

disABILITY LAW CENTER

OF VIRGINIA



Protection & Advocacy for Virginians with Disabilities

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February 13, 2025

Ms. Susan Beals, Commissioner of Elections
Department of Elections (ELECT)
Washington Building, First Floor
1100 Bank Street, Richmond, Virginia 23219

Dear Commissioner Beals, Ms. Lawless and Ms. Scott:

As you are aware, the disAbility Law Center of Virginia (dLCV) surveyed polling sites during the November 2024 election season. Enclosed, please find dLCV's report with our findings and recommendations from our November 5, 2024 polling site surveys.

dLCV staff respectfully requests that you review the report and provide us with a written response by March 14, 2025. Once we have your written response, we will publish our report and your comments via our website, Social Media and other outlets.

dLCV appreciates the collaboration with the Virginia Department of Elections. If you have questions about the report, please do not hesitate to reach out to me directly. You can reach me at: (804) 662-7305. My email address is: Rachel.Loria@dLcV.org.

Sincerely,

A handwritten signature in cursive script that reads 'Rachel Loria'.

Rachel Loria
Senior Disability Advocate
disAbility Law Center of Virginia

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Ms. Susan Beals, Commissioner of Elections
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Dear Commissioner Beals, Ms. Lawless and Ms. Scott:

As you are aware, the disAbility Law Center of Virginia (dLCV) is the Commonwealth's designated Protection and Advocacy Agency for Virginians with disabilities. dLCV is mandated by the Help America Vote Act of 2002 (PL 107-252) to advocate for the rights of Virginia voters with disabilities.

Through dLCV's Protection and Advocacy for Voter Access (PAVA) program, dLCV educates individuals, communities, poll workers and the Board of Elections regarding the voting rights of people with disabilities by:

- Monitoring and investigating complaints about polling place accessibility and privacy;
- Collaborating with other voting rights advocates for systemic change for people with disabilities;
- Participating in the implementation of provisions of the Help America Vote Act affecting people with disabilities; and
- Assisting and representing individual voters in the state-based administrative grievance processes.

Part of this work also includes surveying polling sites on Election Day to determine if sites are accessible and taking corrective action if they are not. Every Election Day, dLCV staff and volunteers travel to different cities and counties in Virginia and survey a sampling of polling places from that city or county.

For this past Election Day (November, 5, 2024), dLCV staff and volunteers completed nearly 500 surveys. Through the surveys, we learned that the majority of polling places do not have major barriers that would prevent voters from accessing the building. We found that approximately:

- 88% of the sites had appropriate curbside voting signs;
- 82% had accessible parking spots closest to the door;
- 88% had an accessible pathway to the door; and
- 87% had accessible doors that could be opened with a closed fist.

While most polling places in our sample appeared to be accessible, the sites with barriers do raise significant concerns, which we will detail below.

In addition to surveying for external accessibility, dLCV asked staff and volunteers to answer select questions about accessibility inside their own polling places. We also sent a small number of our staff to act as “neutral observers” in counties other than their own to interview poll chiefs, observe the election process, and ask them the same select questions about basic inside accessibility. We received consent from each city/county where our neutral observers went and trained them to ensure that they did not disrupt the election process.

These internal accessibility surveys appear to confirm that most polling places were accessible, though by a smaller margin than external accessibility:

- 78% of sites did have audio ballot voting equipment.
- 69% of polling place staff reported knowing how to operate the audio ballot equipment.
- 57% of surveyors were able to locate signs instructing voters to ask for assistance if they needed help.

dLCV staff summarized our findings below and a full compilation of our charts, data, and Election Day photos is attached.

[An In-Depth Look at the Data](#)

For the November 2024 General Election, dLCV surveyed a total of 484 polling places in 59 cities/counties, including 19 counties that we have not surveyed in 2 or more years. Of the 59 cities and counties we visited, our surveyors reported at least one issue in 40 cities and counties (68% of counties visited). Eleven of the cities and counties we visited (19%) had deficiencies in more than half of the survey questions (meaning that they had a wide variety of problems). The most common issue surveyors reported was that accessible parking places were not located closest to the entrance.

There are several cities and counties where dLCV staff and volunteers observed issues that we request the Department of Elections (ELECT) address. A sample of such localities and issues are listed below. Please note that this is not an exhaustive list of issues but merely examples. We have attached photos of specific problem areas as well as graphs and data for your reference. Please further note for the most part, dLCV staff and volunteers only entered their own polling places and do not have an opinion on access issues once inside the polling place unless they were a Neutral Observer.

[Curbside Voting](#)

Of the polling places surveyed, dLCV staff and volunteers found that 49 (10%) sites in 25 cities or counties either did not have curbside voting at all, or had no sign to indicate where or how people could vote curbside. When one surveyor went to **Portsmouth**, she could not find curbside voting signs at any of the 9 locations she visited. When she asked a partisan campaign volunteer whether there was a curbside voting sign that the surveyor might have missed, the volunteer told the surveyor that the precinct “had signs in past years but none this year.”

In addition, signs were present, but hard to see, in some locations, including at the Registrar's Office in **Arlington**. Further, in **Richmond City** and **Lynchburg**, curbside voting was available, but the signs were not obvious and were hard to read. In **Lynchburg**, one surveyor noted "Same small font as other Lynchburg signs." They also indicated that there was no way to notify folks inside that you were waiting for curbside voting. The surveyor said, "I asked poll workers about this and they specifically said they rely on the partisan campaigners handing out sample ballots to come inside and alert election day staff." This is not acceptable.

In **Halifax**, our surveyor noted "The poll chief said that most folks who require curbside voting [bring] another person who can come inside the polling place to request help." dLCV is concerned about this response because not everyone who needs to vote using Curbside Voting brings someone with them who can go inside the polling place to request help.

From our survey results, it is evident that many localities are not following the legal protocol for curbside voting. In some localities, election staff told surveyors that volunteers were expected to come inside and notify poll staff that a voter needed curbside assistance. In other counties, surveyors were told that voters had to bring someone with them to go inside and ask for a ballot, which is explicitly against code. According to Virginia Code, 24.2-649.1 (B), "The area designated for voting outside of the polling place shall be within 150 feet of the entrance to the polling place. This area shall be clearly marked, and instructions on how to notify an officer of election of the voter's request to vote outside of the polling place shall be prominently displayed. The Department shall prescribe the form and content of such instructions, but in no case shall the voter, their driver or companion or even campaign volunteers be required to enter the polling place to provide such notice." It is illegal

Accessible Parking Spaces

One dLCV surveyor noted issues in 5 of the 14 voting locations they visited in **Hanover**, including that, at one site, the accessible parking spaces were in a lot that was further away than the non-accessible parking places.

Fifteen of the 24 polling places that we visited in **Loudoun County** did not have accessible parking spaces located closest to the door.

In **Henrico**, our surveyors found 6 sites that did not have accessible parking.

In the **City of Richmond**, 8 sites did not have accessible parking.

In **Lynchburg**, 11 of the 18 polling places we visited had significant problems with their accessible parking, including that "[they were using the closest accessible space for curbside. They had 2 additional marked spaces [which were] not ADA compliant, that were slightly farther from the door."

Surveyors at a number of other sites noted that there were designated accessible spaces, but with signage that was not appropriate for accessible parking.

Another issue in **Loudoun** was a lack of access aisles for some of the accessible parking places, as noted in our photographs at Sully Elementary School. Further, we found an issue while at the Registrar's Office during early voting. According to our surveyor, "[a]ccessible

signage for the entire building has signage that would not be enforceable." At this site, the sign is too low to the ground and does not contain information about tow language.

Additionally, dLCV is concerned that precincts are using accessible parking places as curbside voting places. Not every voter who needs accessible parking will want to vote using curbside voting. By allocating accessible parking places to curbside voting places, the polling officials are limiting accessible parking places or those who wish to go inside.

As a note, at 82% of the sites, the accessible parking spots were closest to the door.

Voting Entrance vs. Accessible Entrance:

dLCV's surveyor at Mt. Calvary Church International in **New Kent** noted that "the accessible entrance is a long way around the side of the building with a long ramp leading to it. There are no signs directing people to that entrance as an alternative accessible entrance and it is locked from the outside. It opens from the inside by a push bar but not from the outside."

Additionally, our surveyor at Springfield Elementary School in **Page County** noted that "[t]he main entrance was not accessible and when I asked the page at the door where the accessible entrance was she could not answer. There were no signs in the main parking lot stating that there was a separate parking area for people with disabilities (PWDs) near the accessible entrance. There were no signs near the main entrance pointing to the accessible entrance."

Our surveyor in **Giles County** noted that "[t]he accessible entrance is behind the building. There is no paved drive to the accessible entrance, only a barely visible track through the grass."

Surveyors in the **Cities of Petersburg** and **Richmond** also noted issues regarding the accessible entrance not being the voting entrance. Please note that surveyors did not take photos of the accessible entrances at this location, so there are no photos to show on this issue. Finally, our surveyor in **Loudoun County** noted that there were many sites where the accessible parking spots were closer to the main entrance, but not the accessible entrance. In some cases, the doors closest to the accessible spaces were locked. 88% of the sites had the same entrance for the accessible entrance and the voting entrance.

Clear Path of Travel from Parking Lot to Front Door

dLCV's surveyors found that, in **Appomattox**, 3 sites had inaccessible paths of travel. This included Appomattox Moose Lodge, which had a gravel parking lot and no curb cut to get onto the sidewalk.

At the Ruritan Club in **Amherst**, campaigners passing out sample ballots let our surveyor know that someone had just fallen and gotten injured because of uneven ground immediately before the surveyor arrived.

In **Halifax**, our surveyor noted that 4 sites, including Union Ruritan Building, did not have an accessible path from the parking lot to the door. Many parking spots at this location required that voters walk across grass and gravel to get to the door.

Our surveyor in **Loudoun County** noted that there were several issues regarding clear paths of entry, including long distances to walk to the unlocked voting doors. As a whole, 85% of sites had a clear path of travel from the parking lot to the front door.

At one of our survey sites in the **City of Richmond**, a surveyor reported that “[the church had stairs up to the voting site.” The surveyor said, “I saw several individuals with cane navigating their way. There was no one outside offering curbside voting or helping elderly people with the stairs. There was no accessible ramp or entrance for the voting area. I did see a ramp, but the door was locked.”

In **Lynchburg** we found that there “was one cone sign and one metal sign in the middle of the accessible path. I told the poll worker about this. She said they ‘had to be there’ but they ‘could move them if we needed to.’ I do not know how they would know that. Additionally, there were very large, very uneven cobblestones with large gaps on the path to the door.” As a whole, 85% of sites had a clear path of travel from the parking lot to the front door.

Accessible Doors

Our surveyor in **Alleghany County** noted that none of the 3 sites they visited had doors which could be open with a closed fist. She noted that the doors were particularly heavy at Moose Lodge 610. Our surveyor noted that “[t]here was no one at the door to open it. There were two sets of doors that had handles you had to pull outward to open them to enter the building. The doors were very heavy.”

When our surveyor went to Deerfield, in **Augusta**, she noted that the poll chief modified the door to make it accessible, but she also noted that the lip to get in the door was high and may present an access issue.

Surveyors noted that 6 sites in the **City of Richmond** had doors that could not be opened with one hand due to the knobs or handles on the doors.

Our surveyor in **New Kent** noted that, at Providence Forge Recreation Station in New Kent, “[t]he main door is propped open but there is a curb in front of it. The accessible entrance near the accessible parking spot has a knob that requires one to grip it and turn it to open the door.”

In general, 432 of the 494 (87%) of the sites had accessible doors that could be opened with one hand.

Audio Ballot Equipment

Our surveyor in **Alleghany** noted that, when she asked about an audio ballot machine at her own voting site, Moose Lodge 610, “the poll workers were quite confused. They stated that a person might have to go to the Registrar’s Office if they needed an audio ballot but they were unclear.”

In **Page County**, our neutral observer noted that “[t]he poll chief said No [there is not audio ballot equipment]. However, I later found out that all precincts in Page County have the same

ballot machines with the audio equipment built into the back of the machine." As this demonstrates, we have seen that, while locations have audio ballot equipment, not all poll workers know where the equipment is or how to work it.

Finally, in **James City**, at Christ Fellowship Church, a voter who has a vision impairment let us know that the audio ballot machine did not read her the entire ballot. dLCV has addressed this situation with the Registrar.

In general, 78% of the voting sites had an accessible voting machine.

Operation of Accessible Machines

At many of the polling sites we surveyed, the poll workers tested the machines in advance of the election to ensure that they worked. However, in **New Kent**, at Providence United Methodist Church, our Neutral Observer arrived after 10am and noted that the "chine was turned on and tested this morning and discovered to not be working. "A new machine arrived just after I did and was being set up and tested so that they would have a working machine for the day."

As previously stated, in **Page County**, the staff did not know that they had an audio ballot machine, which shows that more training is needed.

Overall, at 69% of polling places, staff knew how to operate the accessible voting machines. 21% of respondents did not answer the question, and 10% stated that those who worked at the polling site did not know how to operate the accessible voting machine.

Signage for Assistance

Prior to the election, it was dLCV's understanding that ELECT would distribute proper signage to polling sites that noted that, if a person needed help voting, they could ask for assistance. Unfortunately, 24% of our surveyors did not see any notices about asking for assistance in their polling place. Additionally, in some places, such as the Registrar's Office for Early Voting in **Stafford**, there were so many signs that it was difficult to pinpoint which sign to look at so voters could ask for assistance.

At Heritage High School in **Lynchburg**, the surveyor and Neutral Observer did not see signage. When she asked about signage instructing voters to ask for assistance "the precinct captain was not aware of any."

dLCV is further concerned that only 55% of the respondents noted that there was signage letting voters know that they could ask for assistance if they needed assistance. dLCV is aware that voters need assistance and are often unsure of how to ask for assistance. One surveyor stated that, when she surveyed in **Lynchburg**, she did not see these signs. While the surveyor noted that staff said that they could help, we are concerned that voters do not know that they can ask for help. The same surveyor noted that at another **Lynchburg** site, the poll chief stated that if a voter needed assistance, the election officials would ask another voter to assist that person. Please note, it is completely inappropriate for the Poll Chief to ask another voter to assist in the voting process.

Recommendations

Based on our surveys and the data submitted to you, dLCV recommends the following to ELECT:

1. Registrar offices for each city or county should hang a poster that stands out among all other signage at each polling place letting individuals know that, if they need assistance with voting, they should ask an election official for the Elect 649 Form according to § 24.2-649 of the Code of Virginia.
2. Moving forward, dLCV recommends that the Board of Elections allow dLCV to conduct additional trainings regarding accessibility and disability etiquette at statewide conferences or through the online portal.
3. Advise all registrars of their legal obligation to provide curbside voting: "An area for voting outside of the polling place will be clearly marked and with instructions prominently displayed on how the voter is to notify an officer of election of their request to vote outside of the polling place". It concerns dLCV that, in some cases, volunteers were instructed to assist with the curbside voting process. It further concerns dLCV that accessible parking places were used for curbside voting when not every voter who needs an accessible parking place will choose to utilize curbside voting.
4. Advise all registrars that they have an obligation under both federal and state law to provide accessible parking and a path of travel that is the shortest distance possible. The place should be marked with an upright sign noting accessible parking and have an accessible route to the entrance which is level, stable and firm in all directions. The accessible parking places should be the closest to the accessible entrance. The curbside voting should not be set up in an accessible parking place location.
5. dLCV recommends that all polling sites be in places that have to be accessible the other 364 days of the year. Every locality has a community center, a library, a school and a government building of some type.

Thank you in advance for your attention to the matters set forth in this report. dLCV is happy to meet with you to discuss our findings. dLCV request that you provide written comment to this report and send to us by Friday, March 14, 2025. dLCV will publish this report and your comments on our website, Social Media and various other outlets. You can reach me at: (804) 662-7305. My email address is: Rachel.Loria@dLCV.org.

Regards,



Rachel Loria
Senior Disability Rights Advocate
The disAbility Law Center of Virginia

Photos and Charts for the 2024 Voting Report

Curbside Voting

Lack of Curbside Voting Photographs:

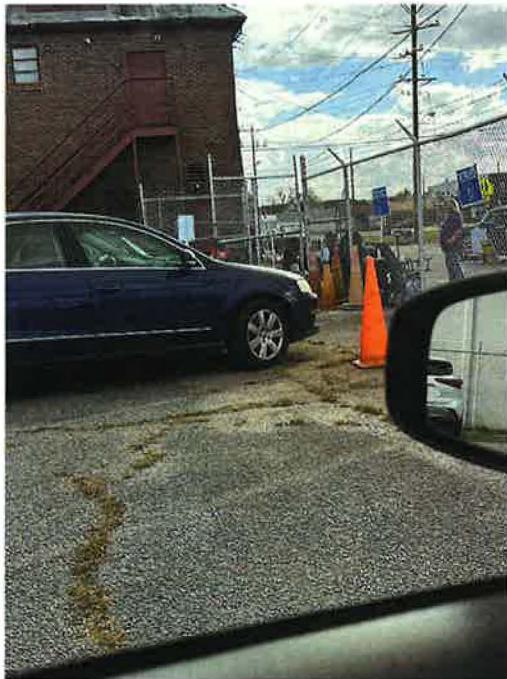


Scottsburg Volunteer Fire Department, Halifax VA



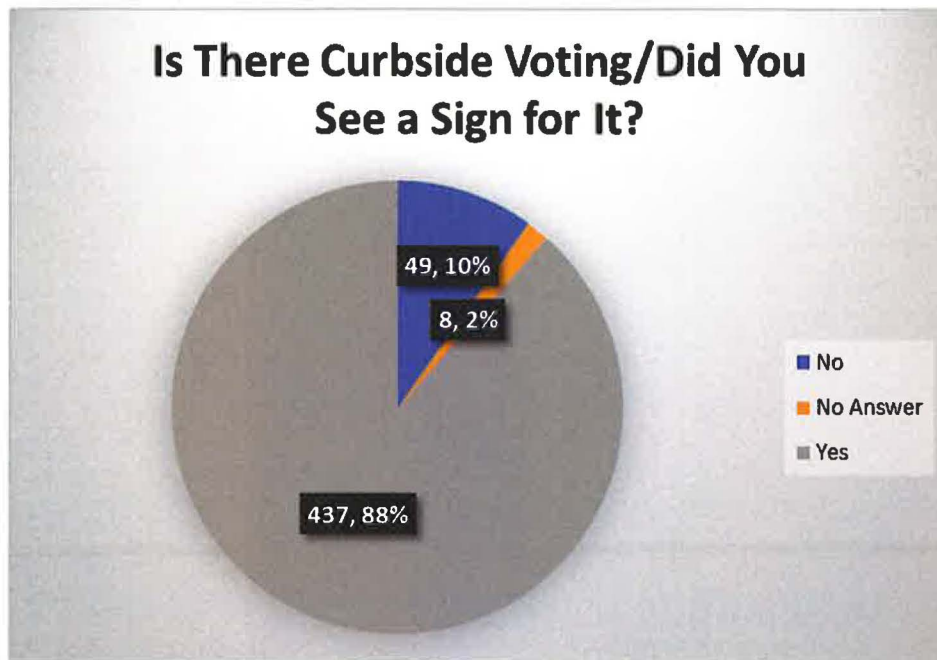
Jubilee Development Center, Lynchburg VA

SHEFFIELD ELEMENTARY SCHOOL, Lynchburg- overwhelming signs and can't find curbside

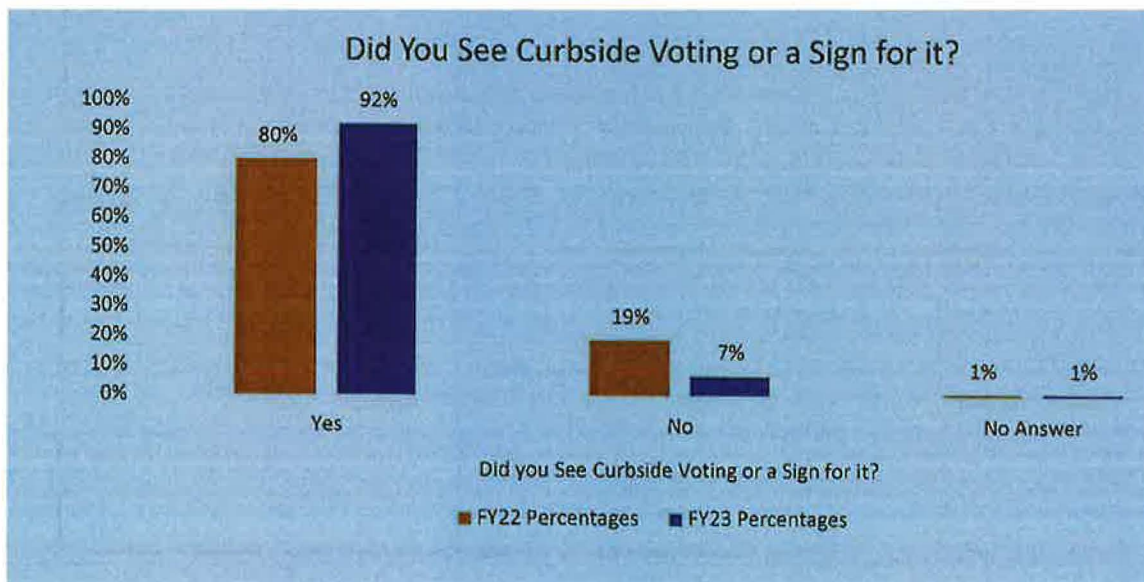


461 Godwin Street (Third Baptist Church), Portsmouth. No curbside signs..

2024 Graph



2022-2023 Graph



Accessible Parking Spaces:



Kersey Creek Elementary, Hanover- Accessible parking lot in a different area



Loudoun County—Far Away Accessible Parking



Marvin Bass Elementary School—Lynchburg, no accessible parking

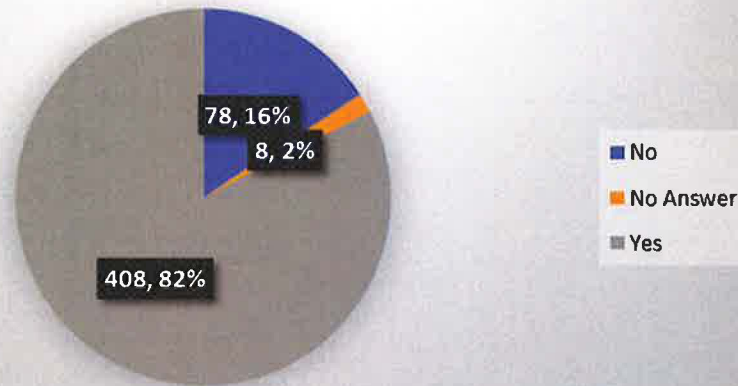


Sully Elementary School, Loudoun- No access aisles



Loudoun County Registrar's Office- parking symbols too low and not appropriate signage

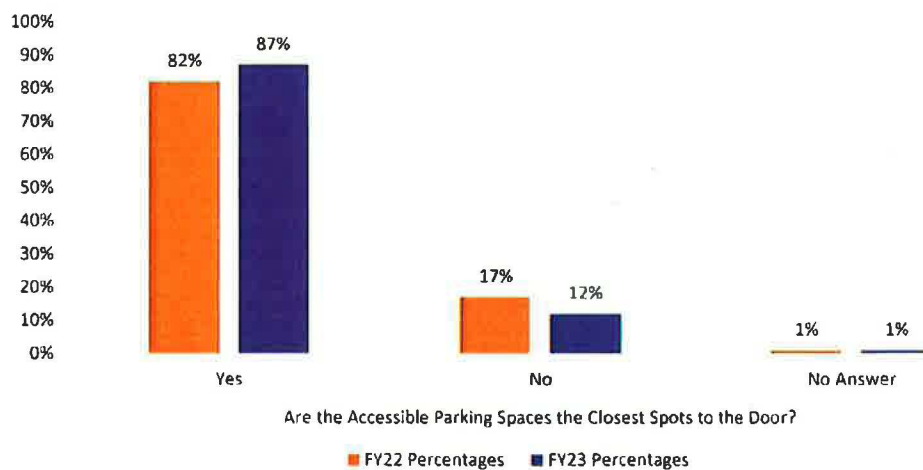
Are the Accessible Spaces the Closest Spots to the Door?



Graph shows that in 2024, 82% of sites had accessible parking spaces closest to the door

Accessible Parking

Are the Accessible Parking Spaces the Closest Spots to the Door?

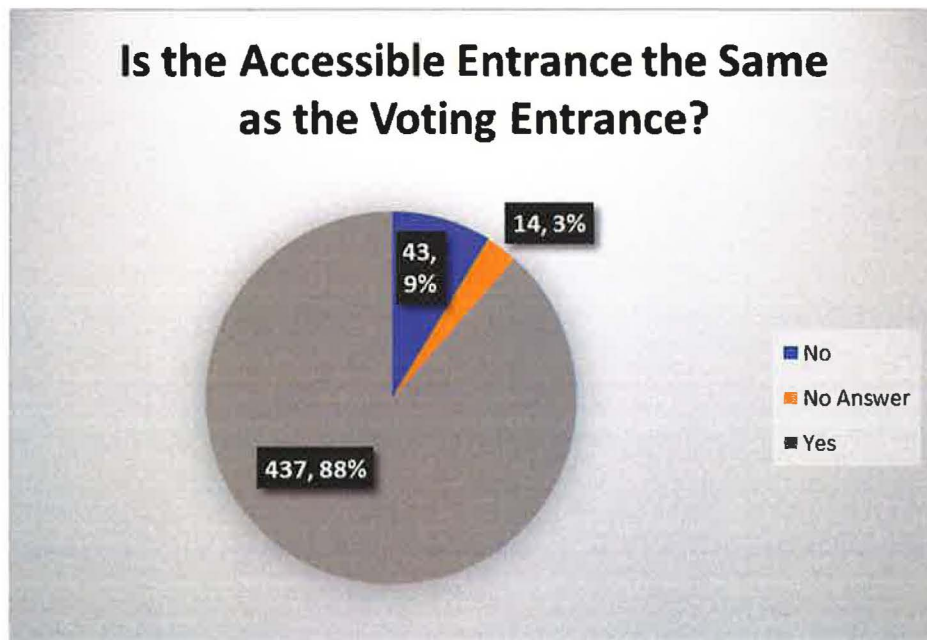


Graph shows that in 2023, 87% of sites had accessible spots closest to the door

Accessible Entrance Vs. Voting Entrance

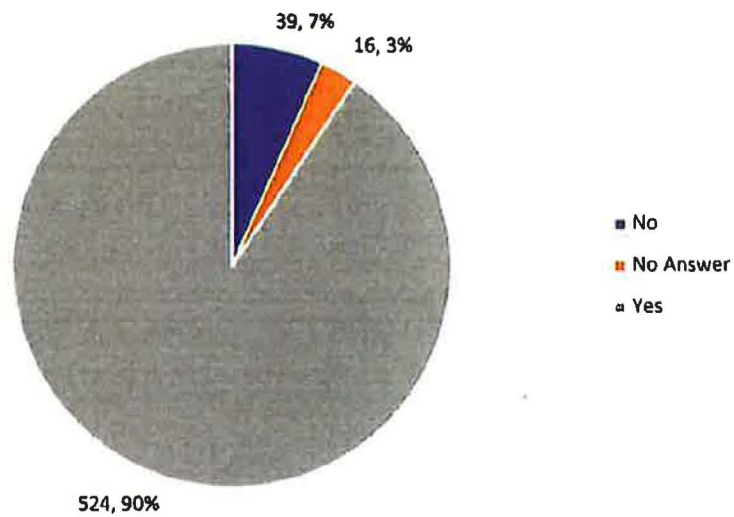


Path leading to accessible entrance in Sterling at Sugarland Elementary School led to a locked door.



2024 graph shows that at 88% of sites, the Voting Entrance was the Accessible Entrance.

Is the accessible entrance the same as the voting entrance? (2023)



In 2023, 90% of the Voting Entrances and Accessible Entrances were the same entrance.

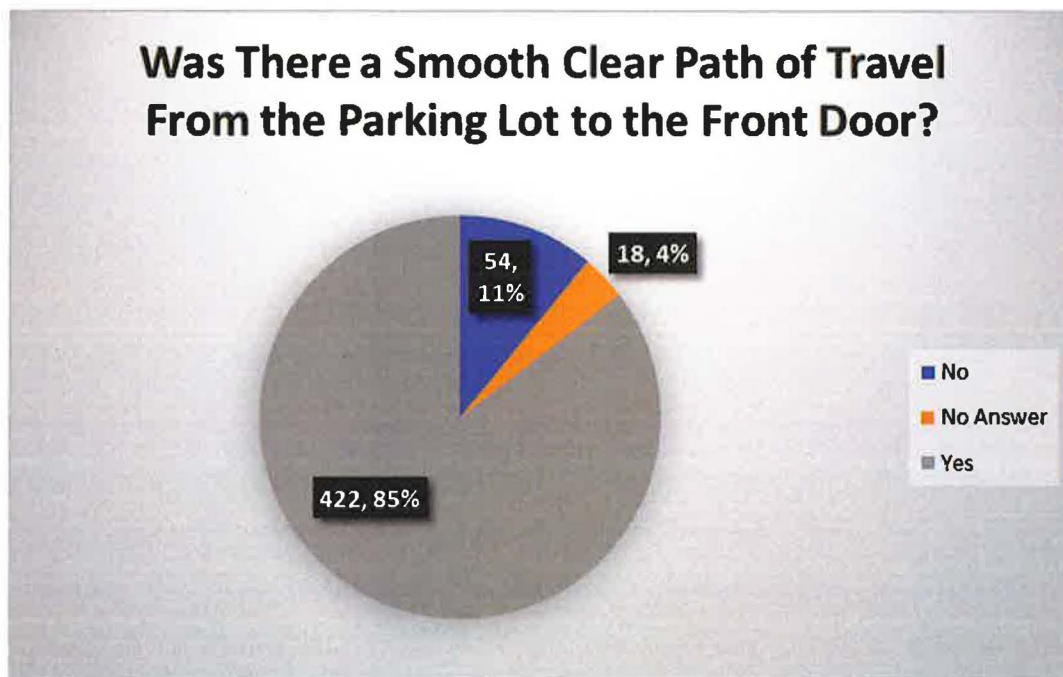
Clear Path of Travel



Moose Lodge, Appomattox gravel lot and no curb cut.



Union Ruritan Building, Halifax, grass path and gravel path leading to entrance



Results show that 85% of sites had a clear path of travel from the parking lot to the door in 2024

Path of Travel

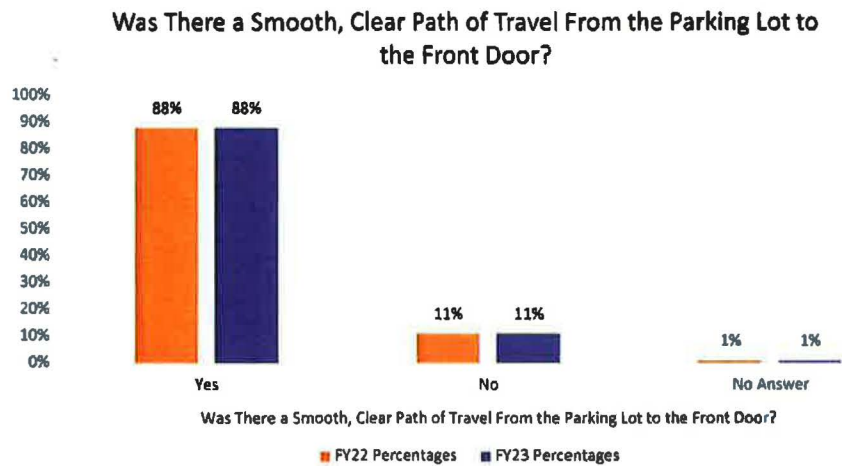


Chart for 2022 and 2023 show that 88% of sites had a clear path of travel from the parking lot to the door.

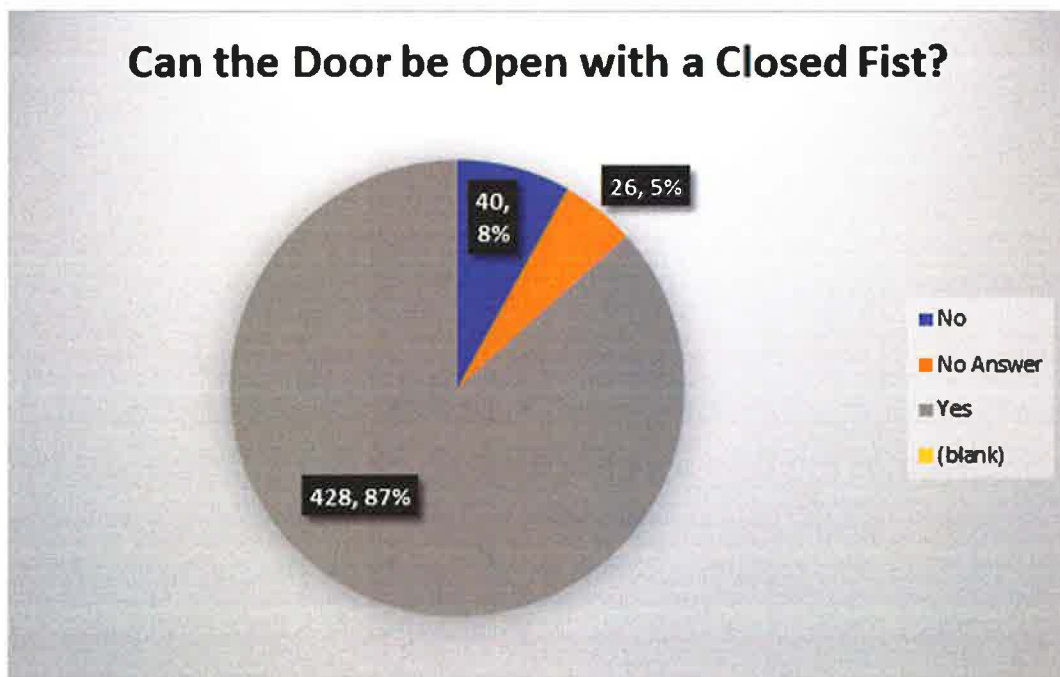
Accessible Doors:



Heavy and inaccessible doors in Richmond City at Virginia Museum of History and Culture: 428 N Arthur Ashe Blvd, Richmond, VA 23220

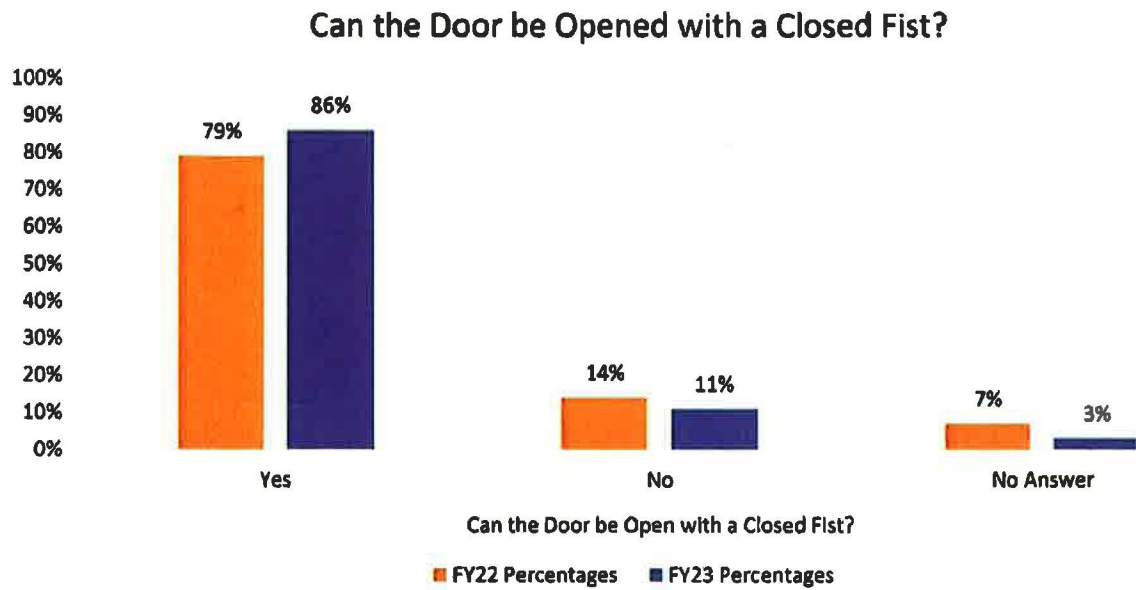


Deerfield Fire Station 2927 Deerfield Valley Rd Deerfield- Lip to get in door is too high.



In 2024, 87% of the doors could be opened with one hand.

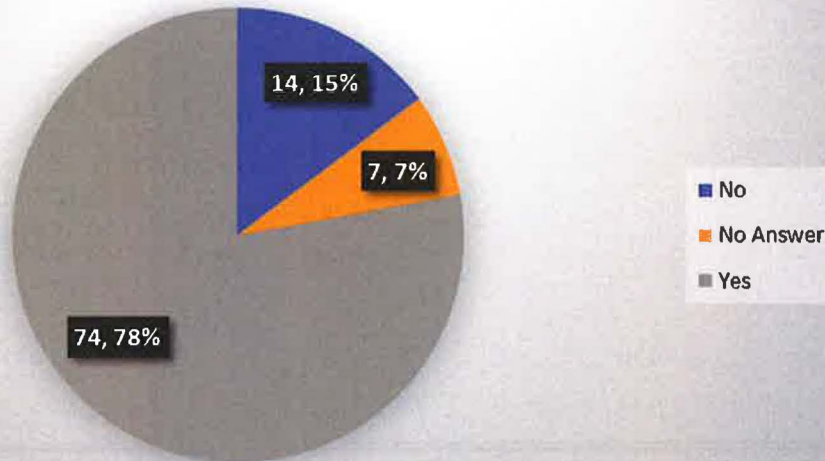
Accessible Doors



In 2023, 86% of the doors could be opened with one hand. In 2022, 79% of doors could be opened with one hand.

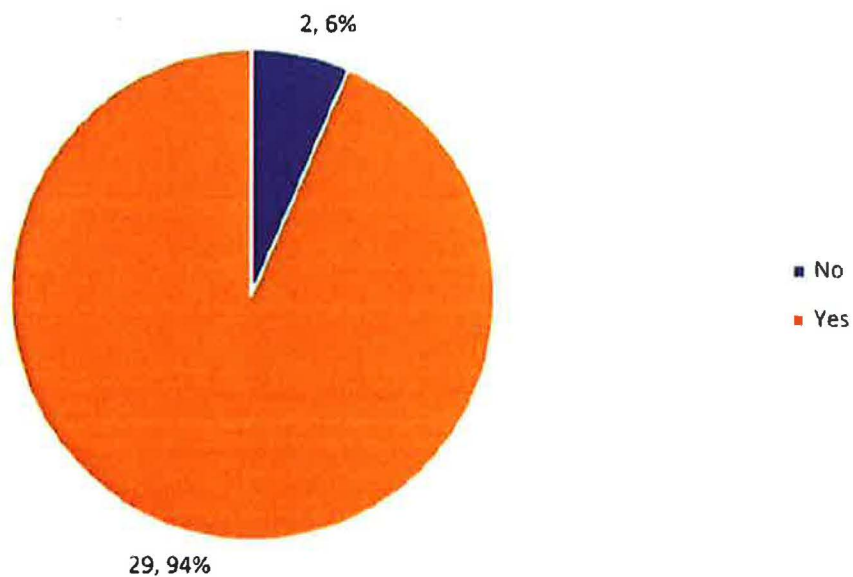
Audio Ballot Equipment

Is there audio ballot voting equipment?



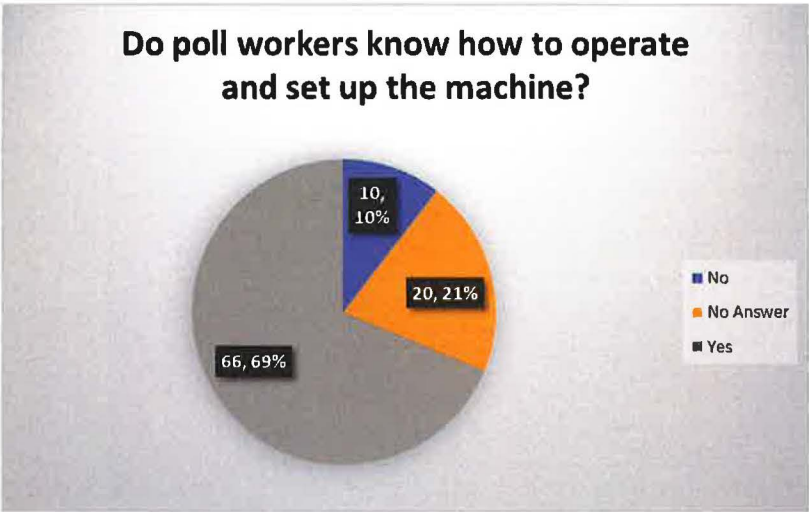
In 2024, 78% of the polling sites had audio ballot equipment

When you are voting at your own precinct, is there audio ballot voting equipment? (2023)



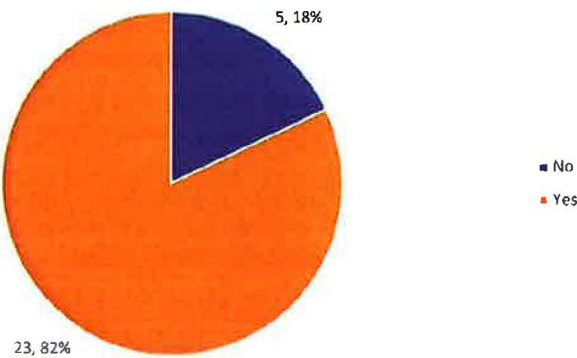
In 2023, 94% of the polling sites had audio ballot equipment

Operating Audio Ballot Equipment



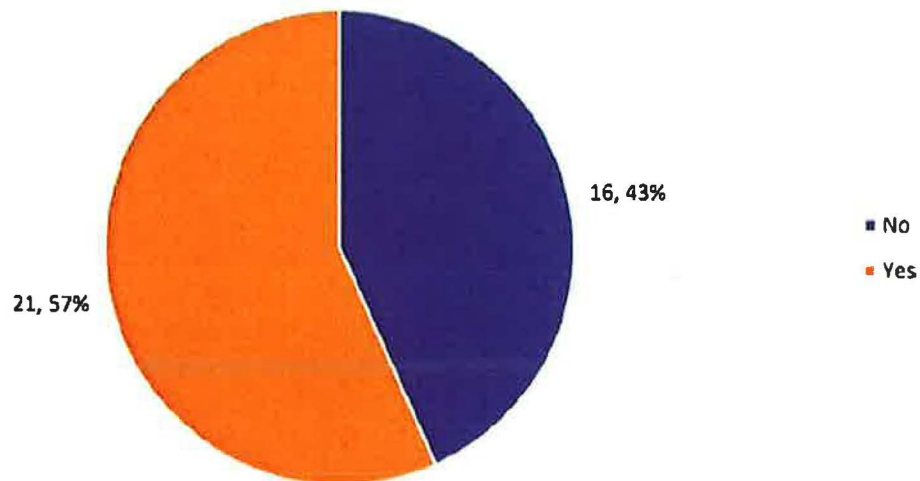
In 2024, 69% of individuals reported that staff at the polling sites they entered understood how to det up the audio ballot machines.

Do poll workers know how to operate and set up the audio ballot machine? (2023)



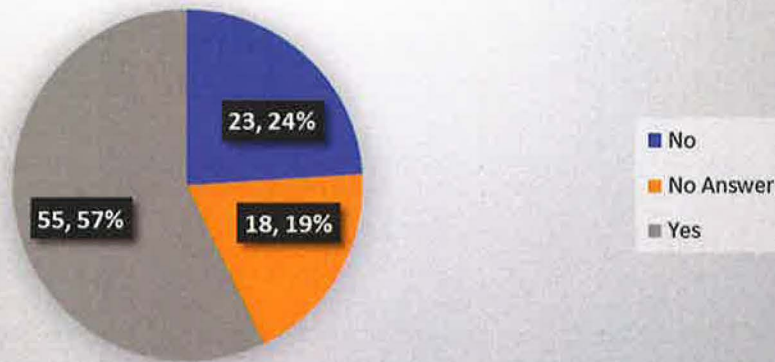
In 2023, 82% of staff at voting sites knew how to operate the audio ballot machines

When you are in your own precinct, do you see a sign noting that voters can ask a poll worker for assistance with the voting process? (2023)



In 2023, 57% of surveyors noted that there was a sign at their polling site noting that voters could ask for assistance.

Do you see a sign noting that voters can ask a poll worker for assistance with the voting process?



In 2024, 57% of surveyors noted that there was a sign at their polling site noting that voters could ask for assistance. However, 19% of surveyors who answered the inside poll questions did not answer this question.

Data:

In 2024, we surveyed a total of 484 locations in 59 counties, including 19 counties that we had not surveyed in 2 or more years. Of the 59 counties we visited, our surveyors reported at least one issue in 40 counties (68% of counties visited). Eleven of the counties we visited (19%) had deficiencies in more than half of the survey questions (meaning that they had a wide variety of problems). The most common issue surveyors reported was that accessible parking spots were not located closest to the entrance.

Places we went

Row Labels	Number of Nos
Albemarle County	7
Alexandria	2
Alleghany County	3
Amherst County	6
Appomattox County	8
Arlington	1
Augusta County	15
Bland County	7
Buckingham County	9
Caroline County	2
Charles City County	2
Charlotte County	6
Charlottesville	9
Chesterfield County	26
City of Manassas	7
City of Manassas Park	3
Clarke County	1
Covington	2
Cumberland County	5
Emporia	1
Essex County	2
Fairfax City	1
Fairfax County	2
Giles County	9
Gloucester County	10
Goochland County	9
Halifax County	8
Hanover County	14
Henrico County	34
Hopewell	7
James City County	1
King George County	4
King William County	1

Loudoun County	24
Lynchburg	18
Mathews County	3
Mecklenburg County	6
New Kent County	11
Newport News	1
Page County	5
Petersburg	7
Poquoson	2
Portsmouth	10
Powhatan County	12
Prince Edward County	7
Prince George County	10
Prince William County	7
Radford City	4
Richmond City	40
Roanoke County	24
Smyth County	7
Spotsylvania County	17
Stafford County	1
Staunton City	5
Suffolk	3
Virginia Beach	18
Waynesboro	4
Westmoreland County	8
Wythe County	9
York County	7
(blank)	
Grand Total	494

End of Attachment 2--