

## **Chapter 3 – Voters with Disabilities and Cross-Cultural Communication**

|   |     |
|---|-----|
| 3.1 General Guidelines: Voters with Disabilities.....                 | 3-2 |
| 3.2 Voters Asking for Instructions.....                               | 3-3 |
| 3.3 Voters Asking for Help to Vote.....                               | 3-3 |
| 3.4 Completing the Voter Assistance Form.....                         | 3-4 |
| 3.5 Voters Who Cannot Sign Any Form(s).....                           | 3-5 |
| 3.6 Voters Who are Blind or Have Low Vision.....                      | 3-6 |
| 3.7 Deaf/Hard of Hearing Voters and Voters with Speech Disabilities.. | 3-7 |
| 3.8 Voters with Physical Disabilities.....                            | 3-8 |
| 3.9 Voters with Cognitive Disabilities.....                           | 3-8 |
| 3.10 Tips for Cross-Cultural Communication.....                       | 3-8 |

### 3.1 General Guidelines: Voters with Disabilities



***Voters with disabilities have the same rights as all other voters.***

- Be polite and respectful.
- Any voter may use the Ballot Marking Device, it is not only for voters with disabilities. Read *Instructions for Voters Using the Ballot Marking Device* to all voters using the ballot marking device
- Never ask a voter to provide proof of a disability or about the nature of their disability. A voter's disability may not always be apparent.
- Do not underestimate people with disabilities.
- Do not put a time limit on voting.
- Always speak directly to the voter, not to the voter's helper, companion, or sign language interpreter.
- Ask the voter if you may assist them. If they indicate they need assistance, ask how you may assist them. Never assume you know what assistance they might need or want.



***Never insist on helping when a voter has not asked for help.***

- Make sure there are signs to show the most accessible path to the polling place.
- Be aware of obstacles and hazards that could cause injury.
  - Tape down floor mats, rugs, and power cords securely or move them out of the way.
  - Keep floors dry
- Make sure the ramps and doors that are accessible to wheelchairs are unlocked. Keep the paths clear.
- If necessary, be creative in how you help voters with disabilities. For example, **if a voter is unable to stand in line, ask another voter in line to hold his or her place.** Give a placeholder card to the voter and the other

## 3-2 Voters with Disabilities and Cross-Cultural Communication

voter who is holding his or her place in line. The voter standing in line will alert the judges and show them the card when it is the voter's turn to vote. The cards are numbered in pairs to identify the voter who is waiting to vote. Let the voter who needs help sit down until the placeholder reaches the check-in judge.

- Be prepared to provide instructions on how to set up and use the ballot marking device.
- Voters who encounter a ballot marking device that does not work should be allowed to leave the polling place and return at a later time without being required to wait in any line.



***Never ask a voter to provide proof of a disability or about the nature of their disability. A voter's disability may not always show.***

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### 3.2 Voters Asking for Instructions

If a voter asks for instructions on how to use voting equipment or about the voting process, election judges must provide the requested instructions. Election judges are **not allowed** to suggest how the voter should vote on any contest.

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### 3.3 Voters Asking for Help to Vote

- A voter may choose anyone to help him or her mark and cast a ballot except:
  - The voter's employer or an agent of the voter's employer.
  - An officer or agent of the voter's union.
  - A person appointed as a challenger or watcher for this election.
  - A candidate who is on the voter's ballot.



***Two election judges of different political parties can also help a voter.***

- The helper must read and sign a *Voter Assistance Form*.
- The helper may only help the voter by:

- Reading the instructions, ballot content, or the provisional ballot application.
- Marking or casting the ballot, using the ballot marking device or filling out the provisional ballot application as directed by the voter. The helper must mark the ballot as directed by the voter.
- Helpers are **not allowed** to suggest how a voter should vote on any contest.



***The Voter Assistance Form must be filled out when a voter asks for help from another person or from two election judges of different political parties.***

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### **3.4 Completing the Voter Assistance Form**

1. Fill out Part I of the *Voter Assistance Form* found in the check-in judge folder.
2. Ask the helper to fill out Part II of the *Voter Assistance Form*. If a pair of bipartisan election judges are helping the voter, the election judges must fill out Part III of the form.
3. When completed, the voting judge will collect the form and put it in the envelope labeled “Completed Voter Assistance Forms” included in the supplies.

**Figure 1 - Voter Assistance Form**



Use this form if a voter asks for help with voting. The helper can only do the following things:

- Read instructions, ballot content, or the provisional ballot application
- Fill out a provisional ballot application as directed by the voter
- Mark or cast the ballot, or operate voting equipment

**Voter information**

This part must be completed by the election judge.

1 Name of Voter \_\_\_\_\_  
 Street \_\_\_\_\_ Unit # \_\_\_\_\_  
 City \_\_\_\_\_ State **MD** Zip \_\_\_\_\_

The voter named above has asked for help with voting. The helper is:

- A person chosen by the voter (**Go to Part 2**)
- Two election judges (**Go to Part 3**)

**For a helper who was chosen by the voter**

This part must be completed by the helper.

Name of helper \_\_\_\_\_  
 Street \_\_\_\_\_ Unit # \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

I affirm that:

1. I am not the voter's employer or agent of the voter's employer;
2. I am not an officer or agent of the voter's union;
3. I have not been appointed as a challenger or watcher for this election;
4. I am not a candidate who is on the voter's ballot;
5. The voter asked me to help mark or cast their ballot, or to help fill out a provisional ballot application;
6. I will only help the voter in these ways:
  - a. read the instructions, ballot content, or the provisional ballot application;
  - b. mark or cast the ballot, or operate the voting equipment;
  - c. fill out the provisional ballot application as directed by the voter;
7. I will not suggest how the voter should vote in any contest or question or influence the voter in any way.

**Helper, sign and date here (Required)**

|   |  |                           |
|---|--|---------------------------|
| X |  | Today's Date (mm/dd/yyyy) |
|---|--|---------------------------|

**For the election judges helping the voter**

This part must be completed by two judges of different parties.

3 **Election judge, sign here (Required)**

|   |  |                   |
|---|--|-------------------|
| X |  | Party Affiliation |
|---|--|-------------------|

**Election judge, sign here (Required)**

|   |  |                   |
|---|--|-------------------|
| X |  | Party Affiliation |
|---|--|-------------------|

### 3.5 Voters Who Cannot Sign Any Form(s)



**Always ask the voter before you help.**

- Do not assume a voter cannot sign his or her own name.
  - Follow regular check-in procedures and tell the voter when a signature is required. Let the voter tell you if he or she cannot sign his or her name.
  - When assisting a blind or low vision voter with signing, place the tip of a pen at the beginning of the signature line and inform the voter you have done so. Then allow the voter to take control of the pen, rather than guiding the voter's hand to the signature line.

- If a voter **cannot** sign his or her voter authority card, *Voter Update Form*, or any other form(s), ask the voter to make an “X” or similar mark on the signature line. This mark can be used as that person’s signature.
- When a voter is unable to make a mark, write the following statements on the back of the form the voter should sign:
  - On the voter authority card and all other forms: “Unable to sign.”
  - Sign your name and write the date under the statement.

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### 3.6 Voters Who are Blind or Have Low Vision

- As soon as you come into contact with a voter who is blind or has low vision, tell the voter your name and that you are an election judge.
- Make sure you ask each voter - “Would you prefer to mark your ballot using the ballot marking device, or by hand using a pen?” – and allow them to choose their preferred way to vote. Read *Instructions for Voters Using the Ballot Marking Device* to all voters using the ballot marking device.
- If you are guiding a voter, verbally offer your arm to the voter, rather than taking the voter’s arm. Give the voter information verbally that is obvious to voters who can see (such as stairs, obstacles, turning left, etc.).



***Always ask the voter before helping or touching the voter. Never grab the voter’s arm or try to guide the voter unless the voter asks for help.***

- If a person uses a service animal, walk on the opposite side of the voter, away from the animal. Do not pet or distract a service animal without asking the owner first. Make sure others do not distract a service animal. Service animals are highly trained. They do not need any special care from anyone except their owner.



***Service animals are allowed in all buildings and do not have to wear a vest, ID tag, or specific harness. According to the ADA 2010 Revised Requirements, service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities.***

***The service animal must be under control of its handler and must be harnessed, leashed, or tethered, unless the individual’s disability prevents using these devices or these devices interfere with the service animal’s***

***safe, effective performance of tasks. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.***

***When it is not obvious what service an animal provides, you may only ask, "Is this dog a service animal?" You cannot ask about the voter's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.***

***A person with a disability cannot be asked to remove their service animal from an early voting center or polling place unless the person is unable to control the dog or the dog is not housebroken.***

- If a person uses a cane, walk on the opposite side of the voter, away from the cane. Do not touch or take the cane from the voter. Let the voter decide where to put the cane while voting. However, it is reasonable for you to tell the voter if the cane may be a tripping hazard to others.
- Explain how the voter can get your attention if he or she needs help. Tell the voter when you are leaving.

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### **3.7 Deaf/Hard of Hearing Voters and Voters with Speech Disabilities**

- A voter who cannot speak may choose to write down his or her information to give to the check-in judge. Check-in judges should have blank paper and pens available.
- Do not ask if the voter can read lips.
- Follow the voter's cues. Let the voter decide whether speaking, gesturing, or writing is the best way to communicate. If you can communicate with the voter by speaking, speak calmly, slowly, and directly to the voter. Use short, simple sentences. Ask one question at a time. Do not shout. Your facial expressions, gestures, and body movements will help the voter understand you.
- Do not speak for the voter or try to finish his or her sentences.
- If a voter does not understand a sentence, try again with different words. Do not just repeat the same sentence. If the voter is still having trouble, write the sentence down on paper.

- If you do not understand something the voter has said, ask the voter to say it again. Do not pretend that you understand. If you are still having trouble understanding, provide the voter with a pen and paper. Ask the voter to write down what he or she said.
- Talk directly to a person (for example, “What is your name?”). Do not talk to his or her helper (for example, “What is his name?”).

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### **3.8 Voters with Physical Disabilities**

A voter with a physical disability may choose to vote while sitting in a wheelchair or a chair.

- Ask before pushing or touching a voter’s wheelchair or other equipment. A wheelchair or other equipment is part of the voter’s personal space.
- Ask before helping. Grabbing someone’s elbow could throw the person off balance.
- If a voter struggles to open the door, ask if you can be of assistance. A voter with a physical disability might need to lean on a door while opening it. You might cause the voter to fall if you open the door too quickly or without asking first.

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### **3.9 Voters with Cognitive Disabilities**

A voter with a cognitive disability may have trouble understanding, reading, writing, or communicating. The voter may choose to have someone help him or her while voting. Voters are always allowed to choose to have a helper. Do not ask about a voter’s cognitive ability.

- Be prepared to repeat what you say – either out loud or in writing.
- Allow extra time to understand the voter and to make sure that the voter understands you.

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### **3.10 Tips for Cross-Cultural Communication**

As an election judge, you will help people of many different backgrounds, ethnicities, cultures, and language abilities. Be patient and helpful. Voting

## **3-8 Voters with Disabilities and Cross-Cultural Communication**



may be a new experience for some voters. Here are some effective communication tips.

- Be clear and keep it simple. Do not use slang or jargon.
- Pay attention to the non-verbal language of people who have a different cultural background. Also, be aware that others may not understand your own “body language.”
- Speak slowly. Allow pauses, and do not talk too much.
- Organize your thoughts. Be specific, and explain things in order.
- Go over things a second time if needed. Check often to see if people understand.
- Do not embarrass the person when checking to see if they understand.
- Listen carefully and patiently.
- Write things down as well as talking. If English is a person’s second language, it may be easier to read English than to hear it.