

"Voting is the right from which all other rights spring." Thomas Paine

HAVA QUARTERLY

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PROJECT HAVA NEWS

MAKE POLLING SITE ACCESS A PRIORITY



Besides recent legislative efforts aimed at make polling site waivers a thing of the past, the latest HAVA implementation plans will make it imperative any remaining inaccessible polling sites become accessible by the fall of 2008.

After all, how useful will the new accessible machines be if voters can't get into the building to cast their ballots?

Don't delay...get your sites accessible today!!!

The Department of Justice Polling Site Checklist provides some basic understanding of accessibility, but for in-depth knowledge nothing beats the hands-on experience of our Polling Site Accessibility Training. Give us a call to set up a training, get a copy of our instructional DVD "Ready, Set Vote!! Polling Site Accessibility Assessment", or answer any questions you may have.

Our informative DVD takes the viewer step by step through an actual polling site assessment. The DVD demonstrates the necessary tools and how to measure various parking and building features. Applicable New York State Codes are



discussed, as well.

**Remember: HAVA funds can pay for trainings
and technical assistance!**

“Ready, Set, Vote! How to Conduct a Polling Site Survey” is a two-part training that includes a lecture/ media presentation followed by supervised hands-on surveys of polling sites. Remember, you can recruit others to take the training and carry out the assessments. Besides BOE staff you can call upon poll workers, machine custodians, crewmembers from the County Highway Department and even code enforcement officials. Getting your staff and/or other municipal officials trained makes sense, so when new sites need to be chosen or old sites need revisiting, you will have people with the know-how right there in your locality.

A Word About Temporary Solutions

While we promote permanent solutions to overcome barriers at polling sites, we understand the need for temporary measures in some cases. But when it comes to purchasing items for temporary solutions, caveat emptor!! Make sure these solutions meet Americans with Disabilities Act Accessibility Guidelines (ADAAG)!! The item may meet certain specifications, but there is no ADA agency putting their seal of approval on anything. For instance, if you are purchasing a temporary ramp make sure you know the weight limit and if it has handrails and edge protection. Power wheelchairs are much heavier than manual wheelchairs and a low load-bearing folding ramp without handrails can pose a serious danger.

If you have any questions at all about temporary solutions, please give us a call.

For more information about the DVD and training contact:

Helen Benlisa, Project HAVA Coordinator

nyshava@ccfi.us

Or call toll free:

1.888.NYS.HAVA (1-888-697-4282)



NYS HAVA UPDATE: AND THEN THERE WAS PLAN C

Deadlines are looming and the clock is ticking. The SBOE has informed the Department of Justice (DOJ) "it would appear impossible to replace the lever voting machines in 2008." Certainly the SBOE has to make an effort to respond to the lawsuit and to comply with HAVA. Funding for this state's election overhaul could be in jeopardy unless some action is taken and progress is made.



Hence, there is yet another revised plan for implementation of the Help America Vote Act (HAVA). Plan C, as we shall refer to it, will require the county boards to provide a ballot marking device (BMD) that is fully accessible to voters with disabilities at every poll site in New York State in time for the September 2008 primary.

In terms of machines being fully accessible to people with a wide range disabilities BMDs, for a variety of reasons, do not quite fit that bill. Another idea of HAVA compliance is to accurately record and count the votes cast by every voter at each polling site, but BMDs, unless they are the type that mark a scan-able ballot which then gets fed into a scanner at the polling site, may only provide a printout that is placed in an envelope and gets counted along with absentee ballots. Absentee ballots, in many counties, do not get counted until days or even a few weeks after the election.

When it comes to machine certification the SBOE hopes to push the process through more quickly, and perhaps through less rigorous channels, bypassing the state's own very high standards so long lauded in election circles.

If time and money run out, we might be left with old lever machines and sub-standard BMDs. HAVA compliance won't have been achieved, voters with disabilities and others who stand to benefit from the accessibility and multiple language features will remain marginalized. Separate but equal is not equal. And for many, private and independent voting will still be out of reach.



“The ultimate rulers of our democracy are not a President and senators and congressmen and government officials, but the voters of this country.”

Franklin D. Roosevelt



FAST FACTS ABOUT ...

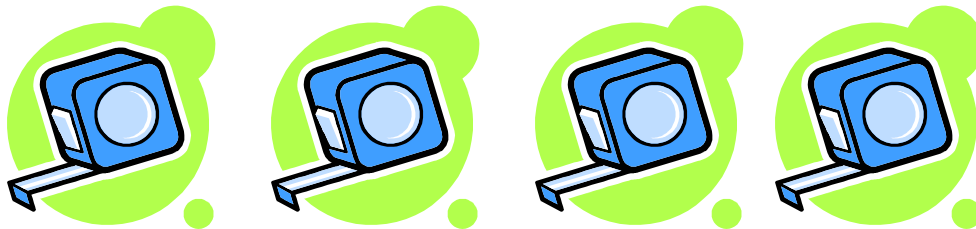
Service Animals: animals that are individually trained to perform tasks for people with disabilities.

Tasks working animals may perform include, but are not limited to:

- Guiding people who are blind
- Alerting people who are deaf
- Alerting and protecting a person having a seizure
- Picking up items
- Pulling a wheelchair

There are only two questions a person with a service animal may be asked:

- Is the animal a service animal?
- What tasks has the animal been trained to perform?



New Feature

Dear Access Abbie!!

Now you can consult with our accessibility maven, Access Abbie, anytime you have a question about polling site accessibility!

Send your questions to: nyshava@ccfi.us and write Dear Access Abbie in the subject line.

Dear Access Abbie,

This polling site is situated on a hill. It has a parking area behind the building on the lower level, but the only accessible entrance is uphill around the corner. What should we do?



Uphill in Downsville

Dear Uphill,

First, determine if temporary accessible parking nearest the accessible entrance could resolve the issue. If not, determine how steep the path of travel is from the existing parking. Remember the 1:12 formula: you need a minimum of 12 inches of length for every 1 inch of vertical rise! A slope steeper than 1:12 would not be accessible and an alternative route should be considered.

Another option is to determine if the inaccessible entrance can be modified to become an accessible entrance. The cost of these modifications may be less expensive overall after taking into account the process of scouting a new location, completing surveys and reports, and the necessary mailings and notifications required when a polling place is relocated. Consider all your billable hours and costs and compare them to the cost of the required modifications needed to make the existing polling site accessible.

AA



Dear Access Abbie,

My county needs to purchase a few temporary ramps and we were wondering if there is one particular web site or store we should be purchasing these from?

On the Steps in Smithville Flats

Dear Steps,

While we always encourage permanent solutions to access issues, we understand temporary measures may be the only way of accomplishing accessibility. With that said there are a number of websites aimed at selling items for polling site accessibility.

However, there are a few sites so anxious to grab a piece of the HAVA dollar they forgot to mention that some of the so-called accessible items, such as non-permanent ramps, don't actually comply.

For instance, we have found sites dedicated to polling site accessibility selling 36" W x 12' L portable ramps. The problem here is these ramps are over 6' in length and do not have the required handrails as set forth by ADAAG 4.8 and 4.26, therefore, they do not comply with accessibility mandates. Not only are they non-compliant, but also are very dangerous and could be a potential lawsuit in the making if someone fell off and got seriously injured.

Always remember to scrutinize the claim of "ADA approved" because there is NO SUCH THING! A temporary ramp or other item might meet specifications, but that is not the same as being approved. There is no such oversight agency or follow up for credibility. You can always call us here at 888-NYS-HAVA or check the information against the ADAAG at www.accessboard.gov

AA





Dear Access Abbie,

Our polling site doesn't have any designated parking only street parking. Are we obligated to create accessible parking?

Curbside in Cornwall

Dear Curbside,

As a general rule, if there is no site-specific parking (e.g. parking lot or other permanently designated area), there is no obligation to create accessible parking. However, as a courtesy you can create a temporary accessible parking area closest to the accessible path of travel, i.e. nearest a curb cut and/or ramped entrance using temporary high-contrast signage appropriately marked with the international symbol of accessibility and orange cones to mark out the parking space and access aisle.

You may also contact your local Department of Transportation to see if the site is eligible for permanent designated parking.

Until next time!

AA



“Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.”

Margaret Mead

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**HERE ARE SOME OTHER RESOURCES FOR
ACCESSIBILITY GUIDELINES:**

THE ADA POLLING SITE ACCESSIBILITY CHECKLIST
[HTTP://WWW.USDOJ.GOV/CRT/ADA/VOTINGCK.HTM](http://www.usdoj.gov/crt/ada/votingck.htm)

UNITED STATES ACCESS BOARD
[HTTP://WWW.ACCESS-BOARD.GOV/INDEX.HTM](http://www.access-board.gov/index.htm)



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REMEMBER...



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“The vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible walls that imprison men because they are different from other men.”

Lyndon B. Johnson



**We ALL HAVA Right to
Vote!**

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