

I. In Focus This Week

Increased access but persistent problems for voters with disabilities

Study shows obstructed polling place entrances, privacy concerns continue

By [Kat Zambon](#)

A new [report](#) by the Government Accountability Office (GAO) found that polling place accessibility for voters with disabilities improved significantly since 2000. In the 2008 election, researchers found that about 27 percent of polls “had no features that might impede access to the voting area for people with disabilities” compared to 16 percent in 2000.

States were required to comply with the [Help America Vote Act of 2002](#), which requires the presence of at least one voting system accessible for voters with disabilities in federal elections in all polling places by Jan. 1, 2006. On Election Day 2008, GAO staff visited 730 randomly selected polling places in 79 counties and 31 states for observation and to interview election officials.

Virtually all polling places visited in 2008 had an accessible voting system, most frequently the AutoMARK or Premier’s Accuvote, which allowed people with disabilities to cast ballots privately and independently. However, almost 5 percent of polls “had an accessible voting machine that was not set up and powered on.”

“In 2000 the country had a failing grade on accessibility,” Jim Dickson, [American Association of People with Disabilities](#) (AAPD) Organizing and Civic Engagement vice president said. “[In 2008] I say we got a B- ... There are still millions of people who can’t vote privately and independently but [there have been] big improvements.” Dickson was [recently elected](#) to chair the U.S. Election Assistance Commission (EAC) board of advisors.

Many voters with disabilities may have had their access to the polls obstructed before they even got in the door. More than 50 percent of polling places “had one or more potential impediments on the path from the parking lot to the building entrance,” such as a steep wheelchair ramp. In 2008, 25 percent of polling places had potential impediments at entrances, such as a narrow doorway, compared to 59 percent in 2000.

Despite HAVA, some jurisdictions refuse to move polls, saying there’s no accessible place available or that voters won’t know where to go, Lee Page, [Paralyzed Veterans of America](#) associate advocacy director told the [Associated Press](#), forcing voters with disabilities to vote absentee, be reassigned to a different jurisdiction or have the ballot brought out to them.

“You want to vote with everyone else at your jurisdiction because it’s ... part of the community,” Page said.

At about 29 percent of polls, voting stations intended for voters with disabilities were not arranged to accommodate a wheelchair and about 23 percent of stations were arranged in a way that allowed others to see how voters were casting their ballots while 77 percent of polls offered the same or more privacy for all voters, including those with disabilities.

“As the proportion of older Americans increases, the number of voters who may face challenges exercising their right to vote due to mobility and other impairments could grow,” the report said. In 2008, 16 percent of voters were 65 years or older while 40 percent of voters will be at least 65 years old in 2040.

The report is the first of three reports that will be released by GAO related to voters with disabilities. A report on state practices that facilitate access and the Justice Department's enforcement of HAVA's voting access provisions will be released in September and a report on voting practices for long-term care facility residents is expected from GAO in November.

Sen. Herb Kohl, D-Wis., Senate Special Committee on Aging chair was part of the group of senators that requested the report. "There is no doubt that progress has been made since the last time GAO looked at this issue, but with 73 percent of polling places still not fully accessible, we are a far cry from where we need to be," Kohl said in a [release](#).

"My son voted for the first time [in 2008] and he has a disability and he didn't have any problems," Sue Hetrick, [Ability Center of Greater Toledo](#) public policy director said. "He didn't vote on every candidate or issue, nor did I, but he knew going in what he wanted to do," she said. "I really expected a problem going in ... and I was pleasantly surprised."

Even though the numbers are getting better, there is still more work to be done and many counties are working on a variety of ways to meet the needs of all of their voters.

While a 2003 survey found that only seven polls in [Duval County](#), Fla. were accessible, [all of the county's polls were completely accessible in time for the November 2008 election](#). When Jerry Holland became elections supervisor in 2005, all polling places were reevaluated for accessibility and made compliant with the Americans with Disabilities Act.

Sharon Harrington, elections supervisor for Lee County, Fla. is [organizing a Special Needs Voters' Panel](#) with representatives from the state, visually impaired persons center, Lee County Associates for Retarded Citizens and the sheriff's department. "Partnering with these organizations to create this panel will help ensure us to achieve our goal to provide every individual equal opportunity to cast their vote," Harrington said.

In Arkansas, the St. Francis County Election Commission [planned to apply for a grant to make polling places more accessible](#). For example, one poll has handicapped parking spaces but no signs while another doesn't have paved parking, handicapped spaces or an ADA-approved door handle.

This November, voters with disabilities in Westmoreland County, Penn. [will be able to ring a bell in the parking lot to let poll workers know they need assistance](#) at 69 out of the county's 303 precincts, thanks to a \$38,000 wireless alert system. "We need to keep up with the (federal) guidelines, and a lot of our polling places don't meet the ADA requirements," Jim Montini, elections bureau director said. "We try our best to find accessible polling places, but it's a difficult task."

Despite the efforts though, voters with disabilities still regularly experience problems when they physically access the polls including parking, the voting machines themselves and poorly trained poll workers, Hetrick said, referencing a [2008 study](#) by The Ohio State University that found that only 10 percent of polls in Franklin County, Ohio were fully accessible.

"People [with disabilities] should be able to go to the polls and vote if they want to," she said. "They shouldn't run into any more impediments than anyone else would."

II. Election Reform News This Week

- The U.S. First District Court of Appeals has ruled that [Alameda County, Calif. must make certain materials available to voters who question the validity of outcomes](#) in future elections if "direct-recorded electronic" voting machines that do not provide a "paper trail" are used. The court ordered partial publication of Presiding Justice James Marchiano's May 22 opinion for Div. One.

The court ruled that parties requesting a recount were entitled to disclosure of the county's "redundant vote data" for DRE machines, chain of custody documentation and system access logs, audit logs, and log and accuracy test results under Elections Code Sec. 15630. The statute provides that requesting parties are entitled to access to all voted and unvoted ballots as well as "any other relevant material." According to the *Metropolitan News-Enterprise* the ruling leaves unpublished the portion of the opinion in which the court directed Alameda Superior Court Judge Winifred Y. Smith to reconsider an award of more than \$875,000 in fees and costs to a Santa Monica law firm that successfully challenged the county's refusal to release documents related to the use of its now-discarded electronic voting system.

- The State of Ohio and the League of Women Voters have come to a [settlement in a federal lawsuit filed following the 2004 election](#). The lawsuit had argued that the state failed to protect the right of all citizens to vote and have that vote counted. According to the *Columbus Dispatch*, under the settlement, the state and county elections boards must provide uniform poll-worker training and complete pre-election plans for allocating voting equipment, providing security and other steps to minimize problems at the polls. Elections officials also are required to better track provisional and absentee balloting, as well as post-election reporting of election data including precinct-level numbers from Franklin County and other large Ohio counties. The settlement does not resolve issues in the lawsuit related to Ohio's statewide voter-registration database, including the procedures for matching information from new registrations with motor-vehicle and Social Security databases.
- Chevy Chase, Md. is considering joining two other Maryland towns in allowing [legal immigrants to register and vote in local elections](#). At the Town Council meeting on June 10, council members asked legal counsel David Podolsky to investigate amending the town's charter to allow legal immigrants the right to vote. According to *The Gazette*, the amendment requires public notice and a public hearing, and the charter amendment would go into effect 50 days after approval by the council. There are three council seats open in the town's elections next year. Podolsky indicated it could take "a month or two" for his staff to work out the amendment's legal details. Nearby Somerset has allowed legal immigrants to vote in local elections since 1959 and since 1992 in Takoma Park. Bonnie Thomson, chairwoman of the Board of Supervisors for Somerset's elections, said the policy has never been controversial.
- **Personnel News:** [Robert H. Carey](#), a Navy reservist who has been an advocate for the voting rights of nearly 6 million military personnel and Americans overseas, will become director of the Pentagon's much criticized Federal Voting Assistance Program that helps those citizens vote by absentee ballot. He takes the job July 6. [Jeffrey Brindle](#) has been appointed executive director of the New Jersey Election Law Enforcement Commission, succeeding longtime ELEC chief Frederick Herrmann, who is retiring June 30. And the [Knox County, Tenn.](#) election commission has narrowed its field of candidates for election administrator from 45 to 10. A decision should be announced by the beginning of July.
- **Campaign News:** [Sandy O'Brien](#), a former county auditor and Republican nominee for state treasurer in 2006 has announced her candidacy for Secretary of State in Ohio. [John Wilcox](#) has announced his intention to run for the seat being vacated by Arkansas Secretary of State Charlie Daniels. Wilcox is currently the state commissioner of lands. Current Kansas Secretary of State [Ron Thornburgh](#) has ended his candidacy for governor and announced that he will not seek a fifth term as secretary of state.

III. Research and Report Summaries

electionline provides brief summaries of recent research and reports in the field of election administration. Please e-mail links to research to sgreene@pewtrusts.org.

[Expanding Democracy: Voter Registration Around the World](#) - Jennifer Rosenberg with Margaret Chen, The Brennan Center for Justice at New York University School of Law, June 10, 2009: This report

examines the voter registration systems of more than a dozen countries, focusing on nations where the government is responsible for creating and maintaining the voter rolls and does not rely on active voter registration from its citizens. They find modernized voter registration systems have been created elsewhere and could be created in the United States. Canada's move within the past 10 years to an automatic voter registration system is cited as a potential model for the U.S.

IV. Opinion

National: [Voting Rights Act, II, III, IV](#); [Department of Justice, II](#); [Military votes](#)

Alabama: [Primary costs](#)

California: [Special elections](#)

District of Columbia: [Voting rights](#)

Minnesota: [Instant-runoff voting, II](#)

Nevada: [Recount](#)

Ohio: [Lawsuit](#)

New Jersey: [Voting system](#); [Vote-by-mail](#)

Texas: [Voter ID](#); [Harris County](#)

Washington: [Voter's guide](#); [Voter database](#)

***some sites require registration*

V. Funding Resources/Training Sessions

Help America Vote Act (HAVA) Training and Technical Assistance (T/TA. *Department of Health and Human Services (DHHS)* announces funds to provide T/TA to P&As in their promotion of full participation in the electoral process for individuals with disabilities, including: registering to vote; casting a vote; accessing polling places; developing proficiency in the use of voting systems and technologies as they affect individuals with disabilities; demonstrating and evaluating the use of such systems and technologies by individuals with disabilities (including blindness) in order to assess the availability and use of such systems and technologies for individuals with disabilities; and providing T/TA for non-visual access. **Eligibility:** Public and state controlled institutions of higher education, nonprofit organizations, and private institutions of higher education. **Deadline:** June 26, 2009. **Funds:** \$367,920 is available to fund 4 awards, ranging from \$91,980-\$183,960. **Information:** [Melvenia Wright](#) at (202) 690-5557 or; or go to the [DHHS Web site](#).

Help America Vote College Poll Worker Program (College Program). The United States Election Assistance Commission (EAC) will award a total of \$750,000 in competitive grants under the Help America Vote College Poll Worker Program (College Program) to recruit college students to serve as poll workers. The two-year grant award will be used to recruit, train and support college students to assist state and local governments in the administration of elections by serving as nonpartisan poll workers or assistants. Proposals should include a two-year project plan and a budget supporting activities for election cycles in both 2009 and 2010. If an organization received a College Program grant last year, they are eligible to apply only as a re-competing grantee. These grantees must develop innovative programs to recruit poll workers with disabilities and develop training material to help poll workers create receptive and accommodating polling place environments on Election Day. New applicants are eligible for awards up to \$75,000, and re-competing applicants are eligible for awards up to \$20,000. Applications are due before 5:00 p.m. Eastern Time on Thursday, July 16, 2009, and must be mailed or hand delivered to the EAC. Applications submitted electronically or by fax will not be accepted. The grant application and instructions can be downloaded at www.eac.gov/grants. Questions regarding the program can be directed to Mark Abbott by sending an e-mail to HAVACollegeProgram@eac.gov. He can also be reached by calling (866) 747-1471 toll-free. **Eligibility Requirements** This competition is open to state-controlled institutions of higher education, private institutions of higher education, community colleges and nonprofit organizations. **Grant Restrictions** Funds cannot be used to support any partisan, voter registration or get-out-the-vote (GOTV) activities.

2009 Help America Vote Act Mock Election. *US Election Assistance Commission (EAC)* announces funds to organize and administer mock elections for high school students. The purpose of the program is to allow students to become more familiar with voting processes and technologies so that when they become eligible to vote they will be more comfortable with their civic duties. **Eligibility:** State governments and nonprofit organizations. **Deadline:** June 30, 2009. **Funds:** \$300,000 is available to fund 7 awards, ranging from \$30,000-\$75,000. **Information:** Mark Abbott at (202) 327-1883 or mabboteac@gmail.com; or visit the [Web site](#).

Election Management Institute in Best Practices in Election Management and Observation: The program is intended to provide hands-on, practical training to improve and promote best practices in election management and observation. The program includes workshops offered by renowned electoral academics and experts, and visits to relevant electoral institutions in the Washington, D.C., area, New York and Richmond. The program takes place at American University and in the Washington, D.C., area, and includes day trips to New York (City Campaign Finance Board) and Richmond (Virginia State Board of Elections). For the application form and for more information, please visit the [Web site](#). **Dates:** August 24 - September 4, 2009. **Cost:** \$1,980 for applications received by July 15, 2009. **Contact info:** Center for Democracy & Election Management; American University, 3201 New Mexico Avenue, NW Suite 395, Washington, DC 20016-8026, Telephone: (202) 885-1527.

VI. Job Opportunities

All job listings must be received by 12 p.m. Eastern on Wednesday for publication in our Thursday newsletter. Job listings are free but may be edited for length. Whenever possible, include Internet information. Please email job postings to mmoretti@electionline.org

Assistant Database Manager & Programmer—Franklin County, Ohio. The Franklin County Board of Elections seeks an experienced programmer and enterprise database administrator with demonstrated proficiency in Delphi, SQL and Microsoft Office products to assist in the maintenance and support of the county's voter registration system. In addition to technology related activities, the successful candidate will be required to assist in other election administration duties as assigned. The successful candidate will hold at least an associate's degree or equivalent from a two-year college or technical school with a four-year undergraduate degree highly preferred. Three to five years experience in comparable IT environment required. The abilities to reason, identify problems, find alternatives and quickly implement solutions, properly interpret directions, work independently, collaborate within teams, and effectively communicate through verbal conversation and written correspondence are required. Basic understanding of civics, government, and the voting process required. This is an unclassified, non-exempt position with exceptional health insurance and retirement benefits; the successful candidate will be required to work nights, weekends, and holidays to meet the duties and statutory requirements of holding elections, shall be held accountable to perform duties as a Clerk of the Board under penalty of law, and must be a registered voter in the State of Ohio during the period of employment. [Email resume](#) including employment and salary history.

Elections Director—State of Oregon (Salem) -- responsible for providing strategic policy recommendations, direction, and proposals to promote the successful execution of the objectives of the Elections Division. This is accomplished in part, but not limited to: developing comprehensive policies to meet both state and federal constitutional and statutory mandates; explaining and interpreting laws, rules and policies and procedures to clients in order to ensure compliance with and understanding of election law; serving as an information source for election officials and the general public; monitoring all phases of the initiative process, verification of initiative petitions, campaign and political finance processes, election complaint process, as well as conflict of interest and oath processes; developing and managing the Help America Vote Act (HAVA) program; creating and maintaining a high performance environment through positive leadership and a strong team orientation. This is an extremely visible, high profile position. The incumbent must act as role model within and outside the Agency, maintaining professional composure at all times. This position has frequent contact with hostile or angry people, works under extremely tight deadlines, and in highly public settings with strict media and legislative scrutiny. This position reports to the Deputy Secretary and serves as a member of the Agency's executive management team. This

position serves at the pleasure of the Secretary of State. **Qualifications:** Your resume and/or cover letter must demonstrate experience in the following: A minimum of five (5) years of progressive experience in administration and management in the public sector; including four (4) years of demonstrated and effective experience in an elections related area; and knowledge of changes in Federal, State and County Municipal laws and regulations relating to elections. Incumbent must be or become a registered voter in the state of Oregon. Incumbent must **not** be a candidate for public office, hold a public office or position in a political party. **More Information.** **Application:** sos.jobs@state.or.us (subject line: Application). **Deadline:** June 30, 2009 at 4:00 p.m.

General Registrar, Fairfax County, Va. -- serving Fairfax County, the largest locality in the Commonwealth of Virginia, and a suburb of Washington, D.C., is currently recruiting qualified candidates with exceptional senior leadership and management experience for the position of a non-partisan General Registrar to serve a four year term. With over 600,000 registered voters, and using advanced technology, the incumbent will be responsible for the oversight of a large and complex voter registration and election administration agency. Duties include adherence to Virginia Code Sec. 24.2, and other federal, state and local codes. Additional responsibilities include: monitoring relevant legislation at all governmental levels, conducting public education programs; speaking before diverse groups; working with federal and state agencies, professional organizations and advocacy groups regarding voting programs and voting rights; and monitoring relevant legislation at all governmental levels. **Qualifications:** Any combination of experience equivalent to graduation from college with bachelor's degree in a related field; plus four years experience in voter registration and elections management. Must be a legal resident and registered voter in Fairfax County, Virginia at time of appointment. Certification as an Election Administrator, or is eligible to obtain certification. Strong leadership skills; ability to build good working relationships; experience working with elected officials and board appointees. **Salary:** \$97,147+ (negotiable) **Application:** Submit your resume on-line through the [AIMS system](#). If this is the first time you have applied for a position with the [AIMS system](#), follow the link and [create an account](#). It takes just a few minutes. Once you have established your AIMS account you can use the Resume Builder to create a resume in a step-by-step process, or simply paste in an existing resume. If you already have an AIMS account, [Apply For This Job Now!](#) **Deadline:** June 27

Summer Policy Internship, U.S. Election Assistance Commission, Washington, D.C.—the division is seeking a highly qualified Policy Intern to work 40 hours per week during the summer or, if applying for the fall or spring semester, a minimum of 15 hours per week. Applications received for this recruitment may be used to fill other EAC vacancies as they occur. The Research, Policy and Programs Division is responsible for carrying out studies to promote the effective administration of Federal elections specified in Title II, Subtitle C of HAVA, identifying and completing other relevant research projects, and developing policy and guidance as required by Title III, Subtitle B, and Title VIII, Subtitle A of HAVA. Principle policy development areas cover voluntary guidance for provisional voting, voting information, computerized voter registration list requirements, and providing support in the implementation of the National Voter Registration Act (NVRA). The Division also administers EAC's Language Accessibility Program. **Qualifications:** Successful candidates will possess strong research, writing, and oral communication skills; be organized, detail-oriented, and self motivated; and demonstrate a willingness to be diplomatic, flexible and creative in addressing challenges. Candidates must be a U.S. citizen to qualify for this position. **Salary range:** \$11-\$20 hourly. **Application:** Applications for this position are being received by the EAC Office of Human Resources (OHR) through e-mail. Please no calls. To obtain information about this internship and TO APPLY, please send a cover letter, résumé, and contact information for three references. In addition, a writing sample of no more than 2 pages is requested. Please send the application package to resumes@eac.gov. In the subject line of the email, write "Summer Policy Internship." For more information, visit the [Web site](#).

Superintendent of Elections, King County, Wash.— responsible for over-all executive level management, oversight and planning for the conduct of local, state and federal elections in King County. It reports directly to the elected Elections Director and is responsible for the day-to-day management of elections and the supervision and oversight of program managers for voter registration, mail ballot processing and delivery, and operation sections. The position is an exempt, "appointive position", which is subject to confirmation by the King County Council. King County Elections serves more 1 million

registered voters in the nation's 14th largest county. We are located in Renton, Washington in a new state-of-the-art facility dedicated to elections. This position requires an individual with strong management skills, independent judgment, project management skills and professional managerial knowledge to formulate policies and direct the strategic and logistical needs of all election processes and operations. We are looking for a strong leader to join King County as the largest all-mail voting jurisdiction in the nation. We support accurate and transparent elections, believe in accountability, respect and teamwork and invite those that share these values to join our team. **Qualifications:** Appointment to this position is subject to confirmation by the King County Council. The most competitive candidates will provide effective, strategic leadership and have demonstrated competency in the administration of a complex, highly scrutinized, public sector organization. A significant record of progressively responsible management experience in mail ballot processing, voter registration and elections operation of a large jurisdiction is highly desirable. The candidate should be skilled in developing and guiding a strong team with a commitment to reliable, transparent and accountable election services and an emphasis on professional practices. **Salary:** \$94,440.11 - \$119,708.37. [More Information and Application](#)