



Texas

September 3, 2020

Attn: Janice Ruple  
Elections Administrator  
914 Main St, #115  
Jourdanton, TX 78026  
[elections@atascosacounty.texas.gov](mailto:elections@atascosacounty.texas.gov)

**RE: Availability of Bilingual Online Voting Materials for Atascosa County's Spanish Speaking Voters**

Dear Ms. Ruple:

We write on behalf of the American Civil Liberties Union of Texas ("ACLU"). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 ("VRA") and the United States Constitution.

Atascosa County is a "covered State or political subdivision" for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision "provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language."<sup>1</sup> For Atascosa County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Election Information page maintained by your office is not clearly and accurately translated into Spanish, has non-working translation links, or does not have Spanish language links corresponding to information in English.<sup>2</sup> In light of the upcoming elections, and Atascosa County's significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice ("DOJ") is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County, Texas to make translated materials available "**on the Internet**."<sup>3</sup> In another case, the DOJ specifically observed that the county "has failed to translate and

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<sup>1</sup> 52 U.S.C.S. § 10503(c). In 1975, Congress passed Section 203 of the VRA, pursuant to enforcement sections of the Fourteenth and Fifteenth Amendments, to remedy depressed political participation among language minorities, which it found "directly related to the unequal educational opportunities afforded them." 52 U.S.C.S. § 10503.

<sup>2</sup> <http://www.atascosacounty.texas.gov/page/atascosa.Elections>

<sup>3</sup> Consent Decree at 5, *United States v. Fort Bend County*, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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disseminate **all written election material and information... including information published on its website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Atascosa County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Atascosa County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Atascosa County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

<sup>4</sup> Consent Decree at 3, United States v. Alameda County, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, United States v. Orange County, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, United States v. Lorain County, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, United States v. Cuyahoga County, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)



Texas

September 3, 2020

Robin Dickerson  
County Clerk  
Bailey County Courthouse  
300 S 1<sup>st</sup>  
Muleshoe, TX 79347  
*rdickerson@co.bailey.tx.us*

**RE: Availability of Bilingual Online Voting Materials for Bailey County’s Spanish Speaking Voters**

Dear Ms. Dickerson:

We write on behalf of the American Civil Liberties Union of Texas (“ACLU”). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 (“VRA”) and the United States Constitution.

Bailey County is a “covered State or political subdivision” for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision “provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.”<sup>1</sup> For Bailey County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Elections page maintained by your office is not clearly and accurately translated into Spanish, has non-working translation links, or does not have Spanish language links corresponding to information in English.<sup>2</sup> In light of the upcoming elections, and Bailey County’s significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice (“DOJ”) is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available “**on the Internet**.”<sup>3</sup> In another case, the DOJ specifically observed that the county “has failed to translate and

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<sup>1</sup> 52 U.S.C.S. § 10503(c). In 1975, Congress passed Section 203 of the VRA, pursuant to enforcement sections of the Fourteenth and Fifteenth Amendments, to remedy depressed political participation among language minorities, which it found “directly related to the unequal educational opportunities afforded them.” 52 U.S.C.S. § 10503.

<sup>2</sup> <http://www.co.bailey.tx.us/page/bailey.Elections>

<sup>3</sup> Consent Decree at 5, *United States v. Fort Bend County*, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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disseminate **all written election material and information... including information published on its website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Bailey County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Bailey County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Bailey County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

<sup>4</sup> Consent Decree at 3, United States v. Alameda County, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, United States v. Orange County, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, United States v. Lorain County, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, United States v. Cuyahoga County, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)



Texas

September 3, 2020

Attn: Anna Garcia  
Elections Administrator  
203 Calixto Mora Ave  
P.O. Box 714  
Falfurrias, TX 78355  
*agarcia@co.brooks.tx.us*

**RE: Availability of Bilingual Online Voting Materials for Brooks County's Spanish Speaking Voters**

Dear Ms. Garcia:

We write on behalf of the American Civil Liberties Union of Texas ("ACLU"). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 ("VRA") and the United States Constitution.

Brooks County is a "covered State or political subdivision" for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision "provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language."<sup>1</sup> For Brooks County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Election Information page maintained by your office is not clearly and accurately translated into Spanish, has non-working translation links, or does not have Spanish language links corresponding to information in English.<sup>2</sup> In light of the upcoming elections, and Brooks County's significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice ("DOJ") is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available "**on the Internet**."<sup>3</sup> In another case, the DOJ specifically observed that the county "has failed to translate and

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<sup>1</sup> 52 U.S.C.S. § 10503(c). In 1975, Congress passed Section 203 of the VRA, pursuant to enforcement sections of the Fourteenth and Fifteenth Amendments, to remedy depressed political participation among language minorities, which it found "directly related to the unequal educational opportunities afforded them." 52 U.S.C.S. § 10503.

<sup>2</sup> <http://www.co.brooks.tx.us/page/brooks.Elections>

<sup>3</sup> Consent Decree at 5, *United States v. Fort Bend County*, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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disseminate **all written election material and information... including information published on its website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Brooks County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Brooks County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Brooks County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

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<sup>4</sup> Consent Decree at 3, *United States v. Alameda County*, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, *United States v. Orange County*, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, *United States v. Lorain County*, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, *United States v. Cuyahoga County*, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)



Texas

September 3, 2020

Attn: Mary Ann Orta  
Elections Administrator  
211 S. Ann Ste. 103  
Port Lavaca, TX 77979  
[mary.orta@calhouncotx.org](mailto:mary.orta@calhouncotx.org)

**RE: Availability of Bilingual Online Voting Materials for Calhoun County's Spanish Speaking Voters**

Dear Ms. Orta:

We write on behalf of the American Civil Liberties Union of Texas ("ACLU"). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 ("VRA") and the United States Constitution.

Calhoun County is a "covered State or political subdivision" for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision "provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language."<sup>1</sup> For Calhoun County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Election page maintained by your office is not provided in Spanish or does not have Spanish language links corresponding to information in English.<sup>2</sup> In light of the upcoming elections, and Calhoun County's significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice ("DOJ") is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available "**on the**

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<sup>1</sup> 52 U.S.C.S. § 10503(c). In 1975, Congress passed Section 203 of the VRA, pursuant to enforcement sections of the Fourteenth and Fifteenth Amendments, to remedy depressed political participation among language minorities, which it found "directly related to the unequal educational opportunities afforded them." 52 U.S.C.S. § 10503.

<sup>2</sup> <http://www.calhouncoelections.org>

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**Internet.**<sup>3</sup> In another case, the DOJ specifically observed that the county “has failed to translate and disseminate **all written election material and information... including information published on its website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Calhoun County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Calhoun County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Calhoun County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

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<sup>3</sup> Consent Decree at 5, *United States v. Fort Bend County*, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

<sup>4</sup> Consent Decree at 3, *United States v. Alameda County*, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, *United States v. Orange County*, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, *United States v. Lorain County*, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, *United States v. Cuyahoga County*, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)





Texas

September 3, 2020

Ginger Morgan  
County Clerk  
Floyd County Courthouse  
105 South Main Street, Room 101  
Floydada, TX 79235  
*coclk@co.floyd.tx.us*

**RE: Availability of Bilingual Online Voting Materials for Floyd County’s Spanish Speaking Voters**

Dear Ms. Morgan:

We write on behalf of the American Civil Liberties Union of Texas (“ACLU”). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 (“VRA”) and the United States Constitution.

Floyd County is a “covered State or political subdivision” for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision “provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.”<sup>1</sup> For Floyd County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Elections page maintained by your office is not clearly and accurately translated into Spanish, has non-working translation links, or does not have Spanish language links corresponding to information in English.<sup>2</sup> In light of the upcoming elections, and Floyd County’s significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice (“DOJ”) is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available “**on the Internet.**”<sup>3</sup> In another case, the DOJ specifically observed that the county “has failed to translate and

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<sup>2</sup> <http://www.co.floyd.tx.us/page/floyd.Elections>

<sup>3</sup> Consent Decree at 5, *United States v. Fort Bend County*, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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disseminate **all written election material and information... including information published on its website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Floyd County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Floyd County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Floyd County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

<sup>4</sup> Consent Decree at 3, United States v. Alameda County, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, United States v. Orange County, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, United States v. Lorain County, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, United States v. Cuyahoga County, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)



Texas

September 3, 2020

Attn: Cheryl Smart  
Elections Administrator  
624 Ave H, Ste 103  
Levelland, TX 79336  
*csmart@hockleycounty.org*

**RE: Availability of Bilingual Online Voting Materials for Hockley County’s Spanish Speaking Voters**

Dear Ms. Smart:

We write on behalf of the American Civil Liberties Union of Texas (“ACLU”). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 (“VRA”) and the United States Constitution.

Hockley County is a “covered State or political subdivision” for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision “provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.”<sup>1</sup> For Hockley County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Election page maintained by your office is not clearly and accurately translated into Spanish, has non-working translation links, or does not have Spanish language links corresponding to information in English.<sup>2</sup> In light of the upcoming elections, and Hockley County’s significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice (“DOJ”) is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available “**on the Internet**.”<sup>3</sup> In another case, the DOJ specifically observed that the county “has failed to translate and

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<sup>2</sup> <http://www.co.hockley.tx.us/page/hockley.ElectionsHome>

<sup>3</sup> Consent Decree at 5, *United States v. Fort Bend County*, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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disseminate **all written election material and information... including information published on its website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Hockley County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Hockley County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Hockley County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

<sup>4</sup> Consent Decree at 3, *United States v. Alameda County*, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, *United States v. Orange County*, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, *United States v. Lorain County*, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, *United States v. Cuyahoga County*, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)



Texas

September 3, 2020

Attn: Margarita A. Esqueda  
Elections Administrator  
Courthouse Square, Ste 107  
Cotulla, TX 78014  
*margie.esqueda@co.la-salle.tx.us*

**RE: Availability of Bilingual Online Voting Materials for La Salle County’s Spanish Speaking Voters**

Dear Ms. Esqueda:

We write on behalf of the American Civil Liberties Union of Texas (“ACLU”). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 (“VRA”) and the United States Constitution.

La Salle County is a “covered State or political subdivision” for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision “provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.”<sup>1</sup> For La Salle County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Election Information page maintained by your office is not provided in Spanish.<sup>2</sup> In light of the upcoming elections, and La Salle County’s significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice (“DOJ”) is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available “**on the Internet**.”<sup>3</sup> In another case, the DOJ specifically observed that the county “has failed to translate and disseminate **all written election material and information... including information published on its**

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<sup>1</sup> 52 U.S.C.S. § 10503(c). In 1975, Congress passed Section 203 of the VRA, pursuant to enforcement sections of the Fourteenth and Fifteenth Amendments, to remedy depressed political participation among language minorities, which it found “directly related to the unequal educational opportunities afforded them.” 52 U.S.C.S. § 10503.

<sup>2</sup> <https://www.co.la-salle.tx.us/index.php/electioninformation>

<sup>3</sup> Consent Decree at 5, *United States v. Fort Bend County*, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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**website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because La Salle County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, La Salle County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect La Salle County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

<sup>4</sup> Consent Decree at 3, *United States v. Alameda County*, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, *United States v. Orange County*, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, *United States v. Lorain County*, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, *United States v. Cuyahoga County*, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)



Texas

September 3, 2020

Susan Tipton  
County Clerk  
Lynn County Courthouse  
1501 S 1<sup>st</sup> St  
Tahoka, TX 79373  
*susan.tipton@co.lynn.tx.us*

**RE: Availability of Bilingual Online Voting Materials for Lynn County’s Spanish Speaking Voters**

Dear Ms. Tipton:

We write on behalf of the American Civil Liberties Union of Texas (“ACLU”). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 (“VRA”) and the United States Constitution.

Lynn County is a “covered State or political subdivision” for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision “provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.”<sup>1</sup> For Lynn County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Election Information page maintained by your office is not clearly and accurately translated into Spanish, has non-working translation links, or does not have Spanish language links corresponding to information in English.<sup>2</sup> In light of the upcoming elections, and Lynn County’s significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice (“DOJ”) is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available “**on the Internet.**”<sup>3</sup> In another case, the DOJ specifically observed that the county “has failed to translate and disseminate **all written election material and information... including information published on its**

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<sup>1</sup> 52 U.S.C.S. § 10503(c). In 1975, Congress passed Section 203 of the VRA, pursuant to enforcement sections of the Fourteenth and Fifteenth Amendments, to remedy depressed political participation among language minorities, which it found “directly related to the unequal educational opportunities afforded them.” 52 U.S.C.S. § 10503.

<sup>2</sup> <http://www.co.lynn.tx.us/page/lynn.Elections>

<sup>3</sup> Consent Decree at 5, *United States v. Fort Bend County*, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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**website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Lynn County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Lynn County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Lynn County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

<sup>4</sup> Consent Decree at 3, United States v. Alameda County, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, United States v. Orange County, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, United States v. Lorain County, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, United States v. Cuyahoga County, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)





Texas

September 3, 2020

Attn: Helen Floyd  
Elections Administrator  
P.O. Box 1009  
Stanton, TX 79782  
[hfloyd@co.martin.tx.us](mailto:hfloyd@co.martin.tx.us)

**RE: Availability of Bilingual Online Voting Materials for Martin County’s Spanish Speaking Voters**

Dear Ms. Floyd:

We write on behalf of the American Civil Liberties Union of Texas (“ACLU”). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 (“VRA”) and the United States Constitution.

Martin County is a “covered State or political subdivision” for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision “provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.”<sup>1</sup> For Martin County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Election page maintained by your office is not clearly and accurately translated into Spanish, has non-working translation links, or does not have Spanish language links corresponding to information in English.<sup>2</sup> In light of the upcoming elections, and Martin County’s significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice (“DOJ”) is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available “**on the Internet.**”<sup>3</sup> In another case, the DOJ specifically observed that the county “has failed to translate and disseminate **all written election material and information... including information published on its**

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<sup>1</sup> 52 U.S.C.S. § 10503(c). In 1975, Congress passed Section 203 of the VRA, pursuant to enforcement sections of the Fourteenth and Fifteenth Amendments, to remedy depressed political participation among language minorities, which it found “directly related to the unequal educational opportunities afforded them.” 52 U.S.C.S. § 10503.

<sup>2</sup> [www.co.martin.tx.us/158/Elections-Administration-Office](http://www.co.martin.tx.us/158/Elections-Administration-Office)

<sup>3</sup> Consent Decree at 5, *United States v. Fort Bend County*, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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**website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Martin County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Martin County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Martin County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

<sup>4</sup> Consent Decree at 3, United States v. Alameda County, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, United States v. Orange County, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, United States v. Lorain County, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, United States v. Cuyahoga County, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)



Texas

September 3, 2020

Attn: Diane O. Florez  
County Clerk  
P.O. Box 867  
Pecos, TX 79772  
*dfclerk@yahoo.com*

**RE: Availability of Bilingual Online Voting Materials for Reeves County’s Spanish Speaking Voters**

Dear Ms. Florez:

We write on behalf of the American Civil Liberties Union of Texas (“ACLU”). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 (“VRA”) and the United States Constitution.

Reeves County is a “covered State or political subdivision” for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision “provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.”<sup>1</sup> For Reeves County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Elections page maintained by your office is not provided in Spanish.<sup>2</sup> In light of the upcoming elections, and Reeves County’s significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice (“DOJ”) is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available “**on the Internet.**”<sup>3</sup> In another case, the DOJ specifically observed that the county “has failed to translate and disseminate **all written election material and information... including information published on its**

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<sup>1</sup> 52 U.S.C.S. § 10503(c). In 1975, Congress passed Section 203 of the VRA, pursuant to enforcement sections of the Fourteenth and Fifteenth Amendments, to remedy depressed political participation among language minorities, which it found “directly related to the unequal educational opportunities afforded them.” 52 U.S.C.S. § 10503.

<sup>2</sup> <https://www.reevescounty.org/departments/county-clerk/elections>

<sup>3</sup> Consent Decree at 5, *United States v. Fort Bend County*, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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**website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Reeves County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Reeves County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Reeves County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

<sup>4</sup> Consent Decree at 3, United States v. Alameda County, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, United States v. Orange County, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, United States v. Lorain County, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, United States v. Cuyahoga County, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)



Texas

September 3, 2020

Attn: Heider Garcia  
Elections Administrator  
2700 Premier Street  
Fort Worth, TX 76111  
[higarcia@tarrantcounty.com](mailto:higarcia@tarrantcounty.com)

**RE: Availability of Bilingual Online Voting Materials for Tarrant County’s Spanish Speaking Voters**

Dear Mr. Garcia:

We write on behalf of the American Civil Liberties Union of Texas (“ACLU”). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 (“VRA”) and the United States Constitution.

Tarrant County is a “covered State or political subdivision” for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision “provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.”<sup>1</sup> For Tarrant County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Elections page maintained by your office is only accessible in Spanish via a discreet Google Translate link or does not have Spanish language links corresponding to all the links for information provided in English.<sup>2</sup> In light of the upcoming elections, and Tarrant County’s significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice (“DOJ”) is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available “**on the Internet.**”<sup>3</sup> In another case, the DOJ specifically observed that the county “has failed to translate and disseminate **all written election material and information... including information published on its**

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<sup>1</sup> 52 U.S.C.S. § 10503(c). In 1975, Congress passed Section 203 of the VRA, pursuant to enforcement sections of the Fourteenth and Fifteenth Amendments, to remedy depressed political participation among language minorities, which it found “directly related to the unequal educational opportunities afforded them.” 52 U.S.C.S. § 10503.

<sup>2</sup> <https://www.tarrantcounty.com/en/elections.html>

<sup>3</sup> Consent Decree at 5, *United States v. Fort Bend County*, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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**website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Tarrant County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Tarrant County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Tarrant County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

<sup>4</sup> Consent Decree at 3, United States v. Alameda County, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, United States v. Orange County, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, United States v. Lorain County, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, United States v. Cuyahoga County, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)



Texas

September 3, 2020

Attn: Krystal Valetin  
Elections Administrator  
507 W. Main  
Brownfield, TX 79316  
*kvaletin@terrycounty.org*

**RE: Availability of Bilingual Online Voting Materials for Terry County’s Spanish Speaking Voters**

Dear Ms. Valetin:

We write on behalf of the American Civil Liberties Union of Texas (“ACLU”). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 (“VRA”) and the United States Constitution.

Terry County is a “covered State or political subdivision” for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision “provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.”<sup>1</sup> For Terry County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Elections page maintained by your office is not clearly and accurately translated into Spanish, has non-working translation links, or does not have Spanish language links corresponding to information in English.<sup>2</sup> In light of the upcoming elections, and Terry County’s significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice (“DOJ”) is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available “**on the Internet.**”<sup>3</sup> In another case, the DOJ specifically observed that the county “has failed to translate and disseminate **all written election material and information... including information published on its**

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<sup>1</sup> 52 U.S.C.S. § 10503(c). In 1975, Congress passed Section 203 of the VRA, pursuant to enforcement sections of the Fourteenth and Fifteenth Amendments, to remedy depressed political participation among language minorities, which it found “directly related to the unequal educational opportunities afforded them.” 52 U.S.C.S. § 10503.

<sup>2</sup> <http://www.co.terry.tx.us/page/terry.Elections>

<sup>3</sup> Consent Decree at 5, *United States v. Fort Bend County*, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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**website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Terry County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Terry County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Terry County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

<sup>4</sup> Consent Decree at 3, United States v. Alameda County, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, United States v. Orange County, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, United States v. Lorain County, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, United States v. Cuyahoga County, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)





AMERICAN CIVIL LIBERTIES UNION  
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Texas

September 3, 2020

Attn: Pamela Holmes  
Elections Administrator  
110 S. Madison Suite C  
Mt. Pleasant, TX 75455  
*pholmes@co.titus.tx.us*

**RE: Availability of Bilingual Online Voting Materials for Titus County’s Spanish Speaking Voters**

Dear Ms. Holmes:

We write on behalf of the American Civil Liberties Union of Texas (“ACLU”). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 (“VRA”) and the United States Constitution.

Titus County is a “covered State or political subdivision” for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision “provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.”<sup>1</sup> For Titus County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Elections page maintained by your office is not clearly and accurately translated into Spanish, has non-working translation links, or does not have Spanish language links corresponding to information in English.<sup>2</sup> In light of the upcoming elections, and Titus County’s significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice (“DOJ”) is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available “**on the Internet.**”<sup>3</sup> In another case, the DOJ specifically observed that the county “has failed to translate and disseminate **all written election material and information... including information published on its**

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<sup>1</sup> 52 U.S.C.S. § 10503(c). In 1975, Congress passed Section 203 of the VRA, pursuant to enforcement sections of the Fourteenth and Fifteenth Amendments, to remedy depressed political participation among language minorities, which it found “directly related to the unequal educational opportunities afforded them.” 52 U.S.C.S. § 10503.

<sup>2</sup> [http://www.co.titus.tx.us/county\\_elections/county\\_elections.html](http://www.co.titus.tx.us/county_elections/county_elections.html)

<sup>3</sup> Consent Decree at 5, *United States v. Fort Bend County*, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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**website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Titus County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Titus County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Titus County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

<sup>4</sup> Consent Decree at 3, *United States v. Alameda County*, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, *United States v. Orange County*, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, *United States v. Lorain County*, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, *United States v. Cuyahoga County*, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)



Texas

September 3, 2020

Attn: Hayley Abalos  
Elections Administrator  
1000 N. Rankin Street  
Rankin, TX 79778  
*habalos@co.upton.tx.us*

**RE: Availability of Bilingual Online Voting Materials for Upton County’s Spanish Speaking Voters**

Dear Ms. Abalos:

We write on behalf of the American Civil Liberties Union of Texas (“ACLU”). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 (“VRA”) and the United States Constitution.

Upton County is a “covered State or political subdivision” for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision “provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.”<sup>1</sup> For Upton County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Elections page maintained by your office is not clearly and accurately translated into Spanish, has non-working translation links, or does not have Spanish language links corresponding to information in English.<sup>2</sup> In light of the upcoming elections, and Upton County’s significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice (“DOJ”) is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available “**on the Internet.**”<sup>3</sup> In another case, the DOJ specifically observed that the county “has failed to translate and disseminate **all written election material and information... including information published on its**

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<sup>1</sup> 52 U.S.C.S. § 10503(c). In 1975, Congress passed Section 203 of the VRA, pursuant to enforcement sections of the Fourteenth and Fifteenth Amendments, to remedy depressed political participation among language minorities, which it found “directly related to the unequal educational opportunities afforded them.” 52 U.S.C.S. § 10503.

<sup>2</sup> <http://www.co.upton.tx.us/page/upton.elections>

<sup>3</sup> Consent Decree at 5, *United States v. Fort Bend County*, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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**website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Upton County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Upton County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Upton County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

<sup>4</sup> Consent Decree at 3, United States v. Alameda County, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, United States v. Orange County, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, United States v. Lorain County, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, United States v. Cuyahoga County, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)



Texas

September 3, 2020

Attn: Jose Salvador Jellez  
Elections Administrator  
1110 Washington St., Suite 103  
Laredo, TX 78040  
*jstellez@webbcountytexas.gov*

**RE: Availability of Bilingual Online Voting Materials for Webb County’s Spanish Speaking Voters**

Dear Mr. Jellez:

We write on behalf of the American Civil Liberties Union of Texas (“ACLU”). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 (“VRA”) and the United States Constitution.

Webb County is a “covered State or political subdivision” for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision “provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.”<sup>1</sup> For Webb County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Elections page maintained by your office is not provided in Spanish.<sup>2</sup> In light of the upcoming elections, and Webb County’s significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice (“DOJ”) is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available “**on the Internet.**”<sup>3</sup> In another case, the DOJ specifically observed that the county “has failed to translate and disseminate **all written election material and information... including information published on its**

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<sup>1</sup> 52 U.S.C.S. § 10503(c). In 1975, Congress passed Section 203 of the VRA, pursuant to enforcement sections of the Fourteenth and Fifteenth Amendments, to remedy depressed political participation among language minorities, which it found “directly related to the unequal educational opportunities afforded them.” 52 U.S.C.S. § 10503.

<sup>2</sup> <https://www.webbcountytexas.gov/ElectionsAdministration/>

<sup>3</sup> Consent Decree at 5, United States v. Fort Bend County, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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**website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Webb County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Webb County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Webb County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

<sup>4</sup> Consent Decree at 3, United States v. Alameda County, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, United States v. Orange County, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, United States v. Lorain County, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, United States v. Cuyahoga County, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)



Texas

September 3, 2020

Attn: Michelle Bonilla  
County Clerk  
200 E. Uvalde St., Ste. 7  
Crystal City, TX 78839  
[countyclerk@zavalacounty.org](mailto:countyclerk@zavalacounty.org)

**RE: Availability of Bilingual Online Voting Materials for Zavala County’s Spanish Speaking Voters**

Dear Ms. Bonilla:

We write on behalf of the American Civil Liberties Union of Texas (“ACLU”). Since its inception in 1938, the ACLU has been committed to advancing the right to vote and fighting against voter suppression. Accordingly, the ACLU has a strong interest in protecting the rights of Texas voters under the Voting Rights Act of 1965 (“VRA”) and the United States Constitution.

Zavala County is a “covered State or political subdivision” for the purposes of Section 203 of the VRA. Section 203 mandates that when any covered state or political subdivision “provides any registration or voting notices, forms, instructions, assistance, **or other materials or information relating to the electoral process**, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.”<sup>1</sup> For Zavala County, Section 203 requires that it provide election-related information in Spanish.

We have noted that the voting information on the Elections page maintained by your office is not provided in Spanish.<sup>2</sup> In light of the upcoming elections, and Zavala County’s significant Spanish-speaking voter population, we are greatly concerned by these deficiencies.

Interpretation of Section 203 by the U.S. Department of Justice (“DOJ”) is authoritative on federal courts and requires that online voting materials and content be translated. For example, in a Section 203 consent decree, the DOJ explicitly required Fort Bend County in Texas to make translated materials available “**on the Internet.**”<sup>3</sup> In another case, the DOJ specifically observed that the county “has failed to translate and disseminate **all written election material and information... including information published on its**

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<sup>1</sup> 52 U.S.C.S. § 10503(c). In 1975, Congress passed Section 203 of the VRA, pursuant to enforcement sections of the Fourteenth and Fifteenth Amendments, to remedy depressed political participation among language minorities, which it found “directly related to the unequal educational opportunities afforded them.” 52 U.S.C.S. § 10503.

<sup>2</sup> <http://www.co.zavala.tx.us/page/County%20Clerk>

<sup>3</sup> Consent Decree at 5, United States v. Fort Bend County, No. 4:09-cv-01058 (S.D. Tex. Apr. 13, 2009)

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**website**” as part of its complaint alleging a VRA violation.<sup>4</sup> Furthermore, three DOJ consent decrees include a clause specifically requiring the county to ensure online resources are equally available in English and Spanish.<sup>5</sup>

Guidance from the DOJ suggests that inaccurate or unclear automated machine translations are not adequate under Section 203. The regulations provided by the DOJ specifically require that translations be “clear, complete and accurate” and that jurisdictions consult with members of the minority group to produce the necessary translations:

“Accuracy, completeness. It is essential that material provided in the language of a language minority group be **clear, complete and accurate**. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.”<sup>6</sup>

Additional guidance from the DOJ on the translation standard underscores the accuracy requirement:

Materials for all stages of the election process must be translated. **Care should be taken to provide an accurate translation that meets the needs of the minority community. Poor translations can be misleading for voters and embarrassing for local officials.** Beyond quality control, there can be significant differences in dialect within a given language group, and it is the responsibility of local officials to provide a translation that local voters actually can use. Local officials should reach out to the local minority community to help produce or check translations.

Because Zavala County has not yet provided clear, complete, and accurate Spanish translations of the voting-related information on its websites, it has not met Section 203’s requirements.

Given forthcoming elections, Zavala County must take immediate steps to provide adequate translation of all applicable materials on the County’s website in compliance with Section 203. We would like to resolve this matter amicably and promptly. If we do not receive a response from you by October 2, 2020 and you have not taken steps to update your website pursuant to this demand, we will assume you do not intend to comply with Section 203 of the VRA, and we will look to all available remedies under the law to protect Zavala County voters.

If you would like to discuss this matter soon, please contact the undersigned counsel at your earliest convenience. Time is of the essence. Thank you in advance for your time and attention to this matter.

Regards,



Edgar Saldivar  
Senior Staff Attorney



Thomas Buser-Clancy  
Senior Staff Attorney

<sup>4</sup> Consent Decree at 3, United States v. Alameda County, No. 3:11-cv-03262 (N.D. Cal. Oct. 19, 2011).

<sup>5</sup> Consent Decree at 3, United States v. Orange County, No. 7:12-cv-3071 (S.D.N.Y. Apr. 18, 2012); Consent Decree at 7, United States v. Lorain County, No. 1:11-cv-02122 (N.D. Ohio Oct. 7, 2011); Settlement Agreement at 6, United States v. Cuyahoga County, No. 1:10-cv-01949 (N.D. Ohio Sept. 3, 2010).

<sup>6</sup> 28 CFR § 55.19(b)