

EAC round table informing Change: A Review of Events and Issues of the 2012 Elections Cycle.

I am Jim Dickson, formerly VP for Organizing and Civic Engagement of The American Association of People with Disabilities. Regretfully there still is a voter participation gap between the able bodied and people with disabilities. In 2008 the participation gap was 7.5 per cent. Reports from our members, the media, poll monitors, and non-partisan election protection officials indicate that while there have been some improvements, the usual barriers to voting for Americans with disabilities still exist. The largest category of problems stem from poor poll worker training. The sum of the problems caused by poor poll worker training are: poll workers not knowing how to operate the accessible voting machine; poll worker pressuring the voters to not use the accessible polling machines; poll workers refusing to offer curbside voting; poll workers denying the voter the right to pick the individual who will assist her in voting; and other problems are: inaccessible polling places; accessible voting machines that are not turned on or that malfunction; and poll workers who cannot operate the accessible machine. Other problems faced by voters with disabilities were long lines outdated or inaccurate voter rolls, and poll workers who were poorly or inadequately trained on the use of provisional ballots. For some voters with disabilities long lines are more than just an inconvenience. Some of those with mobility, repertory and hart disabilities are not able to stand for long periods of time. Inaccessible polling places were found in Arkansas. In Washington DC the audio ballot would not work in some polling locations. In Ohio a blind voter was not allowed to bring a person of his choosing into the voting booth. In Michigan it took the poll workers over 2 hours to turn on the accessible machine. A formal complaint has been filed with the Justice Department because in one county in Texas poll workers refused to let some voters with disabilities vote “because in their eyes, those citizens are not competent to vote. This outrageous behavior was not just limited to Texas and it occurs in every election. The only people not competent to vote are those who have been adjudicated incompetent for voting and this judgment must be part of guardianship process. People who are under guardianship are allowed to vote unless the guardianship specifically excludes voting.

Many voters who where hospitalized on Election Day were unable to vote even though the jurisdiction has policies and systems that are supposed to allow a citizen in the hospital to vote. In St. Louis County Missouri a voter had to enter the hospital for emergency surgery, she informed the board of elections that she would need to vote from the hospital. It took eight phone calls on Election Day to the board of elections before someone showed up at the hospital. At 2pm on Election Day an election protection volunteer called the board of elections and was told because there were so many hospital requests the board was no longer accepting any additional requests to vote from a hospital. The Election Protection Coalition in Missouri, 9 months before Election Day, tried to get the county election board to clarify its procedure for hospital voting. The board did not cooperate. A best practices document is needed because on Election Day there are hundreds of thousands of voters in the hospitals.

There are reports which are forth coming that will provide detailed documentation and quantification of these problems. As they are released, we will provide these reports to the committee. The National Council on Disability will be releasing the results of a national questionnaire that documents the experiences of voters with disabilities. Professor Doug Kruz of Rutgers is completing a survey of 3,000 voters that compares the voting experiences and expectations of disabled Americans with able bodied voters. The National Disability Rights Network ran Election Day hot lines across the country and is in the process of compiling the data. In 2008 there were 14.7 million votes from the disability community. The Community Participation Survey of the U. S. Senses Bureau is the largest election related sample of voters with disabilities, unfortunately this group releases the data almost a year after the election. As a result it will be several more months before there will be state by state voter participation data. This delay is unacceptable and contributes to the notion that people with disabilities are not a significant block of voters.

Over the past two years in state legislatures there has been a dramatic proliferation of bills that would restrict access to the ballot for Americans with disabilities. Particularly troubling has been the reduction of early voting days. The lack of accessible transportation affects millions of Americans and early voting helps moderate this problem because it spreads the need for accessible transportation over many days. Requiring a photo ID to vote is particularly burdensome for us, 10% of people with disabilities do not have current state issued photo identification. Regressive measures were introduced in 38 states in 2011 and 22 states in 2012. Over these two years, 25 states adopted legislation which could reduce the voter participation of Americans with disabilities.

Thank you for the opportunity to provide the disability perspective. The disability community looks forward to working with you in order to make voting as John Lewis says, “as easy as drinking a glass of water”.