

# Expanding Participation for Voters with Disabilities

Future of California Elections

Annual Conference

February 18 & 19, 2015

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# It's the Law

## Federal Laws

- Voting Rights Act of 1965 - Provisions extended for 25 years in July 2006
- Voting Accessibility for the Elderly and Handicapped Act of 1984
- Americans with Disabilities Act of 1990 (ADA)
- Help America Vote Act (HAVA) of 2002

## State Laws

- California Code of Regulations Title 24 - Part of the building code that provides the specific regulations for meeting accessibility laws in California
- Election Code §12280. When designating polling places, the elections official shall undertake necessary measures in the locating of polling places to ensure that polling places meet the guidelines promulgated by the Secretary of State for accessibility
- CA Secretary of State Guidelines and Checklist (revised April 2014)  
<http://elections.cdn.sos.ca.gov/polling-place-accessibility/guidelines/entire-guidelines-april-2014.pdf>

# Best Practices for County Elections Officials

## ■ Accessible Polling Places

- Access Compliance Plan
- Surveying polling sites existing and potential
- Polling place How-To binders
- Mitigation measures – temporary thresholds, ramps, cones to create accessible parking places, mats to cover grates, temporary accessible door hardware, signage





# Staffing & Training

- Staffing – access program coordinator on staff and/or a private consultant, Election Day rovers to ensure access and compliance with the election laws
- Training – language guide, sensitivity training videos, voting equipment training labs for hands on learning



# Tools for Access

- Accessibility Tools for Voters and Poll Workers – magnifying glass, easy grip devices, large font election materials, and plain language materials
- Audio State Voter Guide and Sample Ballot book – MP3 files, other formats
- Accessible Voting – one device that allows voters to vote independently and privately – offer to every voter, set up and ready at all times, audio unit for voters with visual impairments.
- Disability Awareness Training for Poll Workers



# Santa Cruz County Stats

Dominion voting system – Optech scanner & AVC Edge at each polling place  
 DRE = average 8.34% of all votes and 18.31% of poll votes.

Election Date	Registration	Final Turnout	Total Ballots Cast - Final	Final Precinct Ballots Counted	Final VBM Counted	Total DRE Votes - qualified	DRE % of total vote	DRE % of poll vote
Nov-14	142,405	51.99%	70,404	30,296	43,744	5,372	7.63%	17.73%
Jun-14	141,170	34.83%	49,143	17,961	31,182	3,879	7.89%	21.60%
Nov-12	158,641	76.48%	121,323	56,951	64,372	8,442	6.96%	14.82%
Jun-12	146,936	39.83%	58,526	23,671	34,855	5,046	8.62%	21.32%
Nov-10	148,500	66.02%	98,037	47,636	50,401	7,659	7.81%	16.08%
Jun-10	146,821	37.52%	55,084	24,047	31,037	4,696	8.53%	19.53%
May-09	147,099	33.92%	49,900	20,586	29,357	5,060	10.14%	24.58%
Nov-08	148,361	86.65%	128,555	68,053	60,502	9,754	7.59%	14.33%
Jun-08	139,827	39.23%	54,848	25,239	29,519	6,023	10.98%	23.86%
Feb-08	136,144	66.94%	91,133	52,700	38,433	9,451	10.37%	17.93%
Nov-06	142,428	64.76%	92,236	50,189	42,047	4,831	5.24%	9.63%



# It's all about the outreach!

- County Voting Accessibility Advisory Committee
- Outreach to residential and care facilities
- Voter assistance, including ballot delivery
- Participation in county fairs, parades, events to register voters and demonstrate voting system
- Speak to groups and organizations
- Beginning of school for UC and Community College



# Partner with Groups

## ■ In Santa Cruz County we partner with:

- Monterey Bay Providers Network
- County Disability Commission
- Hope Services
- Disability Rights California
- Center for Independent Living
- Local residential and care facilities

## ■ CACEO – Subcommittee on Voters with Specific Needs

- Extensive work on Poll Place Accessibility Checklist (PPAC) including:
  - Automating PPAC data collection and storage
  - Clarifying/sharing surveying practices
  - Fostering PPAC training with SOS
- Education on access laws and legal actions that have been taken in relation to those laws
- VAAC formation and maintenance
- Work with state to foster EAID grant needs and awareness
- Share best practices related to providing accessible services during the voting experience



# Website Accessibility

- Website should comply with the World Wide Web Consortium's (W3C) Web Content Accessibility Guidelines (WCAG) that provides standards to follow in order to make web content accessible to people with disabilities:
  - tags for images
  - labels for non-text content
  - closed captions for videos
  - keyboard accessibility, and
  - the ability to change font sizes

# State VAAC – A Best Practice

- Secretary of State has had a Voting Accessibility Advisory Committee made up of county election officials and disability rights advocates to advise the office on best practices.
  - Revised accessibility checklist, guidelines, and training video on how to survey a polling site
  - Conducted a survey of voters with disabilities to identify barriers to voting so they can be corrected
  - Advocated for election materials to be in alternate formats resulting in a sign language video Guide to Voting in California
  - Assisted with making online voter registration and the Secretary of State's website accessible to persons with various disabilities
- Padilla has indicated that he will reinstate this committee under his administration.

# Challenges

- Most polling place facilities are not owned by the county. Yet, we must make sure they are compliant with federal and state access laws for the few days we use them during an election cycle. It is VERY difficult to get the owners of the facilities to make permanent changes to remove barriers and make their facilities accessible 365 days a year.
- While we have reduced our barriers at sites, Santa Cruz County does not have a single polling place that is barrier-free without mitigation.
- Agencies responsible for determining access compliance often sign off on facilities that do not meet federal and state accessibility standards.
- Once we find an accessible polling place, it is difficult to secure it for every future election, especially special elections called with little advance notice.
- While California law requires school facilities to be made available for voting, due to security concerns, schools are not willing to have their sites used on Tuesdays when school is in session. If space is provided, it may not be ideal and most accessible.
- Some counties still do not have a local Voting Accessibility Advisory Committee.

# More Challenges!

- Federal voting system tests have passed through equipment that does not meet the standards and does not address the needs of voters with all types of disabilities.
  - Audio units do not meet the needs of voters who need to stop and start the audio unit.
  - Accessible units were passed without ensuring there was sufficient depth, width, and height to accommodate a person who uses a wheelchair – Santa Cruz County had the vendor retrofit units. We are now using HAVA grant funds to buy separate accessible tables for the units.
- Voting systems are antiquated, equipment is starting to fail, replacement parts are difficult if not impossible to obtain. We have had an especially difficult time with our audio units. It took 2 years for us to find 10 replacement units due to the fact that they are no longer being manufactured.



# Our Work Continues...

“The population of voters with disabilities is large and growing. Issues of voting and accessibility, therefore, are not one for a discrete subset of the population. Rather, they are issues that many, if not most, voters may experience at some point in their lives.”

*Presidential Commission on  
Election Administration,  
January 2014 report*



# Resources

- SOS – Voters with Disabilities Website  
<http://www.sos.ca.gov/elections/voting-resources/voters-disabilities/>
- SOS “Guide to Create a Local VAAC” in 2014  
<https://www.sos.ca.gov/elections/pdfs/guide-create-local-vaac.pdf>
- Santa Cruz County Poll Worker Accessibility Training Video  
<https://www.youtube.com/watch?v=GNmQ-ucTguM>
- CACEO Website for members [www.caceo58.org](http://www.caceo58.org)
- *A Web for Everyone, Designing Accessible User Experiences* by Sarah Horton and Whitney Quesenbery
- Web Content Accessibility Guidelines  
<http://www.w3.org/WAI/intro/wcag.php>