

ADVISORY:

Supporting the Participation of AA and NHPI Survivors of Gender-Based Violence to Vote

September 2024



Introduction

Every election, voters are provided with an opportunity to communicate what is most important to them and to elect leaders who they believe will best represent them and their values. As survivors of domestic violence, sexual assault, and other forms of gender-based violence in Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities have needs and concerns that are unique to their communities and experiences, it is crucial that they have every opportunity to exercise their right to vote. However, survivors of gender-based violence in AA and NHPI communities often face numerous barriers to meaningfully participating in elections, including safety and privacy concerns, laws that disenfranchise many voters, language barriers, and for survivors who are homeless or living in a shelter, lack of a home address. This advisory will explain the importance of voter participation among survivors in AA and NHPI communities and ways to support voter safety among survivors.

Participation in Elections and Voting

Why Engagement of Survivors is Critical

It is crucial that survivors of domestic violence, sexual assault, human trafficking, and stalking who are eligible to vote have the opportunity to participate in elections as safely as possible, as their voices are essential to ensuring that their unique needs and concerns are addressed.

Elected lawmakers have the authority to introduce and pass local, state, and federal legislation. These include policies that directly impact survivors, including everything from what protections are afforded to survivors, to funding for victim services programs. On the federal level, such forms of influential legislation include the Violence Against Women Act (VAWA) and Family Violence Prevention and Services Act (FVPSA). There are also many forms of legislation that impact survivors and their families, even if they are not directly focused on survivors, such as policies that affect access to public benefits, housing and homelessness, immigration, or funding for law enforcement and courts. It is therefore important that survivors can participate in elections to have a voice in electing leaders to lift up and boost support for their needs.

In many states, voters are also given the opportunity to vote to elect judges to court. Judges play an important role in deciding avenues of safety for survivors, such as for survivors who seek protection or restraining orders against abusers or perpetrators of violence, or protective child custody orders. The election of judges who understand the dynamics of domestic and sexual violence, stalking, human trafficking, and other forms of gender-based violence is therefore paramount to extending protection for survivors and their families.

More information on judges seeking election in 2024 in each state can be found at:

- Ballotpedia, State judicial elections, 2024: https://ballotpedia.org/State_judicial_elections,_2024
- National Center for State Courts: <https://www.ncsc.org/>

Survivors may also have direct opportunities to vote on voter-initiated policies that impact their safety and well-being. Twenty-six U.S. States have what is known as an initiative process, which allows voters, rather than state legislators, to vote on the passage of new law or constitutional amendments. There have been many state initiatives introduced that impact survivors, such as ones that provide protections for hotel workers from sexual harassment and assault¹ and offer paid family and medical leave for employees, including for individuals who had to leave a workplace due to

¹ See for example, City of Seattle, Initiative No. 124.

domestic violence, stalking, or sexual assault.² As such, learning about voter-initiated policies and their impacts on survivors' lives is critical.

It is therefore extremely important that survivors have all of the necessary information about voting to support their participation in elections. Individuals can find voter guides with more detailed information on candidates and state initiatives by visiting their state's Secretary of State Website.³

Asian Americans, Native Hawaiians, and Pacific Islander Voters

Asian Americans, Native Hawaiians, and Pacific Islanders (AA and NHPIs) are a crucial segment of the electorate. Asian Americans have been a rapidly growing group of eligible voters in the U.S. over the past two decades, growing by 15% in the last four years alone and turning out in record numbers in every federal election since 2016.⁴ In 2020, a surge in Asian American voters – especially those voting for the very first time – in battleground states was crucial to Biden's victory. This November, a projected 15 million Asian Americans will be eligible to vote – with Hawai'i having the highest share of Asian Americans who are eligible to vote.⁵

Pacific Islanders and other individuals residing in the territories have voting restrictions and limited representation in Congress.⁶ Guam residents are among the 4 million disenfranchised Americans living in US territories who cannot vote while American citizens living abroad are eligible to vote by absentee ballot.⁷ Moreover, among the fifty U.S. States and the District of Columbia, Hawai'i produced the lowest voter turnout in the 2016 and 2018 elections. But, by the 2020 election, the Pacific Islander and Native Hawaiian vote increased by 14%.⁸

As AA and NHPIs are uniquely impacted by many issues that are often affected by election results, it is crucial that AA and NHPIs are able to participate in elections to

² See for example, Colorado Proposition 118, Paid Medical and Family Leave Initiative

³ Go to <https://www.usa.gov/election-office> to look up your state's election office

⁴ Pew Research Center (January 2024). Key facts about Asian American eligible voters in 2024. Retrieved from <https://www.pewresearch.org/short-reads/2024/01/10/key-facts-about-asian-american-eligible-voters-in-2024/>.

⁵ Asian and Pacific Islander American Vote, Asian Americans Advancing Justice, AAPI Data (July 2024). Inclusion, Not Exclusion: 2024 Asian American Voter Survey. Retrieved from <https://aapidata.com/featured/2024-asian-american-voter-survey/>.

⁶ Steckelberg, A., & Esteban, C. (2017, Sept. 28). More than 4 million Americans don't have anyone to vote for them in Congress. The Washington Post. Retrieved from <https://www.washingtonpost.com/graphics/2017/national/fairrepresentation/>

⁷ Cagurangan, M. (2020, Oct. 30). The US election that doesn't count: Guam goes to the polls but the votes don't matter. *The Guardian*. Retrieved from <https://www.theguardian.com/world/2020/oct/31/the-us-election-that-doesnt-count-guam-goes-to-the-polls-but-votes-wont-matter>.

⁸ Ramakrishnan, K. (2021, May 20). In 2020, AAPIs saw the highest increases in voter turnout. *AAPI Data*. Retrieved from <https://aapidata.com/blog/2020-record-turnout/>

ensure that they are represented and their concerns are adequately addressed. However, the AA and NHPI community faces many obstacles to voting. About seven-in-ten (71%) report speaking only English at home or say they speak English “very well” – lower than the share who say this among Hispanic (80%), black (98%) and white (99%) eligible voters.⁹ About 49% of Asian immigrants have limited English proficiency,¹⁰ which leads to difficulties in understanding electoral information.

In addition, disenfranchisement frequently prevents Asian Americans from being able to vote. Voter identification restrictions, such as “exact match” policies requiring that voters’ names and other biographical information exactly match information in government databases, often impacts Asian American voters. It is crucial that these barriers to voting are addressed to ensure that AA and NHPIs can meaningfully participate in voting and civic engagement.

Resources:

- Asian and Pacific Islander American Vote: <https://www.apiavote.org/>
- Asian Americans Advancing Justice: <https://www.advancingjustice-aajc.org/voting-rights>

Voter Safety¹¹

Supporting survivors of gender-based violence in AA and NHPI communities in exercising their fundamental right to vote means considering safety and privacy throughout the process, from registration to casting a ballot.

Voter Registration Confidentiality Concerns for Survivors

When an individual registers to vote, they must provide personally identifying information such as their address, driver’s license number, social security number, and/or date of birth. This information then becomes part of the public record and generally, is made publicly available. All U.S. states and the District of Columbia allow some level of public access to voter information, although who can access the information and the type of information accessible vary state by state.¹² In some states,

⁹ Tran, V. (2018, June 19). Asian Americans are falling through the cracks in data representation and social services. *Urban Institute*. Retrieved from <https://www.urban.org/urban-wire/asian-americans-are-falling-through-cracks-data-representation-and-social-services>.

¹⁰ KFF Data. (January 2024). Understanding the Diversity in the Asian Immigrant Experience in the U.S: The 2023 KFF/LA Times Survey of Immigrants. Retrieved from <https://www.kff.org/racial-equity-and-health-policy/poll-finding/understanding-the-diversity-in-the-asian-immigrant-experience/>.

¹¹ Uprety, A. (2018, May 7). 5 Ways to Increase Asian American Voter Turnout. Center for American Progress. Retrieved from <https://www.americanprogress.org/issues/race/news/2018/05/07/450310/5-ways-increase-asian-american-voter-turnout/>.

¹² See National Network to End Domestic Violence, Tech Safety Project for a review of considerations and resources addressing survivor safety and privacy in voting at: <https://www.techsafety.org/voter->

one only needs to input very basic information, such as an individual's first and last name and date of birth,¹³ to access the information that one provided when registering to vote.

Voter registration therefore presents serious privacy and safety concerns for survivors of domestic violence, sexual assault, stalking, and human trafficking. Allowing members of the general public to access voter registration information presents abusers and stalkers with an opportunity to find a survivor's sensitive information, with the ability to acquire a survivor's address being particularly alarming. This discourages many survivors from participating in elections due to warranted fears of how easily abusers and perpetrators can identify survivors and track them down.¹⁴

Domestic violence survivors deserve to—and can—participate safely in all aspects of our country's political process (including voting) without fearing further violence from an abuser. A voting safety plan might include some of the following elements, depending on what best addresses the survivor's situation and needs: vote during a time when an abuser is busy, ask a friend for support, do research beforehand and vote quickly, practice self-care before and after voting, ask a poll worker about secret voting, and consider vote-by-mail options.¹⁵

[registration-privacy](#)

¹³ To see what information is available publicly, what information is kept confidential, and who can access the voter register information in each state, see this state-by-state table developed by the National Conference of State Legislatures: <https://www.ncsl.org/research/elections-and-campaigns/access-to-and-use-of-voter-registration-lists.aspx>.

¹⁴ In New Jersey, first name, last name, and birth month and year are the only information needed to search for a voter's registration record: <https://voter.svrs.nj.gov/registration-check>. In Washington State, first and last name and date of birth are the only information required to find a voter's information: <https://info.kingcounty.gov/kcelections/vote/myvoterinfo.aspx?mode=BBDEDACBFBAAEA>.

¹⁵ For more information on secret voting, see <https://campaignlegal.org/update/voters-have-right-secret-ballot> and <https://www.secretballotatrisk.org/>

Akin, K. (2019, October 3). Iowa Secretary of State partners with laundromats to help abuse survivors. *Des Moines Register*. Retrieved from <https://www.desmoinesregister.com/story/news/2019/10/03/iowa-laundromats-domestic-abuse-outreach-safe-at-home-survivor-help-secretary-of-state-voting/3851593002/>; Ethan, W. (2017, July 20).

Domestic violence victims need to be able to vote without being outed. *The Charlotte Observer*. Retrieved from <https://www.charlotteobserver.com/opinion/op-ed/article162748278.html>; Rolph, A. (2018, October 9). Voting can be dangerous for domestic violence survivors in Washington state. *KUOW*. Retrieved from <https://www.kuow.org/stories/for-domestic-violence-survivors-voting-can-be-dangerous>; Schmidt, S. (2019 August 5). Victims of violence, abuse will soon have help keeping their addresses private in D.C. *The Washington Post*.

Retrieved from https://www.washingtonpost.com/local/social-issues/victims-of-violence-abuse-will-soon-have-help-keeping-their-addresses-private-in-dc/2019/08/05/50bcbbda-b566-11e9-8f6c-7828e68cb15f_story.html

Address Confidentiality Programs

One practice many states have adopted in an effort to address safety concerns for survivors is the Address Confidentiality Program (ACP). The ACP provides a mailing address that is separate from an individual's residential address, which is kept confidential. This helps prevent abusers and perpetrators from finding a survivor's home through public records. The ACP personnel will forward mail sent to the substitute address to the ACP participants' actual addresses.

All ACPs cover survivors of domestic violence, and in some states, survivors of sexual assault, stalking, and/or human trafficking are also eligible for the ACP. Survivors who participate in the ACP can register to vote and participate in an election without their addresses becoming publicly available.

It is crucial that survivors who are looking to register to vote with a private address do so only through the Address Confidentiality Program, if offered by their state. Information provided by individuals who register to vote through other methods – such as at the Department of Motor Vehicles (DMV), online, or voter banks – will not be protected.

There are specific requirements and guidelines to enroll in the Address Confidentiality Program, which vary state by state.¹⁶ Survivors can contact their state domestic violence coalition¹⁷ to learn more about participating in the Address Confidentiality Program.

Survivors Who Don't Have a Permanent Address

Some survivors who are living in shelters or other temporary living conditions may choose not to, or may be ineligible to participate in Address Confidentiality Programs, but are still eligible to vote. The U.S. Interagency Council on Homelessness provides a step-by-step voting guide for people experiencing homelessness or housing instability.¹⁸

Voting Safely

For survivors who are concerned that they may encounter their abuser at the polling place, or that their abuser may be monitoring or seeking to influence their vote, safety planning can include considering to request to vote by mail, requesting an absentee

¹⁶ The National Network to End Domestic Violence has compiled a state-by state table of state Address Confidentiality Programs:

https://static1.squarespace.com/static/51dc541ce4b03ebab8c5c88c/t/5a611cfa53450a0bfbecff8b/1516313850795/_ACP+Chart+Sept+2016_Final.pdf

¹⁷ See, <https://nnedv.org/content/state-u-s-territory-coalitions/>

¹⁸ See Step-by-Step Voting Guide for People Experiencing Homelessness:

<https://www.usich.gov/guidance-reports-data/federal-guidance-resources/step-step-voting-guide-people-experiencing>

ballot, or early voting. In the majority of states, voters can request an absentee ballot without providing a reason for requesting one. In about one third of states, the requirements are more burdensome.

Some states mail ballots automatically to every eligible voter and voting by mail is the norm, while in other states, eligible voters have the option to request a mail-in ballot. For more information about absentee and mail voting policies in effect for the 2024 Election, the National Conference of State Legislatures has compiled a summary.¹⁹

Election Day Registration

Some states allow residents to register to vote on the day of the election. This is known as Election Day Registration (EDR) or same day registration. In some states, when an individual utilizes EDR, they may submit a request to be removed from the polls.²⁰ In Minnesota, an individual can fill out forms to request that their voter registration information be kept private. The information is entered only to verify the voting address, and then is marked private and inactivated from the public record. Since the information is removed from the public record, survivors will have to re-register to vote every time they register via EDR.

Resources

- National Network to End Domestic Violence:
 - https://nnedv.org/resources-library/h_address_voter_protection/
 - <https://www.techsafety.org/voter-registration-privacy>
- National Resource Center on Domestic Violence:
https://vawnet.org/sites/default/files/assets/files/2017-05/NRCDV_TAG-VoterRegistrationAug2012.pdf



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¹⁹ <https://www.ncsl.org/research/elections-and-campaigns/absentee-and-mail-voting-policies-in-effect-for-the-2020-election.aspx>

²⁰ <https://www.sos.state.mn.us/elections-voting/register-to-vote/i-fear-for-my-personal-safety/>; <https://www.cureriver.org/voter-registration-faq/>; <https://www.sos.state.mn.us/elections-voting/register-to-vote/register-on-election-day/>