



University of
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Carsey School of Public Policy



NEW HAMPSHIRE COUNCIL ON
DEVELOPMENTAL DISABILITIES

Master of Arts in Community Development Policy and Practice

The Condition of Voting Accessibility in the Granite State

A Voting System Audit Request

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“Voting is the foundation of our government, our society, and our way of life. Without the right to vote, we have no say in the decisions that affect our lives every day, decisions that range from...educating our children, keeping our air and water clean, caring for the sick, building roads and bridges, responding to natural disasters, to decisions about how we will engage with other countries and cultures around the world.”

- Unknown

Abstract

For this study, the following definitions for disability and accessibility are in use.

A disability is any condition of the body or mind that makes it more difficult for the person TO:

- do certain activities (activity limitation)
- interact with the world around them (participation restrictions)

Accessibility is the (University of Cincinnati's Accessibility Network, 2020)

- usability of, by people with the widest range of capabilities, a
 - product, service, environment, or facility

This paper aims to help its readers understand the need for an audit of polling locations throughout the State of New Hampshire. The target time for the audit is during the November 2024 election.

We hope this audit informs the Council on whether Granite State polling locations are following all federal and state voting accessibility and accommodation voting laws. This study also aims sure that Article 11 of the New Hampshire Constitution is being followed, which says:

- *"All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election."*
- *"...Voting registration and polling places shall be easily accessible to all persons, including disabled and elderly persons, who are otherwise qualified to vote."*

- *“The general court shall provide by law for voting by qualified voters who*
 - *“Are absent from the city or town of which they are inhabitants*
 - ***by reason of physical disability, are unable to vote in person...”***
 - ***in the choice of any officer or officers to be elected or upon any question submitted at such an election.”***

To do this, the author completed several activities:

- A focus group discussion (FGD) with New Hampshire poll workers and poll moderators.
- A FGD of voting-age New Hampshire residents living with disabilities
- Key informant interviews (KIIs) with representatives from disability and voting rights organizations and entities.
- A literature and document review.
- The creation of an interactive polling map by the author.

Project Context

History of Voting Rights and Voting Accessibility

"We the people", is not just a phrase in the Preamble of the U.S. Constitution, but assures and reminds that we are all created equal. Though this realization has not always been as mainstream as the phrase may have you believe. When the founding fathers established United States as a representative democracy, the phrase referred only to white, Protestant-Christian men aged 21 years old or older. This was the only group granted the right to vote.

On February 3rd, 1870, the United States passed 15th Amendment, allowing black men to vote. This was 2 years following the passing of both the 13th and 14th Amendments. These bills outlawed slavery nationwide and granted citizenship to all people "born or naturalized in the United States" as well as equal protection under laws.

Unfortunately, while the right to vote was set, the ability to vote was not. Discriminatory voting laws passed throughout the country following the passage of the 15th Amendment. This wasn't enforced on a federal level until 1965 as part of the Voting Rights Act (VRA). Laws like popped up across the country like:

- Literacy tests (banned as part of the 1965 Voting Rights Act)
- Poll taxes (banned in 1964 as part of the 24th Amendment)
- Grandfather clauses

These aimed to disenfranchise those who:

- Cannot afford the taxes (aimed at minorities but also affected other more impoverished groups).
- Were former slaves.
- Were not able to access or make time for an adequate education to be able to pass the literacy tests (which many times were developed with the intent of confusing and/or having a high failure rate, further disenfranchising minority voters).

While laws have passed to stop the introduction of barriers such as these, they are still being implemented or have been attempted in states, counties, and towns across the country under the ideals of "protecting the security of the voting process".

On August 18th, 1920, the 19th Amendment was adopted in the United States granting women the right to vote. The women's suffrage movement was another long and hard-fought battle. Leaders like Susan B. Anthony, Lucretia Mott, and Alice Paul put their lives and livelihoods on the line in the battle for the rights afforded to American men.

Unfortunately, as with black men across the country, some states promoted racist and discriminatory policies and laws to make sure this right was as much of a struggle as possible, especially for minority women.

Several other voting rights acts have passed and rescinded over the years since the Women's Suffrage Movement. These aimed to either restrict or expand voting rights to non-English speakers, Native Americans, disabled individuals, etc. Below, a few acts were chosen that protect and/or enhance the right to vote.

Article 11 of the New Hampshire Constitution

Article 11 of the New Hampshire Constitution, as pointed out in the abstract of this paper, states that:

- ***"All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election."***
- ***"...Voting registration and polling places shall be easily accessible to all persons, including disabled and elderly persons, who are otherwise qualified to vote."***
- ***"The general court shall provide by law for voting by qualified voters who***
 - ***"Are absent from the city or town of which they are inhabitants***
 - ***by reason of physical disability, are unable to vote in person..."***
 - ***in the choice of any officer or officers to be elected or upon any question submitted at such an election."***

This passage outlines the importance of this topic and of ensuring the accessibility and status of voting. Article 11 of the New Hampshire Constitution grants an overarching and equal right to vote to "every inhabitant of the state of 18 years of age and upwards".

Civil Rights Act of 1964 and the Voting Rights Act of 1965

While these are two separate acts, their purposes are connected. The Civil Rights Act of 1964 was the most comprehensive and impactful civil rights legislation ever enacted in the US.

Title I guarantees:

- **Equal voting rights by removing registration requirements and procedures biased against minorities and the underprivileged.**

Title II guarantees:

- Prohibits segregation or discrimination in places of public accommodation involved in interstate commerce.

Title V guarantees:

- broadens the duties of the Civil Rights Commission.

Title VII guarantees:

- Bans discrimination by trade unions, schools, or employers involved in interstate commerce or doing business with the federal government.
- Establishes a government agency, the Equal Employment Opportunity Commission (EEOC).
- Desegregated public schools.
- Assures nondiscrimination in the distribution of funds under federally assisted programs.

The bolded section of the above selection is what most pertains to this study. This guarantee protects those with disabilities, alongside others considered minorities and/or underprivileged.

The Voting Rights Act of 1965 was signed into law, following marches led in Selma, Alabama, by Martin Luther King Jr. The Act removed several discriminatory voting practices, especially prevalent in the South with the implementation of Jim Crow Laws.

In 2013, the U.S. Supreme Court ruled that constraints placed on certain states were outdated. This led to several states passing laws limiting voter access for mostly minority and underprivileged groups, such as ID requirements and limits on early voting.

Voting Accessibility for the Elderly and Handicapped Act of 1984 (VAEHA)

The section of Article 11 of the New Hampshire Constitution that calls for voting registration and polling places to be "easily accessible to all persons..." passed in 1984 in coincidence with the federal *Voting Accessibility for the Elderly and Handicapped Act of 1984 (VAEHA)*.

VAEHA mandated that all polling places for federal elections be accessible to handicapped and elderly voters. Additionally, it required the Chief Election Officer to report every two years on the number of accessible and inaccessible polling locations to the Federal Election Commission (FEC).

Americans with Disabilities Act of 1990 (ADA)

The Americans with Disabilities Act of 1990 (ADA) was an important piece of legislation and remains the basis of a lot of disability work today (including the audit proposed at the end of this study).

Title II of the ADA mandates that state and local governments make sure that individuals with disabilities are given full and equal access and opportunity to vote. Along with this are guidelines regarding accessibility standards for polling locations (The ADA Checklist for Polling Places). Included in this are standards for evaluating the following:

- Parking
- Passenger drop-off locations
- Accessible routes
- Ramps
- Protruding objects
- Building entrance
- Lifts and elevators
- Voting area
- And much more.

National Voter Registration Act of 1993 (NVRA or Motor Voter Act)

The National Voter Registration Act goes hand in hand with the ADA in outlining standards for accessibility in the voting process. The Act requires states to:

- make sure that public assistance offices or state-funded programs offer voter registration.
- offer voter registration by mail-in applications.
- maintain accurate and current voter registration lists.

Help Americans Vote Act of 2002 (HAVA)

On October 29, 2002, then-U.S. President George W. Bush signed the *Help Americans Vote Act* (HAVA) into law. This made great reforms to the voting process. HAVA requires states to put these programs and procedures in place as part of their elections:

- A set of mandatory minimum standards for states in areas of election administration
- Provisional Voting
- Voting Information
- Updated and Upgraded Voting Equipment
- Statewide Voter Registration Databases
- Voter Identification Procedures
- Administrative Complaint Procedures

Recent Issues Impacting Voting Accessibility in New Hampshire

Even with the impactful, life-changing work done to make sure that individuals with disabilities are afforded the same rights and responsibilities as all Americans, citizens with disabilities remain less likely to vote than their non-disabled peers.

A recent US Election Assistance Commission (EAC) study found that 11% of voters with disabilities had some type of difficulty voting in the 2020 election. Along with this, they also found that 5% of people with disabilities experienced difficulties voting by mail, compared to 18% of those who voted at a polling place.

The following sections are meant to show the real and perceived barriers to voting. These were gathered through a focus group of individuals with disabilities living throughout the state of New Hampshire and from various peer-reviewed papers and articles on the topics. Questions for this focus group are in the "Appendices" section of this paper.

It is important, before "getting into" these sections, to address the elephant in the room that comes up when discussing anything that is "real vs. perceived". *IN NO WAY* are these sections attempting to discount the very real impact the described obstacles have. They are only meant to compare societal and psychological barriers to those set in law and categorize them.

Real Barriers to Voting

In states across the country, there has been a push to restrict who votes as well as how and when they vote. On June 25th, 2013, in *Shelby County v. Holder*, the US Supreme Court ruled, in a 5-4 vote, that Section 4(b) of the Voting Rights Act was unconstitutional. Following this, the Federal Commission on Civil Rights has found at least 23 states have enacted "restrictive statewide voter laws" focused on:

- Limiting early voting
- Voting ID laws
- Closing voting places

More than 150 voting laws restricting voting were introduced in states across the country in 2023, including in New Hampshire. Luckily for voters in New

Hampshire, though, no laws that aim to restrict voting measures have been passed in the last few years.

Laws are not the only "real" barriers to voting. Individuals with disabilities tend to have lower levels of the resources needed (income, education, and transportation). Having these would lead to an increased voter participation rate.

Among individuals with disabilities in the United States, the employment rate was 21.3% in 2020, up from 19.1% in 2019. While this number is already low, it comes off as even lower once the employment rate of non-disabled individuals in 2020 is compared: 65.4% (up from 63.7% in 2019). The unemployment rate difference is also great, as individuals with disabilities in the United States are unemployed at a rate of 7.6%. This is more than double that of individuals without disabilities at 3.5%.

This, on top of the terrible public transportation system offered across the country and the fact that many disabled individuals do not have the ability to drive. These lead to many not being able to get to polling places, even if they want to be civically engaged.

When it comes to education, the 2023 Annual Disability Statistics Compendium shows that 41.4% of the non-disabled population in the U.S. (age 25–34) have earned at least a Bachelor's degree, while only 19.8% of their peers with disabilities have done the same. While college degrees are not the end all be all having a safe and successful life, they play a key role in obtaining higher-paying jobs.

The barriers identified which stand in the way of voting accessibility in the Granite State can be boiled down to two sources: barriers associated with the One4All voting system/machine and barriers associated with lack of mandatory

training for poll workers/moderators especially when it comes to accommodations/accessibility.

When it comes to the One4All machine, the system needs **a lot** of work.

The system is:

- technologically behind
- Needs to be modernized
- Needs to be updated to
 - increase accessibility
 - Increase ease of use
 - lower the number of breakdowns occurring (which also tie into the need for mandatory trainings as well)

During the focus group discussion (FGD) with NH voters living with disabilities, it was regularly pointed out that many frustrations surrounding the system come from the lack of knowledge and training surrounding the devices.

It is important to point out here the blame does not lie on the poll workers/moderators in the State. From all reports, they try their best and “run a tight ship”. The fault here lies on the State not making trainings mandatory **in the first place**. This would have set a high standard and equipped these workers with the tools they need to make sure that all voters are given a fair and accessible environment to vote in.

With trainings, especially those on accommodations, voting rights, and accessibility standards, not being mandatory for state poll workers, they are unable to do the jobs they are stepping in to do to the highest standard. The State

is not only failing its poll workers, but also its residents who need that extra help to have their voices heard.

Perceived Barriers to Voting and the Importance of Civic Engagement and Education

It is important to address barriers that are not set in law, but are still very much real. Individuals with disabilities are more likely than non-disabled individuals to not vote due to several reasons. One of which is that those with disabilities are more likely to be socially isolated (i.e., less likely to be mobilized to vote or be civically engaged by friends or family). Also, individuals with disabilities must face the social stigmatization that comes with disabilities as well as general ableism, both of which only get worse in environments like polling locations. This has led to disabled individuals having a lower sense of political efficacy across the country.

Ableist attitudes towards civic engagement can be disguised as forward-looking in nature. For instance, feelings or saying things such as being "legally obligated to include disability rights" can be hurtful and disheartening to individuals with disabilities looking to be civically active. Instead, we should look to grow a cross-movement attitude toward civic engagement. The framework is incomplete without disability inclusion.

Additionally, the intention of, but not the action of, including disabled individuals in fights for voting rights can lead to feelings of non-inclusion and being "othered". We should be working with the intention to create a partnership

between disability organizations and voting rights groups and elevate disabled leaders instead of acting from preconceived ideas of disability.

On top of this, voting rights organizations and other groups of this nature should go to accessible spaces to hear the voices and opinions of those with disabilities instead of expecting disability groups to come to them. This can all be summed up in this quote from a participant in the 2020 Brandeis University study:

“As a disabled person, I face stereotypes and bigotry about people with disabilities. My credibility is always in question.

No one presumes my competence.”

Additional Recommendations to Strengthen Voting Accessibility in NH

The following recommendations to make changes to the current voting system in New Hampshire to make it more accessible, effective, and efficient. As The Developmental Disabilities Assistance and Bill of Rights Act of 2000 states "disability is part of the human experience". By allowing barriers to voting for those with disabilities to remain unaddressed, we are treating them as less than, not equal to. That is all that is being asked for in the following recommendations: to put in place or strengthen ways to make sure that these individuals are treated as they are: humans.

Recommendation 1: Establish voting day as a state holiday

If our goal is to make all voices heard and to push the wants and needs of the state, establishing voting day as a state holiday should be a no-brainer. With Election Day in the United States being set as the first Tuesday between November 2 to November 8, it must always land on a weekday (AKA a "workday" for most Americans).

Poll opening and closing times across the United States vary state by state and even, at times, town by town. They open on average, around 7 a.m. and close, on average, at 8 p.m.

More than 158.4 million people voted in the 2020 election (62.8% of people of voting age in the country). This is a level not seen in decades in the U.S. This

country's voting turnout rate still is lower than a great many developed nations, including:

- Mexico (66%)
- India (68.8%)
- Germany (69.5%)
- Australia (76%)
- Peru (83.6%)
- and many more

To add onto this, 65% of Americans support making election day a national holiday. Following the will of the majority in this situation could lead to a cultural shift of sorts making voting would become a priority for all citizens, not an option.

Eight United States Democratic Senate leaders recently reintroduced the "Freedom to Vote Act". This would establish Election Day as a public holiday. As of the completion of this paper, the bill has yet to have action made on it, but it is a prime example of the type of legislation needed to do recommendation 1.

Recommendation 2: Increase the number, funding, and advertising of opportunities for civic education and engagement throughout the State

Civic Education and People with Disabilities: A Way Forward Through Cross-Movement Building provides four recommendations for increasing civic engagement for those living with disabilities.

- 1. Empower** disability pride, voice, and narratives.
- 2. Build** cross-movement relationships between philanthropy, civic engagement, and civil rights organizations.

3. **Foster** leadership skills among marginalized disabled people.
4. **Ally** with people with disabilities from start to finish, rather than retrofitting disability inclusion in public engagement.

Recommendation 3: Increase the number of polling locations in the State

The Granite State does not provide an adequate amount of polling locations available to its residents throughout the state. This is shown in the graph (below) created by the author comparing poll location numbers between the entirety of the United States, New Hampshire, Vermont, and Maine.

The statistic focused on for this recommendation will be polls per capita (polls/capita). This displays the effect of the actual number of polls provided. Additionally, both the population per poll and polls per 1,000 residents are used as comparison tools.

For reference, with a lower population per poll, there tends to be lower wait times as there are fewer voters in line. This would be the opposite for both polls per capita and polls per 1,000 residents (not shown in the graph below).

In comparison to the United States as a whole and the two comparable states nearby (Maine and Vermont), NH has a much higher population per polling location at over 4,063 residents per poll versus the US with 2,833 residents per poll, Maine with 2,162 residents per poll, and Vermont with 2,445 residents per poll. Along with this, NH has a lower number of polling locations per resident as well as polling locations per 1,000 residents in comparison to the other entities.

New Hampshire currently has .00025 (.25 per 1000) polling locations per 1,000 residents. This is nearly half of that provided by Maine with .00046 (.46) and Vermont with .00041 polling locations per capita (.41). New Hampshire is also falling behind the US, which has .00035 polling places per capita (.35). Also, Maine (1,362,359) has a population like New Hampshire (1,377,529) while also providing more polling locations throughout the state (ME = 630 vs. NH = 339). NH does have more polls per square mile. This is due in large part, to the state reportedly being more than 22,000 square miles smaller than Maine.

Also, while NH does boast a higher number of polling locations per square mile (polls/ square mile) in comparison to the identified entities (NH:.038, US:.033, VT:.029, ME:.020). It also has a much higher population per square mile (pop/mile²) compared to the others (NH: 153.85, US: 93.81, VT: 69.7, ME: 44.17), so it must to serve its residents.

The comparisons laid out in the paragraph above display a reality in the Granite State in which its residents are underserved in their need for an adequate number of polling locations available. To remedy this, the author is recommending the state increase its number of polling locations. To best address the issues, these locations should be implemented in the counties whose number of polling locations per capita (polls/capita) and population per polling place numbers (pop/poll) are currently above the state average, meaning Hillsborough County and Rockingham County.

| Entity | Towns | Population | % 18- Years | % 65+ Years | Disability % (under 65) | Total Places | Polls/ Town | Polls/ Capita | Pop/Poll | Mile ² | Pop/ Mile ² | Polls/ Mile ² | Counties | Polls/ County |
|---------------|--------|-------------|-------------|-------------|-------------------------|--------------|-------------|---------------|----------|-------------------|------------------------|--------------------------|----------|---------------|
| United States | 19,495 | 331,449,281 | 22.2% | 16.8% | 8.7% | 116,990 | 6.00 | 0.00035 | 2,833.14 | 3,533,038.28 | 93.81 | 0.033 | 3,007 | 38.91 |

| | | | | | | | | | | | | | | |
|-------------------------------|-----|-----------|-------|-------|-------|-----|------|---------|----------|-----------|--------|-------|------------|--|
| New Hampshire | 234 | 1,377,529 | 18.5% | 19.3% | 8.9% | 339 | 1.45 | 0.00025 | 4,063.51 | 8,953.75 | 153.85 | 0.038 | 10 | 33.90 |
| Vermont | 246 | 643,077 | 18.1% | 20.6% | 10.4% | 263 | 1.07 | 0.00041 | 2,445.16 | 9,217.45 | 69.77 | 0.029 | 14 | 18.79 |
| Maine | 454 | 1,362,359 | 18.4% | 21.7% | 11.6% | 630 | 1.39 | 0.00046 | 2,162.47 | 30,845.10 | 44.17 | 0.020 | 16 | 39.38 |
| New Hampshire Counties | | | | | | | | | | | | | | |
| Belknap County | 11 | 63,705 | 17.8% | 23.2% | 11.4% | 16 | 1.45 | 0.00025 | 3,981.56 | 401.85 | 158.53 | 0.040 | Map | NH Polling Places - Google My Maps |
| Carroll County | 18 | 50,107 | 15.0% | 29.4% | 11.3% | 19 | 1.06 | 0.00038 | 2,637.21 | 931.86 | 53.77 | 0.020 | | |
| Cheshire County | 23 | 76,458 | 17.8% | 21.4% | 9.3% | 27 | 1.17 | 0.00035 | 2,831.78 | 706.71 | 108.19 | 0.038 | | |
| Coos County | 20 | 31,268 | 16.2% | 24.8% | 15.7% | 45 | 2.25 | 0.00144 | 694.84 | 1,794.57 | 17.42 | 0.025 | | |
| Grafton County | 39 | 91,118 | 15.7% | 22.1% | 9.5% | 42 | 1.08 | 0.00046 | 2,169.48 | 1,708.60 | 53.33 | 0.025 | | |
| Hillsborough County | 31 | 422,937 | 19.9% | 16.7% | 8.4% | 53 | 1.71 | 0.00013 | 7,979.94 | 876.53 | 482.51 | 0.060 | | |
| Merrimack County | 27 | 153,808 | 18.5% | 19.3% | 10.1% | 43 | 1.59 | 0.00028 | 3,576.93 | 932.90 | 164.87 | 0.046 | | |
| Rockingham County | 37 | 314,176 | 18.8% | 19.2% | 7.2% | 49 | 1.32 | 0.00016 | 6,411.76 | 695.39 | 451.80 | 0.070 | | |
| Strafford County | 13 | 130,889 | 17.7% | 16.0% | 9.3% | 28 | 2.15 | 0.00021 | 4,674.61 | 367.47 | 356.19 | 0.076 | | |
| Sullivan County | 15 | 43,062 | 17.9% | 23.0% | 11.0% | 17 | 1.13 | 0.00039 | 2,533.06 | 537.88 | 80.06 | 0.032 | | |

(All above data was retrieved from the U.S. Decennial Census or each state's Secretary of State's office)

Recommendation 4: Increase funding and allowances for mail-in voting

It is important to place New Hampshire on the correct side of the wall of voting inaccessibility being raised in states across the country.

One way to do this is to increase funding and allowances for mail-in voting. Mail-in voting has been on the rise in recent years' elections in the US. This was helped along in great part by the COVID-19 pandemic, which forced many Americans to choose between their and their families health and the right to vote.

A Rutgers study found that only 52.6% of voters living with disabilities in the US voted in person at a polling place during the 2016 presidential election (the last presidential election not affected by COVID). This number dropped down to 25.8% during the 2020 Pandemic-year election.

This sudden drop was not only among disabled voters, though. Voters without disabilities in the 2016 election voted in person at a rate of 60.9% (an - 8.3% gap between non-disabled and disabled voter rates, or "disability gap). This fell to 31.2% for the 2020 election (a -5.4% disability gap).

In 2016, 29.3% of voters living with a disability voted using mail-in ballots versus 20% for non-disabled voters (10.3% disability gap). In 2020, the disability gap increased to 11.3%, as 53.2% of disabled voters and 41.9% of non-disabled voters reported voting by mail on or before election day. While the disability gap shrank between the two elections, it is still very present and significant.

In New Hampshire, voters with disabilities voted at a rate of 66% in 2016 compared to 64.3% in 2020 (one of the only states where the number dropped). Non-disabled NH voters voted in 2016 at a rate of 69.4%, rising to 75.5% in 2020. This means that the disability gap in New Hampshire rose from -3.4% in 2016 to -11.6% in 2020. The study found that if the total disability gap in American voter participation was 0% (it was -6.3% in 2016 and -5.7% in 2020), it would mean an

extra 1.75 million voters living with disabilities would be voting in the country's elections.

Recommendation 5: Find ways to lower number of perceived barriers to voting

As discussed in this paper, there are barriers to voting outside of those established in state or federal law. These barriers can be societal, sociological, psychological, or any combination of these. While we cannot see them, they are there, and they are creating an obstacle to the voting process for those living with disabilities in New Hampshire.

One recommendation the author has to deal with this issue is to mandate and modernize the training given to poll workers every year. This will aid in creating a more welcoming, understanding, and educated environment in polling booths, especially for voters living with disabilities.

A report from Brandeis University's Heller School for Social Policy and Management, alongside the Ford Foundation, offers four ways to fight against the barriers described in this report:

- 1. Empower** disability pride, voice, and narratives.
- 2. Build** cross-movement relationships between philanthropy, civic engagement, and civil rights organizations.
- 3. Foster** leadership skills among marginalized disabled people.
- 4. Ally** with people with disabilities from start to finish, rather than retrofitting disability inclusion in public engagement.

Recommendation 6: Make voting accessibility mandates apply to local elections

Local and municipal elections in New Hampshire, unlike state and federal elections, do not have to follow every accessibility mandate outlined in the various voting laws passed throughout the country's history.

Why this is allowed to be, the author cannot say, but it must change. Decisions made at local and municipal elections have the most direct impact on voters. The fact that these elections are more difficult to take part in for those with disabilities is an outrage, to say the very least.

The author is recommending that the New Hampshire Legislature make **all** elections accessible to those with disabilities, especially the ones that affect residents most directly. To do this, the legislature should make sure that all elections are included in any accessibility measure that is currently law throughout the state as well as any that may become law in the future.

The November 2024 Audit

With help from the New Hampshire Council on Developmental Disabilities, the author has planned to have the following aspects of voting accessibility audited at the polling locations chosen:

- Curbside voting
 - Curbside voting enables voters to cast a ballot in person outside of a polling place or voting location. If allowable by law, voters may use curbside voting from their vehicle or along the path of travel to the voting area. (EAC)
 - Pointed out as an accommodation in need of modernization by Vanessa Blais, Director of Policy and Planning at the New Hampshire Council on Developmental Disabilities (NHCDD).
- One4All Machines
 - Every polling place in New Hampshire is equipped with an accessible voting system known as "One4All" that permits a voter with a disability to vote independently and in private. (NH Secretary of State)
 - Pointed out as an accommodation in need of modernization by James Ziegra, Senior Staff Attorney at the Disability Rights Center (DRC).
- Allowing companions in the voting booth
 - Every voter has the right to bring someone into the voting booth to help them. This person can be anyone that is trusted, as in a friend,

relative, or someone else you trust, but cannot be a candidate, one’s boss, or a labor union representative. (Section 208 of the Voting Rights Act)

- Alternative ballots (in person)
 - Voters throughout the country may be provided with an accessible ballot upon request to vote in person. (ADA, 28 C.F.R. § 35.160)

Since there are 10 counties throughout the state of New Hampshire, it was decided by the author that 3 towns would be chosen from each. One of each size was chosen from each county (small = population of 2,499 or less, medium = population between 2,500 and 8,999, and large = population 9,000 or more). This was done to get a more accurate representation of towns of every size and location across the state.

The polling location used by these towns would then be put on the list of locations to audit. If a town had more than one polling location, a random selection was done again. If a town does not have its own polling location, either the closest was chosen or a random selection was done again. The polling locations chosen to be audited during the November 2024 presidential election cycle can be seen in the graph below (an interactive map of containing this information is found in the “Appendices” section of this paper under “Chosen Polling Places for Audit Interactive Map”):

| Towns Chosen (data from New Hampshire Secretary of State’s Office, selected at random) | | | | |
|---|-------------|-------------|-------------------|----------------------|
| <u>County</u> | <u>Size</u> | <u>Town</u> | <u>Population</u> | <u>Polling Place</u> |

| | | | | |
|-----------------|--------|----------------|--------|---|
| Belknap County | Small | Center Harbor | 1,040 | Center Harbor Town Office 36 Main St Center Harbor, NH 03226 |
| | Medium | Barnstead | 4,916 | Barnstead Town Hall 108 S Barnstead Rd Barnstead, NH 03225 |
| | Large | Laconia | 16,872 | St Andre Bessette Parish Hall 31 Gilford Ave Laconia, NH 03246 (Laconia Ward 2) |
| Carroll County | Small | Chatham | 340 | Chatham Town Hall 1071 Main Rd Chatham, NH 03813 |
| | Medium | Moultonborough | 4,917 | Moultonborough Academy 25 Blake Rd Moultonborough, NH 03254 |
| | Large | Conway | 9,817 | Kennett High School 409 Eagle's Way Conway, NH 03860 |
| Cheshire County | Small | Alstead | 1,864 | Town Hall 9 Main St Alstead, NH 03602 |
| | Medium | Rindge | 6,479 | Rindge Memorial School 58 School St Rindge, NH 03461 |
| | Large | Keene | 23,037 | Monadnock Covenant Church 90 Base Hill Rd Keene, NH 03431 (Keene Ward 5) |
| Coos County | Small | Stratford | 662 | Fuller Town Hall 1956 Us Route 3 Stratford, NH 03590 |
| | Medium | Lancaster | 3,218 | Lancaster Town Hall 25 Main St Lancaster, NH 03584 |
| | Large | Berlin | 9,425 | Berlin Recreation Center 672 First Ave Berlin, NH 03570 (Berlin Ward 1) |
| Grafton County | Small | Holderness | 2,006 | Holderness Central School 6 School Rd Holderness, NH 03245 |

| | | | | |
|---------------------|--------|---------------|--------|---|
| | Medium | Plymouth | 6,690 | Plymouth Elementary School 43 Old Ward Bridge Rd Plymouth, NH 03264 |
| | Large | Hanover | 11,868 | Leverone Field House 26 Park St Hanover, NH 03755 |
| Hillsborough County | Small | Hancock | 1,731 | Hancock Elementary School 30 Bennington Rd Hancock, NH 03449 |
| | Medium | Hillsborough | 5,944 | Hillsboro-Deering Middle School 6 Hillcat Dr Hillsborough, NH 03244 |
| | Large | Amherst | 11,759 | Souhegan High School 412 Boston Post Rd Amherst, NH 03031 |
| Merrimack County | Small | Danbury | 1,253 | Danbury Town Hall 23 High St Danbury, NH 03230 |
| | Medium | Warner | 2,927 | Warner Town Hall 5 East Main St Warner, NH 03278 |
| | Large | Concord | 43,998 | Abbot Downing Elementary School 152 South St Concord, NH 03301 (Concord Ward 7) |
| Rockingham County | Small | South Hampton | 891 | South Hampton Town Hall 3 Hilldale Ave South Hampton, NH 03827 |
| | Medium | Danville | 4,402 | Danville Community Center 169 Main St Danville, NH 03819 |
| | Large | Portsmouth | 21,957 | New Franklin School 1 Franklin Dr Portsmouth, NH 03801 (Portsmouth Ward 1) |
| Strafford County | Small | Madbury | 1,917 | Madbury Town Hall 13 Town Hall Rd Madbury, NH 03823 |
| | Medium | Farmington | 6,718 | Farmington High School Gymnasium 40 Thayer Dr |

| | | | | |
|-----------------|--------|-----------|--------|---|
| | | | | Farmington, NH 03835 |
| | Large | Rochester | 32,497 | Elks Lodge 1393 295 Columbus Ave Rochester, NH 03867 (Rochester Ward 6) |
| Sullivan County | Small | Cornish | 1,615 | Cornish Elementary School 274 Town House Rd Cornish, NH 03745 |
| | Medium | Grantham | 3,406 | Grantham Town Hall 300 Route 10 S Grantham, NH 03753 |
| | Large | Claremont | 12,948 | Disnard Elementary School 160 Hanover St Claremont, NH 03743 (Claremont Ward 3) |

The audit proposed aims to answer the following questions:

- Do moderators and poll workers in New Hampshire know the laws around accessibility as it pertains to voting?
- Are polling places in New Hampshire properly training poll workers in accommodation?
- Are federal and state mandates on accessibility being met at polling locations throughout the Granite State?

Following the audit, an analysis is planned to be done to create a list of recommendations for ways to increase enforcement and/or requirements or modernize each of the accessibility requirements being measured, to create a more accessible and fair voting system throughout the State of New Hampshire for all elections.

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Appendices

Acknowledgements

Special thanks to the following organizations, individuals, groups, and entities, without whom this study would have never been possible, as representatives were direct participants in this study:

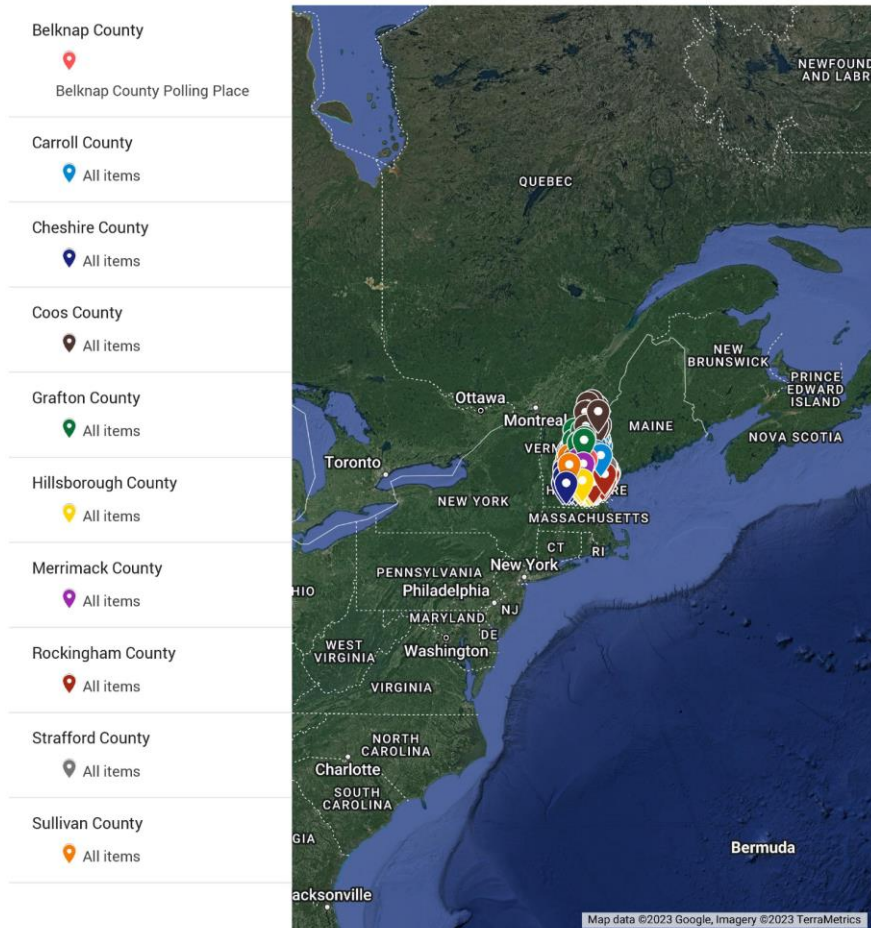
- The New Hampshire Council on Developmental Disabilities (NHCDD)
 - The New Hampshire Council on Developmental Disabilities is a federally funded agency that supports public policies and initiatives that remove barriers and promote opportunities in all areas of life.

- University of New Hampshire Professor Michael Swack
 - Michael Swack is a professor at the University of New Hampshire, where he has appointments at the Carsey School of Public Policy and at the Peter T. Paul College of Business and Economics. He directs the Center for Impact Finance and the Master's Program in Community Development, a program designed for adult practitioners. At Carsey, he is working on building scale in the community development finance sector through innovations in community development finance, microfinance, and sustainable energy financing. He also directs the Financial Innovations Roundtable (in collaboration with the Board of Governors of the Federal Reserve). He has over 35

years of experience in the fields of economic development, finance, and development banking.

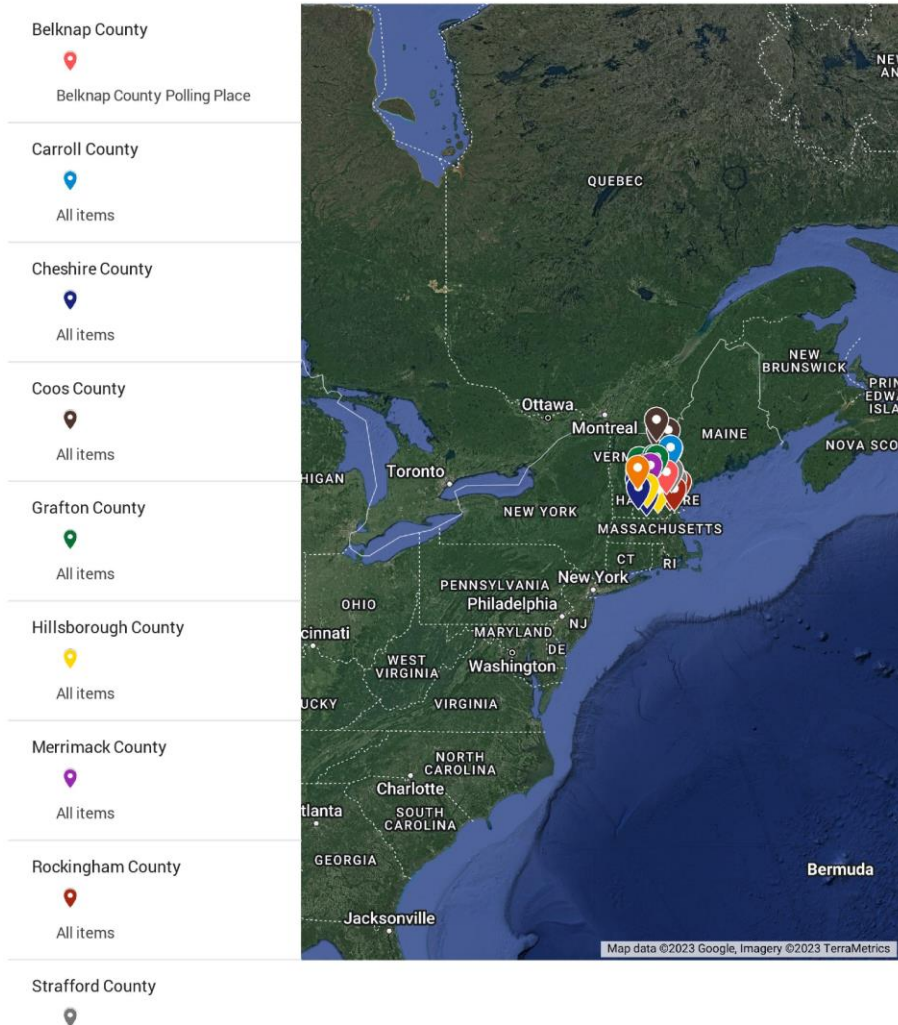
New Hampshire Polling Places Interactive Map

NH Polling Places



Chosen Polling Places for Audit Interactive Map

Chosen Polling Places for Audit



Focus Group Discussion (FGD) Guides

- A = contributes to verifying the problem
- B = contributes to better understanding the nature of the problem

- C = contributes to better understanding the extent of the problem
- D = contributes to better understanding the causes of the problem
- E = contributes to better understanding the effects of the problem
- F = contributes to better understanding the solutions to the problem
- G = others, please briefly describe

FGD 1: New Hampshire residents with disabilities of voting age

| Q # | Questions (Column 2) | Answers (Column 3) | Probe Questions (Column 4) | Answers to probe questions (Column 5) | Contribution to project design (Column 6) |
|-----|---|--|----------------------------|---|---|
| 1 | Do you vote in general elections? | All participants regularly vote in all elections. | Primary elections? | All participants regularly vote in all elections. | G, understanding their voting history |
| 2 | Do you find the polls you go to be physically accessible? | One respondent, who lives in Exeter, a larger town, said yes. Another respondent, from a smaller town, New Hampton, stated the | Physically accommodating? | Those living in small towns have some issues as the polling places are on back roads so you would need a vehicle to get to it easily. The | A, D |

| | | | | | |
|---|--|---|-----|--|---|
| | | polling place is not physically accessible, but they have at least one wheelchair-accessible booth which can be used by anyone. | | workers at the polls have been good in guiding them to the accessible booths/equipment though. | |
| 3 | Do you feel that you know your rights regarding voting accessibility ? | The respondent s felt that they do know their rights in the most part, but only because they are self-advocates. They know that many other disabled voters, and voters in general, tend to not know their | N/A | N/A | B |

| | | | | | |
|---|--|---|--|--|---|
| | | voting rights when it comes to accessibility /accommodations. | | | |
| 4 | Have you ever used or asked to use a One4All machine? | All respondents always use or have used the machine/system. | Was the machine out and on when you asked? | All respondents have had troubles with the One4All system. They have had cases where it has not been hooked up in the correct order or way leading to them having to wait for the system to be rebooted. | C |
| 5 | Do you feel that you have ever been "pushed away" from | They do not feel that they have been pushed away in any | N/A | N/A | A |

| | | | | | |
|---|---|--|---------------------------------------|--------------------------------------|---|
| | a poll due to the lack of accommodation/accesses? | way, but they do feel that there are barriers/obstacles which are hindering their voting process, mostly due to lack of training for poll workers and the One4All voting system. Additionally, it was more about being frustrated with the system than a feeling of being pushed away. | | | |
| 6 | What could polling places do to be more | Mandate training for poll workers | What could the registration places do | Having the One4All machine out as an | F |

| | | | | | |
|--|--|--|---|---|--|
| | <p>accommodating and accessible in the voting process?</p> | <p>and moderators when it comes to voting accommodations, the One4All system, and voting rights. Additionally, adding more hand railings for people with mobility issues was pointed out as a need. Also, having more chairs, especially those with wheels for those who cannot stand for long was pointed out as a helpful potential accommodation.</p> | <p>to be more accommodating and accessible in the voting process?</p> | <p>example would be great. Also sending out accessible absentee ballots sooner would help a lot. The voting forms also need updating as they are not always usable with screen readers.</p> | |
|--|--|--|---|---|--|

FGD 2: New Hampshire poll workers and poll moderators

| Q # | Questions (Column 2) | Answers (Column 3) | Probe Questions (Column 4) | Answers to probe questions (Column 5) | Contribution to project design (Column 6) |
|-----|---|---|--|---------------------------------------|---|
| 1 | Do you find the polls you have worked at have met the accessibility standards mandated by the federal and state government? | The respondents did not know all the accessibility standards, but know that their polling places have all made sure to address any accessibility concerns that come up as they come up. | N/A | N/A | A, F |
| 2 | Have you received any complaints regarding accessibility of the | Not complaints per se, but some issues have come up that they | Were they due to lack of physical accessibility or accommodations? | No | A, C |

| | | | | | |
|--|--------------------|--|--|--|--|
| | polling locations? | had to deal with. Two respondents noted that they had had situations in which a voter with a disability had wanted a companion in the voting booth with them, but had some trouble as some poll workers were not aware that it was allowed. They also mentioned instances during which there were long lines and no places to sit for those who needed | | | |
|--|--------------------|--|--|--|--|

| | | | | | |
|---|--|---|--|--|---|
| | | them. All noted difficulties arose due to lack of poll worker training/knowledge of accessibility/accommodations. | | | |
| 3 | Are there accessibility issues that have been brought up while working polls that aren't currently mandated, but you feel may aid those with disabilities in voting more easily? | One respondent mentioned that they would like for absentee ballots to be able to be given out for more reasons, or to be given out without reasons, so that more could vote that way. | N/A | N/A | F |
| 4 | Who attends the optional training put on by the | All respondents had attended a training of | Who is trained in assisting with using the One4All | None of the respondents were personally trained in | D |

| | | | | | |
|---|--|--|--|---|---|
| | Secretary of State? | sorts. 2/3rds had attended the one put on by the Secretary of State. All respondents said they would be willing to and would like to go to more accessibility-based trainings. | voting machines? | using the One4All machine, other than one moderator who set it up, but still did not entirely know how to use it. One respondent had never heard of the system. The respondent, who is a moderator, mentioned that the machine was very difficult to set up, and did not like using it. | |
| 5 | Do you believe that accessible voting accommodations are | In general, they all felt their towns worked to try to get the | If not, what are your suggestions on ways to increase transparen | One respondent suggested trying to have local radio and | B |

| | | | | | |
|--|--|---|--|---|--|
| | <p>displayed transparently enough?</p> | <p>information out there, but also all knew that many were not receiving the information . They also felt that there is a lot more their towns/polling places can do to increase accessibility /information access, but were not knowledgeable on the topic enough to know what would best aid those who need it.</p> | <p>cy in the rights voters have when it comes to accessibility accommodations?</p> | <p>cable TV programs have a segment or section of their programming during which they would tell listeners of their rights when it comes to voting accessibility /accommodations. Another suggestion was to host events across the state giving this information out as well.</p> | |
|--|--|---|--|---|--|

Key Informant Interview (KII) Guides

- A = contributes to verifying the problem
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- G = others, please briefly describe

KII 1: James Ziegra from the Disability Rights Center New Hampshire (DRCNH)

| Q # | Questions (Column 2) | Answers (Column 3) | Probe Questions (Column 4) | Notes (Column 5) | Contribution to project design (Column 6) |
|-----|---|--|----------------------------|------------------|---|
| 1 | Do you think the current voting process in NH is accessible to those with disabilities? | State has gotten much better, especially when it comes to physical access. The One4All machine needs a lot of work and training must be made mandatory. Accessibility standards used for state and federal | N/A | N/A | A, C |

| | | | | | |
|---|---|--|--|--|------|
| | | elections should be applicable to local elections as they do not need to follow accessibility guidelines. A lot of work to be done when it comes to state and federal elections. | | | |
| 2 | What are some changes you would like to see to the voting process in NH to increase accessibility ? | Local and municipal elections should be made to follow accessibility laws federal and state elections do. Poll training should be mandatory. | N/A | N/A | F, C |
| 3 | Have you heard any reports of inaccessibility in terms of voting in the state? | Mostly when it comes to the One4All machines as they are not always set up when needed, are not put together correctly, and/or break down often. This leads to long delays, which is another barrier to voting as not everyone has the | Were they due to lack of physical accessibility or accommodations? | DRC has not found many problems due to physical accessibility in polling places, the DRC does regular "audits" to make sure physical | F, C |

| | | | | | |
|---|---|---|--|--|---|
| | | <p>time to wait for up to and exceeding an hour. A lot of reports have also arisen about the way some poll workers have treated some individuals with disabilities, possibly since training is optional. Parking and signage have also been issues as the signage is not always easy to find or there. Also, sometimes news trucks and police park in accessible parking locations. Most places have been pretty accommodating though and have tried to change any issues that have arisen.</p> | | <p>accessibility (haven't done it since COVID).</p> | |
| 4 | <p>Do you believe that accessible voting accommodations are displayed</p> | <p>Needs to be worked on, etiquette of poll workers must be worked on more than anything as many have violated ADA guidelines.</p> | <p>If not, what are your suggestions on ways to increase transparency in the</p> | <p>Training for poll workers must be made mandatory as well as</p> | C |

| | | | | | |
|--|-----------------------|---|---|-------------------------|--|
| | transparently enough? | Information is pushed by organizations online and in pamphlets about voting rights for disabled voters. | rights voters have when it comes to accessibility accommodations? | accommodation training. | |
|--|-----------------------|---|---|-------------------------|--|

KII 2: Vanessa Blais from the New Hampshire Council on Developmental Disabilities

| Q # | Questions (Column 2) | Answers (Column 3) | Probe Questions (Column 4) | Notes (Column 5) | Contribution to project design (Column 6) |
|-----|---|--|----------------------------|------------------|---|
| 1 | Do you think the current voting process in NH is accessible to those with disabilities? | On a scale of 1 to 10, a 7. Going after the accessibility standards of local elections should be a next step in the audit process, following the federal election audit. Not giving out the One4All machines during local elections should be changed. | N/A | N/A | A, C |
| 2 | What are some | Increase allowances for mail in voting to | N/A | N/A | F, C |

| | | | | | |
|---|---|---|---|---|------|
| | changes you would like to see to the voting process in NH to increase accessibility ? | allow for anyone to do it for whatever reason. Increase the ease and accessibility of registering as well as voting by making the entire process plain language. Curbside voting transparency would be helpful as well as many do not know this exists as an option. There should also be, at least on call, interpreters for sign language and other things of that sort. Training should be mandatory and modernized. | | | |
| 3 | Have you heard any reports of inaccessibility in terms of voting in the state? | Heard some, but nothing that can be remembered at the moment. | N/A | N/A | F, C |
| 4 | Do you believe that accessible voting accommodations | No, especially when it comes to your rights as a voter and accessibility signage. | If not, what are your suggestions on ways to increase | Signage should be displayed transparently , and every | C |

| | | | | | |
|--|---|--|---|--|--|
| | tions are displayed transparently enough? | | transparency in the rights voters have when it comes to accessibility accommodations? | person should be given a packet in plain language regarding their rights as a voter and the accommodations available. Make poll worker training mandatory and make a section of it regarding voting rights and accommodations available. | |
|--|---|--|---|--|--|

KII 3: McKenzie St. Germain from America Votes New Hampshire

| Q # | Questions (Column 2) | Answers (Column 3) | Probe Questions (Column 4) | Notes (Column 5) | Contribution to project design (Column 6) |
|-----|----------------------|-------------------------------------|----------------------------|------------------|---|
| 1 | Do you think the | Broadly, HAVA has requirements that | N/A | N/A | A, C |

| | | | | | |
|---|---|--|-----|-----|------|
| | current voting process in NH is accessible to those with disabilities? | have made great strides in voting accessibility. They don't have enough experience as someone without lived experiences to state the true condition of voting accessibility throughout the state. | | | |
| 2 | What are some changes you would like to see to the voting process in NH to increase accessibility ? | America Votes would love to see the One4All machine updated and made mandatory for local and municipal elections as it is with federal and state elections in NH. Additionally, they have had conversations with the Secretary of State's office during which the topic of training has continued to come up. Also, since there is a ton of trainings that moderators must go through and many | N/A | N/A | F, C |

| | | | | | |
|---|--|---|---|--|------|
| | | mandates to know of so accommodations may not be on the top of their plate, but America Votes is working on that getting moved up on the priority list. | | | |
| 3 | Have you heard any reports of inaccessibility in terms of voting in the state? | Mostly when it comes to the One4All machine as well as trainings. | N/A | N/A | F, C |
| 4 | Do you believe that accessible voting accommodations are displayed transparently enough? | Again, they are not experts, but they have found it has been very difficult at times to find information regarding voting accommodations. When it comes to curbside voting, they have heard of cases in the state during the pandemic mostly during which clerks basically chose not to hold curbside voting or did not know about it at all. | If not, what are your suggestions on ways to increase transparency in the rights voters have when it comes to accessibility accommodations? | America Votes would like more information to be more transparent and widely available for the public, especially when it comes to voting rights and accommodations. They would like this to be a page on the | C |

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| | | | | Secretary of State's website. | |
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