AAPD Testimony for the Election Assistance Commission Hearing on
Disability Access and Voting Technologies
Submitted by Sarah Peterson
July 14, 2009

The American Association of People with Disabilities (AAPD) wants to commend and congratulate Congress and the Election Assistance Commission (EAC) for undertaking a major research initiative to make voting fully accessible. As we all know, there have been both advances and setbacks in making voting accessible. AAPD believes that all policy decisions, affecting all parts of our election system, should be based on fact as opposed to anecdote, ideology or assertion. The importance of bringing objective fact to the voting system is particularly important in order for our nation to achieve the promise of the Help America Vote Act (HAVA). Congress was very explicit, "The voting system shall-- (A) be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters." (HAVA Section 301 a.3)

It is essential that a new secure, accurate accessible machine be developed. However, in order to make voting fully accessible other parts of our voting system need to be researched and developed as well. Research should be specifically directed toward
  - Making the registration system accessible
  - Accessible voter education materials
  - Polling place accessibility
  - Poll worker training
  - As well as voting machines.

In our view, those who will benefit from this research initiative are not just voters with disabilities. The research needs to be crafted so that it can be easily and efficiently used by election officials, poll workers and voting system manufacturers. AAPD recommends that all research products include a clearly written step-by-step document so that the end-users have, in effect, a how-to manual.

Regarding voting machines, the following principles must be applied in order to achieve HAVA's high standards. The entire voting process, including marking, verifying and casting the ballot, must be accessible. We need to develop a consistent standard for accessibility to include in the VVSG and test suites. If the ballot includes paper, the paper must be fully accessible and voters who have limited or no use of their hands must be able to vote without touching or handling the paper and poll workers or other able-bodied individuals must not be necessary to complete the voting process. We need to implement a robust, independent testing process via a testing agent that understands the unique and diverse needs of voters with disabilities and has knowledge and experience in assistive technology. Only then will we be able to verify that a voting system attains these VVSG access standards.

American Association of People with Disabilities
1629 K Street NW, Suite 950 • Washington, DC 20006
phone 202-457-0046 (V/TTY) • 800-840-8844 (V/TTY) • fax 202-457-0473 • www.aapd.com

AAPD believes that voting technology that is paper-free can and should be designed. In a day and age when all parts of our lives (finance, education, national security, medicine, romance, etc.) are conducted electronically, voting should be paperless. This not only solves the accessibility problem, but it will simplify the administration of elections and save scarce taxpayer dollars.

As we have seen, more and more voters are voting absentee. For some people with disabilities, paper absentee ballots allow the voter to vote privately and independently, but for many people with disabilities, absentee paper ballots lack privacy and independence. This includes voters who are vision-impaired, who have limited or no use of their hands, and who have learning, cognitive and intellectual disabilities. Some of this research should be focused on the use of computers and telephones for casting secret and independent absentee ballots. The telephone and computer are used for voting in many countries around the world, and corporations and private organizations in this country use the phone or computer to conduct elections. Voters with disabilities have the legal right to vote privately and independently if they choose to vote absentee.

Regarding voter education, website and other materials provided to voters by elections boards must be accessible for all forms of disability. Usually this is interpreted to mean accessible for those who are blind or have limited vision, but accessibility also includes those who have learning, cognitive and intellectual disabilities. Plain language in voting materials, including referenda and initiatives, will assist not only those with disabilities, but all voters. There is a sizeable body of knowledge that has been accumulated over recent decades that clearly makes reading easier for large numbers of citizens. Part of this research agenda should look at this knowledge and develop materials that will assist election officials as they develop ballots, websites and public education materials.

Ted Selker, former director of the CalTech-MIT Election Project, now with Carnegie Mellon, has studied the importance of sample ballots. (See http://vote.caltech.edu/drupal/files/working_paper/vtp_wp61.pdf) His studies have shown that, while there is no such thing as a perfect voting system, every voting system's usability and efficacy can be significantly improved by widespread dissemination of sample ballots. Additionally, sample ballots reduce the amount of time that each voter takes in the voting booth. More ballots would be counted and wait times would be reduced if we properly educated and prepared voters.

Beginning in 2008, the United States Census Community Participation Survey identifies the voting behavior of people with disabilities. The census will shortly be issuing disability and language/minority data almost at the precinct level. If this data were made useable for election officials, it would greatly assist them with planning for Election Day. Therefore, part of this research initiative should include how to most effectively use this data.

American Association of People with Disabilities
1629 K Street NW, Suite 950 • Washington, DC 20006
phone 202-457-0046 (V/TTY) • 800-840-8844 (V/TTY) • fax 202-457-0473 • www.aapd.com

Additionally, the Government Accountability Office recently released an interim report on the accessibility of polling places (URL). AAPD believes that one way to improve the accessibility of polling places would be to have more citizens with disabilities be poll workers and recommends that this be tested via demonstration projects.   Many election officials and other organizations have developed materials to train poll workers on accessibility issues. This material needs to be surveyed, catalogued and tested for its effectiveness.

AAPD's last point is that election officials must be integrally involved in all research topics. After all, they run our elections and they will be using this research to purchase equipment and create administrative procedures and systems. Their knowledge must be brought to bear on both the research itself as well as end products.

Thank you for the opportunity to submit this testimony. We look forward to the undoubtedly fruitful products of this initiative that will bring our nation closer to full participation by all.