



Latino Policy & Politics Initiative  
**Voting Rights  
Project**

August 27, 2020

Hudson County Board of Chosen Freeholders  
567 Pavonia Avenue  
Jersey City, NJ 07306

Re: Election Material Language Access for the APPI Population in Hudson County.

As the COVID-19 pandemic continues to present novel ballot access issues, the UCLA Voting Rights Project (VRP) has observed that Hudson County is not providing its sizable and growing Filipino and Chinese communities with the resources to best exercise their right to vote. Specifically, Hudson County does not provide election materials in Tagalog and Chinese, as it is likely legally obligated to do. We write to bring this to your attention and invite your jurisdiction's officials to provide a timely remedy in advance of the upcoming elections.

There is strong evidence that Hudson County should be covered by Voting Rights Act Section 203 for its Tagalog and Chinese-speaking residents. Section 203 of the Voting Rights Act mandates, among other things, that covered jurisdictions provide all election materials in minority languages that are prominent enough to trigger the statute's protection. Specifically, Section 203 covers those jurisdictions where there are more than 10,000 or over 5 percent of the total citizen voting age population in a single political subdivision (usually a county) who are members of a single language minority group, have depressed literacy rates, and do not speak English very well.

Based on data collected by the UCLA VRP, Hudson County should be accommodating its Tagalog and Chinese-speaking language community in conducting its elections. According to the American Community Survey, Hudson County has 19,852 Filipino and 16,759 Chinese residents; 18.06% of its Asian residents are limited English proficient; and 3.64% of its Asian residents age 25 or older have less than a 9<sup>th</sup> grade education, as compared to the national average of 1.14% for those 18 years old or older.

In light of these population characteristics, Hudson County is likely required to comply with the broad mandates of Voting Rights Act Section 203. And even if a minority group falls below the statistical benchmarks required for Section 203 liability, language inaccessibility is inconsistent with the mandates of Voting Rights Act Section 2, the Act's general anti-discrimination provision, and the 14th and 15th Amendments.

The COVID-19 pandemic is exacerbating existing voting language access issues. It is also presenting a unique opportunity for jurisdictions to revise their election measures to best

serve voters facing the disenfranchising effects of the virus. The UCLA VRP trusts that your Office is well-intentioned and will endeavor to provide election materials and other election-related services in Tagalog and Chinese. We would like to offer our services to translate any election materials, should that be useful to your Office. We remain available at any time to provide any other resources your County needs to best enable all your residents to vote.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Sonni Waknin", with a long horizontal flourish extending to the right.

Sonni Waknin  
*Managing Legal Fellow*  
UCLA Voting Rights Project