

November General Election 2016: Voters with Disabilities Still Blocked from Voting Independently and Privately As the Law Requires

Unfortunately for voters with disabilities, after four years of court-ordered remedies, barriers blocking their access to voting still exist in much the same way that CIDNY has documented since 2003. While some poll site coordinators and some poll workers were aware of the ADA requirements for poll site set up and accommodations and were working to ensure those requirements were met, *78 percent of the sites we surveyed still had barriers*. The New York City Board of Elections and the New York City Department of Education must do better.

All polling sites surveyed during this election were public schools, which are required under the Americans with Disabilities Act (ADA) to provide access for their students, teachers and parents with disabilities. Survey results show repeated problems caused by architectural barriers such as narrow entryways, door lips that are too high, ramps with inadequate landings and/or missing handrails and pathways where concrete or other materials are cracked or broken, which create hazards for voters with disabilities. Most of these barriers are easily remedied with relatively minimum expenditures. Both the New York City Department of Education (NYCDOE) and the New York City Board of Elections (NYCBOE) are responsible by law to ensure that these barriers are remedied and that voters with disabilities can access their polling sites.

Added to the architectural issues at the sites are problems specific to Election Day set up. Our surveyors documented insufficient interior/exterior directional signage, interior access obstructions in front of accessible voting machines or the ADA booth, and poll workers who are still not trained to accommodate people with disabilities. The following is a summary of the barriers we identified. The pictures included below are examples of the issues we documented.

CIDNY teams surveyed a total 64 sites during the November 8, 2016 General Election. Of the 64 sites surveyed only 14, or 22 percent, were without barriers.

November 8 General Election

	No. of Sites with Barriers	% Barriers
Ramps	14	22%
Exterior/ Interior Signage	16	25%
Entryways/Pathways	29	45%
Interior Access*	20	31%
No. of Sites with Barriers**	50	78%
No. of Sites without Barriers	14	22%
Total No. of Sites Surveyed	64	

** Interior access barriers include insufficient space to access the BMD.*

*** Some polling sites have more than one barrier.*

Ramps

Most of the sites with ramp issues had built-in ramps that did not have adequate landings and/or had ramps with missing handrails. Some of these ramps were in poor condition with broken concrete and lips that were too high. At one site CIDNY surveyors observed a voter who uses a scooter, jockey around several times at all landings to navigate the turns up the ramp and into the polling site. While this voter could navigate, albeit with difficulty, some using manual chairs or who do not have the strength or dexterity to navigate a landing too small would not make it into the site.

A few temporary ramps set up by the NYCBOE did not meet the required ADA standards. At one site a new ramp was going to be put over the existing one which was too steep – leaving the too steep slope intact.

Photo 1: PS 132

This ramp is non-ADA compliant. The lip was 1/5" high and there were several cracks on cemented ramp creating tripping hazards. Also difficult for those using wheelchairs to maneuver around cracks and over lip.



Photo 2: PS 166

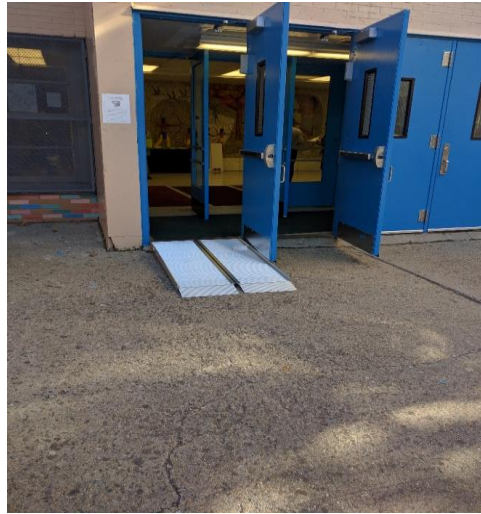
Slope of ramp too steep and temporary ramp (with worker standing on it) waiting to be installed well into voting hours, leaving site inaccessible for those using wheelchairs. Unclear if new ramp solves slope problem and will fit over the original ramp.



Photo 3: Fiorello La Guardia HS of the Performing Arts - Lip to ramp was 1" high. ADA standard is $\frac{1}{2}$ " so people using wheelchairs can ride over lip and not a tripping hazard for those who are blind or low vision.



Photo 4: PS 282 - Ramp had gap at doorway, ramp was $32\frac{1}{4}$ inches, door was $31\frac{1}{2}$ inches with door latch. ADA standard is 32" to allow those using wheelchairs and scooters to enter.



Entryways/Pathways

Exterior

Several pathways to polling sites had abrupt changes. There were broken sidewalks/curb cuts at pathways to enter the polling site, which poses problems for someone using a wheelchair or a walker. Because most of these breaks in the pathway do not have detectable warnings, they are also tripping hazards for those who are blind or who have low vision.

Photo 5: JHS MO44 - Accessible entrance, with missing curb ramp and unstable board. ADA standard requires curb cut for wheelchair users and those who are blind. Loose board is a tripping hazard.



Photo 6: JHS 56 - Broken, uneven sidewalk at accessible entrance is tripping hazard and creates barrier for someone using wheelchair or scooter.



Photo 7: PS 163

Rummage sale at accessible entry narrows pathway.

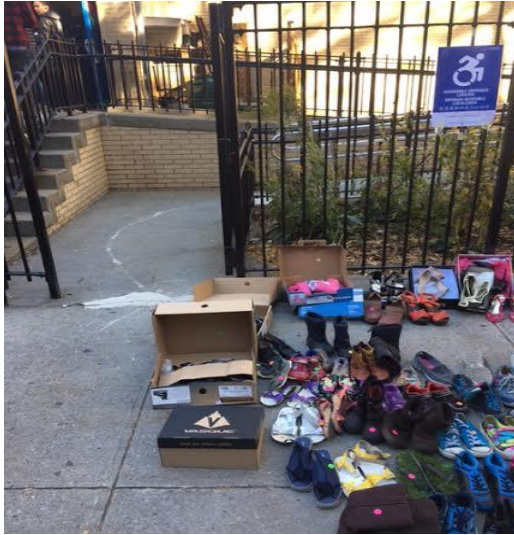
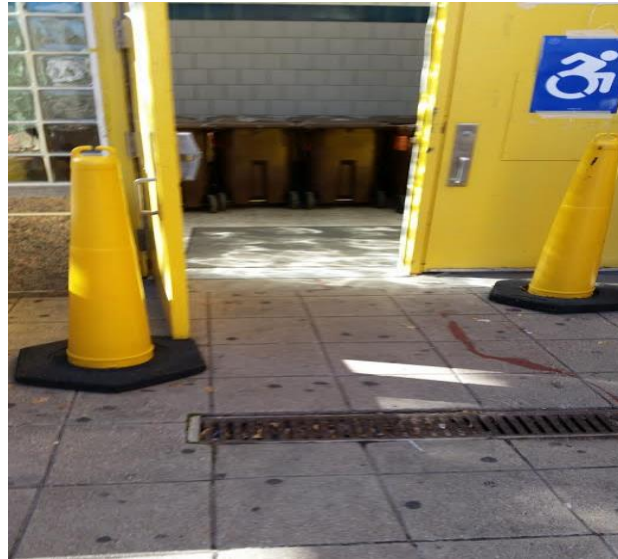


Photo 8: PS 88 - Grid at entrance with ¾ inch

Lip is a tripping hazard and barrier for wheelchair or scooter user. ADA standard is ½ inch. Grid is a tripping hazard for people who are blind or low vision and use canes.



Interior Access

Narrow pathways in voting areas were barriers to access to voting areas and machines. Some materials were left by the schools creating a crowded polling site.

Photo 9:

PS 331 - DOE left equipment in voting area reducing the voting area and adding to crowding.



Photo 10:

PS 38 - DOE equipment left in voting area, reducing voting area.



Photo 11: PS 152

Voting area too crowded, difficult to access
For people using wheelchairs, scooters or walkers.

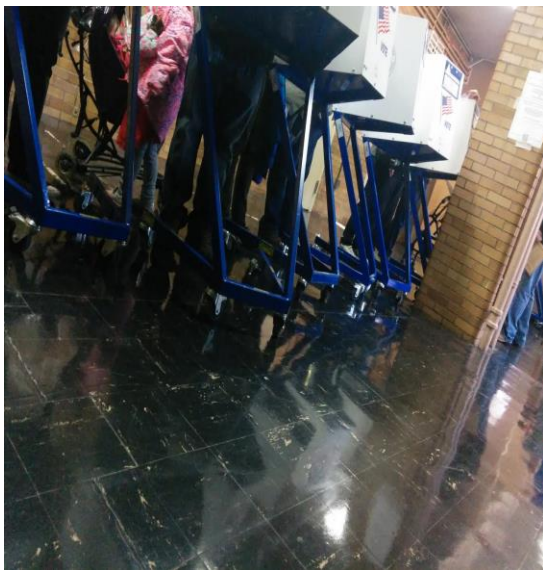


Photo 12: PS 166 – Uncovered cord is a tripping hazard.



BMD Access

Inadequate clearance space for the BMDs allowing voters using wheelchairs to access the machine continues to be a problem. Surveyors also found that some poll workers still did not know how to use the machine. The BMD was not working at several sites. At two of the sites, the BMD was down, at one of the sites this was the result of a paper jam that they had not been able to clear. Difficulties in setting up the BMD still seem to be occurring: one coordinator reported she was given the wrong key so she was unable to open it and at two sites the BMD was turned on, but no one knew how to set it up so a voter who requested to use it was unable to do so.

Photo 13: Fiorello LaGuardia HS – Chairs blocking access to BMD, ADA standard requires 5' clearance for wheelchair users.



Photo 14: PS 87 – Chairs and pizza boxes blocking access to BMD, ADA standard requires 5' clearance for wheelchair users.

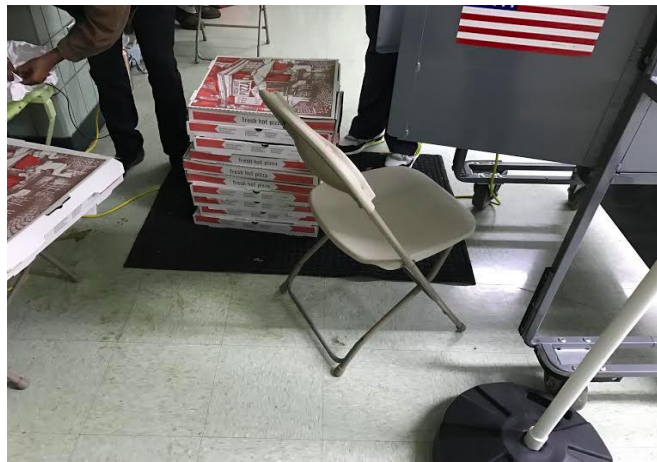
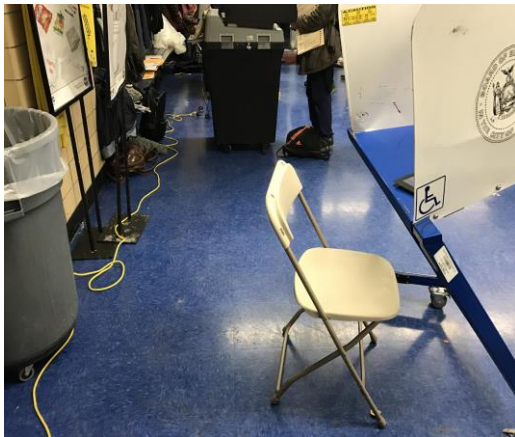


Photo 15: PS 191 – Chair blocking access to ADA Privacy booth and BMD voting machine. ADA standards Require 5' clearance for wheelchair and scooter users to access machines and voting booths.



Doorways

At some sites, entry doors did not meet ADA standard width of 32". There were a few sites with obstructions to entryways by items used to prop doors open. Several doors were too heavy to open for those using wheelchairs or those who have dexterity or strength issues. Some were not propped open securely, and did not have a door monitor.

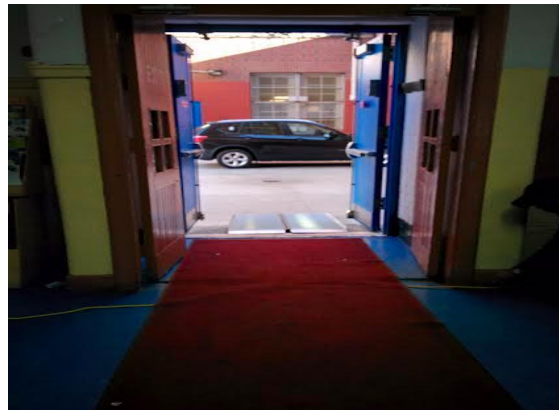
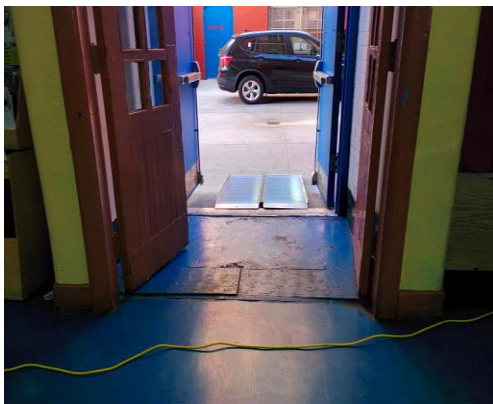
Photo 16: PS 75 – The interior door opening 24" wide, ADA standards require 32". Block used to keep door open is a tripping hazard for those who are low vision or blind.



Photo 17: Fiorello H. LaGuardia HS - doorway measures 30" wide; ADA standard is 32" to allow access to wheelchair and scooter users.



Photo 18 & 19: IS 218 - Cords across entryway created a tripping hazard for those who are blind or low vision and barrier for those using wheelchairs that may get caught up in cord. Was corrected by placing mat over it after surveyors notified coordinator.



Insufficient Signage

There was a lack of appropriate directional signs to the voting area at several of the sites. For those who needed the accessible entrance these signs created confusion and barriers to access.

Photo 20: PS 56 - Directions to accessible entrance entrance located on another street were not legible.



Photo 21: PS 2 – Poorly attached signage, weather was clear, without wind. Sign fell and it was unclear where to go for accessible entrance.



Photo 22 & 23: P.S. 133 - No directional signs on street leading to accessible entrance until at the ramp, then 4 in a row at ramp. ADA requires accessibility signs along the route to the accessible entrance so that voters can be assured of the accessible entrance.



Other

Some of the space issues in the interior voting areas were because of schematics supplied by the NYCBOE did not match the space they found when they arrived, according to poll workers. At one site in Brooklyn, poll workers did not know how to read the schematic and set up the site as best they could. The coordinator at another site complained that the scanners were placed at the far end of the voting room away from the voting area. At yet another site, the coordinator said that the cords they had for the BMD did not reach far enough to allow for the 5' clearance needed from the wall.

At several sites, poll workers did not know how to use the accessibility functions on the BMD and therefore could not help voters who needed them. In some cases, poll workers stood behind voters and watched them fill in ballots or watched them mark their ballots on the BMDs – preventing voters with disabilities from voting privately and independently as is protected by law.

CIDNY Poll Site Survey Summary from 2003-2016

Results of the November 2016 CIDNY surveys mirror results of surveys done since 2003. The November 2016 surveys show that 78 percent still exhibit barriers that render New York City polling sites non-ADA compliant and inaccessible to New York City voters with disabilities.

November 8, 2016	64 Sites Visited, 50 sites or 78% with Barriers
April 19, 2016	58 Sites Visited, 45 sites or 78% with Barriers
November 2015	43* Sites Visited, 37 sites or 88% with Barriers
November 2014	62 Sites Visited, 43 Sites or 69% with Barriers
September 2014	46 Sites Visited, 33 Sites or 72% with Barriers
November 2013	80 Sites Visited, 27 Sites or 66.6% with Barriers
November 2012	132 Sites Visited, 108 Sites or 81.8% with Barriers
September 2012	43 Sites Visited, 37 Sites or 86% with Barriers
November 2011	55 Sites Visited, 46 Sites or 84% with Barriers
November 2010	53 Sites Visited, 40 Sites or 75% with Barriers
September 2010	53 Sites Visited, 42 Sites or 80% with Barriers
November 2009	51 Sites Visited, 43 Sites or 84% with Barriers
November 2008	65 Sites Visited, 54 Sites or 83% with Barriers
September 2008	24 Sites Visited, 21 Sites or 87% with Barriers
November 2007	50 Sites Visited, 42 Sites or 84% with Barriers
November 2006	15 Sites Visited, 15 Sites or 100% with Barriers
November 2005	77 Sites Visited, 57 Sites or 74% with Barriers
November 2004	85 Sites Visited, 52 Sites or 61% with Barriers
September 2004	35 Sites Visited, 15 Sites or 43% with Barriers
March 2004	44 Sites Visited, 30 Sites or 68% with Barriers
November 2003	31 Sites Visited, 14 Sites or 42% with Barriers

*One site was not in operation.

Since 2003, CIDNY has surveyed 1166 polling sites; with an average of 75.4% with barriers.