



# New Jersey Protection and Advocacy, Inc.

210 South Broad Street • 3rd Floor • Trenton, New Jersey 08608

*Advocating and advancing the human, civil and legal rights of persons with disabilities*

*New name as of 10/1/08:*

## **Disability Rights New Jersey**

Joseph B. Young, Esq.

*Acting Executive Director*

August 26, 2009

(800) 922-7233 (VOICE-New Jersey Only)

(609) 292-9742 (VOICE); (609) 777-0187 (FAX)

(609) 633-7106 (TTY); Dial "711" for Relay

[www.njpanda.org](http://www.njpanda.org)

Matthew Masterson  
Voluntary Voting System Guidelines Comments  
U.S. Election Assistance Commission  
1225 New York Avenue, N.W.  
Suite 1100  
Washington, DC 20005

***Re: Proposed Guidance on Voluntary Voting System Guidelines  
Docket Number: EAC-2009-0014***

Dear Mr. Masterson:

The following comments on the U.S. Election Assistance Commission's proposed updates and revisions to the 2005 Voluntary Voting System Guidelines are submitted by Disability Rights New Jersey, (DRNJ), the designated protection and advocacy system for individuals with Rights Act of 2000, 42 U.S.C. §§ 5041 to 15045; and the Help America Vote Act, 42 U.S.C. §15461 to 15462. disabilities in New Jersey, pursuant to the Developmental Disabilities Assistance and Bill of

DRNJ appreciates the steps that the EAC has taken to ensure that the Voluntary Voting System Guidelines take into account the challenges that voting machines pose for many voters with disabilities. However, DRNJ believes that EAC should take additional steps to ensure that the voting system is independently accessible to as many voters with disabilities as possible.

First, EAC should require voting machines to be interoperable with certain types of assistive technology. Currently, Section 3.2.1(b) provides that "It shall not be necessary for the accessible voting station to be connected to any personal assistive device of the voter in order for the voter to operate it correctly." DRNJ agrees that voters should not need to bring their own devices to operate accessible voting stations. However, some voters have specific devices that may help them access a voting machine – for example, a specialized mouse that can be operated by a user's feet. Requiring voting machines to have a connection that allows for the use of these assistive technology devices may help some voters use these machines more independently. In the discussion on Section 3.2.1(b), the guidelines state that this requirement "does not preclude the accessible voting station from providing interfaces to assistive technology." EAC should consider making such interfaces a requirement.

Second, EAC should expand its requirements regarding user testing by persons with disabilities. Currently, the guidelines, in Section 3.2.2.1(a), 3.2.2.2(a), and 3.2.3(a), require vendors to

*New Jersey's designated protection and advocacy system for individuals with disabilities  
Member, National Disability Rights Network*

Matthew Masterson

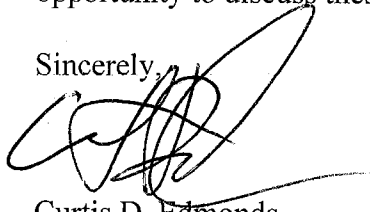
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conduct usability testing with people who have low vision, who are blind, and who do not have fine motor control. However, there is no such requirement for people who have disabilities related to mobility, hearing, or cognition. Furthermore, there is no requirement for including people with multiple disabilities in user testing, including people who are deaf-blind and people who have quadriplegia and lack mobility and motor control. Including more people with disabilities in the user testing process can help improve the process and may result in more accessibility for voting machines.

Thank you for the opportunity to comment on these guidelines. DRNJ would appreciate the opportunity to discuss these matters further.

Sincerely,

A handwritten signature in black ink, appearing to read 'CDE', with a large, sweeping flourish extending to the right.

Curtis D. Edmonds  
Managing Attorney

CDE/tyw