

“In West Virginia, Every Voter Counts” – Electronic absentee voting for some citizens living with physical disabilities

The 2020 Election Cycle marked a historic milestone for some West Virginia citizens living with physical disabilities to vote privately, securely and from the comfort of their own home for the first time without requiring assistance. In January 2020, the West Virginia state legislature unanimously passed Senate Bill 94. This landmark legislation applies to registered West Virginia voters who are physically unable to vote in person and without assistance when marking a paper ballot. It allows them to receive, mark and return an absentee ballot by mail or electronically through a safe, accessible and secure portal prescribed by the Secretary of State’s Office.

West Virginia originally made electronic ballot marking and return available to a limited number of military and overseas voters for the first time in the 2018 election cycle. The move enfranchised the many military men and women deployed to remote areas of the world without dependable access to the U.S. Mail, scanners, printers or fax machines. For some, electronic absentee voting is their only option to participate in our democratic process. In the 2018 General Election, the effort was a success, with 144 voters from 31 different countries able to vote using the technology to return their ballot. With the passage of SB 94 in 2020, the franchise was extended to voters who cannot access a polling place and vote from home without assistance, thereby affording these voters the same opportunities to the voting methods offered to UOCAVA voters.

In the 2020 Primary and General Elections, West Virginia used a third-party technology that is 100% ADA and MOVE Act compliant and has been deployed in more than 1,000 elections across hundreds of jurisdictions over the last decade. Importantly, this technology is a substantial security improvement from traditional electronic absentee voting options in the state, which less-secure options include unencrypted email attachments and fax transmissions.

To reach the niche group of voters living with physical disabilities in the 2020 elections, the Secretary of State’s Office worked with Disability Rights of West Virginia, an organization that supports and advocates for citizens with disabilities, to help educate the public on the new accessible method of absentee voting. Our coordinated public education strategy included the development of flyers, rack cards, and online material, which were distributed across the state.

As a result of these efforts, 195 voters cast their ballots electronically in West Virginia’s 2020 Primary Election, 20 of whom had a qualifying disability. In the 2020 General Election, nearly 1,300 UOCAVA voters and 271 voters with qualifying physical disabilities participated using this electronic method.

With the passage of SB 94, West Virginia is now required by law to offer this electronic absentee option to voters with certain physical disabilities in every federal election. While the specific vendor or platform may change, the West Virginia Legislature has mandated that the Secretary of State’s Office always offer a safe, secure, and accessible method for this limited category of voters to participate and vote a secret ballot.

Attached is the flyer and rack card distributed by our office to help educate the public on the option. Below are links to press releases and news articles about the initiative.

Press Releases:

February 7, 2020 – [Warner Applauds New Law Expanding Access to Voters Living with Physical Disabilities](#)

February 28, 2020 – [WV Electronic Absentee Voting Technology to be Provided by Democracy Live in Primary Election](#)

March 9, 2020 – [Op-Ed: In WV, Every Voter Counts](#)

April 22, 2020 – [Warner announces unique partnership to eliminate barriers to the ballot box for voters with certain physical disabilities](#)

June 15, 2020 – [West Virginia Successfully Completes E-Voting Pilot for Military, Overseas Voters, and Citizens with Physical Disabilities](#)

September 3, 2020 – [Electronic Voting an Option for State's Military & Overseas Voters, and Voters Living with Physical Disabilities](#)

October 19, 2020 – [More than 1,000 voters have already cast electronic absentee ballots](#)

News Articles:

WSAZ (Charleston & Huntington, WV) – [New voting opportunity for West Virginians with disabilities](#)

The Intelligencer (Wheeling, WV) – [Military, Overseas, Disabled Voters Have Electronic Absentee Voting Option](#)

The Parkersburg News & Sentinel (Parkersburg, WV) – [Kanawha County woman casts first digital vote of primary](#)

MetroNews (Statewide Radio) – [West Virginia's limited E-voting system evolves for 2020](#)

WV News – [WV Gov. Justice bill signings for disability voting, waiving disaster construction bidding](#)