

NOV. 7, 2023

ELECTION

Debrief of Election Day monitoring.

Disability Rights Maine

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160 POLLING PLACES

53 OBSERVERS

16 COUNTIES

INTRODUCTION

Disability Rights Maine (DRM) and The Maine League of Women Voters visited 160 polling places from all 16 counties on November 7th, 2023 to record observations on accessibility. Individuals from DRM and The League submitted a survey for each polling location they visited. This survey was assembled by DRM and the majority questions were taken from the Secretary of State's, "Municipal Self Certification Form."¹ In Maine, municipalities are required to answer questions from the 2016 ADA Polling Place Checklist.² Municipalities submit a signed copy to the Secretary of State's Office attesting to the accessibility of their polling places.

Leading up to the election, DRM developed training materials for how to use the survey and provided those materials to both DRM staff and the League volunteers. Additionally, DRM provided a presentation to election observers from the League during their regular training session. The presentation provided instructions on how to complete the survey, including written and visual explanations of potential barriers at polling places in parking areas, walkways, ramps, entrances, and information pertaining to the Accessible Voting System setup.

There were 23 polling locations in which individuals from both DRM and the League visited. In these cases, the observations were consistent.

The 206 completed reports detail accessibility barriers at polling places around the state and the five most commonly observed accessibility barriers are:

1. poorly marked or no marked accessible parking,
2. lack of signage directing voters to the accessible entrance,
3. issues with accessible routes through the polling place,
4. AVS setup lacking privacy and,
5. Other infrastructure related barriers.

¹ <https://www.maine.gov/sos/cec/elec/temp/2010/muniselfcert.doc>

² <https://archive.ada.gov/votingchecklist.htm#toc11>

POSITIVE OBSERVATIONS

Advertising Availability of Accessible Voting System

Observers documented polling places advertising the availability of the AVS to voters. Many polling locations across the state had printed signs displayed stating the AVS was available for voters to use.

Willingness of Poll Workers to Attend to Accessibility

Observations documented that election staff were eager to assist voters. Observers reported throughout the day witnessing poll workers assist voters with disabilities in entering facilities, navigating to the voting area, and getting setup to complete their ballot.

Availability of Items to Assist Voters

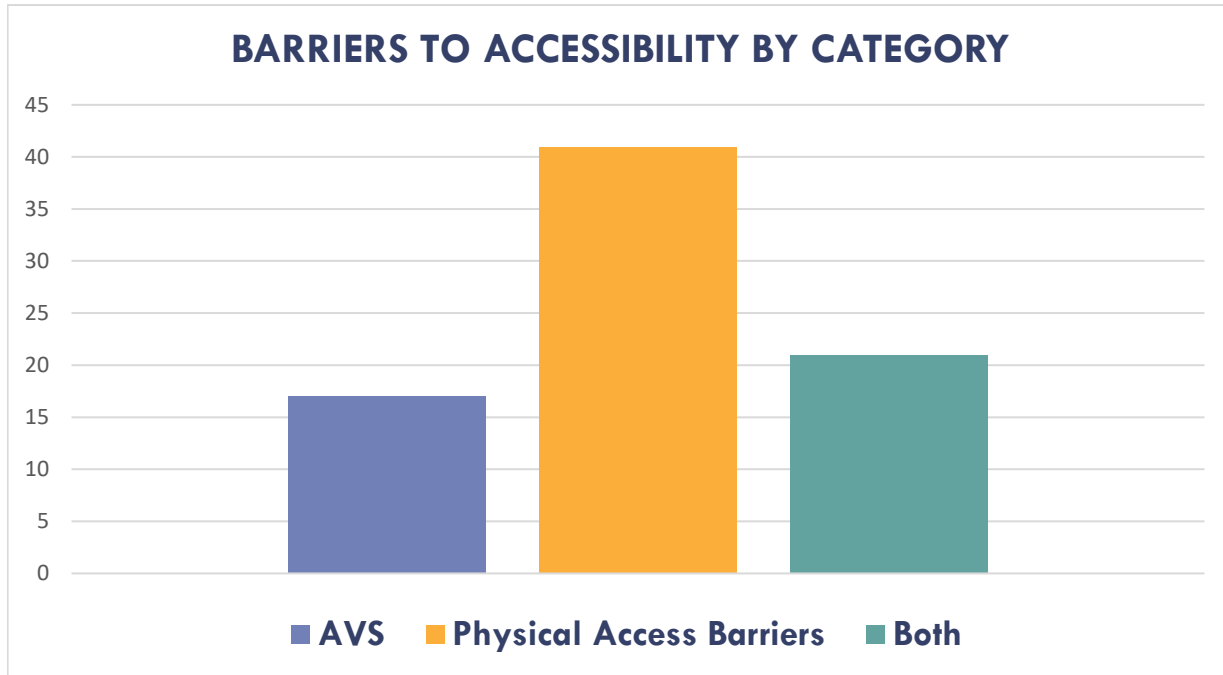
A common occurrence on election day was the availability of assistive devices and helpful features at polling places. For example, one polling location had lamps, magnifiers, and reading glasses available at voting stations. Another location had a poll worker greeting voters and offering wheelchairs and walkers for use throughout the polling place.

Positive Engagement of Election Officials with Observers

Election officials and observers had positive conversations about accessibility. Observers documented that election wardens often greeted them and showed them the accessibility features at the polling place. Where there were barriers in accessibility, election officials were receptive to quick changes such as fixing the position of the AVS or putting out signage for temporary accessible parking.

RESULTS AT-A-GLANCE

Of the 160 polling places visited, 81 were accessible while 79 presented barriers to accessibility.



Of the 79 polling places with barriers to accessibility, 17 polling places had barriers related to the Accessible Voting System (AVS), 41 polling places had physical accessibility barriers, and 21 polling places had both AVS and physical barriers.

COMPARISON: NOV. 2022 ELECTION OBSERVATION

On the November 8th, 2022 election, DRM staff members visited 155 polling places to record general observations on accessibility. While the polling places visited in both years were not exactly the same, the accessibility barriers noted from the statewide 2022 and 2023 elections remained generally consistent with some improvement. Improvements were noted in some places, while the same problems remained in others.

The most significant barriers to polling place accessibility, observed in both 2022 and 2023, were the lack of accessible parking, poorly marked accessible parking, lack of signage to the accessible entrance, lack of signage for the accessible route throughout the polling place, and the Accessible Voting System set up in a manner that did not enable voters to privately cast their ballot.

In 2023, 35 of the 160 polling locations did not provide adequate accessible parking. This was an improvement from the prior year, in which 47 of the 155 polling locations had documented barriers regarding accessible parking due to lack of signage, lack of an access aisle, and the rough or uneven surface area of the parking lot.

In 2023, 6 of the 160 polling locations had no marked accessible parking. In 2022, 9 out of 155 polling locations had no marked accessible parking.

The Accessible Voting System enables voters to independently cast their votes, utilizing a touch screen or keypad. Voters have the ability to make the text larger, change contrast, and have the ballot read to them through headphones. In 2022, five locations did not have the Accessible Voting System readily available for voters. In 2023, two locations corrected this issue and the AVS was setup and ready for voters to use. Another location did not have the AVS out of the bag and an observer noted there was no obvious space where it would be setup. The other two locations were not visited in 2023.

In 2023, 41 of the 160 polling locations did not have the privacy screen around the AVS. In 2022, 44 of the 155 polling locations did not have the privacy screen around the AVS.

ABSENT ACCESSIBLE PARKING

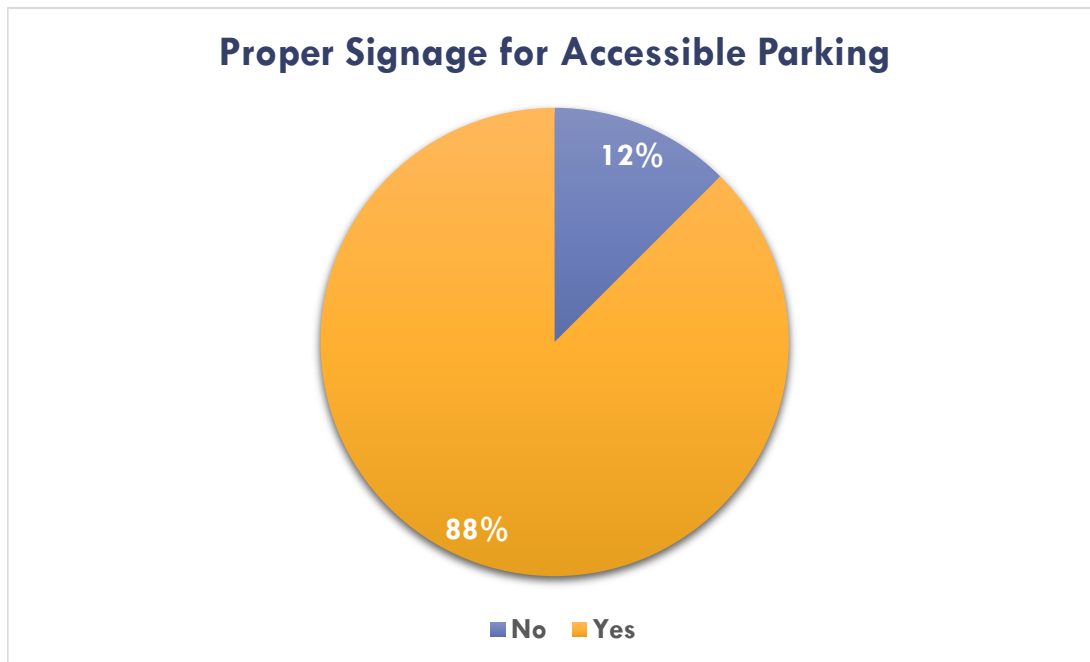
“If parking is provided for voters, accessible parking must be provided for people with disabilities. An accessible space is composed of three elements: the parking space, an access aisle adjacent to the space that is wide enough to allow voters with a mobility disability to get out of their car or van, and signage designating it as an accessible space. The 2010 Standards require one accessible parking space per 25 parking spaces provided (up to the first 100 spaces). One of six (or fraction of six) accessible parking spaces, but always at least one, must be van accessible” (US DOJ).



Of 160 polling locations, 6 had no marked accessible parking.

POORLY MARKED ACCESSIBLE PARKING

“A sign, with the International Symbol of Accessibility, must mark each accessible parking space. Van accessible spaces must be designated as such on the sign at these spaces. Accessible parking spaces and the access aisles serving them must be on a surface that is stable, firm, and slip resistant (e.g., clear of gravel or mud) without wide cracks or broken pavement and located on the closest accessible route to the accessible entrance. The accessible parking spaces and access aisles must also be level to allow a safe transfer from the car to a person's wheelchair” (US DOJ).



20 out of 160 polling locations did not have temporary signage or permanent signs standing at 60 inches to mark accessible parking spaces.

Here are a few examples of the barriers identified:

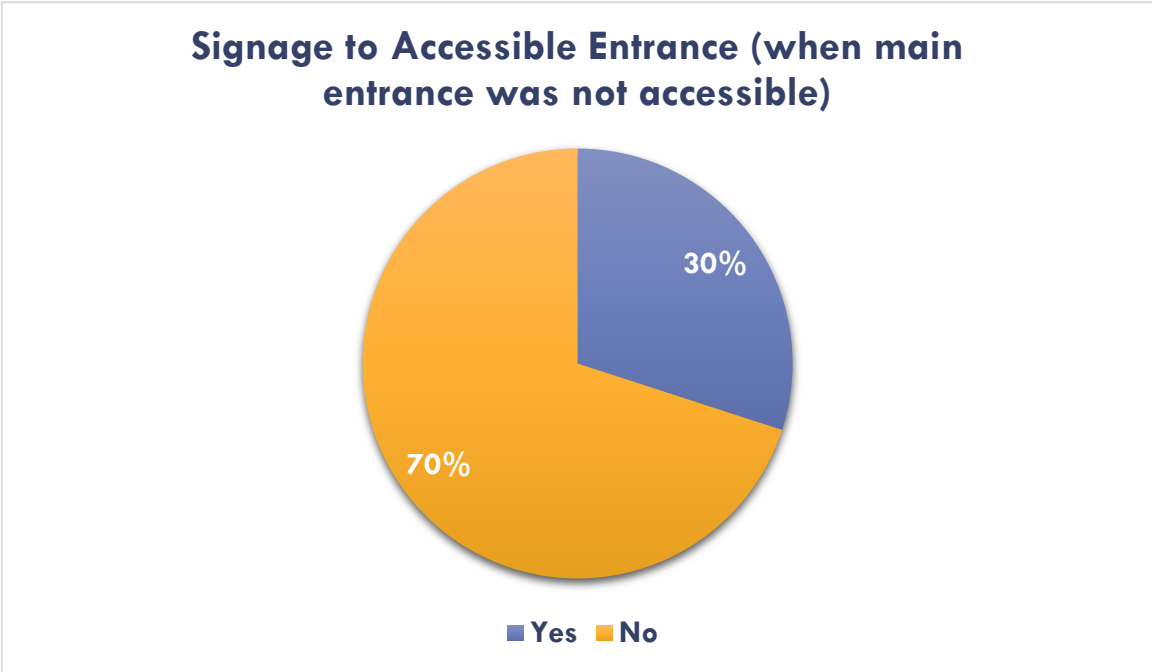
There were accessible parking spaces with no signs. When the observer arrived to the Town Hall, they could not identify the accessible parking until a car left and revealed the blue paint on the pavement.

There was one accessible space with no signage, only paint on the pavement.

No signs for the accessible parking, only paint on the parking spots.

LACK OF SIGNAGE DIRECTING VOTERS TO ACCESSIBLE ENTRANCE

“A polling place must have at least one accessible entrance... Inaccessible entrances must have signs directing voters to the accessible entrance. The accessible entrance must remain unlocked at all times the polling place is open” (US DOJ).



Of the 70 locations in which the main entrance was not accessible, 49 locations failed to provide signage directing voters to the accessible entrance. The examples below detail the difficulty of finding the accessible entrance where there were no permanent or temporary signs.

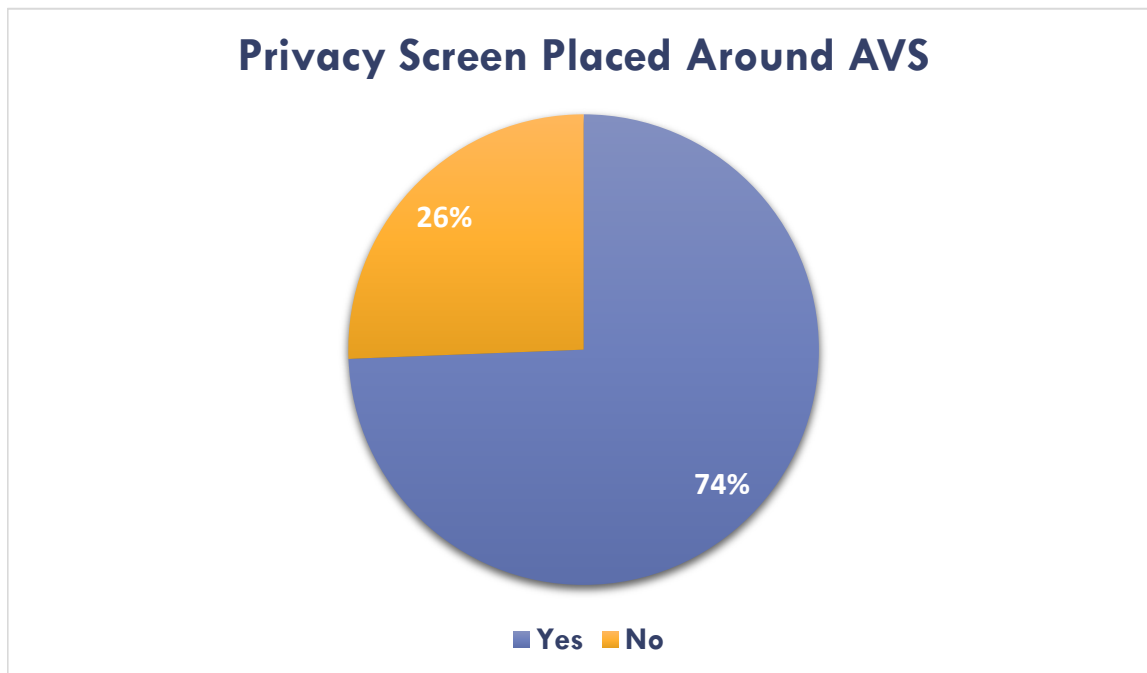
One location had seven doors on front side of the building. Only one of these doors was accessible. There was no signage directing voters to the accessible entrance on the front of the building, the far-right door. The existing signage directed voters to a locked door at the back of the building. The back door did not have signage for the accessible entrance to the voting area and it was a substantial walk from the accessible entrance to the voting area.

The front entrance of the Town Hall sits atop half a dozen steps with no ramp. There was no signage or poll workers outside pointing to the accessible entrance. The only accessible entrance was the unmarked exit door for voters. This door faced the parking lot and remained closed.

Parking spaces were along the side of the building with a small lot at the back of the building. The main entrance into the facility was at the front of the building, facing the street. The front entrance sat atop a flight of stairs, with no ramp. The accessible entrance was not marked at the facility. The accessible entrance was the exit for voters.

ACCESSIBLE VOTING SYSTEM

The Help America Vote Act (2002) requires at least one Accessible Voting System (AVS) per polling station. HAVA states the AVS must, “be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters” (HAVA).



41 out of 160 polling places did not have the AVS placed in a manner that would enable a voter to privately cast their ballot. In these cases, the screen of the AVS was visible to others in the voting area.

AVS NOT READILY AVAILABLE FOR VOTER USE

One polling place did not have an AVS present. Three polling places did not have the AVS setup.

INFRASTRUCTURE BARRIERS

Examples below are common infrastructure barriers observed at polling places. These examples include: unstable surface of the parking areas, presence of stair lifts, inaccessible door handles, locked accessible entrances, no signage marking the accessible route through the polling place, and push buttons not functioning.

“Accessible parking spaces and the access aisles serving them must be on a surface that is stable, firm, and slip resistant (e.g., clear of gravel or mud) without wide cracks or broken pavement and located on the closest accessible route to the accessible entrance. The accessible parking spaces and access aisles must also be level to allow a safe transfer from the car to a person's wheelchair” (US DOJ).

The parking lot was noted to be made of loose gravel and on a slant.

The observer noted the parking lot would be “unsuitable” for individuals using mobility aids as it was filled with potholes and became slippery in the rain.

“If the voting area is not on the same level as the entrance, there must be an independently operable elevator or lift to provide an accessible route to individuals with disabilities... Chair

or seated lifts found on staircases do not comply with the 2010 Standards as they are not suited for many voters with disabilities, including people who use wheelchairs” (US DOJ).

Voting occurred on the second floor of the building in a large multi-purpose room. The building did not have an elevator. There was a chair lift on the right side of the wall.

Voting took place on the second floor of the town hall. There was no elevator, only a chair lift provided to get to the voting area.

“Door hardware must be usable with one hand without tight grasping, pinching, or twisting of the wrist, so that it is operable by someone with limited mobility in their hands” (US DOJ).”

There was not a separate accessible entrance. The door to enter the facility had a thumb piece on it, requiring an individual to grasp the handle, press their thumb down, and pull, to enter.

Voting took place in the gym. An observer noted the doors used for voting were heavy and there was no push button. At one point, an individual using a wheelchair was caught outside in the rain because they were not able to open the doors themselves.

“The accessible entrance must remain unlocked at all times the polling place is open” (US DOJ).

The door into the voting facility was locked from the outside. Voters had to knock loudly or wait for a person to exit in order to get inside. The observer noted that from the inside, the door was heavy and required “a substantial push” to open. As the door had no window on it, there was a risk of individuals waiting outside getting hit with the door if a person opened it with sudden force.

The accessible entrance was locked to the outside with a sign stating individuals must enter through a separate side door to vote. The observer noted this was the only sign stating where to enter the voting place, and it was taped to the locked door at the top of a ramp. The observer shared their concern that due to the small size of the landing, individuals could struggle to turn around and descend the ramp, without falling down the adjacent set of stairs.

“Inside the polling place, there must be an accessible route from the entrance through hallways, corridors, and interior rooms leading to the voting area. The route must be free of

abrupt changes in level, steps, high thresholds, or steeply sloped walkways. The accessible route is essential for people who have difficulty walking or who use wheelchairs or other mobility devices to get into the polling place and to the voting area. Where an accessible route is different from the general circulation path, signs will be needed to direct voters with disabilities to the accessible route and to the voting area” (US DOJ).

The marked path to exit the facility ended at a doorway with four steps to the pavement. Voters needing a ramp would have needed to walk back through the voting area.

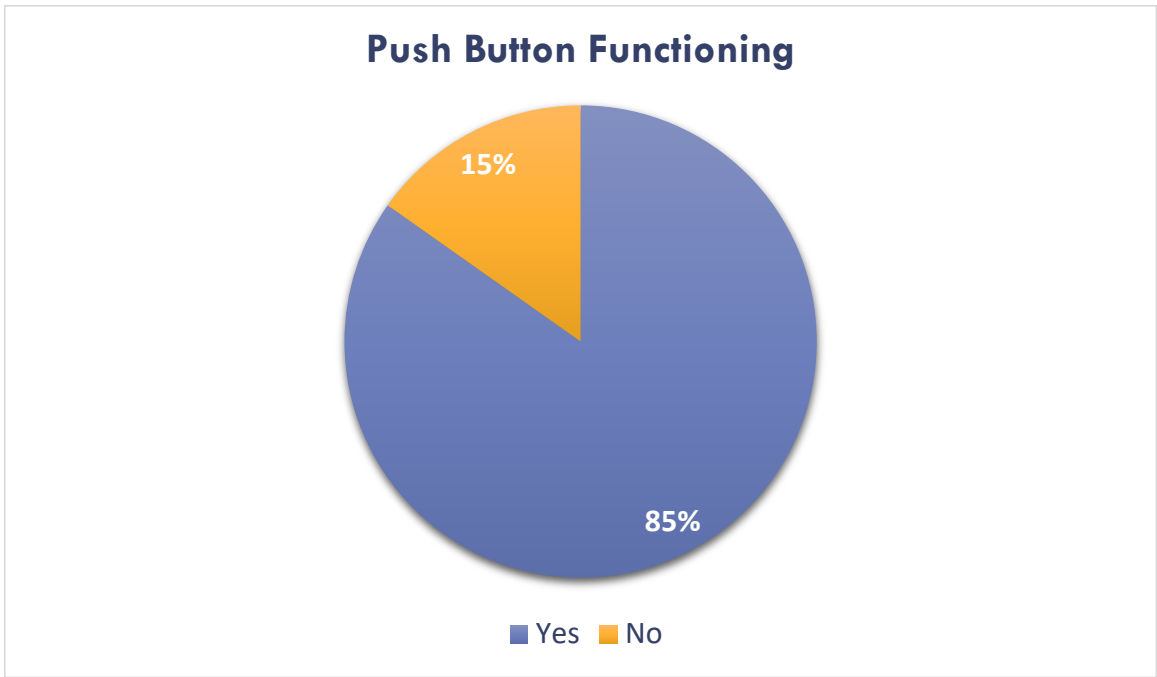
There was a sign advertising the AVS, however; this sign was taped on the main door. Not on the accessible entrance. The button to call the elevator was not clearly marked. The button was on a wall, behind the elevator.

Upon entering the polling site, the observer documented walking onto a stair landing. Directly ahead were stairs to walk down to the voting area. The observer did not see signage for the accessible route. After looking around the polling site, they went through an unmarked door to find the elevator.

Signs outside directed voters to an elevator. Once in the building and in the elevator, there were no signs directing individuals to the voting area.

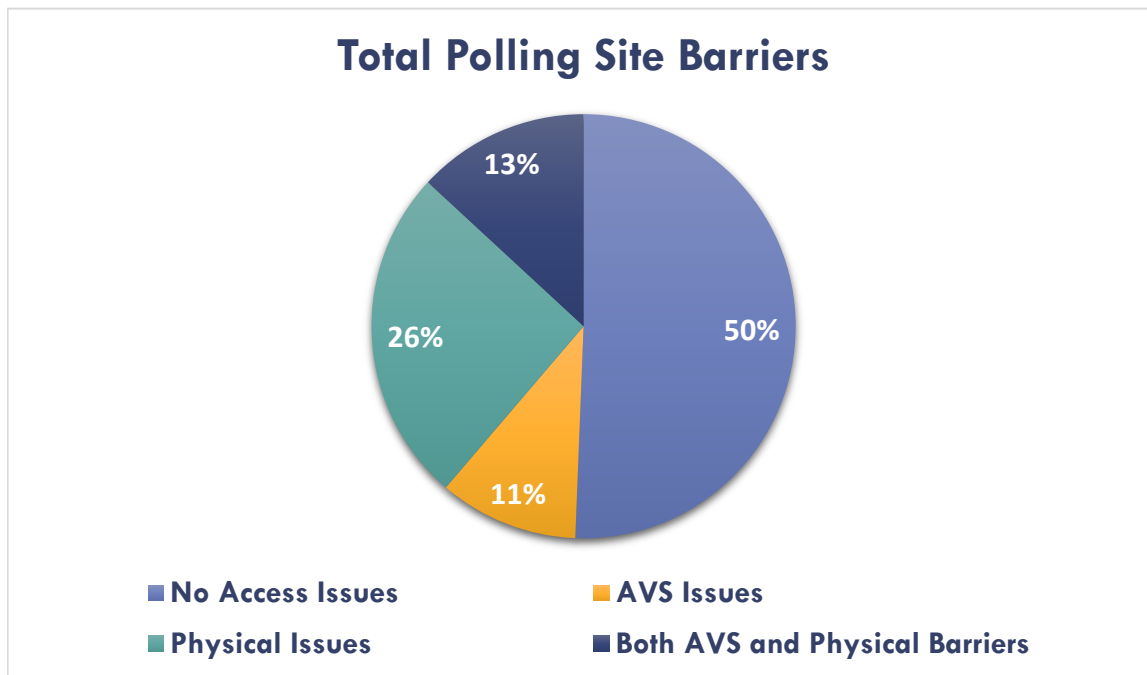
Voters entered and exited the facility through two specific doors at the top of one step, but only one door was accessible. The door to enter had a temporary ramp setup. Voters who needed to utilize a ramp upon exiting, had to duck under a rope in the entryway and walk against the flow of traffic out the entrance. An observer noted four voters with mobility aids who struggled to exit the facility.

The accessible entrance was being used as the exit for voters. Voters needing to utilize the accessible entrance had to proceed through the exit of the polling place and navigate around the voting area to the check-in tables.

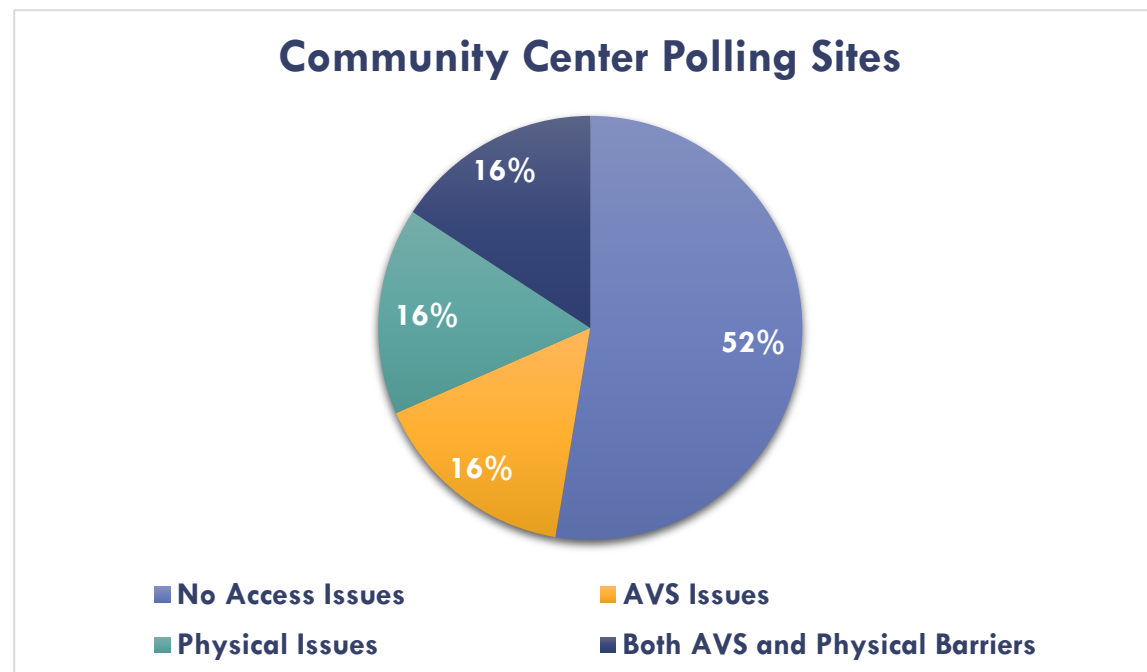


46 polling locations had push buttons on the doors. 7 of the 46 push buttons failed to open the doors.

BARRIERS BY POLLING PLACE TYPE

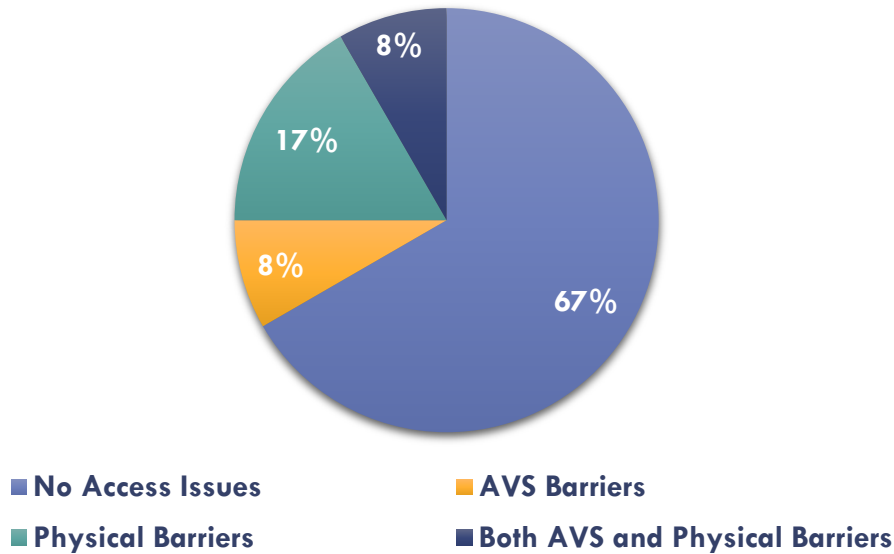


Of the 160 total polling places visited: 81 had no access barriers, 41 had physical barriers only, 17 had AVS barriers only, and 21 had both AVS and physical barriers.



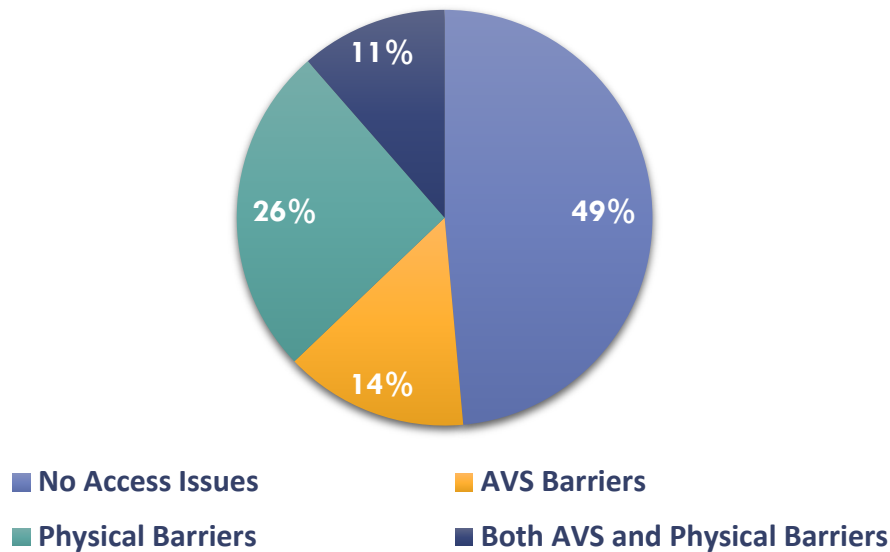
Of the 21 polling places at community centers: 10 had no access barriers, 5 had only physical barriers, 3 had only AVS barriers, 3 had both AVS and physical barriers.

Fire Station Polling Sites



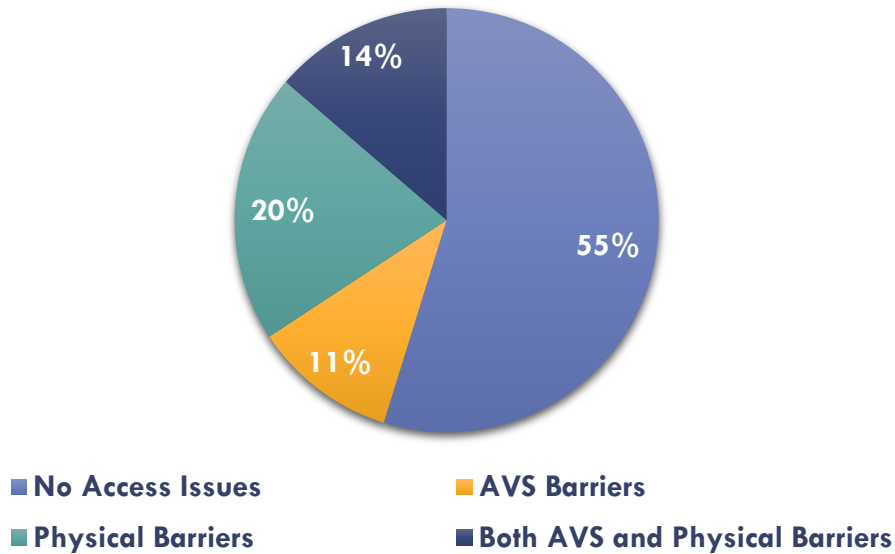
Of the 12 polling places at fire stations: 8 had no access barriers, 2 had only physical barriers, 1 had only AVS barriers, 1 had both AVS and physical barriers.

School Polling Sites



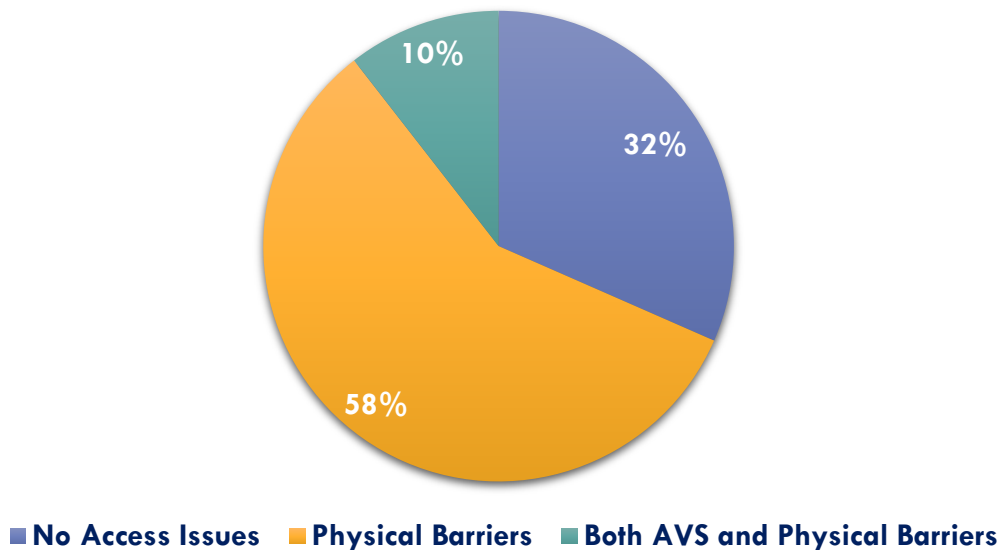
Of the 35 polling places at schools: 17 had no access barriers, 9 had only physical access barriers, 5 had only AVS barriers, and 4 had both AVS and physical access barriers.

Town Hall/Office Polling Sites



Of the 73 polling places at town halls/offices: 40 had no access barriers, 15 had only physical barriers, 8 had only AVS barriers, 10 had both AVS and physical barriers.

Other Polling Sites



Of the 19 other polling sites: 6 had no access barriers, 11 had only physical barriers, 0 had only AVS barriers, and 2 had both AVS and physical barriers.

APPENDIX

POLLING PLACE SURVEY

It should take you approximately 15-20 minutes at each polling place to complete the survey. The series of questions follow the route through a polling place: parking area, sidewalks and walkways, ramps (if applicable), exterior entrance, interior route to the polling place, the voting area, and the route to exit the polling place. There is space at the end of the survey to include other observations and notes. If you have conversations with voters or election officials, please include these notes at the end.

* 1. NAME (FIRST AND LAST)

* 2. ORGANIZATION

* 3. TOWN/CITY AND LOCATION OF POLLING PLACE (EX: PORTLAND, EAST END SCHOOL)

PARKING AREA

4. Is parking available?

- Off-street
- On-street
- Both

5. Is any accessible parking identified?

- Yes
- No

6. Does each accessible parking space have signage?

- Yes
- No

7. Is the surface of the parking area stable, firm and slip resistant? Please describe

8. Are all accessible parking spaces and access aisles relatively level in all directions?

- Yes
- No

SIDEWALKS AND WALKWAYS

Note: "detectable objects" are objects that would impede the path of individuals. Examples of these from past polling site visits are a-frame signs placed in walkways and sandbags used to prop open doors.

9. Are all sidewalks and pathways from the parking area to the entrance free from detectable objects?

- Yes
- No

10. If the route to the entrance crosses a curb, is a curb ramp provided?

- Yes
- No

11. Is there signage to indicate the route to the accessible entrance?

- Yes
- No

RAMPS

12. Does the entrance have a ramp?

- Yes
- No

13. If the vertical rise appears more than six inches, are handrails present?

- Yes
- No
- Not applicable

14. Are the handrails "grippable" and stable within fittings?

- Yes
- No
- Not applicable

ENTRANCE

15. Does the door have a push button?

- Yes
- No

16. Is the push button functioning? (When the push button is pressed, the door should open to a 90-degree angle and remain open for more than 5 seconds.)

- Yes
- No

17. Does the door have an accessible handle? (An accessible handle is lever handle, pull handle, or push bar. An inaccessible handle is a knob that requires you to twist and pull.)

- Yes
- No

18. Does average force open the door? (This is relative to each person. Please note if the door is jammed, sticks, or requires extra force to open I.E. putting your shoulder into it.)

- Yes
- No

INTERIOR ROUTE TO POLLING PLACE

19. Is the path from the entrance to the voting area free from detectable objects?

- Yes
- No

20. Do you pass through another doorway to enter the voting area?

- Yes
- No

21. If answered YES to the previous question, please explain whether any accessibility problems are present? (Obstructions in the doorway or push-button problems.)

VOTING AREA

22. Are interior floor surfaces relatively level and free from abrupt level changes?

- Yes
- No

23. Is the Accessible Voting System (AVS) placed in the voting area?

- Yes
- No

24. Does the AVS appear to be placed on a table that is at an accessible height? (An accessible height for a table is between 28-34 inches. Please note if the table appears to be in this range, or if it seems particularly low or high to the floor.)

25. Is there a privacy screen around the AVS?

- Yes
- No

26. Is the AVS plugged in and functional?

- Yes
- No

27. Is the AVS placed in a manner in which voters utilizing the machine can cast their votes in privacy? Please briefly explain.

EXIT

28. Are there any accessibility problems in the route from the polling place to the building exit? Please explain.

FINAL COMMENTS

If you have any comments or observations please write them here.

29. Comments

LOCATIONS VISITED BY COUNTY

Androscoggin: Auburn (City Hall), Auburn (Senior Community Center), Durham, Lewiston (145 Birch Street), Lewiston (Armory), Lewiston (Montello Elementary), Lisbon, Mechanic Falls, Poland

Aroostook: Houlton

Cumberland: Bridgton, Brunswick, Cape Elizabeth, Cumberland, Freeport (High School), Gorham (Great Falls Elementary), Gorham (Middle School), Gorham (Municipal Center), Gray, Harpswell, Harrison, Naples, New Gloucester, Pownal, Portland (East End Elementary), Portland (Merrill Auditorium), Portland (Reiche Elementary School), Portland (Exposition Center), Portland (Woodfords Club), Portland (Italian Heritage Center), Portland (St. Pius Church), Portland (First Baptist Church), Portland (Deering High School), Portland (Grace Baptist Church), Raymond, Scarborough, Sebago (Frye Island), Sebago (Town Hall), South Portland (21 Nelson Drive Community Center), South Portland (American Legion Post 35), South Portland (Boys and Girls Club), South Portland (Red Bank Community Center), Westbrook, Windham, Yarmouth

Franklin: Chesterville

Hancock: Bar Harbor, Bucksport, Ellsworth, Hancock, Lamoine, Orland, Penobscot, Southwest Harbor, Sullivan, Trenton

Kennebec: Farmingdale, Gardiner, Hallowell, Litchfield, Manchester, Monmouth, Pittston, Randolph, Wayne, West Gardiner, Winthrop

Knox: Appleton, Camden, Cushing, Friendship, Hope, Owls Head, Rockland, Rockport, South Thomaston, St. George, Union, Warren

Lincoln: Alna, Boothbay, Boothbay Harbor, Bremen, Bristol, Damariscotta, Dresden, Edgecomb, Nobleboro, South Bristol, Southport, Westport, Whitefield, Wiscasset

Oxford: Andover, Bethel, Brownfield, Canton, Dixfield, Fryeburg, Greenwood, Hanover, Lovell, Mexico, Newry, Oxford, Peru, Rumford, Sweden, West Paris, Woodstock

Penobscot: Bradford, Brewer, Charleston, Hudson, Orrington

Piscataquis: Dover-Foxcroft, Milo

Sagadahoc: Arrowsic, Bath, Bowdoinham, Georgetown, Phippsburg, Topsham, Woolwich

Somerset: Skowhegan

Waldo: Lincolnville

Washington: Machias

York: Acton, Alfred, Biddeford, Buxton, Cornish, Dayton, Hollis, Kennebunk, Kittery, Lebanon, Limerick, Limington, Lyman, Newfield, North Berwick, Parsonsfield, Saco, Sanford (41 Competition Gym), Sanford (Christian Academy), Sanford (Nasson Community Center), Shapleigh, York