

**Independent, Secret and Verifiable:  
A Guide to Making Voting an  
Independent and Accessible Process  
for People Who Are Blind and Visually  
Impaired  
Prepared by the American Council of the  
Blind  
September 2002**

**BARRIERS TO VOTING IN A  
PRIVATE, INDEPENDENT AND  
VERIFIABLE MANNER  
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**Introduction**

There are a number of barriers that inhibit an increase in the number of blind and visually impaired voters who are able to cast their votes in a private, independent, and verifiable manner. The objectives of this section will be to identify these barriers and discuss how they may be overcome.

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**(1) Lack of Accessible Voting Systems**

Many blind and visually impaired individuals do not desire to vote unless they can do so in a way that will enable them to vote privately and independently. Some do not trust a system under which they must rely upon another person to ensure that their vote is cast in

the manner they desire. Others just don't want to put up with the indignity of such an arrangement. It is ACB's goal to bring about an end to the choice between relying upon the assistance of a friend, relative, or election worker, and not casting a vote.

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## **(2) Apathy**

Just as with the public at large, many blind and visually impaired citizens do not realize the importance of exercising their right to vote. The right to elect those whom we desire to make our laws is the underpinning of our democratic system. In addition, groups that flex their muscles at the voting booth will be listened to by the federal, state, and local officials who make the decisions that impact all of us. It is, therefore, essential that we persuade our blind and visually impaired friends and acquaintances that they must exercise their right to vote, and pressure federal, state, and local governments to ensure that we have the right to do so in the same private, independent, and verifiable manner already enjoyed by most Americans.

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## **(3) Knowledge**

The lack of knowledge about both our right to cast a secret ballot and the availability of various methods that can enable us to do so is a barrier in two different ways. This lack of knowledge is prevalent both among those of us with visual impairments, as well as among state and local elections officials. We must educate blind and visually impaired people about their right to cast a secret ballot and the various methods that allow us to independently accomplish this task. This educational process must begin at the grassroots level. ACB members can engage in this process in a variety of ways: talking with blind or visually impaired friends and acquaintances on a one-on-one basis, speaking to different types of blindness-related groups, including veterans and seniors organizations and social gatherings, and distributing documents such as this one at every available opportunity. Moreover, even among those blind and visually impaired individuals who are aware of the various methods that make voting accessible to us, there is a certain level of fear about using unknown machines or other types of technology. It is, therefore, crucial that state and local affiliates sponsor demonstrations of accessible voting technologies in order to make both ACB members and non-members alike better informed about the ease of voting using these technologies. In those jurisdictions that have implemented accessible voting systems, whether through the use of direct recording equipment or through other methodologies, evidence indicates that the vast majority of blind and visually impaired persons who have used these systems have been pleased with their ability to vote independently. Although more state and local officials charged with making decisions concerning the voting systems to be used in their states and localities are becoming aware that accessible voting systems for those with visual impairments do exist, many remain unaware of this fact. Furthermore, even among those who have some

knowledge of these technologies, many have the mistaken belief that these systems are far too primitive to be effective or too expensive to be a practical component of their voting system. State and local ACB affiliates must work diligently to inform state and local officials that, based upon existing technology, accessible voting for those with visual impairments can, and indeed should, be a reality implemented in an expeditious manner. A method that has proven successful not only in educating state or local elections officials, but also in educating the blind and visually impaired public, is to persuade these officials to sponsor demonstrations of accessible voting systems. When those officials actually observe us using the accessible voting systems and are also provided with the opportunity to ask questions of both vendors and consumers, skeptical attitudes on the part of these officials are often turned into a desire to attempt to implement these systems. In addition, petitions, letter-writing campaigns, telephone calls, and all of the usual methods of informing public officials of your concerns and desires can be very effective in increasing the potential for positive action with respect to the implementation of these systems. Finally, ACB members must be vigilant concerning any state and local meetings wherein this issue will, or might be, a topic of discussion. Since many states and counties are, or will be, purchasing new voting technology within the next few years, we must not let this window of opportunity slip by because we have failed to monitor these activities until decisions have been made that may preclude or hamper the impacted blind and visually impaired community from achieving the results they desire. When we fail to make our desires known to public officials, we should not be surprised when they respond to us by asserting that they are not aware of our interest in accessible voting. It is up to all of us to ensure that this does not happen.

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## **(4) Product Certification**

In most states, voting machines or other voting systems cannot be purchased until they have been certified by state elections officials. Usually, this official is the Secretary of State. In order to receive certification, a vendor of a product must be able to convince the state that the product meets elections standards and can do what the state deems necessary to ensure that its use will not adversely impact the state's ability to conduct its elections. Currently, only a handful of states have certified systems that permit the casting of secret ballots by those with visual impairments. Even in those states that have certified some accessible systems, few systems are being certified. The certification process is not one which we, as good citizens, should take lightly. Like all voters, we want only those systems that will permit the casting of private, independent, and verifiable ballots. However, as we have discussed, there are a number of available options which states and local governments can use that will achieve this result for those of us with visual impairments. We must, therefore, work to assist vendors of accessible voting systems in their efforts for certification when we believe the product will meet our needs. It is important that we make our views known to state elections officials, either by attendance at certification hearings, or if that is not possible by letter or other means. Our efforts to achieve certification of accessible voting systems would be made far easier to accomplish if the federal government were to adopt mandatory standards requiring that

all voting equipment purchased by state or local governments be accessible. If such federal standards were adopted, states would be permitted to certify only those voting systems accessible to people with visual impairments. Thus, we must urge our United States Congressmen and Senators to enact such standards or, in the alternative, to permit such standards to be adopted by the appropriate federal regulatory agency through promulgation of regulations. In the absence of such federal standards, we must advocate for state requirements under which new voting systems can be certified only if they meet accessibility requirements for people with visual impairments. This can be accomplished through state legislation or, depending upon the state's laws on this matter, by action of the Secretary of State.

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## **(5) Funding**

Whenever we seek to obtain new services from state or local governments, the topic of inadequate funding is a major concern. This is certainly the case with voting systems. However, there are certainly approaches that we can take to attempt to ensure that this obstacle will not prevent us from securing our right to cast a secret ballot.

First, we will continue to seek enactment of a federal grant program that provides funding to states for voting equipment, with requirements that the use of grant funding must be tied to accessible voting systems. It remains to be seen how successful our efforts will be. At this time, it is unclear how much, if any, grant funding Congress will allocate to the states, and to what extent these funds will be tied to voting access requirements for those with disabilities. There are, however, additional funding sources that can be used by state and local governments. One primary example, in those states and counties that have not already committed its use, is monies derived from the recent tobacco settlement litigation, under which every state will be receiving funding for an extended period of time. It is necessary for ACB members in each state to determine whether the use of these funds has already been restricted. If not, ACB affiliates should strongly consider urging that a portion of these funds be used to purchase accessible voting systems. The use of state or local general fund revenues or the levying of special assessments for purposes of obtaining the funds necessary to obtain voting equipment are also potential options. Another strategy that has been used in many places throughout the nation is to urge local governments to take a first step toward greater access by providing a limited number of pilot locations for the placement of accessible voting equipment. This option recognizes the fact that the immediate purchase of accessible voting equipment for every precinct is an expensive proposition, but that immediate action is necessary to begin the process of ultimately permitting all of us with visual impairments to vote at our local polling places. Finally, in addressing the funding issue, there are two important arguments that cannot be overlooked. First, one of the options available to state and local governments is to purchase accessible voting machines that can also be used by all voters. Since states and counties are realizing the need to immediately replace their voting systems, the purchase of accessible systems usable by all voters cannot be said to create a funding burden. Finally, we must remind public officials that we have a right to cast a secret ballot. As

good citizens, we need to work with state and local officials to provide whatever assistance and support we can on issues surrounding the installation of accessible voting systems, but ultimately those officials have the responsibility of ensuring that we have the same capacity to cast a private, independent, and verifiable ballot as do all other voters.

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## **(6) Lack of Access to Election-related Materials**

Voters routinely receive written materials in the mail that are important to their ability to either participate at all or cast educated votes. Voters are frequently unaware of the holding of elections other than statewide primary or general elections. For example, special elections to fill vacant positions, bond acts, and other types of elections are often held at times other than during the primary or general elections. In order to make voters aware of these elections, some local jurisdictions will mail election notices to voters. Obviously, these notices are not in a format that is accessible to many blind and visually impaired voters. States and many local jurisdictions also provide voter pamphlets as sample ballots that inform voters about those items on the ballot and provide them with a sample ballot to fill out in order to select their choices prior to going into the voting booth. These documents are viewed by most voters as an integral part of the election process, yet in most states those of us with visual impairments have little, if any, access to these materials. There are a number of methods for making these materials accessible to those with visual impairments. First, election officials can routinely mail out tapes, large print, or other versions of such materials to those voters on a list retained by those officials. In addition, these materials may be distributed to entities such as regional libraries or rehabilitation agencies, for distribution to people with visual impairments who request them. These materials may also be placed on telephonic systems available to blind and visually impaired individuals in areas where those systems exist, or on Internet web sites often used by blind and visually impaired people. This list of remedies is not meant to be an exhaustive one, but merely to illustrate some of the methods by which this barrier to voting may be overcome.

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## **(7) Transportation**

Many low-income individuals fail to vote because of an absence of transportation to and from the voting place. For those with visual impairments, many of whom are on fixed incomes, this unavailability of affordable or convenient transportation may present a serious barrier to voting even after accessible voting systems become available. However, there are methods for overcoming this obstacle. First, both major political parties are willing to do whatever is necessary to get their voters to the polls, and this includes the provision of transportation. If we contact the local office of our political party or a candidate's campaign office, we can usually be guaranteed a ride to and from the polls. Secondly, a growing number of jurisdictions have opted to open certain precincts, such as

the Office of the Registrar of Voters, prior to Election Day. Frequently, these polling places are open for a week or more. This practice provides us with an enhanced opportunity to make arrangements for transportation. Moreover, when a local government is providing accessible voting equipment only at selected pilot locations, it becomes even more important that we urge that these locations be opened prior to Election Day. For example, in two California counties, Los Angeles and Alameda, accessible locations were established at pilot sites for the November 2000 election. In both instances, voting was permitted at these sites approximately two weeks prior to Election Day.

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## **Conclusion**

It will not be an easy task to enable all Americans with visual impairments to vote independently. However, we will be successful in accomplishing this task if we have the will to do so. ACB members must work in every state to ensure that state and local officials will take the actions necessary to permit all of us to cast a private, independent, and verifiable ballot.