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How to Make Early Voting More Accessible in New York

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Introduction

On November 5, 2022, when Blaise Bryant and his fiancée, Erin, passed by an early voting poll site near their home in Rensselaer County, New York, they decided to take advantage of the opportunity and cast their ballots in the 2022 general election. “I think early voting is a tremendously good thing. I’m so glad it exists,” Blaise shared a few weeks later, despite having encountered significant frustration that day.¹

Blaise, who is blind, immediately realized that his voting experience would be challenging. During the check-in process, poll workers addressed Erin instead of speaking directly to him and tried to interact with his guide dog. When Blaise asked to use a ballot marking device (BMD) — an accessible voting system that allows people with print disabilities to mark their ballots privately and independently — he learned that one was not set up for use and that the poll workers did not know how to start an accessible voting session. Tired of waiting, Blaise whispered his choices to Erin and she marked his ballot so they could move on with their day.

“The best way I can put it was that I was treated less than because of my blindness. This stuff happens way too much,” Blaise observed. “It happens at an alarming rate.”

Blaise is among the more than 3.8 million New Yorkers age 18 or older, approximately 25 percent of the adult population, with a disability that affects their mobility, cognition, vision, hearing, independent living, or self-care.² New Yorkers with disabilities come from diverse racial and ethnic backgrounds and live across the state in rural, urban, and suburban communities.³ Despite hard-won civil rights protections, people with disabilities continue to face barriers to full participation in society. Schools, workplaces, transportation, and a host of other public and private spaces and services remain difficult to access.⁴ The ballot box is no exception.

Federal law requires states to make poll sites and voting systems accessible and tasks protection and advocacy (P&A) systems — federally funded nonprofit organizations designated by each state and territory to safeguard the rights of persons with disabilities — to monitor poll site accessibility for compliance with federal law.⁵ Despite these efforts, a national survey conducted by the U.S. Government Accountability Office (GAO) found that only 17 percent of 167 poll sites sampled during early voting or on Election Day in 2016 were fully accessible for voters with disabilities.⁶

Access issues such as poorly marked parking spaces, too-narrow doorways, and blocked paths of travel through facilities can determine whether a voter successfully casts their ballot. Inaccessible polling places in New York and across the country can contribute to lower participation rates among voters with disabilities.⁷ In 2020, turnout

among New York voters with disabilities was nearly 4 percent lower than that of voters without disabilities.⁸

This report examines early voting poll site accessibility in New York State during the 2022 election cycle, three years after the state enacted its early voting program. Data from in-person poll site accessibility surveys conducted by Disability Rights New York (DRNY) — the state’s P&A system and coauthor of this report — and an online survey of early voters’ experiences reveals that at least one early voting location in every surveyed county violated state and federal accessibility standards. Of the 179 early voting poll sites across the 57 surveyed counties — every county outside New York City — 169 (94 percent) were not fully accessible to voters with disabilities.

The most common violations included accessible parking spaces without access aisles,⁹ doors without accessible hardware,¹⁰ and insufficient clearance around BMDs for voters using mobility devices.¹¹ Local boards of elections (BOEs) should have identified these violations during the accessibility survey that state law requires BOEs to conduct for all designated poll sites.¹² Many could have been addressed with simple, low-cost solutions before early voting began.¹³

In addition, at 13 early voting poll sites in 12 counties, DRNY surveyors and voters reported that poll workers lacked critical knowledge about BMDs.¹⁴ As a result, some voters who asked to use a BMD experienced longer waits to vote as poll workers set up the equipment and initiated accessible voting sessions. Others had to forgo using a BMD entirely and mark their ballots by hand, which can be challenging and even painful. For voters like Blaise, not having access to a BMD means relying on someone else to mark their ballot, which sacrifices independence and privacy. Failing to provide voters with equal access to the ballot through BMDs violates state and federal law, which require election administrators to ensure that accessible voting systems are available and ready to use at every poll site during every election.¹⁵

The accessibility problems that voters experienced and DRNY surveyors observed at poll sites were not isolated incidents. Election officials across the state work tirelessly to run elections, but they do so without the support, resources, and clear direction they need to ensure accessibility for all voters. The New York State legislature, the New

York State Board of Elections (NYS BOE), and local BOEs need to work together to improve poll site accessibility.

In particular, local BOEs should better prepare poll workers to operate BMDs. Effective, hands-on training and guidance for poll workers are crucial to enabling all voters to cast their ballots with privacy and independence. Local BOEs can improve BMD readiness by recruiting a more diverse group of poll workers, including individuals with disabilities, and making sure that the role is accessible. Local BOE officials can also require all poll workers to have hands-on training, create easy-to-follow quick guides for using and setting up equipment, and assign a dedicated accessible poll worker to each poll site.

The NYS BOE should improve guidance and support for local BOEs on how to implement accessibility standards and be more active in enforcing those standards. The responsibility for identifying, anticipating, and correcting accessibility issues primarily falls on local BOEs that are operating with limited resources and few full-time staff.¹⁶

The NYS BOE can encourage more effective compliance with accessibility requirements by improving checklists, guidance, and resources for assessing poll site accessibility, creating easy-to-use materials that offer temporary corrective solutions. Publicly sharing the results of accessibility surveys and conducting ongoing oversight of counties that violate accessible voting laws would also make local BOEs more accountable to voters.

Finally, the state legislature should increase opportunities for voters to cast ballots before Election Day. Lawmakers can make early voting more accessible by requiring poll sites to offer curbside voting, authorizing and funding mobile voting units, and increasing funding for election administration and early voting.

Though this report focuses on early voting accessibility, its findings and recommendations apply to Election Day as well. In the GAO's survey of state election officials, a majority observed that "the challenges they face to ensure accessibility for voters with disabilities were similar for both early in-person voting and Election Day voting."¹⁷

I. Scope and Methods

In 2019, New York State enacted early voting, making the state one of 46 that currently offer it.¹⁸ Whereas before 2019 New Yorkers could vote in person only on Election Day, they now have a nine-day window, including two weekends, to accommodate their schedules, obligations, and transportation options.¹⁹ For example, one New Yorker who voted early in the 2022 general election shared via the online survey that the expanded time period made it easier to arrange a ride to the poll site and not depend on a paratransit bus to get home.

For New York’s early voting law to achieve its full potential, poll site locations, facilities, and hours must be accessible to all voters. Since the program’s launch, local BOEs struggled to meet that standard.²⁰ In 2021, New York Attorney General Letitia James sued the Rensselaer County BOE and its commissioners for repeatedly not providing voters in Troy — the county’s most populous and diverse city — fair and equitable access to early voting poll sites.²¹ A trial court ruled that the commissioners had selected early voting locations in an “arbitrary and capricious” manner and mandated that they choose sites accessible to all Troy voters for future elections.²² In response to the Rensselaer County case, the state legislature strengthened siting requirements for early voting poll sites and increased the minimum ratio of poll sites to registered voters.²³

As voting and disability rights advocates, we were motivated by the incidents in Rensselaer County to evaluate the accessibility of New York’s early voting program, three years after it went into effect, for voters with disabilities.

Data available in the state’s 2022 voter file and from the U.S. Census Bureau’s American Community Survey (ACS) reveals that, on average, voters with disabilities did not experience longer travel times to early voting poll sites than the total voter population in New York in 2022.²⁴ However, survey data collected in person at poll sites and from voters online reveals that voters with disabilities faced significant challenges once they arrived at early voting locations that made it more difficult for them to cast a ballot conveniently, privately, and independently.

During the 2022 primary and general elections, DRNY staff surveyed 179 early voting poll sites in every county in the state except for the five that make up New York City. Across the 52 counties with 10 or fewer early voting poll sites, DRNY surveyors visited all but two early voting locations.²⁵ In each of the five counties outside New York City with 10 or more early voting poll sites (Erie, Monroe, Nassau, Suffolk, and Westchester), surveyors visited a sampling of sites in census tracts that reflected each county’s median income and poverty rates.²⁶ (Appendix A includes a full list of the sites visited.)

Though no analysis of polling place accessibility in New York can be representative of the entire state without New York City, this dataset is still robust. DRNY staff visited 45 percent of the state’s 402 early voting poll sites — 68 percent of those outside New York City.²⁷ The sites were in cities such as Buffalo, Syracuse, and Troy; suburbs and exurbs in the Hudson River Valley and on Long Island; farmland surrounding the Finger Lakes; rural communities in and around the Adirondacks; and more.

Surveyors reviewed each location’s space, layout, and other physical attributes — including the parking areas, entrances, voting areas, BMDs, and path of travel from each of these areas to the next — to determine whether each site complied with accessibility standards. (Appendix B provides a copy of the survey.) Of the 179 sites, DRNY staff collected full data at 168 and partial data at 11 sites. In the latter cases, surveyors did their best to collect data when BOEs refused them access to complete the survey — despite DRNY’s direction under federal law, as the state’s P&A system, to ensure poll site accessibility for voters with disabilities.²⁸

During and immediately after the early voting period, the Brennan Center for Justice and DRNY fielded an online survey of New York voters. (The online survey is reproduced in appendix C.) In all, 218 New York voters across 37 counties shared their early voting experiences. The online survey was not intended to achieve a random or representative sampling but rather to hear directly from voters on early voting poll site accessibility. The survey was promoted on social media and through email lists that New York–based disability and voting rights advocates subscribe to.

Due to time and resource constraints, DRNY did not survey the 140 early voting poll sites in New York City.²⁹ The online survey of voters, however, did include respondents from New York City, who reported challenges navigating polling places and accessing BMDs. Investigations by the New York City comptroller’s office also provide a record of accessibility violations at city poll sites in recent elections.³⁰

II. Barriers for Voters with Disabilities

Title II of the Americans with Disabilities Act (ADA), passed by Congress in 1990, requires state and local governments to make certain that voters with disabilities have full and equal opportunities to vote.³¹ To implement the law’s mandates, the U.S. Department of Justice (DOJ) issued regulations that create enforceable accessibility standards for state and local government facilities, public accommodations, and commercial spaces.³² The ADA and these standards ensure that “voters with disabilities can participate in elections on the same terms and with the same level of privacy as other voters.”³³

In 2002, Congress expanded requirements for poll site accessibility when it passed the Help America Vote Act (HAVA). This law requires state and local governments to make BMDs or similar accessible voting systems available at every poll site during federal elections so voters with disabilities have “the same opportunity for access and participation (including privacy and independence)” as voters without disabilities. New York state election law expands this requirement to state and local elections as well.³⁴

New York election law requires that all poll sites, including those used for early voting, comply with ADA accessibility standards.³⁵ To fulfill this requirement, state law directs the NYS BOE to “publish and distribute to each board of elections with the power to designate poll sites, a concise, non-technical guide describing standards for poll site accessibility, including a polling site access survey instrument, . . . and methods to comply with such standards.”³⁶ Within five days of designating a poll site, local BOEs must complete an accessibility survey of the site and submit the completed survey to the NYS BOE.³⁷ If a poll site does not comply with ADA standards, the local BOE has six months to make the site accessible or select a new location.³⁸ Finally, state law requires the NYS BOE to create a mandatory curriculum for poll worker training that provides information on assisting voters with disabilities and disability etiquette.³⁹

Violations of accessibility standards can be caused by structural or operational issues at poll sites.⁴⁰ Structural issues derive from the facility’s construction and are often not easily resolved by election administrators. For example, poll sites may have entrances that are too narrow to accommodate voters who use mobility devices. If sites do not have alternative accessible entrances, they are not suitable to be polling places. In contrast, operational access issues can be fixed by local BOEs with low-cost, temporary solutions, such as posting missing parking signage or rearranging BMDs to protect voter privacy.

Accessibility Violations at Poll Sites

DRNY found that 169 of the 179 early voting poll sites (94 percent) across the 57 surveyed counties violated at least one state or federal accessibility standard. All but one of the most common issues — those occurring in more than 25 percent of surveyed sites — were operational (see table 1). Election administrators could address, even if temporarily, six of the seven most common issues with simple temporary remedies.

The operational problems listed in table 1 pose significant hurdles for voters with disabilities if left unaddressed. For example, 58 percent of DRNY surveyed sites did not have adequate signage prohibiting parking in access aisles adjacent to accessible parking spots. Without this signage, drivers may be more likely to block access aisles, which are essential for people who use wheelchairs and other mobility devices to enter and exit vehicles.⁴¹ Had BOE employees identified the lack of signage during the mandated accessibility survey, they could have provided basic supplies such as traffic cones and posterboard for poll workers to set up temporary signs.⁴²

In 42 percent of DRNY’s surveyed poll sites, BMDs were not set up to ensure privacy for voters marking their ballots. Once again, the solution is straightforward: poll workers could have rearranged the layout of the voting area, turned the BMD away from the center of the room, or used temporary privacy screens or partitions to make sure that BMD screens and marked ballots were not visible to others. Election administrators often create new problems when they move BMDs into spaces that are separate from the main voting area — something that DRNY staff observed at several poll sites.⁴³ This practice separates voters who rely on BMDs to mark their ballots and can create added physical barriers.

DRNY surveyors also observed structural violations at polling places that could not be so easily addressed. In all, 60 surveyed poll sites (34 percent) did not have solid, firm,

TABLE 1

The Most Common Accessibility Violations Observed at Surveyed Early Voting Poll Sites

OBSERVED VIOLATION OF ACCESSIBILITY STANDARD	NUMBER OF POLL SITES	SHARE OF POLL SITES*
Access aisle for designated parking spaces does not have visible signs mounted five to seven feet above the ground reading “No Parking Any Time.” (36 C.F.R. 1191, App. D, § 502.2 and Building Code of NYS § 1111.5)	104	58%
BMD is not positioned so that a voter has privacy. (52 U.S.C. § 21081 (a)(3)(A))	71	42%
Parking lot and walkway are not solid, firm, and slip-resistant. (36 C.F.R. 1191, App. D, §§ 502.4, 302.1)	60	34%
Designated accessible parking spaces do not have visible signs mounted five to seven feet above the ground. (36 C.F.R. 1191, App. D, § 502.6)	60	34%
Each designated accessible parking space does not have an access aisle or shared access aisle. (36 C.F.R. 1191, App. D, § 502.3)	48	27%
Doors in entrance area do not have accessible hardware. (36 C.F.R. 1191, App. D, §§ 309.4, 404.2.7)	48	27%
BMD does not have a surrounding five-by-five-foot clearance or five-by-three-foot T-shaped clearance for a voter using a mobility device to access the machine. (36 C.F.R. 1191, App. D, § 304.3 and N.Y. Elec. Law § 7-202(p)(q) (2023))	44	26%

Note: Issues not highlighted were operational and could be mitigated with temporary remedies.

*Represents the share of poll sites with a given issue out of all those where DRNY surveyors collected data on that issue. Some poll sites had incomplete survey data.

and slip-resistant walkways between the parking areas and the entrances. At 30 sites (17 percent), the path of travel from the parking area to the stairs was not level or clear of physical barriers such as stairs or curbs. The entrances at 10 sites (6 percent) were less than 32 inches wide, making them difficult for voters with mobility devices to use. Local BOEs often struggle to find appropriate facilities for early voting — despite their authority to mandate a facility’s use as a poll site — because building management may be reluctant to permit access for the required nine days.⁴⁴ Even so, election administrators must reconsider using poll sites with such structural issues.

Lack of Training and Guidance for Poll Workers

HAVA requires states to ensure that every poll site has at least one accessible voting system, such as a BMD, available

to voters.⁴⁵ However, that mandate is meaningless when not paired with adequate training and resources for poll workers to operate the equipment. DRNY surveyors and voters reported that poll workers lacked essential knowledge about BMDs at 13 poll sites across 12 counties in the state.

Some poll workers were not aware that BMDs are available to voters. At one site in Herkimer County, when a DRNY surveyor asked a poll worker about the site’s BMD, the worker did not know what the surveyor was referencing. In Ulster County, a machine operator expressed concern that voters could not take advantage of BMDs because the poll workers managing check-in were unaware of the option.

State law does not limit who may use a BMD to mark a ballot.⁴⁶ However, at poll sites in at least five counties, DRNY surveyors and voters reported that poll workers conveyed that the equipment was only available to people with disabilities. At sites in Oneida and Rensselaer Counties, poll workers referred to BMDs as “handicap” voting machines. In Schenectady County, a poll

worker shared with a DRNY surveyor her previous belief that BMDs were specifically for voters who are deaf or hard of hearing. Voters in Saratoga and Rensselaer Counties reported that when they requested to use a BMD, poll workers asked if they had a disability, which violates Title III of HAVA.⁴⁷ BMDs are not limited to individuals with disabilities, and labeling them as such circumscribes their benefit for voters who would have an easier time marking their ballot with a BMD but may not think they qualify to use one. Preferable terminology, such as *accessible voting system* or *ballot-marking device*, emphasizes the machine's function instead of misconceptions about who may use them.

Although BMDs are available throughout the entire voting period and for all ballot types, at one poll site in Orange County, a worker incorrectly informed a DRNY surveyor that the BMD was only available on Election Day

before being corrected by another worker. Similarly, two New York City voters who cast affidavit ballots — provisional ballots for voters who do not appear on the rolls at poll sites and are confirmed on the back end — shared via the online survey that they were incorrectly told that they could not mark them using BMDs.

Poll workers also need more hands-on training on how to set up and operate BMDs. At poll sites in at least three counties, DRNY surveyors or voters reported that BMDs were not ready to be used, either because they were not powered on or because poll workers were not prepared to initiate an accessible voting session. At one site in Albany County, some poll workers explained that they had trained themselves by using the equipment. For voters who depend on these systems to mark their ballots, a poll site with a BMD that cannot be used amounts to a poll site that has no BMD at all.

III. Solutions

The state legislature, the NYS BOE, and local BOEs must ensure equal access for all voters. As the entities working most directly with voters, local BOEs need to prepare their staff and poll workers to anticipate accessibility shortcomings at poll sites and respond to voters' needs. The NYS BOE must provide local BOEs with the necessary support and guidance to make voting accessible, and it must hold them accountable when they fail to do so. The state legislature must give BOEs the authority and resources needed to allow voters to conveniently cast a ballot privately and independently. Most importantly, each of these steps should be taken in consultation with the public — especially New Yorkers with disabilities — to ensure an accessible voting experience for all voters.

Recommendations for Local BOEs

Poll worker training and guidance directly influence whether voters get the opportunity to mark and cast a ballot with privacy and independence. BOEs must make sure that all poll workers have the support and knowledge they need to serve voters and understand what steps to take if new obstacles arise during the voting period.

>> Recruit a more diverse group of poll workers and ensure that the role is accessible.

Recruiting more individuals with disabilities to serve as poll workers can help improve the voting experience for people with disabilities. Poll workers with disabilities understand firsthand the challenges that voters face, creating opportunities to better anticipate, identify, and address barriers. Greater representation and diversity among poll workers can also make poll sites more welcoming.

To achieve this goal, local BOEs must guarantee that the tasks expected of poll workers are accessible. Election officials should provide training and guidance to poll workers on electronic pollbook accessibility settings, including how to change display and text settings for ease of seeing, reading, and performing tasks; how to enable assistive touch features for poll pad screens; and how to connect and use assistive technology.⁴⁸

>> Require all poll workers to have hands-on training with BMDs.

BOEs should require every poll worker to receive hands-on training on how to set up, use, and troubleshoot a BMD before working at a poll site. Training should include a plan of action for BMD malfunctions that covers whom to call and what alternatives can be offered to voters until the issue is addressed. Staff from the Oswego County BOE, for example, shared with a DRNY surveyor that they

provide hands-on BMD training to every poll worker once a year and additional in-depth BMD training to floating on-call workers, who are stationed within 15 minutes of polls sites in case issues arise.

>> Create easy-to-follow quick guides for BMDs.

Poll workers should not have to rely on remembering their training or flipping through a long manual every time a voter asks to use a BMD. Instead, local BOEs should create accessible voting session quick guides that cover how to use and troubleshoot BMDs. A poll worker in Tioga County shared with a DRNY surveyor that the BOE developed instruction cards for poll sites and provided BMD-trained poll workers with blue buttons so that voters can more easily identify someone if they need help. In designing the quick guides, local BOEs should follow usability and comprehension best practices, such as those provided by the Center for Civic Design.⁴⁹

>> Assign a dedicated accessible poll worker to each poll site.

As recommended by the National Disability Rights Network, counties that have the capacity should hire a dedicated accessible poll worker for each poll site. That person should receive extra training on accessibility requirements and best practices, be available to support voters with disabilities throughout the voting period, and be tasked with ensuring that the polling place complies with state and federal law.⁵⁰

Recommendations for the NYS BOE

Many of the most common accessibility violations identified in DRNY's surveys can be mitigated with simple, low-cost solutions if BOEs identify and address the issues before early voting begins. Local BOEs are responsible for

designating, assessing, and organizing poll sites, but too often, these officials operate with limited resources and few full-time staff.⁵¹

The NYS BOE must improve guidance and assistance to help local BOEs choose, evaluate, and organize poll sites. It must also monitor local BOE implementation of and adherence to state and federal poll site accessibility standards and take corrective action when local BOEs repeatedly fail to abide by them. The state legislature should clarify — and where necessary expand — the NYS BOE’s authority and mandate to perform this role.

>> Improve resources for assessing poll site accessibility and implementing solutions.

State law requires the NYS BOE to publish and distribute a guide on poll site accessibility standards and a survey instrument for local BOEs to assess poll sites.⁵² The NYS BOE should design these materials — or create complementary resources — to provide accessibility standards and best practices in a concise, easy-to-follow format for the workers who implement these practices. The NYS BOE can also create model quick guides for operating BMDs and other voting equipment that local BOEs can circulate to poll sites.

In 2020, Iowa’s secretary of state coordinated with disability rights organizations to design new “Voting Accessibility Quick Check” booklets.⁵³ These pamphlets provide concise summaries of standards, diagrams to help visualize what to look for, and even ruler markings to measure door widths, pathways, protruding objects, and other physical attributes that can inhibit a voter’s movement through the poll site.⁵⁴ The U.S. Election Assistance Commission, honoring the Iowa secretary of state’s office with a Clearinghouse Award, recognized the booklets as a national best practice and a model for other states to adopt.⁵⁵

The NYS BOE should ensure that accessibility survey checklists go beyond a yes/no framework and provide clear directions for and examples of temporary remedies to address violations. Checklists could include brief descriptions and visuals of remedies, references to more detailed descriptions in the full guide to poll site accessibility standards, or links to visual explainers. The New York City BOE has published video resources on ADA poll site standards that offer advice for implementing and maintaining temporary solutions.⁵⁶ However, most local BOEs do not have comparable funding and capacity to produce materials like this. The NYS BOE should help fill that gap.

>> Share results from poll site accessibility surveys publicly.

The state law requirement that local BOEs complete and submit accessibility surveys to the NYS BOE is an underutilized opportunity for oversight and accountability. The NYS BOE should publish survey findings online ahead of early voting so that voters can make informed decisions

about which early voting location to go to or whether to request an absentee ballot instead. Prior to citywide elections in 2023, the Chicago Board of Elections released accessibility ratings for nearly 1,000 poll sites, deeming each one high, medium, or low-to-no accessibility and publishing descriptions of each ranking for voters.⁵⁷

The NYS BOE should create a similar centralized information source ahead of each election. The board must strive to ensure that every poll site is fully accessible to all voters. If a local BOE falls short of this requirement, voters deserve to know in advance — not when they arrive to vote.

>> Hold local BOEs accountable when counties continue to violate accessible voting laws.

Under HAVA, each state must establish and maintain an administrative process that allows people to seek redress for violations of the act’s requirements, among them the requirement that voting systems “be accessible for individuals with disabilities . . . in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters.”⁵⁸ When the NYS BOE finds that a violation has occurred, state law requires the board to direct the applicable state or local body, most commonly the local BOE, to take corrective steps.⁵⁹

However, state law does not require the NYS BOE to conduct any ongoing oversight or reevaluate counties where violations occur, even when those violations are repeated across multiple elections. Without a statutory requirement to act, the NYS BOE does not hold local BOEs accountable, leaving problems unresolved for voters.

For example, in 2021, the NYS BOE directed the Suffolk County BOE to “instruct election workers and inspectors to inform voters of their options of ways to vote when a BMD breaks down” as part of the remedy to a HAVA violation.⁶⁰ One year later, the NYS BOE found that the county had continued to violate HAVA regulations when poll workers failed to inform a voter of alternative options to vote after a poll site’s BMD malfunctioned.⁶¹ The Suffolk BOE insisted that poll workers had been instructed to inform voters of alternatives, and that it had since tried to retrain the poll worker in question after the worker failed to provide alternatives (though the individual chose to resign instead). In response, the NYS BOE once again directed the Suffolk BOE to “instruct poll workers to inform voters of their options to vote when a BMD breaks down.”⁶²

It is unclear whether the NYS BOE investigated further to determine if poll worker training materials could more clearly convey this information, or if additional steps by the Suffolk BOE could have made poll workers more likely to comply with these requirements. Even when all parties operate in good faith to remedy violations and shortcomings, accessibility compliance requires collaboration, review, and oversight between state and local officials.

Recommendations for the State Legislature

Temporary modifications to voting locations cannot remedy all accessibility issues. The state legislature should expand options and funding for poll sites that local BOEs can choose from. New York should borrow from other jurisdictions that have employed creative solutions to address this problem.

>> Require poll sites to offer curbside voting.

At least 27 states either require or permit poll sites to offer curbside voting for voters with disabilities.⁶³ No law in New York authorizes this option. Curbside voting allows an individual to mark a ballot outside a polling place, often from a vehicle, making it a particularly useful option for poll sites that have structural barriers to accessible entry that cannot reasonably be remedied by the local BOE ahead of an election. To be sure, curbside voting is not on its own a solution to inaccessible poll sites, especially for voters who need access to BMDs to mark their ballots, but it can offer voters with disabilities another option to vote privately and independently. Curbside voting laws typically require a bipartisan team of poll workers to bring the voter a pollbook to sign, a ballot, and any other materials needed to cast a vote. The U.S. Election Assistance Commission offers a “quick start guide” to help election officials implement curbside voting procedures.⁶⁴

>> Authorize and provide funding for mobile voting units.

Some jurisdictions across the country, including Orange County, California, Fulton County, Georgia, and Kane County, Illinois, have used mobile voting units that travel to different spots throughout the early voting period to offer voters an alternative to fixed-location poll sites.⁶⁵ These mobile units, which often resemble RVs, can have features such as wheelchair lifts to ensure accessibility for all users.⁶⁶ And they allow local BOEs to make use of site options that are convenient and accessible by public transit. The New York State legislature should authorize the use of mobile voting units and provide funding to help counties purchase such vehicles.

>> Increase funding for election administration and early voting.

County legislatures chronically underfund local BOEs, which contributes to inconsistent voter resources from county to county. The New York State budget for fiscal year 2024 included \$15 million in additional funds for local BOEs to make necessary updates to outdated election equipment.⁶⁷ This allotment was a great first step, but local BOEs need more consistent funding, not just one-time grants for specific initiatives.⁶⁸ Funding could help counties open more early voting locations, invest in mapping software and expertise to better plan locations, increase staffing at early voting poll sites, update outdated equipment that is more likely to break, and purchase upgrades such as ramps, slip-resistant mats, and door hardware to remedy accessibility issues at polling places.

Conclusion

When New York enacted early voting in 2019, it strengthened its commitment to providing accessible and convenient access to the ballot for all voters. In many ways, the move has been an enormous success: surveyed voters celebrated the flexibility and convenience that early voting offers, and millions of New Yorkers have cast their ballots early over the last four years.

Still, this work is unfinished. Operational and structural issues at early voting poll sites, along with insufficient training for poll workers, too often deny voters with disabilities their right to cast their vote privately and independently. Local BOEs, the NYS BOE, and the state legislature must

work together to address these obstacles through improved guidance, training, and oversight; increased investment in election administration; and expanded options for voters. Without such progress, the promise of early voting for all New Yorkers will be unfulfilled.

Early Voting Poll Sites Surveyed by DRNY

COUNTY	POLLING PLACE NAME	ADDRESS	DATE
Albany	Bought Community Fire Department	8 Preston Drive, Cohoes	10/31/2022
Albany	Guilderland Public Library	2228 Western Avenue, Guilderland	10/31/2022
Albany	Albany County Board of Elections	260 South Pearl Street, Albany	11/2/2022
Albany	Berne Volunteer Fire Company	30 Canaday Hill Road, Berne	11/2/2022
Albany	Bethlehem Lutheran Church (Parish Hall)	85 Elm Avenue, Delmar	11/2/2022
Albany	North Bethlehem Fire Department	589 Russell Road, Albany	11/2/2022
Albany	Pine Grove United Methodist Church	1580 Central Avenue, Colonie	11/2/2022
Allegany	Board of Elections Office	8 Willets Avenue, Belmont	11/1/2022
Allegany	Wellsville Village Office	23 North Main Street, Wellsville	11/1/2022
Broome	Broome County Public Library	185 Court Street, Binghamton	8/15/2022
Broome	George F. Johnson Memorial Library	1001 Park Street, Endicott	8/15/2022
Broome	Oakdale Mall	601–635 Harry L Drive, Johnson City	10/31/2022
Broome	Taste NY Building	840 Upper Front Street, Binghamton	10/31/2022
Cattaraugus	Cattaraugus County Board of Elections	207 Rock City Street, Little Valley	11/1/2022
Cattaraugus	Jamestown Community College	305 North Barry Street, Olean	11/1/2022
Cayuga	Town Offices	1630 State Route 38, Moravia	8/15/2022
Cayuga	Clifford Park Clubhouse	81 Mary Street, Auburn	10/31/2022
Cayuga	Cato Town Office	1320 Short Cut Road, Cato	11/3/2022
Chautauqua	Board of Elections Offices	7 North Erie Street, Mayville	11/1/2022
Chautauqua	Chautauqua County Fairgrounds	1089 Central Avenue, Dunkirk	11/1/2022
Chautauqua	Chautauqua Mall	318 East Fairmont Avenue, Lakewood	11/1/2022
Chautauqua	Robert H. Jackson Center	305 East 4th Street, Jamestown	11/1/2022
Chemung	County Board of Elections	378 South Main Street, Elmira	8/15/2022
Chenango	County Office Building	5 Court Street, Norwich	8/16/2022
Clinton	Clinton Government Center	137 Margaret Street, Plattsburgh	11/1/2022
Columbia	Columbia County Board of Elections	401 State Street, Hudson	10/31/2022
Columbia	Martin H. Glynn Municipal Building	3211 Church Street, Valatie	10/31/2022
Cortland	Department of Motor Vehicles	112 River Street, Cortland	8/15/2022
Delaware	Delaware County Board of Elections	3 Gallant Avenue, Delhi	8/13/2022
Dutchess	Boardman Road Library	141 Boardman Road, Poughkeepsie	10/30/2022
Dutchess	Cornell Cooperative Center	2715 U.S. 44, Millbrook	10/30/2022

COUNTY	POLLING PLACE NAME	ADDRESS	DATE
Dutchess	Mid-Hudson Library Auditorium	105 Market Street, Poughkeepsie	10/30/2022
Dutchess	Rhinebeck Town Hall	80 East Market Street, Rhinebeck	10/30/2022
Dutchess	East Fishkill Community Library	348 Route 376, Hopewell Junction	10/31/2022
Dutchess	Fishkill Town Hall	807 Route 52, Fishkill	10/31/2022
Dutchess	Wappinger Town Hall	20 Middlebush Road, Wappingers Falls	10/31/2022
Erie	Akron Village Hall	21 Main Street, Akron	11/1/2022
Erie	Brant Senior Center	1000 Brant Farnham Road, Irving	11/1/2022
Erie	Aurora Municipal Center	575 Oakwood Avenue, East Aurora	11/2/2022
Erie	Concord Senior Center	40 Commerce Drive, Springville	11/2/2022
Erie	Erie Board of Elections Main Office	134 West Eagle Street, Buffalo	11/2/2022
Erie	Holland Community Center	3 Legion Drive, Holland	11/2/2022
Erie	Northwest Buffalo Community Center	155 Lawn Avenue, Buffalo	11/2/2022
Erie	Salvation Army West Side	187 Grand Street, Buffalo	11/2/2022
Erie	Tonawanda City Hall	200 Niagara Street, Tonawanda	11/2/2022
Erie	West Seneca Community Center	1300 Union Road, West Seneca	11/2/2022
Essex	Lake Placid Beach House	31 Parkside Drive, Lake Placid	11/1/2022
Essex	North Hudson Town Offices	3024 U.S. Route 9, North Hudson	11/1/2022
Franklin	Franklin County Board of Elections	355 West Main Street, Suite 161, Malone	11/1/2022
Fulton	Gloversville Recreation Center	24 3rd Avenue, Gloversville	8/17/2022
Genesee	ARC Community Center	38 Woodrow Road, Batavia	11/1/2022
Greene	Greene County Board of Elections	411 Main Street, Catskill	11/4/2022
Hamilton	Indian Lake District No. 1 Town Hall	117 Pelon Road, Indian Lake	8/17/2022
Herkimer	Benton Hall Academy	15 Petrie Street, Little Falls	8/16/2022
Jefferson	County Office Building	175 Arsenal Street, Watertown	11/2/2022
Jefferson	Evans Mills Fire Department	8615 Leray Street, Evans Mills	11/2/2022
Lewis	Lewis County Board of Elections	7550 South State Street, Lowville	11/2/2022
Livingston	Livingston County Board of Elections	6 Court Street, Geneseo	11/1/2022
Madison	St. Paul's United Methodist Church	551 Sayles Street, Oneida	8/16/2022
Monroe	Sweden Clarkson Community Center	4972 Lake Road South, Brockport	11/1/2022
Monroe	Boys and Girls Club	500 Genesee Street, Rochester	11/2/2022
Monroe	Edgerton Recreation Center	41 Backus Street, Rochester	11/2/2022
Monroe	Henrietta Public Library	625 Calkins Road, Rochester	11/2/2022
Monroe	North Greece Road Church	1039 North Greece Road, Rochester	11/2/2022
Monroe	Penfield Dolomite Lounge	1628 Jackson Road, Penfield	11/2/2022

COUNTY	POLLING PLACE NAME	ADDRESS	DATE
Monroe	Perinton Square Mall	6720 Pittsford Palmyra Road, Fairport	11/2/2022
Monroe	Sibley Square	250 East Main Street, Rochester	11/2/2022
Monroe	St. Theodore's Church	168 Spencerport Road, Rochester	11/2/2022
Monroe	Webster Library	980 Ridge Road, Webster	11/2/2022
Montgomery	Fort Plain Senior Center	204 Canal Street, Fort Plain	8/16/2022
Montgomery	Old County Courthouse	9 Park Street, Fonda	8/16/2022
Montgomery	Amsterdam Housing Authority	52 Division Street, Amsterdam	8/17/2022
Nassau	Elmont Public Library	700 Hempstead Turnpike, Elmont	11/3/2022
Nassau	Glen Cove City Hall	9 Glen Street, Glen Cove	11/3/2022
Nassau	Lawrence Country Club	101 Causeway, Lawrence	11/3/2022
Nassau	Nassau County Board of Elections	240 Old Country Road, Mineola	11/3/2022
Nassau	Michael J. Tully Park	1801 Evergreen Avenue, New Hyde Park	11/3/2022
Nassau	St. Frances de Chantal Church	1309 Wantagh Avenue, Wantagh	11/3/2022
Nassau	Uniondale Fire Department	154 Uniondale Avenue, Uniondale	11/3/2022
Nassau	Yes We Can Community Center	141 Garden Street, Westbury	11/3/2022
Niagara	Cornell Cooperative Extension	4487 Lake Avenue, Lockport	11/1/2022
Niagara	Newfane Community Center	2737 Main Street, Newfane	11/1/2022
Niagara	Niagara Falls Train Station	825 Depot Avenue, West Niagara Falls	11/2/2022
Niagara	Wheatfield Community Center	2790 Church Road, North Tonawanda	11/2/2022
Oneida	Mohawk Valley Community College	1101 Sherman Drive, Utica	8/16/2022
Oneida	New Hartford Town Hall	8635 Clinton Street, New Hartford	8/16/2022
Oneida	South Rome Senior Center	112 Ridge Street, Rome	8/16/2022
Oneida	Whitestown Hall	8539 Clark Mills Road, Whitesboro	8/16/2022
Onondaga	Armand Magnarelli Community Center	2300 Grand Boulevard, Syracuse	11/3/2022
Onondaga	Beauchamp Branch Library	2111 South Salina Street, Syracuse	11/3/2022
Onondaga	Camillus Municipal Building	4600 West Genesee Street, Syracuse	11/3/2022
Onondaga	Clay Town Hall Courtroom	4401 Route 31, Clay	11/3/2022
Onondaga	DeWitt Town Hall Courtroom	5400 Butternut Drive, East Syracuse	11/3/2022
Onondaga	Lafayette Fire Station No. 1	2444 Route 11 South, Lafayette	11/3/2022
Onondaga	Lysander Municipal Building	8220 Loop Road, Baldwinsville	11/3/2022
Onondaga	North Syracuse Community Center	700 South Bay Road, Syracuse	11/3/2022
Onondaga	Onondaga Community College	4926 Onondaga Road, Syracuse	11/3/2022
Onondaga	Syracuse Community Connection	401–425 South Avenue, Syracuse	11/3/2022
Ontario	Geneva Housing Authority	41 Lewis Street, Geneva	10/31/2022

COUNTY	POLLING PLACE NAME	ADDRESS	DATE
Ontario	Ontario Board of Elections	74 Ontario Street, Canandaigua	10/31/2022
Ontario	Victor Town Hall	85 East Main Street, Victor	11/3/2022
Orange	Delaware Engine Co. No. 2	22 Hammond Street, Port Jervis	10/29/2022
Orange	Middletown Senior Center	62-70 West Main Street, Middletown	10/29/2022
Orange	Warwick Town Hall	132 Kings Highway, Warwick	10/29/2022
Orange	Caroline Building	23 Hatfield Lane, Goshen	10/30/2022
Orange	Cornwall Ambulance Building	1 Clinton Street, Cornwall	10/31/2022
Orange	Monroe Town Hall	1465 Orange Turnpike, Monroe	10/31/2022
Orange	Newburgh Activity Center	401 Washington Street, Newburgh	10/31/2022
Orange	Village of Montgomery Senior Center	36 Bridge Street, Montgomery	10/31/2022
Orleans	Orleans County Board of Elections	14016 State Route 31, Albion	11/1/2022
Oswego	Barclay Courthouse	1 Broad Street, Pulaski	11/2/2022
Oswego	Oswego Board of Elections	185 East Seneca Street, Oswego	11/2/2022
Otsego	Meadows Office Complex	140 County Highway 33 West, Cooperstown	8/13/2022
Otsego	Foothills Performing Arts and Civic Center	24 Market Street, Oneonta	10/31/2022
Putnam	North Highlands Fire House	504 Fishkill Road, Cold Spring	10/29/2022
Putnam	Putnam County Clerk's Office	40 Gleneida Avenue, Carmel	11/7/2022
Rensselaer	Schodack Town Hall	265 Schuurman Road, Castleton	10/31/2022
Rensselaer	Town of Brunswick Office Building	336 Town Office Road, Troy	10/31/2022
Rensselaer	Troy Medical Building	500 Federal Street, Troy	10/31/2022
Rockland	Clarkson Town Hall	10 Maple Avenue, New City	10/29/2022
Rockland	Fire Training Center	35 Firemens Memorial Drive, Pomona	10/29/2022
Rockland	Haverstraw Town Hall	1 Rosman Road, Garnerville	10/29/2022
Rockland	Orangetown Town Hall	26 West Orangeburg Road, Orangetown	10/29/2022
Rockland	Pascack Community Center	87 New Clarkson Road, Nanuet	10/29/2022
Rockland	Ramapo Town Hall	237 Route 59, Suffern	10/29/2022
Rockland	Stony Point Community Center	5 Club House Lane, Stony Point	10/29/2022
Saratoga	Board of Elections	50 High Street, Ballston Spa	8/17/2022
Saratoga	Recreation Center	15 Vanderbilt Avenue, Saratoga Springs	8/17/2022
Saratoga	Wilton Gavin Park	10 Lewis Road, Saratoga Springs	8/17/2022
Saratoga	Clifton Park Halfmoon Library	475 Moe Road, Clifton Park	8/21/2022
Saratoga	Greenfield Firehouse No. 1	13 South Greenfield Road, Greenfield Center	11/2/2022

COUNTY	POLLING PLACE NAME	ADDRESS	DATE
Schenectady	Honorable Karen B. Johnson Library	99 Clinton Street, Schenectady	8/21/2022
Schenectady	Niskayuna Town Hall	1 Niskayuna Circle, Niskayuna	8/21/2022
Schenectady	Glenville Senior Center	32 Worden Road, Glenville	11/2/2022
Schenectady	Volunteer Fire Department	6 Old Mariaville Road, Schenectady/Rotterdam	11/2/2022
Schoharie	Board of Elections Office	284 Main Street, Schoharie	8/13/2022
Schoharie	Cobleskill Community Library	110 Union Street, Cobleskill	8/13/2022
Schuyler	Schuyler County Courthouse	105 9th Street, Watkins Glen	8/15/2022
Seneca	Seneca County Health Department	2465 Bonadent Drive, Waterloo	10/31/2022
Steuben	USW Local 1000 Union Hall	100 Civic Center Plaza, Corning	8/15/2022
Steuben	Steuben County Annex Building	20 East Morris Street, Bath	10/31/2022
Steuben	Hornell Arts Center	56 Broadway, Hornell	11/1/2022
St. Lawrence	Clarkson Building	42 Maple Street, Potsdam	11/1/2022
St. Lawrence	Dobisky Center	100 Riverside Drive, Ogdensburg	11/2/2022
Suffolk	Dix Hills Fire Department	115 East Deer Park Road, Dix Hills	11/2/2022
Suffolk	Greenbelt Recreation Center	281 Patchogue-Holbrook Road, Holtsville	11/2/2022
Suffolk	Harborfields Public Library	31 Broadway, Greenlawn	11/2/2022
Suffolk	Knights of Columbus (Islip)	96 2nd Avenue, Brentwood	11/2/2022
Suffolk	Nesconset Elementary School	54 Browns Road, Nesconset	11/2/2022
Suffolk	Riverhead County Center	300 Center Drive South, Riverhead	11/2/2022
Suffolk	South Country Ambulance	420 Station Road, Bellport	11/2/2022
Suffolk	Suffolk County Board of Elections	700 Yaphank Avenue, Yaphank	11/2/2022
Suffolk	Wyandanch Public Library	14 S 20th Street, Wyandanch	11/2/2022
Suffolk	Huntington Public Library	1335 New York Avenue, Huntington Station	11/4/2022
Sullivan	Sullivan County Board of Elections	100 North Street, Monticello	10/30/2022
Tioga	Tioga County Board of Elections	1062 State Route 38, Owego	8/15/2022
Tompkins	Crash Fire Rescue	72 Brown Road, Ithaca	8/15/2022
Tompkins	Town Hall	215 North Tioga Street, Ithaca	8/15/2022
Ulster	American Legion	26 Mountain Road, No. 28, Shokan	10/30/2022
Ulster	Ellenville Public Library	40 Center Street, Ellenville	10/30/2022
Ulster	Marlborough Town Hall	21 Milton Turnpike, Milton	10/31/2022
Ulster	Midtown Neighborhood Center	467 Broadway, Kingston	10/31/2022
Ulster	New Paltz Community Center	3 Veterans Drive, New Paltz	10/31/2022

COUNTY	POLLING PLACE NAME	ADDRESS	DATE
Ulster	Saugerties Senior Center	207 Market Street, Saugerties	11/4/2022
Warren	Glens Falls City Hall	42 Ridge Street, Glens Falls	8/17/2022
Warren	Warren County Human Services Building	1340 State Route 9, Lake George	8/17/2022
Washington	Board of Elections Office, School on Burgoyne	1153 Burgoyne Avenue, Fort Edward	8/17/2022
Wayne	Ontario Town Hall	1850 Ridge Road, Ontario	10/31/2022
Westchester	Doles Center	250 South 6th Avenue, Mount Vernon	11/1/2022
Westchester	Hastings-on-Hudson Library	7 Maple Avenue, Hastings-on-Hudson	11/1/2022
Westchester	Jefferson Village Annex	350 Hill Boulevard, Yorktown Heights	11/1/2022
Westchester	Joseph G. Caputo Community Center	95 Broadway, Ossining	11/1/2022
Westchester	New Rochelle United Methodist	1200 North Avenue, New Rochelle	11/1/2022
Westchester	Nodine Hill Community Center	140 Fillmore Street, Yonkers	11/1/2022
Westchester	Peekskill Senior Center	4 Nelson Avenue, Peekskill	11/7/2022
Westchester	Mount Kisco Public Library	100 East Main Street, Mount Kisco	not listed
Westchester	Somers Town House	335 Route 202, Somers	not listed
Wyoming	Wyoming County Board of Elections	4 Perry Avenue, Warsaw	11/1/2022
Yates	Yates County Office Building	413 Liberty Street, Penn Yan	10/31/2022

DRNY's Poll Site Accessibility Survey

Polling Place Name: _____ County: _____ Date/Time: _____

Address of Polling Place: _____

Surveyor's Name: _____ Phone/ Email: _____

Have you submitted any pictures that go with this survey? Yes No

Parking				
1.)	A.) Are there designated accessible parking spaces?	Yes	No	
	B.) If yes, do they have visible signs mounted 5'-7' above the ground?	Yes	No	NA
2.)	A.) Does each accessible parking space have an access aisle or shared access aisle? <i>If no, please provide photo.</i>	Yes	No	NA
	B.) If yes, do they have visible signs mounted 5'-7' above the ground reading "No Parking Any Time"?	Yes	No	NA
3.)	Is there an access aisle that is no less than 8' wide?	Yes	No	NA
4.)	Are the accessible parking spaces on the shortest route to the voting entrance?	Yes	No	NA
5.)	Is there a clear and level path of travel from the parking spaces to the entrance with no stairs, curbs, or other physical barriers? (e.g. abrupt level changes) <i>If no, please provide photo.</i>	Yes	No	
6.)	Is the parking lot and walkway solid, firm, and slip resistant? <i>If no, please provide photo.</i>	Yes	No	
7.)	A.) Does the polling place have an accessible drop off area close to the entrance?	Yes	No	
	B.) If yes, is the path of travel from the drop off location to the entrance free of stairs, curbs, or other physical barriers? (e.g. abrupt level changes) <i>If no, please provide photo.</i>	Yes	No	NA
8.)	Are there adequate signs directing voters to the voting entrance?	Yes	No	
Comments:				
Entrance				
1.)	Is a ramp needed (that is not currently present) at any point in order to gain access to the voting area? <i>If yes, please provide photo.</i>	Yes	No	

2.)	If there is an existing ramp, is it too steep? <i>If yes, please provide photo.</i>	Yes	No	NA
3.)	If there is an existing ramp, is it stable?	Yes	No	NA
4.)	If there is an existing ramp, does it have continuous handrails on both sides? <i>If no, please provide photo.</i>	Yes	No	NA
5.)	If there is an existing ramp, does it have edge protections?	Yes	No	NA
6.)	If there is an existing ramp, does it have appropriate level landings? <i>If no, please provide photo.</i>	Yes	No	NA
7.)	Does the entrance door (as well as any other doorways a voter must pass through) open at least 32" wide? <i>If no, please provide photo.</i>	Yes	No	
8.)	Is there a separate accessible entrance to which people with disabilities are directed?	Yes	No	
9.)	If there is a separate accessible entrance, is the path of travel clearly marked by signs?	Yes	No	NA
10.)	If there is a separate accessible entrance, is the door unlocked or have a door monitor?	Yes	No	NA
11.)	Do doors have accessible door hardware? (this question can be answered NA if the doors are propped open)	Yes	No	NA
12.)	Do doors have latch side clearance? (this question can be answered NA if the doors are propped open)	Yes	No	NA
13.)	Are the doors lightweight and easily open without excessive force? (this question can be answered NA if the doors are propped open)	Yes	No	NA
14.)	If doors are propped open, are they properly secured with a latch or door stopper? <i>If no, please provide photo.</i>	Yes	No	NA
Comments:				
Voting Area				
1.)	Is the path of travel from the entrance to the voting area arranged in a way that makes it accessible to voters using a mobility device at least 36" wide with at least one area of at least 48" wide which can be used for turnaround space?	Yes	No	
2.)	Is the path of travel from the entrance to the voting area free from physical barriers? (e.g. trash cans, plants, chairs, etc.) If no, please provide photo.	Yes	No	
3.)	Has the voting area been arranged so that no barriers exist preventing someone using a mobility device to get where he/she needs to in order to vote? If no, please provide photo.	Yes	No	

4.)	Are all rugs and mats in the path of travel securely fixed to the ground?	Yes	No	NA
5.)	Is voting information posted at the eye level of someone using a wheelchair?	Yes	No	
6.)	Is there an ADA privacy booth?	Yes	No	
7.)	Does the ADA privacy booth have a surrounding 5’x5’ clearance or 5’x3’ “T-shaped” clearance for a voter using a mobility device to access the machine? If no, please provide photo.	Yes	No	NA
Comments:				
Ballot Marking Device (BMD)				
1.)	Is the BMD turned on?	Yes	No	
2.)	Is there a poll worker, at the site, who knows how to operate the BMD?	Yes	No	
3.)	Is the BMD working properly?	Yes	No	
4.)	Is the BMD positioned so that a voter has privacy? If no, please provide photo.	Yes	No	
5.)	Does the BMD have a surrounding 5’x5’ clearance or 5’x3’ “T-shaped” clearance for a voter using a mobility device to access the machine? If no, please provide photo.	Yes	No	
Comments:				

Please describe any other voting problems that you may have had or observed as well as any suggestions to improve voting accessibility at this polling place.

Online Survey of Early Voting Experiences

Section 1: When and where did you vote early?

1. I voted early or returned my absentee ballot to an early voting poll site on: *(Select the date)*
2. I am registered to vote in: *(Select your home county from the list)*
3. Select the early voting poll site where you voted or returned your absentee ballot.

Section 2: How did you get to your early voting poll site?

4. How did you travel to your poll site?
 - By walking/wheeling
 - By car
 - By public transit
 - By bicycle
 - Other
5. Was your early voting poll site within walking/wheeling distance of a public transit stop?
 - Yes
 - No
 - I don't know / don't remember
 - Other
6. How much time did it take to travel to your poll site?
 - 5 minutes or less
 - 5–10 minutes
 - 10–20 minutes
 - 20–30 minutes
 - More than 30 minutes
 - I don't know / don't remember
 - Other

7. Where did you travel from to get to your poll site?

- Home
- Work
- School
- Other

Section 3: Was your early voting poll site accessible?

8. Was your early voting poll site accessible? The CDC defines accessibility as “when the needs of people with disabilities are specifically considered.” Please select the option below that best reflects your overall early voting experience. *(Select a number on a scale from 1, not accessible at all, to 5, very accessible)*

9. Were there sidewalks leading up to your poll site entrance?

- Yes
- No
- I don't know / don't remember
- Other

10. To the best of your recollection, which of the below best describes the parking options at your poll site?

- Parking lot with spaces reserved for people with disabilities located close to the voting area entrance
- Parking lot with spaces reserved for people with disabilities NOT located close to the voting area entrance
- Parking lot WITHOUT spaces reserved for people with disabilities
- Only street parking was available
- I don't know / don't remember
- Other

11. Was a ramp or elevator necessary to access the poll site and voting area?

- Yes
- No
- I don't know / don't remember
- Other

12. If you answered “yes” to the previous question, which of the below options best describes the ramp or elevator at your poll site?

- There was a ramp or elevator available to access the poll site and voting area
- There was NO ramp or elevator available to access the poll site and voting area
- I don't know / don't remember
- Other

13. The poll workers who I interacted with were sensitive to my accessibility needs when voting. *(Select a number on a scale from 1, not accessible at all, to 5, very accessible)*

14. *(Optional)* Please use this space to elaborate on your answer to the previous question.

15. It was easy for me to enter and exit the voting booth.

- Yes
- No
- I don't know / don't remember
- Other

16. I used a ballot-marking device (BMD) or accessible voting system to vote, rather than marking my ballot by hand.

- Yes
- No
- I wanted to use a BMD or accessible voting system, but the machine was not working or the poll worker was unable to set it up
- I don't know / don't remember
- Other

Section 4: Ballot-Marking Device (BMD)/Accessible Voting System Questions

17. The ballot-marking device (BMD) or accessible voting system was turned on and working properly.

- Yes
- No
- I don't know / don't remember
- Other

18. How long did it take poll workers to set up an accessible voting session on the ballot-marking device (BMD) or accessible voting system?

- 5 minutes or less
- 5–10 minutes
- 10–20 minutes
- More than 20 minutes
- I don't know / don't remember
- Other

19. Based on your experience, how familiar was the poll worker who assisted you with operating the ballot-marking device (BMD) or accessible voting system? *(Select a number on a scale from 1, not accessible at all, to 5, very accessible)*

20. The ballot-marking device (BMD) or accessible voting system was positioned so that I could vote privately.

- Yes
- No
- I don't know / don't remember
- Other

Section 5: Additional poll site accessibility questions

21. Did you encounter any other obstacles to voting during the early voting period? *(Please check all that apply)*

- Long wait time
- Broken-down machinery (including ballot-marking device)
- Closed or relocated poll site
- Not enough information about when and where to vote early
- Confusing instructions to cast ballot
- Discouraged from using ballot-marking device (BMD) or accessible voting system
- Poll workers lacked knowledge or training necessary to meet my accessibility needs
- Other

22. *(Optional)* Is there anything else you would like to share about your early voting experience?

Section 6: Optional demographic data and contact information

23. *(Optional)* Which race or ethnicity best describes you?

24. *(Optional)* How would you describe your gender identity?

25. *(Optional)* If you would be open to discussing your responses with us, please write your name and contact information below. *Note: you always have the option to remain anonymous for any future report or publication.*

Endnotes

- 1 Blaise Bryant (communications specialist, New York Association on Independent Living), conversation with Disability Rights New York (DRNY) and the Brennan Center for Justice at NYU School of Law, January 6, 2023.
- 2 Centers for Disease Control and Prevention (CDC), “Disability and Health Data System” (New York disability estimates), accessed May 26, 2023, <https://dhds.cdc.gov>.
- 3 CDC, “Disability and Health Data System”; and University of New Hampshire Institute on Disability, “2018 State Report for County-Level Data: Prevalence,” 2020, <https://disabilitycompendium.org/compendium/2018-state-report-for-county-level-data-prevalence/NY>.
- 4 See generally U.S. Government Accountability Office (GAO), *K-12 Education: School Districts Need Better Information to Help Improve Access for People with Disabilities*, June 2020, <https://www.gao.gov/assets/gao/20/448.pdf>; Office of the New York State Comptroller, *Benefits Advisement Services for Individuals with Disabilities Seeking Employment*, July 20, 2021, <https://www.osc.state.ny.us/state-agencies/audits/2021/07/20/benefits-advisement-services-individuals-disabilities-seeking-employment>; Clarisa Diaz, “Infographic: How Much of the NYC Subway Is Accessible?,” *Gothamist*, March 5, 2020, <https://gothamist.com/news/infographic-how-much-nyc-subway-accessible>; and Emyle Watkins, “The City of Buffalo Isn’t Complying with Disability Civil Rights Law,” *WBFO* (NPR), December 6, 2022, <https://www.wbfo.org/local/2022-12-06/the-city-of-buffalo-isnt-complying-with-disability-civil-rights-law>.
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The Brennan Center’s Democracy Program encourages broad citizen participation by promoting voting and campaign finance reform. We work to secure fair courts and to advance a First Amendment jurisprudence that puts the rights of citizens — not special interests — at the center of our democracy. We collaborate with grassroots groups, advocacy organizations, and government officials to eliminate the obstacles to an effective democracy.

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