

hbundy@inclusionsolutions.com

Show Me the Money!

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

FUNDING -- 2004 Grant Applications Due -- 2003 Monies Slow Coming

More money has been appropriated under HAVA to address polling place accessibility in 2004. But funds have been slow in getting to the election officials that need them and lack of funding remains a central barrier to accessibility.

The Department of Health and Human Services recently announced the 2004 grants under section 261 of HAVA. \$9 million has been appropriated for polling place accessibility. Just as in 2003, states will make applications to HHS for these funds -- and monies will be distributed by state officials to local authorities. As before, funds are to be used for polling place access improvements and other associated activities.

While this appropriation demonstrates that accessibility of polling places remains central to HAVA, the amount of the appropriation is relatively small. In 2003 and 2004 only \$22 million of the \$75 million anticipated under HAVA has been appropriated for polling place access. Few other portions of the law has been so woefully underfunded.

Also unfortunately, much of the 2003 funding has not made its way to the local election officials for whom it can be used to improve polling place accessibility. A few states, including Arkansas, Vermont, Minnesota and North Carolina have made provisions to distribute these funds to local officials. Arizona, in fact, has distributed 2003 funds and has even allowed counties to apply the second round of funding for 2004. But many other states have not even made provisions for distribution of the monies or have used the funds for internal administrative measures.

And many election officials have not taken advantage of these grants. For example, in Arkansas, only 16 counties out of 75 statewide were awarded polling place accessibility grants.

Election officials concerned about the lack of funding should continue to ask state officials how these funds will be appropriated. Officials may also want to consider asking their states to follow the leads of leaders such as New York, New Jersey, North Carolina, Georgia, and Tennessee which have all added additional HAVA monies to address the issue of polling place accessibility.

[2004 Grant Announcement](#)

[Application](#)

Surveying Polling Places Part II: Survey of Surveys and Tools

[Survey Types From Around the Country](#)

Several states and localities have adopted different models for evaluating polling places and different documents worth evaluating. Access audits have been completed by different groups ranging from local election officials, to advocates, to assistant attorneys general, to statewide volunteers. Contrasted below are three very different survey styles -- each of which was effective.

North Carolina: North Carolina, long a leader on accessibility, introduced election officials to the concept of surveys at a September, 2003 Polling Place

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From My Perspective...

Danny Heumann is a: 1) Father and Husband; 2) Philanthropist Activist; 3) Motivational Speaker; 4) Wheelchair Athlete; 5) Entrepreneur; 6) Attorney. Freedom=Dignity & My Right to Vote in 2004

I'm fortunate in many ways. If I'd lived 100 years ago, I might have been institutionalized as a result of my disability and I couldn't have had the opportunities I've had today. Since my injury I've been able to thrive. I'm a regular member of society, a college and law school graduate, a successful businessperson, a father and husband and a taxpayer. But there remain many barriers in society that are frustrating -- voting is one of them.

What kind of a message does it send when voters with disabilities can't get into their polling places to exercise their right to vote? What kind of a message does it send to a newly-disabled war veteran returning from Iraq or Afghanistan when he or she can't exercise the right upon which all other rights are based? And what kind of a message does it send to me and others who pay taxes but who see our tax dollars not spent on a priority like ensuring equality in the electoral process?

If I want to exercise my right to vote, I want to do it with honor and dignity -- just like anyone else. Making the electoral process accessible is something that must be a priority to all election officials. Please don't tell me to vote absentee. To me and many others voting on election day at the same location as everyone else is essential. Being at the polling place allows me to gain access to information that is distributed and discussed on election day.

accessibility workshop. In North Carolina, surveys were done by election officials themselves.

State election officials, in conjunction with advocates and others, trained election officials on how to conduct the surveys and provided officials with a uniform document. The State Board even went so far as to ensure that all North Carolina local election officials had a digital camera to photograph the sites surveyed. As a result, North Carolina has completed surveys and is now in the process of distributing grants and actually improving polling place accessibility.

Illinois

Illinois adopted an unprecedented cooperative model for polling place surveys and successfully surveyed over 1,500 sites throughout the state during the March 16th primary.

Illinois Protection and Advocacy agency Equip for Equality partnered with the Chicago Mayor's Office for People With Disabilities and the Office of Illinois Attorney General Lisa Madigan to evaluate sites. While in the past New York's attorney general's office and advocates have surveyed sites, the cooperation of the Illinois effort was unprecedented. Surveyors throughout Chicagoland used a single survey instrument. Attorney General Madigan's Disability Rights Bureau deserves special accolades for providing over 100 Assistant Attorneys general for the effort.

Results are now being compiled and will shortly be presented to state and local election officials along with suggestions to improve accessibility. The program may be expanded in the fall to survey additional sites.

Indiana

Indiana's impressive effort, spearheaded by the Count Us In Project (see Vol II. No. 1), includes statewide surveys of all polling places in Indiana, divided into three tiers. Inspectors evaluated Indianapolis in 2003, one-half of the state's sites in May 2004, and will survey the remaining statewide sites in November.

Count Us In brought together volunteers consisting of advocates, officials, citizens and others to survey polling places across the state. They trained surveyors and provided them with tools to evaluate sites. During the May 4 Indiana primary, surveyors evaluated thousands of sites throughout the state. Surveyors received a small stipend per polling location, and results are being reported to central authorities. Once Count us In has compiled the results, polling place accessibility improvements will be made.

Note: Inclusion Solutions participated in the Indiana surveys -- evaluating 15 sites in Lake County, Indiana. We were particularly impressed with the program organized by Count Us In. Organizing hundreds of surveyors to evaluate thousands of sites statewide was impressive. But field work also confirmed that there is still much work to be done regarding accessibility in Lake County, Indiana, as there is nationwide. Some sites were fully accessible. But other sites suffered from barriers ranging from insufficient handicapped parking signs to locked accessible entrances to sites with significant steps in front. One inspector, according to director Julia Vaughn couldn't finish her survey because she couldn't get her wheelchair into the polling place.

Tools of the Trade

Regardless of what survey document you are using, surveyors should be armed with the proper equipment to evaluate polling places. At minimum, all surveyors should have a tape measure (at least 6 feet long) and a uniform written survey for consistency. The tape measure is invaluable for measuring steps, door widths, parking spaces, and other measurements.

Other useful tools include a door-pressure gauge to evaluate the weight of polling place doors. Heavy doors can impede many voters. A slopeometer can measure whether ramps are too steep. Visual survey tools showing "best practices" and including pictures of accessible and inaccessible facilities can also aid surveyors who may not be experts. North Carolina's requirement of a digital camera ensured that officials could photograph polling locations.

And please don't tell me that you don't have any voters with disabilities. America has 56 million citizens with disabilities and I'm sure many of them live in your town or city. And disability is an interesting demographic: Tomorrow someone with a disability could move in next door or anyone in America could be injured and join the ranks.

Physical access to polling places is crucial. A step, a lack of handicapped parking, or a heavy door is an insurmountable barrier to many. And attitude is critical too -- election officials and local judges must take the time to understand and be sensitive to all voters. Please don't be intimidated by any voter's physical or cognitive disabilities and take the time to assist them through the process.

Take the time to evaluate your polling places for access. Take the time to let voters with disabilities understand your commitment to the issue. Make the changes to make your polling places accessible. And make sure that your local judges and officials are patient, ready, willing and able when I and millions of other voters with disabilities come to vote on election day.

As Americans, we are all lucky to vote without fear. Our disabled Americans should be able to exercise that vote without any barriers.

If you are interested in learning more about me and my message, please visit www.heumannlycapable.com

Inclusion Solutions: Your One-Stop Resource

Inclusion Solutions continues to work with state and local election officials, as well as P&As and other advocates to solve polling place access.

Election Show Coming Up?

Inclusion Solutions is available to speak at trade shows and attend several accessible voting fairs. Please [email](mailto:info@inclusionsolutions.com) us for information about speaking engagements and trade shows.

For survey assistance, survey tools, or copies of other surveys call us at 1-866-232-5487 or [email us](#)

[Sample Surveys from Across USA](#)
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Disability vs. Decertification

As officials worry about the accuracy of electronic voting, advocates are concerned that accessible voting machines will not be provided to them, as HAVA and other laws require.

The latest salvo in this ongoing dispute came on May 6, 2004, when Riverside County (California) election officials and disabled voters filed a complaint against Secretary of State Kevin Shelley, alleging that the state's decertification of a DRE system violates state and federal laws and hurts disabled voters.

The state's order banned Diebold touch-screen voting machines in four counties. The complaint alleges that Secretary of State Kevin Shelley's order violates the 1990 Americans With Disabilities Act, the Help America Vote Act of 2002, as well as other state and federal laws.

The complaint alleges that "[t]he Secretary's decertification orders will deny voters with disabilities the right to vote independently, in secret and without third party assistance..." Patricia Yeager, executive director of the California Foundation for Independent Living Centers added that the state's decision "[D]isenfranchises an entire population of people who just want to vote privately and independently like everyone else."

This complaint has many of the same issues as an ongoing Florida dispute. In January, a district court ruled that Duval County must make accessible voting machines to persons with disabilities.

Plaintiffs American Association of People with Disabilities (AAPD) believe the county was required to put in the accessible machines under the ADA when it moved from a punch-card to optical-scan. Election supervisors argue that the HAVA instead should control -- mandating accessible DREs by the 2006 HAVA deadline. The Florida State Association of Supervisors of Elections is leading an appeal.

And a third related issue concerns paper trails. Some advocates and voters with disabilities are concerned that the paper trail requirement may undo the privacy that they have fought so hard for. Steve Handschu, Director of the Illinois Chapter of the National Federation of the Blind and a member of the Illinois HAVA team noted that 'While the technology issues need to be resolved, officials have to stay focused on HAVA's mandate of an accessible, private machine in each precinct. New machines need to be accessible -- and if they create a paper trail, it's got to be a private one.'

HAVAAccess will continue to monitor developments.

[California lawsuit article \(requires registration\)](#)

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