



AMERICAN CIVIL LIBERTIES UNION

## Northern California

May 4, 2020

Supervisor Sandra Lee Fewer  
Supervisor Catherine Stefani  
Supervisor Aaron Peskin  
Supervisor Gordon Mar  
Supervisor Dean Preston  
Supervisor Matt Haney  
Supervisor Norman Yee  
Supervisor Rafael Mandelman  
Supervisor Hillary Ronen  
Supervisor Shamann Walton  
Supervisor Ahsha Safai  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
San Francisco, California 94102  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)  
[Bos-legislative-aides@sfgov.org](mailto:Bos-legislative-aides@sfgov.org)

**RE: Resolution Urging the  
Implementation of Statewide Election  
Reforms for the November  
Presidential Election – SUPPORT**

*Via Electronic Mail*

Dear Supervisors:

The American Civil Liberties Union of Northern California (ACLU) is pleased to support Supervisor Yee's Resolution "Urging Implementation of Statewide Election Reforms for the November Presidential Election" (Resolution), which urges Governor Gavin Newsom and Secretary of State Alex Padilla to require county elections officials to mail a ballot to every registered voter; urges San Francisco Department of Elections Director John Arntz to maintain polling site ratios between the range of 1 site per 1,000 registered voters to 1 per 10,000; opposes recommendations that the State waive or give counties broad discretion regarding in-person voting and drop-off voting requirements; and advocates for mass public education, particularly for infrequent voters. The Resolution also asks that statewide reforms uphold principles such as protecting voter access and the rights of infrequent voters, and center equity in implementation as well as in education and outreach.

The COVID-19 pandemic poses unique challenges to administering the November 2020 election. California must act proactively to ensure the election is safe, secure, and accessible for all voters, and San Francisco can lead the way.

The first and most commonsense step to ensuring this is to send all registered California voters a vote-by-mail (VBM) ballot. A majority of Californians already securely use VBM, and no one

**American Civil Liberties Union of Northern California**

EXECUTIVE DIRECTOR Abdi Soltani • BOARD CHAIR Magan Pritam Ray

SAN FRANCISCO OFFICE: 39 Drumm St. San Francisco, CA 94111 • FRESNO OFFICE: PO Box 188 Fresno, CA 93707  
TEL (415) 621-2493 • FAX (415) 255-1478 • TTY (415) 863-7832 • WWW.ACLUNC.ORG

should have to choose between their health and their right to vote. However, expanding the availability of VBM will not be enough to protect all voters.

California and San Francisco must also offer as many in-person voting locations as is safely possible. Without in-person voting locations, there is a severe risk that historically underrepresented voters will face significant barriers to voting and be disenfranchised. For example, voters with limited-English proficiency and disabilities rely on services that are provided at in-person voting locations.<sup>1</sup> Voters who are housing insecure or unhoused – as more voters will be this November due to displacement from the economic fallout of COVID-19 – are more likely to not receive a VBM ballot and would therefore need in-person voting options. Further, Black, Latinx, and Native American voters are also historically less likely to use VBM and Asian American voters are more likely to have their VBM ballots rejected.<sup>2</sup> New voters and voters whose addresses have changed will also need access to same day voter registration.

We are deeply concerned that if California fails to require all counties to provide at least a minimum number of voting locations based on the number of voters in each county, some counties will fail to provide meaningful and safe opportunities to vote in person. This is why we join the San Francisco Board of Supervisors in calling for Governor Newsom, Secretary Padilla, and Director Arntz to ensure there are strong minimum requirements for in-person voting locations.

Finally, voters must have full notice of any changes that will be made to election administration this November. San Francisco officials and elections officials across the state must engage in robust public education efforts to inform all Californians of their voting options and to protect confidence in the election system. This outreach must be in all required languages, available in accessible formats, and delivered through a wide range of platforms and formats.

For these reasons, the ACLU of Northern California supports the Resolution.

Sincerely,



Christina E. Fletes-Romo  
Voting Rights Attorney



Brittany Stonesifer  
Voting Rights Attorney

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<sup>1</sup> See, e.g., Disability Rights California, *Best Processes to Reduce and Eliminate Accessibility Barriers for Voters with Disabilities* (2013), <http://futureofelections.org/wp/wp-content/uploads/2013/09/FOCE.12-DRC-Barriers-and-Best-Processes-Voters-with-Disabilities.pdf>.

<sup>2</sup> See, e.g., Asian-Americans Advancing Justice, *Asian Americans Face Higher than Average Vote-by-Mail Rejection Rates in California* (Aug. 2017); Mindy S. Romero, CCEP, *The California Voter Experience: Why African-American Voters Choose to Vote at the Polls or Vote-by-Mail, and How They Perceive Proposed Changes to California's Voting System* (Sept. 2016); Mindy S. Romero, *The California Voter Experience: Vote-by-Mail vs. the Polls* (July 2016); Mindy S. Romero, CCEP, *Disparities in California's Vote-by-Mail Use Changing Demographic Composition: 2002-2012* (Mar. 2014); Native American Rights Fund, *Vote by Mail in Native American Communities*, available at [www.narf.org/vote-by-mail](http://www.narf.org/vote-by-mail).

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: Support for Resolution Urging Implementation of Statewide Election Reforms  
**Date:** Tuesday, May 5, 2020 11:45:28 AM  
**Attachments:** [Letter to SF BOS re Nov 2020 Elections Resolution from ALC.pdf](#)

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**From:** Julia Marks <juliam@advancingjustice-alc.org>  
**Sent:** Tuesday, May 5, 2020 8:04 AM  
**To:** BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative\_aides@sfgov.org>  
**Subject:** Support for Resolution Urging Implementation of Statewide Election Reforms

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Dear Supervisors,

Asian Americans Advancing Justice - Asian Law Caucus writes to support Supervisor Yee's Resolution "Urging Implementation of Statewide Election Reforms for the November Presidential Election."  
Please find attached our letter of support.

Sincerely,  
Julia Marks

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**Julia Marks**  
*Staff Attorney, Voting Rights and Census*

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**Asian Americans Advancing Justice – Asian Law Caucus**  
415-848-7763  
[juliam@advancingjustice-alc.org](mailto:juliam@advancingjustice-alc.org)  
[www.advancingjustice-alc.org](http://www.advancingjustice-alc.org)



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[Bos-legislative-aides@sfgov.org](mailto:Bos-legislative-aides@sfgov.org)

Via Electronic Mail

Re: Support for Resolution Urging the Implementation of Statewide Election Reforms for the November Presidential Election

Dear Supervisors:

Asian Americans Advancing Justice - Asian Law Caucus (Advancing Justice - ALC) is pleased to support Supervisor Yee's Resolution "Urging Implementation of Statewide Election Reforms for the November Presidential Election" (hereinafter "the Resolution"). For the following reasons, we believe that this resolution will serve as an important step toward a more fair and inclusive November 2020 election in San Francisco and the State of California as a whole.

The Resolution promotes effective and equitable elections by pressing for minimum standards and consistency across the State. It urges Governor Newsom and Secretary of State Padilla to require county elections officials to mail a ballot to every registered voter. We strongly support sending all registered voters a vote-by-mail ballot as a first step to providing ballot access and the opportunity for voters to participate in the election safely from home. However, as the Resolution acknowledges, vote-by-mail will not be a solution for all voters.

Voters with disabilities, voters who have limited English proficiency, first-time and infrequent voters, same-day registrants, and voters facing housing instability may need to visit in-person voting locations to vote. The Resolution helps secure ballot access for voters in San Francisco's November 2020 elections by urging the San Francisco Department of Elections Director to maintain polling site ratios between the range of 1 site per 1,000 registered voters to 1 per

10,000. Providing in-person voting opportunities, including accessible locations, is absolutely necessary to avoid disenfranchising voters, especially those who are most often left out of the democratic process. Accordingly, we support the Board in calling for Governor Newsom and Secretary Padilla to require in-person voting opportunities statewide and opposing recommendations that the State waive or give counties broad discretion regarding in-person voting and ballot drop-off requirements.

Finally, we support the statement of values that the Resolution outlines to guide elections reforms. Protecting voting access for people with disabilities and for people who have limited English proficiency is important in all elections and especially important when there are significant changes to elections systems that might further disenfranchise people. Similarly, consideration of equity in placement of voting and drop-box locations and the implementation of robust voter education will be especially important in the November 2020 election.

We support the Board's efforts to ensure a safe, secure, and accessible election for San Francisco voters and voters across the state.

Sincerely,



Julia Marks  
Attorney, Voting Rights & Census  
Asian Americans Advancing Justice – Asian Law Caucus



Adria Orr  
Senior Project Coordinator, Voting Rights & Census  
Asian Americans Advancing Justice – Asian Law Caucus

**From:** [aeboken](#)  
**To:** [BOS-Supervisors](#); [BOS-Legislative Aides](#)  
**Subject:** SUPPORTING BOS Agenda Item #27 Urging Implementation of Statewide Election Reforms for the November Presidential Elections - Protect Voter Access, Ensure Mass Public Education on Voting and Focus on Equity File #200435  
**Date:** Monday, May 4, 2020 11:25:24 PM

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**TO:** Board of Supervisors members

I am strongly supporting the implementation of statewide election reforms for the November Presidential elections as stated in this legislation especially the vote-by-mail provision.

Eileen Boken  
Chair, Land Use and Transportation Committee  
Coalition for San Francisco Neighborhoods\*

\* For identification purposes only.

Sent from my Verizon, Samsung Galaxy smartphone