



HAVAcess

The election reform resource to help you address polling place access

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Access to Polling Places

HAVAcess, 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.

New Legislation and Accessibility Prior to January 1, 2006

The January 1, 2006 HAVA deadline for providing one accessible voting machine that is accessible to voters who are blind or visually impaired at each polling site hangs like a guillotine over the heads of election officials nationwide. Making matters worse, standards have not been finalized and the concerns about security and Voter Verified Paper Audit Trails (VVPAT) have made it difficult even for officials who are eager to comply with HAVA's mandate to do so. Complicating things even more are the funding limitations of HAVA.

On February 17, 2005, Senators Kerry and Clinton introduced the **Count Every Vote Act ("CEVA")** into the Senate. This legislation addresses some of the outstanding issues with HAVA. With respect to accessibility for voters with disabilities, it sets parameters for development and implementation of voting systems that are both accessible and which can provide a VVPAT.

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From My Perspective...

by Linda Cassady

*Linda Cassady is a graphic designer and principal of Milkweed Studio in Chicago. Her clients include Northwestern University and the Chicagoland Bicycle Federation. She is also the designer of the revised **Inclusion Solutions catalog.***

I've always been involved in the political process. I used to work as a precinct captain and a pollwatcher, and was always around the polls on election day. But to be honest, like many, I never gave polling place access much of a thought. And I confess that back in 1990 (when I was working as an interior designer), I was annoyed at the passage of the Americans With Disabilities Act. I was worried that ADA regulations might require me to modify some of my existing designs.

But everything changed in June, 1999. I was in a serious car accident that left me paralyzed from the waist down. It made me reassess and evaluate everything in my life. Even something that I took for granted, like getting into the polling place, had become a challenge.

I remember the first time I voted after my injury in 2000. I went over to my new polling place, which happened to be across the street from my house. But when I got there, I found out that there was no way that I could get in. The side door was narrow and there was no way that I was letting poll watchers carry me down the steps. After finally getting someone's attention, I was forced to vote outside on the sidewalk in the rain. Worse still, I had an election judge

The bill also requires that states ensure that election officials are instructed on the rights of any individual who requires assistance to vote by reason of blindness, other disability, or inability to read or write to be given assistance by a person chosen by that individual the Voting Rights Act of 1965.

But what the bill fails to do is address HAVA's major accessibility shortcoming -- lack of appropriations of authorized amounts. Underfunding looms as the central barrier to polling place access. To date, less than 25% of the \$100 million authorized for polling place accessibility under Section 261 of HAVA has been appropriated. And *none* of the \$10 million allowed under HAVA to develop new accessible voting technologies was even appropriated. Thus it's no surprise that additional funding in these areas is needed to fulfill HAVA's promise.

Many states have made up for the shortfall with the addition of unrestricted HAVA funds, but improved federal funding of these provisions would go far to address these issues.

While 2005 and 2006 will represent a challenge for officials in complying with these requirements, officials also must address the closely-related issue of accessible polling places. Many advocates understandably point out that a voting machine isn't truly accessible unless all voters can get into the polling place to use that machine.

Officials may wish to talk with their Congressional leaders to ensure that CEVA is amended, additional HAVA funds are appropriated, or to do what many states have already done and work with state officials to redirect unrestricted HAVA funds to

about a foot away from me, hanging over me like a hawk and hitting on me as I tried to vote.

Frustrated and wet, I thought that I'd try to vote absentee the next time. I didn't like the idea of having to vote before everyone else, but maybe it would beat the rain and the curbside Cassanova. Maybe I'm just a cynic but I don't trust the system. My ballot never came. Absentee voting might work for some, but it's not the same as being there on election day.

As the 2004 general election approached, I was determined not to be disenfranchised and decided to vote in person again and make sure my vote would count. I knew that I would have problems, and made a plan. I checked out the polling site beforehand and figured out the safest staircase to get carried down. On election day, pollworkers carried me down. It was undignified and left a bad taste in my mouth□but what are you going to do?

Six years after my injury, I still care about the political process and have a much better perspective on the importance of polling place accessibility. I suppose I'm uniquely qualified to design the catalog for Inclusion Solutions. Please check it out both to see some great solutions for polling place accessibility and to see some of my work.

I ask all of you as election officials to help make sure that I, and 54 million other Americans can vote on Election Day like anyone else in a dignified manner. I'd ask all of you to think about these issues from my perspective because everything can change in an instant.

Editor's Note: Linda is a fantastic graphic designer and is always looking for new clients. She can be reached via email at Linda@milkweedstudio.net or via phone at at 773-395-0307. Visit Linda's Design Firm, Milkweed Studio

Inclusion Solutions: New Solutions For a New Year

Inclusion Solutions continues to be the national leader on helping election officials make their polling places accessible to voters with disabilities. As we enter the new year, we've come up with new products and new tools to help make it easier for election officials to resolve accessibility issues.

We have compiled a wealth of accessibility information onto a **Free CD Rom** that

the crucial area of accessibility to make up the shortfall.

OTHER ARTICLES ON ACCESS

[**Indiana Officials Address Accessibility More Indiana information**](#)
[**Polls Limit Access in Missouri**](#)
[**Pennsylvania Schools Won't Be Used For Polling Because of Security and Accessibility Concerns**](#)
[**Polling Place Access Barriers in Cleveland**](#)

2005 -- State Leaders Continue to Push 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 have started to move forward with exciting new initiatives.

Many states have determined that 2005 is an ideal time to address these polling place accessibility issues, as it is an "off year" for federal elections and because there is still so much uncertainty with respect to HAVA's standards for accessible voting machines.

New Jersey continues to be a national leader on accessible polling places. State Director of Elections Ramon DeLaCruz sponsored a Polling Place Accessibility Workshop in Trenton on February 2nd. The workshop, attended by over 200 county and local election officials, addressed standards for polling place accessibility, surveying polling sites for access, enforcement, solutions and more. Speakers from around the country addressed access standards and issues and offered resources to help officials solve these concerns.

New Jersey purchased materials to allow officials to survey their polling sites for accessibility. They also developed a detailed [**50 page resource guide of accessibility**](#)

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, email us at or Email [**ordercdrom@inclusionsolutions.com**](mailto:ordercdrom@inclusionsolutions.com) or [**visit here to order**](#) .

Also be sure to download our with more products for improving your polling place accessibility.

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.

NEW 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.*
-
- *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.

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Free CD-Rom Resource File

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[materials \(available online here\)](#) to assist officials with addressing accessibility.

Kentucky has started to work on accessibility at an unprecedented level as well. The State department of elections is now working with the [Kentucky Disabilities Coalition](#) to train officials about surveys and their accessibility requirements. Surveys will be conducted through early 2005 and improvements will be made after that time.

Ohio has moved into 2005 with a renewed commitment to accessibility of the electoral process. Ohio has created an accessibility committee to work with state and local officials and ensure that accessibility initiatives are completed. Under the guidance of Eric Parks of the Rehabilitation Services Commission, Bill Thompson of the Pike County Department of Elections and others, the group has set an agenda for solving access throughout Ohio by 2006.

The group has also created an e-newsletter, ACCESSIBILITY, that will be circulated monthly and is working closely with the Secretary of State's Office. In the first issue, Parks discusses his philosophy and plan for the job and says that he plans to "make every effort to ensure that all Ohioans have the opportunity to exercise their right to vote in a safe, independent, private and dignified manner." Parks also acknowledges that ADA standards require "reasonable access" and that officials "must find a way to combine those two so that they become one reality in Ohio."

Hawaii undertook significant accessibility projects in 2004 to solve physical access at polling places and created a [brochure](#) on their outstanding efforts. In 2005, Hawaii

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>> Next HAVAccess:
More 2005 Access Initiatives

Discussion of the "Automark" system to make optical scan voting systems accessible (delayed from this issue).

is following up with additional training and with the addition of auxilliary accessibility aids at polling places such as magnifiers, signature templates, and communication tools.

Other states, such as *Indiana, Virginia, and Massachusetts*, used the 2004 election as an ideal opportunity to survey polling places under the actual conditions of election day. Those states will now be working to distribute HAVA accessibility funds and move forward toward making substantial improvements.

With continued funding, HAVA's January 1, 2006 accessible machine requirement, additional exciting state and local initiatives, and many officials better able to address this important initiative in a non-election year, 2005 should be a crucial year for ensuring the accessibility of the electoral process.

Five Articles On Access: ITD Journal

The Rochester Institute of Technology came out with a special issue in December, 2004 entitled CASTING YOUR BALLOT: ACCESS TO VOTING FOR PEOPLE WITH DISABILITIES.

This journal, edited by Steve Noble of the Kentucky Assistive Technology Service Network, included several articles focusing on accessibility of the electoral process for voters with disabilities. Below are summaries of and links to selected articles from the journal.

HAVA, STATE INITIATIVES AND POLLING PLACE ACCESSIBILITY IN 2004 AND BEYOND

Hollister Bundy of Inclusion Solutions and John Marshall Law School writes about polling place access initiatives under HAVA in 2004 and beyond.

ACCESSIBLE VOTING EQUIPMENT CHALLENGES: VOTER VERIFIED PAPER BALLOTS AND MORE

Diane Cordry Golden, Ph.D. of Missouri Assistive Technology writes about HAVA and the conflict between accessibility and

security/verifiable trail concerns.

***USING EXTENDED AND ENHANCED
USABILITY (EEU) TO PROVIDE ACCESS
TO MAINSTREAM ELECTRONIC VOTING
MACHINES***

Gregg Vanderheiden, of the Trace Research & Development Center & the University of Wisconsin discusses issues concerning accessible voting machines as well as methods of creating electronic voting machines that work well for all voters by extending and enhancing the usability of mainstream voting machines.

***DISABILITY AND VOTING: AN
ANALYSIS OF THE IMPLEMENTATION
OF THE HELP AMERICA VOTE ACT OF
2002 IN ARIZONA***

Edward L. Myers III. JD, Policy and Funding Specialist of the Arizona Technology Access Program, Institute for Human Development Northern Arizona University analyzes previous laws assisting persons with disabilities with the right to vote and the Help America Vote Act of 2002 and the efforts aimed at its implementation in Arizona.

***ACCESSIBILITY AND AUDITABILITY IN
ELECTRONIC VOTING;***

Ren Bucholz of the Electronic Frontier Foundation examines the dual issues of accessibility and auditability, and sets forth the premise that accessible elections with verifiable results are not an impossibility.

***DISABILITY AND VOTING - THE (AS OF
YET) UNFULFILLED POTENTIAL OF THE
ADA AND REHABILITATION ACT***

Michael Waterstone, Assistant Professor of Law, University of Mississippi School of Law, examines the impact of the ADA and the Rehabilitation Act as they impact voting rights claims and analyzes recent court decisions and prospects for the future.

ITD Issue on Accessible Voting