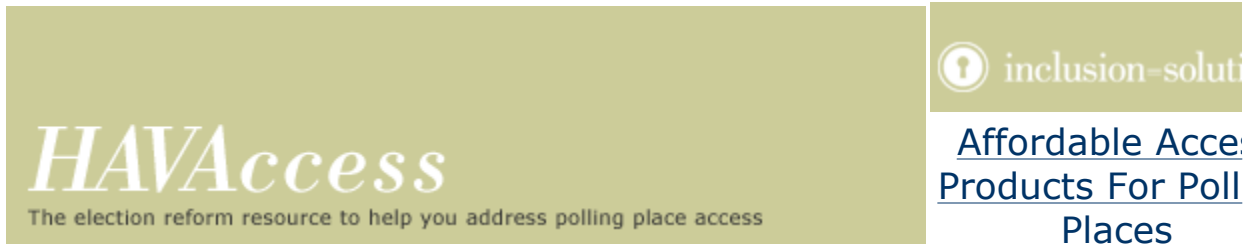


Hollister Bundy (Inclusion Solutions)

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2004 Elections and Access

HAVAccess, is Inclusion Solutions' free newsletter to help election officials implement the disability access provisions of the Help America Vote Act.

Access and the 2004 Election

The last few months have seen an increase in activity in addressing polling place accessibility issues as several states have aggressively moved forward on their initiatives and started to get monies into the hands of the election officials to make access improvements. But the deadline to get changes made before the November general election is pending.

Funding remains critical to access improvements. Some states have been slow in getting monies to counties. But other states have moved forward more quickly and three general models of distribution of HAVA funds for polling place accessibility have arisen. Click on any of the blue text to see actual state materials.

"FUND DISTRIBUTION MODEL".

Illinois has established a positive model for distribution of HAVA funding for polling place accessibility and deserves accolades. Illinois recognized the limitations imposed by imperfect funding of HAVA. Director of Elections Daniel White, in conjunction with local disability rights advocates, appropriated \$1.5 discretionary HAVA funds on top of the estimated \$870,000 in Section 261 Health and Human Services amounts. These funds, which are now being distributed to local officials, are allowing Illinois to take a lead on actually addressing access initiatives.

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From My Perspective...

Thoughts from Advocates on the 14th Anniversary of the ADA

Today, July 26, 2004, is the 14th anniversary of the passage of the Americans With Disabilities Act. Inclusion Solutions attended the Chicago Mayor's Office For People With Disabilities AccessChicago show and talked with a number of advocates about their experiences with accessibility of the electoral process.

Some voters with disabilities can't get to their polling places and some can't get in. Access issues can be a big burden for voters. And if voters with disabilities have had a bad experience with voting -- they might be discouraged from voting in the future. I ask all of you as election officials to do whatever you can to make the process as easy as possible for all voters.
 -Karen Tamley, Director of Programs, Illinois Disability Vote Project

I've been in the same precinct at the same voting location for 24 years -- and it's still not accessible. I've tried voting

The "Illinois Model" consists of distribution Section 261 (and additional HAVA monies) on a formula based upon registered voters. Monies are sent directly to the counties - which must later use the funds on qualifying projects or products. This model is thought to reduce some of the administrative burden of evaluating specific access projects on a statewide level.

"GRANT APPLICATION MODEL".

The majority of states have adopted some form of a grant application model. Funds are requested by local officials from the state department of elections for specific accessibility projects or product solutions. Election officials are provided with a list of or ideas of appropriate products for accessibility. They are then required to submit, to the state, lists of these product solutions or projects with cost estimates. Funds are allocated based on the project or product proposals.

[Pennsylvania, Vermont, Minnesota, North Carolina, Arkansas and Colorado](#) are examples of states that have employed some version of this model. This system requires that accessibility purchases are reviewed at a statewide level to ensure that local officials use the funds for appropriate purposes.

STATEWIDE PURCHASE.

[Kansas](#) adopted a unique strategy to maximize the effect of their HAVA funding for accessibility. The state bid and awarded contracts for bulk purchase of several hundred portable ramps for polling place sites as well as door hardware solutions. Access products were purchased from qualifying vendors and drop shipped directly to counties.

According to Brian Hensen, State HAVA Coordinator, this was to ensure the best possible pricing for Kansas counties and to ensure timely accessibility prior to the 2004 election (and even the August Kansas primary). Inclusion Solutions was awarded a state contract to provide door hardware solutions to 177 Kansas polling sites.

Other states have adopted some combination of these models as well and some states, such as Virginia, have focused first on surveying polling sites prior to implementation of solutions. See also:

[Michigan Initiative, Article on Virginia Surveys](#)

Note: The United States Access Board recently released the long-awaited revision to ADAAG, the Americans With Disabilities Act Accessibility Code. [Download the new guidelines here.](#)

absentee -- but it's not the same. I hate it when the person I voted for absentee ahead of time before has dropped out by election day -- effectively disenfranchising me!

-Dorie Stewart, Council for Disability Rights

For at least 5 years I've had no choice but to vote absentee -- because I couldn't get into my polling place. Please try to come up with solutions like increased access, reasonable curbside voting, or a centralized accessible voting location -- I like to have choices.

- Judy Palencia -- Assistant to Deputy Commissioner, Chicago Mayor's Office for People With Disabilities.

I, for one, like alternative arrangements like curbside voting -- as long as they are done in a dignified manner. I've seen voters who could vote from their vehicle be so happy with the process -- without a curbside alternative, they would have lost their vote. But whatever the solution, increasing awareness among the community about the options you are providing as election officials is key.

-Anne Gunter, Illinois Disability Vote Project (also working with Cook County Clerk's Office on access issues)

My concern is that officials install accessible voting machines. There's understandably a lot of concern today about voter-verified ballots and how it affects access. The issue here is that the voter needs to be able to "see" how they voted and ensure that it's accurate. I have no problem with this requirement, but it sure better not prevent accessible machines from being installed by 2006!

-Ray Campbell, Visually Impaired Coordinator, DuPage Center for Independent Living

Inclusion Solutions: How We Are Helping Officials With Accessibility

Inclusion Solutions has worked with many state and local election officials in various capacities to facilitate polling

Help! How Can I Fix My Non-Public Polling Sites?

An issue that election officials have talked about time and time again is the ongoing issue of ownership of polling sites. Officials are understandably frustrated with lack of access at facilities they don't control or operate.

Polling places can be loosely grouped into several categories in terms of access. First are municipal or county facilities. These are owned and operated by a similar authority to that which controls elections. Ensuring accessibility at these sites, which are covered by the Americans With Disabilities Act is relatively easy for election officials as these sites are owned and operated by the government.

The second category of facilities is those that are public use facilities but which are not controlled by a different authority. These include public schools, fire and police stations, and other such facilities. These facilities *should* have already been made accessible to voters with disabilities as a result of the 1990 Americans With Disabilities Act.

But this is not always the case. A group of election officials in New Jersey, for example, challenged Department of Justice officials about what to do when these covered facilities are not accessible -- ADA notwithstanding. Election officials' must work with these authorities to ensure not only that the facilities are accessible, but also that the accessible portion of the facility is used for elections. If a school is accessible at the front entrance but voters are required to enter at an inaccessible entrance on the side (such as to a gym), changes must be made.

Election officials face even larger problems at private facilities with respect to access. Private clubs, churches, and private homes are generally not covered by the ADA -- presenting a major challenge to election officials to make these facilities accessible the few days of the year that they are used as polling sites.

And although funding has started to address certain polling place barriers, private facilities create new issues. In many states, election officials cannot use public funds on private facilities. For example, in Arkansas, the secretary of state has placed a condition on funds that if a polling place is not owned by a sub-division of government the devices, equipment or improvements may only be temporary. Other states have imposed similar restrictions.

What can an election official do when faced with these issues? One solution is to consider long-term agreements with facilities to serve as polling sites. Several states have required that facilities agree to an extended term in

place accessibility. Remember, we are the *only election company solely dedicated to polling place accessibility.*

In the last few months, we have worked with local election officials in many different ways to facilitate their accessibility projects. We'd be happy to talk with you as well.

Polling Place Solution Product Sales: Some jurisdictions are purchasing our solutions to address polling place access issues through products including:

- *BallotCall and BigBell for doors*
- *Portable ramps of all sizes*
- *Temporary parking signs and other signage*
- *Roll-over matting (for gravel, grass lots)*
- *Interior access kits and associated products such as magnifiers and signature templates*
- *Accessible voting booths and more.*

All our products are portable and owned by you, the election official and are consistent with Section 261 of HAVA. We'd be happy to assist your jurisdiction in this area.

Polling Place Survey Tools: Many counties are doing polling place surveys in-house and have purchased some of our inexpensive polling place survey tools to facilitate the process. Page 3 of our catalog contains this information.

Review of Surveys: Some election authorities have conducted polling place accessibility surveys independently or through third parties (such as local disability advocates). Inclusion Solutions has for these clients reviewed survey results and suggested cost-effective solutions for improving access.

Conduct of Surveys: Inclusion Solutions has also contracted to conduct surveys for certain counties. This is the best way to ensure that the most cost-

exchange for financial assistance with addressing accessibility issues.

Another solution is to only make temporary accessibility changes to polling sites -- particularly private ones. Purchasing temporary signage, ramps, door hardware and other solutions, setting them up on election day, and storing them with other election equipment is the best way to ensure that the power of accessibility remains in your hands as election officials.

[Temporary Products For All Polling Sites](#)

For survey assistance, survey tools, or copies of other surveys call us at 1-866-232-5487 or email us

Access and Security: Part II

As officials worry about the accuracy of electronic voting, advocates are concerned that accessible voting machines will not be provided to them, despite HAVA's mandate. The interests of security and accessibility keep crossing paths - with increasingly explosive results.

Litigation is one battleground prior to the 2004 election. Cases continue to rage nationwide - with perhaps the most well-known one being in California, where advocates and election officials have both sued on the issue of voting machines. As a result, California [SB1428](#) has been introduced - which would amend California law to require that electronic voting systems produce a voter verified paper audit trail by January 1, 2005. Secretary of State Kevin Shelley has already indicated his intent to require this device effective 2006. Ohio and other states have introduced similar legislation.

Outside of the courts, powerful organizations, media outlets, and individuals have weighed in. The New York Times, in a June 11th [editorial](#), noted that "Disability-rights groups have been clouding the voting machine debate by suggesting that the nation must choose between accessible voting and verifiable voting."

On June 15, the League of Women Voters' tweaked its organization's support for touch-screen voting only to include machines that would produce a "voter verifiable paper trail." And Howard Dean submitted a list of 127,000 people who want a voter verified paper audit trail (VVPAT) this November.

Complicating matters further is the release of the [GAO Report](#) on electronic voting machines on July 19th.

Advocates have been understandably upset that this issue may cause delay in installation of accessible machines. Ardis Bazyn of the California Council for the Blind, and a

effective yet compliant solutions are created.

All consulting and survey work is provided at an hourly charge (plus expenses). However, all clients using our consulting services receive a credit from consulting fees against product purchased -- thus the expense of our HAVA polling place access expertise is minimal. We are also available to help with completion of any forms required by your state for HAVA funds.

Call us toll free at 866-232-5487, or Email elections@inclusionsolutions.com

Election Show Coming Up?
Inclusion Solutions is available to speak at trade shows and attend several accessible voting fairs. Please email us for information about speaking engagements and trade shows.

DOWNLOADS:

[UPDATED AUGUST 2004 CATALOG OF ACCESS PRODUCTS](#)

[Door Hardware Evaluation Tool](#)

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[Vol I. Issue 3 Special Funding Update May 2003](#)
[Vol I. Issue 4 June 2003](#)
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member of California's HAVA Planning Committee, noted in a letter published in the July issue of *California Journal*; "I want to continue to use touch-screen voting and not have it taken away from me." Jim Dickson, of the American Association of People With Disabilities, has likewise stressed that these barriers must not delay implementation of accessible machines.

And no less an authority than HAVA co-sponsor Robert Ney addressed these issues head-on. In a letter dated July 13, 2004, HAVA sponsor Robert Ney challenged Dean that "if your demands to retrofit all electronic voting machines with printers before November 2004 were met, it would ensure an electoral meltdown that would make our last presidential election look orderly by comparison."

The result? It's hard to say what will happen. However, hasty installation of imperfect equipment is a dicey option. Compromise and patience may be the best solution. For example, Riverside and San Bernardino Counties have reached an agreement with California Secretary of State Kevin Shelley, that will allow those counties to use electronic voting machines in November's election. Under the agreement, the voting machines in Riverside and San Bernardino will be used as long as election officials provide extra paper ballots at the polls for those voters who choose not to use the electronic machines.

What about a national solution? It's too early to tell. The suspicion here is that counties may be best advised to wait until these issues are resolved and all parties are confident that there are machines that can adequately solve the issues of both accessibility and security. But making sure that advocates understand that they have not be abandoned in their important quest for access is equally important.

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>> Next HAVAccess:

We will continue to update you on current issues as we approach November including:

- Access and the 2004 General Election
- Local Leaders on Access

613-727-7588 between 8 am and 6 pm ET.

Thank You,
The Campaigner Support Team