



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19616

Proposed No. 2023-0152.2

Sponsors Upthegrove and Dembowski

1 AN ORDINANCE relating to translated voting materials;
 2 and amending Ordinance 18086, Section 2, and K.C.C.
 3 2.16.136.

4 **STATEMENT OF FACTS:**

- 5 1. All citizens, including those for whom English is a second language,
 6 should be able to access their right to vote.
- 7 2. Research shows that targeted minority language voting materials and
 8 related outreach can improve voter turnout. According to a report by the
 9 Asian American Legal Defense and Education Fund, after coverage
 10 provided under Section 203 of the Voting Rights Act of 1965 was
 11 expanded in 1992, the number of Asian Americans registered to vote
 12 increased dramatically. As cited in the journal Legislation and Public
 13 Policy vol. 10:195 2006, "in covered areas where the Department of
 14 Justice brought section 203 enforcement actions, participation not only in
 15 voting but in running for political office increased dramatically."
- 16 3. The King County department of elections began its language access
 17 program in 2002 with the addition of Chinese under Section 203 of the
 18 Voting Rights Act of 1965. Vietnamese was added under Section 203 in
 19 2012.

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20 4. King County's True North is "Making King County a welcoming
21 community where every person can thrive." A welcoming community is
22 an engaged and open community, one that values every voice.

23 5. In 2015, the King County council adopted Ordinance 18086, which
24 requires that the department of elections examine changes in the use of
25 languages in the King County population at least every five years and
26 provide a report to the King County council, and requires the department
27 of elections to provide services in any language identified in this report as
28 being spoken by ten thousand or more limited-English-proficient
29 residents. That created a standard for in-language service even more
30 inclusive than the one created by Section 203 of the Voting Rights Act of
31 1965, and includes languages not covered by Section 203 such as African
32 and European languages.

33 6. Ordinance 18086 also required the department of elections to provide
34 services and materials to voters in Spanish and Korean. Since the
35 introduction of added services in Spanish and Korean, requests for
36 translated materials to the department of elections have increased by more
37 than one hundred twelve percent.

38 7. In the latest report submitted to the King County council in 2022 by the
39 department of elections under Ordinance 18086, Report 2022-RPT0025,
40 the department of elections recommended adding Russian and Somali to
41 the list of languages in which they provide services and materials based on

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42 both available statistical data and conversations with community service
43 providers.

44 8. In 2017, the King County council adopted Ordinance 18665, which
45 requires all King County agencies to develop plans to provide
46 communications and vital documents in the top six non-English languages
47 used in King County as identified by the office of equity and social justice
48 and the county demographer. The top six languages currently identified
49 are Spanish, Chinese, Vietnamese, Somali, Russian, and Korean.

50 9. The department of elections currently provides services and materials
51 in four of the six top non-English languages identified by the office of
52 equity and social justice and the county demographer under Ordinance
53 18665, but not Somali or Russian.

54 10. According to American Community Survey estimates, the population
55 of Russian speaking limited-English-proficient residents in King County
56 has grown over the last five years. Russian is the most common language
57 spoken at home by limited-English-proficient residents in King County in
58 which the department of elections does not already provide services and
59 materials.

60 11. Somali is one of the most requested languages for interpretation or
61 translation by King County residents utilizing government services.
62 Somali is the second most requested language in King County for
63 interpretation at public health clinics, behind only Spanish, according to
64 public health – Seattle & King County, as well as the fifth most requested

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65 language for interpretation at court according to the King County district
66 court. Somali is also the fourth most common language spoken at home
67 by limited-English-proficient students in King County according to data
68 from the Office of Financial Management and the Office of the
69 Superintendent of Public Instruction, behind only Spanish, Chinese, and
70 Vietnamese.

71 12. One of the department of elections's core values is the belief that
72 democracy works best when all voices are heard and that election officials
73 must proactively work to remove barriers to ensure all voters can
74 meaningfully participate in our elections.

75 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

76 SECTION 1. Ordinance 18086, Section 2, and K.C.C. 2.16.136 are hereby
77 amended to read as follows:

78 A.1. For all elections administered by the department of elections, the director of
79 elections shall prepare voting materials, to the extent not already provided by the
80 ~~((e))~~Office of the Washington state Secretary of State, in the languages ~~((determined~~
81 ~~through the process described in))~~ required by subsection ~~((B-))~~ C. of this section, in
82 addition to those languages required by Section 203 of the Voting Rights Act of 1965,
83 P.L. 94-73, 42 U.S.C. 1973aa-1a. The director of elections shall make the voting
84 materials available to any resident of King County upon request of that person, and in
85 addition shall make the voter registration materials required by this section broadly
86 available, including to King County offices required to make them available under
87 K.C.C. 2.16.137. The director of elections shall record the numbers of ballot and voter

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88 pamphlet requests in each language other than English, and include this information in
89 the report required in subsection ~~((C.))~~ B. of this section.

90 2. For the purposes of this section, "voting materials" include, but are not
91 limited to:

92 a. voter registration notices, voter registration forms, and voter registration
93 instructions, to the extent not already provided by the ~~((o))~~ Office of the Washington state
94 Secretary of State;

95 b. ballots and ballot instructions; and

96 c. local voters' pamphlets, in conformity with K.C.C. chapter 1.10 and chapter
97 29A.32 RCW.

98 B. In 2016 and at least every five years thereafter, the director of elections shall
99 review data on limited-English-proficient populations in King County and shall
100 determine, in consultation with community leaders of limited-English-proficient
101 populations and the office of performance, strategy and budget, each single language that
102 has ten thousand or more limited-English-proficient King County residents. The director
103 of elections shall make this determination by referring to the best available data from the
104 United States Census Bureau or other source the director considers relevant and reliable.
105 The director of elections shall file a report of this determination, including a list of all
106 languages that meet the threshold of ten thousand or more limited-English-proficient
107 residents, and the supporting analysis by January 30, 2017, and at least every five years
108 after the first report is filed. The director of elections shall electronically file the report
109 ~~((in the form of a paper original and an electronic copy))~~ with the clerk of the council,
110 who shall retain ~~((the original))~~ a copy and provide an electronic copy to all

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111 councilmembers, the council chief of staff, the council chief policy ~~((director))~~ office,
112 and the director of elections.

113 C.~~((1. Beginning for the first general election after the director files a report~~
114 ~~required by subsection B. of this section, the director shall provide translated voting~~
115 ~~materials, in addition to the languages required under section 203 of the Voting Rights~~
116 ~~Act of 1965, P.L. 94 73, 42 U.S.C. 1973aa 1a, in all languages determined by the director~~
117 ~~under subsection B. of this section, unless within forty five days of the filing of the~~
118 ~~determination report, an ordinance is enacted that adopts a different list. If a different list~~
119 ~~is enacted by ordinance, the director shall provide materials in all languages included in~~
120 ~~that list.~~

121 ~~2. Until forty five days have elapsed from the filing of the first report required~~
122 ~~by subsection B. of this section, the director of elections shall prepare and make available~~
123 ~~to the public at the same time as voting materials in English at least Spanish and Korean~~
124 ~~language voting materials)) The director of elections shall prepare and make available to~~
125 ~~the public translated voting materials in the following languages:~~

126 1. Spanish;

127 2. Chinese;

128 3. Vietnamese;

129 4. Korean;

130 5. Russian;

131 6. Somali;

132 7. Any languages identified by the director in a report required by subsection B.
133 of this section as having ten thousand or more limited-English-proficient King County

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134 residents, unless an ordinance is enacted within forty-five days of the filing of that report
135 requiring otherwise, beginning with the first general election after that report is filed with
136 the clerk of the council; and

137 8. Any other languages required under Section 203 of the Voting Rights Act of
138 1965, P.L. 94-73, 42 U.S.C. 1973aa-1a.

139 D. The director of elections shall also ensure the provision of targeted outreach to
140 all language communities identified under subsection ~~((s-B. and))~~ C. of this section to
141 promote awareness of and requests for translated voting materials. The outreach may
142 include, but not be limited to, engagement of community leaders from and outreach to
143 community organizations serving limited-English-proficient populations, minority
144 language media purchases, such as advertising, attendance, and materials distribution at
145 large limited-English-proficient community events, and recruitment of bilingual election
146 workers. The director of elections shall maintain and make available to the public at least
147 one hundred twenty days before each primary and general election a list of the languages
148 other than English in which the department will provide translated material and
149 assistance, and the specific form of that assistance.

150 E. The cost of providing the materials and services described in subsections A.,


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- 151 C., and D. of this section shall be considered a cost of elections, of which a pro rata share
- 152 shall be recovered from constituent jurisdictions and the state.


Ordinance 19616 was introduced on 4/4/2023 and passed by the Metropolitan King County Council on 5/23/2023, by the following vote:

Yes: 9 - Balducci, Dembowski, Dunn, Kohl-Welles, Perry, McDermott, Upthegrove, von Reichbauer and Zahilay

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:

 E76CE01F07B14EF...
 Dave Upthegrove, Chair

ATTEST:

DocuSigned by:

 8DE1BB375AD3422...
 Melani Pedroza, Clerk of the Council

APPROVED this _____ day of 6/1/2023, _____.

DocuSigned by:

 4FBCAB8196AE4C6...
 Dow Constantine, County Executive

Attachments: None

Certificate Of Completion

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Certificate Pages: 5	Initials: 0
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Envelopeld Stamping: Enabled	Cherie Camp
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	401 5TH AVE
	SEATTLE, WA 98104
	Cherie.Camp@kingcounty.gov
	IP Address: 198.49.222.20

Record Tracking

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Signer Events

Dave Upthegrove
dave.upthegrove@kingcounty.gov
Chair
Security Level: Email, Account Authentication (None)

Signature

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Using IP Address: 67.160.80.216

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Melani Pedroza
melani.pedroza@kingcounty.gov
Clerk of the Council
King County Council
Security Level: Email, Account Authentication (None)

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Dow Constantine
Dow.Constantine@kingcounty.gov
King County Executive
Security Level: Email, Account Authentication (None)

DocuSigned by:

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Signed: 6/1/2023 5:08:45 PM

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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Kaitlyn Wiggins kwwiggins@kingcounty.gov Executive Legislative Coordinator King County Executive Office Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	<div style="border: 2px solid blue; padding: 5px; display: inline-block;">COPIED</div>	Sent: 5/25/2023 9:11:25 AM Viewed: 5/25/2023 10:03:01 AM
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Notary Events	Signature	Timestamp
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Signing Complete	Security Checked	6/1/2023 5:08:45 PM
Completed	Security Checked	6/1/2023 5:08:45 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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