

Voters With Specific Needs

Services for

...voters with disabilities, bilingual voters

& voters with other specific needs.

SANTA CRUZ COUNTY CLERK / ELECTIONS DEPARTMENT

701 Ocean Street, Room 210

Santa Cruz, CA 95060

831-454-2060

866-282-5900 (Toll-Free)

831-454-2123 (TDD)

FAX: 831-454-2445

Website: www.votescount.com

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Information Services

General Information

Information regarding voter registration and elections is available from the Santa Cruz County Clerk/Elections Department. The office is located at 701 Ocean St, Room 210, Santa Cruz CA 95060. Citizens can contact the office for information by calling 831-454-2060, toll-free 1-866-282-5900 or online at www.votescount.com. The office is open 8 a.m. to 5 p.m., Monday through Friday, and is closed for legal holidays.

TDD Services for the Hearing Impaired

A telecommunications device for the deaf (TDD) is available to take calls from any person who has a hearing impairment. The TDD number is 831- 454-2123.

State and Federal Laws and Court Cases

The following federal and state laws are of special importance to voters with specific needs:

Voting Rights Act of 1965. In 1965, the federal Voting Rights Act (PL 89-110) was enacted to prevent voting rights abuses and voting law violations. Among many other provisions, this act mandated that any voter requiring assistance may receive it from a person of the voter's choice, other than the voter's employer or agent of that employer, or officer or agent of the voter's union.

Voting Accessibility for the Elderly and Handicapped Act of 1984. Promotes the fundamental right to vote by requiring "access for elderly and handicapped individuals to registration facilities and polling places in a federal election."

Americans with Disabilities Act of 1990 (ADA). Requires public entities to provide auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy, the benefits of a service program or activity conducted by a public entity.

National Voter Registration Act (NVRA or "Motor Voter) of 1993. The NVRA makes it easier for persons to register to vote requiring voter registration services be provided at any state-funded program that serves people with disabilities.

Help America Vote Act of 2002 (HAVA). Among other things, requires election officials to provide to individuals with disabilities, including visual impairments, a voting system at each polling site that allows the voter to vote a secret ballot.

California Laws, Regulations and Court Cases. Elections Code §12280 states: “When designating polling places, the elections official shall undertake necessary measures in the locating of polling places to ensure that polling places meet the guidelines promulgated by the Secretary of State for accessibility by the physically handicapped.”

The Secretary of State distributed in June 2001 a revised “Guide to Polling Places – An Implementation Manual for Public Law 98-435 - The Federal Voting Accessibility for the Elderly and Handicapped Act of 1984. The Act applies to Federal elections conducted after December 31, 1985. Section 3 (A) of the Act requires that all polling places for Federal elections be “accessible” to handicapped and elderly voters. “Accessibility” is to be defined by guidelines established by the Secretary of State (SOS). The Act as it effects California provides that the accessibility requirements not apply (a) in the case of an emergency, or (b) if the Secretary of State determines, based on documentation supplied by the County, that (1) all potential polling places in the precinct have been surveyed and no accessible locations are available; (2) it is not possible to temporarily convert an inaccessible location to an accessible one; and (3) that special voting procedures are available upon request.

The 2001 guidebook states: “It is the intention of the California Secretary of State in instituting these guidelines that accessibility requirements be implemented and monitored primarily at the local level. Essential to this intent is the guideline requirement for each county to maintain a Voting Accessibility Advisory Committee to advise and assist elections officials in ensuring that the provisions of the Act are implemented.

Title 24. The standards for accessibility as defined by the ADA and California Building Code, Title 24 of the California Code of Regulations are used in the SOS survey to determine whether or not a polling site is accessible.

Accessible Voting Technology Act (AVTA) of 2002. Elections Code §19925 et. seq. The AVTA says blind and visually impaired voters have the right to vote without being assisted by another person. The law requires that voters:

- Be able to use, choose, and move data and work the controls of the voting system
- Have the same access to voting and technology as voters who are not blind or visually impaired.
- Have access to at least 1 accessible voting unit at the voter's assigned polling place.

Proposition 41. Proposition 41 was passed by the voters in 2002. It authorizes counties to obtain bond funds to purchase new voting systems and establishes the Voting Modernization Board.

Voter Registration and Establishment of Domicile. Walters v. Weed (1988) AKA "UCSC Student Voting Case." 45 Cal.3rd.1 In this California Supreme Court decision, the court held that voters who have moved, but have not established a new domicile, may vote in the precinct of their former domicile even though they have no intention of returning to live there.

Homeless Person's Right to Register to Vote. Collier v. Menzel (1985). AKA "Fig Tree Case." 176 Cal. App.3d 24. In this Court of Appeal decision, the court held that a homeless person may register at and vote from a location deemed by the voter to be a dwelling place or place of habitation for that voter. A mailing address needs to be provided in order for the voter to receive election materials.

Election Preparation & Outreach



Cassette Recordings

In California, cassette tape recordings of the information printed in the State Voter Guide are available for visually impaired voters or others upon request. The County provides a similar cassette tape recording of the text, analyses, arguments for and against the local measures as well as local candidate statements. The cassettes are made available approximately four weeks before the election.

Website: www.votescount.com

The Santa Cruz County Clerk's website at www.votescount.com has made each voter's ballot available online (i.e., candidate and ballot propositions/measures applicable to the voter's geographic area). Using modern technology, blind or visually impaired voters can go on-line, using "Jaws" or other on-line access programs, to "read" their ballot. Application of this new technology to better serve voters will enable people with vision impairments to access County services and election information via computer and audio electronic technology.

Sample Ballot Booklets

Sample Ballot and Voter Information Pamphlets are mailed to each of the registered voters in the County approximately 4 weeks before every election. The booklet provides a copy of the ballot as well as information on local measures and candidate statements of qualifications. Voter instructions on how to vote on the Optech paper ballot or AVC Edge Touchscreen are provided in English and Spanish.

The back cover of each sample ballot booklet lists the polling place location and indicates the accessibility status using a "YES" or "NO" statement next to the universal disability access symbol. The back cover also provides a vote-by-mail ballot application for voters to mail, e-mail, deliver or FAX to the elections official. The pamphlet also contains information for overseas and military voters as well as voters with disabilities.

Permanent Absentee Voting

State law provides that any voter may apply for permanent absentee voter status. As a permanent absent voter, a voter will no longer have to apply to receive a ballot for future elections. A ballot will automatically be mailed to voters for each election in which they are eligible to vote.

Previously, the law only allowed disabled, elderly or caretakers of an elderly or disabled person to apply to be a permanent absentee voter. Under that law, Santa Cruz County had less than 2,000 voters on the permanent absentee voter file. Now, under the new law, more than 40,000 voters are signed up to automatically be mailed a ballot for each election in which they are eligible to vote.

For additional information or to request an application for Permanent Absent Voter Status, please contact the Santa Cruz County Clerk/Elections Department.

Early Voting Options / Vote by Mail

If a voter wants to maintain the option of voting by mail or at the polls, the voter can apply in for a vote-by-mail ballot for any election in which he/she would like the ballot mailed to them. Applications must be received by the Santa Cruz County Clerk/Elections Department no later than 7 days prior to the election. If, in the 7 days prior to the election, a voter finds that he/she will be unable to vote in person on Election Day, he/she may request an emergency absentee ballot by applying in writing to the election official and authorizing an individual to pick up the ballot for the voter, or the voter may apply in person at the Santa Cruz County Clerk/Elections Department.

Applications for vote-by-mail ballots must provide your home address, the address to which the ballot is to be sent and your signature. Applications may be submitted online at www.votescount.com, mailed, hand delivered, or FAXed to 831-454-2445. An individual application is needed for each person requesting a ballot.

Beginning 29 days before each Primary and General Election, the Santa Cruz County Clerk/Elections Department and Watsonville City Clerk's Office serve as voting centers during regular business hours, 8 a.m. to 5 p.m., Monday through Friday.

In addition, voters may vote on the weekend prior to each Primary and General Election at the Santa Cruz County Clerk/Elections Department and Watsonville City Hall. Hours on the weekend are 9 a.m. to 5 p.m. Both locations are also open on Election Day from 7 a.m. to 8 p.m.

We Deliver!

If the voter is homebound, in the hospital, or in a residential care facility, or otherwise unable to go to the polls, the Santa Cruz County Clerk/Elections Department will arrange to deliver and/or pick up a ballot for the voter. Voters who call for personal assistance will be accommodated as long as time and staff permit. Certainly calls for assistance are easier to meet when they are made well ahead of Election Day, rather than an hour before the polls close.

On Election Day two staff members are dedicated solely to delivering and picking up ballots for voters who find themselves unable to make it to the polls. Ballot delivery begins at 7 a.m. and ends at 8 p.m. Election Day requests are met as time allows.

Outreach to County Residential Facilities

Approximately 60 days before an election, a packet of information including a cover letter outlining deadlines, an offer to set up an on-site visit from a voter outreach coordinator, as well as voter registration cards and vote-by-mail ballot applications, is sent to various residential facilities in the county where voters may have moved to on a temporary or long term basis. These facilities include, but are not limited to:

- residential care facilities
- convalescent homes
- retirement communities
- assisted living facilities
- Main County Jail
- “Jail Farm” and Roundtree Lane facility
- Blaine Street Women’s Detention Facility
- Juvenile Detention Center
- University of California at Santa Cruz
- Bethany College
- Cabrillo College

Onsite Visits to Facilities

The County Clerk/Elections Department begins a series of visits to various facilities approximately 35 days before an election. Facilities must call to arrange a site visit during which staff will provide assistance in registering voters, completing vote-by-mail ballot applications, or other election related items. These visits are available 7 days a week between 7:30 a.m. and 9 p.m. upon advanced request. Follow up visits are also provided to assist voters with specific needs in completing their ballots.

Public Speaking

The Santa Cruz County Clerk/Elections Department appreciates any opportunity to speak to the public about registering to vote, voting opportunities, and the elections process. The department staff is available to provide a presentation for a classroom, group, or organization. Please call 831-454-2060 with your request.

Safe at Home

Safe at Home via the Secretary of State's Office allows victims of domestic violence to have their names removed from the voter file, but still enable them to participate in the Election process. To sign up with an enrolling agency nearest you, please call toll free 1-877-322-5227.

Accessible Polling Places



Background

Considerable progress has been achieved over the past year in surveying, recruiting, modifying, and retaining accessible polls. The Santa Cruz County Clerk's goal is to ensure all polling places are 100 percent accessible. Changes have been made in every election toward that goal.

Some sites can be modified for the day to mitigate any architectural barrier; however, others cannot be modified and will no longer be used. And, in future elections, sites will continue to change until the 100 percent accessible goal is achieved.

Access Compliance Plan

Santa Cruz County has worked closely with the State Attorney General's Office to develop a model accessibility program to improve polling sites and election services. In addition to maintaining an Access Compliance Specialist, the County has developed a comprehensive Access Compliance Plan and is implementing rigorous training procedures and is conducting extensive research to ensure successful and accessible election days.

Polling Place Accessibility Survey

Election officials continue to survey sites to determine accessibility. Architectural barriers that prohibit entry by persons with disabilities include uneven terrain, low hanging or protruding objects, curbs, narrow doors, steps, door thresholds with a height variance, inadequate parking space size, lack of signage directing voters to the accessible parking and entrance, and other path of travel issues.

The county uses the Secretary of State's Polling Place Accessibility Checklist (updated 8/11/04, supplemented 3/17/06) and any checklist or guideline issued by the US Department of Justice or the county's accessibility consultant to survey sites to determine accessibility. If the County cannot locate a polling place within a precinct that is more accessible than the existing polling place in that precinct, then the County will request that the Secretary of State make a determination, based upon substantial evidence provided by the County, that no more accessible potential polling place is present within that precinct. In addition, the County meets quarterly with the county's Voting Accessibility Advisory Committee to identify the most accessible polling sites.

Precincts Limited to 1,000 Voters / “Neighborhood Precincts”

California mandates that the number of registered voters assigned to an election precinct shall not exceed 1,000. In some of our more rural areas with specific geographic challenges for voters with disabilities (i.e., hills, slopes, etc.), it is often difficult to locate an accessible polling location within the limited boundaries.

The Santa Cruz County Clerk/Elections Department has “exhausted” many such precincts by knocking on doors of every residence and every business and school, before documenting the need to recruit a non-accessible polling place for that precinct.

In the hilly areas of the County where it is difficult or even impossible to recruit accessible polling place locations, we are faced with the possibility of establishing regional polling sites that are not as close by to some voters’ homes and locate up to five voting precincts in one location. In these situations, extra signage and staff are required to assist and direct voters.

Voting Accessibility Advisory Committee

The Santa Cruz County Clerk/Elections Department staff meet quarterly with its Voting Accessibility Advisory Committee to discuss improvements being made to improve access to voting. Persons interested in serving on the committee or attending its meetings should contact the County Clerk’s Office.

Federal and State Assistance Funds

The Santa Cruz County Clerk/Elections Department has applied for and been awarded grants that have provided some necessary funds to improve voting accessibility.

The County received a grant in September 2004 from the Help America Vote Act Voter Education and Poll Worker Training Assistance Grant Program. All funds from this grant had to be spent on the November 2004 election, which required the county to act expeditiously in order to take advantage of these first-time, limited funds. In addition, the County will receive \$1.6 million in Proposition 41 Voting Modernization Funds as well as \$1.6 million in federal HAVA funds to purchase a new voting system that complies the new state and federal mandates for accessible voting systems.

Funds have also been used to purchase accessibility equipment to retrofit a site to make it more accessible on Election Day, such as: cones to allow disabled parking spaces to be adequately designated and blow protruding objects; signs to direct voters; parts to retrofit disabled voting booths to meet the state requirements; temporary thresholds and ramps to ensure an accessible pathway to the polling site; and other items to improve access and enhance the voting experience for all voters. In addition, funds have been used to implement Voter Education and Poll Worker Training programs.

Polling Place Supplies

Santa Cruz County supplies each polling place with voting equipment to assist voters with disabilities.

Voting Supplies. Pen and pencil attachments to make the writing utensils easier to grasp, voting instructions in large type, magnifying glasses for use by the visually impaired and, of course, a voting booth that has been modified for the use of voters who use wheelchairs or voters who prefer to sit and vote.

Facility Modification Supplies. Polling places that have inaccessible door thresholds are provided a temporary threshold ramp to make the doorway accessible. In some locations, large metal ramps with handrails and level landings have been provided to increase accessibility.

Signage. “Accessible Parking” signs are delivered to the polling place so poll workers can reserve parking for disabled voters. When the accessible parking spaces are not obvious upon entering the parking lot, directional signs containing the symbol of accessibility should be posted to indicate where those parking spaces are located. “Accessible Entry” signs are also provided for poll workers to direct voters from the accessible parking to an alternate entrance when the main entrance is not accessible. Poll workers are directed to post a sign on the bathroom letting voters know that the restroom is not open to the public.

Cones to Reserve Van Accessible Parking Spot. Large, bright orange cones are provided to at the polling sites for poll workers to designate a van-accessible parking spot. The poll worker must identify the closet parking space to the polling entrance that is also on an accessible route of travel, and block off the space to the right (or passenger side) with the cones to create an access aisle and place a sign in front of the parking space designating it as “Accessible Parking.”

Cones to Block Barriers. The bright orange cones may also be used to block objects protruding or obstructing the route of travel to the polling site and voting area.

Rubber Mats. Mats are provided to cover gratings along the path of travel that may be hazardous to voters with disabilities.

Door Stops. Some doors along the accessible path of travel may be equipped with inaccessible door hardware such as round knobs or thumb latches. Door stops have been provided to hold the doors open and mitigate these potential barriers.

Election Day Services

Assistance with Voting. Under California law, any voter who needs help in marking a ballot is entitled to request assistance. A poll worker can provide assistance or the voter may select a person of his or her choice. Assistance may include reading the ballot to the voter and/or marking the voter's choices. Assistance may be provided to the voter using a paper ballot or the touch screen.

Poll workers are trained to NOT ADVISE THE VOTER HOW TO VOTE. If a voter wants to know how to vote on a certain contest, the person assisting may only respond with "You may vote yes, no or leave it blank." Of in the case of a contest of candidates, the person assisting may respond with: "You may vote for one (2, or 3, or whatever is applicable) or leave it blank."

If the voter is unable to mark the ballot, the voter may choose up to two people to help cast his/her vote. The assistants may not be the voter's employer, the employer's agent or the voter's labor union leader or agent.

Curbside Voting. Any voter who cannot enter the voting area at the polling place because of architectural barriers or physical limitations may request to vote "curbside" (outside of the polling location.) A poll worker will bring the *Curbside Voting Roster* for the voter to sign to obtain his/her ballot, a ballot, and pen to the voter, assist the voter if necessary, and scan the voter's ballot into the ballot box.

Voters Who Cannot Sign Their Name. Voters who cannot sign their name may vote after the poll worker confirms his/her name as listed on the Alpha Index.

In the Roster of Voters, the voter must make his/her mark and have one precinct officer sign next to the mark as a witness.

Voters with Vision Impairments. Each polling place displays voting instructions in large type. Magnifying devices are also available for voters who may have difficulty reading the ballot.

Accessible Voting Booths. Designated accessible voting booths are available at every county poll location where a voter who uses a wheelchair can easily access the booth and vote. These booths may also be used with a chair for a voter who chooses to sit and vote rather than stand.

The booth designed for voters who use wheelchairs or choose to vote in a seated position must be set up by 7 a.m. and may not be taken down until the last voter has left the polls after the polls close at 8 p.m.

Voter Hotline. On Election Day voters may call the Santa Cruz County Clerk/Elections Department and speak to a person who is staffing the voter hotline. We thoroughly investigate any complaints from voters. Problems that require immediate attention are addressed by dispatching a Roving Inspector who is near the polling site or alerting the appropriate law enforcement agency if necessary.

Inspector Hotline. A separate hotline is set up on Election Day for poll workers to call in to allow the poll worker to instantly obtain information or advice to effectively assist the voter.

Court-Ordered Registration. Court-ordered registration is available on Election Day at the Santa Cruz County Clerk/Elections Department for voters who attempted to register, but for unknown reasons, the registration never made it to our office. The program allows voters to seek a court order allowing them to cast a ballot on Election Day.

Voters must appear in person at the County Clerk/Elections Department at 701 Ocean St., Room 210, Santa Cruz, CA and complete a court packet of information providing their name, address, and information regarding how he/she originally registered to vote. The voter will then complete a new voter registration card and then be issued a provisional ballot.

The elections official submits all court-ordered registrations to a judge following the election and determine whether to count or not count the ballot.

Accessible Voting System



Santa Cruz County has purchased the Sequoia Voting System that was fully implemented in the November 7, 2006 General Election. The Sequoia Voting System is federal qualified and state certified and meets the accessibility and usability requirements of the federal Help America Vote Act.

One DRE (direct recording electronic) device, also known as a touch screen is available during the 29 days before the election at the Santa Cruz County Clerk/Elections Department and Watsonville City Clerk's Office. On Election Day, a touch screen unit is available at each polling site in the County. The touch screen voting machines have large font capability, audio voting, and are compatible with most personal assistance devices, such as a sip and puff. In addition, the touch screen voting units have a voter verified paper audit trail for voters to confirm their vote before casting their ballot.

Most voters in Santa Cruz County continue to vote on paper ballots. The new paper ballots are (in most cases) one page with the contests printed on the front and possibly the back side of the ballot. To make a selection, voters must connect the head and tail of the arrow pointing to their choices. The paper ballots cast at the polling sites are fed into a scanner before being deposited into the ballot box. The scanner will alert the voter if a contest is over-voted (more issues have been marked than allowed, thereby invalidating the vote for that contest) or the voting marks were not readable. The voter then has the opportunity to spoil their first ballot and vote a second in order to have their votes counted accurately. This second-chance voting feature is also a requirement of the federal Help America Vote Act.

Voters who vote by mail are provided with written instructions in English and Spanish on how to mark their ballot correctly to avoid overvoting errors.

Bilingual Voter Services



In July 2006, federal legislation passed, extending for 25 years the minority language provisions of the Voting Rights Act of 1965. Any county with more than 10,000 residents whose native language is not English and who indicated on their U.S. Census form a lack of proficiency in English is required to provide election materials in the identified language.

As of the 2000 Census, Santa Cruz County does not have a requirement to provide election materials in any language other than English.

Which Languages are Covered by Federal Law?

A language is considered to be covered by the VRA as mandatory for the County's translated election materials if (1) more than 5% of the citizens of voting age are members of a single language minority and are limited English proficient, OR (2) more than 10,000 of the citizens of voting age are members of a single language minority and are limited English proficient.

Materials the County Provides in Spanish

Voters who have requested Spanish election materials are mailed a Spanish State Voter's Pamphlet several weeks before each statewide election. In addition, while not mandated to do so, the Santa Cruz County Clerk/Elections Department has made great efforts to translate as many election and voting materials in Spanish to meet the needs of the county's bilingual voters. Items include:

• Voting Instructions	• Voter Registration Cards
• Vote-by-Mail Applications	• Early Voting Options
• Voter Registration Letters Generated due to Missing Information	• Purge Cards
• Alternative Residency Cards	• Change of Address Confirmation Cards
• Provisional Ballot Envelopes	• Vote-by-Mail Envelopes
• Secrecy Folders	• Voter Notification Cards
• Ballot Questions for Local Measures	• Information on how to obtain assistance for voters with disabilities

Bilingual Poll Workers

The Santa Cruz County Clerk/Elections Department recognizes the need for poll workers in many precincts to speak Spanish to be able to assist voters. A concerted effort is made by election officials to recruit bilingual poll workers to serve in the polls.

In addition, the south county satellite polling site staffed by the Watsonville City Clerk's Office provides bilingual poll workers to assist bilingual voters during the 29 days before the election including extended hours on the weekend prior and the entire polling hours from 7 a.m. to 8 p.m. on Election Day.