

# 2004 Poll Monitoring in San Francisco County

## SUMMARY OF RESULTS

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Chinese Affirmative Action, Asian Law Caucus and the Lawyers' Committee for Civil Rights are each committed to ensuring that limited English proficient voters have full access to the electoral process. Poll monitoring is an effective way to ensure that all voters receive the services that they need on election day. In this election we not only monitored how the San Francisco Department of Elections implemented the bilingual language requirements of the Voting Rights Act<sup>1</sup> and San Francisco's Equal Access to Services Ordinance<sup>2</sup>, but we also observed how well the Department of Elections implemented Ranked Choice Voting.

With 25 monitors, we observed the activities of 95 polling places. All of the sites were selected based on the number of voters who requested language materials. According to Section 12303(c) of the California State Elections Code, local election officials must actively recruit bilingual poll workers in precincts where 3% or more of the eligible voters have limited English skills and share a common language. In San Francisco, only the Cantonese and Spanish-speaking populations meet this threshold in selected precincts. Our organizations selected for monitoring 67 polling places, each with at least 8% to a high of 47% of voters who requested Chinese language materials, and 28 sites with 3% to 7% of voters who requested Spanish language materials. A higher threshold was set for precincts with Chinese language requests because of the far greater number of precincts citywide that met or exceeded the initial 3% threshold.

For precincts with Cantonese language requirements, the Department of Elections provided adequate bilingual staffing at each site. However, many sites failed to display appropriate signage to alert voters that materials were available in Chinese and Spanish. In addition, nearly half of the bilingual Cantonese poll workers did not wear name tags to notify voters of the availability of language assistance. Poll workers at 30% of the Chinese language sites were not aware of the multilingual hotline at the Department of Elections and 10% of the sites did not have the Voter Information Pamphlet in Chinese easily accessible for voters.

At Spanish language polling places, two of the busiest sites did not have Spanish bilingual poll workers. 35% of the sites did not have signs to inform voters of the availability of bilingual materials and did not have bilingual poll workers wearing name tags. Poll workers at 15% of the sites did not know about the multilingual line and 25% did not have the Voter Information Pamphlet in Spanish.

Seven of San Francisco's eleven supervisorial districts implemented Ranked Choice Voting for the first time during this election cycle. Most of the voters at each RCV site where monitors visited were very confused by the new process. Each had the option to list one, two, or three different candidates as their ranked choice for district supervisor. Many incorrectly marked all three of their choices in one column or marked the same candidate in all three columns. For the Spanish language sites, the clerks and inspectors

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<sup>1</sup> Section 203 of the Voting Rights Act requires jurisdictions with more than 5% or 10,000 eligible voters who are limited English proficient and share a common language to translate voting materials and provide bilingual assistance.

<sup>2</sup> Chapter 91 of the San Francisco Administrative Code (Equal Access to Services Ordinance) requires that city departments must be able to communicate with clients in any primary language spoken by limited English proficient persons who make up at least 5% of the population served by the department or at least 10,000 residents citywide.

at nearly half of the RCV sites could not provide a helpful explanation to the voters. There were also problems at Chinese language precincts. At 6 of the 20 sites, voters were confused and had poll workers who were unable or unwilling to explain RCV to the voter. Some poll workers also did not know how to properly process the RCV ballot. According to the Department of Election's procedure, the clerk can override the Eagle if the voter only makes one or two choices instead of selecting three different candidates. One inspector, in clear violation of this procedure, set all of the ballots aside in which the voter had selected only one or two candidates for supervisor, and told our monitor that these ballots were invalid because they were incomplete.

Other common problems included Eagle machines jamming, inappropriate absentee ballot processing and the distribution of campaign literature at the polling place in direct violation of Department regulations. Since all of these problems were observed in the early morning of Election Day, we were able to inform the Department of the irregularities. When we went back to the most problematic sites later in the day, the problems had been resolved, fortunately allowing voters subsequent to our initial visits the opportunity to vote without encountering similar obstacles.

Virtually all of these problems are tied to the training that clerks and inspectors receive prior to Election Day. They are given a short test before they are eligible for the training, but this test focuses only on simple English and computational skills. At no time does the Department test clerks and inspectors after the Departmental training to evaluate how well individuals understood the material. As a result, there are wide disparities in the quality of these poll workers. Some individuals were very helpful to voters, while a significant number did not provide voters with any assistance.

Chinese for Affirmative Action will be presenting these findings to the Department of Elections and will work to ensure that these identified problems be resolved by the Department to ensure full access in subsequent elections.

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