

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

HAVA QUARTERLY

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"VOICES FROM AROUND THE STATE"



"Voices From Around the State" is a guest column featuring advocates from Independent Living Centers reporting on polling site access in their areas. This month the HAVA Quarterly is very pleased to have award-winning advocate Frank Pennisi, the ADA/Accessibility Services Coordinator from the Southern Tier Independence Center, share the accessibility achievements in his county.

A+ ON ACCESS IN THE EASTERN SOUTHERN TIER

by Frank Pennisi
ADA/Accessibility Services
Southern Tier Independence Center



I first started working on polling place accessibility in 1984. After our first survey of all of Broome County's polling sites on Primary Day of that year, we found that 66% were accessible---a higher number than we had expected. Because of complete cooperation from the Broome County Board of Elections and the publicity we received from the media regarding the survey, the number of accessible sites rose to 82% by that year's November elections.

The County Board welcomed us with open arms and perceived that we were helping them to achieve what was then considered to be a statewide mandate for polling place accessibility. Since at that time each municipality was responsible for choosing, modifying and moving their own polling places, it took another six years to realize

100% accessibility. In 1990, the County Board refused to consider any waivers, and our few remaining inaccessible places were finally either modified or moved. So in 1990, Broome County became the first in the State to have truly 100% polling place accessibility.



At that time, there were two small towns whose town halls couldn't be made permanently accessible (both have since moved to accessible buildings), and they used portable ramps on Election Day. At other times, access really wasn't an issue in these towns, as most residents conducted all of their business by mail or phone, town meetings were held elsewhere, and about the only time anyone ever came to the town halls was on Election Day. We did spot checks for the next several years, however, and those portable ramps were always out on Election Day.

As the years passed, we did fewer and fewer checks, the County went from 148 to 123 polling sites, and there was some backsliding in accessibility. One formerly accessible church was sold to another denomination who actually installed a curb where there had previously been a level approach from the parking lot to the entrance! In 2006 the County contracted with STIC to survey all polling places once more, and we found that the accessibility level was approximately 85-90%. The County then applied for HAVA funds from the State, and bought whatever was needed for each inaccessible site---lever door handles, door wedges, accessible parking signs, blacktop, and in one case built an entirely new ramp for a church whose ramp was too steep---and we are now once again at 100% accessibility.

Also in 2006, neighboring Tioga County's two Elections Commissioners personally surveyed every one of their sites, and also using the State HAVA grants, purchased whatever was needed to provide access---door handles, parking lot mats, doorbells, etc. They kept meticulous records of every site, producing a kind of scrapbook with photographs of every approach, entrance, and interior and notes of what the access problems had been and how they had been resolved. When



we went to survey the County we only looked at a few sites, because everything else was so beautifully documented that we didn't need to actually visit the sites themselves! Tioga is also at 100% accessibility.

Broome and Tioga Counties' Boards of Elections have fully embraced the concept of accessibility and it has been a real pleasure working with them.



FAST FACTS ABOUT...

A Person's Mobility Equipment

Remember...a person's wheel chair, scooter, walker, crutches or any other assistive mobility aid is **Part of Their Personal Space!**

- Never lean on someone's wheelchair or move it without permission. If you need them to move, simply ask.
- Sit down next to individual who uses a wheelchair; this allows a comfortable and relaxed exchange.



"CAN YOU TOP THIS?"

Being an election year the HAVA Quarterly will feature Election Day stories ranging from the humorous to the bizarre and back again. If you have such a story send it along to nyshava@ccfi.us and put "Can You Top This?" in the subject line. You just might see your story in print!

“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

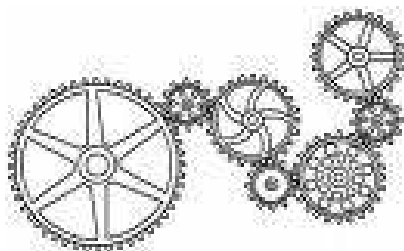


NYS HAVA UPDATE:

DOWN THE ROAD, ON THE WAY & ON-LINE

An area of focus at the recently held Election Commissioners Association summer conference was the use of paper ballots and all the details that go into printing, accountability procedures, security and myriad other associated issues. Very informative presentations were made by election officials from Canada as well as Pennsylvania where paper ballots/optical scanners have been in use for some time. It was helpful for the commissioners to get first hand accounts of what to anticipate and what to avoid as the state moves from lever machine-based into paper-based voting in 2009. So, the 2008 plan is for lever machines and Ballot Marking Devices (BMD) to be in use in every polling site.

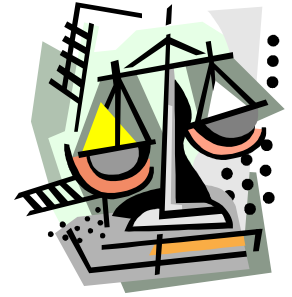
And speaking about machines...there are approximately 7,500 BMDs on collective order for New York State's 62 counties. Because of the relatively short window the State Board of Elections (SBOE) has to go



through the process of accepting testing and delivering the machines to the counties, sticking to the strict schedule is an absolute must. The timeline was constructed taking into consideration the lawsuit with the Department of Justice and the lead-time the counties

would need to work out their local logistics and get their staff trained on the machines. As of mid-June 1,260 BMDs received acceptance testing and were delivered to their ultimate destinations. So that leaves 6,240 to go. The end date for this process is July 31, 2008. Delays have been on the manufacturing end of things. Some machines were delivered without a crucial apparatus, so testing

couldn't occur until those pieces arrived. Other machines were delivered with the wrong ballot configuration and rendered unusable for the county that ordered them. The SBOE testing unit is doing whatever is possible to make the process run smoothly, but they would still have to process over 200 machines daily from now until July 31st and that is on the assumption the remaining machines are being sent by the manufacturers in large enough batches to make up for the delays. Miracles can happen, but it is more than likely this deadline will be missed and the issue will be revisited with Department of Justice.



On the polling site accessibility front, all the counties have conducted surveys and have turned in their paperwork to the SBOE. Ostensibly, all barriers have been identified and will be remedied with permanent or temporary solutions.

As part of the enhanced poll worker training mandated by HAVA, the SBOE has been working with a company to develop an on-line poll worker training which will "go live" in July 2008. This is meant to accompany, not replace, the training poll workers need to complete before serving in an election. Similar programs in use in other states have been very well received and found valuable as a helpful refresher tool for poll workers prior to an election.

We wish the county commissioners all the best during the coming months of crunch-time!



Do you have questions about accessibility??
Concerns about poll workers and voters with disabilities??
Do you have any ideas to share??
Do you need information about our trainings,
DVD and other materials??

Contact Project HAVA toll free
1.888.NYS.HAVA (1.888.697.4282)

or

607.432.8000

Helen Benlisa, Project HAVA Coordinator nyshava@ccfi.us
Don Wyckoff, Architectural Barrier Consultant ccfi@ccfi.us



Dear Access Abbie!!

Anytime you have a question about polling site accessibility call Don Wyckoff or Helen Benlisa at 607-432-8000 or 888-697-4282

You can also write to us: ccfi@ccfi.us (Don)

or nyshava@ccfi.us (Helen)

Just put Access Abbie in the subject line!

Remember: The only dumb question is the question that goes unasked!

Dear Access Abbie:

Can we put our Ballot Marking Devices (BMD) in a separate room?? Our HAVA funds are limited and we found the cost to make certain polling sites fully accessible far exceeds what our budget can handle. We have been forced to consolidate sites, but even there we have reached our limit. There are sites that offer an accessible route close to the designated polling stations, however there are some barriers such as stairs, level changes and door widths that would be too costly to modify.

Thanks for your help,
Strapped in Stratton

Dear Strapped,

This is something that is reiterated by many counties across the state. We are aware the HAVA accessibility funds are extremely limited for some rural counties thereby inadvertently dictating the use

of temporary solutions as opposed to permanent structural modifications.



An accessible voting station is provided on an accessible level in a facility where voting occurs downstairs.

The only circumstance (think temporary solution or reasonable accommodation) a BMD might be placed in a separate room would be if it were the only room available from the accessible route or if space limitations dictate the need to use other rooms. (See picture at left.) However, keep in mind HAVA aims to ensure equal inclusion in the voting process. Placing a BMD in a separate room for any other purpose could be seen as segregation.

Separate but equal is not equal.

Yours in access,
Abbie



To check for information in the ADAAG online:

<http://www.access-board.gov/index.htm>

Or review the ADA Polling site accessibility checklist:

<http://www.usdoj.gov/crt/ada/votingck.htm>



To view news articles, legal documents and all things HAVA visit our website www.ccfi.us - you won't be disappointed!

Remember...



“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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