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To: <HAVATF@elections.state.ny.us>
CC:
Date: 5/11/2009 10:47 AM
Subject: Input RE: HAVA Implementation Plan

I respectfully submit the following remarks for consideration by the HAVA Task Force as it addresses amending the New York State HAVA Implementation Plan:

The November 2008 election revealed a number of fundamental problems directly related to the training of poll inspectors as well as voter outreach and education efforts. The issues identified have a direct impact upon the ability of citizens with disabilities to fully exercise their civil rights as they pertain to the right to vote.

With regard to poll inspector training, Nassau County voters with disabilities, along with voters with disabilities across the state, reported incidents and circumstances clearly indicative of severe gaps in poll inspector knowledge about Ballot Marking Device (BMD) set-up, operation, and problem solving. Problematic circumstances observed included:

*Placement of voting machines in such a way that they were not visible as a voting option
*Placement of voting machines in areas segregated from the mainstream of voting activity
*Placement of voting machines adjacent to doorways, thereby infringing on voter privacy
*Poll inspector responses to voters requesting use of BMD's included the statement that "it would take anywhere from 20 to 40 minutes to vote on the machine." (It should be noted that this statement was common not only in Nassau County, but in various districts throughout New York State.)
*General inability of poll inspectors to set-up and operate the technology, along with outright unwillingness to do so.

Clearly, these examples illustrate that poll inspector training must undergo vast and comprehensive improvement. Direct HANDS-ON training for EACH inspector in the set-up and operation of voter technology, with an additional emphasis on (at least) basic troubleshooting. Enhancement of the poll inspector training manual, to include disability awareness guidance and instruction, along with appropriate sections to address voter technology would certainly help to facilitate improved training efforts. For the best possible results, organizations and groups familiar with voter technology and disability should be directly involved, not only in the revisions to training materials, but they should also be part of the teams that train not only poll inspectors, but those who train the poll inspectors.

Additionally, it seems that considerable efforts must be made to move away from the label that has become attached to any discussion of voter technology -- that is -- reference to voting machines as "the disabled machine". New voter technology is designed for all voters, non-disabled and disabled alike. It is not for the restricted use of persons with disabilities and thus, should not be referred to with such restrictive terminology. This issue must be resolved as a part of both poll inspector training and public education initiatives. Such efforts will serve to eliminate any segregation of voters with disabilities, precisely as is

required under HAVA.

Finally, the issue of barrier removal at polling sites must finally be addressed with vigor and efficiency. Reports of inaccessibility at poll sites continue to impede the ability of New Yorkers to cast their ballots. Lack of ramps or the presence of insufficient, unsafe ramps, inaccessible door hardware, blocked paths of travel, locked doors and insufficient and confusing signage only begin to scratch the surface of this pervasive problem.

Thank you for taking the time to consider the above recommendations for the HAVA Implementation Plan. I am confident that the efforts of the Task force will result in a Plan that represents the civil rights of all New Yorkers, including those with disabilities.

Very truly yours,

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