



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

RESOLUTION NO. 190584

Introduced June 13, 2019

Councilmember Oh

RESOLUTION

Urging the Office of the Philadelphia City Commissioners to maximize Language Access Services available through the City's new voting machines.

WHEREAS, All American citizens, regardless of their ethnicities and backgrounds, should be encouraged to exercise their right to vote; and

WHEREAS, According to The Pew Charitable Trusts, immigration is largely responsible for the population growth Philadelphia has experienced since 2006. Today, 14% of Philadelphians are foreign-born, and 23% of Philadelphia residents speak a foreign language at home. China, India, Vietnam, Haiti, Ukraine, Albania, and Korea are among the top 10 countries of origin of Philadelphians as of 2017; and

WHEREAS, The National Voting Rights Act requires that any language spoken by at least 5% of a county's population or 10,000 or more individuals in a county shall be included in voting information and services. In accordance with this law, Philadelphia is one of three counties in Pennsylvania to offer language support services in Spanish due to its sizable Hispanic population; and

WHEREAS, As of November 2016, more than 140,000 eligible voters in Pennsylvania, most of whom live in Philadelphia and the greater area, have limited proficiency in English and do not speak Spanish; and

WHEREAS, An anti-discrimination complaint filed with the Human Relations Commission in 2014 by the Asian American Legal Defense and Education Fund (AALDEF), Boat People-SOS of the Delaware Valley, and the Asian Pacific American Bar Association of Pennsylvania stated that this voting demographic includes 57% of the City's foreign-born Asian American population; and

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WHEREAS, The antidiscrimination complaint stated that by not providing adequate language access services to Koreans, Vietnamese, Chinese, and Cambodian voters, the City Commissioners violated the City's Fair Practices Ordinance; and

WHEREAS, Advocates say that the resources currently available to non-Spanish-speaking voters with limited proficiency in English do not meet the National Voting Rights Act's standards of being reasonable and effective. The City contracts with Language Line, a telephonic interpretation system that, while available in 240 languages, is not considered by advocates to provide adequate practical assistance in polling places. The antidiscrimination complaint said that the Language Line service was not well-advertised and therefore underutilized; and

WHEREAS, The Office of the Philadelphia City Commissioners has begun public demonstrations of the ExpressVote XL voting machines, made by Election Systems and Software (ES&S), which were selected by the City Commissioners in February after a procurement process. 3,735 of these new machines will be utilized in the upcoming general election on November 5, 2019; and

WHEREAS, The ExpressVote XL machines have a digital touch screen and can be programmed to include audio and visual instructions in multiple languages. According to ES&S, "Individual jurisdictions determine the offered language translations," meaning that Philadelphia now has the ability to offer more languages than English and Spanish directly on the ballot through these new machines. Budget testimony from the Office of the Philadelphia City Commissioners stated that the machines are capable of supporting up to 16 languages. However, only Spanish language access services have been added to the machines thus far; and

WHEREAS, Maximizing the capacities of the new ExpressVote XL voting machines to provide language access services will make voting as accessible as possible to all Philadelphians. This will further reduce barriers to voting participation and make for a more inclusive City and democracy; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby urges the Office of the Philadelphia City Commissioners to maximize language access services available through the City's new voting machines.