









COMMUNITY LEGAL AID SOCIETY, INC.

2024 GENERAL ELECTION ACCESSIBILITY REPORT

JUNE 2025



EXECUTIVE SUMMARY

Since 2004, Disability Rights Delaware (DRD) —formerly the Disabilities Law Program— of Community Legal Aid Society, Inc. (CLASI) has been monitoring polling places in Delaware to ensure compliance with the Americans with Disabilities Act (ADA), the Help America Vote Act (HAVA), and other state and federal laws designed to protect the rights of persons with disabilities.

On Election Day, monitors trained in ADA polling place compliance fan out across the state to survey sites for potential barriers to persons with disabilities. For the November 2024 General Election, the DRD poll monitoring team assessed 258 (91%) of the 284 polling places across the State of Delaware. This is a dramatic increase in the expansiveness of our monitoring coverage across the state from the 52% coverage accomplished in 2022.

Access to the vote is one of the most fundamental and important rights of American citizens and must be accessible to all eligible voters. Nevertheless, voters with disabilities continue to experience barriers that suppress that right in violation of the ADA and HAVA. While it is true that advances in technology have yielded significant improvements in accessibility of voting equipment and the administration of elections, the same cannot always be said for one of the most important, problematic, and overlooked issues: the physical accessibility of polling places themselves.

Delaware has invested over \$13 million in new voting machines with enhanced accessibility features, paving the way for voters with certain disabilities to more easily exercise their right to vote in person, independently, and privately. However, this investment and improvements are of no use to voters with other disabilities if they are unable to find accessible parking, exit their vehicle, and safely make their way to an accessible entrance or face other problems voting independently and privately with accessible equipment.

Key Findings and Recommendations

This year's election accessibility evaluation is particularly significant, as it represents our most comprehensive effort to date and offers an unprecedented overview of accessibility conditions across polling places statewide, especially in light of DRD's <u>previous findings</u> of widespread accessibility issues and the Department of Elections' subsequent efforts to address them.

Evaluation of exterior routes revealed **notably low compliance with ADA parking standards (45.3%), especially regarding van-accessible spaces**. In addition, many sites lacked clear signage directing voters to accessible routes and entrances. In contrast, interior route issues were rare, with the most frequent problems—such as protruding wall-mounted items or routes narrower than 36 inches—appearing at only 2– 4% of sites. Poll monitors and voters reported that while the Universal Voting Console (UVC) was present at nearly all sites, voters with visual impairments sometimes encountered poll workers who were unfamiliar with the console or unable to assist them in voting privately and independently. Finally, the 25 new polling sites introduced by the Department of Elections in 2024 performed on par with, or slightly better than, polling places statewide.

Disability Rights Delaware's key recommendations can be summarized as follows and continue on pages 33–36: (1) **Survey parking areas and exterior routes for accessibility** to anticipate and accommodate accessibility needs in advance of early voting and Election day; (2) **equip poll workers and election officials with materials and tools to make sites more accessible** as needed; and (3) **invite the community and poll workers to train with accessible voting tools and educational resources** before voting begins.

2024 DELAWARE GENERAL ELECTION ACCESSIBILITY REPORT

COMMUNITY LEGAL AID SOCIETY, INC. DISABILITY RIGHTS DELAWARE JUNE 2025

Introduction

As of 2022, Delaware reports 205,381 of its adult inhabitants –one in four Delawareans– live with some type of serious disability [1]. Since 2004, Disability Rights Delaware (DRD) of Community Legal Aid Society, Inc. (CLASI) has been monitoring polling places in Delaware to ensure compliance with the Americans with Disabilities Act (ADA), the Help America Vote Act (HAVA), and other state and federal laws designed to protect the rights of persons with disabilities. Designated by the governor as the state's Protection & Advocacy agency for people with disabilities, DRD's responsibility under HAVA is to "ensure the full participation in the electoral process for individuals with disabilities" [2] from registration, to casting a ballot, to voting in person at polling places.

While access to the vote is one of the most fundamental and important rights of American citizens, voters with disabilities continue to face barriers to exercising that right due to inaccessible equipment, processes, or spaces: violations of the ADA and HAVA. Though technological advancements have significantly improved the accessibility of voting in some respects, many polling sites fail to accommodate people with disabilities systemically and fundamentally by lacking basic physical accessibility measures.

Methods

DRD recruited poll monitors from DRD staff and student volunteers to assess polling sites in Delaware. Prior to participation on Election Day, monitors underwent training on basic ADA accessibility standards and received credentials from the Department of Elections (DoD) to enter polling places as approved monitors.

On Election Day, 48 monitors comprised of DRD staff and volunteers from the University of Delaware and Delaware Law School fanned out across the state to assure voting protections for people with disabilities [3]. Monitors completed an electronic survey developed by DRD based on the Department of Justice's 2016 ADA Checklist for Polling Places for election officials [4].

- 2. https://www.congress.gov/107/plaws/publ252/PLAW-107publ252.pdf
- 3. DRD thanks all the volunteers from the University of Delaware and the Delaware Law School who assisted with 2024 general election poll monitoring. DRD offers special thanks to Prof. Laura Eisenman (University of Delaware) and Prof. Bob Hayman (Delaware Law School) for coordinating information sessions and encouraging students to volunteer.
- 4. https://archive.ada.gov/votingchecklist.pdf

^{1.} https://dhds.cdc.gov

Methods

Poll monitors completed a survey for each polling site visited. The survey tool guides the monitors through a voter's path and experience at the polling site, beginning with questions about the entrance and accessible parking area, proceeding to questions about the accessible exterior pathway and building entrance, and finishing with an evaluation of the interior pathway and voting area and equipment inside the building. Throughout the survey, monitors are asked about the measurements of certain features of the polling site, so respondents used tools like tape measures and rulers to properly assess the site.



University of Delaware students volunteering with Disability Rights Delaware measure a parking access aisle at a polling site during the 2022 General Election.

At the polling sites, poll monitors introduced themselves to the poll workers by showing their credentials and responded to any inquiries about their presence or purpose of their activities and measurements. They were instructed not to interact with any voters or interfere with the voting process. Their only task was to observe and take relevant measurements. The monitors were not to conduct interviews or solicit information from anyone at the polling site, though they were welcome to listen to concerns raised by voters or poll workers and provide phone numbers for assistance hotlines.

On November 5, 2024, the DRD poll monitoring team assessed 258 (90.8%) of the 284 polling sites across the State of Delaware. The findings are summarized below [5]. The findings are followed by DRD's recommendations and a photographic appendix [6].

6. See p. 38 for Appendix – Photographs

^{5.} Please note that percentages are of the number of polling places assessed, rather than the total number of polling places in the state.

FINDINGS

This report presents the findings from DRD's poll monitoring in categories of accessibility:

Voting Location

• Physical accessibility of the exterior and interior of the polling place (parking spaces, door width, ramp handrails, etc.)

Voting Equipment

- Voting machine (adjustable height, visual accommodation features such as enlarged text, black & white option)
- Universal Voting Console (whether it was set up, functioning, readily available for voters)
- Electronic pollbook (whether voters with disabilities could reach and sign it from a chair or scooter)
- Voting booth (depth to accommodate wheelchair or scooter, whether curtain closes behind a voter)

Voting Experience

• Qualitative feedback from voters with disabilities about their individual experiences on Election Day regarding the extent to which they feel they had a full and equal opportunity to vote privately and independently

This report will also specifically assess the 25 "priority" polling places that were either used for the first time or improved for the 2024 General Election. These polling places were chosen and modified deliberately to improve upon accessibility issues identified in previous elections and replace sites deemed inaccessible.

The report will present **recommendations** for the Department of Elections in response to the findings according to categories of accessibility.

Lastly, an **appendix** will include photographs taken by poll monitors at various sites during 2024 election monitoring.

FINDINGS

Our 2024 Election Accessibility Poll Monitoring survey assessed accessibility according to **three main categories**:

Voting

Equipment

1. Voting Location

Parking

- Spaces marked accessible
- At least 1 space marked van accessible
- Spaces' width ADA compliant
- Spaces' access aisles ADA compliant
- Spaces' signage ADA compliant
- Spaces closest to entrance
- Level parking surface
- Firm/solid parking surface

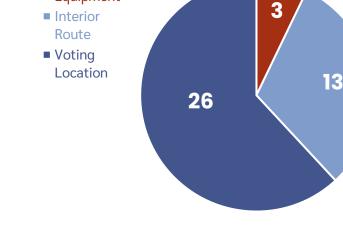
Exterior Route

- Path to accessible entrance clearly marked
- Accessible route at least 36" wide
- Firm/stable route surface
- Level route (free of changes greater than 1/2 inch)
- Route free of openings bigger than 1/2 inch
- *Curb cut at least 36" wide
- *Wheelchair ramp at least 36" wide
- *Wheelchair ramp slope no greater than 1:12 inches
- *Any landings on wheelchair ramp are level
- *Handrails on both sides of ramp if ramp height exceeds 6"

Exterior Entrance

- Accessible entrance is on accessible route
- Accessible entrance is easily identified with signage
- Accessible entrance opening at least 32" wide
- Accessible entrance threshold no higher than 3⁄4 inch
- Adequate maneuvering space for wheelchairs, scooters, walkers
- Entrance is accessible without physically opening doors
- Doors are unlocked
- Doors have accessible handles

*not applicable at all polling places



2. Interior Route

- Clear path from main entrance to voting area
- Interior route at least 36" wide
- Interior route has firm/stable surface
- Interior route free of changes/bumps greater than 1/2 inch
- Interior route is well-lit
- Interior route is free of low-hanging objects/items protruding from the wall/placed on the floor
- *Voting area can be accessed without physically opening a door
- *Interior doors are unlocked
- *Interior door's threshold is no higher than 3/4 inch
- *Interior door has accessible handle
- *Interior door is easily opened without great force
- Enough room for 36" wide route to check-in table and voting machines
- Enough room to maneuver in front of at least one accessible machine (60" diameter)

3. Voting Equipment

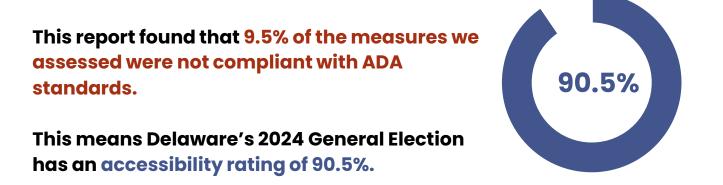
- Check-in tables have clear knee space (27" high and 20" wide)
- Check-in tables higher than 34" from floor
- At least one voting machine with the Universal Voting Console (UVC) set up

6

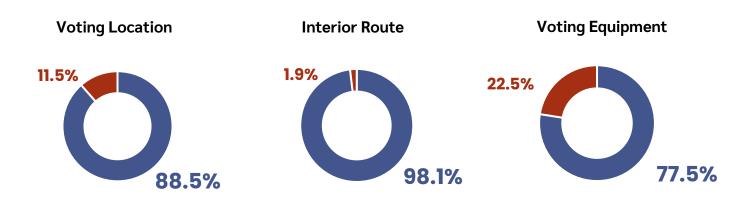
FINDINGS

At a Glance

DRD monitored and evaluated all 258 polling locations on at least 32 measures for compliance with the ADA Checklist for Polling Places [7]. DRD assessed a total of **9,848 data points**.



Overall individual accessibility rates for the exteriors of polling locations, interiors of locations, and voting equipment are shown below. Accessibility rates were calculated by identifying the percentage of accessibility issues for all applicable data points. (N=258)



DRD found more accessibility issues in the categories for **Voting Equipment** and **Voting Location** and less frequent accessibility issues with Interior Routes.

This finding indicates more careful attention is needed when selecting or improving accessibility at **Voting Locations and setting up Voting Equipment**, while polling places' interior routes were largely accessible.

More specific data on accessibility issues from each category, along with qualitative feedback from poll monitors and voters, will continue in the sections to follow.

7. View all measures listed from our Election Accessibility Poll Monitoring survey tool on page 6.

More than half of our measures on the Election Accessibility Poll Monitor survey tool assessed aspects of the voting location, from the parking spaces, to the exterior accessible route (including any wheelchair ramps), to the exterior door and accessible entrances.

Historically, persistent Voting Location issues—particularly related to parking—have caused barriers to voters with physical disabilities in Delaware.

Parking

When assessing for polling place accessibility, the importance of accessible parking cannot be overstated. Delaware has made a \$13 million investment in new voting machines with enhanced accessibility features designed to facilitate in-person, independent voting for people with disabilities, an effort which is lost on voters with disabilities if they are unable to access their polling place due to inaccessible parking lots and voting locations.



Frederica Fire House in Kent County. Poll monitor reported that this site's parking lot was inaccessible. Voters had to park across the street from the polling place entrance, and the accessible parking was marked by two temporary/movable post signs rather than being painted. They also lacked access aisles and were blocked on one side by bales of hay.

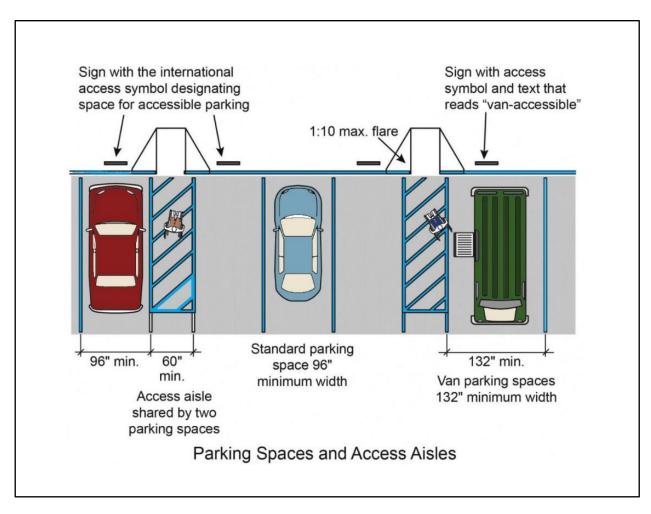
In 2022, nearly a third of the 145 locations monitored by DRD had at least one inaccessible parking issue. This issue is one which persists despite DRD's years of accessibility monitoring and reporting. Many of the same locations year to year fail to accommodate voters who require accessible parking spaces and routes to their polling places.

After assessing almost twice as many polling places in 2024 as in 2022, the rate of accessibility issues related to parking increased from one third to more than half (54.7%) of all sites. This increase is alarming not only because it indicates that parking accessibility issues from 2022 have not yet been adequately addressed, but also because it suggests that parking accessibility problems are even more prevalent than in 2022.

Parking

Under the ADA, the required number of accessible parking spaces increases with the size of the lot—generally ranging from about 2% to 4% of total spaces—with at least one in every six accessible spots designated as van accessible. If there is only one accessible space, it must be a van accessible space [8].

To be **handicap accessible**, spaces must be (1) of the correct width of 8 feet, (2) have an adjacent access aisle 5 feet wide, (3) be the closest possible spaces to the accessible entrance, and (4) be appropriately marked with the universal symbols and signage. Van accessible spaces must be 11 feet wide.



ADA Accessible Parking Spaces, available at: https://www.ada.gov/topics/parking

8. For detailed ADA requirements and a chart outlining how many accessible spaces are required based on lot size, see U.S. Department of Justice Civil Rights Division, ADA.gov – Calculating Accessible Parking Spaces, https://www.ada.gov/topics/parking/#calculating-accessible-parking-spaces

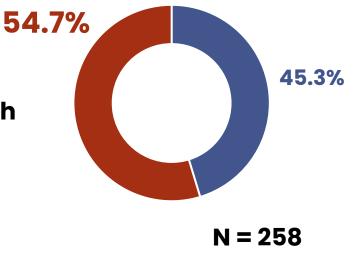
Parking

In 2024, poll monitors reported 3 sites with no visibly marked accessible parking spaces at all:

- Millville Volunteer Fire Company Station #2 (Sussex County)
- The Park View apartments (New Castle County)
- The First Unitarian Church (New Castle County)

Of the 255 sites that had at least one space designated as accessible, 137 of them -53.7%-were noncompliant with at least one of the ADA handicap parking criteria assessed. While almost all sites had designated accessible spaces, more than half of them failed to be fully compliant with ADA regulations for accessible parking according to the four measures listed above. For example, spaces may have been too narrow, had no access aisles, had access aisles that were too narrow, or had no or incorrect/unclear signage.

More than half of all polling sites were not compliant with at least 1 of the parking measures assessed by DRD.



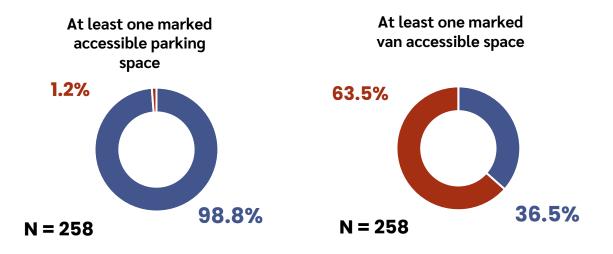
The figure above does not account for whether polling places had the required proportion of handicap accessible and van accessible spaces, as DRD did not ask volunteer poll monitors to count the total number of parking spaces and accessible spaces to then calculate this proportion.

However, accounting for noncompliance with other measures for parking accessibility (those pertaining to space size, signage, and access aisles), this figure represents a 22-point increase in the rate of accessibility issues related to parking from 2022 to 2024.

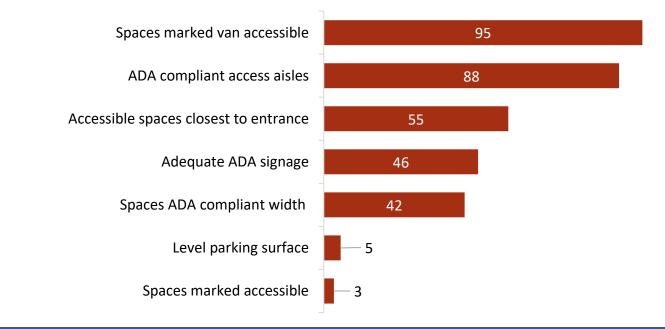
Parking

All 258 polling locations monitored were assessed for parking accessibility. While polling places and lots varied greatly in total number of spaces, an alarming number of polling places lacked any marked van accessible parking, access aisles, or accessible parking spaces that were closest to the entrance. Other persistent issues included lacking adequate ADA signage and spaces that were too narrow.

The charts below indicate the percent of polling places providing **at least one marked handicap accessible and van accessible space** in 2024.



However, just because spaces have been marked accessible doesn't mean they are. The chart below shows **the total numbers of responses indicating "No" or "None"** to questions related to ADA standards for parking lot accessibility. (N=258)



Parking

In 2024, 71—or 50.7%— of the 140 sites identified for failing to comply with at least one ADA measure were public schools. Generally, public schools are specifically chosen as polling places because of their practicality, cost-effectiveness, ADA compliance, and being empty of students and staff. So why the prevalence of accessibility issues in public school parking lots?

Over the years, DRD's poll monitoring findings have suggested that the discrepancy between public schools' intended accessibility and their actual inaccessible lots or exterior routes arises from the use of secondary entrances or lots (i.e., near the gym or the cafeteria) on Election Day.

As a rule, main entrances at public schools have the greatest number of parking spaces—for cars and vans—that meet ADA standards for size, access aisles, proximity to an accessible entrance, and visible marking and signage. In addition, the main parking lots are more likely to have firm, level surfaces, that are well maintained, and less likely to have significant holes, cracks and other defects that impede access. By extension, the exterior route from the accessible parking to the entrance is equally likely to be safe and accessible, as are the main entrance doors, handles and thresholds.

If main entrances aren't used or schools lack parking spaces specifically marked van accessible **(as was the case for almost a third of schools used as polling sites in 2024)**, these sites quickly become less accessible or confusing to navigate for voters with mobility disabilities. DRD continues to recommend the use of main entrances at polling places, especially ones which are public schools. See page 33 for more recommendations for improving voting location accessibility.



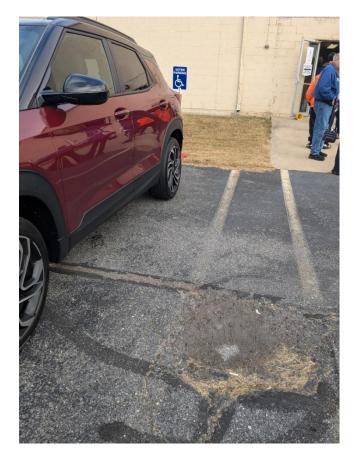
Accessible parking area designated in the fire lane at **Douglass School in New Castle County**. Poll monitor reported signage was difficult to see, but there were 3 spaces marked accessible. None were marked van accessible.

Parking – Photographs

See Appendix on p. 38 for more parking-related photographs.



Houston Volunteer Fire Department in Kent County. Poll monitor reported only 1 marked van accessible parking spot, which was blocked by a bench with flowers.

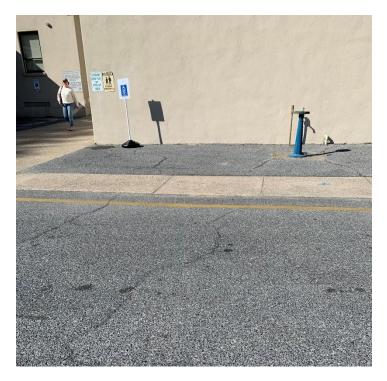


Access aisle for the marked accessible parking spot at **Nur Shriners Community Center in New Castle County** with large pothole next to the driver's side door.

Parking – Photographs



Carvel State Office Building in New Castle County. Poll monitor reported a delivery truck completely blocked the ramp for accessibility. No other markings or signage indicate where vehicles using handicap spaces should park.



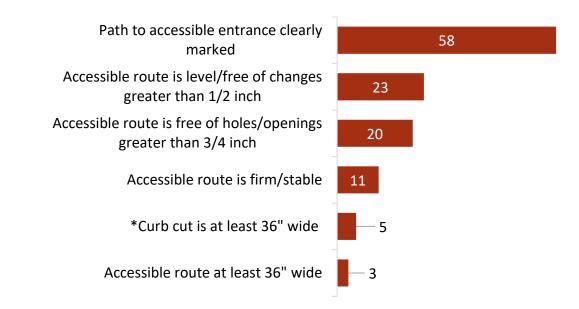
Millsboro Elementary School in Sussex County. Marked van accessible space is not marked with cones or diagonal lines, spans a sidewalk, and is in the middle of a water fountain area.

Exterior Route

All 258 polling locations monitored were assessed for accessibility of their exterior routes. Also included in exterior route evaluation were questions pertaining to wheelchair ramp accessibility, which were applicable at 97 polling locations.

The most common accessibility issue along exterior routes was the **failure to clearly mark accessible** entrances and paths to them (22.5%). Other persistent but less common issues included routes that were not level or routes which had openings, such as holes or grates, larger than ³/₄ inch.

The chart below shows **the total numbers of responses indicating "No" or "None"** to questions related to exterior route accessibility. (N=258, *n=144)



Ramp slope greater than 1:12 inches

- Kenton Ruritan Club
- First Presbyterian Church
- Magnolia Middle School
- Dover High School
- Booker T. Washington
 Elementary School
- Harlan Elementary School
- River Club Apartments
- Episcopal Church of Saints Andrew and Matthew
- Maurice Pritchett SR Academy
- New Life Bible Church
- Lewes Elementary School

- Ramps lacking level landings
- Magnolia Middle School
- Dover High School
- Aetna Fire Station#7
- River Club Apartments
- Ebenezer United Methodist
 Church
- Baltz Elementary School
- Nur Shriners
- Indian River Fire Company
- Selbyville Middle School
- Lulu M. Ross Elementary School

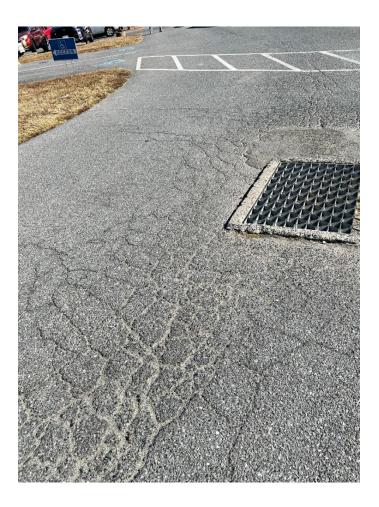
Ramps lacking handrails

- Clayton Fire Hall
- DelTech CC Stanton Campus
- Lancashire Elementary School
- Aetna Fire Station #7
- George Kirk Middle School
- River Club Apartments
- Union United Methodist Church
- Maurice Pritchett SR Academy
- Zoar Church
- Long Neck Methodist Church
- Selbyville Middle School
- Epworth United Methodist
 Church

*Sites with persistent ramp accessibility issues

Exterior Route – Photographs

See Appendix on p. 45 for more exterior route photographs.



Lake Forest Central Elementary School in Kent County. Poll monitor photographed the large grate and uneven surface but noted there was enough space surrounding to maneuver to avoid the uneven area. The poll monitor also noted the complete absence of access aisles. Elevations in the brick path exceeding ¾ inch in height along the exterior route to the voting area at Buena Vista Conference Center in New Castle County.

Exterior Route – Photographs



Flooded areas on the accessible path at **Greater Newark Boys and Girls Club in New Castle County.** While the poll monitor reported that the exterior route was technically compliant with ADA standards, there were still obstacles (such as flooding). Election officials may consider anticipating and counteracting in the future. One possibility is creating temporary spaces with signs and cones if the existing spaces are flooded or otherwise unfit for use.



Parking lot at Baltz Elementary in New Castle County. The marked accessible parking spaces in the background are not the ones closest to the accessible exterior route in the foreground.

Exterior Route – Photographs



Poll monitor at **Aetna Fire Station in New Castle County noted** a large crack in the sidewalk ½ inch in width as well as a large crack at the base of the accessible entrance's ramp, which would make it difficult to pass for a wheelchair-user.



Accessible parking sign with worn image and text at **Bear Library, New Castle County**. Accessible parking spaces must be designated with clear, easy to read signage.

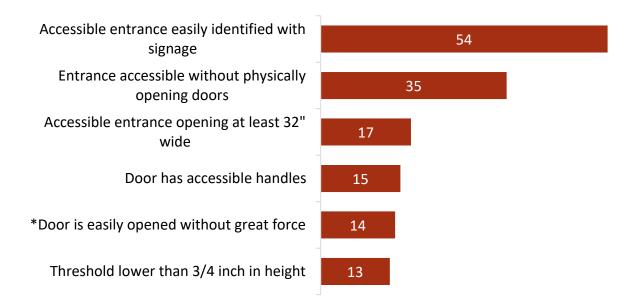
Exterior Route

Exterior doors

DRD assessed all 258 polling locations for the accessibility of exterior doors. The most common accessibility issues with exterior doors were **failures to clearly identify accessible doors with signage** (21%) and provide access to entrances without the need to physically open any doors (14%).

Other persistent but less common issues included **doors that were not wide enough, doors lacking** accessible handles, doors requiring great force to open, and thresholds that were too high.

The chart below shows **the total numbers of responses indicating "No" or "None"** to questions related to exterior door accessibility. (N=258, *n=250)



Other less commonly reported door accessibility issues and sites where they occurred are listed below.

Sites with locked doors

- First Presbyterian Church
- Nobles Pond Clubhouse
- Forest Oak Elementary
- Limestone Presbyterian
- Springer Middle School
- Cool Springs Presbyterian
- Brittingham School

Sites lacking adequate exterior maneuvering space

- Good Shepherd Baptist Church
- Ebenezer United Methodist Church
- Gauger-Cobbs Middle School
- Baltz Elementary School
- Penial United Methodist Church
- Springer Middle School
- Thomas Edison Charter School

Sites lacking accessible entrance on an accessible route

- Hartly Fire House
- St. George's Technical High School
- Brittingham School
- Sports at the Beach

*Sites with persistent exterior door accessibility issues

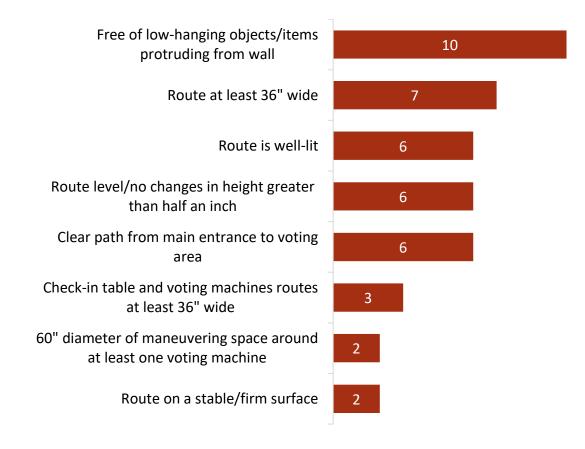
Interior Route

All 258 polling locations monitored were assessed for accessibility of interior routes. **Poll monitors** found that interior routes were largely accessible, with the most significant issues only occurring at 2-4% of sites.

The most common accessibility issue along interior routes was the presence of **low-hanging objects or items protruding from the wall**—such as water fountains, book or trophy cases, or AED or fire extinguisher cases— presenting potential hazards to voters with visual impairments.

Other persistent but less common issues were routes **lacking maneuvering space at least 36" wide, not being well-lit, not being level,** and **lacking a clear path from the main entrance to the voting area.**

The chart below shows **the total numbers of responses indicating "No" or "None"** to questions related to interior route accessibility. (N=258)



Sites without 36" maneuvering space

- Willow Grove Church of God
- Brandywine High School
- Millville Volunteer Fire Company Station #2

Sites without 60" maneuvering space around at least on voting machine

Willow Grove Church of GodSmyrna Elementary School

Sites without a stable/firm surface for interior route:

- Viola Ruritan Club
- Sports at the Beach

Interior Route

Interior Doors

Interior route evaluation also included questions pertaining interior door accessibility, as **169 polling locations had routes that required voters to proceed through interior doors to get to the voting area**.

Accessibility measures of interior doors assess whether doors are locked, have thresholds exceeding ³/₄ inch, require a great deal of force to open, and have handles or mechanisms to open them which don't require complicated motions or turning of the wrist.



ADA Accessible Door Handles, available at: <u>https://www.ada.gov/resources/polling-places-checklist/</u>

Interior doors were predominantly accessible; **only 0.6–2.4% of sites were found to have interior door accessibility issues**.

Interior door accessibility issues occurred at the sites listed below:

Sites with locked interior doors:

Forest Oak Elementary*

Sites with interior thresholds exceeding $\frac{3}{4}$ inch:

- John R. Downes Elementary (see photo on next page)
- Conrad Schools of Science
- Howard T. Ennis School

*Poll monitors reported that the path to the voting was through the main entrance area, which was locked, and not readily accessible.

Sites with interior doors difficult to open:

- Dover High School
- Sports at the Beach

Sites with interior doors with inaccessible handles:

- Willow Grove Church of God
- Kingswood Community Center
- Woodbridge High School
- Sports at the Beach

Interior Route

Photographs



Ebenezer United Methodist Church in New Castle County. Voters lined up to vote by standing on the accessibility ramp inside the polling place, forcing those entering the line to climb two steps.



John R. Downes Elementary School in New Castle County. The door's threshold to exit the interior voting area significantly exceeds $\frac{3}{4}$ inch and requires a ramp, which was not present.

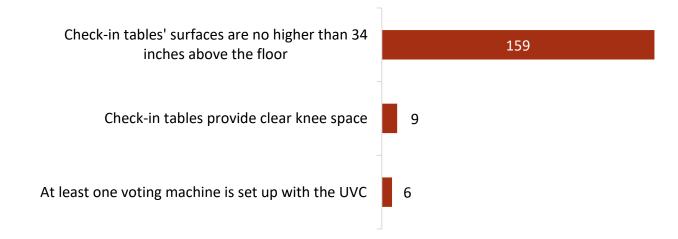
Monitors assessed voting equipment, particularly **check-in tables** and **the Universal Voting Console (UVC)**, a device plugs into voting machines to make them more accessible and allow people with disabilities to vote privately and independently, using an audio-tactile keypad with Braille legends or other supports.

Check-in tables are required to meet ADA requirements for height and leg-space below for wheelchair access. In order to meet ADA accessibility standards, check-in tables must provide clear knee space (at least 27" high and 30" wide) and the surface of the table must not rise more than 34" above the floor.

Monitors were also prompted to ask election officials if the site had at least one voting machine set up with the UVC.



The chart below shows **the total numbers of responses indicating "No" or "None"** to questions related to voting equipment accessibility. (N=258)



Qualitative Feedback

Poll monitors found that election officers had set up the Universal Voting Console properly in 98% of cases, and several poll monitors reported that voting machines with UVC were marked accessible with signage. However, **some poll monitors added comments about inspectors' lack of familiarity with the UVC and how it worked** at certain polling places.

This lack of preparation presents a problem if voters who need to use the UVC are unfamiliar with how to use it themselves and need assistance from poll workers. More about voters with visual impairments' experiences using the UVC is reported on pages 26-27.

"Inspector was unsure when asked about the UVC machine. Had to ask another poll worker who confirmed they had one." Little Creek Fire Hall, Kent County

"Inspector did not know where the UVC was located nor how to get to it. Investigator had to make a call to find out. It took longer than 3 minutes to see the console." Laurel Middle School, Sussex County

"Machine was there but not plugged in. Could not tell if it was operational." Brittingham School, Sussex County

"[The Universal Voting Console was] on site but was not set up." Lulu M. Ross Elementary School, Sussex County

Qualitative Feedback

Some poll monitors highlighted above average familiarity and preparation to use the UVC. Their comments are abridged and shared here:

"This is the only site in which all workers were familiar with the capabilities of the UVC. **Workers were even aware of the sip & puff connection.** The inspector knew her voters and knew which ones she was expecting to use which machines for which applications. She also was prepared for any new voters who needed accommodations. **This is possibly the best trained volunteers of all the sites.**"

Millsboro Civic Center, Sussex County

"Inspector told me numerous people had used the UVC today without issue."

Luther Towers, New Castle County

Photographs



When collecting experiences of voters with disabilities, DRD received a photo (left) from voter Emmanuel Jenkins from a previous election cycle, who was unable to close the partition curtain behind him while using a scooter at a voting machine. The Delaware Department of Elections has since replaced that model with the ExpressVote XL (right), which it states offers more space within the curtain to accommodate larger wheelchairs and scooters. However, DRD's 2024 assessment did not include an evaluation of equipment for proper privacy and maneuvering space within voting partitions. Without such evaluation, it remains unclear whether the updated machines resolve prior accessibility concerns. DRD intends to include this issue in future poll monitoring assessments.



Baltz Elementary School, New Castle Couty. Poll monitor reported voting area utilized check-in tables similar to the one pictured above, not allowing clear knee space for voters using wheelchairs.

Voting Experience

DRD solicited additional qualitative feedback about voting experiences from poll monitors and voters with disabilities within our network of CLASI staff, clients, and social media connections and through disability advocacy partners such as the National Federation of the Blind and the Delaware Developmental Disabilities Council.

Voting experience feedback illustrated the following themes regarding accessibility issues:

- Locked or inaccessible entrances marked accessible
- Failure to set up the UVC or poll workers' lack of familiarity working with the UVC
- Failure to reasonably accommodate to ensure equal privacy and independence of voters with disabilities.

Excerpts from voters' qualitative feedback are included below and on page 28.

UVC Equipment and Training

For the most part, everyone had a very good voting experience. Whether it was in-person, or via mail-in, many people voted without any negative incidents. However, we had three experiences that were less than stellar [...] We had two incidents at the **Claymont Community Center** [9]. One of our voters said that the UVC was not set up, and therefore, he had his mom go in the booth with him to vote because he did not want to hold her or others up. Another voter, at this same site, said that when they came **in the UVC was set up, but the person had them stand outside of the voting booth while holding the UVC**. [...] Another voter, in Middletown, said that the UVC was not set up. He told them that he would wait. He said it took about 10 minutes for the set up, but he was determined to vote independently so he waited.

Voting Experiences shared by Carol King-Ries of the National Federation of the Blind

"

I did go with my cane. My husband checked in right next to me and the lady who signed me in said to my husband, 'You can go in with her to help her vote.' I politely told her I did not need him to vote, and I wanted an accessible machine instead. I had to wait about 2 minutes for her to get the person. The person put me in the voting booth and told me to hold on. She and another worker consulted their manual to find out how to get me set up. It took less than 5 minutes to get that sorted out and the lady confirmed I was able to hear the audio. She then kept checking to see if I was all right, while I was making sure to listen to all the instructions. She was not pushy in any way but kept checking on me. Then she said she wanted to learn how it worked while I was voting. When I was done, she asked more questions. I explained what I did to get the audio started.

Hudson State Service Center, New Castle County

9. Claymont Community Center and Hudson State Service Center were **early voting sites** and not used as polling sites on Election Day 2024. However, they are still subject to ADA requirements for polling places, including one available accessible device (UVC) for every 5 machines to enable voters with disabilities to vote privately and independently.

Voting Experience

Accessible Entrances and Routes

The doors for the accessible entrance at Pleasantville Elementary in New Castle are **locked**. The Inspector said they have been sending someone to open the door when they see someone going that way but cannot be watching all the time. She says she cannot find the janitor to unlock the doors. Is there another option – a doorstop to prop it open, or something similar?

Pleasantville Elementary School, New Castle County

Today at Townsend Baptist Church, my new assigned polling location was very, very busy. Which made me happy to see. But the long line of people was outlined for all to go up the accessible ramp to enter the building - this was good at first as I was in line with everyone else awaiting my turn, slowly moving up the ramp BUT when I finished voting I then needed to go back down the ramp to leave safely in my wheelchair, it was coned off and caution taped off and lined with people awaiting their turn to enter the building to vote. [...]

Additionally, when inside in the hall in front of the restrooms waiting to check in, the hall was lined with chairs, making it more narrow for wheelchair users especially when other **individuals attempted to scoot past** to try to get to the restrooms.

Townsend Baptist Church, New Castle County

Following the 2024 General Election, Disability Rights Delaware and the Department of Elections have communicated regarding these accessible entrance and route concerns and other accessibility-related voter experiences that DRD collected.

Regarding Pleasantville Elementary and similar instances, the Department has expressed the priority to coordinate with polling place liaisons on Election Day to ensure staff know doors must be unlocked and propped open if necessary.

As discussed on p. 12, the use of main exterior entrances rather than back or side doors could have prevented the issue of inaccessible entrances as in the case of Townsend Baptist Church, a solution the Department of Elections also endorses. For further details, see DRD's recommendations on pages 33–36 addressing accessibility improvements for future elections.

In 2024, **the Department of Elections either introduced or improved 25 polling locations to address accessibility issues** identified by DRD in previous election years and to reduce congestion by increasing the number of sites:

New Castle County

- Cab Calloway School of the Arts
- Luther Towers
- Greenbank Church of Christ
- Maple Lane Elementary
- Baltz Elementary School
- Kingswood Community Center

Kent County

- Polytech High School
- Magnolia Fire Hall
- Clayton Intermediate
 School
- Clayton Fire Hall
- Smyrna Middle School
- Sunnyside Elementary School
- Smyrna Elementary School
- East Dover Elementary
- Little Creek Fire Hall
- Leipsic Fire Hall
- Delaware Fire School

Sussex County

- Long Neck Elementary School
- Indian River Fire Company
- New Life Bible Church
- Millville Fire Hall
- Blades Fire Hall
- Epworth United
 Methodist Church
- Beacon Middle School
- Ellendale Fire Hall

DRD assessed these either new or improved polling sites separately to compare their accessibility ratings to those in 2022 and to the overall accessibility rating for all polling sites in 2024.

In 2022, almost a third of (30%) of all sites monitored lacked adequate accessible parking for cars and/or vans.

In 2024, DRD found that 16, or 64% of the 25 polling sites, lacked adequate accessible parking for cars and/or vans. That is, these sites failed to provide accessible spaces or meet at least one of four ADA parking accessibility regulations. This finding represents a significant increase in parking accessibility issues, despite the Department of Elections' attention to the issue and proposed solutions such as providing additional supplies to polling sites to create accessible spots where they are lacking or noncompliant. A breakdown of the rates of different types of parking accessibility issues at the 25 new polling sites follows on page 30.

Other prominent accessibility issues in 2022 related to exterior route problems included:

- Routes with significant cracks, holes, or bumps (9%)
- No accessible signage (12%)
- Doors less than 32" wide (11%)

Findings for the 25 new sites indicate some improvement and some setbacks regarding the 2022 exterior route problems:

- 1 site had a route with significant cracks, holes, or bumps (4% or -5)
- 6 sites had no accessible signage (24% or +12)
- 1 site had doors less than 32" wide (4% or -7)

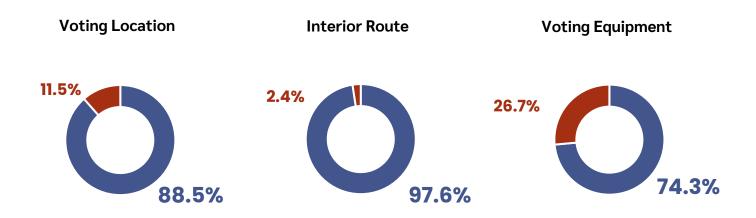
While this report cannot provide a one-to-one comparison due to differing data collection across years, available evidence suggests that the Department of Elections' targeted replacements and improvements for 2024 addressed several known accessibility gaps from 2022, such as interior and exterior route obstacles. For example, the new or improved sites had low rates of cracks or bumps in exterior pathways or inaccessible door widths.

However, the new or improved sites performed slightly worse than the 2022 rates on issues such as accessible exterior route signage and likelihood to be non-compliant with at least one measure of parking accessibility. The Department of Elections should focus on improving issues of signage and full parking accessibility compliance for coming elections.

DRD also assessed the 25 new or improved polling sites separately to compare their accessibility ratings to the overall accessibility rating for all polling sites in 2024.

The 25 new or improved sites scored roughly the same in terms of overall accessibility for the three categories of assessment when compared to the accessibility ratings of polling sites across the state.

The new sites were **equally accessible on voting location** issues, **only 0.5 points less accessible on interior route issues** and **were 2.7 points more accessible on voting equipment issues**. The chart below indicates the percent of inaccessible data points among the 25 new or improved polling sites according to category of assessment:

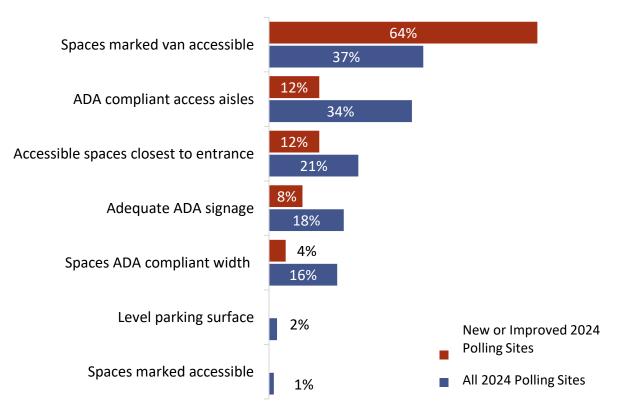


Poll monitors at 3 sites in Kent County reported there had been power outages and that the polling sites were running on generators, leading to low lighting in the voting area. Interior lighting is one of 13 factors assessed for accessibility in interior routes but accounted for almost half the 7 accessibility issues with interior routes in the 25 new sites. Adjusting to exclude sites with power outage issues on the measure of interior lighting, the 25 new sites had a 98.6% accessibility rate for interior routes, which is 1.5 points higher than the state average.

Parking and Exterior Route

Because of the historical prevalence of parking-related accessibility issues at polling places, DRD compared the 25 new or improved polling sites in 2024 specifically on measures for parking accessibility to the average parking accessibility rates at sites across the state.

The chart below indicates the percentage of responses indicating "No" or "None" to questions related to parking accessibility among the new 2024 polling sites compared to all polling sites statewide.



Parking-related accessibility issues were much less prevalent among the new 2024 polling sites than statewide on all measures except for whether spaces were marked van accessible.

The most significant accessibility issues pertained to van accessibility, and some exterior route signage issues. The percent of responses at 2024 new or improved sites indicating "No" or "None" to questions related to exterior route signage are listed below:

- Path to accessible entrance clearly marked with signage
 24% or u1 5 from statewide
- Accessible entrance identified with clear signage
- > 24% or +1.5 from statewide
- > 28% or +6 from statewide

Interior Route and Voting Equipment

The 25 sites were 100% compliant with all interior route accessibility measures **except**:

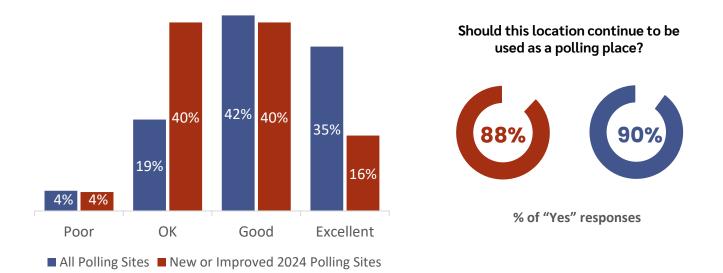
- Interior route is well-lit (88%)
- Interior route is free of **low-hanging items** or items **protruding from the wall or placed on the floor** (92%)
- There is enough room (60" diameter) to maneuver/turn around at least one accessible voting machine (96%)

The new sites were 96% compliant with measures of voting equipment pertaining to check-in tables' knee space and UVC availability. **However, only 28% had check-in tables of ADA-compliant height** (no higher than 34") compared to 38.4% of check-in tables across the state.

Overall Accessibility Ratings

After checking for ADA compliance with parking, exterior route, interior route, and voting equipment measures, poll monitors were asked to provide an overall accessibility rating on a 4-point Likert scale. They were also asked whether they think the site should be continued to be used in future elections.

The charts below show poll monitors' overall ratings (left) and recommendations (right) for the **new 2024 polling sites** compared to those provided from **all polling sites statewide**.



Poll monitors rated the new 2024 polling sites similarly to sites overall statewide. New or improved sites were about half as likely to be rated "Excellent" than average and were about twice as likely to be rated "OK." 88% of the new or improved sites were recommended to be used again, compared to 90% statewide.

There have been significant improvements to Delaware's voting equipment and processes, but less progress on improving the physical accessibility of polling sites to meet ADA standards, especially **parking lots and exterior routes**, reflecting systemic accessibility noncompliance in Delaware that the Department of Elections should spearhead an effort to redress. The remedies for bringing facilities into compliance may be different for government facilities than for churches and/or privately owned sites but are still required. While temporary solutions and measures can be used in the short term, they do not change the Department of Elections' obligations under the ADA. [10]

The identification and remediation of barriers to access will **require more training, greater awareness and more responsiveness by election officials and poll workers**. Governmental authorities also need to demonstrate their commitment to ensuring accessibility by providing election officials with **the resources and support they require to implement solutions**.

Voting Location

Parking

As parking remains the most widespread accessibility issue year to year, DRD offers several suggestions to the Department of Elections and governmental authorities to ensure equal access for voters with disabilities. First, DRD recommends the following actions in advance of early voting and Election Day:

- For polling places located within schools, do not use secondary, inaccessible entrances and parking areas.
- > Address accessibility issues with authorities at other locations, emphasizing that ADA compliance is required for polling places.
- For sites identified in the inspection period as lacking accessible parking, provide the poll workers with the materials and supplies needed to mark off at least one or two spaces and access aisles with cones, signs, etc. as a temporary measure (and identify an alternative site for future elections). Ensure they are informed of ADA regulations for accessible and van accessible parking spaces.
- Identify alternative locations in advance, as replacement polling places for sites that cannot be brought into compliance.
- Consult and include people/organizations with expertise and/or lived experience of disabilities to discuss the inspection process and criteria. Include the ADA checklist for polling places [11] in the inspection procedure.
- Implement a municipal or county permitting process for accessible parking such as that contemplated in HS2 for HB 48, legislation which would help to ensure, over time, that parking places at polling sites are ADA compliant ahead of election day.
- 10. https://www.ada.gov/resources/polling-places-checklist/
- 11. ADA checklist (above)

Voting Location

Accessible Exterior Routes and Entrances

Among exterior route and entrance accessibility issues assessed, **clear signage and routes free from bumps or changes in elevation greater than ½ inch were the most common deficiencies.** Fortunately, these issues can be remedied with relatively simple fixes, such as:

- Planning a complete walk-around an accessible route of a polling site before opening the doors on Election Day, with both Department of Elections staff and at least one poll worker, traversing the full path from accessible parking area to the voting area and ensuring doors are unlocked (we strongly encourage creating/using a checklist) [12].
- Using this walkaround to designate where directional signage should be placed for voters to follow on Election Day and place signage firmly when opening polls. Ensure not just the path but the accessible entrances are clearly marked with signage unobstructed by other signage for candidates or obstacles outside.
- If doors need to be propped open, ensuring that they do not create a hazard or block the accessible path with stones, bricks, etc. or make the door too narrow for voters who are vision-impaired, blind, or use scooters, walkers, canes, or wheelchairs.
- Equipping poll workers and election officials with materials needed to make accessible signs, such as cones and poles for parking if there are none (see Voting Experience recommendations on p. 36 for additional recommendations).
- > Equipping poll workers with temporary or adjustable ramps to cover holes or cracks in pavement or to provide a ramp over bumps obstructing an accessible route.

Interior Route

Interior route accessibility issues were rather uncommon. The Department of Elections should continue selecting polling sites with attention not only to exterior route accessibility but interior route accessibility, as well.

- DRD also encourages election officials and poll workers to check routes for items protruding from the wall or hanging from the ceiling and direct alternative routes or add detectable barriers to assist people with vision impairments.
- 12. https://www.ada.gov/resources/polling-places-checklist/

Voting Equipment

DRD does not have any recommendations regarding the Universal Voting Console or Voting Machine per se; see related recommendations in the Voter Experience Recommendations on p. 36.

Maneuvering Space and Voting Machines

Regarding maneuvering space around a voting machine to close a curtain (see p. 26), DRD acknowledges the Department of Elections' claim that the machine currently in use (the ExpressVote XL) offers adequate maneuvering space and privacy behind the partition for voters using larger wheelchairs or motorized carts.

However, DRD still encourages the Department of Elections to equip polling locations and workers to readily accommodate and maintain equivalent privacy for voters using larger wheelchairs and motorized carts.

Polling sites may consider having poll workers hold a curtain for a voter in a chair or supply clothespins to fasten the partition behind voters in a larger wheelchair or motorized cart if it does not close behind them.

Other equipment-related steps the Department of Elections can take to prepare to assist voters with disabilities include:

- Developing new educational materials that demonstrate the features and promote the use of the UVC (in addition to information and tutorials available on the Department of Elections website), and in multiple formats (print, audio, video with closed captioning and ASL), bearing in mind that:
 - People with disabilities are less likely to use computers, or to have a printer, and
 - Are slightly more likely to prefer talking to family members, friends, neighbors, or colleagues to access information related to voting [13].
- Circulating new materials across platforms and in the community, using a variety of mediums. Leverage community events with disability organizers and advocates to share materials and invite voters to interact with accessible voting equipment in person. DRD would welcome the opportunity to collaborate with the DoE to extend these opportunities to Delaware voters with disabilities.
- Providing these public education materials and information at the polls during early voting and on Election Day, with graphic posters, pre-recorded audios, videos, etc. This information may assist not only voters but poll workers when using accessible equipment or understanding rights related to accessible voting.
- 13. https://www.eac.gov/news/2022/07/26/us-eac-releases-disability-voting-process-and-digital-divide-study

Voting Experience

Based on voter feedback regarding their experiences using the UVC or voting with a disability, DRD offers the following recommendations to the Department of Elections to ensure equal and independent access when casting a ballot for voters with disabilities:

- Provide more hands-on training on the set up and use of the UVC, including training about the legal requirement for accessibility throughout the voting process.
- Poll workers should also be told to expect and cooperate with credentialed poll monitors from DRD visiting their sites to check for ADA compliance, as several monitors in 2024 reported confusion and suspicion from some sites' staff when conducting their monitoring.
- Include training on disability etiquette and the obligation to make reasonable accommodations needed to allow people to vote. For example, poll workers and election officials need to be aware that some voters cannot speak and workers need to provide alternative check-in methods.

DRD's responsibilities encompass the entire voting process, from assisting voters with registration to informing voters of their rights when casting a ballot. DRD's Protection and Advocacy for Voting Access (PAVA) staff and resources are available to support the Department of Elections with information, documentation, training of staff and volunteers, and collaboration on outreach activities. DRD would welcome the opportunity to discuss needs and opportunities to ensure a better experience for voters and poll workers who may not be accustomed to serving people with disabilities.

CONCLUSION

After conducting the most comprehensive evaluation of Delaware's poll sites' accessibility to date, Disability Rights Delaware recognizes strides the Department of Elections has made to ensure voters with disabilities can access the franchise with accessible spaces inside their polling places and using voting equipment. While our poll monitoring observed significant improvement in accessibility during the 2024 election, shortfalls remain especially in the areas of parking and exterior routes. Work still needs to be done to assure voters with disabilities that their polling place staff understand their needs and can readily accommodate them.

Fortunately, these persistent issues are not difficult to resolve so long as they are sufficiently prioritized. Adequate resources must be allocated to the purposes of polling site accessibility and poll worker training, goals which are compatible with requests the Department of Elections made during the FY2026 budget process. Disability Rights Delaware encourages the Department of Elections to take steps to integrate the disability community in its planning, messaging and public outreach activities, and all aspects of voting. Greater inclusion of the disability community in decisions and processes affecting their lives is necessary, important, and long overdue.

ABOUT COMMUNITY LEGAL AID SOCIETY, INC.

Founded in 1946, the mission of Community Legal Aid Society, Inc. (CLASI) is to combat injustice through creative and persistent civil legal advocacy on behalf of vulnerable and underserved Delawareans. CLASI provides free legal representation to people with disabilities, people aged 60 or over, people with low incomes, and victims of crime and discrimination to help our clients obtain shelter, government benefits, educational services, medical services, orders of protection from abuse, legal immigration status, and other civil legal remedies.

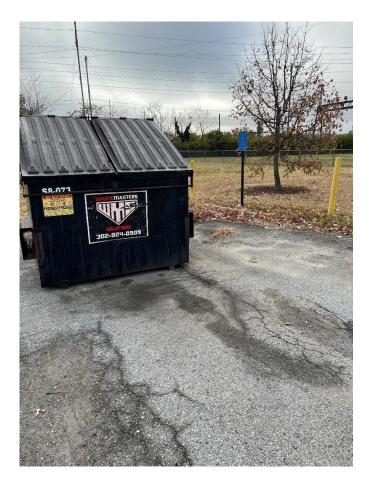
CLASI's Disability Rights Delaware (DRD) program, formerly known as the Disabilities Law Program (DLP), provides free legal representation to children and adults with physical and mental disabilities to protect them from abuse and neglect and to advocate for their legal rights in the community. DRD serves as Delaware's designated Protection and Advocacy system for people with disabilities ("P&A"). CLASI has offices in Wilmington, Dover, and Georgetown. To learn more about our work, please visit: http://www.declasi.org/

DISCLAIMER

CLASI's Disability Rights Delaware program receives federal support through the Help America Vote Act, which authorizes funding for the Protection and Advocacy for Voting Access (PAVA) program. Our PAVA program works to ensure full participation in the electoral process for individuals with disabilities, including registering or casting a vote, and accessing polling places. This report was funded in part by federal PAVA grants from the Administration for Community Living (ACL) within the U.S. Department of Health and Human Services (HHS). The contents of this report are solely the responsibility of the grantee and do not necessarily represent the official views of the grantors (HHS and ACL).

Parking

Spaces Marked as Accessible but Not ADA Compliant



Kingswood Community Center in New Castle County. Poll monitor noted that this site's parking area was ADA compliant for some measures, such as space width and signage, but there was no van accessible space because a dumpster blocked it. Accessible spaces were also not fully compliant because they were not closest to the entrance.



Eden Support Services in New Castle County. Poll monitor noted many cracks and uneven surfaces in the marked accessible parking area and route.

Parking

Spaces Marked as Accessible but Not ADA Compliant



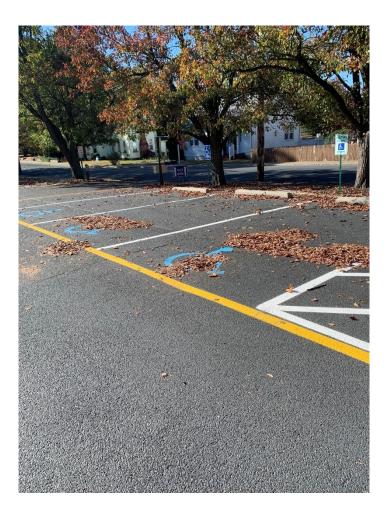
Loss Elementary School in New Castle County. Another sign covers the reserved accessible parking sign.



Union United Methodist Church in New Castle County. Poll monitor wrote: "Disabled parking spots are in front row but there is a high curb. There is a ramp, but that ramp entrance is not that close to entrance. "

Parking

Spaces Marked as Accessible but Not ADA Compliant

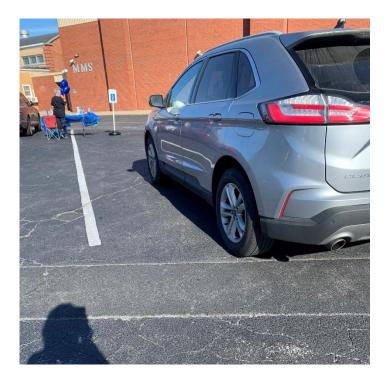


Millsboro Elementary School in Sussex County. Marked van accessible space is not marked with cones or diagonal lines, spans a sidewalk, and is in the middle of a water fountain area.

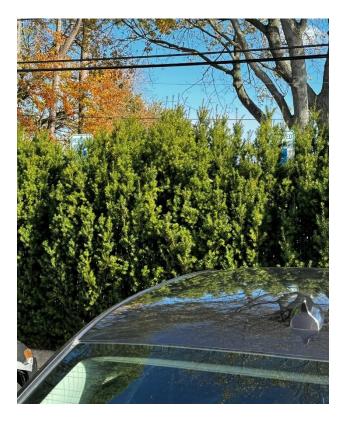
Grace Methodist Church in Sussex County. Poll monitor noted that there were many marked accessible spaces, but they were not the proper width, especially for van spaces and access aisles.

Parking

Spaces Marked as Accessible but Not ADA Compliant



Millsboro Middle School in Sussex County. Poll monitor reported there was no access aisle at this site. Two spaces were designated as handicap spaces, but only one met all standards for accessibility.



Delaware State University in New Castle County. The handicap accessible parking sign (right) barely visible behind overgrown bushes lining the parking area.

Parking

Spaces Marked as Accessible but Not ADA Compliant



Lake Forest Elementary in Kent County. Poll monitor reported that all spaces were marked handicap accessible, whether permanent or temporary, but none were marked van accessible or had access aisles.



Hilltop Lutheran Neighborhood Community Center in New Castle County. Poll monitor reported "very poor accessible parking availability." As this is a smaller polling site, only 1 space was marked as accessible or van accessible, and it was not compliant for width and access aisle width.

Parking

Spaces Marked as Accessible but Not ADA Compliant



Pulaski Early Education Center in New Castle County. None of the marked accessible spaces at this site were compliant for width or access aisle. A grate and an open fence door protruding into one of the spaces could cause obstacles.



Ellendale Fire Hall in Sussex County. Accessible spaces were ADA compliant for width and access aisle, but neither were marked with any signage.

Parking

Spaces Marked as Accessible but Not ADA Compliant



Buena Vista Conference Center in New Castle County. Poll monitor reported a general lack of parking and potentially confusing accessibility signage, writing "Those in need of an accessible spot would not know where to go or have enough spots to park."





Peniel United Methodist Church in New Castle County. Spaces were ADA compliant for width, access aisles, signage, and proximity to entrance. However, parking surface was cracked and uneven.

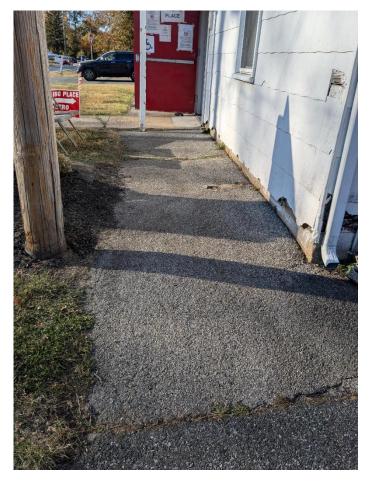
Buena Vista Conference Center in New Castle County. Poll monitor noted the cobblestone path may make this exterior route too uneven and inaccessible.

Exterior Route

Routes Marked as Accessible but Not ADA Compliant



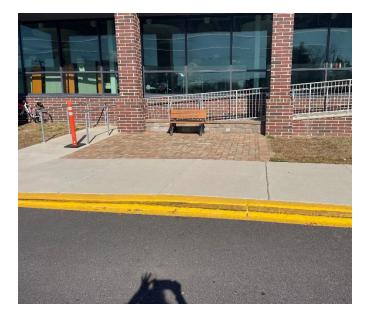
Carvel State Office Building in New Castle County. Poll monitor reported a delivery truck completely blocked the ramp for accessibility.



Red Lion United Methodist Church in New Castle County. Poll monitor noted a cracked, uneven exterior route to the entrance and a pole by the door which may affect maneuvering space.

Exterior Route

Routes Marked as Accessible but Not ADA Compliant



Lewes Elementary School in Sussex County. A cone partially blocks the entrance of the wheelchair ramp.





P.S. DuPont Middle School in New Castle County. Poll monitor indicated that curb cut from pavement to the sidewalk was uneven, with changes in elevation of 1-2 inches.

Selbyville Middle School in Sussex County. Poll monitor noted that weeds covered the pavement where the sidewalk meets the curb, making it not a level, smooth, firm surface.

Exterior Route

Routes Marked as Accessible but Not ADA Compliant



Delcastle Technical High School in New Castle County. A cone propping open the accessible entrance is too large, as it blocks the path through the door for wheelchair or scooter users by making it too narrow.



Crossroads Church in New Castle County. Falling accessible sign on exterior route. Poll monitor reported that signs pointed in the wrong direction towards the entrance.