

Securing the Secret Ballot: Blind and Visually Impaired Voters Sue to Overturn Discrimination at the Polling Place; Voters Challenge Election System That Prevents Blind and Visually Impaired Voters From Independently Casting a Secret Ballot.

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BALTIMORE -- BALTIMORE, March 28 /PRNewswire/ -- A group of blind and visually impaired voters has filed suit in federal court demanding the members of the Maryland State Board of Elections and the Baltimore County Board of Elections end discrimination against blind and visually impaired voters by permitting them to cast an independent, secret ballot at the polling place.

Voting machines currently used in Baltimore County, which are certified by the state board, are inaccessible to blind and visually impaired voters, requiring them to give verbal instructions to poll workers or other persons who accompany them into the voting booth, thereby violating their right to cast a secret ballot.

"The right to vote is a fundamental right enshrined in our Constitution," said William C. Poole, Jr., a Baltimore County resident and plaintiff in the case. "Casting an independent, secret ballot is a hallmark of democracy that has been discarded because I am legally blind. This is discrimination against the blind and visually impaired; it is illegal and should have been corrected by the Board of Elections years ago."

Despite years of threatened litigation and concerted efforts on this issue by Mr. Poole, the state and county boards have yet to deliver on their promises to eliminate second-class status for blind and visually impaired voters on Election Day, and take the simple step of providing voting machines -- now widely available -- that are equally accessible to all voters.

Many blind and visually impaired voters have felt the stigma of relying on poorly trained poll workers by being forced to speak their choices out loud in order to cast a legal ballot. In some cases, poll workers have disenfranchised blind and visually impaired voters by failing to read them certain ballot questions, keeping them from voting on those issues. There are approximately 20,000 blind and visually impaired registered voters in Baltimore County.

"This case asks the state of Maryland and Baltimore County to act on their promises to end discrimination against blind and visually-impaired voters at the polling place. Having sight should not be a precondition of casting a secret ballot," said Andrew M. Dansicker, lead attorney for the plaintiffs.

Mr. Poole has been negotiating with the state and county boards to install accessible voting machines for nearly 10 years in an effort to cast a secret ballot. Election

officials worked with Mr. Poole to develop a template that allowed some blind and visually impaired voters to use voting machines in the 1998 elections, but thereafter refused to provide templates. Officials even prohibited Mr. Poole from using a template that he developed at his own expense for the 2002 general election.

"Election officials have been telling us to be patient and accept makeshift solutions. It is time for the State Board of Elections and Baltimore County to provide voting machines that give all voters the opportunity to cast a secret ballot," said Paul Grace, attorney for the plaintiffs who has worked with Mr. Poole on this effort since 1996.

Plaintiffs in the case, Poole et al. v. Lamone, are represented by G. Stewart Webb, Andrew M. Dansicker, Gabrielle S. Moses, and Jason Sayers of Venable LLP in Baltimore; Susan Goering and Rajeev Goyle of the ACLU of Maryland; and Paul W. Grace of Santa Fe, New Mexico.

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