

POLLING PLACE ACCESSIBILITY: The Recommendations

Permanent Remedies

Permanent remedies to polling place access are generally more desirable because they will continue to provide access for all community members in typically public spaces every day of the year, rather than just on Election Day. These can include: installing a permanent ramp, installing power assisted “push button” doors, installing or repairing an elevator, widening entryways, repairing broken sidewalks, adding curb cuts to sidewalks, paving or repaving parking areas, repainting parking areas to include accessible parking spaces, and/or adding permanent signage for accessible parking spaces and paths of travel. The cost of permanent remedies can be met by the location serving as a polling place or the election authority for that jurisdiction.

Temporary Remedies

Temporary remedies to polling places should be used if permanent fixes are not feasible. Although not designed to be permanent solutions, the following tools can be used to provide remedies on Election Day to improve accessibility. These tools can often be found in local hardware and home improvement stores or online for reasonable cost.

Parking

If a polling place does not have any designated accessible parking, election officials, volunteers, or poll workers can either paint boundary lines, place traffic cones, or use tape to mark off boundary lines for accessible parking. In other words, if parking is available at the polling place, accessible parking must be available and can be “created” at minimum cost.

To be ADA-compliant, accessible parking spaces must also have designated signage, and temporary signs can be made with little effort. Elections staff can paint a sign using poster board or cardboard with the international symbol of accessibility and tape it on a pole (if located in front of the accessible parking spot) or place the sign on a cone in front of the parking space. If the parking space is specifically for lift or ramp equipped van accessible parking, the sign must include the words “Van Accessible” somewhere as well.

Ramps

If polling places have stairs with no available ramps, temporary ramps with edge protection can often make the location accessible. Ramps can provide access to sidewalks and building entrances. However, it is important to remember that portable

ramps that are not permanently connected to the structure and without handrails cannot be used if the vertical rise is greater than six inches. Ramps with a vertical rise greater than six inches must have handrails.

Wedge ramps can also give access to people if thresholds are too high and if there are slight changes in level, such as big cracks in the sidewalks. Rubberized mats can also provide access over broken pavement that creates inaccessible surface changes, as well as over thresholds that exceed the one half inch ADA standards.

Doors

Many door handles are not accessible. If doorways do not have automatic door openers, doors should be openable by using one hand and should not require tight grasping, pinching, or twisting of the wrist. If this is the case, polling places can use “retro-fitted lever knobs.” These retrofitted levers fit over existing round knobs. However if this is not an option, polling places can prop open doors on Election Day. Standard doorstops can be used to achieve this as well.

Water Fountains and Protruding Objects

Hallways at polling places might not always be fully accessible. For example, water fountains, fire extinguisher boxes, and display cases that stick out of the wall are not detectable for people who use white canes. However, election officials can place detectable objects, such as traffic cones or other skirting objects to make these protruding objects detectable for voters who are blind or low vision.

Additional Considerations

The law is clear — all polling places need to be accessible; however, the intent of the ADA is not to close or remotely relocate polling places. Permanent and temporary remedies should be deployed to prevent closure and relocation of polling places to the greatest extent possible.

Relocating Polling Places

If a jurisdiction needs to relocate a polling site, election officials should work with the community to locate the best option. Facilitating communication with the voters and working with community leaders and groups can help find the best solution, can prevent unintended hardship on voters, and can reduce overall costs. Disability rights organizations and people with disabilities, especially if a polling place is being relocated because of ADA concerns, must be brought to the table. P&A agencies can provide a wealth of knowledge and support to jurisdictions seeking to achieve access for all.

Consolidating Polling Places

Consolidation of polling places can be an appropriate remedy in some cases. For example, two polling places in immediate proximity, such as a community's middle school and elementary school, may make sense to combine if one location is significantly more accessible than the other. Of course, the surviving polling place must have the appropriate capacity to take the new influx of voters. Extreme consolidations, i.e. pairing 40 polling places down to two, is typically not recommended unless all 40 polling places were in very close proximity and the remaining two are being used as vote centers – an admittedly unlikely scenario.

"Accessible" Poll Workers

Even the most ideal polling places are only as accessible as the poll workers that run them on Election Day. With minimal training and high expectations for job performance, providing effective and timely accommodation to voters with disabilities can be daunting for polling place staff. Jurisdictions that have the capacity should consider a dedicated poll worker whose mission is to ensure equal access for all at the polls. In other words, every polling place should assign a poll worker whose main Election Day duty is to support voters with disabilities who might be unaware of the accessibility features available to cast a ballot and their rights for accommodation, or who otherwise need assistance. A poll worker with this specialization can also ensure that the polling place is set up to be fully compliant with the ADA and enact any necessary same-day modifications. Although poll workers are frequently in short supply, the "accessible" poll worker can perform regular job functions in addition to serving as a specialist.

"Accessible" Money

Responsibility for ADA-compliance at polling places falls exclusively with the local jurisdictions that are responsible for recruiting and planning polling sites. No elections office with a desire to comply or facing DOJ intervention should be limited by a lack of funding. The federal government must accept its role in providing a continual funding stream to state and local election officials for the purpose of making electoral processes fully accessible. Following the passage of the Help America Vote Act (HAVA), many states received funding to give to jurisdictions to ensure polling place accessibility, and these funds should be fully reinstated.

Congress must also fully fund the Protection and Advocacy for Voter Access (PAVA) program, created by HAVA, the P&As have a federal mandate to “ensure the full participation in the electoral process for individuals with disabilities, including registering to vote, casting a vote and accessing polling places.”ⁱ The PAVA program has had a positive impact on the accessibility of polling places since its creation in 2002. Yet, as a nationwide program, limited funding has restricted the overall positive impact. Since the creation of the PAVA program, overall funding per year has never exceeded \$7 million. Spread currently across 55 P&As, this has limited the amount of work the PAVA program can do each year.

ⁱ <https://www.congress.gov/107/plaws/publ252/PLAW-107publ252.pdf>