

NEVADA COMMISSION FOR PERSONS WHO ARE DEAF AND HARD OF HEARING

(DRAFT) Position on Voting Accessibility for People who are Deaf/Hard of Hearing

Voting is a fundamental civil right for Americans to have a voice in choosing the elected officials whose decisions impact our lives, families, and communities. According to the EAC and Rutgers University report *Among voters: Disability and Voting Accessibility in the 2020 Elections*, 19.3% of people with a hearing reported having difficulty voting in person at a polling place or elections office. Individuals who are deaf, hard of hearing, or speech impaired are more likely to experience difficulties in registering to vote, requesting absentee ballots, and casting their vote, compared to persons without disabilities.

These voters reported difficulty communicating with poll workers or other officials at the polling place. Several federal laws recognize and protect the right of people with disabilities to vote. They set standards to ensure access to polling places and to permit assistance to voters where it is needed. The Americans with Disabilities Act (ADA) requires state and local governments, including election officials, to communicate with people with disabilities effectively. Election communications must be as clear and understandable to people with disabilities as those without disabilities. Election officials must communicate information so that voters with disabilities that impact their hearing or speaking, can understand. The Help America Vote Act of 2002 (HAVA) requires jurisdictions responsible for conducting federal elections to provide at least one accessible voting system for persons with disabilities at each polling place in federal elections. However, this information is not currently mandated to be provided in American Sign Language. Some election officials are required by Section 203 of the Voting Rights Act (VRA) to produce materials in languages other than English. Recognizing the intersection of language access and disability ensures that election officials produce materials accessible to all voters when meeting Section 203 requirements.

The Nevada Commission for Persons who are Deaf, Hard of Hearing, or Speech Impaired advocates for accessible, effective, and efficient election processes at all levels, that provides access to all voters.

Policy Recommendations:

1. Voting for people who are deaf, hard of hearing, or speech impaired must adequately include the following:
2. Develop and strengthen all currently available polling locations and machines in Nevada to include information available in American Sign Language.
3. Access to private and equal locations for individuals to cast their ballots.
4. Access to information in American Sign Language which includes information on registering to vote, candidates, important dates, polling location information, casting your ballots, and additional information deemed necessary for voting.
5. Beginning in youth, encourage inclusion of individuals who are deaf, hard of hearing, and speech impaired in all levels of voting and education on voting rights in schools.
6. Strengthen and encourage use of currently available Nevada's Effective Absentee System for Elections (NVEASE), which can be accessed at www.nvease.gov.

7. Provide education to law and policy makers on the needs of individuals who are deaf, hard of hearing, and speech impaired when it comes to all aspects of voting.

Proposed Next Steps (Call to Action): Government agencies, election officials, and advocacy organizations must collaborate to eliminate barriers and advance voting accessibility for the D/HH community. By fostering an inclusive electoral process, we uphold the rights and dignity of all citizens and strengthen our democracy.

Conclusion: Equal access to voting is not just a legal requirement but a moral imperative. Addressing the barriers faced by D/HH individuals is critical to achieving a truly inclusive and representative democracy. Through intentional reforms and sustained advocacy, we can ensure that every voice is heard and every vote counts.