

# GROWING ASIAN-AMERICAN VOTER POWER AND PUSHBACK

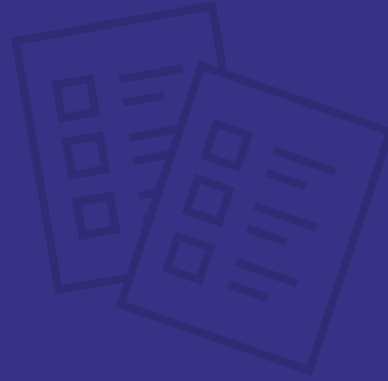
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ASIAN AMERICANS  
ADVANCING  
JUSTICE  
ATLANTA

# INTRODUCTION



Georgia's Asian-American Pacific-Islander (AAPI) population is growing and increasingly politically engaged. Asian-American voters are distinct in several important ways: their linguistic diversity; relatively high use of languages other than English, especially among older adults; and more common use of vote-by-mail.

Though Asian-American voters have historically turned out to vote at lower rates than white voters in the state, turnout is increasing quickly. Amid expanding voter engagement, the Georgia legislature passed Senate Bill 202 in 2021, creating new restrictions on absentee voting that disproportionately affects AAPI voters. Asian-Americans experienced the steepest decline in absentee voting rates, and absentee ballot rejection rates are the highest among Asian-Americans. Even as voters adapt to added burdens and complexities, new threats emerge: mass voter challenges in counties with large AAPI populations that risk disenfranchising voters

and divert resources from other elections improvements, new legislative proposals to create more administrative burden to absentee voting, and both a lack of and sometimes outright hostility to providing voting materials in Asian languages.

As Georgia becomes an increasingly diverse state, policymakers must lean into the challenging yet foundational ideals of democratic representation. When only about half of voting-age citizens in Georgia choose to vote, policymakers should invest in strategies to increase access to and engagement with the democratic process, like providing translated voting materials and simplifying the absentee voting process.

# GEORGIA'S GROWING

# ASIAN-AMERICAN POPULATION

(2012-2022)



Georgia's Asian-American Pacific-Islander (AAPI) population continues to grow in size and diversity. While some Asian-Americans have lived in the South for generations, many others are new to Georgia, seeking opportunity and safety for their families.

Nearly 636,000 Asian, Native Hawaiian and other Pacific Islanders live in Georgia today,<sup>1</sup> compared to a population of 424,000 in 2012.<sup>2</sup> The AAPI population grew by 48 percent in ten years, far faster than the 10 percent overall growth rate in Georgia.<sup>3</sup> Asian-American communities are multifaceted, including individuals born in Georgia, immigrants, refugees and individuals of many ethnicities, language groups and countries of origin.

The Georgia counties with the largest AAPI populations are in the state's populous Atlanta metro area: Gwinnett, Fulton, DeKalb, Cobb and Forsyth, along with significant populations in Chatham, Henry and Clayton counties.<sup>4</sup> The largest Asian-American populations in Georgia are Indian, Chinese and Korean.<sup>5</sup> However, the state's diverse

Georgia's Asian-American population grew by 48 percent in ten years.

<sup>1</sup> Author analysis of U.S. Census Bureau, Annual Estimates of the Resident Population by Sex, Race, and Hispanic Origin for Georgia: April 1, 2020 to July 1, 2022. Table SC-EST2022-SR11H-13. Includes individuals who report more than one race.

<sup>2</sup> Author analysis of U.S. Census Bureau, Annual Estimates of the Resident Population by Sex, Age, Race Alone or in Combination, and Hispanic Origin for the United States and States: April 1, 2010 to July 1, 2012, Table PEP\_2012\_PERPASR5H, <https://www2.census.gov/programs-surveys/popest/tables/2010-2012/state/asrh/>

<sup>3</sup> See notes 1 and 2. Total population estimates come from U.S. Census Bureau, Annual Estimates of the Resident Population, Table PEPANNRES.

<sup>4</sup> U.S. Census Bureau, 2021 American Community Survey, 1-Year Estimates, Table B02011.

<sup>5</sup> U.S. Census Bureau, 2021 American Community Survey, 5-Year Estimates, Table B01003.

Asian-American, Native Hawaiian and Pacific Islander communities also include many smaller communities throughout the state outside of metro Atlanta and in more rural areas, such as the Laotian community in Habersham County or Samoan community in Liberty County.

Seven out of ten Asian-Americans in Georgia are U.S. citizens.<sup>6</sup> More than 218,000 AAPIs are registered Georgia voters.<sup>7</sup> Many Asian-Americans speak a language other than English. One in three Asian-Americans in Georgia self-identify as speaking English “less than very well” and prefer to use languages other than English.<sup>8</sup> However, English language proficiency differs widely by age, with older adults the most likely to prefer a language other than English. An estimated 13 percent of Asian-Americans between ages 5 and 17 report speaking English less than very well, compared to 31 percent of individuals between 18 and 64, and 53 percent of those 65 and older.<sup>9</sup>

## TURNOUT RATES INCREASING

Asian-American voters in Georgia have historically had lower turnout rates than white and Black voters, though turnout rates are increasing. Between 2018 and 2022, turnout rates among AAPI voters increased by seven percentage points, compared to about a one percentage point increase by white voters.<sup>10</sup>

In November 2018, 39 percent of AAPI voters turned out to vote, compared to 57 percent of white voters in Georgia.<sup>11</sup> (Here, turnout rates are defined as the number of individuals who cast a ballot, excluding provisional ballots, divided by the number of voting-age citizens by single race/ethnicity, as tabulated by the U.S. Census Bureau.<sup>12</sup>) In November 2022, 46 percent of AAPI voters turned out to vote, compared to 58 percent of white voters.<sup>13</sup>

<sup>6</sup> Author analysis of U.S. Census Bureau, 2021 American Community Survey 5-Year Estimates, Table B05003D.

<sup>7</sup> Georgia Secretary of State. (2023, Feb 2). Election Data Hub. Georgia Secretary of State. Retrieved August 24, 2023, from <https://sos.ga.gov/election-data-hub>

<sup>8</sup> Author analysis of 2022 American Community Survey 1-Year Estimates, Table B16005D and B16005E, Asian alone and Native Hawaiian and Other Pacific Islander alone, population 5 years and over.

<sup>9</sup> Author analysis of ACS 1-Year Estimates Public Use Microdata Sample 2021

<sup>10</sup> Dr. Bernard Fraga analysis of Georgia Secretary of State data, voter history file and voter registration file. Voters with “Other” or “Unknown” race were estimated and increased turnout rates by two percentage points for white voters and five percentage points for AAPI voters.

<sup>11</sup> Dr. Bernard Fraga analysis of Georgia Secretary of State data, voter history file and voter registration file. Voters with “Other” or “Unknown” race were estimated and increased turnout rates by two percentage points for white voters and four percentage points for AAPI voters.

<sup>12</sup> See MIT Election Data and Science Lab, “Voter Turnout” for more discussion on measuring voter turnout. <https://electionlab.mit.edu/research/voter-turnout>

<sup>13</sup> See note 10. November 2020 saw unusually large turnout: 64 percent of AAPIs by self-reported race/ethnicity, and 71 percent turnout estimating a portion of additional “Other” or “Unknown” race voters.

# AAPI VOTING BEHAVIOR BETWEEN 2018 AND 2022



Historically, AAPI voters are more likely to vote by mail, also known as mail-in ballots, absentee-by-mail or absentee voting, than white voters. In 2018, 11.2 percent of Asian-American voters used mail-in ballots, the highest rate among all racial/ethnic groups.<sup>14</sup> AAPI voters were more

than 2.4 times more likely than white voters to cast an absentee-by-mail ballot.<sup>15</sup>

In 2020, absentee voting spiked for voters of all races and ethnicities because of the COVID-19 pandemic. In November 2020, nearly 40 percent of AAPI voters voted by mail, the highest proportion of all voters.<sup>16</sup>

In 2022, absentee voting decreased among voters of all races and ethnicities, including AAPI voters. Though AAPI voters are still the most likely to apply for absentee ballots, absentee voting rates dropped off more sharply than other racial/ethnic groups. Between 2018 and 2022, voters overall slightly increased their likelihood to vote by mail, while rates for Asian voters declined sharply.<sup>17</sup>

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<sup>14</sup> Dr. Bernard Fraga analysis of Georgia Secretary of State data, voter history file and voter registration file.

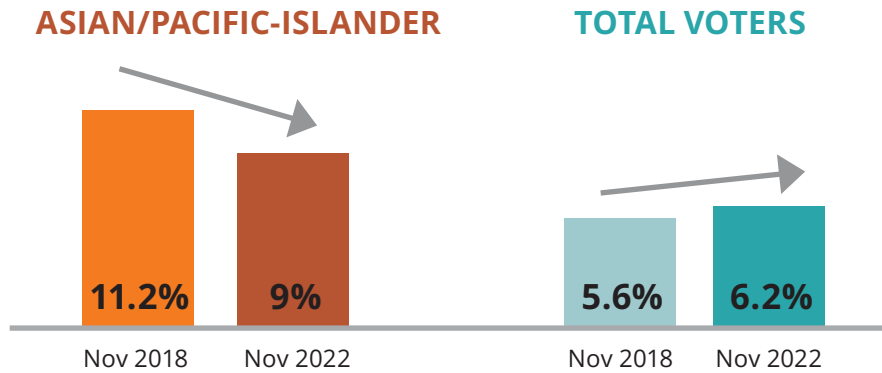
<sup>15</sup> Dr. Bernard Fraga analysis of Georgia Secretary of State data, voter history file and voter registration file.

<sup>16</sup> Percent of voters voting absentee-by-mail by self-reported race/ethnicity. Dr. Bernard Fraga analysis of Georgia Secretary of State data, voter history file and voter registration file.

<sup>17</sup> See note 16.

## BETWEEN 2018 AND 2022, USE OF VOTE-BY-MAIL BY ASIAN-AMERICAN VOTERS DECLINED SHARPLY

Percent of voters voting by mail by self-reported race/ethnicity, Nov 2018 and Nov 2022



Source: Dr. Bernard Fraga analysis of Georgia Secretary of State data, voter history file and voter registration file.

Image clip from Advancing Justice-Atlanta's How to Vote By Mail instructional video.



**PUSHBACK:**

## **SENATE BILL 202 CREATES BARRIERS FOR AAPI VOTERS**



Between 2018 and 2022, three major forces shaped election law and practices in Georgia: in 2020 the COVID-19 pandemic forced counties to innovate to maintain access to voting; a Democratic presidential candidate won a closely-contested election for first time in more than 20 years; and in early 2021, the Georgia legislature passed SB 202,<sup>18</sup> which comprised a variety of voting restrictions, including the following provisions that disproportionately hurt AAPI voters:

- **Prohibition on local and state officials from proactively mailing absentee ballot applications to voters.** To receive an absentee ballot, voters must first complete an absentee ballot application, which is not available in any Asian languages. This application must be downloaded, printed and signed. Then it must be scanned and uploaded into an online

portal or returned to an elections office via mail, fax, email or in-person.

- **Further restrictions on individuals and organizations assisting voters with absentee ballot applications.** SB 202 creates a misdemeanor offense for so-called “unauthorized” individuals or organizations to handle or return an absentee ballot application, outside a few narrow exceptions. Neighbors or community organizations who are trying to assist voters can be charged with criminal penalties.
- **Reduction in the time to request absentee ballots.** SB 202 reduced the time that voters can request a mail-in ballot by more than half and moved up the deadline to complete an absentee ballot application by one week.
- **Elimination of absentee ballot drop-off locations where the most**

<sup>18</sup> Asian Americans Advancing Justice - Atlanta is party to a lawsuit challenging the legality of certain provisions in SB 202, Asian Americans Advancing Justice v. Raffensberger.



*Advancing Justice-Atlanta Poll Monitor assisting voters at a polling location*

**AAPI voters live.** In 2020, the State Election Board authorized the use of secure drop boxes outside voting sites like libraries, schools and churches as an option for voters to return their absentee ballots. SB 202 capped the number of drop boxes, eliminating

many drop box locations in counties with large AAPI populations. For example, in Gwinnett County, the county with the state's largest Asian-American population, the number of drop boxes declined to 6 from 23.



*Mrs. Heo is a long-time Georgia resident and has voted since 1993. She is proud to be a Georgia voter. She doesn't drive and prefers to vote by mail. She is more comfortable speaking and reading in Korean and says it is nice for her to have more time to review the English-language ballot from the comfort of her own home.*



# CONSEQUENCES OF PUSHBACK AND CURRENT CHALLENGES



Since the passage of SB 202, Georgia voters have gone through multiple challenges and changes to the voting process that depress civic and community engagement. Policy changes must not harm the voting experience and options for voters in Georgia.

**Asian-American voters are the most likely to have their absentee ballots rejected.** A small number of absentee ballots are rejected, most often for arriving after the Election Day deadline or for what is considered missing or incorrect ID information. In November 2022, 3 percent of AAPI absentee-by-mail voters' ballots were rejected, compared to 1.4 percent of absentee-by-mail voters overall.<sup>19</sup>

**Decreased dropbox availability for most AAPI voters.** After changes capping the number of drop boxes in counties, 77 percent of registered Asian-

Asian-American voters are more than twice as likely than white voters to have their absentee ballots rejected.

American voters saw drop boxes in their county decrease.<sup>20</sup> AAPI voters experienced the biggest decline of all racial/ethnic groups.<sup>21</sup> In addition to fewer drop boxes, SB 202 also made drop boxes less accessible. Instead of being placed outdoors and available 24 hours per

<sup>19</sup> Dr. Bernard Fraga analysis of Georgia Secretary of State data, voter history file and voter registration file.

<sup>20</sup> Dr. Bernard Fraga analysis of Georgia Secretary of State data, voter history file and voter registration file. 2020 drop box location data based on GPB data <https://www.gpb.org/news/2022/09/02/see-where-georgians-used-drop-boxes-in-the-2020-presidential-election>.

<sup>21</sup> This compares to 54 percent of white voters who experienced a decrease in the number of drop boxes in their county. A smaller share of voters did experience an increase in drop boxes, but just 5 percent of Asian voters experienced greater access to drop boxes, compared to 12 percent of white voters.



After SB 202 capped the number of drop boxes, **77%** of Asian-American voters saw drop boxes in their county decrease.

day and on Election Day, they are now available in fewer locations, indoors, and only during the early voting period and hours (generally 9 am to 5 pm, but some counties open at the earliest, 7 am and at the latest, 7 pm).

**Mass voter challenges in counties with large AAPI populations.** Following false allegations of election fraud and empowered by a provision in SB 202, bad actors have challenged thousands of registered voters' eligibility in Georgia. The biggest challenges have been filed in Forsyth, Fulton and Gwinnett counties, with large numbers of Asian-American voters and other voters of color, and where the community's racial makeup has changed rapidly. In Forsyth County, the population changed from seven to 18 percent Asian in ten years.<sup>22</sup> Voters whose registrations were challenged

as invalid were more likely to be Asian, Black or Latino than compared to their representation among voters generally.<sup>23</sup> Frivolous mass challenges waste resources and risk disenfranchising eligible voters. At best, they do nothing but identify voters who are captured by the carefully regulated process by which election officials maintain the accuracy of voter rolls.

**Lack of language access for voters with proficiency in Asian languages.** One in three Asian-Americans in Georgia self-identify as speaking English "less than very well" and prefer to use languages other than English.<sup>24</sup> However, due to the smaller size of individual language communities, no Asian languages currently meet the statutory threshold in federal law that requires counties to provide translated voting materials.

<sup>22</sup> 2022 and 2012 American Community Survey 1-Year Estimates, Table S0501.

<sup>23</sup> Community Change analysis of Forsyth county voter registrations and elections data.

<sup>24</sup> Author analysis of 2022 American Community Survey 1-Year Estimates, Table B16005D and B16005E, Asian alone and Native Hawaiian and Other Pacific Islander alone, population 5 years and over.

Gwinnett County has voluntarily provided some voting materials in Korean, Vietnamese and simplified Chinese, in addition to Spanish and English, which are required by federal law. DeKalb County has voluntarily provided some materials in Korean and Spanish, and the county is also home to significant communities of Amharic, Arabic, Bengali, Burmese, Chinese, French, Nepali, and Vietnamese speakers.<sup>25</sup> As voters advocate for greater language accessibility, some efforts have been met with push back.

<sup>25</sup> Analysis of U.S. Census Bureau, American Community survey 5-Year Public Use Microdata Sample (2021).



*Advancing Justice-Atlanta partner organizations, Georgia Muslim Voter Project providing in-language voter information to a community member*

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*As a civic engagement organization, it is important for us not only to excite and encourage people to vote, but also to ensure that voting and civic participation are accessible to all. Many members of our Muslim communities may choose not to vote because they find the process inaccessible, often due to language barriers. To address this, we have worked with our community members to create translated materials and offer in-language resources, which have helped inform our communities about the importance of voting.*

*However, despite these efforts, our community members still face challenges when casting an informed ballot at the polls due to a lack of language accessibility. If we do not provide language access at the polls, we may be unintentionally silencing the voices of thousands of Georgia voters.*

- Suraiya Sharker  
Organizing Director at Georgia Muslim Voter Project



## POLICY

## RECOMMENDATIONS



As Georgia's population grows and changes, accommodating and welcoming diverse communities and preferences into the democratic process is critical for cultivating an engaged electorate. Previous and current practices may not be adequate, and policymakers should prioritize access for all Georgia voters, or they risk lower turnout and engagement overall. The following are a few ways policymakers can keep up with community needs.

**Invest in language access.** Greater language access can boost civic and community engagement. Policymakers should aim for a representative and participatory democracy by breaking down language barriers so that every eligible voter can vote with ease on matters that affect their families, neighborhoods and lives.

**Protect absentee voting as a viable and valid option for voters.** Absentee voting accommodates individuals with limited mobility, flexibility on time, those who may be traveling and

individuals who are more comfortable in a language other than English. Lawmakers continue to propose new and additional layers of complexity to the absentee ballot process when there is no evidence of problems associated with this voting method.

**Limit frivolous voter challenges.**

Current law and practices makes it too easy to bring frivolous mass challenges against Georgia voters, which drive up the cost of election administration and divert resources from other priorities and responsibilities. Policymakers must find a way for challengers to bear some of the cost that counties bear when responding to abusive challenges and relieve the burden on election administrators while protecting eligible voters.





Asian Americans Advancing Justice-Atlanta is the first nonprofit legal advocacy organization dedicated to protecting the civil rights of Asian Americans, Native Hawaiian, Pacific Islander (AANHPI) and Arab, Middle Eastern, Muslim, and South Asian (AMEMSA) communities in Georgia and the Southeast.

Through our work, we envision a social movement in which communities of color are fully empowered, active in civic life, and working together to promote equity, fair treatment, and self determination for all.

Founded in 2010 as the Asian American Legal Advocacy Center (AALAC), our organization became part of the Asian Americans Advancing Justice affiliation in 2014. Since then, we have re-organized our focus areas more specifically into four groups: Policy Advocacy, Civic Engagement & Organizing, Impact Litigation, and Legal Services.

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