

# DREDF

Disability Rights Education and Defense Fund, Inc.

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*Law, Public Policy, Training and Technical Assistance*

June 18, 2002

*VIA FACSIMILE ((916) 653-3214) AND U.S. MAIL*

Hon. John A. Perez  
Chairman  
Voting Modernization Board  
c/o Office of the California Secretary of State  
Elections Division  
1500 11th Street, Room 590  
Sacramento, California 95814

**Re: Encouraging The Choice of Voting Equipment that Enables Californians with Disabilities To Exercise Their Full Voting Rights**

Dear Chairman Perez and Honorable Members of the Voting Modernization Board:

On behalf of voters with disabilities in California, the Disability Rights Education and Defense Fund (DREDF) urges the Voting Modernization Board to utilize this unique opportunity to assure that the voting equipment adopted by California's counties over the coming years affords all voters equal access to the voting process and the unfettered right to a secret ballot. We endorse the letter to the Board submitted by the Western Law Center for Disability Rights and other disability organizations throughout the state. We also write separately to illustrate for the Board the significance of secret, independent voting for individuals with disabilities and to recommend that specific conditions be placed on the distribution of Proposition 41 funds that will ensure independent and secret balloting for Californians with disabilities.

Last year members of the disability community from the Berkeley/Oakland area had the opportunity to use one of the new touch screen voting systems, with outstanding results. By using the voting equipment's audio output, an individual who is blind voted unassisted and in secrecy for the first time since she lost her vision. A woman who has quadriplegia and who controls her motorized wheelchair using a chin control operated the touch screen voting equipment by using her mouth stick. She too voted privately and unassisted. People who do not have significant disabilities might take for granted their right to cast an independent, secret ballot. However, for those with disabilities who historically have had to reveal their ballot selections to an assistant in order to vote, or for blind people who must trust that readers who marked their ballots did so according to their wishes, the new voting technology affords a dramatic citizenship advance.

The Voting Modernization Board has the authority to ensure that voters with disabilities can cast their ballots independently and in privacy like other California voters. We urge the Board to require that recipients of Proposition 41 funds ensure that each polling place in their jurisdiction have at least one

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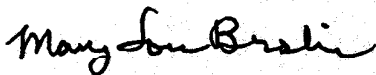


voting machine that can be used by people with physical disabilities and visual impairments. Equipment must afford features that ensure that individuals with disabilities can vote secretly, and as independently as possible based on available technology.

We further urge that Proposition 41 funds be conditioned on requirements that counties develop and maintain an infrastructure that ensures that voters with disabilities can actually use the voting equipment provided for them. By infrastructure we mean that, at a minimum, poll workers should be trained in the various ways the equipment can be used by voters with disabilities, and that a special county-wide telephone number be provided that links to trained personnel who will be available to assist voters with disabilities if they encounter problems in voting.

The decisions you make now will strongly influence whether or not the right of California voters with disabilities to participate in the voting process independently and privately is guaranteed. Before making any final decisions concerning the distribution of Proposition 41 funds, please take the time to understand accessibility issues as they relate to voting equipment and the impact your decisions will have on the citizenship rights of people with disabilities in California for years to come.

Respectfully submitted,



Mary Lou Breslin  
Senior Policy Advisor

cc: John Mott-Smith, Chief of the Elections Division