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To: House Government, Labor, and Elections Committee

The members of the National Federation of the Blind of Maryland urge the House Government, Labor, and Elections Committee to give a favorable report to HB1027 – Election Law – Telephone Voting System - Requirements.

The National Federation of the Blind of Maryland is Maryland's oldest and largest civil rights organization of and for blind, low vision, and deaf-blind members. We represent voters from throughout Maryland.

Voting is a fundamental right. Equal access to voting methods is essential to maintaining a fair and inclusive democracy. Yet our current voting procedures unfairly disadvantage voters who are blind, low vision, print disabled, have hand dexterity limitations, or who cannot return a paper ballot privately and independently.

According to the U.S. Election Assistance Commission, 20% of voters with disabilities reported difficulty voting on Election Day due to accessibility barriers, compared to just 6% of voters without disabilities. In Maryland, an estimated 235,930 voters — approximately 3.8% of our population — have a disability that may affect their ability to fill out or return a paper ballot.

For voters with print disabilities, the problem is particularly acute in the absentee process. Maryland allows voters to receive a ballot electronically. A blind voter can access that ballot using screen-reading

technology, complete it independently, and make their selections privately. But then the voter must print the ballot, sign it, and return it by mail or drop box.

Many voters with print disabilities cannot print, sign, and return a ballot without assistance. They must rely on another person to print the ballot, locate the signature line, prepare the envelope, and submit it. Some voters do not have anyone available to assist them. Others do not want family members or friends to know how they voted. Some have shared that the individuals assisting them attempt to influence their vote after seeing their selections. And because the assisting individual is often the last person with eyes and hands on the ballot, the voter cannot independently verify that their choices are the ones actually submitted.

This forces blind and print-disabled voters to surrender privacy and ballot secrecy simply to participate in democracy. We do not require any other demographic group to give up privacy and independence in order to vote. We should not require it of voters with disabilities.

Some have suggested that voters with disabilities can simply vote in person if they want privacy and independence. But many voters with disabilities need to vote absentee because of their disabilities. Others are traveling, in school, working, or have caregiving obligations — just like other Marylanders. We have a legal and moral obligation to make every voting method available in Maryland accessible to all voters. Suggesting that voters with disabilities should use a different method, rather than ensuring equal access to the method they choose, echoes discriminatory policies from our nation's past.

Blind and print-disabled voters have been advocating for accessible absentee ballot return in Maryland for nearly a decade. Thirty-three states and territories provide paperless ballot return for military and overseas voters. Thirteen states provide paperless ballot return for voters with disabilities. Maryland is not one of them. Attached to this testimony, you will find a list of the states and territories referenced here.

The primary argument against solving this problem has centered on security concerns. Each year, advocates return with solutions that balance accessibility and security. This year's bill presents a novel, secure solution that does not transmit voted ballots over the internet. There is no internet-based ballot return in this proposal. As a result, this method avoids many of the election integrity concerns that have been raised about online voting. In fact, it is more secure than the current absentee process for blind voters, which relies on third-party assistance.

This bill establishes an automated touch-tone telephone voting system for absentee voters who are blind or otherwise print disabled.

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Here is how it would work:

- A voter would request to vote absentee using the telephone system in the same manner they currently request an electronically delivered ballot. They would certify that they are blind or print disabled.
- The State Board of Elections would verify eligibility just as it does for any absentee voter. After verification, the voter would receive credentials associated with their specific ballot.
- The voter would call a toll-free number, enter those credentials on a touch-tone phone, and their ballot would load into an automated system. The system would read each contest and each candidate aloud — similar to how a ballot marking device works in person. The voter would make selections using their keypad. The system would review each selection so the voter can confirm accuracy. The voter would then certify the ballot in a manner determined by the State Board.
- Once submitted, the ballot would be stored in a secure, air-gapped system not connected to the internet. The State Board would print the ballot, ensuring a paper record and auditability. The ballot would then be duplicated to a scannable ballot and canvassed exactly like every other absentee ballot in Maryland.

The only meaningful difference is that the State Board prints the ballot instead of the voter — eliminating the need for third-party assistance and restoring privacy and independence.

This concept is modeled on systems used in Australia and New Zealand for blind voters, but adapted to Maryland's larger ballots. Unlike those countries, which rely on human operators, Maryland would use an automated system, making it scalable, secure, and resource-efficient.

While no state currently uses an automated telephone system for absentee voting, telephone voting has been used in other contexts. The federal Securities and Exchange Commission has permitted corporations with large shareholder populations to use touch-tone telephone voting for shareholder decisions. In addition, several government entities have established entirely telephone-based processes, such as the Social Security Administration and Internal Revenue Service; these methods demonstrate that confidential and sensitive information can be transmitted securely and accessibly through such a system.

In addition, several states, including Connecticut, Maine, New Hampshire, Oklahoma, Oregon, and Vermont used telephone voting between 2004 and 2016 in response to the accessibility requirements of the Help America Vote Act. However, these systems were used only for in-person voting and were later replaced by accessible ballot marking devices.

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This bill also includes important safeguards. It requires review and certification where applicable, includes reporting requirements to the General Assembly, and incorporates sponsor amendments that:

- Set implementation by the 2030 primary;
- Require coordination between DOIT and SBE;
- Include disability law protections consistent with the ADA;
- Provide alternative certification pathways if traditional testing labs are not applicable;
- Clarify that the system serves the public interest; and
- Ensure the Board cannot reject certification simply because the method is available only to voters with disabilities.

We cannot continue asking blind and print-disabled voters to wait while we search for a perfect technological solution. We would not ask any other community to surrender privacy and independence while we deliberate. To do so would be discriminatory.

Telephone voting is a common-sense, accessible, secure, and low-tech solution that restores privacy, independence, and dignity to Maryland voters with disabilities — while preserving the integrity of our elections.

For these reasons, on behalf of the National Federation of the Blind of Maryland, I respectfully ask for a favorable report on HB1027. For questions, please contact me at President@nfbmd.org or at 443-426-4110.

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