

**DC VOTING ACCESS:
THE APRIL 23, 2013 SPECIAL ELECTION**



Our Lady Queen of the Americas Precinct # 13

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RESULTS OF ACCESSIBILITY SURVEYS OF INDIVIDUAL POLLING PRECINCTS DURING THE APRIL 23, 2013 SPECIAL ELECTION

This report provides an analysis of the results of a survey conducted by University Legal Services (ULS) of the accessibility of polling precincts throughout the District of Columbia during the April 23, 2013 Special Election. ULS is the federally designated protection and advocacy agency that represents people with disabilities to ensure their access to facilities, services and programs in the District of Columbia. Pursuant to the Help America Vote Act of 2002 (HAVA), protection and advocacy agencies, including ULS, are charged with “ensuring the full participation in the electoral process of individuals with disabilities, including registering to vote, casting a vote and accessing polling places.” 42 U.S.C. § 15461 et. seq. (2002). Along with compliance with HAVA, the District of Columbia agreed to make all of its precincts accessible to people with disabilities by the 2004 Presidential Primary in a Settlement Agreement arising from *AAPD v. District of Columbia*.

ULS has covered the District’s major elections since 2004 and has issued reports on polling place accessibility to the staff of the Board of Elections (BOE) as well as its Board of Commissioners and the public.¹ ULS staff have also testified before the District of Columbia’s City Council and met with BOE officials about the accessibility issues. ULS provides assistance and information to the BOE to ensure that polling staff are trained regarding making the polls useable by people with disabilities.

Additionally, ULS provides BOE a checklist for polling staff with items like ensuring there are signs directing voters with disabilities to the accessible entrance and other steps to make a precinct accessible. Over the years, with each report, ULS has recommended remedies for past problems. ULS also provides direct assistance to individuals. DC residents who experience barriers to voting related to their disabilities can contact ULS to request assistance.

This report discusses each precinct surveyed and identifies issues that hinder voters with disabilities from entering the main voting area and voting. In its monitoring of the polls, ULS continues to document and report accessibility barriers with the goal of moving towards the accessibility of 100% of the DC polling precincts for people with disabilities.

METHODOLOGY

This report lists precincts as *structurally inaccessible* when voters with mobility disabilities cannot enter the building to vote due to steps, narrow doorways or other issues that cannot be remedied by poll workers. These precincts are denoted with an asterisk. Precincts are labeled *operationally inaccessible* where poll workers failed to take the necessary steps to ensure accessibility such as removing obstructions in the path to the voting area or equipment malfunctioned. As a result, voters with mobility, visual and hearing disabilities could not enter what was otherwise a structurally accessible voting area or could enter, but could not vote. All structurally inaccessible polling places are described below, with a sampling of the operationally inaccessible precincts. ULS’ also provides precinct-specific recommendations for improved

¹ See ULS’ Voting Accessibility Reports, *available at* www.uls-dc.org.

accessibility. A chart of all precincts surveyed is included at the end of this report as Appendix A; the breakdown of the precincts by accessibility issue is included as Appendix B.

SUMMARY OF MAJOR FINDINGS

In the April 23, 2013 Special Election survey, ULS conducted a survey of 27 polling precincts in 24 locations, focusing on those with past problems. Our survey found that **8% (2 locations) of the surveyed precincts were structurally inaccessible**, and **50% (12 locations) of the surveyed precincts were operationally inaccessible**. During the November 6, 2012 Presidential Election ULS found a similar rate of operational inaccessibility: 47% of the large sample of 123 surveyed precincts were operationally inaccessible. In the April 3, 2012 Presidential Primary election, sixty-eight percent of the 99 surveyed precincts were operationally inaccessible.

The primary access problems resulted from locked or closed heavy doors, which prevent voters with mobility disabilities from entering the voting area independently. Preferably, heavy or narrow double doors (i.e., doors a person in a wheelchair may only pass through when both double doors are open) are propped open so that voters with mobility disabilities may enter them independently. However, where heavy or narrow double doors were not propped, if there was a working backup system of poll workers who were stationed nearby or responded to a doorbell placed at the entrance, ULS counted the entrance as accessible. However, 25% of precincts surveyed (6 precincts) with closed, heavy doors did not have a working backup system. These precincts were marked operationally inaccessible.

ULS also stresses the importance of clearing demarcating the accessible entrance so that it is clear from the parking lot and sidewalk for voters using public transportation. Many voters, especially voters who use canes, walkers, or manual wheelchairs, as well as seniors, have difficulty voting if they must traverse long distances around large buildings—some of which span multiple blocks—searching for the accessible entrance. Clear signage directing voters to the accessible entrance is key to making polling places accessible.

The data presented below are based on the surveys of 24 precincts prepared by ULS staff and volunteer monitors.

DETAILED DESCRIPTIONS OF ALL SURVEYED PRECINCTS:

Duke Ellington School of the Arts (3500 R St., NW) – Precinct 6

This precinct was **operationally inaccessible because a wheelchair user cannot access the voting area independently, but rather must use the school entrance, go through security and sign-in, and then be escorted through lobby and voting area**. The touch screens did not have 5 feet of turning space around them to enable a person in a wheelchair to maneuver to use the touch screen. Additionally, instead of an operational call bell, there was a phone number listed to call.

- The precinct needs to provide an entrance and path that a wheelchair user could access independently.
- Ensure touch screens have 5 feet of space around them.

Our Lady Queen of the Americas (2200 California St., NW) – Precinct 13*

This precinct was **structurally inaccessible because it did not have an accessible entrance**. The “accessible” entrance is locked, requires use of an elevator that is too narrow for a wheelchair user to access and requires the person to manually pull open an outer door and an old-fashioned elevator gate to enter and exit the elevator. The elevator does not have audible floor indicators or Braille. The ramp is very steep and does not have handrails. There are obstructions in the path to the voting area. A wheelchair user must be accompanied through double locked doors. The surveyor informed the precinct captain the doorbell was not working. Our Lady Queen of the Americas has been structurally inaccessible in every report ULS has issued.

- **This precinct must be moved to an accessible location.**

Watha T. Daniel - Shaw Community Library (16307th St, NW) – Precinct 21

This precinct was **operationally inaccessible because the touch screens were not working**. Additionally, the elevator, which was required to reach the voting area, did not have audible floor indicators, which had been a problem during the previous election as well. Previously, ULS had recommended that heavy or difficult-to-open doors be propped open, and the precinct had implemented this recommendation. The main entrance was accessible, with a useable ramp, and signs directing voters to the accessible entrance.

- Ensure working touch screen voting machines are available at each polling place so that voters who are blind, hard of hearing, or deaf may vote independently.
- Elevators must be fully accessible, which requires audible floor indicators.

Goodwill Baptist Church (1862 Kalorama Road, NW) – Precinct 25

This precinct was accessible, however, the parking spaces marked for voters were used by non-voters at the time monitor visited in the late afternoon.

Janney Elementary School (4130 Albemarle St., NW) – Precinct 30/31

Precincts 30 and 31 are both located here. The location was accessible, though the Precinct 30 Captain was very hostile to the ULS surveyor. An accessibility poll worker was available to assist with opening the door and answering doorbell.

Latin American Youth Center (1419 Columbia Rd., NW) – Precinct 36

This precinct was **operationally inaccessible due to closed, heavy doors, obstructions and an abrupt rise in the path to the voting area, and a lack of handrails on the ramp**. Voters using wheelchairs had to use an elevator, which lacked audible floor indicators.

- Ensure that heavy or difficult to open doors are propped open so that people with mobility disabilities may enter.
- Ensure that ramps are fully compliant with disability standards.
- Doorjambes that have a rise of more than a half inch can be addressed with mats or inclines that enable people in wheelchairs, walkers, and scooters to go over them easily.
- Elevators must be accessible to people with a variety of disabilities, which requires features such as audible floor indicators.

Park View Recreation Center (639 Otis Place, NW) – Precinct 38

This precinct was **operationally inaccessible due to closed, heavy doors and no response to the doorbell.**

- Ensure that heavy or difficult to open doors are propped open so that people with mobility disabilities may enter.

MPD Regional Operation Command (801 Shepherd St., NW) – Precinct 45

This precinct was **operationally inaccessible due to closed, heavy doors, an inaccessible doorbell, and insufficient space around the touch screen machine.** The main entrance door is a double door, but one side was locked due to “security issues,” and the doorbell was blocked by a car. The captain agreed to move the touch screen to allow a 5-foot turning radius. Voters with mobility disabilities had to take an elevator, which did not have audible floor indicators.

- Ensure that heavy or difficult to open doors are propped open so that people with mobility disabilities may enter.
- Provide a five foot turning radius around the touch screen machines.
- Elevators must be accessible to people with a variety of disabilities, which requires features such as audible floor indicators.

Brightwood Elementary School (1300 Nicholson St., NW) – Precinct 53

This precinct was **operationally inaccessible due to closed, heavy doors and no signage directing voters from the far-removed parking lot to the accessible entrance.**

- Fully prop heavy doors.
- Use heavy-duty signs that are securely placed to direct people with disabilities to the accessible entrance.

West Elementary School (1338 Farragut Street, NW) – Precinct 54

This precinct was accessible. Although a traffic cone was used to prop open a door which created a tight angle, the site had a working doorbell. However, magnifying glasses were not available for voters with visual disabilities who might require such assistive tools.

Hattie Holmes Wellness Center (324 Kennedy St., NW) – Precinct 57

This precinct was accessible. At the time the monitor visited the site, there was not five feet of turning space around the touch screens, but the poll workers indicated that the machines had been moved temporarily for lunch preparation and would be moved back after lunch. While the doors had not been propped open, there was a working doorbell.

LaSalle Elementary School (501 Riggs Road NE) – Precinct 65

This precinct was **operationally inaccessible due to the lack of an accessible table for a wheelchair user.** Additionally, the monitor requested that the polling captain address the fact that the doors were not propped open and the touch screen did not have five feet of turning space. The polling captain made those changes, addressing two of the three operational accessibility issues.

- Ensure at least one table for filling out the ballot is low enough for a person in a wheelchair or scooter to use.

Bunker Hill Elementary School (1401 Michigan Ave., NE) – Precinct 67

This precinct was **operationally inaccessible due to closed, heavy doors and a doorbell that was too far out of range to be heard inside the precinct.** ULS previously reported these same issues during the November 6, 2012 Presidential Election.

- Fully prop heavy doors.

St. Francis Hall (1340 Quincy St., NE) – Precinct 68

This precinct was accessible, however there were no signs directing voters to the accessible entrance and the precinct captain was hostile to the ULS monitor.

- Use heavy-duty signs that are securely placed to direct people with disabilities to the accessible entrance.

Perry St Prep PCS at Taft (1800 Perry St., NW) – Precinct 69 (Combined with Burroughs Elementary School Precinct 70)

This precinct was accessible, however further improvements need to be made. There remains a lack of “accessible voter entrance” signage, which the polling captain addressed when requested by the monitor. The call bell was also out of the reach of curbside voters, though a poll worker occasionally checked to see if a curbside voter had arrived.

- Use heavy-duty signs that are securely placed to direct people with disabilities to the accessible entrance.

Thankful Baptist Church (1401 Independence Ave., SE) – Precinct 88

This precinct was accessible, however further improvements need to be made. The accessible entrance had a ramp, but the ramp did not have handrails.

- Ensure that ramps are fully compliant with disability standards.

Burrville Elementary School (801 Division Ave., NE) – Precinct 94

This precinct was accessible.

Kelly Miller Middle School (301 49th St., NE) – Precinct 97

This precinct was accessible, however further improvements need to be made. During the November 6, 2012 Presidential Election, ULS reported to the BOE that the monitor could not find the accessible entrance. In the past, the site was also missing an audio headset and did not have materials in Braille, making it impossible for the blind to vote independently.

This election, the monitor could not see the accessible entrance or signs directing to it from the parking lot, only the inaccessible entrance. The monitor walked the entire way around the building and found the precinct had a separate accessible entrance behind a wall at the front of the building. Signs were placed around the accessible entrance, but the signs and accessible entrance were only apparent once a person was standing directly in front of them. Audio headsets were available at the touch-screen machines.

- This problem could be resolved with an accessible entrance sign posted near the inaccessible front entrance directing voters with mobility disabilities to the nearby,

hidden, accessible entrance. Use heavy-duty signs that are securely placed, for example with stakes in the ground. Taped signs tend to fall down or get blown away.

Ward Memorial Church (241 42nd St., NE) – Precinct 99

This precinct was accessible. This is an improvement: previously, ULS had found this precinct to be operationally inaccessible due to closed, heavy doors and an inoperable doorbell and made recommendations to make the precinct accessible. The precinct implemented ULS' recommendations and propped open heavy doors and additionally ensured that a poll worker was stationed at the entrance to be available to voters.

Nalle Elementary School (219 50th Street, SE) – Precinct 104

This precinct is accessible. This is an improvement: ULS reported in the past two elections that this precinct was operationally inaccessible due to a parked car blocking the accessible path to the entrance. The precinct implemented ULS' recommendation to keep the accessible pathway to the entrance clear.

Pennsylvania Avenue Baptist Church (3000 Pennsylvania Ave., SE) – Precinct 108*

This precinct was **structurally inaccessible because it did not have an accessible entrance**. The church is old and a radiator narrows the entrance to make it inaccessible to a wheelchair.

- **This precinct must be moved to an accessible location.**

St. Francis Xavier Church (2806 Pennsylvania Ave., SE) – Precinct 111

During the November 6, 2012 Presidential Election, the ULS monitor marked this precinct structurally inaccessible due to steps narrowing the entrance. During the April 23, 2013 election ULS staff investigated and found that the church had two entrances next to each other. One was inaccessible, but the other was accessible. This emphasizes ULS' recommendation that polling staff clearly mark accessible entrances.

Consistent with ULS recommendations, during the April 23, 2013 election polling staff clearly marked the accessible entrance. While the doors were closed, polling staff had two backup systems in place: a working doorbell by the accessible entrance and a poll worker at a table behind the accessible entrance, which had large windows to enable the poll worker to see any voters who needed assistance. This precinct was therefore accessible.

Union Temple Baptist Church (1225 W St., SE) – Precinct 114

This precinct was **operationally inaccessible due to closed, heavy doors and no doorbell to call for assistance, obstructions in the path to the voting area, and no audio headset at the touch-screen machine**.

- Fully prop heavy doors.
- Ensure that obstructions in the path to the voting area are removed or reduced with the use of mats or temporary ramps.
- Provide equipment that allows all voters to participate.

Chinese Community Church (500 I Street, NW) – Precinct 143

This precinct was **operationally inaccessible due to obstructions and an abrupt rise in the path to the voting area**. There was no ramp from parking lot, and a wheelchair user would be required to go over a bump.

- Ensure that obstructions in the path to the voting area are removed or reduced with the use of mats or temporary ramps.

**APPENDIX A
PRECINCTS MONITORED DURING THE APRIL 23, 2013 DC SPECIAL ELECTION**

Pct	Polling Place	Address
6	Duke Ellington School of the Arts	3500 R St., NW
13	Our Lady Queen of the Americas	2200 California St., NW
21	Watha T. Daniel-Shaw Community Library	16307 th St., NW
25	Goodwill Baptist	1862 Kalorama Rd., NW
30 & 31	Janney School	4130 Albemarle St., NW
36	Latin American Youth Center	1419 Columbia Rd., NW
38 & 43	Parkview Recreation Center	639 Otis St., NW
45	MPD Regional Operation Command (North)	801 Shepherd St., NW
53	Brightwood Elementary School	1300 Nicholson St, NW
54	West Elementary School	1338 Farragut St, NW
57	Hattie Holmes Wellness Center	324 Kennedy St., NW
65	LaSalle Elementary School	501 Riggs Rd NE
67	Bunker Hill Elementary School	1401 Michigan Ave., NE
68	St. Francis Hall	5171 South Dakota Ave., NE
69 & 70	Perry St. Prep Public Charter School at Taft	1800 Perry St., NE
88	Thankful Baptist Church	1401 Independence Ave., SE
94	Burrville Elementary School	801 Division Ave., NE
97	Kelly Miller Middle School	301 49 th St, NE
99	Ward Memorial Church	241 42 nd St, NE
104	Nalle Elementary School	219 50 th St, SE
108	Pennsylvania Avenue Baptist Church	3000 Pennsylvania Ave., SE
111	St. Francis Xavier Church	2806 Pennsylvania Ave., SE
114	Union Temple Baptist Church	1225 W St., SE
143	Chinese Community Church	500 I St., NW

APPENDIX B

Breakdown of Inaccessible Polling Sites:

PRECINCTS SURVEYED THAT WERE STRUCTURALLY INACCESSIBLE = 8%

<u>Precinct Name</u>	<u>Precinct Number</u>
1. Our Lady Queen of the Americas	Precinct 13
2. Pennsylvania Ave. Baptist Church	Precinct 108

PRECINCTS SURVEYED THAT WERE OPERATIONALLY INACCESSIBLE DUE TO CLOSED, HEAVY DOORS = 54%

<u>Precinct Name</u>	<u>Precinct Number</u>
1. Our Lady Queen of the Americas	Precinct 13
2. Janney School	Precincts 30 & 31
3. Latin American Youth Center	Precinct 36
4. Park View Recreation Center	Precincts 38 & 43
5. MPD Regional Operation Command (North)	Precinct 45
6. Brightwood Elementary School	Precinct 53
7. Hattie Holmes Wellness Center	Precinct 57
8. Bunker Hill Elementary School	Precinct 67
9. St. Francis Hall	Precinct 68
10. Nalle Elementary School	Precinct 104
11. St. Francis Xavier Church	Precinct 111
12. Union Temple Baptist Church	Precinct 114
13. Chinese Community Church	Precinct 143

PRECINCTS SURVEYED THAT WERE OPERATIONALLY INACCESSIBLE DUE TO AN ABRUPT RISE OR OBSTRUCTION IN THE PATHWAY TO THE VOTING AREA = 25%

<u>Precinct Name</u>	<u>Precinct Number</u>
1. Our Lady Queen of the Americas	Precinct 13
2. Latin American Youth Center	Precinct 36
3. Pennsylvania Ave. Baptist Church	Precinct 108
4. St. Francis Xavier Church	Precinct 111
5. Union Temple Baptist Church	Precinct 114
6. Chinese Community Church	Precinct 143

PRECINCTS SURVEYED IN WHICH THE ACCESSIBLE ENTRANCE WAS NOT MARKED = 17%

<u>Precinct Name</u>	<u>Precinct Number</u>
1. Our Lady Queen of the Americas	Precinct 13
2. Brightwood Elementary School	Precinct 53
3. St. Francis Hall	Precinct 68
4. Perry St. Prep Public Charter School at Taft	Precinct 69 & 70

PRECINCTS SURVEYED IN WITH NO WORKING DOORBELL = 38%

<u>Precinct Name</u>	<u>Precinct Number</u>
1. Duke Ellington School for the Performing Arts	Precinct 6
2. Our Lady Queen of the Americas	Precinct 13
3. Watha T. Daniel-Shaw Community Library	Precinct 21
4. Park View Recreation Center	Precincts 38 & 43
5. MPD Regional Operation Command (North)	Precinct 45
6. Brightwood Elementary School	Precinct 53
7. Bunker Hill Elementary School	Precinct 67
8. Kelly Miller Middle School	Precinct 97
9. Union Temple Baptist Church	Precinct 114

PRECINCTS SURVEYED WITH RAMPS THAT WERE NOT ADA COMPLIANT = 13%

1. Our Lady Queen of the Americas	Precinct 13
2. Latin American Youth Center	Precinct 36
3. Thankful Baptist Church	Precinct 88