



CITY AND COUNTY OF SAN FRANCISCO  
**DEPARTMENT OF ELECTIONS**

John Arntz, Director

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**Meeting Minutes**

**Voting Accessibility Committee (VAAC)**

**May 12, 2022 1:30 p.m. – 3:00 p.m.**

**Zoom Meeting**

**Recording available here: <http://www.youtube.com/watch?v=Wl8nfEyEqz0>**

Meeting Attendees:

John Arntz, Director, Department of Elections

Deborah Kaplan, Mayor's Office on Disability

Fred Nisen, Disability Rights California

Nataliya Kuzina, Department of Elections

Mayank Patel, Department of Elections

Jasmine Hernandez, Department of Elections

Jonathan Aaberg, Department of Elections

Colei O'Brien, Department of Elections

Jennie Tran, Department of Elections

Shane Kealy, Department of Elections

Elizabeth Ann Dunlap, Community Member & Poll Worker

Elizabeth Grigsby, Golden Gate Regional Center

Fiona Hinze, Independent Living Resource Center (ILRC)

Jim Soper, National Voting Rights Task Force

Linda French, League of Women Voters San Francisco

Gabriela Solval, State Council on Developmental Disabilities

Thomas NovoGradac, Community Member

Hillary Brown, Community Member

**I. Welcome and Introductions**

**II. The meeting began with a continuation of the previous VAAC meeting's discussion of SB 1480.**

- A. Disability Rights California requested SB 1480 to again be included in the VAAC agenda.
- B. **SB 1480** would allow people with a “qualifying disability” to return ballots electronically that were voted using a remote accessible vote-by-mail system.
  - 1. The legislation indicates that a “qualifying disability” means a disability that prevents a voter from reading, marking, holding, handling, or manipulating a ballot, including blindness, visual impairment, an intellectual or developmental disability, or impairment in dexterity, such that the voter is unable to return a ballot privately and independently.”
- C. SB 1480 would allow people with qualifying disabilities to return their ballots without having to physically sign the return envelopes.
- D. Fred Nisen provided updates on SB 1480's status
  - 1. The legislation has moved to the CA Senate Appropriations Committee's Suspense File because it would cost more than \$50,000.
  - 2. The legislation would be voted-on during the week of May 23rd.
  - 3. Nisen offered further information on how to support the bill to those who contact him directly.
- E. Fiona Hinze reintroduced the subject of cyber security concerns and how they may relate to the legislation's progress. Fred Nisen informed the VAAC that the Secretary of State estimates the program would cost \$342,000 to start and \$300,000 to maintain, and during the review process the cyber security concerns would be addressed. Nisen added that Disability Rights California received assurance from a cyber security expert and several other reports that the proposed program would be as secure as a faxed ballot.
- F. Deborah Kaplan said that the Mayor's Office on Disability (MOD) would be inclined to be supportive of the legislation but it is not clear that the City will take a position on the bill, given that some Elections Commissioners are opposed to the legislation. Kaplan discussed how security concerns can weigh on accessibility accommodations under the ADA. She noted that when security risks that pose an undue burden that hinder ADA accommodations, they usually consist of physical not electronic security concerns. She added that security risks must be imminent and not speculative to constitute an undue burden.
- G. Linda French shared her research that found organizations such as the Brennan Center for Justice are recommending a one-year study to be done on the legislation. She shared that she feels this may be a way to assuage concerns about security risks.
- H. Fred Nisen added that an existing court opinion allows for the implementation of a system similar to the proposed legislation. He underscored the importance of facilitating the ability of people to vote privately and independently regardless of disability, and how after years of study we would end up in the same place.
- I. Responding to Elizabeth Dunlap's question about whether SB 1480 would affect the current remote voting system, Nisen clarified that if the bill passes, the access-to and the marking-of the remote accessible ballot would remain the same. The voter would have to indicate their disability before the ballot is sent and the returning of the ballot would depend on what the Secretary of State ultimately certifies.
- J. Jim Soper expressed his concerns about the notion of voting over the internet because of security reasons. He does not believe further study is necessary. He feels that the risk of

interference outweighs the benefits of the proposed legislation. Soper suggests sending Elections personnel to the homes of voters in need of assistance instead.

- K. Thomas NovoGradac shared that he feels electronic voting systems are not secure enough.

### **III. John Arntz provided a description of SB 504.**

- A. SB 504 expands the timeframe that people with disabilities, as well as people living overseas or in the military, can register and vote after the registration deadline.
- B. Previously, state law required people to register to vote in person between 14 days before and after Election Day.
- C. Now, people with disabilities who need to register to vote within 14 days of an Election Day can register online and use a county's AVBM system to vote.
- D. SB 504 does not require people to provide information regarding their disabilities to register.

### **IV. Disability Rights California's representative Fred Nisen invited input for DRC's priorities for the next 1-3 years**

- A. Every year DRC sets priorities, and every three years DRC sets its overarching goals.
  - 1. DRC's website has a survey for people to provide input regarding the organization's priorities and goals.
  - 2. DRC will also hold in-person or zoom meetings in early-to-mid-summer to discuss the topic.
  - 3. Contact Fred Nisen, DRC's Managing Attorney of its Voting Rights Practice Group, for more information.

### **V. John Arntz provided an update on the UASI Project Regarding Accessible, Mobile Voting Platforms**

- A. UASI is working on a needs assessment for mobile voting platforms.
- B. Arntz asked the VAAC members who have been contacted by UASI to give feedback regarding their experience at the July VAAC meeting.
- C. Jim Soper told the VAAC he objects to the UASI project.

### **VI. John Arntz provided information on the June 7, 2022, Consolidated Statewide Direct Primary Election**

- A. The online versions of the Voter Information Pamphlet have been available since April 25.
- B. The mailing of the Voter Information Pamphlets began on Saturday, April 29.
- C. Vote-by-mail ballots were mailed on May 4 to all voters.
- D. All voters registered by May 23, 2022, will receive ballots in the mail.
- E. After May 23, people can still register and vote and must do so in person either at the City Hall Voting Center, or at a polling place on Election Day.
- F. The Department will organize 588 polling places for Election Day
- G. Between May 9 and Election Day, any voter will be able to use the accessible vote-by-mail system (AVBM) with screen readable ballots compatible with personal devices at [sfelections.org/access](https://sfelections.org/access)
- H. Voters with disabilities can also register and vote using an AVBM system starting May 24.
- I. Voter Information Pamphlets
  - 1. Most voters have received their voter information pamphlets.
  - 2. Large print information pamphlets currently available.

3. Audio versions of information pamphlets are currently available from the Department and the Library's Talking Book and Braille Center.
  4. Accessible digital versions of the information pamphlet are currently available on the Department's website: [sfelections.org/vip](https://sfelections.org/vip).
- J. Accessible In-person Voting
5. City Hall Voting Center opens May 9, each weekday from 8 a.m. – 5 p.m. and is also open the two weekends before Election Day, May 28 and 29; June 4 and 5, from 10 a.m. – 4 p.m.
  6. Curbside voting available at the City Hall Voting Center and at polling places upon request.
  7. Emergency ballots: The Department can deliver ballots to people who are unable to receive and vote their ballots by Election Day, including those in care facilities or who are homebound.
  8. Arntz encouraged the VAAC to spread awareness of the Ballot Delivery program.

**VII. John Arntz gave a summary of the meeting and information on the next VAAC meeting**

- A. Minutes of this meeting and others are posted on the website.
- B. The next meeting will be July 14, 2022.
  1. Arntz hopes to organize a representative from Dominion Voting Systems to attend the next meeting.
  2. The following meetings will be September 15, 2022 and December 8, 2022. All will be held from 1:30 p.m.-3:00 p.m.
- C. Arntz solicited ideas for future agenda items.
  1. Jim Soper suggested that SB 1480 be continued on the agenda for the July meeting as it may be amended by then.
- D. Fiona Hinze asked John Arntz about which contests will appear on the June ballot and eligibility for Supervisor contests.
- E. Hillary Brown shared that her 47<sup>th</sup> birthday is coming up.
  1. Arntz wished Hillary a happy birthday and the meeting concluded.