



July 6, 2020

VIA Email to Author and Online Portal to Assembly Committee on Elections and Redistricting

The Honorable Thomas Umberg
California State Senate
State Capitol, Room 3076
Sacramento, CA 94249

Re: SB 423 (Umberg) - November 3, 2020, statewide general election. – SUPPORT

Dear Senator Umberg:

The League of Women Voters of California writes in support of SB423, your legislation to require that county elections officials provide alternative procedures for the November 3, 2020 statewide general election. Thank you for taking swift action to protect the voting rights of all Californians. **SB 423 addresses matters that are essential to maximizing equitable voter participation in November.¹ We believe the legislation would be strengthened even further if amended pursuant to suggestions outlined on the next page.**

The League agrees that the exigencies of the current pandemic necessitate the dissemination of vote-by-mail ballots to every registered voter, which would be accomplished through AB 860 (Berman and Umberg). The provisions of SB 423 ensure that those who wish or need to vote in person in November can cast a ballot that will be counted. People's preference for in-person voting is born of real and significant concerns ranging from a historical distrust of voting without being able to see their ballot safely cast, to needing assistance, to the fact that mailed ballots go through a verification process resulting in the rejection of some due to either voter or administrative error. Robust in-person options are important, especially for voters with disabilities or limited-English proficiency, those who won't receive mailed ballots because they are housing insecure, unhoused, or displaced due to the pandemic, and people who need to be

¹ SB 423 would authorize the use of consolidated precinct voting locations for in-person voting at a maximum ratio of one location for every ten precincts, not to exceed a total of 10,000 registered voters per location. Counties choosing this option would be required to open in-person voting locations starting three days before the election for at least eight hours a day and from 7 AM to 8 PM on Election Day. The legislation requires the use of ballot drop boxes at a ratio of 1 per 15,000 registered voters, or at least two, whichever results in more locations. It also makes provisions for equitable distribution and siting of locations, accessibility for people with disabilities, public comment on siting, a county-led voter education campaign in all legally required languages, and a Secretary of State-led statewide voter education campaign. Finally, the legislation requires the Secretary of State to establish a process to consider requests from counties to adjust or waive the minimally required number, or operational duration, of in-person voting locations with the caveat that any change must not have a negative disparate impact on any protected class of voters. Many of these elements conform to our coalition's recommendations.

able to register and vote on the same day. The League of Women Voters of California believes that SB 423 would be strengthened if it were amended to address the following matters

- **Early voting. Require voting locations open starting at least four days before Election Day.** There are inevitable hiccups in the institution of any new voting process. An extra day of early voting will give counties an opportunity to address those issues before encountering large numbers of voters over the weekend - a circumstance that could pose health risks to voters and poll workers alike.
- **Language access. Ensure language access and appropriate process for requesting and receiving in-language vote-by-mail ballots or facsimile ballots.** Returnable mailers should be sent to every registered voter on which the voter can identify their language preference. The mailer should be translated in all languages required by state and federal law.
- **Hotline. Require a universal language hotline available in every in-person voting location in the state.** The availability of in-language help is inconsistent across counties and voting locations. The need for assistance in a changed voting environment will increase exponentially. A hotline that is adequately resourced and staffed to avoid long wait times would help address this problem.
- **Opportunities for meaningful public engagement. Require county deadlines for posting election plans and submitting requests for exemptions.** Our experience with the Voter's Choice Act suggests that without firm deadlines that factor in the need for public comment, election administration plans and exemption requests may be posted too late for public engagement to be meaningful.²
- **County requests to adjust or waive the minimally required number, or operational duration, of in-person voting locations.** We are concerned that the legislation leaves open the possibility that counties could seek a complete waiver of in-person voting or other SB 423 requirements. We recommend defining the contours of permissible alterations, requiring publication of the Secretary of State's response to the exemption request, and mandating the posting of an updated and final county election plan to the county website once a determination is made.
- **Voter education and funding. Require the education campaign be developed in partnership with community-based organizations, including organizations that can provide in-language outreach.** This cycle will require an all-hands-on-deck approach to provide Californians with plain-language messaging about changes, inform them of options, and offer the tools they need to vote with confidence. We recommend sufficient allocation of funds in the state budget for the massive outreach that will be

² One possibility is a July 21 deadline for exemption requests and an August 3 deadline for posting of election plans. A July 21 deadline would require public posting of the exemption plan by July 6. An August 3 deadline to post election plans would yield public comment seven weeks before the October 5 deadline for Voter's Choice Act counties to mail materials and eight weeks before the October 13 mailing deadline for non-Voter's Choice Act counties.

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necessary. Funding to counties should allow for a process by which pass-through grants can be made to organizations that are familiar with underrepresented communities and whose work will be critical to the success of the new election model.

The League of Women Voters of California supports SB 423 as a critical measure to ensure that Californians can exercise their right to vote in a safe environment this November. We urge you to amend the bill pursuant to our recommendations and look forward to continuing to work with you on these important matters.

Sincerely,



Carol Moon Goldberg
President