



**TESTIMONY OF
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**HEARING ON VOTING IN AMERICA: THE POTENTIAL FOR VOTER
ID LAWS, PROOF-OF-CITIZENSHIP LAWS, AND LACK OF MULTI-
LINGUAL SUPPORT TO INTERFERE WITH FREE AND FAIR ACCESS
TO THE BALLOT**

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Protecting an Equal Right to Vote: Assessing the Negative Consequences of Voter ID Laws and the Positive Consequences of Language Access Provisions.

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Voter ID Laws

Over 40 states have considered voter identification laws in recent years, with several adopting laws requiring voters to show a valid ID before they cast a ballot. I have researched this topic for more than 15 years and have provided expert reports and expert testimony in seven different state and federal cases. In addition, I have examined national trends on access to voter identification and underlying documents in my role as Principal Investigator of the Collaborative Multi-Racial Post-Election Survey (CMPS) and Board of Directors of the American National Election Study (ANES). I have published numerous peer-reviewed scholarly articles and book chapters on the topic of voter identification laws.

In this report¹, I summarize that such laws have a disenfranchising affect on racial and ethnic minorities, who are less likely than Whites to possess a valid ID. My research relies upon a unique national dataset to offer a comprehensive portrait of who does and does not have access to a valid piece of voter identification. In short, I find clear evidence that people of color are less likely to have an ID. Moreover, these disparities persist after controlling for a host of relevant covariates, suggesting there is indeed a lasting “race effect” net of socioeconomic status.

Background

Early challenges to voter identification laws equated them with poll taxes, given it costs money to obtain identification through the department of motor vehicles (Shanton 2010²). Presented with disproportionately negative implications for Blacks and Latinos, federal judges stayed laws in Georgia, Texas and South Carolina via Section 5 of the Voting Rights Act (VRA). However, the U.S. Supreme Court ruled that the risk of fraud outweighed burdens to voters. The decision in *Crawford v. Marion County* (2008), together with the invalidation of Section 5 pre-clearance under *Shelby County v. Holder* (2013), rendered Section 2 of the VRA the principle means to federally challenge ID laws. State constitutional challenges have been inconsistent, leading to a

¹ This report draws on collaborative research with Gabriel Sanchez, Professor at the University of New Mexico, Stephen Nuño, Professor at Northern Arizona University, and Hannah Walker, Assistant Professor at University of Texas.

² Shanton, Karen. 2010. A Portrait of Hunters and Hunting License Trends: National Report. Report National Shooting Sports Foundation. URL: <http://www.nssf.org/PDF/HuntingLicTrends-NatIRpt.pdf>

patchwork outcome. Activists have mounted federal challenges in Texas, North Carolina, Kansas, Wisconsin, North Carolina, and North Dakota among other states, a controversy that heated up in the approach to and aftermath of the 2016 election.

Although challenges to the validity of voter ID laws often draw on data collected and evaluated by expert witnesses, case law has developed largely in the absence of comprehensive research on differential access to ID among population subgroups. Instead, analyses for these cases are limited to the data in that state, and to bivariate relationships of haves and have nots, raising questions about the role of other variables, like education, income, and age, in impacting access to an ID. Finally, analyses connecting ID laws to turnout suffer from data limitations, and findings are contested. Indeed, research overly focused on turnout misses the point of de facto disenfranchisement, on which I elaborate below. My research draws on a unique, comprehensive dataset to describe the nature and scope of differential access to ID among racial subgroups. I situate this analysis within the legal and social science framework at play around voter ID laws to centralize questions of access to the franchise. To be clear, racial differences in access to ID required to vote result from historical institutional racial exclusion. From this vantage point, questions of impact on aggregate turnout are secondary. Turnout rates are never universal, and rise and fall every cycle with competitiveness and quality of candidates. Put simply, the contest over voter ID laws is one of power, access to democracy, and the value of civic voice. As such, who has access to documents which allow you to vote is of primary importance.

Relevant Literature

Concerns over voter fraud propelled the popularity of voter identification laws after the 2000 election and the 2002 passage of The Help America Vote Act (HAVA). Despite the fact that there are few documented instances of the kind of in-person fraud that voter ID laws would prevent, they have withstood constitutional scrutiny when confronted with the demand for electoral integrity (Minnite 2007³; Stoughton 2013⁴). Despite claims to electoral integrity, scholars demonstrate that partisan motivations enhance the popularity of these laws (Bentele and O'Brien 2013⁵; Hicks et al. 2015⁶; Biggers and Hanmer 2017⁷). Investigating the conditions favorable to their adoption, Hicks et al. (2015) find that competitive legislatures where Republicans have a slight edge are most likely to pass ID requirements. Republicans strategically

³ Minnite, Lorraine. 2007. *The Politics of Voter Fraud*. Report Project Vote. URL: <http://projectvote.org/publications/reports-guides.html>

⁴ Stoughton, Kathleen M. 2013. "A New Approach to Voter ID Challenges: Section 2 of the Voting Rights Act." *Geo. Wash. L. Rev.* 81:292.

⁵ Bentele, Keith G. and Erin E. O'Brien. 2013. "Jim Crow 2.0? Why states consider and adopt restrictive voter access policies." *Perspectives on Politics* 11(04):1088–1116.

⁶ Hicks, William D., Seth C. McKee, Mitchell D. Sellers and Daniel A. Smith. 2015. "A Principle or a Strategy? Voter Identification Laws and Partisan Competition in the American States." *Political Research Quarterly* 68(1):18–33.

⁷ Biggers, Daniel R. and Michael J. Hanmer. 2017. "Understanding the adoption of voter identification laws in the American states." *American Politics Research* 45(4):560–588.

leverage such laws to support turnout among their base while undercutting the turnout of Democratic voters (Grossmann and Hopkins 2015⁸).

Eroding turnout among Democrats is sometimes crafted directly into ID laws. In Texas, hunting and gun permits, which Whites are statistically more likely to possess, are legitimate forms of ID but social service cards, more often held by Blacks and Latinos, are not (Shanton 2010; Bachu and O'Connell 1995⁹). The passage of Alabama's ID law was accompanied by the closure of nearly half of the state's DMV locations, with most closures in disproportionately poor and Black counties (Watson 2015¹⁰). Even in when states offer remedial assistance, like Wisconsin's provision of a free ID, underlying documentation required for identification is an onerous burden. One study found nearly 15 percent of eligible voters, and 20 percent of Latinos, in Milwaukee County without the documents to get a free ID (Barreto and Sanchez 2012a¹¹).

Despite the underlying motivation to curtail democratic turnout, the impact of ID laws on voting has been contested. A handful of studies find voter ID laws have little impact (Muhlhausen and Sikich 2007¹²; Mycoff, Wagner and Wilson¹³ 2009; Erikson and Minnite 2009¹⁴). Two studies find that the strictest laws diminish turnout among Blacks and Latinos (Vercellotti and Anderson 2006¹⁵; Hajnal, Lajevardi and Nielson 2017¹⁶). Still other research from Georgia found that Black turnout in the state increased in 2008 following a strict ID law.

Mixed findings around turnout obscure the importance of the legal framework within which ID laws operate. Republican lawmakers design ID laws with marginalized voters in mind. Why and how marginalized citizens overcome barriers intended to keep them from voting is a point of

⁸ Grossmann, Matt and David A. Hopkins. 2015. "Ideological Republicans and group interest Democrats: The asymmetry of American party politics." *Perspectives on Politics* 13(1):119–139.

⁹ Bachu, Amara and Martin O'Connell. 1995. Mothers who receive AFDC paymentst. Statistical brief U.S. Census Bureau. URL: <http://www.census.gov/population/socdemo/statbriefs/sb2-95.html>

¹⁰ Watson, Susan. 2015. Alabama's DMV Shutdown Has Everything to Do With Race. Report American Civil Liberties Union. URL: <https://www.aclu.org/blog/speak-freely/alabamas-dmv-shutdown-has-everything-do-race>

¹¹ Barreto, Matt and Gabe Sanchez. 2012a. Rates of possession of accepted photo identification, among different subgroups in the eligible voter population, Milwaukee County, Wisconsin. Expert report American Civil Liberties Union. URL: <https://www.aclu.org/files/assets/062-10-exhibitjexpertreport.pdf>

¹² Muhlhausen, David B. and Keri Weber Sikich. 2007. "New analysis shows voter identification laws do not reduce turnout." Report published by the Heritage Foundation. URL: <http://www.heritage.org/election-integrity/report/new-analysis-shows-voter-identification-laws-do-not-reduce-turnout>

¹³ Mycoff, Jason D., Michael W. Wagner and David C. Wilson. 2009. "The Empirical Effects of Voter-ID Laws: Present or Absent?" *PS: Political Science & Politics* 42(1):121–126.

¹⁴ Erikson, Robert S. and Lorraine C. Minnite. 2009. "Modeling problems in the voter identification/voter turnout debate." *Election Law Journal* 8(2):85–101.

¹⁵ Vercellotti, Timothy and David Anderson. 2006. "Protecting the franchise, or restricting it? The effects of voter identification requirements on turnout." Manuscript, Rutgers University.

¹⁶ Hajnal, Zoltan, Nazita Lajevardi and Lindsay Nielson. 2017. "Voter Identification Laws and the Suppression of Minority Votes." *The Journal of Politics* 79(2):363–379.

inquiry important to the study of power in American politics. In Georgia in 2008, for example, Barack Obama's historic campaign and activists' mobilization efforts energized citizens who had a valid piece of ID. Higher turnout among co-ethnic community members with valid ID does not equate to the negligible impact of voter ID laws. Singular focus on turnout without centralizing the real impact of such burdens on access to the franchise is one-dimensional, operating within the subtext of racial power to reproduce the inequalities that demand the attention of political scientists in the first place (Katznelson and Milner 2002¹⁷; Murakawa and Beckett 2010¹⁸).

Therefore, we should turn attention to assessing the extent to which ID laws amount to a racially disparate barrier to the franchise, should one wish to cast a ballot. Expert reports in several cases challenging ID laws demonstrate by a variety of methods that Blacks and Latinos are less likely than Whites to possess an appropriate ID (Barreto and Sanchez 2012b¹⁹, Barreto and Sanchez 2014²⁰; Marker 2014²¹). In Texas, for example, using database matching Stephen Ansolabehere demonstrated a two-to-five percentage point difference between Hispanic and White voters possessing a valid ID, which grew to four-to-eight percentage points for Blacks (Plaintiffs and Interveners 2014²²). Barreto, Nuno and Sanchez²³ (2009) demonstrate disparate rates of access to an ID in Indiana, and work by Stewart²⁴ (2013) suggests that this trend holds more generally.²⁵ Yet, very little has been published in academic venues corroborating disparate rates of ID possession, nor have these differences been subjected to more rigorous analysis.

¹⁷ Katznelson, Ira and Helen Milner. 2002. "American Political Science: The Discipline's State and the State of the Discipline." *Political Science: State of the Discipline* pp. 1–22.

¹⁸ Murakawa, Naomi and Katherine Beckett. 2010. "The penology of racial innocence: The erasure of racism in the study and practice of punishment." *Law & Society Review* 44(3-4):695–730.

¹⁹ Barreto, Matt and Gabe Sanchez. 2012b. Rates of possession of valid photo identification, and public knowledge of the voter ID law in Pennsylvania. Expert report American Civil Liberties Union. URL: <https://www.aclupa.org/files/2513/7960/9091/Barreto.pdf>

²⁰ Barreto, Matt and Gabe Sanchez. 2014. Accepted photo identification and different subgroups in the eligible voter population, State of Texas, 2014. Expert report Latino Decisions. URL: http://www.latinodecisions.com/blog/wp-content/uploads/2014/10/Texas-Voter-ID-Expert-Report_Barreto_Sanchez.pdf

²¹ Marker, David A. 2014. "The statistical role in voter identification (ID) laws." *Statistics and Public Policy* 1(1):46–50.

²² Plaintiffs and Plaintiff Interveners. 2014. Plaintiff and Plaintiff Interveners' Proposed Findings of Fact and Conclusions of Law. Expert report Brennan Center for Justice. URL: <https://www.brennancenter.org/sites/default/files/legal-work/Findings.pdf>

²³ Barreto, Matt A., Stephen A. Nuno and Gabriel R. Sanchez. 2009. "The disproportionate impact of voter-ID requirements on the electorate: new evidence from Indiana." *PS: Political Science & Politics* 42(01):111–116.

²⁴ Stewart, Charles. 2013. "Voter ID: Who Has Them; Who Shows Them." *Okla. L. Rev.* 66:21.

²⁵ Stewart (2013) draws on a survey of 10,000 respondents to examine who has ID and who is asked to show it. While his measures of ID possession are very general, he finds that Latinos are asked to show an ID in states that lack ID laws, raising questions about implementation beyond the discriminatory nature of the laws themselves.

Citizens across the nation face barriers to voting in the form of ID laws. To address the shortcomings of existing research on this topic I offer evidence in three parts. First, I show that ID laws present a greater barrier to voting for minorities than for Whites, and that these disparities are national in scope. Second, this report demonstrate that racial differences persist after accounting for relevant covariates, including socioeconomic status. Finally, I assess the underlying factors that uniquely impact access to an ID among racial subgroups. Faced with inconclusive evaluations of voter ID on turnout, a comprehensive portrait of “who does or does not have the kinds of identity documents mandated in recent voter identification legislation” should be “enough to raise concerns about a disparate impact of voter ID laws” (Erikson and Minnite 2009, pg. 98).

This report leverage six datasets, collected between 2008 and 2014. Surveys were conducted in Wisconsin, Indiana, Pennsylvania and Texas, were designed to measure access to an ID given the laws in each state, and to coincide with the time period when the laws were in place but legally contested. The survey in Indiana was fielded in October, 2007, in Wisconsin from December, 2011 to January, 2012, in Pennsylvania in June of 2012, and in Texas from March to April, 2014. I pair these state datasets with two national surveys: the 2008 Collaborative Multiracial Post-Election Survey (CMPS), fielded from November, 2008 to January, 2009, and the 2012 American National Election Survey (ANES), fielded from September, 2012 to January, 2013. Across surveys, respondents were asked if they had access to an ID, with multiple follow-up questions to ensure their ID would meet state guidelines.

Sampling techniques employed in Wisconsin, Indiana, Pennsylvania, Texas and in the CMPS ensure a robust sample of nonwhite and low socio-economic status eligible voters, who are most likely to lack an ID and are hard to reach by traditional sampling methods. Combined, these amount to 18,186 completed interviews, including 4,528 Latinos, 4,289 Blacks, 1,064 Asians, 7,763 White non-Hispanics, and 542 of “other race.”

Key issues faced when combing multiple datasets include differences in sample design, population, question wording, and survey administration (Tourangeau 2003²⁶). Modes of data collection included telephone, face-to-face (ANES) and web administration (ANES). The target population varied from registered voters (in the 2008 CMPS) to all citizen eligible adults (in Wisconsin, Indiana, Pennsylvania, Texas and the ANES). Whether one has a valid ID is coded according to state law in each of the state datasets. In the two national datasets, valid ID is assessed by asking about a non-expired, state issued ID. Question wording is thus an issue insofar as precise measures are combined in the state datasets with less precise measures in the national datasets. This is done to enhance the generalizability of the findings, and to gain analytical leverage among racial subgroups. Each individual dataset is weighted to bring its demographic profile in line with Census estimates for the eligible or registered population (depending on the sample), and then an overall weight is constructed such that the final data

²⁶ Tourangeau, Roger. 2003. Recurring surveys: Issues and opportunities. National Science Foundation.

matches the national citizen, adult population, as per Osborne²⁷ (2011). Fixed effects are included in analyses of the pooled data. Finally, pooling across multiple sources is not without precedent, and the statistical leverage gained from increasing the sample size legitimizes the methodological decision to do so (Kohnen and Reiter 2009²⁸).

Findings

White respondents were statistically more likely to possess a valid form of ID than other racial groups in a model only accounting for race across every dataset included in the analysis. Table 1 displays the percent of each racial subgroup possessing a valid ID, among both the individual and pooled datasets. In both nationally representative datasets Whites were significantly more likely to possess a valid ID than were all other racial groups. In all datasets but Texas, Blacks were statistically less likely to possess an ID than were Whites. The same was true for Latinos in all datasets but Pennsylvania. In the combined dataset, about 81 percent of Blacks possessed a valid ID, compared to 91 percent of Whites, 82 percent of Latinos, 85 percent of Asians, and 86 percent of those who identify some other way. In the pooled dataset Asians and those who identify some other way are statistically less likely to possess a valid ID than are Whites, although these relationships are not consistent.

Some scholars and justices have opined that the implications of voter ID laws for voting are likely minimal since those most impacted by the laws are unlikely to vote. Therefore, I examined the relationship between race and possessing a valid ID among registered voters and those who indicated they had voted in the election prior to the survey. Racial disparities persist even among prior voters, among whom 91 percent of Whites possessed an ID, compared to 82 percent, 85 percent and 87 percent of their Black, Latino, and Asian counterparts.

²⁷ Osborne, Jason W. 2011. "Best practices in using large, complex samples: The importance of using appropriate weights and design effect compensation." *Practical Assessment, Research & Evaluation* 16(12):1–7.

²⁸ Kohnen, Christine N. and Jerome P. Reiter. 2009. "Multiple imputation for combining confidential data owned by two agencies." *Journal of the Royal Statistical Society: Series A (Statistics in Society)* 172(2):511–528.

Table 1. Percent Possessing a Valid Piece of Voter ID, by Race and Dataset.

	Combined	ANES	CMPS	Indiana	Pennsylvania	Texas	Wisconsin
White	90.5	93.1	88.1	85.8	86.7	90.8	92.7
Black	81.2***	82.7***	78.0***	73.6***	84.4**	86.9	82.7***
Latino	82.0***	81.5***	80.8***	72.7	78.4*	83.2***	83.2***
Asian	84.9***	86.2***	80.9**	91.7	100.0	100.0	87.5
Other race	85.5***	84.0***	–	79.6	69.6**	92.9	89.4

Note. ANES = American National Election Study; CMPS = Collaborative Multiracial Post-Election Survey.

* $p < .1$. ** $p < .05$. *** $p < .01$; Significance levels reflect logistic regression analysis, and racial categories are statistically different from White; estimates are weighted.

The disparate impact of voter ID laws on Blacks, Latinos and those of some other race persists after controlling for a variety of relevant covariates. Logistic regression analysis was conducted for an abbreviated and fully specified multivariate analysis of access to a valid ID among eligible voters in the pooled sample. After including appropriate controls, the relationship between possession of a valid ID and identifying as Asian continues to be negative but is no longer statistically significant. The analysis reveals that the magnitude of the negative impact of race on the likelihood of having a valid ID is substantial, outstripping other relevant variables like age, gender and having been born outside the United States. Whites have a probability of having a valid ID of about 90 percent both in the abbreviated and multivariate models. In contrast, Blacks in the abbreviated model have a predicted probability of ID possession of .81, which improves to .85 in the multivariate model. Likewise, Latinos in the abbreviated model have a predicted probability of having an appropriate ID of about .82, which improves to .85. Among Asian respondents, the likelihood of possessing a valid ID improves from .85 to .87, and in the fully specified model is no longer statistically distinguishable from Whites. Among those who identify with some other racial group, controlling for relevant covariates does not diminish the spastically negative relationship between race and ID possession.

In addition to age, gender and having been born outside the U.S., education, income and homeownership also impact ID possession. Age may negatively impact the likelihood of having an ID by way of expiration, where the elderly are less likely to drive and thus less likely to have an updated license. Younger individuals may rely on a student ID issued by a university, which often do not conform to ID regulations in a given state. Women may be less likely to have an ID as result of changing one's name after marriage. Education, income and homeownership are associated with an increased likelihood of ID possession insofar as individuals with greater civic knowledge and material resources are likely to have the skills needed to navigate public agencies, and the resources to secure appropriate ID.

The above analysis highlights that, while courts rely on bivariate evidence of racially disparate impact, when subjected to more rigorous analysis the independent, negative effects of race persist. This raises questions around underlying factors that might account for the enduring race gap. I explore this further by examining differences in the various factors that are associated with

ID possession among racial subsamples. Some factors consistently influence ID possession across all groups, like home ownership and income. However, there are differences. Among Blacks, education is positively and statistically associated with the likelihood of having an ID. Education is also positively associated with ID possession among Latinos, although it is not statistically significant. Among Whites, other factors are important predictors of lacking an ID, including being over the age of 65, a Democrat and female. Beyond the national and state data reported here, my research has documented disparate access to voter ID for non-whites in North Carolina and North Dakota. In both states, federal courts relied upon my expert reports in finding voter ID laws created disproportionate burdens and barriers for Native Americans, Blacks and Latinos.

While these factors likely compound barriers to accessing an ID among Blacks and Latinos, socioeconomic factors like education and income are of primary importance for these groups. An examination of the predicted probabilities of having a valid ID given less than a high school education, compared to having a post-graduate degree reveals that Whites with lesser education are no more likely to have a valid ID than are their educated counterparts (.94 among those without a high school degree compared to .937 among those with a post-graduate degree). In contrast, high levels of education increase the likelihood of having an ID by about eight percentage points among Blacks (.79 compared to .87) and three percentage points among Latinos (.81 compared to .84).

This analysis was undertaken to offer a comprehensive evaluation of the scope of the racially disparate impact of voter ID laws. Existing research demonstrates that voter ID laws are purposeful tools, designed with the marginalized fringe of the electorate in mind, to shape who votes primarily in favor of state Republican legislatures facing competitive elections. Voting rights activists levy challenges to such laws, focusing on disparate access to appropriate ID among people of color. Legal precedent has developed largely in the absence of evidence that the disparate impact of ID laws extends beyond a few key states, endures beyond class, and diminishes turnout. The best evidence available suggests that voter ID laws have a negative, racially disparate impact on turnout across the states (Hajnal, Lajevardi and Nielson 2017; Hajnal, Kuk and Lajevardi 2018²⁹). This analysis joins this research to demonstrate that racial disparities in access to identification appropriate for voting persist even after accounting for important covariates like education and income, underscoring the privileges accrued to Whites through a history of institutional racial exclusion.

Language Access

According to data from the 2015 Census ACS there are 10,288,344 U.S. citizen adults eligible to vote who do not speak English well with the largest population being U.S. citizen adult Latinos, of which the ACS counted 5,445,949 who do not speak English well. Every single adult American citizen who is eligible to vote should have enjoy equal access to the ballot. It should not be harder for some citizens to vote. We should not erect more barriers for just some citizens.

²⁹ Hajnal, Zoltan, John Kuk and Nazita Lajevardi. 2018. "We All Agree: Strict Voter ID Laws Disproportionately Burden Minorities." *The Journal of Politics* 80(3)

When it comes to language access, the Voting Rights Act language provisions are settled law: where language-minority populations reach thresholds, state and local jurisdictions must provide non-English access to *all* voting materials that are otherwise available in English.

Research in political science has documented with clear evidence that access to Spanish, Asian, and Native/Indigenous language voting materials increases voter participation rates among impacted minority groups. Hopkins³⁰ (2011) used a regression discontinuity to compare Spanish-speaking eligible voters in California who live right around the threshold of Section 203 coverage. His analysis is perhaps the most rigorous study of access to Spanish voting materials, and finds between a 7 and 11 point increase in voter turnout given access to Spanish materials. He notes that for “a Latino citizen with median values on other independent variables reports little English ability and does not live in a covered jurisdiction... we should expect her to report turning out to vote 55.1% of the time. In a covered county, however, that same figure is 66.2%, for a treatment effect of 11.0 percentage points on average.”

Hopkins finding consistent with earlier research by Jones-Correa³¹ (2005) and Ramakrishnan³² (2005) who each found conclusive evidence that Section 203 language access resulted in higher voting rates for Latinos, Asian Americans and other immigrant communities. Likewise, specific studies of Asian American voting document the importance of language assistance under Section 203 (see Magpantay³³ 2004). One challenge continues to be full compliance with Section 203. Research by Tucker and Espino³⁴ (2007) examined what public officials know about language assistance regulations and the need within their communities. Their research documented that in nearly all Section 203 covered jurisdictions, public officials considerably underestimate how many actual voters need language assistance, and as a result, many jurisdictions which are covered, do not end up providing the full range of language assistance. For example, among places where Spanish language assistance was required, only 68.5% of jurisdictions fully complied and provided full Spanish language assistance, leaving 31.5% to provide limited, or no language assistance at all, even though they were covered by Section 203. Magpantay also documented non-compliance with Asian language assistance in multiple geographies across the United States, suggesting a far greater need in outreach, education and Section 203 compliance for local election officials.

³⁰ Hopkins, Daniel. 2011. “Translating into Votes: The Electoral Impacts of Spanish-Language Ballots.” *The American Journal of Political Science*. 55:4.

³¹ Jones-Correa, Michael. 2005. “Language Provisions under the Voting Rights Act: How Effective Are They?” *Social Science Quarterly* 86(3): 549–564

³² Ramakrishnan, Karthick. 2005. *Democracy in Immigrant America: Changing Demographics and Political Participation*. Palo Alto, CA: Stanford University Press

³³ Magpantay, Glenn. 2004. “Asian American Access to the Vote: The Language Assistance Provisions (Section 203) of the Voting Rights Act and Beyond.” *Asian Law Journal* 11:31

³⁴ Tucker, James and Rodolfo Espino. 2007. “Government Effectiveness and Efficacy? The Minority Language Assistance Provision of the VRA.” *Texas Journal on Civil Liberties and Civil Rights*. 12:2.

Beyond research on Latinos and Asian Americans, it has been well documented that access to non-English voting materials helps making voting accessible for American Indian and Alaska Native populations (Tucker³⁵ 2009). In particular, language access has been described as crucial for many Alaska Native populations, in particular where there is limited written language capacity and oral language assistance is necessary. According to Wolfley³⁶ “American Indians and Alaska Natives continue to experience hardships when attempting to vote because of their limited ability to speak English and to read the ballots.”

³⁵ Tucker, James. 2009. *The Battle Over Bilingual Ballots: Language Minorities and Political Access Under the Voting Rights Act*. New York: Routledge Press, Ashgate Publishing.

³⁶ Wolfley, Jeanette. 2015. “You Gotta Fight For The Right To Vote: Enfranchising Native American Voters.” *University of Pennsylvania Journal of Constitutional Law*. 18:1.