ACCESSIBILITY IN THE ELECTORAL PROCESS

OR

LET'S CONNECT

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ELECTORAL ACCESS

What is access?

- Accessible – admittance, approachable, entry, open, penetrable, achievable, available, convenient, and understandable.

- Two types of access:
  - Physical access (including technological access)
  - Understandable access (aka user access)

WHY ACCESSIBILITY IS IMPORTANT

- Educate
- Encourage
- Increase:
  - citizen awareness
  - participation in electoral process
    - poll workers
    - voters
    - Candidates
  - civic enthusiasm
  - citizen empowerment

WHAT I'VE SEEN …

- 11 years at the Federal Election Commission (FEC) resolving [campaign finance $] enforcement disputes
  - Nearly 600 enforcement matters

- Working with political committees and citizens
  - some with very limited resources
  - often inexperienced in election law and campaign finance
    - necessary for them to learn what they need to do
  - the 2011 book of regulations implementing the Federal Election Campaign Act (FECA) is 411 pages (not the statute itself, just regulations)
    - densely written
    - compound and complex sentences
    - complex outline system
    - filled with [unnecessary] legal terminology

- Why does it need to be so difficult? ☺ ☺

ACCESS PROPOSAL

- My project proposal was to encourage and expand the use of e-learning, including webinars, to educate the regulated community and the public about the requirements and obligations under the Federal Election Campaign Act (FECA).
  - The Federal Election Commission (FEC) offers [excellent] conferences on the requirements of the FECA.
  - These conferences are offered in Washington, DC and in other venues around the USA, but they are expensive, especially when transportation and lodging are factored in.
- It is not possible to have adequate transparency, as required under the FECA, if political organizations and individuals do not understand the law and what is required – if they do not have appropriate and adequate access.

NOTICE

- An basic principle in most legal systems is the issue of "notice." A *notice* informs citizens what the law requires them to do, or not do.
    - No need for cumbersome legal terminology
    - Keep it simple
    - Often bad things can occur when people feel alienated or left out of the process

- Due process further requires that no negative action, including punishment, be taken without adequate and appropriate prior notice.

PHYSICAL ACCESS TECHNOLOGY TO THE RESCUE

- Global partnerships are being built around the concept of e-learning and web-accessibility
- Those partners then build computer classrooms in isolated communities around the world, often using satellites and solar power. Why not …
  - Use those same facilities to educate, encourage and increase interest in voting? *and*
  - To actually cast ballots? *and*
  - To provide early election returns?

In Timor Leste's remote villages the Computers for Communities program has established four separate computer-training classrooms.

These computer classrooms offer local Timorese hands-on experience with personal computers, with courses ranging from word processing, web browsing, spreadsheet use and email. Local teachers facilitate the computer courses, and provide a simple hand-up to those trying to improve their vocational skills and training.

Alongside this, the program has distributed computers to over twenty other community service organizations. The computers help these organizations undertake administrative duties and build computer skills. Additionally, the computers provide a unique opportunity for organizations to participate in a wireless community network.

INTERNET SHOULD NOT BE A BARRIER

- All internet and social network systems should provide solutions for accessibility and transparency
  - Social media
    - Facebook
    - U-tube
    - Twitter
    - Blogs
- Other media
  - Television
  - Radio
  - Other web-based programs

ACCESSIBILITY CONSIDERATIONS

- Vision impaired
  - Web speech, voice prompts
- Language
  - Subtitles
  - Select language
- Hearing impaired
- Literacy
  - Use symbols and pictures
- Touch screens
  - Remove necessity of knowing which button to push
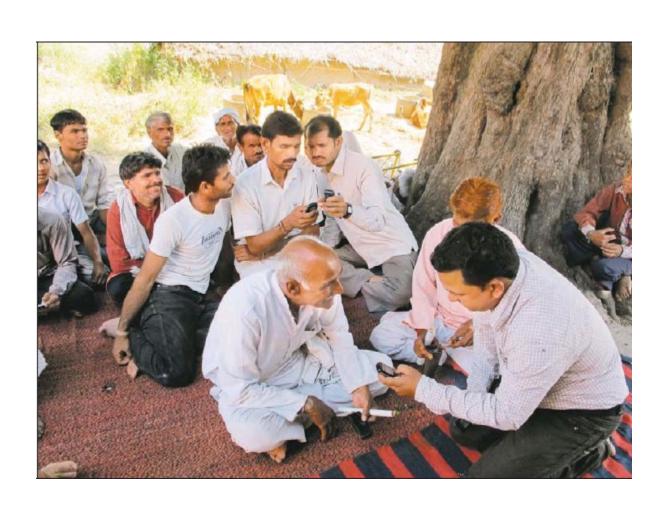- Use creative problem solving

USER ACCESSIBILITY
THE LAW IN PLAIN LANGUAGE

- The law should be in plain language
  - if text, a person, with average literacy skill, should be able to understand the content and significance of the notice
  - for those without strong literacy skills, consider the use of illustrations or other aids to understanding
    - Symbols
    - Pictures
    - Check-lists
    - Bullet points

OTHER CONSIDERATIONS IN USER ACCESSIBILITY

❖ Clear understandable writing should contain:
1. A concise title which states the purpose
2. A contents list including
   A. summarizing the main points of the law
   B. paraphrasing the main points of the law
3. Everyday words in everyday usage, not archaisms like the party of the first part,' 'whereof,' 'waive,' or 'notwithstanding'
4. Explanations of any technical words that must be used
5. Words in a sensible order, avoiding big gaps between subject and verb
6. Short sentences - 15-20 words maximum
7. Concepts or directions grouped together in accurately titled sections and subsections
8. An alphabetic or numeric system
9. Details in schedules (or attached examples)

❖Remember – keep it short and to the point

CELLPHONE TECHNOLOGY ENSURES THAT OFFICIALS ACKNOWLEDGE VILLAGERS' COMPLAINTS

START THE PROCESS

- Assess the needs
  - Don't assume you know
  - Begin locally, then go out to regional and national
    - Consider numerous small pilot programs
    - Collect feed-back from participants
      - Use volunteers (possible poll-workers) for test runs
        - They will learn from their experience
        - Better to assist voters at election time
- Determine the barriers to electoral process
  - Transportation?
  - Communication?
  - Literacy?

ACTUAL SUGGESTIONS FOR IMPROVING ELECTORAL PROCESS AND ACCESS

- Vote by mail
- Braille mail-in ballot
- Voting machines in variety of locations
  - Adequate number of voting machines
  - Voting machines working properly
- Educated poll workers
- Availability of audio (non-visual) voting machines
  - Voice activated responses
- Voting over several days or a week
- Provide information about candidates and their positions on the issues
- Touch screens with symbols or pictures

Providing access for more individuals to participate in the electoral process can sound overwhelming, but

Keep in mind . . .

A journey of a thousand miles begins with a single step. Lao-tzu