



Improving Technology Tools for Voters with Disabilities

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Note: Some in the disability community prefer to use identity-first language while others prefer person-first language. As such, in this white paper, the terms are used interchangeably.

While the situation has improved over recent decades, people with disabilities continue to face significant obstacles to voting. A recent survey by Rutgers University with support from the Election Assistance Commission found that "[a]bout one in nine voters with disabilities encountered difficulties voting in 2020. This is double the rate of people without disabilities."

For people with disabilities, getting to polling places can be difficult, and once there, many find the locations and machinery tough to negotiate, despite Americans with Disabilities Act requirements. Some face challenges filling out paper ballots, and "accessible" machines are oftentimes anything but. The established process to enable disabled people to vote can be unfamiliar, cumbersome, time consuming, and frustrating for all involved.

Furthermore, when a voter requires assistance to cast their ballot, it means they are forced to forfeit their rights to vote privately and independently – and the COVID-19 pandemic added a layer of safety concerns in these circumstances.

All these barriers and more contribute to lower participation among voters with disabilities.

To improve the situation, as one of his first acts in office, President Joe Biden issued Executive Order (EO) 14019 on Promoting Access to Voting, which states, "People with disabilities continue to face barriers to voting and are denied legally

required accommodations in exercising their fundamental rights and the ability to vote privately and independently."² The EO charges the National Institute of Standards and Technology (NIST) to, among other things, analyze those barriers.

While this is happening at the federal level, state and local governments should also consider ways to improve accessibility, ensure compliance with the ADA, and meet current Web Content Accessibility Guidelines (WCAG).

Why? States should embrace suffrage that is equally accessible, because it is the very backbone of our democracy. Secondly, they should ensure voting accessibility because those falling short are increasingly coming under scrutiny by advocacy groups and being targeted by attorneys who specialize in and seek out ADA compliance lawsuits. Lastly, the time is ripe as many states are examining their aged systems and considering technological upgrades. Modernization efforts provide ideal opportunities to incorporate software to make the entire spectrum of voting processes easier for disabled people, from registering to casting one's ballot to checking election night returns.

Relative to technology, a fundamental way states can improve voting accessibility is to ensure that their websites are compatible with the common technology tools and techniques that are already relied upon by people with disabilities, such as keyboard navigation, browser settings, screen readers, text-to-speech, and voice recognition. WAI-ARIA, the Web Accessible Initiative - Rich Internet Applications suite of web standards, should be used to improve content readability for assistive technology and improve the overall user experience for people with disabilities.³

This level of compatibility with assistive technology is especially important for public access portals where constituents register to vote, find user-specific election information, and make updates to their voter registration. These online voter portals are becoming more personalized, automatically tailoring the format and content for each individual based on demographic information and user behavior. As such, these programs ought to accommodate personalization for people with disabilities too, such as automatically meeting contrast standards and scaling to larger font sizes for the visually impaired.

Another way governments can improve the accessibility of their websites is by regularly auditing them, revising the content to be less dense, reducing the number of clicks required to take an action, and publishing HTML text instead of images of text that are not ADA compliant. (For example, if a PDF file of the text of a lengthy

constitutional amendment on a ballot cannot be "read" by assistive technology, and the disabled voter may call the election office for a staff member to read it, or sadly, opt not to vote on the measure.)

Beyond websites, an area that has significant potential for improving accessibility is absentee and mail-in voting. These methods have been steadily growing in popularity among voters, and states saw a massive surge during the pandemic as people sought to reduce their risk of exposure to the coronavirus. The risk was even greater for people with disabilities who could not comply with social distancing guidelines because they rely on public transportation and require close-proximity assistance from poll workers.

Processes for voting absentee and by mail have evolved over time to incorporate new technologies that make it easier for people to vote in the safety and convenience of their homes, which is especially important for disabled people who face the challenges traveling to and voting at poll locations. In several states, voters can apply for an absentee ballot online, view its status, and soon, track it through the mail in real time, which reinforces transparency in the process and, in turn, boosts voter confidence.

On the opposite side of voter-facing tools are the election management tools used by administrators. These systems should support accessibility compliance. For example, the software used to manage poll locations should also be leveraged to catalogue each location's level of accessibility. Some states on the leading edge require poll locations to specify if they meet certain criteria or not, such as reporting if they have ramps, automatically opening doors, and other specified features. Likewise, the software used to manage trainings should be leveraged to ensure poll workers are well versed in ADA compliance. All-too-often, volunteers are not prepared to assist a person with disabilities, which can be the source of frustration, long delays, and official complaints.

Beyond the preceding examples are emerging technologies that could be leveraged to help disabled people with voting processes. For example, voice assist, like Amazon's Alexa and Apple's Siri, could make tasks much easier, especially for those who cannot type on a keyboard and the visually impaired. Imagine the game-changing power of simply saying, "Hey Siri, update my voter registration status," and having one's request fulfilled. Another emerging technology with potential is biometrics that could allow disabled voters to login to secure online portals using facial recognition, fingerprints or other identity validation methods.

While not quite "emerging" one technology that has not been fully embraced in the election space is online voting. While a handful of states allow electronic submission for certain groups of voters, this method has not been widely adopted. There is a litany of reasons why that includes concerns over security, privacy, voter coercion, authentication, and additional work for election administrators. While these are serious considerations, technological advancements and shifting public perceptions will likely one day make electronic voting more widely adopted.

The industry is already seeing it in some cases. One state on the leading edge is currently developing a solution that uses unique keys that are sent with multifactor authentication to allow disabled voters to access their unique ballot. A secure web browser will allow a voter to view their ballot, mark it, and return it securely.

While this type of advancement may be far off for most jurisdictions, there are plenty of existing proven technologies that can be safely and securely deployed to improve voting accessibility for people with disabilities – creating smoother, richer experiences and increasing voter turnout.

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TEAM BIOS

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¹ Source: https://www.eac.gov/sites/default/files/voters/Disability_and_voting_accessibility_in_the_2020_elections_final_report_on_survey_results.pdf

² Source: <https://www.federalregister.gov/documents/2021/03/10/2021-05087/promoting-access-to-voting>

³ Source: <https://www.w3.org/WAI/standards-guidelines/aria/>