TheArcLink

Lynne Tamor, Ph.D., President
6689 Orchard Lake Road, Suite 342
West Bloomfield, MI 48322-3404
812-323-0626 (phone)
866-928-3090 (toll free)
866-340-LINK (fax)
lynne@thearclink.org

July 9, 2009

U.S. Election Assistance Commission
1225 New York Avenue, NW, Suite 1100
Washington, DC 20005

RE: Written Submission for Technology and Disability Access

To the Commission:

I am writing to you in two capacities, one as the parent of an 18-year-old with multiple disabilities, who voted for the first time this past spring, and the other as a professional working for computer and Internet access for people with intellectual and cognitive disabilities.

While I strongly support technological access to voting and polling places for people with physical disabilities who may have difficulty maneuvering in some polling places and may be unable to operate traditional voting machines and paper ballots, and also for people who are blind or have low vision, I am concerned that the Commission and the public are omitting from consideration the larger population of people with cognitive access issues. These include people considered cognitively impaired (the former term was "mentally retarded"), some of whom also have physical or sensory access issues, and many others who have difficulty with the linguistic and conceptual complexity of information on ballots and in polling places, or who have memory limitations or attentional limitations that make it difficult to navigate ballots that contain more than one simple item.

In the case of my son, he has both cognitive and physical disabilities. In his recent experience, he was told that he was the first person ever to use the "accessible" machine. The poll workers had been trained on the machine several years earlier and did not remember how it worked – it was not obvious and there were no instructions on the machine or in polling place. When they finally got it working, it completely failed to meet my son's needs. The machine was designed for someone who needed assistance in marking the ballot but could use a touch screen (he cannot) and/or needed the ballot read aloud or presented in large print. What my son needed was space for someone to assist him (there was none), room to maneuver his wheelchair into position (there was none), and most of all, the ability to go back through the ballot and have the proposal (in this case a bond issue proposal) explained in straightforward language.

The issues of physical access are self-explanatory. The issue of ballot language and understanding complicated proposals is not. My son very much wants to vote at the polling place and not by absentee – the act of voting at a polling place is much more concrete than just putting an envelope in a mailbox or even delivering it to the township hall. Also, he very much does not wish to be "absent" in any way.

 What he needs is a way to prepare before going to the polling place:

- Access to information to help him decide his position on the issue
- A sample ballot that looks like the ballot he will encounter at the polling place (in this case, as presented on the screen)
- An opportunity to practice with a voting machine that is the same as the one he will confront at the polls

Once at the polling place, he needs the following:

- Room to maneuver into position to use the voting machine or ballot
- Space for an assistant to sit with him
- A machine that can be worked with downward pressure since he cannot exert pressure on a touch screen that placed in front of him. (A switch or even a stamp would be better for him.)
- Poll workers who know how to operate the technology

In my professional capacity, I am a member of the team that guides the work of the National Technical Assistance Center for Voting and Cognitive Access and its associated website, www.govoter.org. This team is composed primarily of people with disabilities, some with cognitive/intellectual disabilities, some with physical or sensory disabilities, and some with both. The issues I listed above come up over and over again:

- The need to be able to prepare a sample ballot ahead of time and take it into the polling place
- The need for plain language
- The need for consistency in the polling place technology and knowledgeable poll workers
- The need for accessible information to help decide how to vote
- The opportunity to vote at the polling place if other members of the community have that opportunity.
- The need for ballot technology that allows for repetition and "going back"
- The need for ballot technology that can accommodate a variety of physical needs
- The need for ballot design that makes ballots easy to navigate

When I discuss the work of the Center for Voting and Cognitive Access with other people, I hear over and over again that the issues we are raising are not all "disability issues". Many people, especially those experiencing memory loss associated with the aging process, those with mild disabilities such as difficulty reading or attention deficits, and those not comfortable with or

proficient in written English. Indeed, it is hard to find anyone who does not say they would welcome plain language, or what some call "considerate language," and easy navigation, both in the polling place and with respect to preparatory information.

I hope that you will take a look at the most recent newsletter of the Center. It is attached, or it can be viewed at www.govoter.org. (Click on Documents>Resource Newsletter, and then Spring 2009.) The first article is an eloquent essay about her own experience by a member of the Vote team who has cognitive disabilities and low vision.

As she says, "Access is about more than ramps … For voting to accessible it means that voting information needs to be understandable." Meeting this kind of accessibility need is quite possibly the greatest contribution the EAC can make to the American experiment in participatory democracy.

Sincerely,

Lynne Tamor