



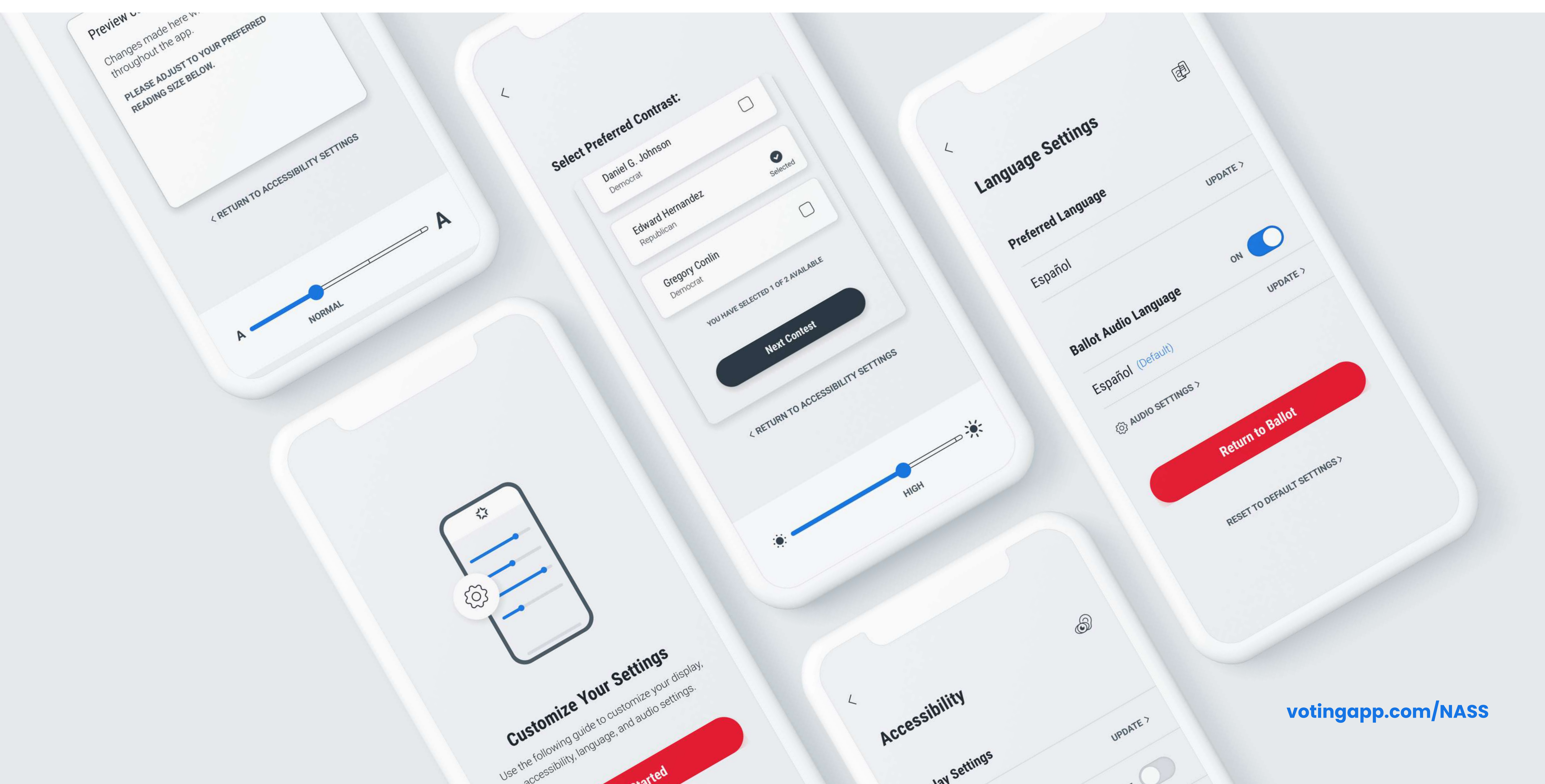
Closing the Accessibility Gap in Remote Voting

2002 – Landmark Progress for Voters with Disabilities

When The Help America Vote Act of 2002 was enacted, it was revolutionary in terms of making voting really accessible for the first time in the United States. Prior to that, voting accessibility was limited to ensuring that polling places and voting booths were wheelchair accessible. The sacredness of the privacy of voters with all other disabilities was ignored.

But thanks to HAVA, all polling places were now required to have at least one accessible voting machine which would allow voters to vote privately and independently regardless of disability. Suddenly all polling places were equipped with intuitive electronic devices made from a variety of vendors that had an audio-tactile interface which met requirements assisting voters with a wide-range of disabilities, including blind and visually-impaired voters and voters with mobility, cognitive and developmental disabilities.

These accessible voting machines required little to no training for voters. While this progress was monumental, it failed to address the needs of voters with disabilities who could not get to a polling location to vote.





2020 – The Age of Remote Voting

Fast forward to 2020, accelerated by the pandemic, more and more states transitioned to allowing remote voting. **Eight states allow all all-mail elections and fourteen other states permit all mail elections in certain circumstances.**¹ Even states that are not moving in this direction, have relaxed absentee voting requirements transitioning to a “no-excuse” model.²

Expansion of remote absentee voting is a huge step forward for voters who cannot make it to the polls for a variety of reasons. However, this does not apply to voters with a print disability, which actually accounts for a large number of voters. A print disability refers to the inability to effectively read, write or handle paper due to certain visual, physical or learning disabilities – such as blindness, visual impairment, Parkinson’s Disease, paralysis, multiple sclerosis and even arthritis. Voting by mail is not accessible to these voters who have to rely on others to mark their ballot, address their envelopes, sign their affidavits, and even fold and insert the ballots into the envelopes in certain cases.

With the recent increase in remote voting, some states are providing solutions to allow voters to mark ballots electronically on mobile devices or web browsers. Many states, such as New York³, Maryland⁴ and Michigan,⁵ have even been sued and court-ordered to provide these remote accessible voting systems for their voters. Some voters with disabilities are able to utilize these systems because they are highly skilled and trained in using accessibility tools such as screen readers, eye-tracking devices, sip and puff devices, refreshable braille displays and customized switch interfaces.

However, unlike the remarkable progress made for the polling places with the HAVA requirements for accessibility, two big barriers still exist to make remote voting truly accessible:

- **Requiring voters with disabilities to print a ballot and address an envelope, which for many means giving up their privacy.**
- **Steep learning curve with remote accessible systems compared to polling place machines built to HAVA requirements.**

So the question is, can a voter with a print disability get the same effortless independent and private voting experience at home, as they do at the polling place with the machines and kiosks built around HAVA requirements?



The Remote Accessible Solution

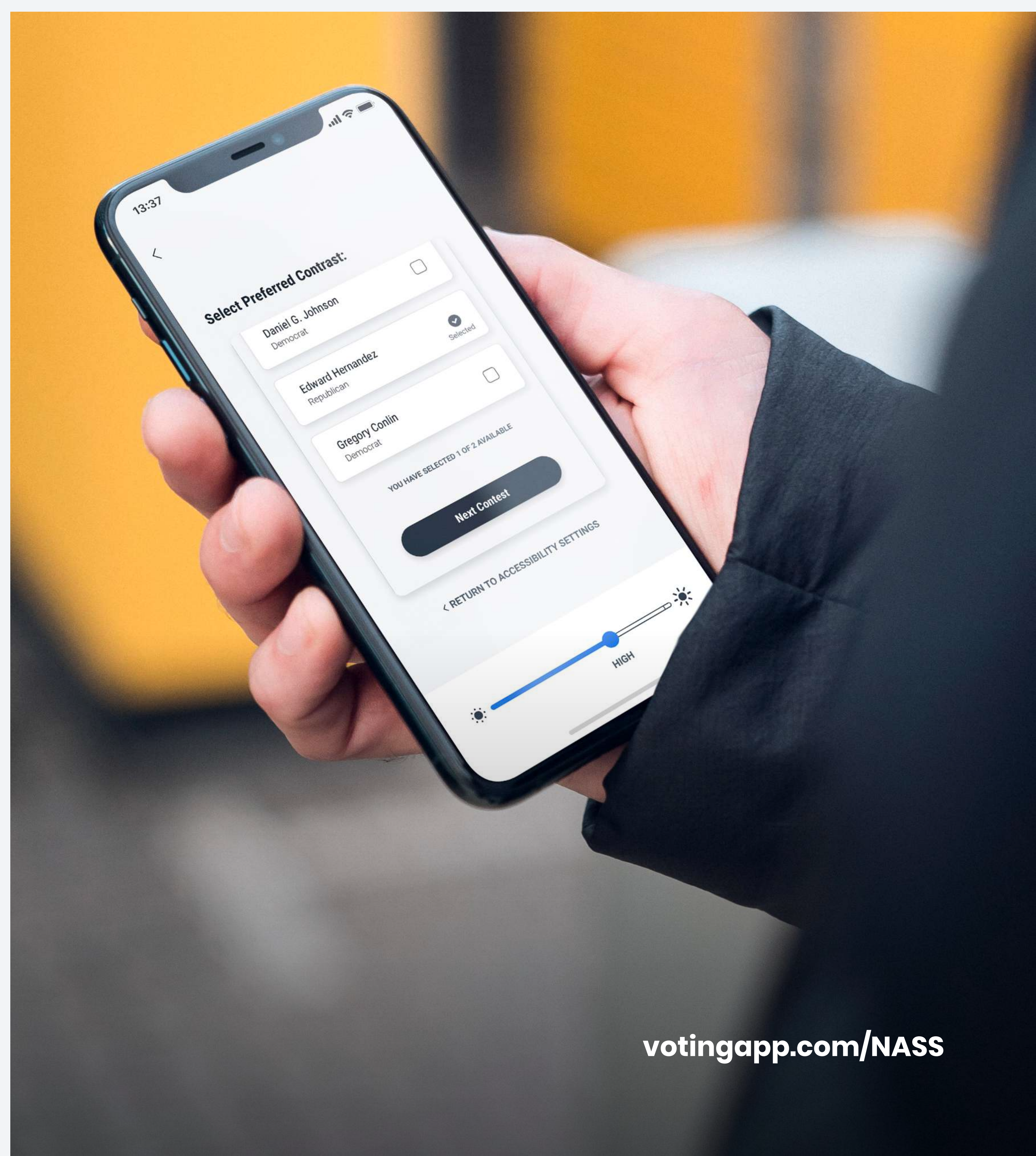
The solution is a remote accessible voting application built with the accessibility features required by HAVA and following the Voluntary Voting System Guidelines (VVSG)! We should not limit the potential beneficiaries of remote accessible voting systems to accessible technology users or experts.

For a remote voting system to be fully accessible it should:

- Seamlessly adapt to a phone's preconfigured accessibility settings or applications so that a user's voting experience is consistent with everything else they do on their phone; and for voter's less experienced with assistive technologies,
- Be easy and intuitive to use. For the voter less familiar with technology, just like at the polling place, they may need assistance starting the app and activating the audio features. To achieve accessibility, they should not be forced to navigate operating system settings with which they may not be familiar.
- Allow for the option to return the ballot electronically so as not to break the privacy or independence of the return portion of the process.

To ensure that remote voting is as accessible as polling place voting, the accessibility features that lie within the menu of remote voting applications should be strictly aligned with the latest version of the VVSG⁶ for in person voting machines. Including:

- Contrast Settings
- Provide for Accessible Screen Scrolling options in addition to swiping.
- A built in audio version of the ballot that can be activated within the app.
- Volume and Speech Rate Control
- Blackout screen for the privacy of audio users.





Conclusions

Remote voting continues to expand across the country. It has become the default voting method in a growing number of states, and is taking on a greater role as alternative voting method in others. While polling place accessibility has made great strides, remote voting, for the most part, has remained inaccessible, even in its most well-meaning forms. Currently there are few remote accessible voting solutions that do little more than render a web-based version of the ballot where a voter is still required to print their ballot and address, physically sign their affidavit and address their return envelope. It's past time that remote voting solutions provide a uniform inclusive experience with the polling place to ensure accessibility for all.

References

1. NCSL - <https://www.ncsl.org/research/elections-and-campaigns/vopp-table-18-states-with-all-mail-elections.aspx>
2. NCSL - <https://www.ncsl.org/research/elections-and-campaigns/vopp-table-1-states-with-no-excuse-absentee-voting.aspx>
3. <https://nfb.org/about-us/press-room/litigation-against-new-york-state-board-elections-resolved>
4. <https://nfb.org/about-us/press-room/blind-maryland-voters-settle-lawsuit-against-state-election-officials>
5. <https://nfb.org/about-us/press-room/blind-michigan-voters-win-groundbreaking-lawsuit>
6. EAC - https://www.eac.gov/sites/default/files/TestingCertification/Voluntary_Voting_System_Guidelines_Version_2_0.pdf

