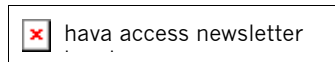


hbundy@inclusionsolutions.com

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Accessible Polling Places

This is the fifth issue of *HAVAccess*, a free newsletter developed by Inclusion Solutions to help election officials implement election reform measures -- specifically the accessibility provisions included in the Help America Vote Act (HAVA). If you would like copies of earlier issues, please email us at hbundy@inclusionsolutions.com or call us toll free at 1-866-232-5487.

Access Funding Now Available

Throughout the rest of the year, state departments of elections (or equivalent agencies) are preparing to distribute the \$13 million available in FY 2003 through the Department of Health and Human Services under the Help America Vote Act for making polling places more accessible to voters with disabilities. Now is the time for you, the election official, to survey your polling places and implement solutions.

Congress is considering 2004 funding for HAVA and has suggested \$500 million in a preliminary appropriations request. But funding for accessibility remains uncertain. Make sure that you get your share of the available 2003 monies.

HAVA Plans And Initiatives: Proactive States

As of September 15, 2003, most states had submitted their final HAVA plans. Not surprisingly, states vary greatly on the issue of polling place accessibility for voters with disabilities. Some state HAVA plans proactively address the issue and have innovative solutions. Other states have largely ignored the issue or taken a "wait and see" attitude. Below is a sampling of what some proactive states are doing on the issue.

NORTH CAROLINA: North Carolina, which was profiled in the last *HAVAccess* continues to be a leader on the issue of accessible polling places. First, North Carolina decided to

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From My Perspective...

by Dale Prochaska

Dale is the Community Sales Director at Inclusion Solutions. He has a BS in Computer Science/Mathematics from the University of Illinois, Urbana, and a MS in Management Information Systems from Benedictine University. On weekends, he races go-karts.

Greetings Election Officials:

I'd like to provide you with a frame of reference for evaluating the physical accessibility of a polling places in your jurisdiction.

I broke my neck in a diving accident over 22 years ago, leaving me paralyzed from roughly the neck down. I can move my arms at the shoulder, flex my bicep, and extend my wrist to lift my hand. I have no grip, cannot straighten my arm against gravity, or sit upright without "hooking" my arm over the back of my wheelchair to hold on. All in all, I'm a pretty "typical" quadriplegic.

I drive a van, equipped with a wheelchair-lift and hand controls. I admit, I am fairly

allocate \$1.2 million to the issue, despite only receiving \$339,029 from the department of Health and Human Services. North Carolina decided to use almost \$800,000 in additional HAVA requirements payments on the issue.

North Carolina, on September 5th (and upcoming again on September 29th) also held a polling place accessibility seminar for election directors. The meeting included presentations from election officials and advocates. It also provided sample survey tools to election officials for evaluating their polling places and set up a statewide plan for making sites accessible and distributing funds to effectuate the process.

GEORGIA: Georgia also receives high marks for their financial commitment to polling place accessibility. The state HAVA plan proposes to disburse \$700,000 in HAVA funding in addition to the \$335,000 received from the Department of Health and Human Services for improving disability access. Local election officials will need to certify to the Secretary of State the costs required to make polling places accessible before receiving funds.

ILLINOIS: Illinois has worked hard to allow the input of all interested entities on their accessibility initiatives. Illinois' HAVA committee consisted of advocates, election officials, voters, thought leaders and others from around the state. The HAVA subcommittee on disability issues set a statewide agenda for accessibility of the entire electoral process -- both in terms of accessible machines and in terms of accessible polling places.

The HAVA plan establishes a November 2006 goal for statewide polling place accessibility and set forth procedures for development of a uniform state survey for evaluating polling places for election officials to use in upcoming years.

NEW HAMPSHIRE: The Granite State has also aggressively addressed the issue of accessible polling places. The HAVA plan acknowledges the state and federal requirement of accessible polling places and proposes to ensure statewide accessibility. New Hampshire officials are ahead of some states in that the Voting Rights Access Committee and the Attorney General's Office conducted surveys of polling places for accessibility in 1996 and 2002. The HAVA plan anticipates additional surveys and further access improvements to ensure compliance.

INDIANA: The Hoosier State is among the most specific states nationwide in their HAVA plan to discuss how the HHS funding will be used. The Secretary of State's office is working closely with the Governor's Planning Council for People With Disabilities to coordinate a statewide survey of polling place accessibility. In conjunction with local officials

independent and more mobile than most. Still, I struggle to open most doors, and am completely helpless where there are steps (even cracks in the pavement over about 2 inches high) and doorways or aisles too narrow to fit the chair through (say, less than 28" wide). I mean, I'm good, but not that good!

As far as voting is concerned, I've had it pretty good so far. The election judges everywhere I've lived were helpful and try to accommodate my needs. My current polling place is the local middle school. Although the main entrance has over 20 steps, there is an alternate accessible entrance available that has a long, slight uphill grade and a narrow sidewalk terminating in a small level pad in front of the door.

The accessible entrance is great -- if I can get to it. It is difficult to find a passer-by to ask for help up the walk or with the door, especially on a cold, rainy November evening. And the platform at the top affords those of us wheelchair pilots with sharp driving skills barely enough space to maneuver our chairs around the opening door before a radical drop off the edge of the concrete into the landscaping. Others may not be so lucky.

Once inside the doorway, I need to navigate down the school hallway past the tables of another voting district to get to my own polling place. Not impossible, but rearranging all the tables, voting booths and voters so I can pass through is disruptive, chaotic and rather embarrassing.

Upon arriving successfully at my appointed voting area, registration and voting flows relatively smoothly, once we find enough space to vote in peace. You see, the average parked wheelchair still takes up the space of from 2-4 people standing. And no matter where I sit, someone is trying to squeeze past. Fortunately, I can usually manipulate the voting medium by myself. It seems to me that if I'm voting with assistance, I may as well shout my "secret ballot" across the room.

This past primary, my polling

and disability rights advocates, accessibility improvements will be made upon completion of the surveys.

MONTANA: On September 8, 2003, Montana Secretary of State Bob Brown announced that "lack of transportation and physical access have hindered our ability to include everyone in the election process. That is about to change." With the help of the Montana Advocacy Program, officials surveyed statewide polling places and found that 192 of the 694 locations statewide had access barriers. HHS funding of \$100,000 will be used to improve access to these locations and improve transportation options for voters with disabilities.

The Curious Case of Curbside Voting

One of the more interesting issues in resolving access to elections is the practice of "curbside voting" -- or bringing a ballot to a disabled voter outside of an inaccessible polling place so that he or she can vote at the entrance or in his or her car.

Curbside voting is one alternative for resolving inaccessible polling sites -- the others being reassignment of voters and absentee voting. Legal authorization of curbside voting is unsettled. The 1984 Voting For Elderly and Handicapped Act (VAEHA) implicitly authorized "curbside voting" as another "means for casting a ballot." The U.S. Department of Justice has stated in five advisory letters that the practice is legal under federal law so long as election officials follow established procedures for implementation, there is no available accessible location, and the procedure does not otherwise deny an individual with a disability the opportunity to vote.

Most states permit curbside voting and many have codified the process. Other states, such as Pennsylvania, have prohibited it altogether. In Philadelphia, advocates sued officials as a result of hundreds of inaccessible locations with no curbside alternative. Other states that the 2001 GAO Report found prohibited the process are Arkansas, Kentucky, Massachusetts and Louisiana.

Curbside voting is equally controversial among disability advocates. Some advocates appreciate the convenience of drive-up service, while others believe it is a cheapened version of voting. Others accept the process, but express concern how a disabled voter can indicate that he or she is outside needing assistance with curbside voting and that honking one's horn, yelling, or sending in another voter are undignified and often unsuccessful methods for requesting the service.

place was moved from the main floor hallway to the basement storage room. Interesting idea. The main path of travel was more populated. The down hill grade was a bit steeper, but also wider. The door was harder to open, but there was more help available. The only real disadvantages were that the outside doorway was almost too narrow to fit the chair through, and the storage room was too small for me and the voting equipment to fit in at the same time. Oh well, I guess I'm expecting too much.

Kidding aside, I'm excited by HAVA and the prospect of improved access. Hopefully by hearing what I've had to say you'll have some perspective on the issues of access as you evaluate your polling sites. Thanks!

Inclusion Solutions: Solving Access Issues

Inclusion Solutions continues to work with state and local election officials to solve polling place access. Several of our team are members of the Illinois HAVA subcommittee on disability access and have spoken with HAVA planners and election officials nationwide.

Now that many of you are starting to survey your polling sites for accessibility, let Inclusion Solutions help. Our solutions include:

Ballot Call

Portable system to solve door hardware issues, allow voters to get to accessible side entrances, or request a portable ramp. Ballot Call also can be used as a notification system for voters needing to request curbside service.

Portable Ramps

Ramps of all sizes for your inaccessible locations

Other Services

Signage, roll-over matting (for gravel, grass lots), and consulting/surveying services all available

OUR SOLUTIONS ARE
AFFORDABLE USES OF HHS
FUNDS

Whether liked or not, curbside voting is prevalent and appears here to stay. As a result of the realities that election officials face -- limited funds and a finite number of accessible polling places, the GAO Report found that 56% of polling places nationwide had access impediments but offered curbside voting (28% of locations with access barriers did not offer curbside voting.) The prevalence of curbside voting may increase after HAVA. The requirement of a single "accessible" voting machine in each precinct under §301 may encourage the practice because these machines not only are accessible to the visually impaired, but are portable and can easily be brought to a voter outside of an inaccessible location.

North Carolina has set a standard for curbside voting which other states should consider. Officials using curbside voting must create a "curbside voting plan" for each site which "explain[s] the procedure used at each precinct from the time the voter [arrives] and how the poll workers are notified of the arrival of a curbside voter (poll worker assigned to this specific job...notification doorbell of some kind)".

Although inferior to fully accessible polling sites, curbside voting remains an important alternative for inaccessible locations. It ensures that all voters, upon arriving at their polling place on election day, will be able to cast their vote. Developing a "plan" to make the practice dignified, workable and simple is also good advice.

[Link to GAO Report on Accessibility](#)

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