



THE MARYLAND GENERAL ASSEMBLY
ANNAPOLIS, MARYLAND 21401

June 25, 2019

State Board of Elections
151 West Street, Suite 200
Annapolis, MD 21401

RE: Accessibility for Voters with Disabilities

Dear Chairman McManus and members of the State Board of Elections (SBE),

During the 2019 legislative session, we introduced SB 363/HB 565, *Election Law - Voting Systems - Accessibility for Voters With Disabilities*. This bill would have ensured that individuals with disabilities right to a secret ballot was protected and that the state is compliant with the current prohibition on providing individuals with disabilities with a segregated ballot. Although this bill did not pass this year, we strongly believe that the issues underlying this bill need to be addressed before the 2020 primary.

Since 2016, individuals with disabilities have been denied their right to a secret ballot because Maryland's voting system requires individuals with certain disabilities to use a different ballot than the general public. Additionally, there have been repeated deficiencies in ensuring that significant numbers of voters without disabilities use the accessible system, which could at least help obscure the ballots cast by voters with disabilities.

As the State Board of Elections prepares for the 2020 election, we are requesting the following considerations:

- SBE develop new policies that at a minimum ensure that the accessible voting system is in significant use by the general public in all voting precincts.
- SBE provide us timely updates on how you plan to improve training to ensure that policies regarding the use of the accessible voting system are consistently applied statewide.
- SBE should evaluate the state's options for certifying a voting system that will either require all voters to use an accessible option or the adoption of a system where the paper ballot generated by the accessible system is identical to the ballot used by the general public. These options are important because, if adopted, they are most likely to ensure that individuals with disabilities receive a secret ballot, that the state can ensure that it is discontinuing the practice of distributing a segregated ballot, and that individuals with disabilities are able to have full faith in the integrity of the state's voting system and the State Board of Elections' commitment to maintaining the anonymity of their votes.

Our offices are open to providing any needed assistance on this matter, and it is our hope that the issues underlying SB363/HB565 can be satisfactorily resolved to preclude the need for the introduction of similar legislation in the 2020 session.

Sincerely,

A handwritten signature in black ink, appearing to read "Clarence Lam".

Clarence Lam, MD, MPH
Senator, District 12

A handwritten signature in blue ink, appearing to read "Nick J. Mosby".

Nick J. Mosby, BS
Delegate, District 40