



February 25, 2016

Rita M. Mundil
Colfax Election Commissioner
411 East 11th St.
Schuyler, NE 68661

Re: Bilingual voting materials

Dear Ms. Mundil:

You'll recall we contacted you in 2012 about providing election materials in Spanish. According to census data, Dakota, Colfax and Dawson County were all now required to include election materials in Spanish under Section 203 of the Voting Rights Act.

The Department of Justice clearly has outlined what responsibilities this imposes on counties:

What information must be provided in the minority language?

All information that is provided in English also must be provided in the minority language as well. This covers not only the ballot, but all election information - voter registration, candidate qualifying, polling place notices, sample ballots, instructional forms, voter information pamphlets, and absentee and regular ballots - from details about voter registration through the actual casting of the ballot, and the questions that regularly come up in the polling place. Written materials must be translated accurately, of course. Assistance also must be provided orally. Most Native American languages historically are unwritten, so that all information must be transmitted orally. Oral communications are especially important in any situation where literacy is depressed. Bilingual poll workers will be essential in at least some precincts on election day, and there should be trained personnel in the courthouse or city hall who can answer questions in the minority language, just as they do for English-speaking voters.¹

We have recently surveyed the counties' websites and discovered that Colfax County has no forms online, either in English or Spanish. Your website section for elections, we note with concern, is only in English.

Per your letter from 2012 (enclosed), we understand you are providing all paper materials with appropriate English and Spanish options. We write to suggest you consider providing a Spanish information section on your website.

¹ Minority Language Citizens: Section 203 of the Voting Rights Act, US Department of Justice. Available online: <http://www.justice.gov/crt/minority-language-citizens>

AMERICAN CIVIL
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LEGAL HELP LINE
1.855.557.ACLU (2258)

www.aclunebraska.org

As you prepare for the upcoming primary and general elections this year, we hope all goes smoothly. We are available should you have any questions or concerns.

A handwritten signature in black ink, appearing to read "Amy A. Miller". The signature is fluid and cursive, with a long horizontal stroke at the end.

Amy A. Miller
Legal Director

cc: Secretary of State John Gale and US Department of Justice

AMERICAN CIVIL
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NEBRASKA

COLFAX COUNTY CLERK

COLFAX COUNTY
SCHUYLER, NEBRASKA

Rita M. Mundil
County Clerk
411 East 11th St.
Schuyler, NE 68661
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Commissioners
Arnold Oehlich
District #1-Richland
Gil Wigington
District #2-Schuyler
Jerry Heard
District #3-Howells

January 26, 2012

Ms. Amy A. Miller
ACLU Nebraska
941 'O' Street, Suite 706
Lincoln, NE 68508

RE: Election materials in Spanish

Dear Amy A. Miller

Colfax County has prepared Spanish version of Election material (voter registration forms, ballots, notices, ect.) since 2002. I have just hired an Election Coordinator who is able to understand, speak, write and read fluently both Spanish and English. We are also going to start an Advisory Group (any interested community members) to assist us to provide election materials, information and assistance to Spanish-speaking voters.

Sincerely,



Rita M. Mundil