

**National Disability Rights Network/CAP Annual Conference  
and  
United States Election Assistance Commission  
Town Hall Discussion**

Held on

June 20, 2018

12:25 p.m.

At

Baltimore Marriott Waterfront  
700 Aliceanna Street  
Baltimore, Maryland 21202

VERBATIM TRANSCRIPT

The following is the verbatim transcript of the National Disability Rights Network P&A/CAP Annual Conference and United States Election Assistance Commission (EAC) Town Hall Discussion that was held on Wednesday, June 20, 2018. The meeting convened at 12:25 p.m. The meeting was adjourned at 1:17 p.m.

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MR. MASSEAU:

Let me welcome you to the United States Election Assistance Commission Town Hall. I am Tom Masseau. I am the Vice-President of NDRN and also the Executive Director of Disability Rights Arkansas.

Thanks. We are thrilled today to be joined on stage by Chairman Thomas Hicks and Vice-Chair Christy McCormick of the U.S. Election Assistance Commission (EAC). The EAC was established by the Help America Vote Act to ensure that all Americans with disabilities could participate in the electoral process. And the Commission has been bringing disability groups, advocates, election officials and others around to begin talking about ways that we can improve the voting process throughout the country.

Today's town hall is going to be an open format. They want to hear from you. They want to hear the stories and experiences of voters with disabilities across the country. And we have two open mikes here. We have two NDRN staff who will be running to answer your questions. I would ask in the interest of time that if

you would keep your comments to two minutes or less. We want to hear from everybody in this room to be able to share their experience. And when you do come to the -- when you come -- when you do come to the mike if you can provide your name and the state that you are from so that we can get a better perspective. So with that, it is my pleasure to welcome Chairman Hicks.

CHAIRMAN HICKS:

Thank you.

[Applause]

Good afternoon everyone. I want to thank you for inviting us to this year's Disability Rights Network annual conference and a special thanks to the NDRN team including Curt Decker -- I don't know where he is right now -- Tom Masseau and Michelle Bishop. I would also like to thank NDRN and Curt Decker for your leadership with HAVA and the vital protection and advocacy component of the Help America Vote Act.

It is an honor to speak about this vital issue of protecting and expanding accessibility at the polls. The purpose of today's dialogue is to hear from you and your voting experiences, including registering to vote, casting a ballot and interaction with election officials. We want to hear the good and the bad. Your insight, feedback, firsthand stories and ideas on accessibility will help election officials across the country.

The Help America Vote Act of 2002, also known as HAVA, created the U.S. Election Assistance Commission and was the first piece of legislation which enshrined the right of Americans with disabilities to vote privately and independently. The U.S. Election Assistance Commission, or EAC, has a strong commitment to working with both election officials and voters with disabilities to ensure that the election process, polling places and voting services are accessible. Since it was created, the EAC has worked with election officials to foster the climate of understanding and providing assistance for voters with disabilities.

In conclusion, my call for voters here is to educate yourself and get involved. The EAC has created voting rights cards, which outlines the rights of voters with disabilities in Braille and large print, plain language in a QR code. We have distributed over 20,000 of these cards. And I am reaching for my wallet because I carry one in my wallet every day. They are here for you. I encourage you to take one or take two to give to a friend. We have distributed over 20,000 of these cards and we have these cards here today. Pick up your voting rights card. Go to conferences, town halls and events such as NDRN. Know your rights. Make a plan before Election Day. Then look beyond the ballot, become involved in the election process beyond registering and casting a ballot. Become an election or poll worker. Many jurisdictions struggle with

recruiting enough poll workers to serve on Election Day, particularly poll workers who reflect a diversity of the electorate they are serving. All citizens should feel compelled to serve their communities and election workers because we have a overwhelming need for them. This is true -- particularly true for voters with disabilities. Remember your vital role you play in defending the democracy we all enjoy and give feedback by becoming a poll worker.

Thank you for the opportunity to speak here today. I look forward to the discussion and your feedback is invaluable. And the one thing I will close on is that we want this to be interactive, so when you finish eating I want you to come forward and sit in these seats to fill us in. If you do not, I will be walking around to hear from you.

[Laughter]

All right, and now I am going to turn it over to my Vice-Chair, the Vice-Chair of the EAC Christy McCormick.

VICE-CHAIR McCORMICK:

Thank you, Mr. Chairman.

[Applause]

Good afternoon to everyone. I want to thank the National Disability Rights Network for inviting us, especially Curt and Tom and Michelle. Ditto to what Chairman Hicks said.

This is a leading organization that helps make the vote private and independent for people with disabilities across the United States. Election officials -- and we make it a point to go out and meet as many of them as we can, during the year we travel a lot -- we can tell you that they are committed to providing private and independent vote for all voters who have accessibility needs. You have heard some about the Help America Vote Act and it is important to note that this landmark legislation is what enables the EAC to advance accessibility for voters with disabilities. We are here to listen to your voting experiences and to offer assistance where we can. Hearing directly from you is the best thing that we can do to improve the voting process for you and for all Americans.

The EAC engages voters with disabilities who provide vital information that informs election system and administration improvements and decisions on procedures. This work takes on a new relevance now in this critical moment in our country when election and security are kind of coming to a head together. We are grappling with increased security measures and concerns. But let me be clear about this. Greater security measures and more stringent standards for voting systems cannot come at the expense of limiting accessibility for voters with disability. We have reached a critical moment in our democracy fraught with both challenges and opportunity and a continuous need to improve the resilience of our

election systems. However, anyone who says that we must choose between security and accessibility is offering a false choice.

While technology has raised new security challenges, it has also made voting more accessible to U.S. voters with disabilities. Next year it will be 50 years since we put a man on the moon and we still have yet to solve this problem completely and it is about time that we do. So we are continuing to work on that trend to make sure that the technology that is being developed today will actually assist voters who have disabilities. And that is a growing portion of our voting community across the country.

As election officials work on enhancing the security of voting systems, it is vital that we ensure that voting accessibility remains at the forefront of election planning. It is not only an idea, it is not a partisan issue and it is the law. The EAC will continue to assist voters with disabilities by supporting accessibility advances with policy initiatives, outreach forums, grants and funding. Please help us today by telling us your stories. We need to know about your experiences at the polls, how you have been treated, what you have gone through to be able to vote so that we can try to fix the problems that are out there.

So thank you again for inviting us. I look forward to hearing from all of you, as many of you as possible. And I hope that if you do not get a chance to talk to us today that you will contact us at

the EAC. You can call us directly or you can email us. We would love to hear from you and we want to take every single one of your stories into account when we make policy decisions with regard to voting.

So thank you so much for letting us be here and I hope that you will all be active. I have never been to a disability conference where there were not people who love to speak, so...

[Laughter]

...I know that you are going to participate and I appreciate it in advance. Thank you so much.

[Applause]

CHAIRMAN HICKS:

So there are two microphones here. Michelle and someone else is going to be walking around, so feel free just let us know your name and where you are from. And then if you can limit it to two minutes, that would be great.

MR. ZOELLNER:

Thank you very much. My name is Dave Zoellner and I am from South Carolina's P&A, and Anna Maria Darwin and I would like to share information we have received as part of a 40-agency coalition that we lead about responses from poll workers. So our greatest challenge is to help change the views of poll workers about

people with disabilities. Anna Maria Darwin will share with you some of them and I will close.

MS. DARWIN:

Thank you. All right, first of all, no one has complained, so it is not a problem. People who need assistance know where to go for help and what their options are. Dealing with disabled voters is not a problem in my town because I know every voter in my precinct. I have lived here all my life. Disabled people cannot drive, so their driver can do that and we do not have any of those people with disabilities here so we do not need to do that.

MR. ZOELLNER:

And specifically about curbside voting, I am too busy serving voters to check outside. If they want to come in to vote, they can. The people using curbside do not really need it. Or, our best one was, we are a wealthy Republican precinct so we do not have people with disabilities or, if we do they have their own staff. And then they saw a Mercedes convertible pull up, he won't need it, look how wealthy he is. And after waiting ten minutes an elderly gentleman slowly came into the polling place. The manager said, oh, you are the curbside guy. Well, you are here now.

Thank you.

VICE-CHAIR McCORMICK:

Thank you.

MR. WALKER:

All right, this is Noah Walker from Michigan Protection and Advocacy Services. We serve all over Michigan. We have two offices, one is in Lansing and one is in Marquette.

I just want to speak about a problem that I have -- that has kind of came up when I met with the Bureau of Elections. We had a conference call where it was pretty much about the voting technology not being accessible. And it was specifically with Dominion. And Dominion covers 66 out of 83 counties in the entire State of Michigan, both in the lower peninsula and upper peninsula. And we had a complaint coming from a member of the National Federation for the Blind who said that he could never access under Dominion systems the private, independent ballot. And Dominion -- the person who spoke for Dominion said that, "Oh, we are here to help you. Like, we will try to help you as much as we can, except that we really, really do not somehow." So it is kind of like saying, well, you know, this is somebody who really wants to get a private, independent ballot and you are just denying that person directly for getting any access to the vote. And this is going to affect 66 out of 83 counties.

So my question is if they are doing exactly -- like if any voter technology, any organizations running the voter technology is doing the wrong thing by not allowing people to access a private,

independent ballot then how are you going to do some kind of corrective action to correct their mistakes?

Thank you.

CHAIRMAN HICKS:

Thank you. One of the things -- I want to answer that.

Tomorrow we are going to have a security panel in the morning and there is going to be a representative from Dominion on the panel. I am not throwing her under the bus, but I am sure that she would love to answer those questions for you.

The other piece is in the Help America Vote Act there is a -- there is a requirement that if there is problems that there should be a toll free number to call to -- to try to get those things corrected, and the P&A as well.

VICE-CHAIR McCORMICK:

In addition, there is a requirement to be an accessible voting system in every single polling place in the country.

CHAIRMAN HICKS:

Exactly, exactly.

VICE-CHAIR McCORMICK:

That is not the answer, of course, but it is a way that we can make sure that people are not disenfranchised for just this situation.

CHAIRMAN HICKS:

Exactly.

MS. LEWIS:

My name is Corrigan Lewis and I am...

CHAIRMAN HICKS:

I do not think they can -- yes.

VICE-CHAIR McCORMICK:

Pull it down, there you go.

MS. LEWIS:

So I am Corrigan Lewis. I am from the Missouri Protection and Advocacy and I am the PAVA co-coordinator there. And I want to tell you guys about an incident that occurred in my state.

Barriers are not just physical or access issues, they are also legislative as well. And in Missouri we have a statute that prohibits an individual providing personal assistance to provide assistance to more than one person per election. Now this acted as a barrier in the 2016 election when five individuals with developmental disabilities attempted to go to the poll and vote with a single provider. When they got to the polling place, only one of those individuals was able to receive the assistance that they needed from their care provider and four individuals were turned away from the polls and unable to vote.

What is the EAC doing as far as policy to prohibit these sort of legislative barriers?

VICE-CHAIR McCORMICK:

Well, there is a requirement that you should be able to bring in whatever assistance you need to vote, and that is a federal requirement. So we will have to look into -- I know the Secretary of State of Missouri, Jay Ashcroft, and I will speak to him directly about this and see if there is something in the works to get that issue fixed.

[Applause]

MS. LEWIS:

Thank you.

CHAIRMAN HICKS:

Which county was that?

MS. LEWIS:

It was -- it was one of our smaller counties I believe near Columbia. I have got to double check on that one.

CHAIRMAN HICKS:

Okay.

MS. LEWIS:

But I can get that information to you.

CHAIRMAN HICKS:

Okay.

MS. LEWIS:

Thank you.

VICE-CHAIR McCORMICK:

We will look into it.

MS. LABELLA:

Hi, my name is Gabe Labella and I am with Disability Rights Pennsylvania.

First I do want to acknowledge that the Department of State in Pennsylvania has done a superb job of bringing stakeholders together and is really committed to assuring that individuals with disabilities, you know, can vote privately and independently. However, we have been seeing a lot of publications and groups making recommendations around the issue of accessible systems since Pennsylvania will need to purchase new systems and there is mixed or confusion, in my opinion, around a person with a disability having the right to mark, verify and cast the ballot. So I have seen recommendations from different groups. And even verified voting, for example, does not make the distinction between a person being able to privately mark a ballot on a system and then cast the ballot, but to verify the ballot is really not addressed properly. So, consequently, I mean we are working with the Department of State, who is on the same page with us, where, you know, there is a movement to recommend paper systems, paper ballots. So we are pushing for systems that also give an accessible system whether it is a ballot marking device, but there also needs to be a separate system that will read back privately to the person, for example, who

has a visual impairment who will read it back privately so that that person can cast their votes having verified it. And I do not think it is too much to ask where any voter has the ability to mark, verify and cast their ballot, and individuals with disabilities are entitled to that same right.

Thank you.

[Applause]

VICE-CHAIR McCORMICK:

I agree with you on that issue. And, you know, there is a movement right now toward paper ballots and I think that many people who are pushing for this do not understand the accessibility issues associated with paper ballots. We need to address that. And we will be addressing it. We have new voting systems guidelines that we are hoping to get passed. These are the kinds of things that we need to fix. So it is on our radar. And thank you for bringing it up.

CHAIRMAN HICKS:

Hi Tia.

MS. NELIS:

Hi Tom, I am Tia Nelis and I am from Silver Spring, Maryland, and I am also the past president of Self-Advocates Becoming Empowered. And...

[Applause]

...so the first part I want to do is -- I have a question, but the first part I want to do is thank you on behalf of Self-Advocates Becoming Empowered for Tom for all of his work with us that he has been doing in collaboration...

[Applause]

...with helping people with disabilities be able to vote and coming to our national conference this year. There is 700 self-advocates able to hear what you are doing and how you are -- how important it is to you for people with disabilities be able to vote which is very important to us. So we love that collaboration a real lot.

My question is is that many people have talked about this a lot of times, but we are still working on trying to make it happen, if there is any way to get pictures on the ballot for people with intellectual disabilities, also for other people too, people without disabilities. It makes it a lot easier for people to be able to remember who those people are that they are voting for. And pictures help a lot for people to, oh, yeah I remember that picture and I remember who that is and how that interacts with those comments on there. So if you could think of many different ways that we could help do that. I know that we use the Prime III voting for our elections and our state Board of Directors and that is touched -- it is on the iPad and it allowed us to upload pictures and

many different things so that people with disabilities are able to vote more easily. So we would like to hopefully do that in the future and work with you and who we talk to about trying to make that happen.

VICE-CHAIR McCORMICK:

Many, many countries across the world have pictures on their ballots. Obviously, we do not. Part of that is, and I am not trying to, you know, dismiss what you are saying, but part of it is that every state does something different and it is controlled at the state level. So certainly from a federal level if this is something that people really are behind, it is certainly at least worth a discussion and hopefully some of the states will start taking recognition that this may be a help to voters.

MS. NELIS:

So if we go to our states and we start pushing out self-advocacy groups to push that in their state that could make it happen?

VICE-CHAIR McCORMICK:

Certainly speaking out is the only thing that actually helps things happen.

MS. NELIS:

Okay.

VICE-CHAIR McCORMICK:

So I would. I would go to your state Legislature.

MS. NELIS:

Thank you, we will be there.

VICE-CHAIR McCORMICK:

It is worth advocating for that.

MS. NELIS:

Right.

VICE-CHAIR McCORMICK:

Those are the people who can make the changes in the  
state laws.

MS. NELIS:

Great, okay, thank you very much. We will be there.

VICE-CHAIR McCORMICK:

Um-hum.

MS. NELIS:

Thank you.

[Applause]

CHAIRMAN HICKS:

One of the -- I will never forget this. The first ballot that I saw from South Africa had pictures of the candidates, their party symbols, letters of their party affiliation and then basically a box next to it. And the reason that I remember that is because I, you know, remember that my grandparents were not literate and so I know that that would helped them in terms of being able to cast their ballots. But I agree

with Commissioner McCormick with the starting with the state on advocating for more pictures on the ballots too. I think that that is probably the best way to go because I do not know if it could be done on a federal level without starting on the state aspect first.

MR. PATTON:

Yes, Ron Patton, Cleveland, Ohio, Disability Rights Ohio and PAIMI chair. I want to make a statement that it could be a complaint but it is also some information.

CHAIRMAN HICKS:

We are here to hear both.

MR. PATTON:

Okay.

CHAIRMAN HICKS:

Both, you know.

MR. PATTON:

First of all, when the...

UNIDENTIFIED SPEAKER:

We cannot hear you.

CHAIRMAN HICKS:

Turn the microphone up.

MR. PATTON:

When the politicians came to my building to pitch for themselves, I noticed one party had their affiliation on there and

another party did not let people know which one they came from, which that did not bother me. I mean, I check the records and figure out how I want to vote. Sometime it is not just, you know, according to party lines. But what does concern me I found out that 504 people in my ward were registered to vote and only 75 of them voted. I find that appalling.

Second of all, there is a lot of poverty in the area but there is also a lot of high rises, people that are disabled. What I noticed in a previous ward that I stayed in the churches and organizations provided rides for people to the polls. I mean I guess it is different now with the absentee ballot, but by me knowing my council representative personally quite a few years before they got into office I have had a rapport where I have been able to talk to him. But on this particular issue I am wondering if that small turnout helps keep them in office. And I kind of want that job myself.

[Laughter]

If it was not for them being all right with me, I would take that job from them. But I am wondering if I can get some information that might help me rally the voters to get on out there and cast their vote.

CHAIRMAN HICKS:

Well, I would say if you want to run for office, run for office.

[Applause]

We -- we at the -- we do not care who wins, we just want to make sure that if you cast -- that you are able to register to vote if you are eligible, that that vote can be counted and that vote should be counted.

And I am going to remind folks that they need to start moving forward because I see that people are not eating.

The -- but in terms of advocating for -- and someone had mentioned this a little earlier, and I am paraphrasing it, people who have disabilities are not just Democrats, they are not just Republicans, they are not black, they are not white, they are not Latino, they are not Latina, it is everyone. If you live long enough, you will have some form of some disability.

And so I would say that if you -- it starts -- it starts locally with family. Make sure your family is voting. Then make sure your neighbors are voting. Then make sure your coworkers are working (sic). And it is not -- it is not a partisan thing, it is just, you know, it is say, hey, did you go vote? Did you register to vote? I am not going to tell you who to vote for. Just make sure you exercise your right to vote because there is so many folks who fought for that right to vote. And it is not just black folks who fought in the '60s, it is women. In 2020 we will be celebrating the 100<sup>th</sup> anniversary of women getting their right to vote. It is, you know, when this country first started it was about, you know, white male landowners and

since then we have expanded that right. So in order to use it, you use it or you lose it basically. So that is what I would say to advocate for folks to do that.

But, again, folks did not come here to listen to me speak. I want to hear from you all, so start moving up because I will start getting up, all right?

VICE-CHAIR McCORMICK:

And I will just add one thing. The sad thing about voting in this country is that most people do not take notice of the local races and yet they affect their lives probably more so than the presidential race which everybody votes in, right? We have the highest turnout in presidential years and then it just tapers down as it gets to the local level. We need to get people out to vote. Campaigns need to get people out to vote on the local level. And you are right, that small group of people is deciding who wins those races at the local level...

MR. PATTON:

Yes.

VICE-CHAIR McCORMICK:

...across the country.

MR. PATTON:

Yes.

VICE-CHAIR McCORMICK:

So somehow we have got to get people to understand that it is just as important for them to vote in local races, in primaries, things like that, than it is to vote in the one big presidential race that everybody hears about and there is tons of money spent on every four years.

So I wish you the best. I would say if you are going to run, you know, get your group together and get out the vote, get out the vote. Like Tom was saying, go to your friends and neighbors and coworkers and, you know, get them registered. And if they cannot get to the polls, get them an absentee ballot.

MR. PATTON:

I think I would try to get a little higher office than that one.

VICE-CHAIR McCORMICK:

Well good.

MR. PATTON:

But now...

VICE-CHAIR McCORMICK:

Are you going to run for President?

MR. PATTON:

No, not that high.

[Laughter]

VICE-CHAIR McCORMICK:

Thank you so much for your comment.

CHAIRMAN HICKS:

Thank you.

[Applause]

MS. GRAYBEAL:

Hi, my name is Beth Graybeal, I am from Disability Rights Idaho. We had a county in Idaho, the county that I live in, which...

VICE-CHAIR McCORMICK:

Which county is that?

MS. GRAYBEAL:

Canyon County.

VICE-CHAIR McCORMICK:

Canyon County?

MS. GRAYBEAL:

Um-hum.

VICE-CHAIR McCORMICK:

Okay.

MS. GRAYBEAL:

...that received a non-compliance complaint filed against them by the DOJ. So we went out and took a look at what was going on. There were a lot of accessibility issues, parking mostly.

So we are in the process of documenting our findings and preparing to file a complaint with the Secretary of State's Office. But we also looked at Ada County, which is the county of our

capitol, and it was actually worse off. It is like most of the polling places are schools. Elementary schools seem to be really popular. So, first of all, you do not have a lot of parking for elementary schools. The parking is not well marked. The ballot devices were not set up or even working. The one school that I went to, they were in the process of construction behind the school which was -- had been the play area for the -- for the children. So they had to move the play area up into the front of the school. The front of the school had been filled with gravel but with concrete paved ways going into the school. Well because the kids were all playing outside in the front, the gravel then became all over the place. The -- no one was taking care of it so people could get in and out very well.

But we did find some positives. So we have noticed that there has been an improvement in curbside voting. We have noticed an increase of knowledge of accessibility for voters with disabilities. And in Canyon County we noticed that allocation of funds by counties to improve their accessibility standards had improved. A lot of the polling places had received signs for parking and things like that.

So there are some negatives but there are positives also.

VICE-CHAIR McCORMICK:

Thank you for that comment.

CHAIRMAN HICKS:

Thank you.

VICE-CHAIR McCORMICK:

Ada County has a fairly new elections director now, David Levine, so do not hesitate to call David. He is -- he is I am sure willing to listen to anything you have to say both positive and negative. So -- he used to be in the Maryland area. We have worked with him for a long time. So you know -- and if he is not responsive, you call us and we will make sure that he is responsive.

MS. GRAYBEAL:

Okay, thank you.

VICE-CHAIR McCORMICK:

Um-hum.

MS. NEWTON:

I am Sheri Newton. I am a PAVA advocate with the Disability Law Center in Utah. And I just have a comment referencing that movement towards paper ballots. In 2012 the first county in Utah, and we have 29 counties, went to voting by mail because of a redistricting issue and that really made the best sense for them. Last year in 2017 89% of our population lived in a county that was voting primarily by mail. And for this election that we are having next week, over 99% of the population will live in a county that is voting by mail. So we have been making a lot of changes

very quickly toward voting by mail. And, of course, not everyone can vote -- can read or mark a paper ballot. So each county has to provide a voting machine that has accessibility features. The difficulty comes with that they may have the machine but they do not tell anybody about it. The ballots actually come in the mail and say we are voting by mail, this is your only way to vote, or there will be a voting machine set up in a back office somewhere in the county building. No signs outside that say "Vote Here," no publications that inform people about that. It seems like that in education and in employment people are informed that they can request an accommodation and in voting it should be the same. Even a step farther that election officials should be required to let people know that there are other options available.

Thank you.

VICE-CHAIR McCORMICK:

Great comment. Thank you so much.

[Applause]

MR. ELSKEN:

I am Mike Elsken. I am with Disability Rights Nebraska. And for the past six years I have done polling place surveys to physically go out and take a look at, eyes on actual polling places during each election. And for the most part the local election commissioners really do make an effort to make sure that places

are accessible, people are allowed to utilize the voting machine in a private manner. But you still have exceptions. I mean I went to one voting location which was, of all things, in an American Legion facility that was totally inaccessible, had a solid core door so they could not see if a person was sitting out at the curb to vote, whereas the voting place three blocks down the way was totally accessible. So if your precinct was in one location, you might have been able to vote, the other location you would not. So part of that is getting the local commissioners to understand what accessibility means, what privacy means.

We have very old voting machines. Eventually we are going to get these 50-pound dinosaurs replaced. The magnification and the hearing impaired mechanisms are not that great but, you know, that is going to change over time.

And I am going to touch on one last thing and that is the voting by mail issue. A lot of places will assume that if you are disabled you can get your ballot mailed to you and you can mail it back. My wife utilizes that because she has had MS for 26 years. It is a lot easier to do that than get up and go to the voting location, except that mailing back the presidential ballot would have been \$1.96. For individuals who are on limited income, that becomes functionally a polling tax. It becomes an issue of do I spend this \$1.86 to vote or do I spend it on something else?

VICE-CHAIR McCORMICK:

Thank you for your comment.

[Applause]

MR. McWILLIAMS:

Good afternoon Commissioner Hicks, Commissioner McCormick. My name is Mark McWilliams. I am with the Michigan Protection and Advocacy Service.

When my colleague Noah Walker and I recently did a training at our local community Mental Health Consumer Advisory Council, among the people in the audience was a woman who was guardian over her adult son and during the course of our training we mentioned to her that Michigan was one of the few states that did not take away the right to vote automatically upon issuance of a guardianship. And she was flabbergasted. She said I had no idea that my son could vote, even though in Michigan it is -- you cannot take away the right to vote because you have a guardianship. And she is going to go out now and start to recruit people, other guardians, other parents to get people -- get them to go out and get their sons and daughters -- help them register and vote.

Earlier this year the National Council on Disability issued a report talking about the basic human right to make decisions either with or without supports and that includes the right to be free from guardianship and to not take away basic rights such as the right to

vote, as most states do. So my question is will the Election Assistance Commission stand with the National Council on Disability and advocate for the right to people under guardianships in the United States to vote?

[Applause]

VICE-CHAIR McCORMICK:

Absolutely, yes, absolutely, everyone who is eligible to vote should be able to vote, period.

[Applause]

MS. JANSEN:

Good afternoon, my name is Cheryl Jansen. I am with the Illinois Protection and Advocacy Organization Equipped for Equality.

From the ADA polling place accessibility surveys that we have conducted and volunteers that we have recruited and trained have conducted, as well as reports that we have received from our Election Day helpline, accessibility continues to be an issue for -- for voters with disabilities in Illinois. And I am talking not only about physical access, although that is an issue. We continue to see issues with parking areas and routes to the voting -- to the polling place, the entrances, you know, maneuverability within the building. But a lot of the things that we are seeing really do pertain to election judge training and poll working training. Obviously some of

the physical access issues are a function of, you know, the physical structure and whether or not you are in an older city that, you know, has access to fewer newer and updated buildings. But we continue to see people reporting that they have gone to -- people with disabilities going to vote and having an election judge challenge their ability or capacity to vote. And in Illinois we are not a state that has any such law. In Illinois whether or not you have guardianship you are entitled to vote, unless there is an express Court Order taking that right away from you. We have also seen election judges question the ability of someone to come in and have someone assist them with voting, particularly if it is not an adult or someone who does not speak English. So we continue to see those kinds of things.

We also have -- I think one of the major issues that we have identified in the work that we have done going out to polling places is the actual setup of the -- of the voting area. That is probably one of the biggest complaint areas and, frankly, some of the most easily remedied. But we continue to see voting equipment that is not set up in such a way as to afford privacy to voters or to allow them to vote independently. And that is just something that we hear over and over and over again and have observed ourselves. So I really think that election judge training is a big part and parcel of all of this, not only in terms of physical setup but also another complaint

we hear is regarding election judges not knowing how to operate the accessible voting equipment. That is also an issue. And in addition, we have had complaints about just interactions of voters with disabilities and election workers, and I think there is a real need for training on disability awareness and disability sensitivity on the part of election judges. So poll worker and election judge training I think are really critical.

VICE-CHAIR McCORMICK:

I would agree with you. I think that is something that -- I appreciate your comments -- we need to double down on that and poll worker training is always an issue across the -- well poll worker recruitment is. So, again, I will issue echo Chairman Hicks' remarks, the more folks that we get from the disability community to become poll workers the better because they understand the issues that face voters with disabilities. So I encourage you all to get involved, become poll workers, but we really do need to double down on our education efforts.

Thank you.

MS. ANDREWS:

Hi, my name is Shameka Andrews from New York.

To go with that, the training of disability awareness across the board is definitely an issue, you know, because, you know, we are talking about, you know, physical accessibility, that is an issue,

but people are inaccessible because they become barriers, especially poll workers. Just to give you a few examples of things that I have experienced, last year I went to my polling place asked to use the accessible voting machine and the poll worker says, "No, that machine does not work. It is just for show." I said, "Excuse me?" So it is stuff like that.

There was another instance where they switched my polling spot to up on top of a hill and I was using a manual chair at the time and I explained to the lady, I said, you know, could somebody come outside and maybe assist me to get up there and she said "Why cannot you push yourself?" I was like okay. And you know for me I am going to fight back and say, you know what? Don't -- you have no way to talk to me that way. But other people, you know, this stops them from voting. If you have a bad experience like this, you are not going to want to go back. And then I am encouraging people to go out there, go out and vote, go to your polling place if it's accessible and make sure it is.

But people are barriers and I think, you know, disability awareness across the board is -- is something that is needed. It is just -- it is just needed because for me the other thing about people is the lady -- last lady mentioned it is the people that know how to actually work the machine. I know for me because I learned how to use the machines through my work, I end up doing poll worker

training right there while I am voting and it happens every single year. They say to me -- I go in and they say, "Well the guy that I earned how to use it is not here." It is like I think they do it on purpose, like he goes to lunch when I walk through the door or something. I'm not sure what that is about. But those are two very important things.

And the thing about poll workers, you know, people with disabilities being poll workers there is also a hindrance to that is, well, I know in our state you actually have to be registered in a party to be a poll worker. So if somebody does not want to do that, then they cannot take the training. So I think that that should not be.

VICE-CHAIR McCORMICK:

Thank you for your comments. Yes, there is not much we can do...

[Applause]

...about state procedures. But, you know, I have been doing poll observation for, I do not know -- ten or 12 years now and there have been so many issues with the HAVA machines where they are not hooked up, people do not know how to use them. One person votes on them so that is hardly any sort of privacy. So while they are there for an insurance policy, they are not the answer. So we need to work on that.

Thank you.

CHAIRMAN HICKS:

Again, I would push for folks to come to the security panel tomorrow morning because it is not only about security and accessibility for the machines. These should not be two different issues. You can have security and accessibility.

VICE-CHAIR McCORMICK:

Absolutely.

CHAIRMAN HICKS:

And we are, as Commissioner McCormick, said almost 50 years out from putting a man on the moon and I can guarantee you that most of you, if not all of you, have in your pockets more power than the computers that we use to get those people to the moon in the form of your Smartphones. And so there is no real reason why today we cannot have both accessibility and security with these machines.

So we will have a vendor there tomorrow and then I would advocate for you know maybe next year having a few more vendors come to the conference and maybe have them display some of their wares and talk about some of the things that you have concerns on that they should be able to work on. And I think of it as here is my machine, help us improve it. So maybe having some

of those folks come to the conference next year might be somewhere to start with.

VICE-CHAIR McCORMICK:

I think we have time for one more.

CHAIRMAN HICKS:

One more?

VICE-CHAIR McCORMICK:

One more.

CHAIRMAN HICKS:

All right, one more. See, I could do this all day.

VICE-CHAIR McCORMICK:

I could too.

CHAIRMAN HICKS:

But I guess one more.

VICE-CHAIR McCORMICK:

I would love to hear from everyone all day.

CHAIRMAN HICKS:

One more.

MS. KAMEL:

Hi, my name is Yasmine Kamel. I am from Disability Rights New York and I work with the Protection Advocacy for Voting Access Program which focuses on all this stuff. And I have a

couple of comments that tie into some of the thoughts that were shared earlier.

Particularly as far as aging machines that are not necessarily functioning as promised, or as expected anymore, we know that this happens every single election pretty predicatively and consistently. How can we know then that enough time has lapsed where we know that given that all these machines are aged -- are old and were bought at the same time that it is questionable whether HAVA standards are being met anymore given the consistency of malfunctions? When do we know that? We have noticed that in New York State there is not much of a cumulative record that is being kept of these malfunctions taking place, if they are documented at all that is, so one of the things that we have utilized is the HAVA complaint process which enables voters to complain about these things. We realize that that complaint process was not in use at all until we started utilizing it. We were able, thankfully, to start getting it out there but we do that know most people do not know about it and to the extent that we are able to reach people and file complaints, we are creating a public record of these malfunctions. But we do not necessarily -- it is far from a complete record, right, of knowing how often this issue comes up. So I am wondering whether there is something that could be done on a federal level that could begin to address these issues at the

very least of creating a standard of just keeping track of this stuff. We do not even know how, like, consistent and prevalent the problem is.

And the other thought is also the possibility of doing something on the federal level to encourage a standard for training as it relates to accessibility issues. The training level is very inconsistent across the board, but also the standards are relatively low. We know that in many counties poll workers are not even required to attempt to use the ballot marking device. They never touch the equipment. They have a pretty low expectation as far as whether someone is going to be expected to use the machine, et cetera. So whether it is possible -- I think the ADA checklist for polling sites is really helpful, if something like that could be created as a standard for accessibility-related training when it comes to language, when it comes to interactions and when it comes to, at the very minimum, using that machine once a year in order to be prepared to actually assist folks with it.

And I know that someone here was looking to speak, so I do not want to be the one that took her spot. Thank you.

Oh you are next, okay.

UNIDENTIFIED SPEAKER:

Just one...

CHAIRMAN HICKS:

Okay.

UNIDENTIFIED SPEAKER:

Oh, you are next, okay.

MR. DECKER:

Okay, Tina we are going to have to ask you -- because -- we had to cut it off because we had to re-establish the room for the future one.

So I want to just thank our guests from the EAC and their staff for working with Michelle to make this happen. I think it was a great experience and it is great to be able to hear, you know, the reality of what you are doing with the HAVA program. This is an issue that is very close to me since I was fortunate enough to work on the Help America Vote Act many years ago, not just for P&A funding but because voting for people with disabilities independently and privately is an absolute civil right.

So thank you all for coming.

VICE-CHAIR McCORMICK:

Thank you.

[Applause]

I just want to make one more comment.

MR. DECKER:

Go ahead.

VICE-CHAIR McCORMICK:

For those of you who did not get a chance to talk and have comments, please send us your comments. Our General Counsel just reminded me of this. If you want to email your comments to us, we will read them. We will take them into consideration. And it is [listen@EAC.gov](mailto:listen@EAC.gov). So please if you can send us your comments. We would appreciate it.

And thank you all to those who participated. I know there were more comments to be made. Like Commissioner Hicks said, we could be here all day. So thank you again to the National Disability Rights Network. And we just want to thank you so much for letting us be here. We really appreciate it. And we appreciate the work that you are doing on behalf of voters across the country. Thank you.

CHAIRMAN HICKS:

Thank you.

[Applause]

MR. DECKER:

And I think our guests will be available probably out in the hall to talk directly with people. That would be great. Thank you so much.

CHAIRMAN HICKS:

Thank you.

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[The Town Hall meeting of the United States Election Assistance Commission  
(EAC) adjourned at 1:17 p.m. EST.]