

# HAVA

The election reform resource to help you address polling place access

## 2005 Full Color Catalog

### Access to Polling Places

HAVAAccess, is Inclusion Solutions' free newsletter to help election officials implement the disability access provisions of the Help America Vote Act. Call us toll free at 1-866-232-5487 for free discussion of accessibility in your jurisdiction.

### ***The 2006 HAVA Deadline and Other Important Developments***

With respect to accessibility, HAVA is kicking into "high gear" in 2005 First and foremost is HAVA's requirement of an accessible voting machine = (and perhaps accessible polling places) prior to January 1, 2006. This requirement has created a sense of urgency among election officials nationwide, particularly with the lack of defined standards. Many states have held accessible voting fairs to solicit the input of voters and address these issues.

### ***Department of Justice Opines on Polling Place Access and HAVA***

In a March 4, 2005 letter to the Mississippi Secretary of State Elections Division, the United States Department of Justice ***opined***

"Section 301(a)(3) means what it says - all polling places in the United States which are used for elections for federal office must have at least one voting system which is accessible to persons with disabilities for use in elections for federal office on and after January 1, 2006. As we have expressed, logically, persons with disabilities must be able to gain access to the polling place in order to be able to use the accessible voting system. Having an

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### From My Perspective...

Doug Towne is the principal of the Tampa-based **[Disability Relations Group](#)**. Doug is also on contract to the Florida State Department of Elections. Doug is authoring a two-part From My Perspective series.

While I have had a role, albeit a small role, in the evolution of accessible voting since the 2000 election, I believe there is still a missing piece to the continuum of the fully accessible election system.

By fully accessible, I mean from the basic education about our electoral system, through registration, the campaigns and on to the act of making our free, independent and secret choices. We then each of us at that point should be able to add our own indelible mark on history through the act of voting.

Mind you, I am not suggesting that our responsibilities as citizens stop with that act. In fact, it should be only the starting point from which we become engaged in the public policy choices made by our leaders. Choices shaped by public debates that we must again have equal access to.

It is not only the evolving accessibility of the voting systems themselves or the safe, ramped, and independently accessible polling place that we must concern ourselves with. This is with a few obstacles being overcome and being accepted by the majority.

accessible voting system does little good if voters cannot enter the polling place to use it. Hence, not only must the voting system be accessible to persons with disabilities but also the polling place where the voting system is located."

The Department of Justice set limits on this opinion. It characterized it as "general views" and noted that "the opinions expressed here are not binding." However, this letter does provide some guidance as to the federal position on an issue where the text of HAVA is largely silent. HAVAccess will explore this issue of whether HAVA requires accessible polling places as well as machines prior to the 2006 deadline in more detail next issue.

### ***More Money and More Worries***

Many groups remained concerned about accessibility and HAVA. For example, the [Consortium for Citizens With Disabilities](#) sent a letter to Congress on April 4, 2005. The Consortium, a coalition of almost 100 national disabilities organizations set forth its opposition to any legislation that will delay the full implementation of HAVA's voting access requirements and expressed other concerns.

Another major development is the availability of another \$9,919,338 to states and territories under Section 261 of HAVA for EAID grants for polling place accessibility (as well as grants to state protection and advocacy organizations). These grants will be administered by the [Department of Health and Human Services Administration on Developmental Disabilities](#) just as the two prior grants were. Applications for these grants are due April 30th, 2005. While these funds are a positive step, Section 261 of HAVA authorized \$100 million to be spent on polling place access initiatives. These additional funds bring the

It is the access to freedom's information that must accompany the right to choose. Such access turns our minds to our civic duty as children and young adults. The Declaration of Independence, The Constitution the United States and the Bill of Rights are the basis of our republic and embody freedom's information. I ask that you imagine for a moment that their meaning does not apply to you because they are not available in a format you can read. Then extend this thought to all of the documents that surround the electoral process.

Equal access through alternative formats including all of the documents that apply and guide our registration and even choice of party or non party affiliation is crucial. The platforms, position papers, advertisements, talking points, websites, and all the political fodder of choice in every campaign must be fully accessible. The postings, rules, sample ballots, signage, instructions and all the other types of information delivered throughout and beyond the electoral process must be made available in as wide an array of alternative formats as possible.

Large print, Braille, sign language, audio recordings, different languages, models, and cartoons/pictures can be used to inform the citizen. Many more things can be, and will be invented to deliver the information necessary for freedom of choice to be real.

In a letter from the Assistant United States Attorney General, dated March 4, 2005 to John W. Eads, Esq. Assistant Secretary of State for Elections in Mississippi [pertinent parts are reprinted on the adjoining article], the DOJ makes clear that it is of the opinion that all facets involved in the election system must be accessible. The machines, the polling place and by extension access must extend to the information that surrounds and supports the process as well.

Now there are some that will say "What about the blind that don't read Braille or the deaf that don't know sign language?" To them I must suggest that if something has prevented them from learning Braille or sign (such as age, time, or other disability) then audio recordings, pictured story boards or alternative medium could equally provide the access to information needed. It is a fact that in this electronic age a person can be competent, well read, educated and successful without being able to read the printed word. It is possible to be articulate, expressive, and a widely published author without being able to write physically the printed word as well. These are facts of our technological world and the election world. No matter what the reason, whether through the prejudice of others, other circumstances beyond their control or choices in technology we must find ways of providing equal access. If our education system did not or is not

amount appropriated to date up to approximately \$33 million -- or just under 1/3 of that authorized.

### **IMPORTANT CLARIFICATION**

The February, 2005 issue of HAVAccess linked to several articles written by independent third parties on various issues of accessible voting. One such link was to a piece written by Ren Bucholz on [Accessibility and Auditing in Electronic Voting](#). That article implied that the American Association of People With Disabilities supported the concept of template overlays/tactile ballots. Jim Dickson of the AAPD wishes to clarify that their position is that these are not an acceptable alternative and that AAPD supports the concept of accessible direct-recording electronic machines in each precinct. AAPD's official positions as well as other resources are available on their [Disability Vote Project](#) website. Inclusion Solutions is not affiliated with either the author of this article or with AAPD, and provides this link as a resource only.

### **OTHER ARTICLES ON ACCESS**

[Access to Machines in South Dakota](#)

[Florida County Surveying Sites](#)

#### **2005 -- State Access Initiatives**

As election officials move into 2005 and start to look at "next steps" with respect to addressing access issues for voters with disabilities, several states continue to move forward with exciting new initiatives. Other states continue to encounter barriers and are just now starting to address access issues.

Iowa has moved forward on polling place accessibility and now has created [Grant Forms for Polling Place Improvements](#) to allow local counties to receive funds to address issues.

providing them with the opportunity to learn to read print, Braille or sign language then that is a failure of our society.

Likewise, if other parts of government, business and society in general are failing to provide equal access through technology or information, then that too is a failure we as a society should address. If circumstances like that are present then there is no better reason to seek equal access than to address such catastrophic failings and basic needs in this free society.

We must recognize as citizens that it is the information of the electoral process that gives life to our aspirations, dreams, and actions as a participating part of the ongoing American Revolution.

It is for these reasons and on this premise that Inclusion Solutions, [Disability Relations Group](#), and [BrailleWorks](#), have formed the Campaign for Freedom's Information. A campaign intent on giving election officials, candidates and through them the American citizens, equal access to the information that is the life blood of our choices made out of liberty. We offer the tools of Freedom's Information throughout the electoral process and challenge you to find every way to use them. It is the right thing to do, and is at the very core of equal access under the Help America Vote Act. Don't let Freedom's Information be the missing piece in your campaign or electoral process.

### **Inclusion Solutions: Your Partner in Access**

Inclusion Solutions has worked with officials in over 35 states and territories on HAVA accessibility issues. Let us help you. Be sure to ask us about our new alternate format voting materials services (see other articles for more information.)

Get our Free CD-Rom that includes surveys from around the country, HAVA grant forms, video and multimedia information on access, electronic versions of our catalog and more. Please call us at 1-866-232-5487, or Email [ordercdrom@inclusionsolutions.com](mailto:ordercdrom@inclusionsolutions.com)

For a hard copy of our full-color **2005 CATALOG** please call us at 1-866-232-5487, or Email [catalog@inclusionsolutions.com](mailto:catalog@inclusionsolutions.com)

We have solutions for all accessibility issues in your polling places from parking lots, to steps, to door hardware, to inside of the polling place. We also carry survey tools.

Other materials available on the [state HAVA page](#) include letters to auditors on these issues, a grant overview and more.

Washington has also moved to the forefront on these access issues. Even with pending legislation on possible vote by mail, the state has identified accessibility barriers and is now providing officials with detailed [grant information](#) and other [information on polling place accessibility](#).

New Hampshire has always been a progressive state on accessibility issues. The state has distributed funds to local officials for polling place access improvements and now has created a [New Hampshire Video on Accessible Polling Places](#) to overview barriers voters may encounter.

Indiana has historically been a great leader on polling place access initiatives through extensive statewide surveys and the state's Count Us IN Project. Now, Indiana is taking the "next steps" and is planning a statewide purchase of certain accessibility equipment to be distributed to county election officials. See [Indiana Polling Place Improvement Form](#) for more information.

Other states profiled in the last issue remain leaders. New Jersey Director of Elections Ramon DeLaCruz has followed up on his successful polling place accessibility workshop by providing over 600 local and county election officials with survey tools to evaluate their polling places. The state will soon have available a grant application and reimbursement form. Also check out their [resource guide of accessible materials](#).

Likewise, Ohio continues to work hard as well. Grant forms will soon be available, and the local Accessibility

#### FEATURED PRODUCTS

- *New Accessible Voting Booths and ADA-compliant voting booth leg retrofits.*
- *Mini-access kits to affordably make the inside of your polling place more accessible.*
- *Signature Templates with additional ovals to allow voters to better use optical scan ballots.*
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- *New Cost-Effective Hard Matting for unpaved lots*

*All our [products](#) are portable and owned by you, the election official and are consistent with Section 261 of HAVA. We can also help with grant applications.*

*Call us at 866-232-5487, or Email [elections@inclusionsolutions.com](mailto:elections@inclusionsolutions.com)*  
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#### [Full Color 2005 CATALOG](#)

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#### **>> Next HAVAccess:**

*Further Discussion: Does HAVA Require Accessible Polling Places?*

*Discussion of Voting Machines and Alternatives (delayed from this issue).*

newsletter educates Ohio officials on these requirements.

But in other states, problems have not yet been solved.

New York has suffered from well-known problems with getting HAVA-enabling legislation passed. Not surprisingly, accessibility to the electoral process remains a serious concern in the state and officials are running into problems when **schools cannot be used for polling places**. In fact, a state Independent Living Council released a March 1, 2005 **report** outlining these barriers.

Missouri is also addressing **Polling Place Access Barriers**. However, despite the barriers identified in this story, the Secretary of State's office is moving forward with initiatives in 2005 to address some of these issues.

2005 remains an important year on all accessibility initiatives with HAVA's January 1, 2006 accessible machine requirement (as well as possible polling place access requirements) looming and additional funding available

#### **Alternate Format and 'Other' Requirements**

As Doug Towne discussed in the From My Perspective article, having materials available in alternative formats is crucial to ensuring the accessibility of the entire electoral process.

Examples of materials that should be provided in accessible alternative formats such as Braille include sample ballots, voters' bill of rights, public notices, voting machine instructions, provisional ballot rules, voter declarations, candidate forms

and more.

A common myth is that creating alternative format materials is an expensive process. That simply isn't true. For example, materials can sometimes be made accessible easily in-house through either large-print versions or creating audio recordings of certain voter instructions.

Even when you need to hire a professional to provide accessible versions, it doesn't have to be costly. The proper partners can help you design just what materials you need so that you don't need to print more than are necessary.

Inclusion Solutions is pleased to announce a new partnership with **Disability Relations Group**, and **BrailleWorks**, to be able to provide your offices with a full complement of accessible materials including both the materials mentioned above and Braille signage.

We are pleased to be able to offer these new services to round out our position as the national leader on helping election officials make their polling places accessible to voters with disabilities.

Please call us at 1-866-232-5487 for more information or to request a joint Braille/Text flyer of these offerings.