Elem School - Beach Park</p>	
<p>The Chapel - Grayslake</p>	
<p>Fremont Public Library - Mundelein</p>	
<p>Community Protestant Church - Mundelein</p>	
<p>Highwood Rec Center - Highwood</p>	
<p>Foss Park Dist. Community Center - North Chicago</p>	
<p>Bonnie Brook Golf Club - Waukegan</p>	
<p>John S. Clark Elem School - Waukegan</p>	
<p>Oakdale Elem School - Waukegan</p>	
<p>St. John's United Church of Christ - Waukegan</p>	
<p>Grace Life Christian Church - Waukegan</p>	
<p>Jane Adams Center</p>	
<p>Living Faith United Methodist Church - Waukegan</p>	
<p>Robert Abbott Middle School - Waukegan</p>	
<p>Park Place - Waukegan</p>	
<p>Lyon Magnet Schhl - Waukegan</p>	
<p>Jesus Name Apostolic church - Waukegan</p>	
<p>Zion Park Dist Leisure Center - Zion</p>	

THE COST (SAVINGS) OF REFORM:

An Analysis of Local
Registration-Related Costs
and Potential Savings Through
Automatic Voter Registration

DOUG CHAPIN AND DAVID KUENNEN

INTRODUCTION

Few election policy issues have captured more recent attention at the state and local level than voter registration. Across the nation, legislatures and local election offices are transitioning to a greater use of technology to assist voters with creating and updating their registration records – whether via portals for online voter registration (OVR) or programs, known as automatic or automated voter registration (AVR), whereby eligible voters are added to the rolls based on motor vehicle or other government data. The trend follows a strong endorsement for registration reform by the Presidential Commission on Election Administration – and in several states has emerged as a bipartisan compromise aimed at both expanding voter rolls and making them more reliable and secure.

Typically, however, these issues are framed in the context of whether they will increase participation and/or create issues regarding the integrity of the voter rolls. Often lost in the discussion is any recognition of the fiscal impacts of registration reform; namely, the degree to which moving away from a predominantly paper-based registration system could result in reduced costs for state and local election offices.

To that end, we constructed and fielded a simple survey, intended to assess what the current landscape looks like for local election offices regarding costs for voter registration. The results suggest that while costs vary from jurisdiction to jurisdiction, the data is consistent with arguments that, in addition to other benefits like making elections more secure, moving away from paper-based registration is a reform that can save states and municipalities resources.

METHODOLOGY

After reviewing previous studies of voter registration and consulting with election officials across the nation, we built a simple survey using Google Forms with the following questions related to paper-based voter registration costs in 2016:

- How many registrations did you process in 2016?
- What were your costs for (full-time) staff related to data entry of paper registration forms?
- What were your costs for staff time, postage and paper needed to follow up on missing information or errors on registration forms?
- What were your costs for paper registration forms (layout, printing, etc.)?
- What were your costs for temporary workers and overtime pay for additional voter registration data entry and other duties close to Election Day?
- What were your costs related to issuing, counting and notifying voters about provisional ballots necessitated by registration issues?
- What were your costs for duplicate mailings related to duplicate registration entries?
- What were your postage costs associated with forwarding registration forms to the proper recipient (Secretary of State, neighboring jurisdiction, etc.)?

The survey was sent to 420 recipients representing localities in 49 states and the District of Columbia.¹ Using Election Assistance Commission data from the Election Administration and Voting Survey, the pool was chosen from jurisdictions with the largest, median and smallest number of registered voters in each state (“largest 3,” “median 3,” smallest 3”) and was compared to data on demographics and other characteristics (e.g. minority-language designation under Section 203 of the Voting Rights Act and Census data on race and ethnicity) to ensure that it was a generally representative list of jurisdictions.²

Targeted jurisdictions received the initial survey invitation, along with three follow-up emails seeking and encouraging their responses. To encourage responses from a larger number of states, some jurisdictions received follow-up phone calls as well. Ultimately, we received 66 responses from 34 states broken down as follows:

- 25 from “largest 3” jurisdictions
- 19 from “median 3” jurisdictions
- 22 from “smallest 3” or “smallest with at least 1k or 2k” jurisdictions

Many jurisdictions simply did not respond to the survey, and three declined to participate.

Detailed analysis of these responses is provided below.

¹ North Dakota was excluded as it does not maintain voter registration rolls.

² In 16 states with very small jurisdictions (i.e. where the smallest jurisdictions had less than 1,000 registered voters), we sent surveys to additional jurisdictions with at least 1,000 and 2,000 registered voters. The very smallest jurisdictions (i.e. those with less than 500 registered voters) in those states were excluded altogether.

A NOTE ON COVERAGE AND COMPREHENSIVENESS

A constant challenge in any effort to survey the field for election costs is the lack of any common “chart of accounts” that makes comparisons difficult. Consequently, many of the respondents informed us either that they did not track registration costs at all or that there was no way to break out the categories included in the survey response.

In addition, the wide variation in data policies across the nation made obtaining data difficult in some jurisdictions.

A few localities treated our survey as a request for public records requiring a formal application and/or a fee.³ Any such request was treated as “declined to respond.”

For that reason, one cannot treat the following figures as a reliable estimate of costs in all jurisdictions but rather as a snapshot of certain jurisdictions that can provide background for discussions about the costs and benefits of registration reforms.

SUMMARY OF COSTS - OVERALL

OVERALL	Minimum	Maximum	Range	Median	Mean	Standard Deviation
How many registrations did you process in 2016?	2	564,232	564,230	8,492	65,321.3	109,755.0
What were your costs for (full-time) staff related to data entry of paper registration forms?	\$0.00	\$857,524.41	\$857,524.41	\$26,995.75	\$113,445.64	\$196,615.79
Per unit cost	\$0.0000	\$31.3391	\$31.3391	\$1.9103	\$3.5378	\$5.7436
What were your costs for staff time postage and paper needed to follow up on missing information or errors on registration forms?	\$0.00	\$93,000.00	\$93,000.00	\$1,000.00	\$10,076.84	\$22,475.08
Per unit cost	\$0.00	\$5.00	\$5.00	\$0.06	\$0.51	\$1.09
What were your costs for paper registration forms (layout printing etc.)?	\$0.00	\$55,500.00	\$55,500.00	\$0.00	\$1,432.11	\$8,043.70
Per unit cost	\$0.0000	\$1.1100	\$1.1100	\$0.0000	\$0.0604	\$0.1922
What were your costs for temporary workers and overtime pay for additional voter registration data entry and other duties close to Election Day?	\$0.00	\$263,000.00	\$263,000.00	\$2,000.00	\$33,514.62	\$60,345.00
Per unit cost	\$0.0000	\$8.0000	\$8.0000	\$0.0763	\$0.6709	\$1.4282
What were your costs related to issuing counting and notifying voters about provisional ballots necessitated by registration issues?	\$0.00	\$450,137.00	\$450,137.00	\$0.00	\$12,740.55	\$71,953.83
What were your costs for duplicate mailings related to duplicate registration entries?	\$0.00	\$20,520.00	\$20,520.00	\$0.00	\$1,182.71	\$4,052.94
What were your postage costs associated with forwarding registration forms to proper recipient (Secretary of State neighboring jurisdiction etc.)?	\$0.00	\$88,916.00	\$88,916.00	\$20.00	\$3,113.84	\$14,783.69

³ One jurisdiction even estimated that the request would take 8 hours to fulfill at a total cost of over \$100.

“LARGEST 3” JURISDICTIONS IN EACH STATE

“LARGEST 3” JURISDICTIONS (25)	Minimum	Maximum	Range	Median	Mean	Standard Deviation
How many registrations did you process in 2016?	6,063	564,232	558,169	95,412	150,287.0	131,146.1
What were your costs for (full-time) staff related to data entry of paper registration forms?	\$0.00	\$857,524.41	\$857,524.41	\$140,000.00	\$229,783.26	\$252,826.32
Per unit cost	\$0.0000	\$9.2374	\$9.2374	\$0.7696	\$2.3577	\$2.8086
What were your costs for staff time postage and paper needed to follow up on missing information or errors on registration forms?	\$296.00	\$93,000.00	\$92,704.00	\$10,000.00	\$26,893.91	\$32,084.30
Per unit cost	\$0.0065	\$1.2690	\$1.2624	\$0.0736	\$0.3193	\$0.4309
What were your costs for paper registration forms (layout printing etc.)?	\$0.00	\$55,500.00	\$55,500.00	\$0.00	\$3,777.03	\$13,426.47
Per unit cost	\$0.0000	\$1.1100	\$1.1100	\$0.0000	\$0.0760	\$0.2765
What were your costs for temporary workers and overtime pay for additional voter registration data entry and other duties close to Election Day?	\$0.00	\$263,000.00	\$263,000.00	\$63,000.00	\$82,259.85	\$75,611.43
Per unit cost	\$0.0000	\$4.6667	\$4.6667	\$0.4899	\$0.7758	\$1.0425
What were your costs related to issuing counting and notifying voters about provisional ballots necessitated by registration issues?	\$0.00	\$450,137.00	\$450,137.00	\$359.00	\$27,173.41	\$105,649.33
What were your costs for duplicate mailings related to duplicate registration entries?	\$0.00	\$20,520.00	\$20,520.00	\$0.00	\$3,073.10	\$6,412.28
What were your postage costs associated with forwarding registration forms to proper recipient (Secretary of State neighboring jurisdiction etc.)?	\$0.00	\$88,916.00	\$88,916.00	\$800.00	\$7,370.15	\$22,650.66

“MEDIAN 3” JURISDICTIONS IN EACH STATE

“MEDIAN 3” JURISDICTIONS (19)	Minimum	Maximum	Range	Median	Mean	Standard Deviation
How many registrations did you process in 2016?	2	41,876	41,874	5,018	10,678.4	14,252.2
What were your costs for (full-time) staff related to data entry of paper registration forms?	\$0.00	\$57,742.00	\$57,742.00	\$15,958.00	\$23,153.80	\$22,230.76
Per unit cost	\$0.0000	\$31.3391	\$31.3391	\$1.5943	\$5.1325	\$9.2353
What were your costs for staff time postage and paper needed to follow up on missing information or errors on registration forms?	\$0.00	\$5,000.00	\$5,000.00	\$95.47	\$1,303.11	\$1,778.49
Per unit cost	\$0.0000	\$0.4710	\$0.4710	\$0.0394	\$0.1049	\$0.1492
What were your costs for paper registration forms (layout printing etc.)?	\$0.00	\$3,500.00	\$3,500.00	\$0.00	\$278.07	\$899.31
Per unit cost	\$0.0000	\$0.2157	\$0.2157	\$0.0000	\$0.0261	\$0.0610
What were your costs for temporary workers and overtime pay for additional voter registration data entry and other duties close to Election Day?	\$0.00	\$85,000.00	\$85,000.00	\$0.00	\$9,218.89	\$21,682.81
Per unit cost	\$0.0000	\$4.0236	\$4.0236	\$0.0000	\$0.6992	\$1.1957
What were your costs related to issuing counting and notifying voters about provisional ballots necessitated by registration issues?	\$0.00	\$5,000.00	\$5,000.00	\$0.00	\$687.50	\$1,751.28
What were your costs for duplicate mailings related to duplicate registration entries?	\$0.00	\$500.00	\$500.00	\$0.00	\$102.86	\$189.89
What were your postage costs associated with forwarding registration forms to proper recipient (Secretary of State neighboring jurisdiction etc.)?	\$0.00	\$1,000.00	\$1,000.00	\$25.00	\$152.22	\$321.97

“SMALLEST 3” JURISDICTIONS IN EACH STATE⁴

“SMALLEST 3” JURISDICTIONS (22)	Minimum	Maximum	Range	Median	Mean	Standard Deviation
How many registrations did you process in 2016?	10	15,604	15,594	307	2,415.3	4,159.9
What were your costs for (full-time) staff related to data entry of paper registration forms?	\$0.00	\$120,000.00	\$120,000.00	\$300.00	\$19,463.88	\$42,278.29
Per unit cost	\$0.2545	\$7.6903	\$7.4359	\$3.3113	\$3.5606	\$2.6913
What were your costs for staff time postage and paper needed to follow up on missing information or errors on registration forms?	\$10.00	\$1,000.00	\$990.00	\$200.00	\$246.10	\$298.70
Per unit cost	\$0.0192	\$5.0000	\$4.9808	\$0.5263	\$1.2540	\$1.8130
What were your costs for paper registration forms (layout printing etc.)?	\$0.00	\$250.00	\$250.00	\$0.00	\$22.56	\$65.55
Per unit cost	\$0.0000	\$0.5263	\$0.5263	\$0.0000	\$0.0809	\$0.1738
What were your costs for temporary workers and overtime pay for additional voter registration data entry and other duties close to Election Day?	\$0.00	\$4,900.00	\$4,900.00	\$0.00	\$472.06	\$1,262.13
Per unit cost	\$0.0000	\$8.0000	\$8.0000	\$0.0000	\$0.5196	\$1.9963
What were your costs related to issuing counting and notifying voters about provisional ballots necessitated by registration issues?	\$0.00	\$1,800.00	\$1,800.00	\$0.00	\$173.84	\$496.98
What were your costs for duplicate mailings related to duplicate registration entries?	\$0.00	\$199.00	\$199.00	\$10.00	\$48.23	\$69.99
What were your postage costs associated with forwarding registration forms to proper recipient (Secretary of State neighboring jurisdictions etc.)?	\$0.00	\$100.00	\$100.00	\$0.00	\$14.67	\$29.61

⁴ This includes target Smallest 3 and Smallest 3 with at least 1k or 2k voter jurisdictions.

TAKEAWAYS FROM THE DATA

Based on this data, it is possible to draw some general conclusions:

1. The biggest potential cost saving involved in a move away from paper-based registration is the savings in staff time necessary to handle such registrations.

This makes sense given how labor-intensive reading, keying and processing these registrations can be – but it is worth noting that some jurisdictions report most if not all of their costs under labor because they don't break out other costs separately. Whatever the reason, however, the results here suggest localities can save an

average of about \$3.54 in labor costs per registration by moving away from paper to another registration method. This carries forward to those localities reporting costs for temporary staff to process registrations close to Election Day; the data suggests that the jurisdictions spent about \$0.67 on average per registration to cover such costs.

2. Some cost savings may not amount to much because localities are only incurring a little cost (or none at all) in some categories under the current system.

A good example of this is the costs associated with printing and layout of registration forms; most respondents reported little or no associated costs because those forms are provided to them for free by the

state. Thus, while there may be some state-level savings resulting from reducing or eliminating such forms, those savings do not seem to flow to the local level.

3. Because of smaller volume, median-sized and smaller jurisdictions are seeing higher per-piece costs and thus might benefit disproportionately from a reduction in such costs.

One clear trend in the data is that smaller jurisdictions are seeing higher per-registration costs, which usually results from reported costs being divided across a small number of registrations. For example, median-sized jurisdictions reported costs of over \$5.00 and smaller jurisdictions reported a cost of over \$3.50 per registration (compared

to about \$2.25 apiece in larger jurisdictions). As a result, while the total cost savings associated with moving away from paper-based registration might be lower in these median-sized and smaller jurisdictions, the relative “bite” of such spending is likely to be disproportionately higher.

4. Even modest per-piece costs add up given the number of registrations involved.

If you total all the costs reported by the 66 respondents to this survey, you get over \$6.58 million – suggesting that there are significant cost savings to be realized by moving away from traditional paper-based registration

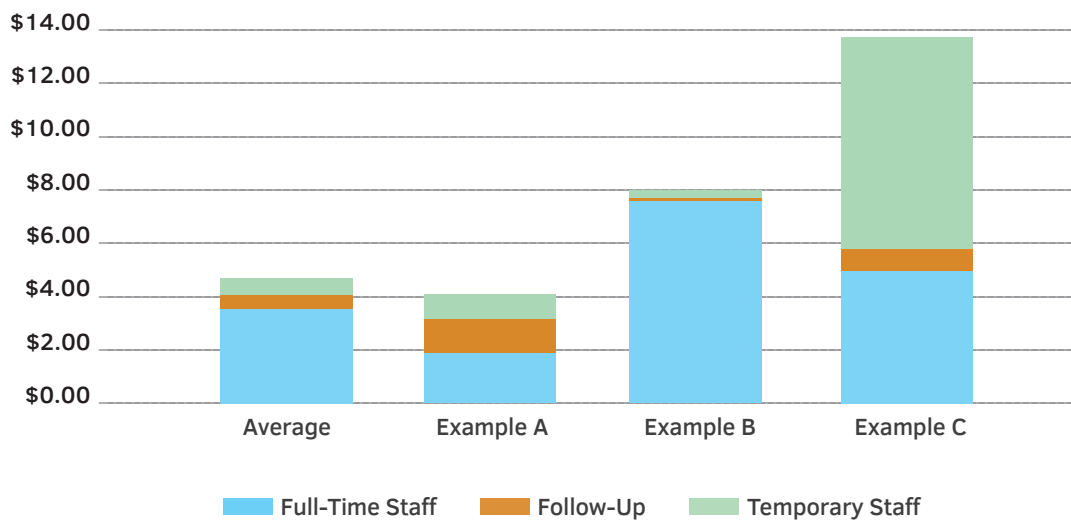
in more than 3,000 localities nationwide. Some of these savings are as small as pennies (or fractions thereof) per piece – but given the registration volume involved these numbers can add up quickly.

COSTS PER REGISTRANT FOR PROCESSING REGISTRATION FORMS

The most promising area for realizing cost savings by transitioning away from paper-based voter registration appears to be in reducing the staff time needed to process the paper forms. Our survey collected data on how much election offices spent per registrant on full-time and temporary staff to process forms, as well as following up on forms with missing information or errors. The table and chart below show how much surveyed jurisdictions reported spending per registrant in 2016 on average in these areas and provides three anonymized jurisdictions as examples to show how these costs can affect different jurisdictions.⁵ Registrations processed online or automatically by the DMV or other government agency should be expected to reduce the number of paper-based registration forms processed and introduce savings to local election offices on a per registrant basis.

	Full-Time Staff	Follow-Up	Temporary Staff	Total
Average	\$3.54	\$0.51	\$0.67	\$4.72
Example Jurisdiction A (~500k registered voters; ~75k registrations processed in 2016; urban; South)	\$1.91	\$1.27	\$0.89	\$4.07
Example Jurisdiction B (~70k registered voters; ~15k registrations processed in 2016; sub-urban/rural; Northeast)	\$7.69	\$0.02	\$0.31	\$8.02
Example Jurisdiction C (~2k registered voters; ~250 registrations processed in 2016; rural; Midwest)	\$5.00	\$0.80	\$8.00	\$13.80

COSTS PER REGISTRANT FOR PROCESSING REGISTRATION FORMS



⁵ The data provided represents real jurisdictions' responses to our survey. The jurisdictions' names and other identifying information have been excluded, as we told respondents that their data would not be published to encourage responses.

COSTS FOR REGISTRATION-RELATED MAILINGS

Many local election offices incur mailing costs related to voter registration that could be reduced by transitioning away from paper-based systems and improved accuracy of the voter rolls. Our survey collected data on how much election offices spent in 2016 on mailings related to duplicate entries in the voter rolls, as well as forwarding registration forms to the proper recipient (e.g. the state election office or neighboring jurisdiction). The table below shows how much surveyed jurisdictions reported spending in 2016 in total in these areas and provides four anonymized jurisdictions as examples to show how these costs can affect different jurisdictions. Registrations processed online or automatically by the DMV or other government agency should be expected to reduce duplicate mailing costs due to improved accuracy and reduce forwarding costs by decreasing the number of paper registrations submitted.

	Duplicate Mailings	Forwarding	Total
Average	\$1,182	\$3,114	\$4,296
Example Jurisdiction D (~800k registered voters; ~95k registrations processed in 2016; urban; Midwest)	\$0	\$5,692	\$5,692
Example Jurisdiction E (~250k registered voters; ~80k registrations processed in 2016; urban/sub-urban; Midwest)	\$4,565	\$6,362	\$10,927
Example Jurisdiction F (~85k registered voters; ~35k registrations processed in 2016; mostly rural; West)	\$200	\$150	\$350
Example Jurisdiction G (~1k registered voters; ~150 registrations processed in 2016; rural; Northeast)	\$130	\$0	\$130

CONCLUSION

While arriving at a specific cost associated with any election activity – including voter registration – is difficult given wide variation in accounting and data collection across localities, the data here validates the common-sense notion that a move away from paper-based registration could eliminate or reduce registration-related costs all the way down to the local level.

Further research is required to determine the total cost savings of a transition away from paper-based registration towards greater computerization of voter registration, whether through OVR, AVR or other approaches – but the preliminary data here suggests localities should see relief – both per-registration and overall – in the level of financial effort required to manage voter registration.⁶

⁶ The authors wish to acknowledge the support for this project from Tova Wang, Director of Research and Policy for the Center for Secure and Modern Elections.

APPENDIX

GUIDE FOR STATE-BASED ORGANIZATIONS DOING THIS ANALYSIS

Step-by-step on state-specific cost analyses

1. Determine what research questions you seek to answer
 - a. Total costs?
 - b. Costs by category (e.g. labor, printing, follow-on effects like provisional ballots)?
 - c. Other?
2. Based on #1, decide on “chart of accounts” – what data items do you seek
 - a. Craft queries so separate categories are cumulative and mutually exclusive
 - b. Think about how to address data not collected
 - i. Give guidance on how to break down salary and other overhead costs
 - ii. Alternate: Ask for estimates or percentages spent on various election tasks
3. Obtain contact info for local election officials –
 - a. State election official may have detailed contact info
 - b. If not available at state, excellent resource is US Vote Foundation Election Official Directory
4. Link localities to demographics from census data, Election Administration and Voting Survey (EAVS)
 - a. County- and locality-level data is usually easy to match
 - i. Population data
 - ii. Ethnoracial data
 - iii. Basic election data from EAVS
 - b. Augment data to see if other factors affect cost
 - i. Section 203 minority language coverage (or state equivalent)
 - ii. Pull reports from EAVS to “reality check” reported data
5. Build questionnaire – experience suggests less than 10 questions is optimal
 - a. Keep response time minimal [Online forms are best and preferable to written responses]
 - b. If possible, provide data for them to verify
 - c. Keep requests short and factual
 - d. Open long-form requests are useful if you want unstructured feedback, but should be bonus
6. Field questionnaire – and provide deadline for response
 - a. If you are going to publish responses, say so
 - b. Even if you are not, get contact info for follow up/ ensure accountability
7. Determine how to handle responses seeking fees for data
 - a. Some counties view data requests as voter record requests
 - b. Your survey may not be subject to such costs if legal obligation to respond exists
 - c. If available, you may want to consider incentives for response – \$\$\$, recognition, etc.
8. Typical response rate
 - a. 10-15% immediately
 - b. another 15-25% with reminders
 - c. NOTE: response rate will be higher if there are legal obligations or other incentives to reply
9. Be prepared for lack of comparability between localities – not all collect this data and those that do often don’t do it the same way
 - a. Issue often isn’t “apples to apples” as much as “fruit salad” – this is nationwide issue
 - b. Getting data that’s comparable across jurisdictions is difficult
 - c. Think about how to identify common themes/ trends even when comparability < 100%
10. Don’t outrun the data – unless you have substantial coverage and comparability, be careful about drawing firm conclusions about average costs/savings
 - a. If categories aren’t exclusive and cumulative, you can’t say A+B=C
 - b. Look at responses to ensure that you have representative data
 - i. Often, larger jurisdictions are overrepresented in data
 - ii. Median/smaller jurisdictions may need more followup
 - c. Conclusions will likely focus more on the data collected vs. what the data represents
 - d. In particular, don’t assume data is representative unless you have substantial coverage



**Written Testimony of Common Cause Illinois
Before the Illinois Advisory Committee
to the United States Commission on Civil Rights**

*Hearing On
Civil Rights and Voting in Illinois
Thursday, March 9, 2017*

Submitted By:

Brian Gladstein, Executive Director
bgladstein@commoncause.org

Appendix B.5: Gladstein

Good afternoon Committee Chair Lineras and Members of the Illinois Advisory Committee to the United States Commission on Civil Rights. My name is Brian Gladstein and I am the Executive Director of Common Cause Illinois (CCIL). On behalf of Common Cause's 27,000 Illinois members and its 700,000 members nationwide, I want to thank the Committee for holding this critical hearing on the status of voting rights in this state, and for allowing us to submit this written testimony. Common Cause is a national nonpartisan advocacy organization founded in 1970 to enable citizens to make their voices heard in the political process. In Illinois and across the country, we are leading the fight to ensure that every eligible citizen has an opportunity to cast a vote, free from discrimination and obstacles – a principle that we believe to be fundamental to a democracy that aims for and professes representation of all.

A Democracy in Peril

As one of the organizations that is out on the front lines, we are sad to report that our democracy is under assault. On the national level, we have seen states move to gut the preclearance protections offered by Section 5 of the National Voting Rights Act, following the United States Supreme Court's shameful decision in *Shelby County, Alabama v. Holder*¹. From Ohio to Texas to North Carolina, many states and local governments have been implementing abhorrent voting practices that had previously been barred for their racially discriminatory impact. Meanwhile, after *Citizens United*², our political systems have become flooded by oversized campaign contributions from a handful of wealthy individual donors and special interest groups. In an interview last spring, NAACP President Cornell William Brooks described the confluence of these two cases as being two sides of the same ugly coin, with "folks who are suppressing and stealing votes before and during an election in collusion with the people buying and selling legislative votes after the election."³

It goes, perhaps, without saying that legal opinions and policy decisions that disenfranchise entire classes of citizens or tend to favor the interests of one group over another shake the confidence in our political system. Indeed, a January 2017 report by a team of researchers from the University of Sydney and Harvard's Kennedy School of Government found that United States citizens have lower levels of faith in the integrity of their elections than any other Western nation.⁴ According to their findings, after the last election, the United States ranked 46th out of 161 countries in believing that their elections were free and fair.⁵ The primary drivers of concern during the 2016 election cycle included (a) gerrymandered district boundaries; (b) discriminatory election laws that make it harder to vote or register; (c) media coverage, including the myths and realities of "fake news;" and (d) the

¹ *Shelby County, Alabama v. Holder*, 133 S. Ct. 2612 (2013).

² *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010).

³ Kathy Kiely, "Why the NAACP Cares About Campaign Cash" (Apr. 13, 2016), available at <http://billmoyers.com/story/why-the-naacp-cares-about-campaign-cash/>.

⁴ Pippa Norris, Alessandro Nai, Holly Ann Garnett & Max Grömping, "Perceptions of Electoral Integrity: The 2016 American Presidential Election" (Jan. 2017), available at <https://www.dropbox.com/s/v59olglbdv62vtv/PEI-US-2016%20Report.pdf?dl=0>.

⁵ *Id.* at 7.

Appendix B.5: Gladstein

corrosive impact of big money in politics.⁶ As a result, the United States, once again, had lower voter turnout rate (56.9%) than virtually every other wealthy nation.⁷

Here in Illinois, we see a complex mix of challenges and opportunities for voters. On the one hand, we have witnessed the cost of our elections skyrocket and the influence and concentration of the political donor class rise exponentially. The 2016 election cycle was the most expensive that this state has ever witnessed – by far – with more than \$134 million having been spent on state legislative races alone.⁸ Given that Governor Rauner has seen fit to make a \$50 million deposit into his campaign fund as a “first installment” two years before the next gubernatorial election and some of the names being raised as his potential opponents are either billionaires themselves or have access to substantial political action committee money, one can only assume that the cost of our elections isn’t decreasing anytime soon.

Researchers have generally noted that individuals that make large political donations tend to be older⁹ and whiter¹⁰ than the average American, and, by and large, they tend to be men¹¹. Studies have further shown that the policy preferences of this particular subset of the populace tend to be sharply different than the preferences that are expressed by other more marginalized groups, including women and people of color.¹² These trends appear to hold true in Illinois. In April 2016, CCIL helped to produce an analysis of the Chicago’s 2015 mayoral race. That report showed that over 90% of the money that the two candidates raised came from donors who gave more than \$1,000 apiece, and that 52% of the money came from outside the City’s borders.¹³ Roughly 80% of the donations to Mayor Emanuel’s campaign came from donors that earned more than \$100,000 per year, even though only 15% of Chicagoans actually earn that much each year.¹⁴ 94% of the Mayor’s donors were white, whereas only 39% of his constituents identify as white.¹⁵ While these figures are disturbing in the abstract, we are extremely concerned that this imbalance has and will force governmental officials to favor the wishes

⁶ *Id.* at 11-12.

⁷ Adam Taylor, “American voter turnout is still lower than most other wealthy nations” (Nov. 10, 2016), available at <https://www.washingtonpost.com/news/worldviews/wp/2016/11/10/even-in-a-historic-election-americans-dont-vote-as-much-as-those-from-other-nations/>

⁸ Scott Kennedy, “2016 Cycle: \$134 Million Spent on State Legislative Races, Plus Another \$39 Million Could Have Been” (Jan. 19, 2017), available at <http://illinoiselectiondata.com/> (also noting that another \$11 million was spent on the Comptroller race).

⁹ Andrew Mayersohn and Anya Gelernt, “Donor demographics: old white guys edition, part I” (June 11, 2015), available at <https://www.opensecrets.org/news/2015/06/donor-demographics-old-white-guys-edition-part-i/>.

¹⁰ Andrew Mayersohn and Anya Gelernt, “Donor demographics: old white guys edition, part I” (June 30, 2015), available at <https://www.opensecrets.org/news/2015/06/donor-demographics-old-white-guys-edition-part-iii/>.

¹¹ Andrew Mayersohn and Anya Gelernt, “Donor demographics: old white guys edition, part I” (June 23, 2015), available at <https://www.opensecrets.org/news/2015/06/donor-demographics-old-white-guys-edition-part-ii/>.

¹² *See generally*, Benjamin I. Page, Larry M. Bartels, and Jason Seawright, “Democracy and the Policy Preferences of Wealthy Americans” (March 2013), available at <http://faculty.wcas.northwestern.edu/~jnd260/cab/CAB2012%20-%20Page1.pdf>

¹³ Sean McElwee, “How Chicago’s White Donor Class Distorts City Policy” (Apr. 28, 2016), available at <http://www.demos.org/publication/how-chicagos-white-donor-class-distorts-city-policy> (finding comparable results in the aldermanic races as well).

¹⁴ *Id.* at 2-4.

¹⁵ *Id.* at 4.

Appendix B.5: Gladstein

of a small number of wealthy donors over the needs of the citizens who elected them into office in the first place.¹⁶

Despite these serious concerns, we are pleased to be able to report to the Committee that Illinois has recently adopted a number of sensible political reforms that are helping to level the playing field for Illinois voters and to ensure that they have the chance to meaningfully participate in the electoral system.

Towards a Model of Universal Voter Registration

If we want to ensure that every eligible Illinois citizen has an equal opportunity to be heard, we must first ensure that they are all participating in their democracy. CCIL and its partners in the Just Democracy Coalition believe that every citizen has a fundamental right to have their vote counted, regardless of whether they are a Democrat, Republican or independent. That is why our coalition has advocated for and celebrated legislation that makes it easier to register to vote. In 2013, Governor Quinn signed legislation allowing Illinois citizens to vote online. Two years later, the State adopted provisions expanding early voting and allowing voters to register to vote at the polling place on Election Day¹⁷. While these provisions go a long way towards strengthening our democracy, there is still more that should be done.

CCIL and its partners are currently working with legislators on both sides of the aisle in the General Assembly, representatives from the Governor's office and key agencies to enact an automatic voter registration (AVR) model in the state that would automatically register eligible Illinois voters (unless they opt out) whenever they interacted with certain state agencies, like Driver Services. A recent national study determined that this proposal would not only modernize our registration system by using accurate and secure electronic voter lists, but it could add over a million eligible Illinois voters to our rolls.

Last year, Illinois passed an AVR bill with broad bipartisan support, but, unfortunately, it was vetoed by Governor Rauner at the eleventh hour. CCIL and the other advocates are working with all of the relevant stake holders to ensure that the measure passes during this legislative session.

Towards a Model of Public Financing for Elections

Although the *Citizens United* case has resolved the question of whether it is possible for wealthy corporate interests to fund the candidate that they believe will best serve their interests, there are alternative models for financing political campaigns that will provide an opportunity for smaller donors to continue to hold politicians accountable. In places like New York City and Los Angeles, communities have used a voluntary public financing model for decades that provides for a six to one public match for qualifying donations up to a defined cap. To be eligible to receive these funds,

¹⁶ See, e.g. David Sirota, "Rahm Emanuel Donors Were Far Richer And Whiter Than Chicago: Study" (Apr. 28, 2016), available at <http://www.ibtimes.com/political-capital/rahm-emanuel-donors-were-far-richer-whiter-chicago-study-2360812> (cataloguing a series a of complaints lodged against the Mayor for policies that purportedly favored the donor class).

¹⁷ Unfortunately, the Election Day Registration provisions of the statute are being challenged in a lawsuit which is currently pending before the United States District Court for the Northern District of Illinois. CCIL is optimistic that that litigation can be resolved without limiting the access to the registration process that Illinois citizens currently enjoy.

Appendix B.5: Gladstein

politicians must first demonstrate that they have met with the electorate by raising a requisite number of small donations. Candidates must also agree to not accept any donations from corporate interests or to violate restrictions on self-funding. These programs help to contain campaign expenditures; ensure that politicians remain in close contact with the people that voted them into office; and provide a pathway for citizens with limited access to capital to support the candidate of their choosing or run for office themselves.

Over the last several years, CCIL has been working closely with its partners in the Fair Elections Illinois (FEI) coalition to bring a small donor matching program to the state of Illinois. A little over two years ago, the FEI coalition was responsible for ballot question that found that eight out of every ten Chicago residents supported the public financing model akin to the model that has been successfully used in New York for years. Building upon that support, the FEI partners have been working to draft and support legislation at the state, county, and local levels that would bring a small donor matching model to Illinois.

Our democracy has not yet been secured; however, we have every reason to look towards a day when every Illinois resident can feel that their voice will be heard, regardless of party affiliation or their access to resources. Once again, we thank the Committee for providing us with a forum to raise our concerns, and we look forward to answering any questions that you might have.

Chicago Lawyers' Committee for Civil Rights

U.S. Commission on Civil Rights Public Meeting | March 9, 2017

Ami Gandhi

Director of Voting Rights and Civic Empowerment

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(312) 888-4193

Election Protection Hotline

The nation's largest non-partisan voter protection program

As the nation's largest non-partisan voter protection program, hotline and poll watcher **volunteers have answered thousands of voter questions** and resolved numerous problems at the polls for the 2016 general election.

 **24-hour non-partisan hotline**

English Language

866-OUR-VOTE*

Spanish Language Assistance

888-VE-Y-VOTA

Asian Language Assistance

888-API-VOTE

Locations

Call Center

On-site at polls

**The source of data for this presentation*

Volunteers and Training

Volunteer attorneys and individuals staffed the Election Protection Hotline



Hotline & poll watcher volunteers

Partnerships

Common Cause Illinois

The Illinois Coalition for Immigrant and Refugee Rights

The Mexican American Legal Defense and Educational Fund

Equip for Equality

The Chicago Urban League

Chicago Votes

Black Youth Project 100

Asian Americans Advancing Justice Chicago

The League of Women Voters



Reported issues

Trained to

Understand voter access barriers

Investigate and remedy problematic practices

Provide information on voting rights

Advocate for necessary reforms

Example of issues

Voter intimidation

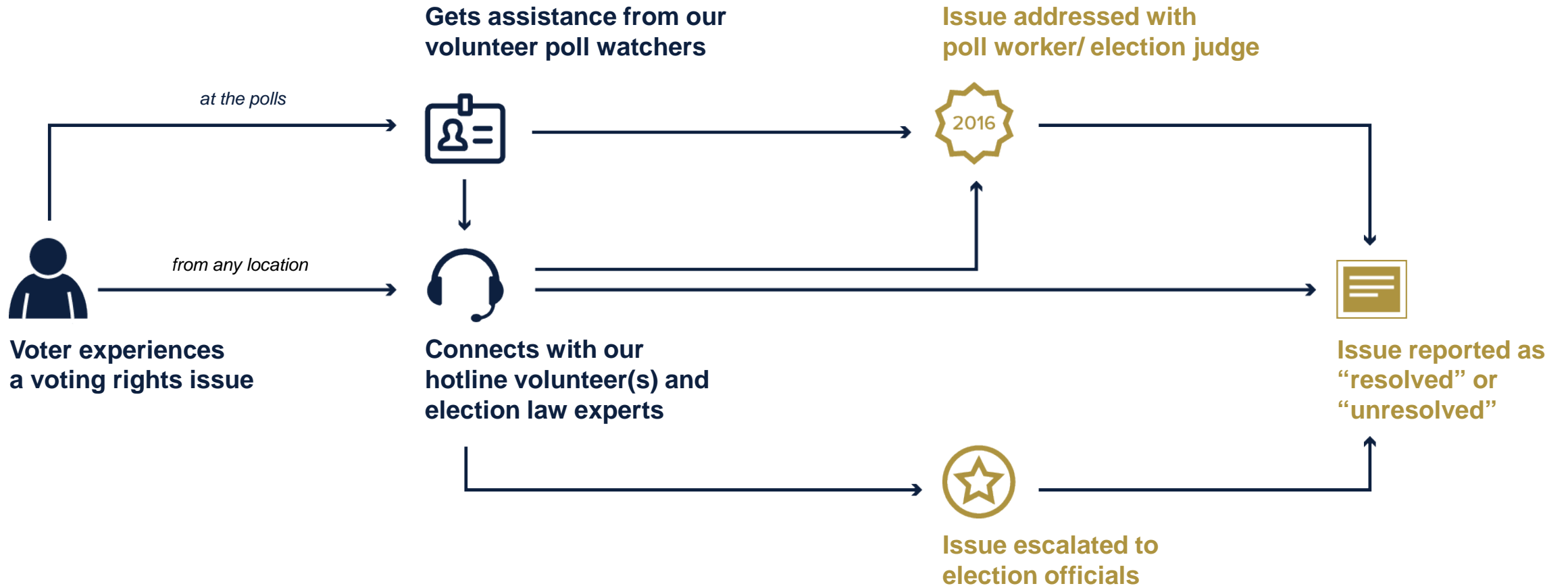
Language barriers

Lack of access to polling place

Incorrect and unclear voter registration status

Hotline Process Flow

A look at how issues moved from the polling place to our database

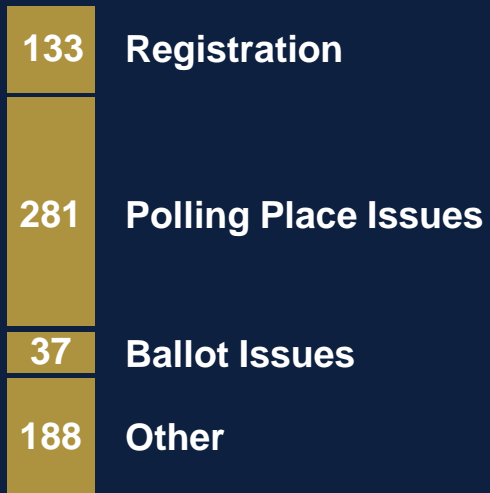


**We collected data on a national level.
Today's focus is on issues in **Illinois**.**

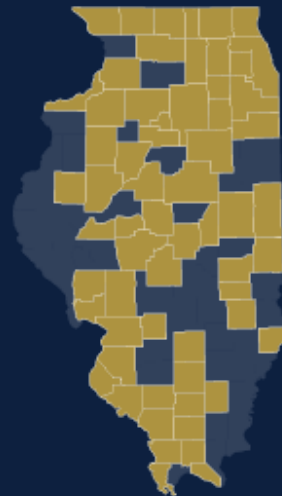
Overview

Voter hotline issues October 17 – November 11, 2016

1083 Illinois Hotline issues

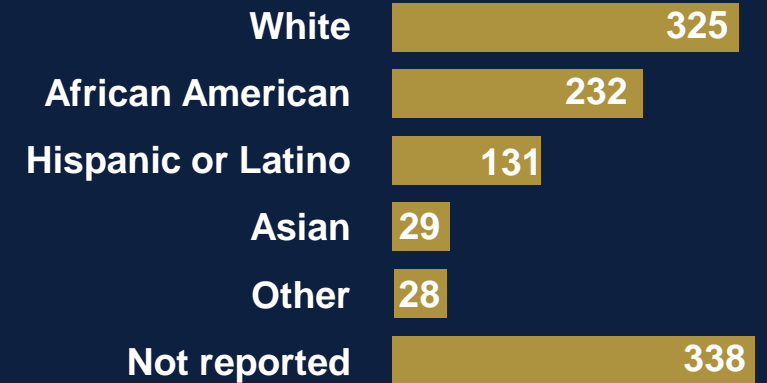


61 Illinois counties represented



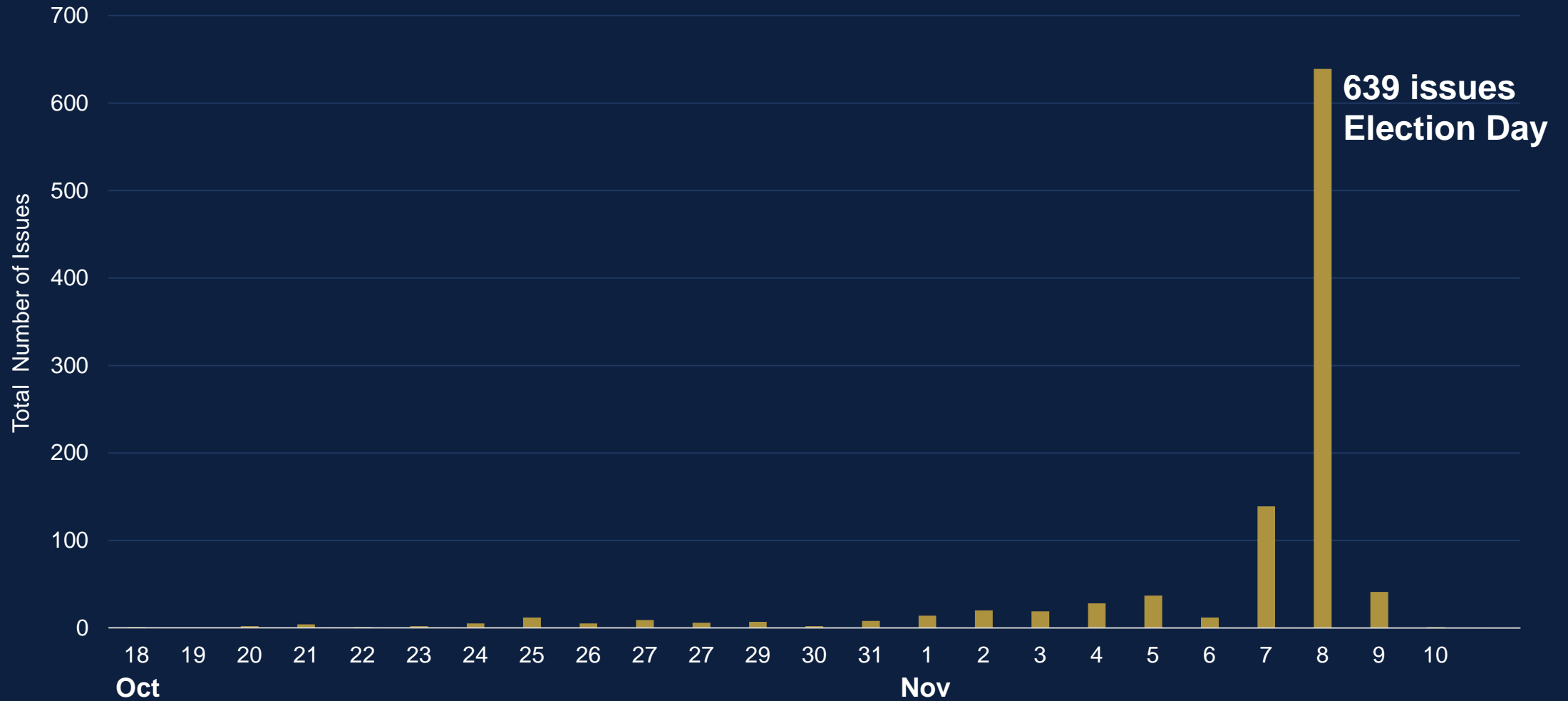
Received calls from 59.8% of 102 IL Counties

392 Issues from people of color



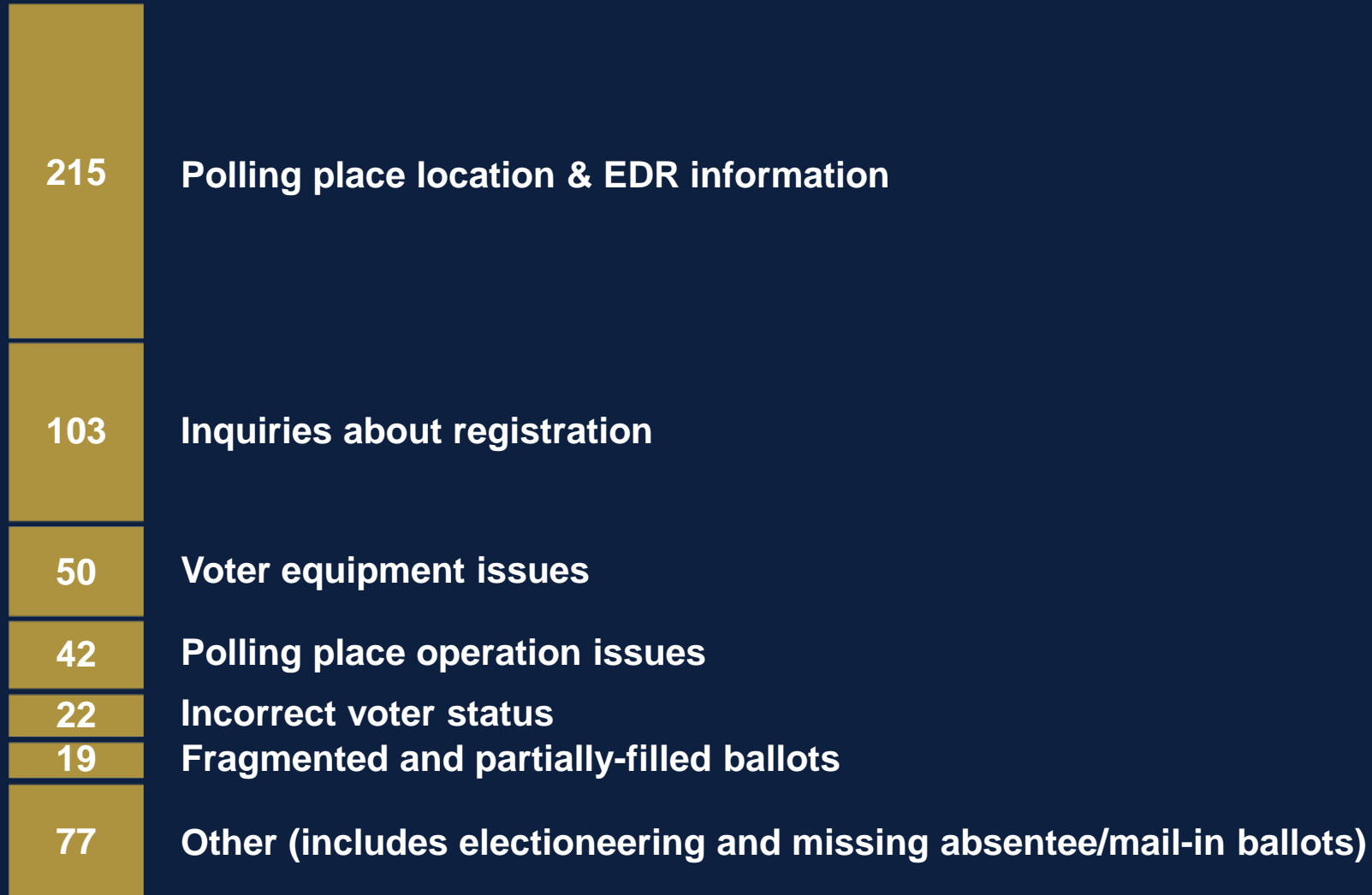
Overview

Voter hotline issues October 17 – November 11, 2016



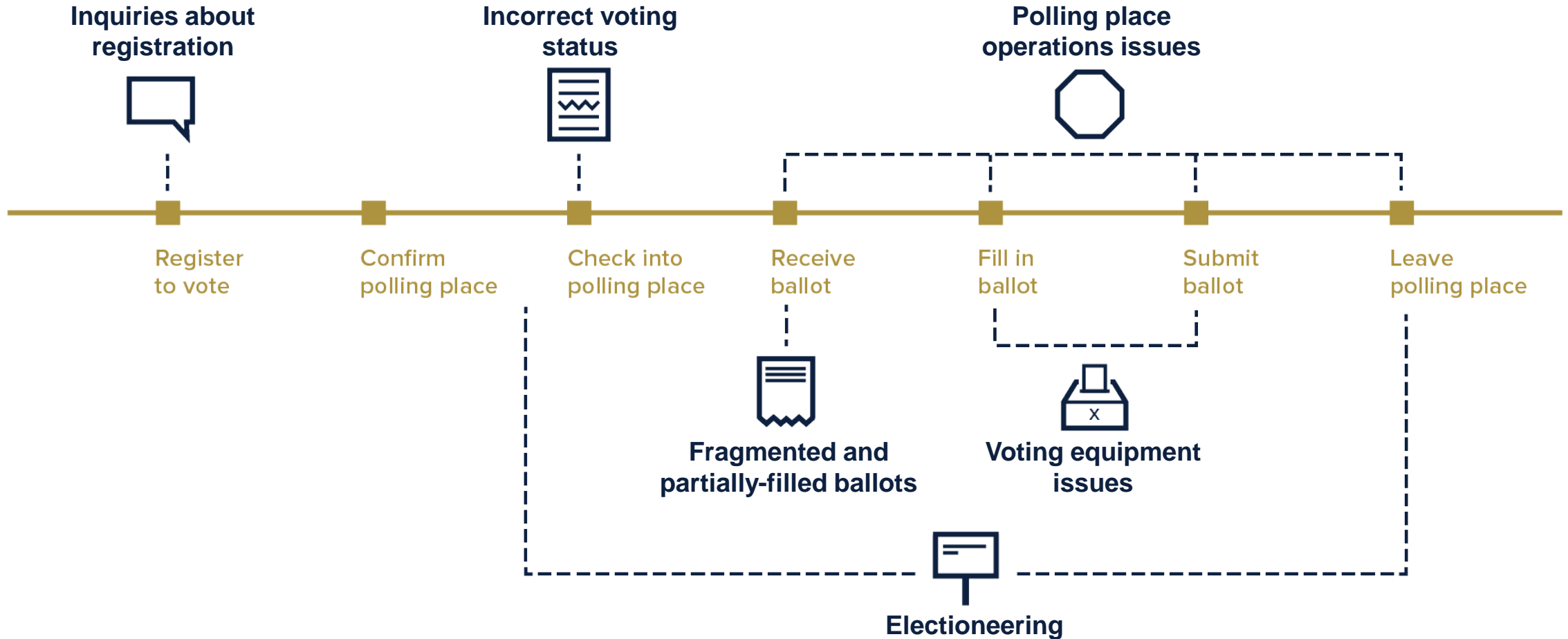
639 Election Day issues

A breakdown of issues on Election Day by category



Voting Experience

The journey to voting at the polls



Possible barriers throughout the entire experience:
Language barriers, voter intimidation, systemic barriers, and missing absentee/mail-in ballots

Inquiries about registration

Database Entry 85932



“ The caller lives in Illinois, but has a Virginia driver’s license and a passport containing a Michigan [address.] She asked if she could still vote in Illinois. I told her that because she lives in Cook County, the polling location in her building will permit Election Day Registration. She will bring her passport, as well as the rental agreement for her apartment.

Inquiries about registration



Lack of clarity in registration procedures and available resources

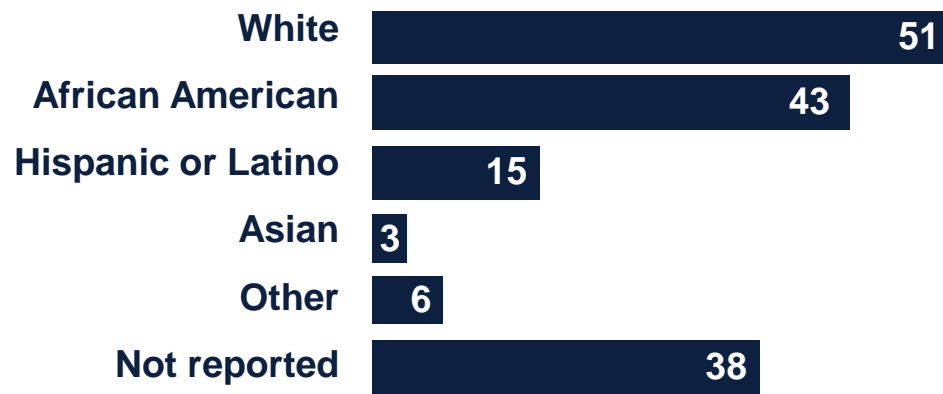
148

Total issues

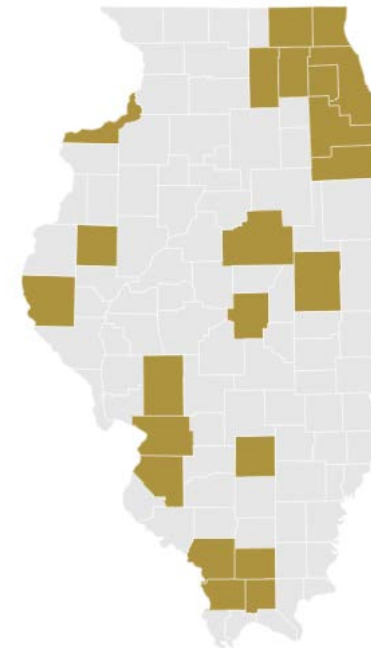
23

Counties Had This Issue

Number of issues reported by race



Number of issues per IL county



78 Cook	1 Macoupin
1 Adams	1 Madison
1 Champaign	2 McDonough
1 Dekalb	1 McHenry
8 DuPage	2 McLean
2 Jackson	3 Rock Island
1 Johnson	8 St. Clair
4 Kane	1 Union
2 Kankakee	5 Will
1 La Salle	1 Williamson
3 Lake	1 Winnebago
2 Macon	9 Not Reported

Electioneering

Database Entry 109886



“ There are two gentlemen who claim to be outside the 100-foot radius and they are campaigning for three judges but they were not outside that radius... I told someone but they did not seem concerned. They were trying to catch as many people as they could. They were just campaigning and using postcards.

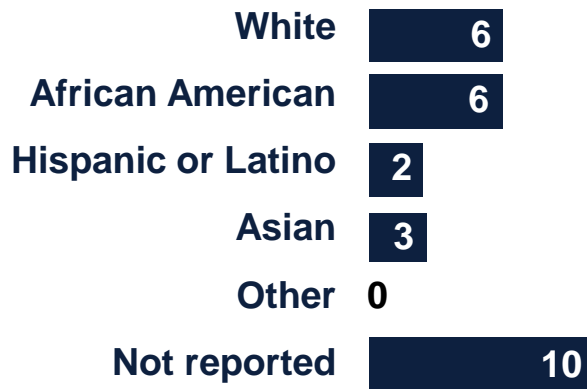
Incorrect voter status



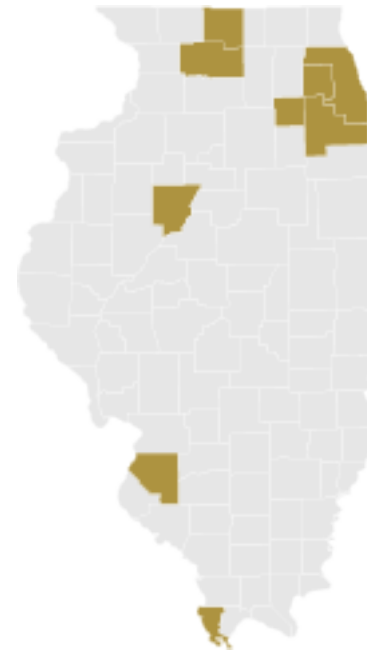
Instances when voter's registration or voting status was incorrect on the rolls

27 Total issues

Number of issues reported by race



9 Counties Had This Issue



Number of issues per IL county

- 15 Cook
- 2 DuPage
- 1 Alexander
- 1 Belleville
- 1 Kendall
- 1 Ogle
- 1 Peoria
- 1 Will
- 1 Winnebago
- 2 Other

Polling place operation issues

Database Entry 95137



“ Did not get to vote because 6:00 AM the poll was [not open] yet. **Waited until 6:35 AM**, but had to leave to vote. Employees were inside but did not come out and tell anyone why they could not go in to vote.

Polling place operation issues

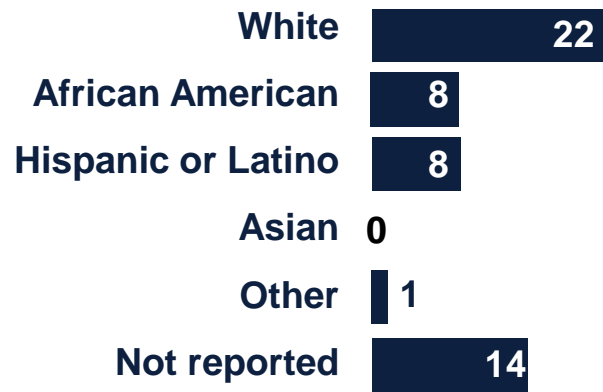


Non-Equipment issues that hinder the voting process.

53 Total issues

6 Counties Had This Issue

Number of issues reported by race



Number of issues per IL county



- 33 Cook
- 5 DuPage
- 4 Will
- 2 Kane
- 1 Winnebago
- 1 Lake

Fragmented and partially-filled ballots

Database Entries 85634 and 106177



“ Had to let the judges know that they were supposed to give both [pages of the ballot] to voters. For the first 6 voters, the judges only gave the candidate ballot.

“ Voter pulled up her sleeve and half of ballot was already completed. Another voter was given a provisional ballot even though they were registered to vote. Only after voter resisted that they were given a regular ballot.

Fragmented and partially-filled ballots



Distributed ballots were missing sections or had filled in entries

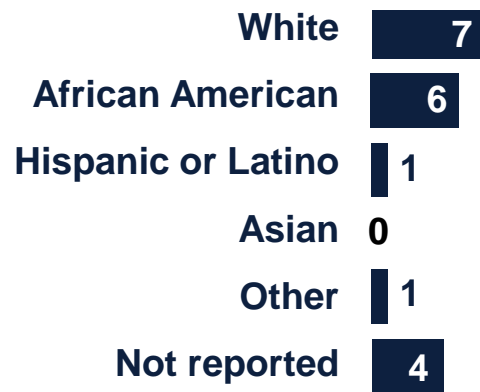
19

Total issues

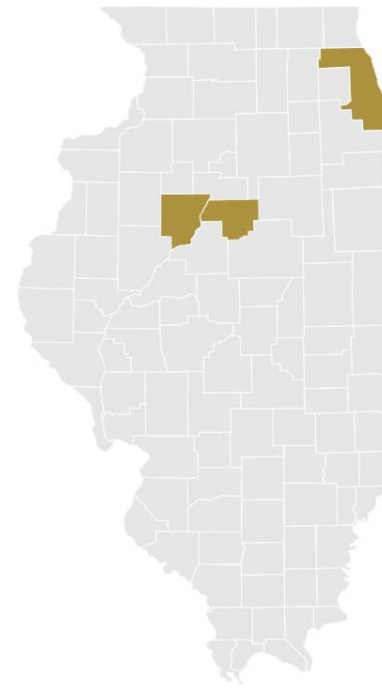
3

Counties Had This Issue

Number of issues reported by race



Number of issues per IL county



- 14 Cook
- 1 Peoria
- 1 Woodford
- 3 Not Reported

Voting equipment issues

Database Entry 109464



“ **Electronic voting will not allow voter to review the first page of the ballot.** She is being told that the ballot was cast, but cannot tell and is unable to review the first page. **Many people now looking at the ballot** and caller is worried that her vote is not being counted. **When the paper printed out it said "voided" but she is told the vote has cast. Voter gone but concerned that the machine is not working for anyone.**

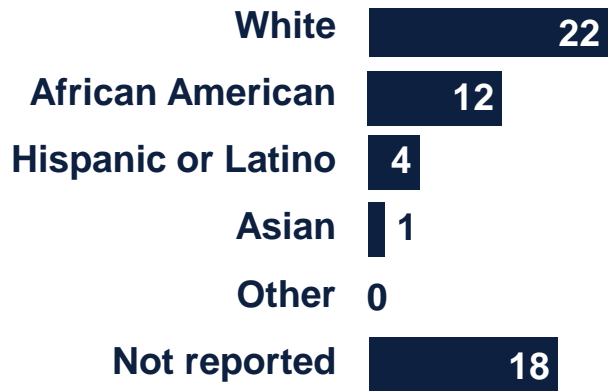
Voting equipment issues

Issues with voting equipment that hinder the voting process



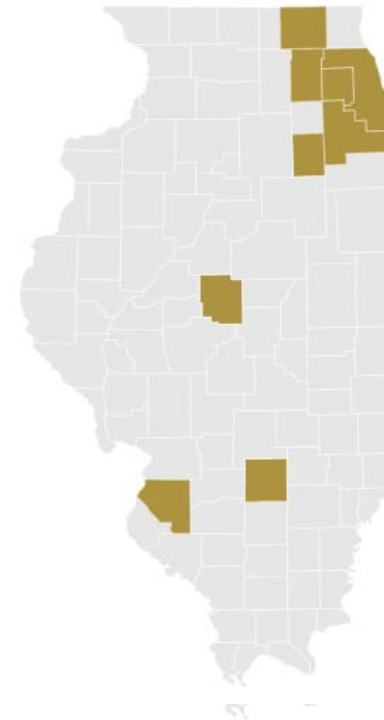
57 Total issues

Number of issues reported by race



9 Counties Had This Issue

Number of issues per IL county



- 41 Cook
- 3 DuPage
- 2 McHenry
- 2 Will
- 2 St. Clair
- 1 Marion
- 1 Kane
- 1 Grundy
- 1 Logan

Other Barriers



- **Voter intimidation and barriers for voters interfacing with criminal justice system**
- **Barriers for voters with disabilities**
- **Barriers for homeless voters**
- **Language barriers**

From issues to reform

A look at how issues moved from the polling place to reform



Election Day Registration



We received hundreds of calls from voters asking about their voter registration status in general and about Election Day Registration requirements specifically. **Voters in every county used this tool. 120,838 voters used Election Day Registration statewide.** We saw the alternative in past elections and in neighboring states—voters were turned away from the polls.

Automatic Voter Registration



Chicago Lawyers' Committee for Civil Rights

Ami Gandhi

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U.S. Commission on Civil Rights – Voting Rights Hearing 3/9/17



David Orr
Cook County Clerk

National Voter Registration Act - 1993



Illinois Refused to Implement National Voter Registration Act (“Motor Voter”)

- National Voter Registration Act (“Motor Voter”) passed in 1993, increasing access to voter registration to millions of people each year
- In Illinois, Gov. Jim Edgar refused to align the state's voter registration standards with federal election law.
- Along with the League of Women Voters and the City of Chicago, we sued Edgar and state officials to force implementation.
- In 1996, the IL governor, attorney general, secretary of state and election board director dropped an appeal to the Illinois Supreme Court.

**Modernize
Agency
Registration**



**Create
Inclusive
Voter List**

**Fill
Gaps**



Modernize Agency Registration

- Every time someone interacts with government, they should have a chance to register to vote
- Harness government transactions into voter registrations



Create Inclusive Voter List

- Share voter data across state lines
 - ERIC, Interstate Crosscheck
- Register the unregistered
- Improve the accuracy of the voter rolls (moved, deceased, name changes)



Fill Gaps

- Make sure no voter falls through
- Election Day Registration
- National Change Of Address
- Pre-registering students

ERIC: Electronic Registration Information Center

- IL successfully joined ERIC which allows states to share data like voter registrations, driver's licenses and deaths
- Clean lists are a critical part of protecting the integrity of the vote and they save money
- Pew Charitable Trusts, Illinois Study:
 - 700,000 people registered at addresses where they no longer live
 - 34,000 deceased individuals to be removed from the voter databases
 - 60,000 voters lived in other states
 - 90,000 duplicate records

Election Day Registration

Main Benefits:

- Encourages participation & reduce barriers
- Provides a safety net to correct registration errors
- Streamlines electronic data and registration operations

Automatic Voter Registration

- In 2015, more than 13 percent of Illinoisans (1,679,582 people) moved
 - 1,081,549 (64%) moved within Illinois and within the same county
 - 318,103 (19%) moved to a different county within Illinois
 - 216,310 (13%) moved to Illinois from another state
 - 63,621 (4%) moved to Illinois from abroad



Mobile Society

In a mobile society, people are constantly moving in and out of the voter pool. People who move each year are largely:

- Low-income (21% move each year)
- African-American (15%)
- Hispanic (13.9%)



Additional threats to our democracy...

Money in Politics

Voter Suppression

Money In Politics

- Supreme Court ruling moved us from one person – one vote to a new reality where money grossly amplifies your speech and influence.
- Potential Reforms:
 - Seattle – Democracy Vouchers
 - California – Limits on Dark Money
 - New York City – Small Donor Matching
 - IL Sen. Daniel Bill proposed small donor matching legislation – SB1424

Voter Suppression

- Voter ID Requirements
- Limit Early Voting
- Gerrymandering –
- Intimidating/threatening opposition

“The arc of the moral universe is long,
but it bends toward justice...”



“The stakes... are too high for government to be a spectator sport.” -
Barbara Jordan



Chicago Lawyers' Committee for Civil Rights

U.S. Commission on Civil Rights Public Meeting | March 9, 2017

Ryan Cortazar

Voting Rights and Civic Empowerment

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History of Language Discrimination & Access



“ More precious even than the forms of government are the mental qualities of our race. . . . They are exposed to a single danger, and that is that by constantly changing our voting citizenship through the . . . infusion of Southern and Eastern European races
—III N.Y. State Constitutional Convention 3012 (Rev. Record 1916).

“ § 4(e) may be viewed as a measure to secure for the Puerto Rican community residing in New York nondiscriminatory treatment by government—both in the imposition of voting qualifications and the provision or administration of governmental services, such as public schools, public housing and law enforcement.
—*Katzenbach v. Morgan*

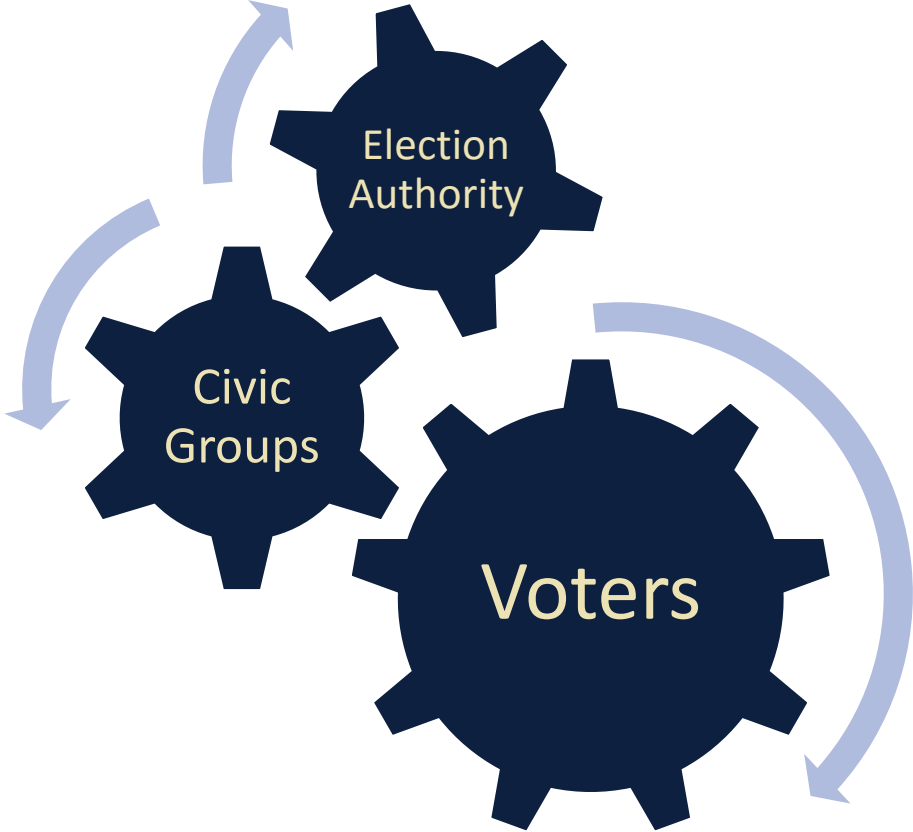
Voting Rights Act



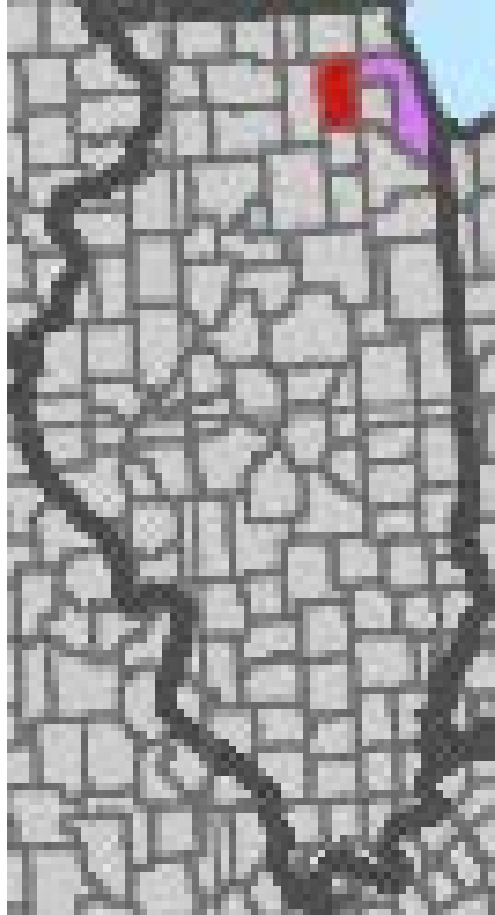
“ A State or political subdivision is a covered State or political subdivision . . . if . . . more than 5 percent of the citizens of voting age of such State or political subdivision are members of a single language minority and are limited-English proficient; . . . more than 10,000 of the citizens of voting age of such political subdivision are members of a single language minority and are limited-English proficient; . . . and the illiteracy rate of the citizens in the language minority as a group is higher than the national illiteracy rate.

— Section 203

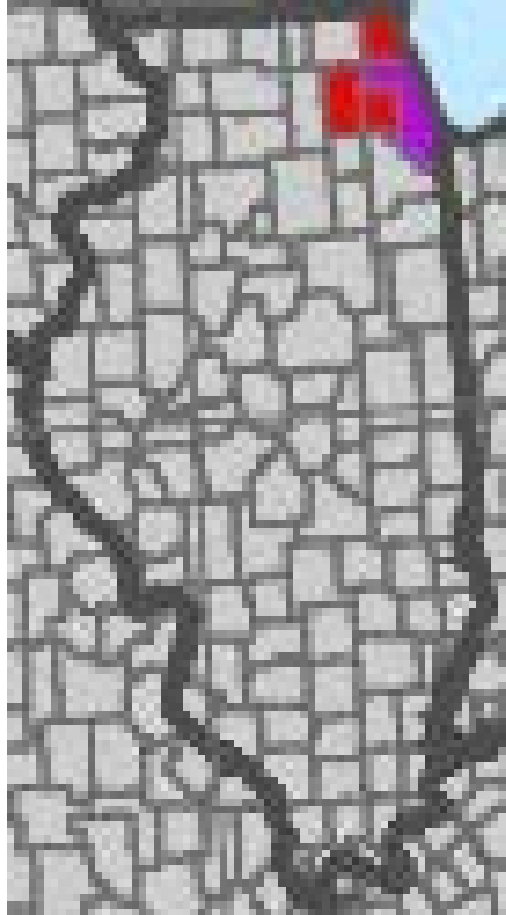
Implementation



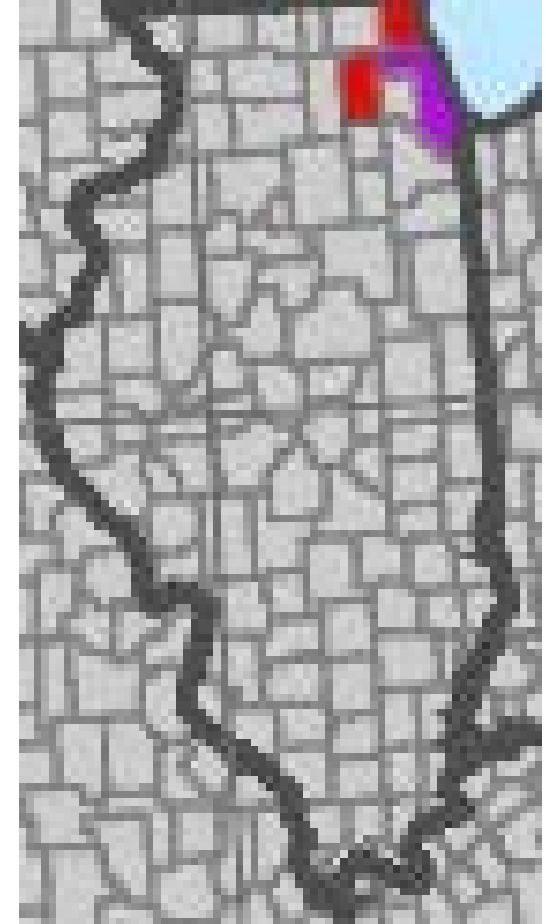
Recent Developments



2002



2011



2016

Paths Forward

Acting Locally & Thinking Globally: Keys to Successful Language Assistance in Elections



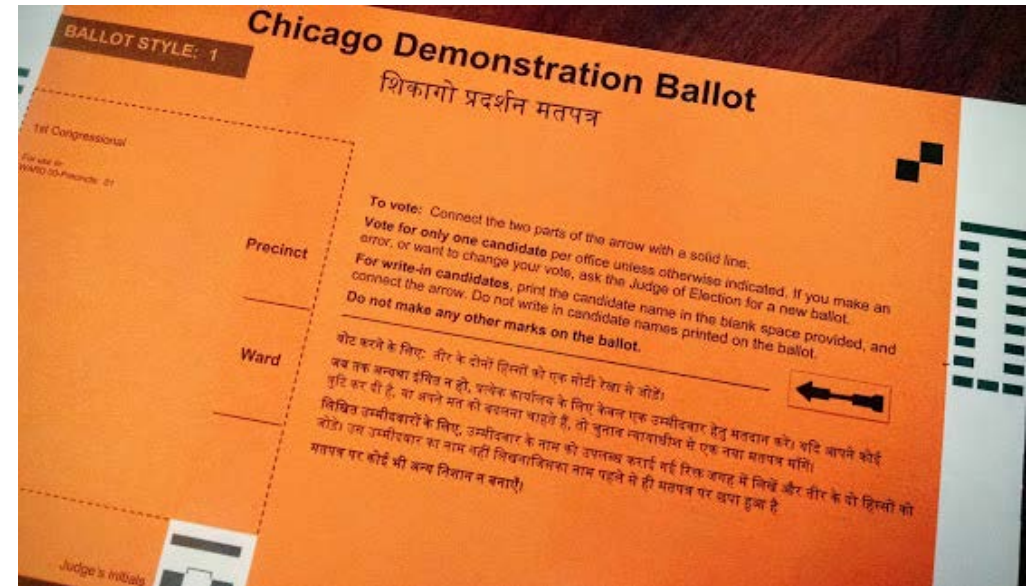
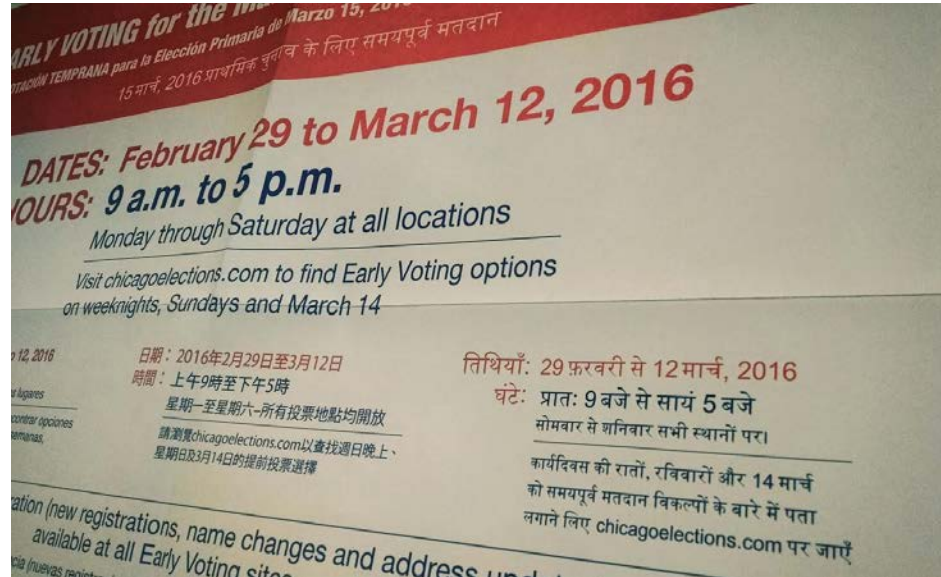
Shobhana Johri-Verma
South-Asian Community Liaison
Chicago Board of Election Commissioners
Since 2014

1. Language Assistance

- Language Liaisons placed at Operational Core
- In Chicago: Part of Community Services
 - Poll Workers
 - Trainers
 - Voter Registration
- Language Liaisons know all facets of operation

2. For Translations: Think Globally

Include every item that needs to be translated for a voter...



... It's not just about a few forms.

For Translations: Think Globally

Never make web users search in English to find a translation.



For Translations: Think Globally

Make your web site fully navigable for every language user.

The screenshot shows the website interface in Hindi. At the top left is the Chicago logo with the text "Chicago Board of Election Commissioners". The main heading is "मतदाताओं, आपका स्वागत है।" (Welcome, Voters!). Below the heading are language options: "English | Español | Polski | 中文 | हिंदी". A blue navigation bar contains menu items: "मतदाताओं के लिए", "भाग लेने के तरीके", "उम्मीदवारों के लिए", "जमा सूचना", "सुझाव बोर्ड", "समय-सार", "चुनाव परिणाम". The main content area features a large image of three people. Below the image are three call-to-action boxes: "आपकी मतदाता जानकारी: 15 मार्च, 2016 प्राथमिक" (Your Voter Information: March 15, 2016 Primary), "मतदान के लिए पंजीकरण करें" (Register to Vote or Change Address or Change Name), and "चुनाव परिणाम" (Voter Calendar). At the bottom, there are two columns of links: "सबसे अधिक देखा गया" (Most Viewed) and "क्षेत्र निर्वाचन एजेंसियाँ" (Area Election Agencies).

The screenshot shows the website interface in English. At the top left is the Chicago logo with the text "Chicago Board of Election Commissioners". The main heading is "Welcome, Voters!". Below the heading are language options: "English | Español | Polski | 中文 | हिंदी". A blue navigation bar contains menu items: "Voting", "Participating", "Running for Office", "General Information", "Election Board", "News", "Election Results". The main content area features a large image of three people. Below the image are three call-to-action boxes: "Your Voter Information: March 15, 2016 Primary", "Register to Vote or Change Address or Change Name", and "Voter Calendar". At the bottom, there are two columns of links: "Top Topics" and "Area Election Agencies".

3. Use Authentic Translations

Authentic translations are best prepared by in-house staff.



Use Authentic Translations

Authentic translations are never made by pressing a button.



Use Authentic Translations

- When in doubt, check the US Election Assistance Commission glossary.
- In the absence of a glossary or definition, use a translation service.
- Have your community partners review the translation service's work.
- When the EAC lacked a glossary, Chicago built one that local organizations reviewed.

4. Fully Partner With Community Groups

- Attend and organize events year-round, not just around elections.
- Include all community groups in formulating policy and recruiting poll workers.
- Be ready to hear and respond effectively to all grievances.
- Build on relations beyond what's required.



Outreach Is a Year-Round Activity



Outreach is a Year-Round Activity



Outreach is a Year-Round Activity



Outreach is a Year-Round Activity



Case Study in the Value of Year-Round Outreach – Part I

Chicago's Voter Engagement Community Forum: Many ideas emerged from the dozen tables. Regardless of age, ethnicity, race, neighborhood or other demographics, participants in the forum picked the same top reforms:

- On-Line Voter Registration
- Election Day Registration
- Civics Education
- Universal Vote Centers



Case Study in the Value of Year-Round Outreach – Part II

With this broad spectrum of support, the Chicago Election Board since then has helped to secure legislation that allowed for:

- On-Line Voter Registration,
- Election Day Registration, and
- Civics Education

... Additionally laws are being developed for the introduction of vote centers.



Acting Locally & Thinking Globally: Keys to Successful Language Assistance in Elections

