

Improving Voting Accessibility for Detroit Voters with Disabilities

[Detroit Disability Power](#)

[The Carter Center](#)

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THE CARTER CENTER

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Executive Summary

One in four adults in the United States – nearly 25% of the population – has a disability. Despite federal and state laws, people with disabilities still face significant barriers to full participation in the election process.

From Oct. 20 to Nov. 8, 2022, Detroit Disability Power (DDP) and The Carter Center evaluated whether polling places in Metro Detroit, which serve 1 million Michiganders (about 10% of the state's population), met long-established standards for accessibility required by state and federal law. After assessing 261 of 267 polling facilities (98%) used on Election Day in 15 jurisdictions, the observation teams found that ***only 16% of polling places visited were accessible.***

The polling place data generated by the observation teams gives decision makers and advocacy organizations clear evidence of where accessibility was insufficient and where remedial action is needed. This report highlights several **key recommendations** for how to improve accessibility so that all Michiganders can exercise their right to vote:

- **Increase coordination** between election management jurisdictions and the state to ensure they have the resources and support necessary to accommodate people with disabilities and quickly resolve issues on Election Day.
- **Clearly label all pathways** at polling locations and remove any obstructions.
- **Ensure that poll workers receive training** on the voter access terminals (VATs).
- **Centralize training** to address inconsistencies in Election Day administration that limit access.

Introduction

According to the Centers for Disease Control and Prevention (CDC), one in four U.S. adults has a disability.¹ As defined by the Americans with Disabilities Act (ADA), a person with a disability is someone who "[has] a physical or mental impairment that substantially limits one or more major life activiti[es]."² Disabilities may affect a person's vision, movement, thinking, remembering, learning, communicating, hearing, mental health, and social relationships.³ The disability community is diverse and encompasses many diagnoses and lived experiences. Disabilities can be apparent or non-apparent; remitting and relapsing; progressive or constant; temporary or permanent; something a person is born with or acquires during their lifetime. People with the same disabilities can have different experiences and needs.

Voters with disabilities have a right to cast their ballots privately and independently and to receive assistance from a person of their choosing. This right requires accessible polling places with features that allow voters to easily enter and cast a vote: a clear and accessible pathway and entrance, availability of an accessible voting system, and a voting booth set up for private and independent voting. Several federal and state laws guarantee this right and provide for accessibility. However, voters with disabilities continue to face accessibility barriers throughout the voting process, including registering, obtaining voting information, and casting a ballot in person or by mail. Additionally, Many voter registration and election office websites are not compliant with web accessibility standards and regulations, making it difficult for some voters with disabilities to register and access reliable information about voting.⁴

To understand the scale of the issue, in October 2016 the U.S. Government Accountability Office (GAO) observed 178 polling places across the country. In all 178 polling places, they observed the exterior of the polling place. In 167 polling places, they were permitted to enter the polling place and examine the interior to some degree; however, they were only allowed to approach and observe the voting stations where voters cast their ballots in 137 of the polling places. The GAO found that all 178 polling places, 60% had one or more potential impediments outside the polling places. Of the 167 polling places where the GAO team could explore features on the outside and the inside of the voting area, they found that only 17% had no potential impediments to voting. In the 137 polling places where they were permitted to approach the voting stations, they found that 65% of the voting stations did not ensure full access.⁵

¹ CDC. "Disability Impacts All of Us Infographic | CDC." Centers for Disease Control and Prevention, October 28, 2022. <https://www.cdc.gov/ncbddd/disabilityandhealth/infographic-disability-impacts-all.html>.

² "What Is the Definition of Disability under the ADA? | ADA National Network." Accessed January 27, 2023. <https://adata.org/faq/what-definition-disability-under-ada>.

³ CDC. "Disability and Health Overview | CDC." Centers for Disease Control and Prevention, September 15, 2020. <https://www.cdc.gov/ncbddd/disabilityandhealth/disability.html>.

⁴ Susan Mizner, Eric Smith, The Center for Accessible Technology, Eunice Rho, Diana Scholl, and Claudia Center, *Access Denied: Barriers to Online Voter Registration for Citizens with Disabilities*, (January 2015) <https://www.aclu.org/report/access-denied-barriers-online-voter-registration-citizens-disabilities>

⁵ General Accounting Office, *Voters with Disabilities: Observations on Polling Place Accessibility and Related Federal Guidance*, (October 2016) <https://www.gao.gov/assets/gao-18-4.pdf>

In 2012, the National Council on Disability (NCD) conducted a voter experience survey among 900 disabled voters nationwide. It found that voters faced physical and architectural barriers in polling places, technological barriers with accessible voting systems, and attitudinal barriers from poll workers. About 38% of respondents experienced physical barriers outside the polling place, and 54% encountered barriers inside. Poll workers' lack of training and awareness of how to assist voters with disabilities was cited as a significant barrier, with 25% reporting issues with untrained poll workers. Ultimately, only one in five respondents said they could vote privately and independently.⁶

Detroit Disability Power and The Carter Center: Assessing Voter Accessibility

Given the persistence of barriers in Michigan and across the U.S., Detroit Disability Power and The Carter Center partnered to organize observation teams for the November 2022 election in Metro Detroit. The observation teams found that although several of the polling locations had some accessibility features, very few were fully accessible. **For voters with disabilities to have an equitable voter experience, the voting process must be accessible at every polling place.** Otherwise, voters with disabilities have unequal access to the polls, raising important questions about their constitutional rights to equality under the law.

Disability rights organizations continue to advocate for improvements, from meeting with local election officials to supporting state and federal legislation to improve accessibility. It is critical for stakeholders, including disability rights advocates, elections officials, and legislators, to understand the prevalence of accessibility barriers in voting, how they appear in their communities and jurisdictions, and what must happen to remove barriers. This report documents some specific challenges and offers recommendations to improve the voter experience for voters with disabilities.

Voting Accessibility and the Law

Federal Law

In Michigan, the requirements for selecting polling places are defined by state and federal law rather than by local officials, unlike many other election administration issues within the legal remit of the state's 1,520 cities and townships.⁷ Minimum accessibility requirements of sites used to cast ballots during federal elections are defined in the Voting Rights Act (VRA), the Americans with Disabilities Act (ADA), and the Help America Vote Act (HAVA) – drawing on the 14th and 15th Amendments to the U.S. Constitution and the Commerce Clause of the Constitution for their authority.

In addition to federal laws related to accessibility, widely recognized standards and good practices hold that the electoral cycle should promote broad participation and that any barriers to

⁶ National Council on Disability, “Experience of Voters with Disabilities in the 2012 Election Cycle,” October 24, 2013. <https://ncd.gov/publications/2013/10242013>

⁷ Michigan Department of State, (*Michigan’s Elections System Structure Overview*, (n.d.)), <https://www.michigan.gov/sos/elections/upcoming-election-information/voters/special-topics/michigans-elections-system-structure-overview>

participation by eligible voters should be removed, including special measures to ensure de facto equality for people with disabilities.⁸

The **Voting Rights Act (VRA)** of 1965, which prohibits racial discrimination, has several provisions that guarantee voting rights for racially marginalized voters and impact voters with disabilities. Section 201 prohibits election officials from conditioning the right to vote on the passage of a literacy test or requiring voters to have a particular level of education.⁹ This provision is essential for voters with cognitive or learning disabilities that may affect their ability to read, understand, or attain a certain level of education. Section 208 asserts that election officials must allow a voter who is blind or has another disability to receive assistance from a person of the voter's choice, except the voter's employer, its agent, or an officer or agent of the voter's union.¹⁰

Passed into law in 1990, the **Americans with Disabilities Act (ADA)** – preceded by the Voting Accessibility for the Elderly and Handicapped Act (VAEHA) – is a federal law that protects and prohibits discrimination against people with disabilities.¹¹ Title II of the ADA applies to state and local governments of all sizes. It requires government entities to give people with disabilities “an equal opportunity to benefit from all their programs, services, and activities.”¹² The ADA applies to all aspects of the voting process, including voter registration, education, and casting ballots. Title II of the ADA is enforced at the local level through filing complaints. Governments with 50 or more employees must have a grievance procedure,¹³ and complainants can file administrative complaints with the Department of Justice.¹⁴ Election officials must consider the ADA compliance of the sites they select for polling places. The Justice Department has created the ADA Checklist for Polling Places to help election officials understand their obligations under the law, select the most accessible polling locations, evaluate barriers, and make temporary modifications to improve accessibility.

⁸ See the U.N. (CCPR), General Comment 25, para. 11; the U.N., CRPD, art. 2, 4, 5(4), 6(1), 24(1)(c) and 29; and the OAS, Inter-American Convention on the Elimination of All Forms of Discrimination Against Persons with Disabilities, art. 2(b)

⁹ “Section 2 Of The Voting Rights Act,” April 5, 2023. <https://www.justice.gov/crt/section-2-voting-rights-act>.

¹⁰ Cornell Law School, “Voting assistance for blind, disabled, or illiterate person,” in *52 USC §§ Code § 10508* (2022)

¹¹ Prior to the ADA, the U.S. government passed the Voting Accessibility for the Elderly and Handicapped Act (VAEHA) in 1984, which the first legislation to improve access for disabled voters to the electoral process. VAEHA required polling places used in federal elections to be accessible to elderly voters and voters with disabilities. Today, the VAEHA is rarely used to enforce the rights of people with disabilities, as many of its provisions are now covered by a more expansive set of legal rights defined in 1990 with the Americans with Disabilities Act.

¹² U.S. Department of Justice Civil Rights Division, *State and Local Governments* (n.d.), <https://www.ada.gov/topics/title-ii/>

¹³ U.S. Department of Justice Civil Rights Division, “ADA Coordinator, Notice & Grievance Procedure” in *ADA Best Practices Tool Kit: Chapter 2, Addendum, Checklist*. Accessed January 27, 2023. *for State and Local Governments* (2006), <https://archive.ada.gov/pcatoolkit/chap2toolkit.htm>.

¹⁴ CDC. “Disability and Health Overview | CDC.” Centers Center for Disease Control and Prevention, September 15, *Disability and Health Overview* (2020.), <https://www.cdc.gov/ncbddd/disabilityandhealth/disability.html>.

Local governments use both public and private facilities as polling places. Public facilities such as schools or libraries regularly fall under Title II of the ADA. Therefore, public entities are expected to evaluate accessibility and permanently modify these sites when needed. For polling places at churches or other privately owned locations, public entities still must ensure that people with disabilities have equal access to voting.

Accessibility can be achieved by working with the location's owner to make permanent or temporary modifications. If election officials cannot remove barriers, they must select an alternative polling place. If no accessible option is available, they must supply an alternative voting method at the polling place.¹⁵ In rare cases, if a polling place cannot be made accessible through temporary or permanent modifications, it may be relocated.

The Justice Department, Detroit Disability Power, and The Carter Center do not encourage closing down polling places due to inaccessibility, as some jurisdictions have used the ADA to shut down polling places in ways that suppress voting in their community.¹⁶ Both the disability community and the Justice Department encourage making improvements to existing polling places rather than closing them down.

Although the ADA mandates accessibility in places of public accommodation, it is seen as an unfunded mandate, as state and local governments may not have adequate resources, support, and knowledge to upgrade inaccessible infrastructure and practices.¹⁷ Therefore, it is not uncommon for election offices nationwide to be out of compliance with ADA requirements.¹⁸

In 2002, several years after the passage of the ADA, the **Help America Vote Act (HAVA)** was signed into law to improve the nation's voting systems and voter access. Title III of HAVA requires that each polling place in a federal election has at least one accessible voting system. This system must allow voters with disabilities to cast their ballot privately and independently as well as provide nonvisual access for those who are blind or have low vision. Several states, including Michigan, have laws that mandate HAVA's requirement for accessible voting equipment in non-federal elections. It is considered best practice to ensure that polling places have accessible voting equipment for all levels of elections.

Michigan Law

States are responsible for enforcing HAVA requirements. In Michigan, a person who believes that an election office or polling place has violated the act may file a complaint with the State Department Bureau of Elections. The complainant must file a signed, notarized statement that

¹⁵ U.S. Department of Justice Civil Rights Division, "ADA Checklist for Polling Places " in *Disability Rights Section* (2016." Accessed January 27, 2023.), <https://archive.ada.gov/votingchecklist.htm>.

¹⁶ <https://www.ndrn.org/resource/election-officials-misusing-the-ada-to-close-polling-places/>

¹⁷ Mills, Kim I. "Disabilities Act: An 'Unfunded Mandate' Too Potent To Oppose." *AP NEWS*, February 27, 1995. <https://apnews.com/article/e369ecf20fad4877b5cbea7b072ab2ee>.

¹⁸ Dcard. "Polling Places Remain Inaccessible to Voters with Disabilities, Here's How to Fix Them - NDRN." NDRN, September 13, 2020. <https://www.ndrn.org/resource/polling-places-remain-inaccessible-to-voters-with-disabilities-heres-how-to-fix-them/>.

includes which Title III section the election authority violated and how. Also, the complainant must have firsthand, eyewitness knowledge of the violation. Once the complaint is received, the election authority has 30 days to respond.¹⁹ While this process is essential for enforcing HAVA requirements in Michigan, many voters with disabilities may not have the time, legal knowledge, or resources to pursue filing such a complaint.

In addition to federal laws, the Michigan Election Law also includes provisions on election accessibility.

MCL 168.662 of the Michigan Election Law This statute requires city and township governments in Michigan to abide by the provisions of VAEHA and HAVA in federal and non-federal elections. This means that election officials in Michigan are required during non-federal elections to provide at least one accessible voting system that allows voters with disabilities to cast their ballots privately and independently.²⁰

MCL 168.795 of the Michigan Election Law says that an electronic voting system must “be compatible with or include at least one voting device that is accessible for an individual with disabilities to vote in a manner that provides the same opportunity for access and participation, including secrecy and independence, as provided for other voters,” including nonvisual accessibility. Furthermore, each polling place must have at least one accessible voting device.

While key federal laws (tVRA, ADA, HAVA, and VAEHA), as well as Michigan state election laws, create the legal framework governing how elections should be run, the critical tasks needed to ensure that elections are administered according to the law are left to the professional public servants in local governments across Michigan – namely, local election officials and administrators.

Polling Place Access and Election Administration in Michigan

In Michigan, local clerks are responsible for ensuring that polling places comply with state and federal laws on accessibility. They must select facilities according to state laws that dictate what types of facilities are acceptable, and any temporary or permanent changes made. They must notify the Secretary of State and any affected voters of site changes and make all the arrangements for sufficient poll workers and equipment to run the voting activities on Election Day. If facilities do not comply with legal requirements, the clerk must make temporary improvements to ensure accessibility. Because facilities must be selected within the borders of the city or township and because the type of facility is tightly restricted to a short list, many local clerks have few options.

¹⁹ "ADA National Network, *What Is the Definition of Disability under the ADA?* | ADA National Network." Accessed January 27, (2023.), <https://adata.org/faq/what-definition-disability-under-ada>.

²⁰ U.S. Department of Justice Civil Rights Division, "Settlement Agreement between the United States and the City of Concord, New Hampshire." Accessed January 27, 2023." in *Disability Rights Section* (2019), https://archive.ada.gov/concord_nh_sa.html.

In Michigan, polling places are primarily located in government buildings, schools, libraries, or churches.²¹ Because polling places are typically needed only a few times a year, dedicated spaces are not maintained year-round for that exclusive purpose. Despite this limited use as a polling place, each location is required to meet accessibility requirements. However, local officials often lack the necessary funding. Both county clerks and local clerks run departments based on a departmental budget.²² Because their budgets are typically operational, they generally do not include funds for capital improvement projects such as building improvements or construction to improve accessibility. Such unscheduled funds are generally unavailable unless a specific line item has been included in the fiscal year budget. In addition, clerks may not have a detailed enough understanding of polling place accessibility, how they could make temporary or permanent improvements to know what to budget, or even that these line items should be included. As a result, in many jurisdictions no money is available to address accessibility requirements.

With 83 counties and 1,516 cities and townships, Michigan contains 20% of all election jurisdictions in the United States, making it the most decentralized election system in the country. Each of these jurisdictions is led by a clerk, who has additional responsibilities that require time, attention, expertise, and funds. The clerk also determines whether to provide accessible services beyond what is mandated.²³

Observing Accessibility of Polling Places

Between Oct. 20 and Nov. 8, 2022, Detroit Disability Power and The Carter Center recruited, trained, and deployed 21 volunteers to visit 261 polling locations across Metro Detroit. All observers signed a code of conduct before deploying. (See Appendix A.)

²¹ Mich. Comp. Laws § 168.662 (2022) Michigan Legislature, “Section 168.622” in *Michigan Election Law (Excerpt) Act 116 of 1954* (n.d.), <http://legislature.mi.gov/doc.aspx?mcl-168-662>

²² Mich. Comp. Laws § 168.667 – 168.671 (2022) Michigan Legislature, “Section 168.667-168.671” in *Michigan Election Law (Excerpt) Act 116 of 1954* (n.d.), <http://legislature.mi.gov/doc.aspx?mcl-116-1954-XXVIII-POLLING-PLACES-EQUIPMENT-SUPPLIES>

²³ Michigan Legislature, “Section 168.622” in *Michigan Election Law (Excerpt) Act 116 of 1954* (n.d.), <http://legislature.mi.gov/doc.aspx?mcl-168-662>

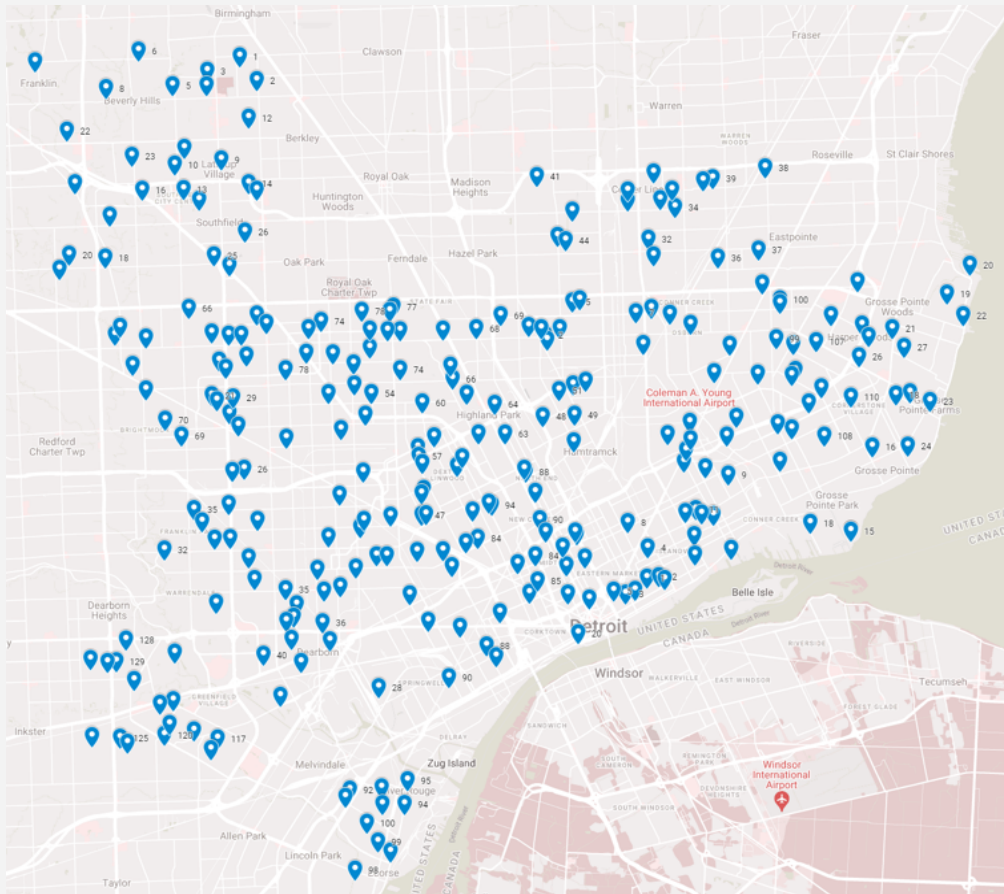


Image Description: Map of MetroDetroit. Blue pins are placed across the map to indicate a polling site that was audited for accessibility during the 2022 election cycle by Detroit Disability Power and The Carter Center. There are 261 blue pins placed across the map. Dots are located in Detroit, the enclaves of Hamtramck and Highland Park, Harper Woods, and the five Grosse Pointe communities to the east, Dearborn to the west, and the Downriver communities of River Rouge and Ecorse to the southwest – all in Wayne County; the Oakland County city of Southfield; and the Macomb County cities of Warren and Center Line, all on Detroit's northern border.

The observation was centered on the city of Detroit, the state's single largest jurisdiction, along with other municipalities in the metro area. This region is home to approximately 4.9 million people, nearly half of Michigan's total population of 10 million.²⁴ Geographically contiguous jurisdictions allowed the observation team to assign volunteers to areas that crossed municipal or county borders when practical. The team also selected jurisdictions that include diverse demographic characteristics, including race/ethnicity, income/poverty, language, and culture.²⁵

Overall, the observation teams spanned 15 adjacent cities in the three core counties of Metro Detroit (Wayne, Oakland, and Macomb): Detroit, the enclaves of Fraser Hamtramck and Highland Park, Harper Woods, and the five Grosse Pointe communities to the east, Dearborn to the west, and the Downriver communities of River Rouge and Ecorse to the southwest – all in Wayne County

²⁴ U.S. Census Bureau, "2020 Decennial Census"
<https://data.census.gov/profile/Michigan?g=0400000US26>.

²⁵ U.S. Census Bureau, "2020 Decennial Census"

(Figure 1); the Oakland County city of Southfield; and the Macomb County cities of Warren and Center Line, all on Detroit's northern border (Table 1).

On Election Day, volunteer observers visited 98% of the polling places in the observation zone, including all locations in 12 of the 15 jurisdictions. Both the exterior and interior environments of polling locations were observed.

Table 1: Number of Polling Locations Observed²⁶

City	County	# of Polling Locations Observed	% Total Polling Places Observed
Center Line	Macomb	4	100%
Dearborn	Wayne	29	94%
Detroit	Wayne	167	99%
Ecorse	Wayne	4	100%
Grosse Pointe	Wayne	1	100%
Grosse Pointe Farms	Wayne	4	100%
Grosse Pointe Park	Wayne	2	100%
Grosse Pointe Shores	Wayne	2	100%
Grosse Pointe Woods	Wayne	3	100%
Hamtramck	Wayne	3	100%
Harper Woods	Wayne	4	100%
Highland Park	Wayne	5	100%
River Rouge	Wayne	4	100%
Southfield	Oakland	16	89%
Warren	Macomb	13	100%
Total		261	98%

Observation Checklists and Measures

The main objective of the election observation teams was to systematically assess the accessibility of polling places, using checklists to record information on whether the site had:

- An accessible parking area with a clear pathway into the building.
- An accessible entrance.
- A fully accessible voter assist terminal (VAT).²⁷
- An accessible booth for casting paper ballots privately.

²⁶ These jurisdictions contained 10% of the state's population and presented a demographic spectrum: as large as 640,000 residents and as small as 2,600; majority white, majority Black, and plurality Asian; median incomes of more than double the statewide median, and median incomes of less than half the statewide median; poverty rates as low as 2% and as high as 46%; disability rates as low as 6% and as high as 27% of the local population.

²⁷ Voter assist terminals are ballot marking devices designed to assist voters with disabilities. These devices may use audio-only touch screens, pressure-sensitive paddles, or a number of other methods to mark ballots. VATs only mark the ballot; they do not count ballots. Once marked, the ballot is tallied the same as other ballots cast. For more information on Michigan's VATs, visit this website: [ACCESSIBLE VOTING \(michigan.gov\)](https://www.a11y.org/voting/michigan)

Each election observer answered several questions regarding these key measures (see Appendix C). Given that all of the features identified above are necessary to ensure that voters with disabilities have access, a polling place was considered fully accessible only if all of these criteria were fully met.²⁸ (The full checklist used by the observer teams can be found in Appendix C.)

Table 2: Voting Access Checklist Questions and Measures

Measures	Coding
<i>M1: Fully accessible parking & pathway?</i>	Yes, if yes on Q1 and Q2.
	Q1. Were there clearly marked accessible parking spots?
	Q2. Was the path from the parking space to the building entrance paved and clear of stairs, narrow doorways, and physical obstacles that would make it hard for a wheelchair user or visually impaired person to enter?
<i>M2: Fully accessible entrance?</i>	Yes, if yes on Q4, Q5 and Q6.
	Q3. Was the wheelchair-accessible entrance to the building the main entrance or a side/back entrance?
	Q4. Was the wheelchair-accessible entrance clearly marked?
	Q5. Was the wheelchair-accessible entrance unlocked?
	Q6. Did the doors to get into the building have button-activated openers *OR* were they light enough to open with one hand?
<i>M3: Fully accessible VAT?</i>	Yes, if yes on Q7, Q8, Q9 and Q10.
	Q7. Was the accessible voting machine set up at wheelchair height, powered on, and ready for use by voters?
	Q8. Did the accessible voting machine have the accessible controller plugged in and ready for use?
	Q9. Did the accessible voting machine have the headphones plugged in and ready for use?
	Q10. Was the accessible voting machine placed to ensure the voter's secrecy?
<i>M4: Fully accessible voting booth?</i>	Yes, if yes on Q11 and Q12.
	Q11. Was a wheelchair-height voting booth (for hand-marking paper ballots) set up and ready for use by voters?
	Q12. Was the wheelchair-height voting booth (for hand-marking paper ballots) placed to ensure the voter could mark their paper ballot in secrecy?

²⁸ If the answer to one or more questions within a grouping was anything other than “yes,” that grouping was deemed not fully accessible. If all four groupings were a “yes” on the aggregate measure, the polling place was deemed fully accessible. For a visual of the grouping of questions please reference Table 2.

M5: Fully accessible polling place?	Yes, if yes on M1, M2, M3 and M4.
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Observation Findings: Accessible Polling Locations

Based on the assessment criteria outlined above, the observation teams found that only **16% of polling places observed were fully accessible**, with 84% of locations inaccessible due to one or more impediments. This finding nearly matches the findings of the GAO’s 2017 Voters with Disabilities report, which found 17% of polling places accessible.²⁹ But 67 polling places (26% of all locations observed) scored “No” on only one of the four accessibility measures. If remedied, that would raise the number of fully accessible polling places to 42%.

Table 3: Summary of Four Accessibility Measures

Measure	No	Yes	% Yes
Accessible parking and pathway	105	156	60%
Accessible entrances	146	115	44%
Accessible VAT	116	145	56%
Accessible voting booth	104	157	60%
Fully accessible polling place?	218	43	16%

Accessible Parking and Pathway

Most polling places observed had accessible parking and a clear pathway into the voting area. However, in the 40% of polling places where that was not the case, observers noted impediments including cracked, uneven, or impassable sidewalks. In one instance, an observer witnessed a voter falling after their walker caught on an uneven concrete slab. Additionally, many polling locations had only street parking, and some had only one parking space designated for disabled voters. Such impediments can block a voter's ability to access the polling site or make the journey to vote dangerous.

Accessible Entrances

The lack of accessible entrances was the most prevalent impediment for voters with disabilities at the polling places observed. In many instances, the main entrance to the voting site was not immediately apparent. At several sites, the accessible entrance was not the main entry point, and there was no clear signage directing voters with disabilities. At 32 polling sites (14%), entrances had stairs, with no ramps or with ramps that were blocked by parked cars or signage. Additionally, several polling sites had ramps that were a significant distance from the entry – adding long treks to the polling location. These barriers make it dangerous and difficult for voters with disabilities to access the polling location.

²⁹ *Id.* at 5

Accessible Voter Assist Terminals

Observers also noted inconsistent availability of accessible VATs. Though most polling sites had VATs, many were not in working order. Several VATs displayed error codes, 26 (12%) did not have headphones or the controller plugged in, and one had run out of printing paper, making it unusable. In many instances, the unplugged VATs were quickly corrected once pointed out by observers. Of the polling sites with VATs, 38 (more than 17%) had them placed in a way that did not ensure secrecy.

Accessible Voting Booths

Nearly all of the Metro Detroit jurisdictions observed (14 of 15) did not have fully set up, accessible voting booths, making **inaccessible voting booths the most widespread issue of the four measures**. In one instance, the accessible voting booth was being used by the chairperson as a desk. In other cases, the accessible voting booth was being used to store furniture or supplies. Some accessible voting booths were on display but not set up and ready to use. In two polling sites, a standing-height booth was labeled an accessible voting booth, but those in a wheelchair could not use it. In several instances, when an observer asked about an accessible voting booth where there was none, poll workers stated that a booth could be supplied upon request.

In 40% of polling places observed, voters with disabilities were not offered an accessible voting booth to cast their ballot privately. Fourteen sites had wheelchair-accessible booths but were missing privacy screens. In one instance, the booth was set up for privacy with a screen, but an observer was seated directly next to the booth allowing them to see the ballots of everyone who voted there.

The significant variance in the setup of accessible voting booths and VATs suggests that the training of poll workers may not adequately emphasize several vital points, such as the central purpose of the booths, that they must be set up, how to set them up, and that the right to secrecy when casting a ballot is required by both federal and Michigan law.

Accessibility by Jurisdiction

The election observation teams aggregated the findings from all polling places observed within individual jurisdictions, as summarized below in Table 4. Of all the jurisdictions observed, two stood out, for different extremes: Gross Pointe scored zero on all the accessibility measures, and Hamtramck scored 100%.

Table 4: Accessibility Measures by City

Name	M1: Accessible Parking & Pathway	M2: Accessible Entrance	M3: Accessible VAT	M4: Accessible Voting Booth
Center Line	100%	75%	50%	50%
Dearborn	79%	62%	35%	10%

Detroit	51%	35%	57%	12%
Ecorse	50%	75%	50%	25%
Grosse Pointe	0	0	0	0
Grosse Pointe Farms	100%	50%	75%	50%
Grosse Pointe Park	100%	50%	100%	0
Grosse Pointe Shores	50%	50%	0	0
Grosse Pointe Woods	100%	100%	67%	67%
Hamtramck	100%	100%	100%	100%
Harper Woods	100%	75%	67%	0
Highland Park	100%	100%	100%	40%
River Rouge	25%	50%	100%	0
Southfield	88%	31%	31%	25%
Warren	62%	54%	85%	31%

The least accessible jurisdictions were Grosse Pointe, Grosse Pointe Park, Grosse Pointe Shores, Harper Woods, and River Rouge. All five jurisdictions had 0% of their polling places fully accessible. Only two jurisdictions – Hamtramck and Gross Pointe Woods – had most or all of their polling places fully accessible.

Table 5: Fully Accessible Polling Places by City

City	Not Fully Accessible	Fully Accessible	% Fully Accessible
Center Line	2	2	50%
Dearborn	26	3	10%
Detroit	147	20	12%
Ecorse	3	1	25%
Grosse Pointe	1	0	0%
Grosse Pointe Farms	2	2	50%
Grosse Pointe Park	2	0	0%
Grosse Pointe Shores	2	0	0%
Grosse Pointe Woods	1	2	67%
Hamtramck	0	3	100%
Harper Woods	4	0	0%
Highland Park	3	2	40%
River Rouge	4	0	0%
Southfield	12	4	25%
Warren	9	4	31%
Total	218	43	16%

Locations of Polling Places

In Michigan, polling places can be in a wide variety of buildings, from church halls and recreation centers to fire stations. Each of these locations has strengths and weaknesses regarding accessibility for voters with disabilities. Schools and churches made up 75% of polling places in our observation footprint, with 10 other civic or community facilities rounding out the list. (See Table 6 below.)

Overall, fire stations and recreation centers were the least accessible polling places. None of them were comprehensively accessible. The two building types in widest use also had low scores: churches (12% fully accessible) and schools (14% fully accessible). Even the highest-performing building type, city halls, had a low score: Only 57% were fully accessible.

Many of these sites – such as schools and firehouses –are federally mandated to be accessible outside of their function as a polling site. Their general inaccessibility during the voting season is significant, since many of these impediments are present aside from Election Day. Improving areas where institutions are noncompliant with federal accessibility standards will greatly improve disabled people’s ability to interact with their community-at-large throughout the year.

Table 6: Type of Buildings Used as Polling Locations

Type of Facility	# of Buildings
Apartment Building	8
Banquet Hall	2
Church	81
City Hall	7
College or University	3
Community Center	13
Fire Station	7
Library	4
Office Building	5
Recreation Center	14
Retirement Home	1
School	116
Total	261

Table 7: Accessibility by Type of Buildings Used as Polling Locations

Type of Facility	# of Buildings	# Fully Accessible	# With Accessible Parking & Pathway	# With Accessible Entrance	# With Accessible VAT	# With Accessible Voting Booth
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Apartment Building	8	4 (50%)	7 (88%)	6 (75%)	6 (75%)	6 (75%)
Banquet Hall	2	0	1 (50%)	0	0	1 (50%)
Church	81	10 (12%)	46 (57%)	28 (35%)	45 (56%)	44 (54%)
City Hall	7	4 (57%)	6 (86%)	7 (100%)	5 (71%)	7 (100%)
College or University	3	1 (25%)	3 (100%)	3 (100%)	2 (67%)	2 (67%)
Community Center	13	2 (15%)	4 (31%)	4 (31%)	7 (54%)	5 (38%)
Fire Station	7	0	0	1 (14%)	4 (57%)	6 (86%)
Library	4	1 (25%)	2 (50%)	2 (50%)	3 (75%)	3 (75%)
Office Building	5	2 (40%)	4 (80%)	3 (60%)	4 (80%)	5 (100%)
Recreation Center	14	0	12 (86%)	9 (64%)	8 (57%)	9 (64%)
Retirement Home	1	0	1 (100%)	1 (100%)	0	1 (100%)
School	116	16 (14%)	70 (60%)	51 (44%)	61 (53%)	68 (60%)
Total	261	43	156	115	145	157

Conclusions and Recommendations

Based on the reports from the observation teams deployed during the November 2022 elections, Detroit Disability Power and The Carter Center found **persistent challenges in polling place accessibility for voters with disabilities**, which confirms findings from previous studies and affirms the anecdotal experiences of members of the disability community. Beyond this overall finding, Detroit Disability Power and The Carter Center have two main conclusions: First, election jurisdictions are not being provided the resources or support necessary to implement and manage these accommodations or effectively remedy challenges promptly. Second, Michigan's high degree of decentralization, lack of standardized election administration practices, and variances in the availability of funding by jurisdiction creates inconsistencies in poll worker training. *All of the issues highlighted in this report can be addressed.* With this in mind, Detroit Disability Power and The Carter Center offer the following recommendations to Michigan's election officials.

Coordination, Liaison, and Reporting

- ***Coordinate with the jurisdiction's ADA coordinator to evaluate existing and potential polling place facilities for current accessibility and implementation of any temporary modifications.*** All public entities with 50 employees or more have an ADA coordinator. Smaller entities without an ADA coordinator should request assistance from the coordinator of another entity, such as the local school district, the county government, or a larger nearby municipality.
- ***Designate a primary contact person for election-related accessibility topics and facilitate contact for staff, poll workers, voters, and advocates to reach them.*** This point person should be responsible for confirming accessibility in advance and responding to challenges in real time, especially on Election Day and during early and absentee voting.
- ***Implement systematic statewide reporting on the accessibility of polling locations.*** This reporting should be incorporated into the Election Day process of poll workers, whose responses are incorporated into the post-election reporting process of clerks. Reports should go to the Secretary of State via a publicly visible web portal and be available for public review by the conclusion of the canvass, allowing progress to be measured and steadily achieved. This also would facilitate additional research into the relationship between race, polling place accessibility, and the population's prevalence of disability. Currently, polling place accessibility data is reported infrequently, is not gathered during real-world Election Day conditions, and is not quickly and readily available to the public once reported by election officials. It is vital to address this lack of data.

Training

- ***Standardize poll worker training on voter accessibility issues.*** Currently, the quality of training depends on the ability of individual clerks, who are responsible for understanding the laws and creating their own training materials and curriculum. This results in different training experiences from one jurisdiction to the next, with varying levels of poll worker understanding of accessibility accommodations, the proper placement and operation of accessible voting equipment, and the rights and responsibilities of poll challengers.
- ***Incorporate a "practice election" into poll worker training.*** In addition to standardized training on voter accessibility issues, a good practice for raising awareness is to have poll workers activate the VAT, use it in a "practice election" to make their ballot selections, and submit the ballot using the same process and by other voters on Election Day (such as feeding the marked ballot into a tabulator prepared for the practice election).

Exterior Accessibility

- ***Clearly mark the accessible path of travel throughout each polling place, even if it appears to be the only path.*** Use consistent signage for this at each polling place within the jurisdiction. The entrances to Election Day polling places often are not the main entrance. Clear signage will reduce confusion and provide a better voter experience.

- ***Avoid using objects to prop open doors.*** Coordinate with facility owners in advance to ensure the appropriate entries are unlocked, and do not prop open doors unless there is no alternative. When propping open a door is unavoidable, ensure that the object used does not obstruct the doorway. Wheelchair users must be able to get in and out. Incorporate this knowledge into poll worker training.

Interior Accessibility

- ***Provide an accessible (seated-height) voting booth for marking a paper ballot and a moveable chair.*** Not all voters with disabilities choose to use a VAT.
- ***Ensure that VATs and accessible voting booths are placed to ensure that voters can vote privately and independently.*** Voters using a VAT or an accessible voting booth should have a voting experience equivalent to any other voter at that polling place. Regardless of their distance from other voting stations, both the VAT and the accessible voting booth should have privacy screens around the sides and be angled away from other people's visibility.

Detroit Disability Power and The Carter Center in Metro Detroit

Detroit Disability Power aims to leverage and build the organizing and political power of the disability community in Metro Detroit to ensure their full inclusion. A vital element of a trustworthy, transparent, and effective democracy is the equal participation of its citizens. In Detroit, DDP and several other local organizations have long been working to ensure that disabled people can participate in their governance equally alongside non-disabled people.

The Carter Center, founded in 1982, has historically focused its efforts outside the United States. Although international projects continue to be central to its mission, the Center recently began using the expertise it developed internationally to address problems in the U.S. The Center supports U.S. elections by bolstering democratic norms and values, increasing trust and understanding of the electoral process, and developing networks and messaging to mitigate political violence. It also supports human rights, racial justice, and access to information for women to promote a more inclusive and just society.

The accessibility-focused nonpartisan observation outlined in this report builds on Detroit Disability Power's previous work on accessibility and The Carter Center's decades of international experience on elections. Their joint observation in Metro Detroit provides a systematic assessment of polling places with data and analysis that was previously unavailable.

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APPENDICES

Appendix A: Election Observer Code of Conduct

The purpose of election observation is to help ensure the integrity of the election process by witnessing and reporting accurately and impartially on each aspect of the process to evaluate whether it is conducted in an open and transparent manner and in conformity with applicable laws and electoral regulations. Election observation also seeks to ensure the integrity of the process by calling on all actors – candidates, political parties, proponents or opponents of referendum initiatives, election officials, media, and voters – to respect the laws and rights of all citizens and to hold accountable those who violate the law or any person's election-related rights.

While serving as a nonpartisan election observer, I will:

- **Be an informed observer.**
 - I will complete all required election observation training, familiarize myself with relevant election law and processes prior to the election, and adhere to the observation methods used by The Carter Center.
- **Be an objective observer.**
 - I will report what I see – whether positive or negative – impartially, accurately, and in a timely manner. I will adhere to the highest standards of accuracy of information and impartiality of analysis. I will document my observations and return this documentation to The Carter Center. If I report a serious problem, I will include documentation sufficient to allow for verification.
- **Respect the election process.**
 - I will respect state and federal election laws, follow the instructions of election officials, and maintain a respectful and professional attitude at all times.
- **Remain politically neutral.**
 - I will not publicly express or exhibit any preference for or against any candidate, political party, initiative, or public official.
- **Protect the integrity of the election.**
 - I will not interfere with election processes or procedures. If I have objections or concerns, I will elevate them using the methods from my training.
- **Follow the rules and guidance of the observer organizations.**
 - I will follow this code of conduct, and any written or verbal instructions given by the Carter Center's observation effort leadership. I will report any conflict of interest that

I may have and report any improper behavior that I see conducted by any other observers that are part of this effort.

- **Refrain from speaking about the observation process on social media, to the media or to the public.**
 - I will refrain from making any personal comments on my observations to the media or members of the public (including through social media). I will refer all media enquiries to The Carter Center leadership team.

I understand that my violation of this Code of Conduct may result in my accreditation as observer being withdrawn and my dismissal from the observation effort.

Appendix B: Disability Demographics per City in Michigan³⁰

City	Disability	Hearing Difficulty	Vision Difficulty	Cognitive Difficulty	Ambulatory Difficulty	Self-care Difficulty	Independent Living	No Health Care Coverage
Center Line	15%	3%	3%	4%	9%	2%	6%	4%
Dearborn	10%	3%	3%	4%	5%	3%	5%	5%
Detroit	20%	3%	4%	9%	12%	6%	11%	7%
Ecorse	23%	4%	7%	12%	14%	6%	12%	7%
Grosse Pointe	9%	3%	3%	2%	3%	2%	3%	1%
Grosse Pointe Farms	12%	4%	2%	4%	7%	2%	5%	2%
Grosse Pointe Park	6%	2%	1%	3%	2%	1%	2%	2%
Grosse Pointe Shores	8%	4%	1%	1%	4%	1%	3%	2%
Grosse Pointe Woods	9%	2%	1%	4%	4%	2%	6%	3%
Hamtramck	10%	2%	2%	5%	6%	3%	6%	10%
Harper Woods	16%	4%	4%	9%	8%	5%	9%	5%
Highland Park	27%	5%	5%	12%	19%	8%	14%	11%
River Rouge	19%	4%	5%	9%	10%	4%	12%	11%
Southfield	16%	4%	3%	8%	10%	5%	9%	4%
Warren	16%	4%	2%	7%	9%	45	7%	7%

³⁰ U.S. Census Bureau, "2021 American Community Survey" <https://data.census.gov/profile/Michigan?g=0400000US26>

Appendix C: Observer Checklist Questions

Detroit Disability Power and The Carter Center developed these questions together. The questions were in an online form that observers could access on their smartphones.

Arrival

1. Your Name
2. Time of arrival
3. Name of polling place (*Please use the name provided on your list of sites*)
4. Is the information listed on the spreadsheet (name, address, and/or precincts) correct, or did you find a discrepancy when you arrived?
 - *Yes, the information on the spreadsheet (name, address, and precincts) is correct.*
 - *No, there is a discrepancy. I will describe it in the next question.*

Environment outside the polling place

5. Were there clearly marked accessible parking spots?*(i.e. blue lines, access aisle, and obvious signage)*
 - *Yes*
 - *No*
 - *I don't know*
6. Was the path from the parking space to the building entrance paved and clear of stairs, narrow doorways, and physical obstacles that would make it hard for a wheelchair user or visually-impaired person to enter?
 - *Yes*
 - *No*
 - *I don't know*
 - If **No** in Q6, please explain: *[free text]*
7. Was the wheelchair-accessible entrance to the building the main entrance or a side/back entrance?
 - *Main entrance*
 - *Side/back entrance*
 - *I don't know.*
 - *There was no wheelchair-accessible entrance.*
8. Was the wheelchair-accessible entrance clearly marked?
 - *Yes*

- *No*
- *I don't know.*
- *There was no wheelchair-accessible entrance.*

9. Was the wheelchair-accessible entrance unlocked?

- *Yes*
- *No*
- *I don't know.*
- *There was no wheelchair-accessible entrance.*

10. Did the doors to get into the building have button-activated openers *OR* were they light enough to open with one hand? (*Either option is acceptable.*)

- *Yes – one or both*
 - *No – neither. I will explain below.*
 - *I don't know.*
- If **No** in Q10, please explain: *[free text]*

11. Was anyone pressuring/intimidating voters in the area around the polling place?

- *Yes – I will explain below.*
- *No; I don't know*
- *If Yes in Q11, please explain: [free text]*

12. Was anyone blocking access to the polling place, or acting violently?

- *Yes – I will explain below.*
- *No; I don't know.*
- *If Yes in Q12, please explain: [free text]*

Environment inside the polling place

13. Was the path through the building smooth and clear of stairs, narrow doorways, and physical obstacles that would make it hard for a wheelchair user or visually impaired person to navigate?

- *Yes*
- *No – I will explain below.*
- *I don't know.*
- If **No** in Q13, please explain: *[free text]*

14. Was the accessible voting machine set up, at wheelchair height, powered on, and ready for use by voters?

- *Yes – all precincts in the building*
- *No – some or none of the precincts; I'll explain in Q21.*
- *I don't know.*

15. Did the accessible voting machine have the accessible controller plugged in and ready for use?

- *Yes – all precincts in the building*
- *No – some or none of the precincts; I'll explain in Q21.*
- *I don't know.*

16. Did the accessible voting machine have the headphones plugged in and ready for use?

- *Yes – all precincts in the building*
- *No – some or none of the precincts; I'll explain in Q21.*
- *I don't know.*

17. Was the accessible voting machine placed to ensure the voter's secrecy?

- *Yes – all precincts in the building*
- *No – some or none of the precincts; I'll explain in Q21.*
- *I don't know.*

18. Was a wheelchair-height voting booth (for hand-marking paper ballots) set up and ready for use by voters?

- *Yes – all precincts in the building*
- *No – some or none of the precincts; I'll explain in Q21.*
- *I don't know.*

19. Was the wheelchair-height voting booth (for hand-marking paper ballots) placed to ensure the voter could mark their paper ballot in secrecy?

- *Yes – all precincts in the building*
- *No – some or none of the precincts; I'll explain in Q21.*
- *I don't know.*
- *There was no wheelchair-height voting booth for paper ballots.*

20. Was anyone interfering in the work of the poll workers?

- *Yes – I will explain below*
- *No*
- *I don't know.*
- *If Yes in Q20, please explain: [free text]*

21. (optional) Is there anything else you want to report? [free text]

22. Time of departure