



BAY AREA REGIONAL OFFICE

1330 Broadway, Ste. 500

Oakland, CA 94612

Tel: (510) 267-1200

TTY: (800) 719-5798

Toll Free: (800) 776-5746

Fax: (510) 267-1201

www.disabilityrightscalifornia.org

**Testimony of Disability Rights California
Joint Oversight Hearing: Senate Committee on Elections and
Constitutional Amendments & Assembly Committee on
Elections and Redistricting - May 27, 2015**

**Subject: Colorado Model of Elections: Report from California
Observers**

Disability Rights California (DRC) is an independent, non-profit, statewide organization that advances and protects the rights of Californians with disabilities. Under the Help America Vote Act (HAVA), DRC is charged with ensuring “the full participation in the electoral process for individuals with disabilities, including registering to vote, casting a vote and accessing polling places.”

Currently, California allows voters to choose to vote by mail. For people with disabilities, this allows those who find voting by mail most accessible to vote by mail and allows others to vote privately and independently at a polling location if they need an accessible voting system. Maintaining this option is essential to preserving the right to a private and independent vote.

It is our understanding that a bill is being amended (SB 450, Allen) to make some elections vote-by-mail (VBM) only. The bill includes provisions for vote centers where people could register to vote, turn in their VBM ballot or cast a ballot. Our concern is that travel can be a serious obstacle for people with disabilities to get to vote centers. In order to ensure travel is not an obstacle, among other things, there needs to be numerous vote centers, fully accessible with multiple accessible voting systems.

To preserve the right to a private and independent vote, “one-size-fits-all” will not work in a state with 58 diverse counties from urban metropolises of Los Angeles and San Francisco to rural areas such as Nevada and Butte Counties. The proposed bill amendments require county election officials to meet with stakeholders from the disability community to tell them about the accessibility of the new election system. We believe counties must first convene stakeholders to determine how best to meet the needs of voters with disabilities rather than telling them about a “done-deal.”

There are options counties can consider to ensure voters with disabilities can vote privately and independently in VBM elections. Listed below are a few possible options.

Careful Selection of Vote Center Locations – The proposed amendments to the bill require a vote center for every 15,000 voters (5,000 more than in the San Diego pilot), which may work in dense population areas such as San Francisco or Los Angeles but is problematic in rural areas. The layout of the county should determine placement.

Mobile Polling Sites – It is our understanding that Denver County brings accessible tablets to voters with disabilities who cannot get to vote centers. No such program is proposed in California. A similar proposal would allow accessibility for rural voters and ensure mobile polling sites have accessible voting systems. Mobile polling sites could be on an appointment basis or at scheduled times in specific locations in the county.

E-mailed Ballots – Many voters with disabilities could vote privately and independently if an accessible ballot were e-mailed to them. This is not Internet voting. The voter would mark the ballot on their computer, print it, and mail it to the county election official. The State of Maryland, pursuant to a federal court order, uses an online ballot marking tool so voters with disabilities can mark their “absentee ballot.”

It is crucial that people with disabilities have an opportunity to vote privately and independently, just like any other voter. In fact it is the law. Any VBM election must ensure provisions are in place so voters with disabilities can independently and privately mark and cast a ballot.

Thank you.