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From: Curtis Chong [REDACTED]
Sent: Monday, July 1, 2019 9:54 AM
To: SoS Rulemaking
Subject: General Comments Regarding Implementation of SB-19202

Greetings and felicitations:

I received the notice concerning the rule-making hearing scheduled for July 31. on behalf of the National Federation of the Blind of Colorado, I plan to attend this hearing.

In the meantime, I wish to make some general comments regarding the implementation of SB19-202, a bill to enable voters with disabilities to mark the printed mail ballot using nonvisual access technology, low-vision access technology or/other assistive technology.

1. Blind or visually impaired voters (and voters with other disabilities) must have an opportunity to use the new voting system in a test environment before the real election begins.

Voters who are totally or partially blind will likely use a computer, smart phone, or tablet equipped with nonvisual access or low-vision access technology to fill out the web-based form that enables them to request an electronic ballot and then mark the ballot during an election. In the commercial technology market, there is a dearth of expertise among web application developers regarding the use of these technologies on a day-to-basis. What this means is that while a developer may claim that the web application being developed meets all accessibility guidelines (e.g., WCAG 2.0 A and AA priorities), the voter who attempts to use the application is likely to report difficulty using the application because the developer failed to understand how a blind person interacts with the application. Hence, it is VITAL that all aspects of the voting application—from the point where the accessible ballot is requested all the way to the final voting and printing of the ballot—be made available to real live voters who are blind/visually impaired in a test environment so that any difficulties can be addressed prior to the election. The National Federation of the Blind of Colorado is an excellent resource to consult about this testing.

This also applies to voters with other disabilities.

2. Blind/visually impaired voters should not be required to fill out their name on the printed voter affidavit. Moreover, it should be possible for the voter to sign anywhere near the bottom of the printed affidavit without requiring sighted assistance to locate the signature area.

A voter affidavit that has been signed by the voter must accompany the printed ballot that is either mailed in or deposited in a drop box. The theory here is that after the voter with a disability has marked his/her ballot using a Web-based application, the two documents are printed, the affidavit is filled out and signed, the ballot is inserted into its own anonymizing envelope, and the entire package is placed in a larger envelope.

To make the process more accessible to a blind voter, the system should be designed to print the voter's name on the voter affidavit, and it should leave some blank space at the bottom of the page where the blind voter (who might not see the print at all) can provide his/her signature.

I urge the Secretary of State's office to ensure that the above concepts are incorporated into the rule language that will doubtless emerge in the coming months. Thank you for your kind attention.

Yours sincerely,

Curtis Chong