

AAA Committee Recommendation Report

Report to the AAA Board

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| Report prepared by: Cheryl Batterman batterman.cheryl@countyofdane.com | 261-9789 | Date: 31 August 2020 |
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From: ☐ Access Committee ☒ Legislative/Advocacy Committee ☐ Nutrition/Wellness Committee

History/Related Actions

At the 8/31/20 Legislative/Advocacy Committee meeting, the following actions were taken and are forwarded for the AAA Board's review and are recommended for approval:

2021 AAA BUDGET PRIORITIES

A motion was made by KAUD, seconded by KRETSCHMAN, to recommend the AAA Board approve the following items as priorities for the 2021 AAA Budget: Case Management, Nutrition Site Management, Cultural Diversity, and Mental Health. The motion carried by the following vote:

Ayes 7 CASTANEDA, KAUD KRETSCHMAN, MCHONE, OLSON & SCHMIDLKOFER

Absent 2 BUNCK & LEZOTTE

VOTING BARRIERS (see attached)

A motion was made by SCHMIDLKOFER, seconded by KAUD, to recommend the AAA Board support the concept of WAAN's Voting White Paper draft. The motion carried by the following vote:

Ayes 7 CASTANEDA, KAUD KRETSCHMAN, MCHONE, OLSON &
SCHMIDLKOFER

Absent 2 BUNCK & LEZOTTE

Financial/Budget/Other Resource Implications (if any)

None to Dane County

Recommendations

To approve the two motions listed above.

Attachment

WAAN Voting White Paper DRAFT

Core Member Organizations

- Aging and Disability Professionals Association of Wisconsin (ADPAW)
- Alzheimer's Association SE Wisconsin Chapter
- Wisconsin Adult Day Services Association (WADSA)
- Wisconsin Association of Area Agencies on Aging (W4A)
- Wisconsin Association of Benefit Specialists (WABS)
- Wisconsin Association of Nutrition Directors (WAND)
- Wisconsin Association of Senior Centers (WASC)
- Wisconsin Institute for Healthy Aging (WIHA)
- Wisconsin Senior Corps Association (WISCA)
- Wisconsin Tribal Aging Unit Association

The Wisconsin Aging Advocacy Network is a collaborative group of individuals and associations working with and for Wisconsin's older adults to shape public policy to improve their quality of life.

Voting and Older Adults

These Sure Aren't the Elections We Remember

Elections have a special place in our Wisconsin history. Talk of elections conjures up images of brisk November mornings and generates anticipation about our role in democracy. Come election day, we stand with our friends and neighbors at the polling place, probably a local school or church. Some of the people waiting to vote drove, some came on public transit, and some walked to the polling place. Others rode with friends or family.

The poll workers, perhaps retired friends and neighbors, greet us. No one asks voters to prove who they are. Why would they? No one knows anyone who knowingly cheats to vote.

After getting brief instructions about the paper ballot, we vote and return our completed ballot. We put an "I Voted" button on our jackets and go on our way.



Wisconsin's April 2020 Election

Election days still generate anticipation. Unfortunately, anticipation for this year's April Presidential Primary was overshadowed by apprehension. Because of the COVID-19 pandemic there were fewer poll workers and polling places than usual. It became unsafe and scary for many folks to vote in person.

It was really tough on people who couldn't drive, didn't have safe public transit or a friend or family member to drive them. That was a particular problem in rural communities. Things were tough in the cities, too. Masked voters lined up for blocks, which was a very strange site. Lines existed for some trying to use curbside voting, and some voters even ran out of gas while waiting. By the time some people voted it was nightfall and they were exhausted. Some lines were so long a lot of folks just had to go home without voting. It was a heck of a way to run an election.

Absentee voting - which is generally more heavily utilized by older voters¹ - became the most popular way to cast a ballot for voters of all ages. More than 80% of voters who participated cast an absentee ballot by mail, including 80% of the majority party (GOP) of the state legislature². This compares to less than 10% absentee ballots cast in past elections. Less than one in five people voted in-person. Many folks

at high-risk of severe illness from COVID-19 stayed at home for their health and safety.

Some of these folks faced problems because of absentee voting requirements. Their challenges included:

- not knowing how to request an absentee ballot application by mail
- not having the necessary identification (even people who lived in the same communities all their lives!)
- getting copies of photo IDs
- obtaining the necessary witness signature on their ballots (especially difficult for those who live alone)
- getting their ballots returned before the deadline.

These voters, the majority of whom previously voted in-person at the polls, now found themselves between a rock and a hard place. They had to choose between risking their health (or the health of a loved one) by leaving home to comply with absentee voting requirements, to vote in-person at the polls or not vote at all.

How Did We Get Here?

Lots of Things Impacted the Election

Mobility

There are a lot more older folks in Wisconsin than there used to be. Within the older population, a large and growing percentage of people are age 85 and older. And the older people get, the more likely they are to have multiple chronic illnesses, which can make it harder to get around.

On top of that, many older folks don't drive anymore. Some parts of Wisconsin, particularly in the sparsely populated north, are a lot "older" than other parts. In those less densely populated areas, many people have a long way to go to vote.

Because most Wisconsin communities don't have public transit and it's too far or unsafe to walk, folks who don't drive depend primarily on the generosity of friends and family to get to the polls.

Voting Requirements

Our state's voter ID requirement was supposed to help crack down on voter fraud. Because a number of older people don't have the required ID, however, they couldn't vote anymore.

Voting absentee by mail was always a possibility, although many people and voting officials weren't sure how it worked. The requirement for copies of photo IDs, residency documents and witness signatures are tough for people who live alone, particularly in rural communities.

COVID-19 Pandemic

The pandemic hit Wisconsin and the rest of the country in the spring of 2020. COVID-19 was particularly dangerous for older people. We were supposed to stay inside, distance ourselves from other people, and wear a mask when we went outside.



The election went on as scheduled, with more than a few wrinkles for folks who voted in-person and for those voting by absentee ballot.

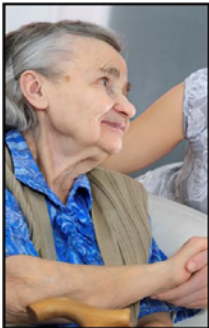
Voting in Residential Care Facilities and Qualified Retirement Homes

COVID-19 was especially challenging for Wisconsinites living in residential care facilities and qualified retirement homes*. The COVID-19 pandemic prevented the use of Special Voting Deputies (SVDs) during the April Spring Election and Presidential Preference Primary and May Special Election for Congressional District 7.

Because of heightened concern about the spread of COVID-19, these facilities implemented restrictions essentially prohibiting access to all outside visitors, including residents' family and friends, long-term care ombudsman, and SVDs. For individuals living in nursing homes, community-based residential facilities (CBRFs), residential care apartment complexes (RCACs), adult family homes (AFHs), and qualified retirement homes, SVDs have been the exclusive method for conducting absentee voting.

Local clerks, working in partnership with facility staff, mailed absentee ballots to registered voters with a request on file. For voters who needed to register and/or did not have an absentee voter request on file, the voting process was much less clear. Without family members to help and with limited access to computers and internet service, individuals in these settings were dependent upon facility staff for help. Many of the staff were untrained, did not know where to access the forms needed, and were too busy addressing COVID-19 challenges to provide needed voter assistance.

In late June, the Wisconsin Elections Commission decided that SVDs would not be available to assist voters in nursing homes and care facilities for the remainder of the elections in 2020. This decision is not surprising, given the virus remains prevalent in our communities and has had a devastating impact on the health and lives of many older adults, especially those living in congregate care settings. Even families and friends visits with loved ones remain restricted. The decision to suspend the



use of SVDs, however, signals these facilities need designated staff with the support and training to ensure residents can vote. It is critical that all eligible voters have equal access and opportunity to participate in our electoral process.

“They say they don’t want
you to get sick, but then
they send you out here
in the damn crowd.
There are people like me
who are handicapped –
we have no business
doing all this just to vote.”

*Lawrence Johnson,
a 70-year-old cleaning
worker in line to
vote at Riverside
High School.*

What’s the Takeaway?

Our leaders should take the necessary steps to ensure safe, accessible voting is available to all eligible voters. Voting is a privilege, a responsibility and a right expressly guaranteed in our state constitution. In the 2016 presidential and congressional elections, Wisconsin was among the top 10 states with the highest voter participation, ranking fifth, with a participation rate of 68.33%.³ Older folks and persons with disabilities contribute to our high participation rate. Wisconsinites take voting seriously, not only to impact our world today, but to shape the future.

The following recommendations are based upon lessons learned this spring.

Recommendations

A. Voter registration - Increase access and provide training assistance

1. Recommendations for completion before the General and Presidential Election - Nov. 3, 2020

a) **Voter Registration Applications*** should be made available by the Wisconsin Elections Commission (WEC) at public locations throughout each community - Aging and Disability Resource Centers, senior dining sites, senior centers, human/social service agencies, income maintenance offices, public housing, energy assistance offices, long-term care facilities, municipal offices, post offices and libraries. [Complete online voter registration information should be available in Spanish and Hmong \(MyVote.wi.gov/\).](#)

b) **Outreach materials** promoting the availability of Voter Registration applications should be developed by the WEC and posted at the public locations noted above, as well as made available for posting at banks, in elevators (office buildings, clinics, stores, etc.), places of worship, gas stations, grocery stores, and other community locations. Voter outreach should include specific materials and formats targeted at reaching voters who face barriers to voting. (See right column.)

c) **Electronic outreach materials** (accessible by assistive technology) promoting voter registration and the availability of Voter Registration

People Impacted by Voting Barriers

Many segments of eligible voters are impacted, each with its own set of characteristics and needs, including people who...

- regularly vote at polling sites but now facing additional challenges due to new restrictions such as voter ID requirements and Coronavirus limitations
- have mobility issues – no longer drive, cannot walk for long distances, climb stairs, stand for long periods of time, or do not have access to ADA compliant voting polls
- have sensory impairments and do not have access to ADA compliant voting in-person or via the online absentee voting process
- live in residential care facilities and are not receiving needed support and assistance to access the absentee voting process, but also cannot vote at the polls without risking their health and facing quarantine or even homelessness.
- are voting absentee ballot – for the first time or the hundredth time – and are struggling to understand the new requirements and technologies needed to secure a ballot, complete and safely return it
- are not able to obtain a voter ID because they do not have proper documentation, because no birth record exists, they don't have transportation to the granting office or they are homeless and cannot provide a permanent address
- live alone and unable to provide a witness to their completed absentee ballot
- are people of color and disproportionately impacted due to poor health or low incomes
- live in rural areas where polling places are miles apart and have limited or no access due to transportation
- live in urban areas where polling places have been reduced. The remaining sites may require some type of transportation which is often non-existent or are in places where suitable parking is not available
- have developmental disabilities or mild cognitive impairments and have difficulty understanding the new procedures but no assistance is available
- have low English proficiency.

applications should be developed by the WEC and made available for use in or on websites, e-newsletters, social media platforms, and intranet systems. The WEC should contact the entities listed in A.1.a) and provide promotional language and links to downloadable and e-versions of the voter registration application and absentee ballot request forms for posting on those entities' websites.

2. Recommendations for elections in 2021 and beyond

a) **Voter Education Ambassador Training** should be made readily available by the WEC. The training should provide consistent, up-to-date training to volunteers across the state willing to assist voters by accurately answering questions about voter ID, voter registration, absentee voting, and the election process.

b) **Voter Assistance** should be included by the state Bureau of Aging and Disability Resources in all county/tribal aging unit plan instructions and Aging and Disability Resource Center (ADRC) contracts. Aging plans — which represent the intent of the county/tribe *to assure that older people have the opportunity to realize their full potential and to participate in all areas of community life* — should include helping older adults exercise their citizenship by providing assistance with obtaining voter IDs; voter registration and absentee voting forms; resources for election process questions; transportation to DMV office, clerk's office, and/or polling site; obtaining copies of residence documents/photo IDs; and witness signatures. ADRCs provide accurate, unbiased information on all aspects of life related to aging or living with a disability; this should include information and assistance to older and/or disabled voters.

c) **Automatic voter registration** should be made available by the WEC and the Wisconsin Department of Transportation whenever eligible individuals obtain or renew a driver's license or

apply for a state photo ID. Individuals could elect to opt out if desired.

d) **Photo IDs for voter registration** should be made easier to access in underserved communities by creating an online process for voters to get an ID. Expand Department of Motor Vehicle (DMV) days and hours of availability and/or provide mobile locations (municipal buildings, libraries, ADRCs) where photo IDs can be obtained.

B. Absentee voting — Increase access and improve options:

1. Recommendations for completion before the General and Presidential Election - Nov. 3, 2020

a) **Absentee ballot application**** should be made available by the WEC at public locations throughout each community - Aging and Disability Resource Centers, senior dining sites, senior centers, human/social service agencies, income maintenance offices, public housing, energy assistance offices, long-term care facilities, post offices and libraries. Complete online absentee ballot request information should be available in Spanish and Hmong at MyVote.wi.gov.

b) **In-person early voting** options should be expanded to include designated early voting sites with established hours posted. They should be in easily accessible locations with accessible voting machines available. Include drive -thru or curbside early voting at specific sites on designated dates/times. MyVote.wi.gov should be enhanced to include municipal postings of locations, dates, and time availability for in-person early voting.

2. Recommendations for elections in 2021 and beyond

a) **Mail absentee ballot applications** to all registered voters before every election *and* to individuals currently living in residential care

settings regardless if they have registered using their current address.

Absentee voting assistance – should be available for individuals completing the application for witness signatures, transportation, etc. - see A.2.b).

c) **Secure absentee ballot drop-boxes** should be made available in every municipality, in easily accessible central locations, to ensure all voters have a safe option for ensuring ballots are returned before the deadline. At a minimum, a secure drop-box should be available up to and including election day at every polling site.

d) **USPS Intelligent mail barcodes** should be integrated into the absentee ballot mailing process to allow for tracking ballot delivery and return.

e) **An exemption for the witness signature** should be made available for those who self-certify they are unable to obtain the witness signature after reasonable effort to do so, including a phone call to their local municipal clerk.

f) **ADA compliant absentee ballot options** should be developed. Voters unable to see, read or physically mark the ballot are unable to vote privately and independently. A ballot that interacts with assistive technology, including screen reading and magnification software, allows the voter full access to the ballot.

1. Recommendations for completion before the General and Presidential Election - Nov. 3, 2020

C. In-person voting at the polls – Improve options and expand recruitment, training, and safety efforts:

a) **In-person voting options** should be retained to ensure access for voters who have difficulty accessing or low-utilization of the absentee voting process. This includes Black Americans who may move more frequently and traditionally rely on in-person voting; homeless individuals who lack a fixed, regular night-time residence; voters with disabilities who may require in-person accommodations to vote privately, and voters who need to access same-day voter registration.

b) **Polling place consolidation** should be monitored by the WEC to ensure voters will not have difficulty accessing their polling sites or be subjected to unreasonably long lines at the polls, and to ensure Wis. Stat. § 5.35(2) is maintained. (The statute requires municipalities to provide at least one voting booth for each 200 voters who voted in the last general election).

c) **Curbside voting**, as required by law, should be offered and publicized at every polling site. Curbside voting locations should be clearly identified and provide instructions for obtaining assistance.

d) **Alternate polling sites** should be near the closed site, ADA compliant, and accessible by transportation options similar to those available at the closed site.

e) **Trained staff and volunteers** should be available in adequate supply to work at the polls. This includes a reserve of non-high-risk individuals (during a public health emergency) to replace any of the standard cadre, as needed. Training of new volunteers should begin immediately and incorporate lessons learned from the April and May 2020 elections.

f) **Standardized PPE** should be available for poll workers and staff at every polling site. These supplies should be stockpiled and training on use should be provided.

2. Recommendations for elections in 2021 and beyond

a) **Action plans for conducting elections during a state declared emergency** should be developed by and for each municipality. They should include plans for addressing PPE needs; reserve poll workers; identifying alternate voting sites; securing other supplies/plans to keep poll workers and voters safe; and communication with staff, volunteers, and the public.

D. Voting in residential care facilities – Improve access and provide training:

1. Recommendations for completion before the General and Presidential Election - Nov. 3, 2020

a) **Alternative options to Special Voting Deputies (SVD)** should be developed when SVDs are not permitted access to residential care facilities to ensure all eligible voters have access to voting. Options should include mailing absentee ballots *all* individuals currently living in residential care settings regardless if they have registered using their current address (use facility rosters to verify residency).

b) **Care facility staff** should be permitted to assist voters residing in the facility and should be provided the information, forms, and training to enable them to provide needed voter support and assistance to residents.

c) **Care facility care plan/chart** for each resident should indicate whether an individual wishes to vote in upcoming elections so assistance filing an absentee ballot request and ongoing voting support can be provided.

*A *qualified* retirement home is a facility occupied as a primary place of abode by 10 or more unrelated individuals and in which the municipal clerk or board of election commissioners has determined that SVDs will be sent due to the presence of a significant number of occupants lacking adequate transportation to the appropriate polling place, needing assistance in voting, aged 60 or over, or declared as indefinitely confined electors.

** (EL-131 – English, EL-131H – Hmong, and EL 131S - Spanish)

Footnotes:

¹ <https://electionupdates.caltech.edu/2020/03/20/some-demographics-on-voting-by-mail/>

² https://madison.com/wsi/news/local/govt-and-politics/80-of-wisconsin-republican-legislators-voted-absentee-in-april/article_68baa320-3eaf-5d83-9717-f9a798dbdcba.html

³ <https://www.statista.com/statistics/632113/2016-us-presidential-election-voter-turnout-by-state/>

The Wisconsin Aging

Advocacy Network

looks forward to working with

policy makers to ensure future

Wisconsin elections are safe,

accessible, and inclusive for

all older voters and

voters with disabilities

no matter where they live.

