



AMERICAN CIVIL LIBERTIES UNION

## Northern California

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**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**

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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).