

**Sight-impaired voters take access issue to court.**  
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Byline: Heather Copley

William C. Poole has fought for the past eight years to exercise his voting rights in Baltimore County -- but Friday he made a federal case out of it.

A complaint filed with the U.S. District Court for the District of Maryland, Poole v. Lamone, seeks a guarantee that the county will accommodate blind and visually impaired voters -- like Poole --who have had to vote aloud to an assistant while other voters silently and privately marked their ballots.

The defendant named in the complaint is Maryland State Board of Elections Administrator Linda Lamone. The state is responsible for certifying the county's voting systems, and decertifying them if necessary. The six plaintiffs in the case allege that the state has failed in this capacity.

Judith Arnold, the attorney for the State Board of Elections, said the state had "not yet digested" the class action suit filed Friday.

In the November 1996 general election, the state provided a Braille ballot key that Poole and his attorney Paul Grace helped develop. He refused to vote in the 1998 election using a phone-in system. In the November 2002 election, after being turned away by election officials, Poole sought an immediate federal court order to be allowed to use a template that he had developed at his own expense.

In other elections, blind and visually impaired voters have had to contend with speaking their votes to assistants. Philip Guntner, another plaintiff in the case, voted this way in 2000, only to find later that the assistant neglected to read him certain state referenda questions.

Arnold said the state has every intention of complying with the federal requirements that a statewide system be in place by 2006. It would most likely conform to the touch-screen voting system currently in use in four Maryland counties.

However, the question of earlier compliance gets lost in the fog of state budget concerns.

"Everybody right now is in a budget crisis," Arnold said. "Some federal funds are available, but not enough to fully fund the change. What the war is going to do with regard to those funds is another issue."

Arnold said she hopes the parties will be able to reach an agreement and that the state is doing what it can.

"I certainly am not authorized to promise that the system will be in place in 2004," she said.

But the plaintiffs' attorneys -- including representation from the American Civil Liberties Union -- argue that the state is already in violation of both state and federal law.

The plaintiffs' lead attorney, Andrew M. Dansicker of Venable, Baetjer & Howard, said the current system in Baltimore County disallows his clients to vote in secret in violation of the state constitution. Furthermore, he said this discrimination violates the Americans with Disabilities Act and the Equal Protection Clause of the 14th Amendment.

While the legal implications are weighty, the effect that this has on blind and visually impaired voters is base humiliation, Dansicker said.

"You can imagine that if you went to vote and the election officials told you that you could not vote for yourself but that someone else would record your vote for you and you would have to trust him, how you would feel?" he said.