Community Review of the Plain Language Version of the California Voter Bill of Rights

On December 11 and 12, 2015, the Center for Civic Design and League of Women Voters of California Education Fund worked with staff from the office of the California Secretary of State to review a plain language version of the California Voter Bill of Rights. The goal was to ensure that a wide range of voters and potential voters find it easy to read and understand.

Following a philosophy of "going where the people are," we went to four different locations and interviewed 86 people in two days. This allowed us to talk to people with diverse voting histories and personal demographics, and from very different communities.

Over the course of the two days, we analyzed responses and edited text that participants did not understand. By doing this we developed a final version of the Voter Bill of Rights that was both clear and accurate.

We believe that this final version will empower voters to both understand their rights and participate in the democratic process more effectively.

We appreciate the opportunity to work on this project, and the support of the Secretary of State's office in conducting this community review.

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How we conducted the community review

We conducted the review 'on the fly,' intercepting people as they went about their daily activities. Participants were "intercepted" while visiting City Hall or the library, attending a community holiday event, or using the student center of a community college. As people passed our table, we asked them to spend 10-15 minutes with us to review new election information for voters.

One person interviewed each participant, sitting at a table provided for the purpose, following an interview guide to ensure consistency among both participants and the six people running the interviews (including four from the Secretary of State's office).

We had snack bars available as a small incentive and to thank the participants.

➔ **The interview guide and note-taking form is in an appendix.**

Whitney and Dora conducting interviews at the Consumnes River College student center

Goals for the review

Broadly, the goal was to see whether the new version was easy to read.

To help us understand how participants perceived the content, we wanted to know:

- What information was new or surprising to them
- Whether they could explain their rights in a meaningful and accurate way
- What words (especially election terminology) was unfamiliar or confusing
- Whether the layout of the page supported easy reading
- Whether participants preferred bullets or numbers to separate the list of rights

Who we interviewed

For this community review, we wanted to make sure that we spoke with diverse people, with a range of ages, education and socio-economic communities. Most importantly, we wanted people with a range of voting habits, from non-voters to avid voters. We included non-voters because they were the least likely to have strong ideas about how to vote and we wanted to know what information in the Voter Bill of Rights is new to them.

To find a wide range of people, we went to four different locations: two in downtown Sacramento where we expected good foot traffic for everyday activities, a community college where the Campus Life coordinator helped us find students to interview, and a Sacramento community center where a holiday party was being held.

We interviewed 86 people, including 61 voters and 25 non-voters (7 were not eligible to vote, though several were in the process of becoming citizens).

The interviews were primarily conducted in English because the draft of the "plain language" version of the Voter Bill of Rights is currently only available in English. However, one of the SoS staffers was able to conduct interviews in Spanish when that was helpful. 34 people spoke another language, including one participant who spoke Hmong, Laotian and Thai in addition to excellent English. Only 6 want (or already receive) their voter guides in another language; however many people who spoke a covered language did not know it was possible to receive voter guides in-language.

➔ **The breakdown of participants by voting habits and demographics is in an appendix.**

What we learned

In the community review, we wanted to learn:

- First impressions: whether the document looked inviting or off-putting
- What surprised: rights that were new or unexpected.
- What worked: text that participants understood well.
- What confused: words and text that did not communicate clearly.
- Typography: what elements in the design of the text helped make it easy to read

We made several changes to text during the course of the two days as we worked to clarify text and respond to participant comments.. In one case— as we developed a solution to explain provisional ballots—we created five versions. The section on "What was confusing" explains each of the changes and why we made them

First impressions

First impressions of the document were generally positive. As one person put it "It looks like a normal official document." Another said that it is, "What I would expect from an election office." Asked for their first impressions, most used words like:

- *Clear and to-the-point*
- *Professional*
- *Informative*
- *Shorter is better*

- *Familiar, basic information*
- *Understandable*
- *Good points*
- *Straightforward*

Some, however, still found it difficult, especially if their English language or reading skills were weak. They said:

- *It's still kind of long*
- *Everything is complicated when it comes to voting*
- *It's boring*
- *It's a lot to read, and some of it is confusing*

Participants noticed and sometimes commented on the highlighted text, saying that it was helpful, emphasizing key concepts in the list of rights:

- *Highlighted words are easy to skim [and make it] look more organized*
- *It's a lot of information to take in, but I like the bolding of the words*

What was new or surprising?

Few of the participants – even regular voters – were very familiar with the Voter Bill of Rights. Several, however, remembered seeing it posted at polling places or in their voter guide.

Many of the regular voters said that there was little surprising to them, but that it was good to have your rights spelled out and made available. As one participant put it, "I never had any problems [voting] but if you need [this information] it's important to have it available."

The non-voters said, "It's all new," and were often very interested using the Voter Bill of Rights to learn about voting. Several said that the entire idea of voting by mail was new to them, and even some regular voters did not know about dropping a ballot off at a polling place.

Specific rights that were frequently mentioned:

- The right to a secret ballot
- That you can get a new ballot if you make a mistake
- That you can vote if you are in line when the polls close
- That people with a felony can vote after they finish their prison term
- That election materials are available in languages other than English

They were also interested that people have a right to get help or ask questions, and that there is an official place to report more serious problems. Many noticed, and mentioned, the contact numbers at the bottom of the page.

> 10. **report any illegal or fraudulent election activity** to an elections official or the Secretary of State's office.
>   - On the web at **www.sos.ca.gov**
>   - By phone at **(800) 345-VOTE (8683)**
>   - By email at **elections@sos.ca.gov**
>
> **If you believe you have been denied any of these rights**, call the Secretary of State's confidential toll-free Voter Hotline at **(800) 345-VOTE (8683)**.

The icons and space devoted to the contact information makes it stand out.

What worked?

Much of the text caused few or no problems. Participants generally understood it. The few comments we collected were:

Right	Reactions and comments
1. Eligibility	With the exception of felony rights, this was not new information
3. Vote if in line	This was new information for some people.
4. Cast a secret ballot	This was new information for some people.
6. Get help casting your ballot	They were interested in this, but not always sure what kind of help might be available. One or two made comments that suggested they might have wanted help *deciding who to vote for* but most understood it as procedural help
7. Turn in a vote-by-mail ballot at a polling place	This was new information for some people.
8. Election materials in other languages	We expected complaints about this, but heard few. One person was surprised that the choice of languages was limited.
9. Ask questions	This was new and welcome information. They did not expect to see the ability to ask questions as a right. Two specific comments on aspects of this right they found surprising. • That poll workers have to send voter to someone who can answer your question. • That they can stop answering your questions if you are disruptive
10. Report illegal activity	Most had not thought about this at all, and were both surprised and pleased that there was an official place to report problems.

Asking questions and reporting problems

The general success of rights 9 and 10 for asking questions about the election process and reporting problems is not absolute. Answers to our questions about what they would do in this situation were accurate, but also a little vague. In general, they said that if they didn't understand someone they would ask a poll worker or official. If they saw a serious problem, they would report it. Many mentioned the Secretary of State, or indicated the numbers that the bottom of the page but the range of responses included:

• *Everything is there [gestures to the page]. You've got phone, email, web right in front of you*

- *Speak up. Go to their leader. [Finds contact info with a prompt to find how to do this]*
- *These days, I'd record the interactions (on my phone)*
- *If it's about running election, I'd go to one of the workers. Otherwise call police.*
- *I would voice my opinion. I'd speak to the poll worker or supervisor, then call if needed*
- *I guess I'd just phone someone*
- *No idea - maybe call the police*

We believe that this is an adequate understanding of the rights: they are aware that officials must be responsive to their questions and that they are able to report problems if they see them.

Understanding who can vote

We asked people to tell us "who can vote?" Many answered from memory, though some referred to the paper. Of the 76 people who answered this question:

- 63 mentioned citizenship. For some, this is really the only hurdle. One person conflated citizenship and age, and asked if it was possible to be a citizen if you were only 15.
- 59 mentioned age. For others, especially those born in the US, age is the most salient requirement. This was particularly true of the 31 participants who are 18-34 years old.
- 43 mentioned being registered or your address. It may be that registration is seen as a *process* rather than a matter of eligibility. Most, however, knew about voter registration.
- 42 mentioned felony. As with registration, it may be that this was seen as more of a procedural issue.

One of the values of asking this question is that it allowed us to start with an easy one, and also to determine if they were answering from memory or referring to the paper for the answer.

What was confusing or difficult?

We made changes in four areas of the text because people found it difficult or confusing. In some cases, we made several changes.

We changed the phrase "voting precinct" to "voting district"

Several people stumbled over the word *precinct* in #8. Changing it to *district* clarified the concept of determining what languages might be offered in a geographical area.

We changed the qualification for former felons to be clearer

The original text was: "**not in prison or on parole for a felony**." Some people, interested in learning about this right were puzzled about exactly what this meant. For example, they wondered if you could you have a felony and not go to prison or parole, or when the right would take effect.

This is another case where the Voter Bill of Rights cannot completely explain all of the conditions and exceptions. Through all of our testing (both in this community review and in other voter guide testing) we have observed that people for whom this is a personally relevant right notice this text, and would follow up to learn more about it.

We tried several variations for the right to vote on a provisional ballot if your name is not found in the list of voters

The word "provisional" was the single most difficult word. It is an unusual word in English, and does not have a simple or clear definition. It is, however, the legal term and must be introduced in the Voter Bill of Rights.

Our goal was to find text that explained when a provisional ballot would be used, why it would be used, and what happens to your vote when voting with a provisional ballot.

We went though several versions to get to text that participants understood well enough to identify the right and what would happen.

Version	Text	Problem
Current language	You have the right to cast a provisional ballot if your name is not listed on the voting rolls.	
Version 1	**…vote a provisional ballot** if your name is not on the list of registered voters. Your ballot will be counted if election officials determine that you are eligible to vote.	Starting with "provisional ballot" confused people. The second sentence was clear, if they got that far.

Version	Text	Problem
Version 2	**… vote even if your name is not on the list of registered voters, on a provisional ballot**. Your ballot will be counted if election officials determine that you are eligible to vote.	This was a bad problem. People thought they no longer had to register to be able to vote.
Version 3	**… vote if your name is not on the list of voters, using a provisional ballot.** Your ballot will be counted if election officials determine that you are eligible to vote.	We quickly hand-edited the test pages to remove "even" but "using a provisional ballot" was still confusing.
Version 4	**… vote if you are a registered voter but your name is not on the list**. You will vote using a provisional ballot. It will be counted if election officials determine that you are eligible to vote.	We tried this version at the end of the day, printing a new copy with the revised text.
Version 5	**… vote if you are a registered voter but your name is not on the list**. You will vote using a provisional ballot. It will be counted if election officials determine that you are eligible to vote.	For the final day, we added a line break so that the information about the right was slightly separated from the procedural explanation.

We tried several variations for explaining how to get a new ballot

Participants were surprised and pleased that they could get a new ballot if they made a mistake, but it took several tries to come up with an explanation that was understandable, accurate enough, and not confusing.

Version	Text	Problem
Current language	You have the right to receive a new ballot if, prior to casting your ballot, you believe you made a mistake. If at any time before you finally cast your ballot, you feel you have made a mistake, you have the right to exchange the spoiled ballot for a new ballot. Vote-by-mail voters may also request and receive a new ballot if they return their spoiled ballot to an elections official prior to the closing of the polls on election day	

Version	Text	Problem
Version 1	**… get a new ballot if you have made a mistake** as long as you have not already cast your ballot. » If you are at a polling place, ask an elections official for a new ballot. » If you vote by mail, you must give your original ballot to an elections official before the polls close on Election Day to get a new ballot. » If you do not have your original vote-by-mail ballot, you may ask for a provisional ballot.	Participants understood the basic right (in bold text) as well as that it only applied if you had not already voted. But the instructions were still difficult to understand. We collected comments and made a major change for Saturday.
Version 5	**… get a new ballot if you have made a mistake** as long as you have not already cast your ballot. You can: ask an elections official at a polling place for a new ballot OR exchange your vote-by-mail ballot for a new one at an elections office or polling place before the polls close on Election Day. OR vote using a provisional ballot, if you do not have your original vote-by-mail ballot	Removing the bullets and using the word "OR" helped participants understand that these are three options. Starting with verbs showed that these are actions (ask exchange, vote). The word "exchange" clarified that you have to turn in a vote-by-mail ballot.
Version 6	**… get a new ballot if you have made a mistake** as long as you have not already cast your ballot. You can: ask an elections official at a polling place for a new ballot OR exchange your vote-by-mail ballot for a new one at an elections office, or at our polling place OR vote using a provisional ballot, if you do not have your original vote-by-mail ballot	The last change was to shorten the information about how to exchange your ballot. Several people thought it could only be done *on Election Day*. We believe that simply omitting all of the language about the timing will also remove the confusion.

Appendix: Participant demographics

Voting History	
Voting status	61 Voters (including 6 registered, but haven't voted)
	25 Non-voters (including 7 non-citizens)
Year last voted	5 in 2015
	34 in 2014
	7 in 2012
	6 in 2008
	3 earlier or unknown
How they voted	30 voted at a polling place
	23 voted by mail
	2 did not remember or did not say
Languages they speak	52 speak only English
	16 speak Spanish
	18 speak another language (sometimes more than one) (Arabic, Chinese, Hmong, Laotian, Thai, Tagalog, Hindi, Romanian, Ukrainian, Russian, French)
Demographics	
Sex no data collected for 3	43 Female
	40 Male
Age using Pew age cohorts no data collected for 4	11 Aged 18-22 (Students) 13%
	20 Aged 23-34 (Millennials) 23%
	31 Aged 35-49 (GenX) 36%
	16 Aged 50-69 (Boomers) 19%
	4 Aged 70-89 (Silent Generation) 5%
Race/Ethnicity 12 are unknown, prefer not to say, or indicated an inclusive category like "Californian" or "American"	26 White/Caucasian (30%)
	19 Black/African-American (22%)
	14 Hispanic/Latino (16%)
	8 Asian (9%)
	1 Pacific Islander (1%)
	6 Mixed (including 2 Native American) 7%
Disabilities	4 Mobility-related
	11 Likely or declared low literacy
	7 Mentioned a cognitive, language or learning issue
	5 Mentioned a temporary or minor condition
	4 Mentioned that self or family has a record

Appendix: Interview guide and note-taking form

This is not a verbatim script, but a guide to a conversation with the participant. The note-taking sheet included these reminders, as well as ways to quickly capture common responses and an open area for longer notes.

Thanks for helping us out. We're working on making some of our election information easier for voters (like you) to use. First, I have a few questions for you.

- Are you a voter?
  (Yes/No/Registered but haven't voted. Note reasons for non-voting and if not a citizen yet)
- Last year you voted?
- Did you go to the polls or vote by mail
- Do you speak any language besides English?
- Do you get your election information in another language?

We are working on new information about the Voter Bill of Rights.
Is this something you are familiar with (Yes/No)
I'd like you to read it, and then I have a few questions for you.

Instructions: Don't prompt, try to record any comments as they say them.
Remind them that we are not testing their memory or knowledge, but what they see on the paper.

- What is your first impression?
  (Did they say: easy, confusing, it's a lot, important, mention text size)

- Is there anything that is new or surprising for you?

- (Using Polls or VBM, matching their last voting experience) If you make a mistake while you are marking your ballot, what can you do, based on what you read here?

- Repeat the question for the other way to vote.

- Who can vote?
  (Did they mention: citizen, registered, felony, age)

- What happens if your name is not on the list of voters when you go to the polling place?
  (Did they mention: Provisional ballot (by name), contacting the office, don't know)

- What can you do if you don't understand something that's happening at the polling place?
  (Did they mention: Ask, call)

- What if you see something you think is wrong? Who should you tell?
  (Did they mention: Local office, SOS, phone, email, web)

- Do you think we should use bullets or numbers? Why?

- Any other comments?

Collect demographics:
- Female or male
- Age
- Race/ethnicity (self-reported as an open-question)
- Any disabilities or limitations we should know about