

STATE OF DENIAL:

**REPORT ON ACCESSIBILITY INSPECTIONS
OF NEW JERSEY POLLING PLACES**



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CONTENTS

Executive Summary	1
Introduction.....	1
Investigation and Methodology	2
Findings and Analysis.....	4
Conclusions.....	5
Recommendations	6
Detailed Findings	8
Table 1: ADA Violation Rates by County as Determined by the Department of the Public Advocate (DPA), the County Voting Accessibility Advisory Committees (VAACs), and the County Boards of Elections	9
Table 2: Catalog of Most Common Types of Americans With Disabilities Act Violations by County in June 2007 Primary Election.....	10
Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007, Inspections by the Public Advocate	11
Appendix A: Polling Place Accessibility Checklist	
Appendix B: Proposed Polling Place Accessibility Checklist	

Executive Summary

On June 5, 2007 – Primary Election Day – the Department of the Public Advocate sent teams to investigate selected polling places around the state to determine whether they were accessible to people with disabilities and senior citizens as required by law. Of the 121 polling places that the Public Advocate inspected, only 24 (or 20%) fully complied with the legal requirements for accessibility. At 71 of the sites we inspected (59%), some sort of physical barrier impeded access to the polling area, such as narrow doorways and steps without a ramp. Another 26 of the sites (21%) posed no physical barriers to the accessibility of the voting area but failed to post the required signs, to maintain compliant parking spaces, or otherwise to conform to accessibility law. Despite these failings, officials from six of the nine county boards of elections certified that *every single one* of their respective facilities was accessible.¹ Given this pattern of denial, the Public Advocate calls upon the county boards of elections and the Attorney General to fulfill their statutory obligations and enforce compliance with the applicable laws.

Introduction

Approximately 300,000 of New Jersey's voting-age residents use wheelchairs or other ambulatory aids such as a cane, crutches, or a walker.² New Jersey is also home to approximately 1,068,000 senior citizens who would benefit from improved polling place accessibility.³

Both federal and state law require that each of the State's approximately 3,500 polling places be made accessible to these vulnerable populations. These laws include the federal Voting Accessibility for the Elderly and Handicapped Act,⁴ the federal

Americans with Disabilities Act⁵ and implementing regulations,⁶ New Jersey's Law Against Discrimination,⁷ and state election law.⁸ These provisions collectively mandate the following standards:

- ✓ There must be appropriately sized parking spaces or drop-off areas for vehicles transporting voters with disabilities, located close to an accessible entrance.
- ✓ There must be a smooth, obstacle-free, and sloped path of travel (i.e., curb cuts, sidewalks, walkways, and ramps), at least 36 inches wide, from parking areas to the accessible entrance.
- ✓ The entrance door must be easy for a person with a disability to open and at least 32 inches wide so a wheelchair can pass through.
- ✓ Inside the building, the route from the door also must be smooth, obstacle-free, and appropriately wide (36 inches) and sloped.
- ✓ Any interior doors must be either open or easily opened and sufficiently wide (32 inches).
- ✓ Any elevators or wheelchair lifts in use must be accessible.
- ✓ The polling place must adhere to similar requirements for mobility in and around the actual voting area.
- ✓ Appropriate signage must be provided, including signage directing voters to the appropriate entrance, bearing the International Symbol of Accessibility ()
- ✓ To deter ineligible voters from using parking spaces reserved for voters with disabilities, a sign setting forth the current fines and penalties for violations must be present at those parking places.

Under New Jersey law, each county is required to form a Voting Accessibility Advisory Committee (VAAC) to physically inspect each polling place for compliance with the above guidelines.⁹ Based on these inspections, the Board of Elections for each county must report and certify its findings to the Office of the Attorney General (Division of Elections) by May 15 of every year.¹⁰ In keeping with its duty to oversee compliance with accessibility requirements,¹¹ the Attorney General's Office then reviews the reports and, when it deems necessary, issues instructions to the counties to fix any problems. Even if the Attorney General does not issue any such instructions, the county boards of election are independently obligated under the law to ensure that their polling places comply with the above standards.



At this polling place in Hudson County, a voter using a wheelchair would have to climb these five steps – and then face additional obstacles inside – in order to cast his or her ballot.

Despite these clear legal standards and the procedures that are in place to oversee their implementation, New Jersey has historically had problems ensuring that its polling places are accessible. Earlier this year, the Public Advocate released a report entitled *Access Denied: Protecting the Voting Rights of Senior Citizens and People with Disabilities*, which provided a comprehensive overview of the problem and offered recommendations for fixing it. This report is available at

<http://www.state.nj.us/publicadvocate/home/reports/pdfs/AccessDenied.pdf>.

As part of the Public Advocate's ongoing investigative and advocacy efforts on this issue, on June 5, 2007 – Primary Election Day – we conducted inspections of 121 polling places in nine counties around the state. Our findings, discussed in detail below, show not only that numerous polling places are inaccessible, but also that there is a systemic problem with how these sites are regulated by county governments and the State.

Investigation and Methodology

The Public Advocate investigated 121 polling places on June 5, 2007. Of the approximately 3,500 polling places in the state, this Department selected a variety of sites taking into consideration whether they had a history of accessibility problems, were spread among urban and suburban areas, were reflective of the types of polling sites used in those areas (such as schools, firehouses, and Elks Lodges), and were along routes that were logistically sensible for the inspectors. Given this selectivity, our data set is not necessarily a representative sample of the accessibility of all polling places throughout the state.

Twenty-five people, in two- and three-person teams, visited sites throughout the following nine counties: Bergen, Camden, Essex, Hudson, Mercer, Middlesex, Monmouth, Passaic, and Union. Each team analyzed the pre-selected polling places for compliance with legal requirements for accessibility, described above. For each site, the team filled out a Polling Place Accessibility Checklist – the same form that the county VAACs use during their inspections. This Checklist, reproduced in Appendix A, lists the relevant legal standards in detail. The results of the Public Advocate’s site inspections are compiled in Table 3, *Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007, Inspections by the Public Advocate*.

We also looked at county VAAC inspection reports for each of the polling places we examined. This enabled us to compare our inspection results with those of the counties and thus to determine whether the VAACs had accurately assessed whether violations were occurring. Finally, we catalogued the reports and certifications made by each of the relevant counties to the Office of the Attorney General. In doing so, we were able to see how information about accessibility problems was filtered as it flowed from the county inspectors to the county Boards of Elections and then to the Office of the Attorney General.

On September 5, 2007, the Public Advocate forwarded draft copies of this report to the nine counties whose polling sites are discussed in this Report. We invited these parties to provide feedback and comments on our conclusions.

In response, we received written or verbal comments from four of the counties.



Although labeled an accessible entrance, look closely at the large unramped step at the base of the door at this Camden County polling site. A voter using a wheelchair would be unable to enter this polling place independently.

In addition, Mercer County, which had already begun a program of polling place improvements before the primary election, provided us with an update of their progress. Three of the county boards (Essex, Mercer, and Passaic) asked us to revisit some of our conclusions about their polling places, and in response, we changed some of our descriptions of the problems at these locations. However, none of these disputed points changed our initial determinations about the number of sites with physical barriers or other violations of the accessibility laws.

We also received responses demonstrating that Bergen, Essex, Mercer, Passaic, and Union counties were taking proactive steps to improve compliance with the accessibility laws, and we commend these counties for

their efforts. At the same time, we urge continued attention to the issue of polling place accessibility, leading to compliance with the accessibility laws at 100 percent of New Jersey's polling places.

Findings and Analysis

Of the 121 polling places that we inspected, 97 (or 80%) violated the legal standards for accessibility, which specify everything from the slope of ramps to the weight of doors to the content of signs, and more.¹² Seventy-one (71) of the sites (or 59%) had some sort of physical barrier that obstructed access to the polling area.¹³ These ranged from easily remedied problems such as a one-inch lip in a doorway threshold to severe problems such as multiple steps with no ramp. Another 26 sites (or 21%) posed no physical barriers to the accessibility of the voting area but failed to post the required signs, to maintain compliant parking spaces, or otherwise to conform to accessibility law. These findings are broken down by county in Table 1, *ADA Violation Rates by County as Determined by the Department of the Public Advocate (DPA), the County VAACs, and the County Boards of Elections*.

The most common type of physical barrier by far was the absence of a wheelchair ramp or the presence of an inadequate ramp where there was a step or steps that prevented access for people who use wheelchairs or who cannot climb steps. This violation occurred in 53 of the sites we visited (or 44%) and is the classic way that access is denied to people with disabilities. Other common physical barriers to the polling area were doors too narrow for wheelchair access, too heavy, or otherwise non-compliant with accessibility standards (24 instances or 20% of all sites), inaccessible sidewalks or curb cuts (17 instances or 14%

of all sites), and narrow or obstructed pathways (13 instances or 11% of all sites).



Although county election officials say there is an accessible entrance to this Mercer County polling place, DPA inspectors found no signs directing voters with disabilities to an entrance they could actually use.

The most common violations that did not involve physical barriers to the polling area were inadequate parking signage (36 instances or 30% of all sites), parking lots that lacked accessible parking (26 instances or 21% of all sites), inadequate signs to the building's accessible entrance (24 instances or 20% of all sites), and inaccessible restrooms (18 instances or 15% of all sites). These findings are listed by county in Table 2, *Catalog of Most Common Types of ADA Violations by County in June 2007 Primary Election*.

The Public Advocate found that only 20% of the visited sites passed inspection. The county VAACs, however, passed 69% of those same sites. Moreover, even where



A voter using a wheelchair – or a senior citizen – who wants to cast a ballot at this Hudson County site would have to climb these four steps outside the building (above), and then an additional 11 steps inside the building (below) before getting to the polling room.



inspectors from the county VAACs identified accessibility problems, six of the nine county boards of elections disregarded these problems and certified that *every single one* of their respective facilities was accessible. Of the other three counties, Mercer County certified that its polling places would be accessible by the November 2007 elections; Hudson County certified that seven of the nine sites that failed the Public Advocate's inspection were compliant and relocated the other two sites; and we were unable to obtain a complete version of Passaic County's certification.¹⁴ Thus, the VAACs' pre-Election Day inspections and the county boards' filings purportedly based on those inspections do not adequately identify inaccessible sites.

Conclusions

Based on the Public Advocate's field investigation and previous research, we conclude that there are several points at which barriers to accessibility are not being addressed adequately.

First, a large majority of the county VAACs, which undertake (or are supposed to undertake) physical inspections of each polling place are not adequately identifying noncompliant sites.

Second, even in polling places where county inspectors do document accessibility problems, county boards often¹⁵ certify sites as accessible despite the identified problems. This, in turn, leaves known problems unresolved. Likewise, several county boards turned in their certifications after the May 15th deadline. Such delays and defaults hinder any attempt to correct deficiencies.

Third, existing practices allow a county to report that a polling place is accessible even if it is somehow deficient, so long as the

deficiency can be remedied by Election Day. There is no mechanism in place, however, to ensure that the deficiency is *actually* remedied.

Fourth, the Office of the Attorney General, while generally responsive in instructing the counties to fix problems that they have self-identified, does not conduct independent inspections or otherwise verify that sites claimed to be accessible are in fact compliant. Instead, the Attorney General relies on county-provided documentation as the sole evidence of problem resolution.

Recommendations

To remedy the problems addressed in this report, the Public Advocate recommends the following:

- County VAACs should conduct accurate physical inspections of every polling place.
- The VAACs' Polling Place Accessibility Checklist should be adapted to: (1) remove complex, compound questions that obscure the nature of the problems observed; (2) add and clarify some of the standards in light of the U.S. Department of Justice's accessibility checklist; (3) enable inspectors to describe the problems that can *potentially* be remedied by Election Day; and (4) enable inspectors to draw attention to those problems that require more aggressive steps (such as moving the polling place or undertaking construction of accessible paths of travel). We propose the use of the revised checklist in Appendix B.
- County Boards of Elections should make accurate, timely certifications regarding the accessibility of polling places. Appropriate consequences should be imposed for certifications that are knowingly false, or that are a product of willful neglect.¹⁶
- County Boards of Elections must properly implement the necessary steps to make polling places with accessibility deficiencies compliant with the law, or, if that is not possible, to move those polling places to more acceptable locations. As examples of good practice, Mercer and Hudson Counties repaired or relocated some of their polling places in response to deficiencies that came to light in the course of their VAAC inspections.
- The Office of the Attorney General should conduct inspections at suspect polling places, at polling places in which a county has represented that it will remedy a problem by Election Day, and at random polling places on a surprise basis.
- In addition to these inspections, poll workers should complete the Polling Place Accessibility Checklist on Election Day so that the Office of the Attorney General can assess whether, in light of the initial inspection results, the necessary modifications to polling places are actually being made.

Endnotes

¹ Of the other counties, Mercer County certified that its polling places would be accessible by the November 2007 elections; Hudson County certified that seven of the nine sites that failed the Public Advocate's inspection were compliant and relocated the other two sites; and we were unable to obtain a complete version of Passaic County's certification.

² According to a 2002 study by the U.S. Census Bureau, 1.2% of the national population age 15 and older use a wheelchair and 4.1% use an ambulatory aid such as a cane, crutches, or a walker. U.S. Census Bureau, *Americans with Disabilities 2002* at 17, available at <http://www.census.gov/prod/2006pubs/p70-107.pdf>.

If these national data can be extrapolated to New Jersey, then of New Jersey's over-15 population of 6,609,224 as of 2002, 79,310 use wheelchairs and 270,978 use other ambulatory aids. Taking into consideration that 15-17 year olds cannot vote, a rough estimate is that 300,000 voting-age New Jersey residents use a wheelchair, cane, crutches, or a walker. Another study, the 2005 American Community Survey, found that 583,934 New Jersey residents over the age of 15 have some sort of physical disability. U.S. Census Bureau, *2005 American Community Survey: New Jersey: Disability Characteristics*, available at http://factfinder.census.gov/servlet/STTable?_b=m=y&-geo_id=04000US34&-qr_name=ACS_2005_EST_G00_S1801&-ds_name=ACS_2005_EST_G00.

³ U.S. Census Bureau, *2005 American Community Survey: New Jersey*, available at [http://factfinder.census.gov/servlet/ACSSAFFFa](http://factfinder.census.gov/servlet/ACSSAFFFacts?_event=Search&-geo_id=&-geoContext=&-state=04000US34)
[cts?_event=Search&-geo_id=&-geoContext=&-state=04000US34](http://factfinder.census.gov/servlet/ACSSAFFFacts?_event=Search&-geo_id=&-geoContext=&-state=04000US34) (estimating the number of New Jersey residents over the age of 65).

⁴ 42 U.S.C. § 1973ee-1 (2007).

⁵ 42 U.S.C. § 12132 (2007).

⁶ 28 C.F.R. § 35.160 (2007); Department of Justice, ADA Checklist for Polling Places, available at www.usdoj.gov/crt/ada/votingck.htm (providing a detailed and illustrated guide to the relevant standards) (last visited July 31, 2007).

⁷ N.J. Stat. Ann. §§ 10:5-1 et seq. (2007).

⁸ N.J. Stat. Ann. § 19:8-2 (2007).

⁹ N.J. Stat. Ann. §§ 19:8-2 to -3.8 (2007).

¹⁰ N.J. Stat. Ann. § 19:8-3.7(b), (c) (2007). In a presidential election year, the deadline is February 15.

¹¹ N.J. Stat. Ann. § 19:8-3.3. The Public Advocate interprets the ADA and other federal laws to have preempted state law that purports to give the Attorney General power to issue waivers to counties with polling places that cannot be made accessible. See our report *Access Denied: Protecting the Voting Rights of Senior Citizens and People with Disabilities* at 9-14, available at <http://www.state.nj.us/publicadvocate/home/reports/pdfs/AccessDenied.pdf>.

The Attorney General did not issue any waivers for the polling places that we inspected.

¹² See Exhibit A, Polling Place Accessibility Checklist.

¹³ Most of the polling places with physical barriers also violated some other legal standard.

¹⁴ In particular, the Passaic County form we received contained only the page with the election officials' signatures but not the first page which reports the number of accessible and inaccessible sites. The Essex County and Hudson County boards failed to sign the certifications they submitted to the State, despite the requirement that the county boards of submit signed certifications. See N.J. Stat. Ann. § 19:8-3.4 and the "2007 Polling Place Accessibility Report Form" promulgated by the Division of Elections.

¹⁵ We note with approval that Mercer and Hudson counties repaired or relocated some of their polling places in response to deficiencies that came to light in the course of their VAAC inspections.

¹⁶ See N.J. Stat. Ann. §§ 2C:28-3, 19:34-48 (2007).

Detailed Findings

Table 1: ADA Violation Rates by County as Determined by the Department of the Public Advocate (DPA), the County Voting Accessibility Advisory Committees (VAAC), and the County Boards of Elections

	Inspections Conducted by the Department of the Public Advocate							County VAAC Inspections of Sites Inspected by the DPA		Certifications by County Boards of Elections of Sites Inspected by the DPA		
	Total Sites Inspected	Failed DPA Inspection				Passed DPA Inspection		Total Passed VAAC Inspection	Percent Passed VAAC Inspection	Sites certified accessible by County Board	Percent certified accessible by County Board	Date certification submitted (May 15 deadline)
		Failed due to physical barriers	Failed for other reasons	Total Failed	Percent Failed	Total Passed	Percent Passed					
Bergen	10	8	2	10	100%	0	0%	7	70%	10	100%	May 10
Camden	12	4	3	7	58%	5	42%	12	100%	12	100%	May 14
Essex	13	9	3	12	92%	1	8%	12	92%	13	100%	July 16
Hudson	12	8	1	9	69%	3	31%	5	42%	10 ¹	83%	August 10
Mercer	23	13	7	20	87%	3	13%	15	65%	N/A ²	N/A	June 8
Middlesex	2	1	1	2	100%	0	0%	2	100%	2	100%	May 15
Monmouth	13	5	3	8	62%	5	38%	12	92%	13	100%	May 4
Passaic	12	5	3	8	66%	4	33%	N/A ³	N/A	N/A ⁴	N/A	August 24
Union	24	18	3	21	88%	3	12%	10	42%	24	100%	July 3
TOTAL	121	71	26	97	80%	24	20%	75	69%⁵	84	98%⁶	N/A

¹ Hudson County's certification reflects that two of the failing sites have been abandoned in favor of new sites.

² Mercer County made no representation about the then-current state of its polling places but instead certified that its polling places would be 100% accessible by the November 2007 election.

³ The documentation from Passaic County did not include the VAAC inspectors' reports.

⁴ The certification from Passaic County did not include the page where the number of accessible and inaccessible sites are totaled.

⁵ This figure excludes Passaic County. See footnote 3.

⁶ This percentage does not reflect Mercer and Passaic Counties, for which there were no relevant data. See footnotes 2 and 4.

Table 2: Catalog of Most Common Types of ADA Violations by County in June 2007 Primary Election

	Total Number of Sites Inspected by DPA	Physical Barriers to the Polling Area				Other Violations			
		Ramp needed due to step(s) but is inadequate or not present	Entrance door(s) too narrow, too heavy, or having inaccessible door handles	Sidewalks/curb cuts in disrepair or too steep	Path of travel too narrow or obstructed	Improperly placed or outdated parking signs	Required accessible parking is nonexistent or noncompliant	Inadequate signs to accessible entrance	Restrooms inaccessible
Bergen	10	5	4	4	1	6	4	1	3
Camden	12	3	1	2	1	1	1	3	5
Essex	13	7	2	1	3	3	1	4	1
Hudson	12	8	1	2	1	1	1	2	0
Mercer	23	11	4	4	1	9	7	5	6
Middlesex	2	1	0	0	0	1	0	1	0
Monmouth	13	3	2	1	2	4	3	1	0
Passaic	12	4	2	1	0	2	4	2	0
Union	24	11	8	2	4	9	5	5	3
TOTAL	121	53	24	17	13	36	26	24	18
Percent of Total	100%	44%	20%	14%	11%	30%	21%	20%	15%

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Notes:

1. The polling places in this report are listed by county in alphabetical order of the town. Each polling place is then listed by its business or popular name.
2. The “Reasons for Failure” were culled from the inspection reports of staff members of the Department of the Public Advocate who performed physical inspections of selected polling places on the 2007 primary election day (June 5, 2007). Within this category, physical barriers to the polling places are listed in bold face type and other violations (outdated parking signs, inaccessible restrooms, etc.) are listed in normal font. All deficiencies noted are based on noncompliance with legal standards elaborated in the Polling Place Accessibility Checklist, which is promulgated by the Attorney General and reproduced in Appendix A.
3. The County Voting Accessibility Advisory Committee (VAAC) Inspection reports and the County Board of Elections Certifications were gathered from Division of Elections files in the Office of the Attorney General.
4. The VAAC is appointed by the county executive or board of freeholders in each county as mandated by statute. The committee must have between seven and eleven members and must include: the four members of the county board of elections and three or more members of the general public. The public members must include: a representative of the county government, at least one individual with a disability, at least one person trained in the Americans with Disabilities Act of 1990, and other person(s) deemed to be of assistance by the county government. The committee is charged with conducting an annual physical inspection of all polling places in the county. At least one person with a disability must be a member of the committee and involved in every inspection. N.J. Stat. Ann. § 19:8-3.7.
5. The County Board of Elections receives the VAAC inspection reports and then must certify, under penalty of perjury, the accessibility of the polling places in the county according to those reports. The county boards must submit inspection reports and certifications to the Office of the Attorney General, Division of Elections, no later than January 15 in every presidential election year and no later than May 15 every other year. N.J. Stat. Ann. § 19:8-3.4.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Bergen County

0 sites passed

8 sites failed for physical barriers to the voting area

2 sites failed for other violations

The County Board of Elections certified **all 10 sites** as accessible on May 10, 2007.

Sites that Failed for Physical Barriers to the Voting Area

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Englewood Housing Authority, Englewood	• Curb cut was too steep • Parking signs 6 inches too low • Outdated penalty information on parking signs • Bathroom doors require manual dexterity and therefore are not accessible	Fail	Pass	Inspector found no barriers or other violations.
Fire Co. No. 4, Ft. Lee	• Gutter grate with several large holes in it separates the driveway from the voting area • Poll worker stated that fire bay doors are not opened during November election, causing voters to use unramped steps to access voting area, steps on which elderly voters have fallen in the past • Only one accessible parking space and its penalty sign was obstructed from view	Fail	Fail	Inspector found no barriers. The report suggested the following violations and fixes: • A worker will be stationed outside on election day to open bay doors as needed • Accessible spots in front of bay doors are made available on election day • Bathrooms are not accessible

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
St. Mark's Church, Hackensack	• Exterior doorway only 17.5 inches wide and has inaccessible handle • Ramp slope too steep with no landing at top of ramp • No accessible parking available in off-street lot	Fail	Pass	Inspector found no barriers or other violations.
Third Reformed Church, Hackensack	• Sidewalk was cracked and had 2.5 inch elevation change • Ramp into building too steep • Door to polling area held open by sign that restricted width from 35 inches to 28 inches • Sloped area from street to building entrance too steep • Men's restroom lacked sufficient floor space and had inaccessible water faucets	Fail	Fail	Inspector noted the following barriers without explanation: • Excessive slope on exterior path • Doorways to voting area not accessible (Notes that door is to be left open on election day) • Protrusions from wall of more than 4 inches have no protection for vision impaired individuals
Fanny Hilliers School, Hackensack	• Voter must climb four steps to enter building • No ramp is provided	Fail	Fail	Inspector noted the following barriers without explanation: • Doorways to voting area not accessible • Report did not answer question regarding width and slope of exterior path of travel.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Mellone-Marinello Rec. Center, Hackensack	• Curb height from parking lot to sidewalk is 1 inch • Inaccessible exterior door handle • Method of propping open front door narrows entrance to insufficient 26 inches • Parking sign 5 inches higher than allowed	Fail	Pass	Inspector found no barriers or other violations.
Bryant School, Teaneck	• Curb height from parking lot to sidewalk is 1 inch • Insufficient number of accessible spaces in 56-space lot • No signs at the only two accessible spaces	Fail	N/A	County VAAC Inspection Report for this location not provided to Division of Elections as of August 1, 2007.
Lowell School, Teaneck	• Curb cut from street to walkway in rear of building was too steep • Only unlocked entrances required voters to climb stairs and were only 25 inches wide • Only accessible entrance locked, with a code entry device and an intercom that went unanswered when tried • No exterior signs leading to purportedly accessible entrance	Fail	Pass	Inspector found no barriers or other violations. Report also claimed: • Primary entrance accessible

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Sites that Failed for Other Violations

Name and Location	DPA Inspection Notes	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Southeast Senior Center, Englewood	• Ramp handrail not sufficiently secured • No penalty signs at accessible parking places	Fail	Pass	Inspector found no barriers or other violations.
Hackensack Civic Center, Hackensack	• Parking signs too high • No striped access aisles to accessible parking spots • Accessible bathroom locked • Bathroom door required more than 5 pounds of pressure to open	Fail	Pass	Inspector found no barriers or other violations

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Camden County

5 sites passed

- John F. Kennedy Towers, Camden
- Fire Station 6, Cherry Hill
- Rosa Intl. Middle School, Cherry Hill
- Brett Harte School, Cherry Hill
- Borough Hall, Haddonfield

4 sites failed for physical barriers to the voting area

3 sites failed for other violations

The County Board of Elections certified **all 12 sites** as accessible on May 14, 2007.

Sites that Failed for Physical Barriers to the Voting Area

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Ablett Village, Camden	• Ramp too steep and not smooth with more than a half-inch drop at its base • Accessible entrance takes voters through a janitorial closet with travel path less than 36 inches wide • No penalty or accessible entrance signs posted • Bathroom doors blocked by chairs and only 31 inches wide • Bathrooms not accessible	Fail	Pass	Inspector found no physical barriers or other violations. Report also claims: • a temporary, van-accessible parking space will be provided, and • Board of Elections will provide accessible parking signs

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Sharp School, Camden	• Door to accessible entrance locked • No curb cut from street to sidewalk • No signs leading to or located at purported accessible entrance • No accessible parking spots available in off-street lot	Fail	Pass	Inspector found no physical barriers or other violations. Report also claims: • Alternate entrance available, will be identified by 4 directional signs and 1 entrance sign • Parking provided near entrance door • Entrance door has ramp and will remain unlocked
Ben Franklin School, Pennsauken	• No curb cut from on-street accessible parking to sidewalk • Surface of street and sidewalk broken and cracked • Multiple steps from sidewalk to front of building, no other accessible entrance • Only street-level door was locked with no signs to alternative entrance • No parking penalty signs	Fail	Pass	Inspector found no physical barriers or other violations. Report also claims: • Separate accessible entrance present • Board of Elections will provide directional signs for accessible entrance
St. Cecilia Hall, Pennsauken	• More than 8 inch step up required to enter building • No ramps or alternate entrance • Entrance door less than 32 inches wide • Bathroom door less than 32 inches wide	Fail	Pass	Inspector found no physical barriers or other violations. Report also claims: • Doorbell and portable ramp are used for access on election day

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Sites that Failed for Other Violations

Name and Location	DPA Inspection Notes	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Northgate II Apartments, Camden	Bathroom door requires more than 5 pounds of force to open	Fail	Pass	Inspector found no physical barriers or other violations.
Collingswood Comm. Ctr., Collingswood	Bathroom door requires more than 5 pounds of force to open	Fail	Pass	Inspector found no physical barriers or other violations.
Transfiguration School, Collingswood	- Bathroom door too narrow - No accessible bathroom stall	Fail	Pass	Inspector found no physical barriers or other violations.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Essex County⁷

1 site passed

- Spain Youth Center, Newark

9 sites failed for physical barriers to the voting area

3 sites failed for other violations

The County Board of Elections certified **all 13 sites** as accessible in an unsigned certification submitted on July 16, 2007.

Sites that Failed for Physical Barriers to the Voting Area

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Collins School, Livingston	• Ramp has a 1.75 inch step at the bottom	Fail	Pass	Inspector found no physical barriers or other violations.
Ann Street School, Newark	• Ramp too steep • Inadequate and confusing signs to entrance for all voters • No sign to accessible entrance	Fail	Pass	Inspector found no physical barriers or other violations.

⁷ The Department of the Public Advocate also received notice that the Community Room of the Stephen Crane Housing Complex for the Elderly in Newark was being used as a polling place in lieu of the Stephen Crane Village Community Center, which is currently closed. Unfortunately, the Housing Complex's Community Room was in horrible shape with water damage on the walls and ceilings, walls streaked with mold and water stains, poor interior air quality, mold and mildew odors, and exposed plumbing that was covered in rust and dirt.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Avon Avenue School, Newark	• Asphalt in parking lot crumbling • No knob or handle of any kind on accessible door (which was closed) • Bathroom doors too narrow • Bathroom faucet requires slight twisting • No signs to accessible entrance	Fail	Pass	Inspector found no physical barriers or other violations.
Bragaw Avenue School, Newark	• Interior ramp too steep, not stable, lacks rail, and too narrow • Exterior ramp too steep	Fail	Pass	Inspector found no physical barriers or other violations. Report also notes: • Temporary ramp is installed on Election Day.
Hawkins Street School, Newark	• Ramp to building too steep	Fail	Pass	Inspector found no physical barriers or other violations.
True Vine Christian Ctr., Newark	• Door threshold 2 inches high and too steep • Width of the path of travel between exterior and interior doors only 34.5 inches	Fail	Pass	Inspector found no physical barriers or other violations.
Weehaquin High School, Newark	• One section of ramp too steep • No response to knock at locked accessible doorway • No signs to accessible doorway	Fail	Pass	Inspector found no physical barriers or other violations.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Fr. Vincent Monella Ctr., South Orange	• Exterior door only 26.5 inches wide • Broken flooring inside door • Exterior door had inaccessible round knob	Fail	Pass	Inspector found no physical barriers or other violations.
South Orange Middle School, South Orange	• Inside flooring cracked and broken up • No signs to accessible entrance • Outdated penalty signs at accessible parking	Fail	Pass	Inspector found no physical barriers or other violations.

Sites that Failed for Other Violations

Name and Location	DPA Inspection Notes	DPA Inspection Results	County VAAC Inspection Result	County VAAC Inspection Notes
Little League Field House, Belleville	• No striped access lanes at accessible parking	Fail	Fail	Inspector noted the following physical barrier: • Ceiling and any objects hanging from ceiling not at least 6 feet 8 inches from the ground.
Mt. Pleasant School, Livingston	• Accessible parking signs too low	Fail	Pass	Inspector found no physical barriers or other violations

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes	DPA Inspection Results	County VAAC Inspection Result	County VAAC Inspection Notes
Club Acores, Newark	No accessible parking spaces in off-street lot	Fail	Pass	Inspector found no physical barriers or other violations.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Hudson County

3 sites passed

- Firehouse, Harrison
- Adams Gardens, Hoboken
- Garfield School, Kearny

8 sites failed for physical barriers to the voting area

1 site failed for other violations

The County Board of Elections certified **10 of these sites** as accessible and **relocated two others** in an unsigned certification submitted on August 10, 2007.

Sites that Failed for Physical Barriers to the Voting Area

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Sicilian Citizens Club, Bayonne	• Voters must step up into the building • No ramps available	Fail	Fail	Inspector noted that a ramp would be provided.
Elks Lodge, Hoboken	• Voters must walk up 5 steps to enter the building • No ramps available • Door has 2 inch threshold	Fail	Pass	Inspector noted that there would be a temporary ramp on Election Day.
College Towers, Jersey City	• No curb cuts available • Ramp too steep and less than 36 inches wide	Fail	Fail	Inspector found that the bathrooms were inaccessible.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Jersey City Library (472 Jersey Ave.), Jersey City	• Voters must climb 2 steps to enter building, 4 steps once inside • No ramps available • No signs to accessible entrance	Fail	Fail⁸	
Lafayette Library (307 Pacific Ave.), Jersey City	• Voters must climb 3 steps to enter building • Doors less than 32 inches wide • No ramps available	Fail	Fail⁹	
Marion Library (1017 West Side Ave.), Jersey City	• Voters must climb 2 steps to enter building • Interior path of travel less than 36 inches wide and obstructed	Fail	Fail	Inspector found inadequate doorway(s) and path of travel, and noted that a portable ramp would be used on Election Day.
Our Lady of Mercy, Jersey City	• Voters must climb 4 steps to access polling room • Accessible parking spaces lack access lane • No penalty signs	Fail	Fail	Inspector found that restrooms were inaccessible and noted that a temporary ramp would be used on Election Day.
School 14, Jersey City	• Voters must walk up 4 steps to enter the building and 11 steps once inside the building • Sidewalks are cracked • No ramps or alternate entrances	Fail	Fail	Inspector noted that when classes are in session, an inaccessible trailer is used for polling but that the site would be accessible in November.

⁸ Because this polling place was relocated after the June election, we assume that it failed the VAAC inspection.

⁹ Because this polling place was relocated after the June election, we assume that it failed the VAAC inspection.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Sites that Failed for Other Violations

Name and Location	DPA Inspection Notes	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Harrison High School, Harrison	No signs leading to voting area	Fail	Pass	

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Mercer County

3 sites passed

- Stony Brook Elementary School, Hopewell
- Cadwalader Library, Trenton
- Village Elementary School, West Windsor

13 sites failed for physical barriers to the voting area

7 sites failed for other violations

The County Board of Elections certified on June 8, 2007, that **all 23 sites** would be accessible by the November 2007 election.¹⁰

Sites that Failed for Physical Barriers to the Voting Area

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Drew School, East Windsor	• Voters must climb a large step to enter building • No ramp or alternate entrance • Possible alternative entrance was locked • Sidewalk broken up and uneven • Insufficient number of accessible spaces; one had outdated penalty sign; no sign on other space	Fail	Fail	Inspector found the following barriers and violations: • Outdated penalty sign • Sign placed too low
Ewing High School, Ewing	• Voters must climb a 7 inch step from ground level into building at polling place with no ramp • Only door with a ramp that might have been accessible was locked and on the	Fail	Pass	Inspector notes the following barriers and fixes: • No accessibility to front door of polling place • County will provide temporary ramp

¹⁰ Numerous meetings between the DPA and the Mercer County Board of Elections, most recently on September 24, 2007, have made clear that the Board of Elections is making a serious effort, in cooperation with the county government, to achieve this goal.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
	opposite side of the building from the polling place. • Accessible parking behind the school, not near the voting entrance and in use by double-parked non-handicapped cars • Insufficient number of accessible spots • Penalty signs on accessible spots outdated			• Alternate door with easy access available
VFW Post 3525, Hamilton	• Ramp too steep and broken • No signs for accessible parking	Fail	Fail	Inspector found the following barriers and violations: • Doors have inaccessible handles • Accessible parking signs are outdated.
Alexander Elementary School, Hamilton	• There is a 1 inch high lip between the pavement and the base of ramp	Fail	Pass	Inspector found no physical barriers or other violations.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Mercer Co. Technical Schools, Arthur R. Sypek Center, Hopewell Twp.	• Interior main door has inaccessible handles • Possible accessible entrance is the furthest one from accessible parking • Accessible parking space lacking sign • No signs to direct voters generally, inspectors had to ask numerous persons where the polls were • Bathroom doorways too narrow • Men's restroom door requires more than 5 pounds of force • Women's restroom lacks sufficient clear floor space	Fail	Fail	Inspector notes the following violations: • No penalty signs on accessible parking spots • Women's restroom lacks sufficient clear floor space.
Hopewell Valley Regional Schools Administration Bldg., Pennington ¹¹	• Accessible entrance has insufficient landing area at top of ramp • One accessible parking space marked with paint on ground but no vertical sign • Two vertical signs missing penalty information • No signs to alternate entrance • Door to men's room blocked by boxes and soda machine	Fail	Pass	Inspector found the following barriers and violations: • Accessible entrance has insufficient landing • Accessible doorway less than 32 inches wide • Accessible parking has no penalty signs Inspection report included blueprints for planned modifications to fix defects.

¹¹ Although physically located in Pennington, this location serves voters in two Hopewell Township districts.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Lawrence Square Village Clubhouse, Lawrence	• Ramp has 1 inch lips at top and bottom • Ramp was placed in (not next to) one of accessible parking spots • Exterior door had inaccessible thumb latch • Door has 1 inch threshold • Rug at entrance excessively thick	Fail	Pass	Inspector found no physical barriers or other violations.
Hook and Ladder Firehouse, Princeton	• Voters must climb a 6-inch step to enter building • Door has inaccessible handle • Interior door frame only 30 inches wide • There is an entrance on grade that could be used, but path of travel is less than 18 inches wide due to vegetation growth; poll worker said that it was not an entrance, only open for ventilation • No sign to accessible door • Restroom entrance blocked by spare chairs and has inaccessible handle	Fail	Pass	Inspector found no physical barriers or other violations. Report also stated: • Main entrance requires a 4 inch step to enter. • Accessible entrance is side entrance with appropriate grading and width of door
Imani Comm. Ctr., Trenton	• Sidewalk cracked and broken up • Ramp into building had excessively wide handrails • Curb cut from street to sidewalk too steep • Parking lot across busy street from polling place • Bathroom door not wide enough	Fail	Fail	Inspector indicated only that no penalty signs were visible.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
South Village Senior Apartments, Trenton	• Construction in progress resulted in debris that reduced path of travel to less than 36 inches • Open elevator shaft created hazard • Ramp from foyer to hallway slightly too steep • Exterior door has inaccessible handle and is not propped open	Fail	Pass	Inspector found no physical barriers or other violations.
Stokes School, Trenton	• Approximately 5 very steep steps from sidewalk into building • Curb cut from street to sidewalk broken and overgrown. • No unlocked alternative route into building (Note: Mercer Board of Elections states there is an accessible entrance in the back of the school, but DPA inspectors did not locate this entrance. If this entrance was open and accessible, this site would fail for a signage violation, but not for a physical-barrier violation.)	Fail	Fail	Inspector only answered first question on the checklist (regarding availability of parking) indicated that there were no penalty signs
Mercer County Library, Washington Branch, Robbinsville (Washington Twp.)	• Landing at top of ramp too small • Sidewalk leading to accessible entrance rough and broken up	Fail	Pass	Inspector found no physical barriers or other violations.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
West Windsor Firehouse, West Windsor	• Door had 1 inch high threshold • Only accessible parking space had fireboat parked in it • No penalty signs • Restroom door was less than 30 inches wide • Bathroom fixtures inaccessible • Door propped open with flower pot that impedes entrance	Fail	Fail	Inspector found the following barriers and violations: • Accessible parking has no penalty signs

Sites that Failed for Other Violations

Name and Location	DPA Inspection Notes	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Kreps School, East Windsor	• Insufficient amount of accessible parking	Fail	Pass	Inspector found no physical barriers or other violations.
Central Baptist Church, Ewing	• No penalty sign at accessible parking space • Restroom doors too narrow	Fail	Pass	Inspector found no physical barriers or other violations. Noted that polling place will not be available for 2007 General Election due to renovations bringing building up to code.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Pennington Road Fire Company, Ewing	- Insufficient number of accessible parking spaces - No van-accessible parking with at least 8-foot-wide access aisle	Fail	Pass	Inspector found no physical barriers or other violations.
Sayen Elementary School, Hamilton	Outdated penalty information on accessible parking signs	Fail	Pass	Inspector found no physical barriers or other violations.
Nottingham Ambulance Squad, Hamilton	No accessible parking signs	Fail	Pass	Inspector found no physical barriers or other violations.
Knights of Columbus Council 355, Trenton	- No designated accessible parking spaces - No signs for parking or building entrance	Fail	Pass	Inspector found no physical barriers or other violations.
Washington Township Municipal Building, Washington Twp.	No signs to accessible entrance	Fail	Pass	Inspector found no physical barriers or other violations.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Middlesex County

0 sites passed

1 site failed for physical barriers to the voting area

1 site failed for other violations

The County Board of Elections **certified both** polling places as accessible on May 15, 2007.

Sites that Failed for Physical Barriers to the Voting Area

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
South Plainfield Middle School, South Plainfield	Landing at top of ramp too small - Penalty signs missing from accessible parking area	Fail	Pass	Inspector found no physical barriers or other violations.

Sites that Failed for Other Violations

Name and Location	DPA Inspection Notes	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
South Plainfield Rescue Squad, South Plainfield	Missing signs to accessible entrance, poll worker alleges sign blew away in wind	Fail	Pass	Inspector found no physical barriers or other violations.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Monmouth County

5 sites passed

- Lumley Homes, Asbury Park
- Firehouse, Atlantic Highlands
- Deal Firehouse, Deal
- West End Firehouse, Long Branch
- First Aid Squad, Neptune

5 sites failed for physical barriers to the voting area

3 sites failed for other violations

The County Board of Elections certified **all 13 sites** as accessible on May 4, 2007.

Sites that Failed for Physical Barriers to the Voting Area

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Asbury Park High School, Asbury Park	• Ramp to entrance door was excessively steep • Landing at top of ramp too small	Fail	Pass	Inspector found no physical barriers or other violations. Report did note that the signs for the on-street spaces contained outdated penalty information, but checklist asks about off-street parking.
Department of Public Works, Belmar	• Door has 1-inch threshold • Door handle inaccessible	Fail	Pass	Inspector found no physical barriers or other violations.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Firehouse, Bradley Beach	• Curb cut too narrow • Door propped open with chair, reducing sidewalk path of travel to less than 36 inches, worker moved it after discussion with inspection team • Insufficient accessible parking • Sign too low	Fail	Pass	Inspector found no physical barriers or other violations.
Oliver Byron Engine Co., Long Branch	• Exterior doorway has 2-inch threshold • Door has an inaccessible knob	Fail	Pass	Inspector found no physical barriers or other violations.
Norton Comm. Ctr., Sea Bright	• Exterior path of travel narrowed by temporary wooden stairs • An additional accessible parking place needed • Existing accessible parking spaces lacked access aisles	Fail	Pass	Inspector found no physical barriers or other violations.

Sites that Failed for Other Violations

Name and Location	DPA Inspection Notes	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Hook & Ladder Firehouse, Belmar	• Penalty sign too low	Fail	Pass	Inspector found no physical barriers or other violations.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Wilson Comm. Ctr., Highlands	• No signs to accessible entrance • Outdated penalty signs • Accessible parking not wide enough	Fail	Pass	Inspector found no physical barriers or other violations.
Operation Life Building, Long Branch	• Outdated parking penalty sign • Sign too low	Fail	Pass	Inspector found no physical barriers or other violations.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Passaic County

4 sites passed

- Haledon Public School, Haledon
- Sixth Reformed Church, North Haledon
- School No. 14, Paterson
- Riverside Veterans Building, Paterson

5 sites failed for physical barriers to the voting area

3 sites failed for other violations

The County Board of Elections submitted its certification about polling sites to the Division of Elections as of August 24, 2007. However, the Public Advocate was unable to obtain the first page of the report where the number of accessible and inaccessible sites are totaled.

Sites that Failed for Physical Barriers to the Voting Area

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
School No. 5, Clifton	• Doorway only 27 inches wide • Ramp unstable • Outdated penalty sign at accessible parking area	Fail	N/A	
St. Clare's School, Clifton	• No curb cut or other path of travel from parking area to sidewalk • No designated accessible parking spaces	Fail	N/A	

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
School No. 7, Paterson	• Voters must climb 4 steps to enter building • No ramps or alternative entrance • Outer door only 29 inches wide	Fail	N/A	
Finns' Mobile Homes, Wayne	• Door has 1.5-inch threshold • No penalty sign or markings for accessible parking	Fail	N/A	
Toms Lake Clubhouse, Wayne	• Door has 1-inch threshold • Accessible parking space is not wide enough and lacks 5 foot wide access aisle	Fail	N/A	

Sites that Failed for Other Violations

Name and Location	DPA Inspection Notes	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
School No. 27, Paterson	• No signs to accessible entrance	Fail	N/A	
School No. 1, Prospect Park	• Accessible parking sign concealed by overgrown foliage • No painted markings for accessible parking	Fail	N/A	

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Lafayette School, Wayne	No signs to accessible entrance	Fail	N/A	

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Union County

3 sites passed

- Union Catholic High School, Scotch Plains
- Senior Center, Union
- Wilson School, Westfield

18 sites failed for physical barriers to the voting area

3 sites failed for other violations

The County Board of Elections certified **all 24 sites** as accessible on July 3, 2007.

Sites that Failed Public Advocate Inspection for Physical Barriers to the Voting Area

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Berkeley Heights Rescue Squad, Berkeley Heights	• Access ramp too steep and had no handrails • No landing at top of ramp • No accessible parking in parking area	Fail	Fail	Inspector noted the following violation: • No specified accessible parking spots in parking area
Battin Career Center, Elizabeth	• Interior door requires more than 5 pounds of force to open • Door has inaccessible handle	Fail	Pass	Inspector found no physical barriers or other violations.
School No. 23, Elizabeth	• Ramp ended at a set of three stairs to get into building • No signs for voting location or alternative accessible entrance	Fail	Pass	Inspector found no physical barriers or other violations.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
St. Luke Parish House, Elizabeth	• Exterior path of travel too narrow, not clear • Ramps too narrow, too steep, and had no handrails • No accessible parking spots	Fail	Pass	Inspector found no physical barriers or other violations.
Barlow School, Plainfield	• Accessible entrance locked • Ramp slightly too steep • Minimal signs to accessible entrance • Outdated penalty information at accessible parking space	Fail	Fail	Inspector noted the following violation: • Outdated penalty information on parking signs
Maxon Middle School Plainfield	• Interior door required more than 5 pounds of pressure to open • Outdated penalty information at accessible parking space • Parking sign to high	Fail	Fail	Inspector noted the following violation: • Outdated penalty information on parking signs
Cook School, Plainfield	• Both ramps too steep • No signs to accessible entrance • Bathroom door too narrow	Fail	Pass	Inspector found no physical barriers or other violations.
Kumpf School , Plainfield	• Exterior door had improper handle • No penalty signs at accessible parking space • Bathroom inaccessible	Fail	Pass	Inspector found no physical barriers or other violations.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Abraham Clark High School, Roselle	• Interior path of travel not clear • Door into polling area had 1-inch unbeveled threshold • No signs directing voters to polling place from accessible entrance	Fail	Fail	Inspector found no physical barriers. But found the following violations: • (Regarding accessible parking) No handicap signs, but spaces available.
Harrison Ave. School, Roselle	• Ramp too steep • 1-inch threshold at door • Penalty signs outdated	Fail	Fail	Inspector found no physical barriers. But found the following violations: • (Regarding accessible parking) No penalty sign
Lorraine Firehouse, Roselle Park	• Old fire hydrant and other debris blocking path of travel	Fail	Fail	Inspector found no physical barriers. But found the following violations: • (Regarding accessible parking) Accessible, but no marked spaces or signs.
Park Middle School, Scotch Plains	• Interior door required more than 5 pounds of force to open • No accessible parking spots in parking area	Fail	Fail	Inspector noted the following violation: • Outdated penalty information on parking signs
Franklin School, Summit	• Interior door required more than 5 pounds of force to open • Accessible parking spots had outdated signs • Side-reach paper towel dispenser in bathroom too far from sink	Fail	Fail	Inspector found no physical barriers. But found the following violations: • (Regarding accessible parking) No signs, but spaces are provided
Senior High School, Summit	• Curb cut to sidewalk uneven and too steep • Accessible parking has outdated signs	Fail	Pass	Inspector found no physical barriers or other violations.

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Name and Location	DPA Inspection Notes (physical barriers in bold, others in normal font)	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
St. John's Lutheran Church, Summit	• Ramp too steep	Fail	Fail	Inspector found no physical barriers. But found the following violations: • (Regarding accessible parking) No signs, but spaces are provided
Kawameeh School, Union	• Curb cut to sidewalk broken and uneven • Exterior door has inaccessible handle • No handrails on ramp • Insufficient space next to accessible parking spots	Fail	Pass	Inspector found no physical barriers or other violations.
Washington School, Union	• Ramp from sidewalk to building too steep; ramp had no handrails • Door handle inaccessible • Interior path of travel not clear	Fail	Fail	Inspector found no physical barriers or other violations. But made the following notation: • (Regarding accessible parking) No spaces or signs, but site is accessible
Edison Intermediate School, Westfield	• Voters must climb 8-inch step from outside landing to outside door and 5-inch step in interior of building • No ramps or alternative entrance • No vertical signs at accessible parking space	Fail	Fail	Inspector noted the following violation: • No penalty signs at accessible parking

**Table 3: Polling Place Violations of Americans with Disabilities Act by County based on June 5, 2007
Inspections by the Public Advocate**

Sites that Failed for Other Violations

Name and Location	DPA Inspection Notes	DPA Inspection Result	County VAAC Inspection Result	County VAAC Inspection Notes
Berkeley Heights Firehouse, Berkeley Heights	No accessible parking spots in parking area	Fail	Fail	Inspector noted the following violation: No specified accessible parking spots in parking area
Cedarbrook School, Plainfield	Outdated penalty information and improper sign height at accessible parking place	Fail	Fail	Inspector noted the following violation: Outdated penalty information on parking signs
Jefferson School, Westfield	- Outdated penalty information and improper sign height at accessible parking place - No signs to accessible entrance	Fail	Fail	Inspector noted the following violation: Outdated penalty information on parking signs

Appendix A



2007 POLLING PLACE ACCESSIBILITY Checklist

If any questions are checked off as "No" please provide a brief explanation on the comments section of the checklist.

County: _____
Municipality: _____
Polling Address: _____
Building Name: _____
Ward(s) & District(s): _____
Inspected By: _____
Date Inspected: _____

- 1. If off-street parking is available to voters, will there be a sufficient number of spaces accessible for people with disabilities, and are they the proper size, on level ground that is stable, firm, slip resistant, properly identified, and is the shortest route to the closest entrance?** YES NO N/A
☐ ☐ ☐

Parking spaces accessible for the disabled must be at least 8' wide, with adjacent striped access aisles at least 5' wide. At least one accessible parking space in each parking lot and one in every eight accessible spaces must be van accessible with an access aisle at least 8' wide. The parking spaces and access aisles must be painted to contrast with the pavement. Each parking space must have signage that includes the International Symbol of Accessibility, the language "Reserved Parking" with appropriate arrow marks below, and a Penalty Sign that includes the language required by N.J.S.A. 39:4-197(3)c, "Penalty, \$250 First Offense. Subsequent Offenses \$250 minimum and/or up to 90 days Community Service". The lowest edge of the signs must be 60" from the ground when the sign is parallel to the sidewalk or walkway and it must be 72" above the ground when the sign is perpendicular to the walkway. N.J.A.C. 5:23-7.9(f) 1. This is not a range; it is a requirement.

- 2. Will any special parking accommodations be made on a temporary basis on Election Day for the elderly and people with disabilities? (Please specify on back.)** ☐ ☐ ☐

For example, will an area and/or on-street parking be identified as "for use only for people with disabilities"?

- 3. Is the path of travel to the entrance of the polling location at least 36" wide, except doorways, and is the ground stable, firm, and slip resistant with no changes in elevation greater than 1/4" or 1/2", including curbs? A change in level greater than 1/4" can be beveled at 1:2 up to 1/2"; higher than 1/2" is a ramp and has to be constructed at 1:12. Refer to question six for ramps.** ☐ ☐ ☐

- 4. Will disabled voters be required to use an alternate entrance:** ☐ ☐ ☐
- a. Will there be directional signage to the alternate entrance? ☐ ☐ ☐
- b. Will the alternate entrance be identified with the international symbol of accessibility? ☐ ☐ ☐
- c. Will the alternate entrance be left unlocked? ☐ ☐ ☐

- 5. Are all doorways leading to the voting area handicapped accessible?** ☐ ☐ ☐

Doors should be easy to open for those with limited hand/arm motion. Door hardware should be easy to grasp with one hand without tight grasping or twisting of the wrist to operate. Lever operated mechanism, push-type mechanism and U-shaped handles are acceptable designs. Doors should also provide a clear opening of 32" and have thresholds beveled with a slope not exceeding 1:2. Interior doors should not exceed 5lbs of force.

- 6. If ramps are used to gain access to the location, are they accessible to people with disabilities?** ☐ ☐ ☐

Ramp must be at least 36" wide, stable, firm, and slip resistant. Least possible slope should be used for any ramp. 1:12 is recommended. Ramps on existing buildings that have a slope of 1:10 to 1:12 are allowed for a rise up to 6". A slope of 1:8 to 1:10 is allowed for a raise up to 3". Handrails on both sides of the ramp must be used if there is a rise exceeding 6", and protected edges of a minimum of 2" in height must be used with drop-offs exceeding 6". The ramp should have a 5' by 5' landing at the top of the ramp, the bottom of the ramp and where the ramp changes direction.

YES NO N/A

7. Is the interior path of travel at least 36" wide, except doorways, and is stable, firm, slip resistant, and well-lit with no changes in elevation greater than ¼" or ½"? A change in level greater than ¼" can be beveled at 1:2 up to ½"; higher than ½" is a ramp and has to be constructed at 1:12. Refer to question six for ramps. ☐ ☐ ☐
8. Objects should protrude from the wall no more than 4". If the leading edges of objects between 27" and 80" above the floor protrude from the wall more than 4", is there protection provided that is detectable by someone using a cane or to alert people who are blind or have low vision? ☐ ☐ ☐
9. If elevators are used, does one have a clear opening of 32", have an interior that is at least 68" X 54", and have easy to use operating controls that are no higher than 48" above the floor? ☐ ☐ ☐
10. Are the ceilings and any objects hanging from the ceiling at least 6' 8" high? ☐ ☐ ☐
11. Will at least one table used for signing the poll books have a clear knee space underneath that is at least 27" high and 30" wide, and is at least one of the table tops a maximum of 34" above the floor? ☐ ☐ ☐
12. Are restrooms available to voters? (Doorways should comply with #5 above.) ☐ ☐ ☐
 - a. Is there clear floor space of at least 5' by 5' clear of the door swing? ☐ ☐ ☐
 - b. Are the water faucets operable without tight grasping, pinching, or twisting of the wrist? ☐ ☐ ☐
 - c. Is the soap dispenser no more than 48" above the floor? ☐ ☐ ☐
 - d. Is the paper towel dispenser no more than 54" for a side reach or 48" for a forward reach? ☐ ☐ ☐
13. Will typed instructions at the voting machine be in at least 14 type font? ☐ ☐ ☐
14. Have additional comments been placed on this form, such as descriptions of barriers? ☐ ☐ ☐

Additional Comments:[illegible]

Appendix B

**POLLING PLACE ACCESSIBILITY CHECKLIST
PROPOSED BY THE DEPARTMENT OF THE PUBLIC
ADVOCATE**

Part I: To be completed and signed by VAAC inspection team

County:	_____
Municipality:	_____
Polling Address:	_____
Building Name:	_____
Ward(s) & District(s):	_____
Inspected By:	_____
Date Inspected:	_____

TRUE FALSE N/A

1. If off-street parking is available to voters, complete the following. Otherwise, check N/A and go to item 2.

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 1.1. There is at least one accessible parking space in each parking lot. (An accessible parking space for voters with disabilities must be at least 8' wide, with adjacent striped access aisles at least 5' wide.) | ☐ | ☐ | ☐ |
| 1.2. At least one in every eight accessible spaces is van accessible with an access aisle at least 8' wide. | ☐ | ☐ | ☐ |
| 1.3. These accessible parking spaces are on level ground that is stable, firm, and slip resistant. | ☐ | ☐ | ☐ |
| 1.4. The accessible parking spaces serving the voting area are on the shortest accessible route to the accessible entrance. | ☐ | ☐ | ☐ |
| 1.5. The parking spaces and access aisles are painted to contrast with the pavement. | ☐ | ☐ | ☐ |
| 1.6. Each parking space has signage that includes the International Symbol of Accessibility, the language "Reserved Parking" with appropriate arrow marks below, and a Penalty Sign that includes the language required by N.J.S.A. 39:4-197(3)c, "Penalty, \$250 First Offense. Subsequent Offenses \$250 minimum and/or up to 90 days Community Service." | ☐ | ☐ | ☐ |
| 1.7. The lowest edge of the signs is 60" from the ground when the sign is parallel to the sidewalk or walkway and 72" above the ground when the sign is perpendicular to the walkway. (This is not a range; it is a requirement. N.J.A.C. 5:23-7.9(f).) | ☐ | ☐ | ☐ |

2. If the site has off-street parking that is not compliant, complete the following.

Otherwise, check N/A and go to item 3.

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 2.1. Special parking accommodations will be made on a temporary basis on Election Day for the elderly and people with disabilities. | ☐ | ☐ | ☐ |
| 2.2. A passenger drop-off area will be provided that will be identified as "for use only for people with disabilities." | ☐ | ☐ | ☐ |
| 2.3. On-street parking will be provided that will be identified as "for use only for people with disabilities." | ☐ | ☐ | ☐ |
| 2.4. Other special parking accommodations will be provided. | ☐ | ☐ | ☐ |

3. Exterior path of travel to the entrance of the building housing the polling location. (The result of doorways inspections should be reported in item 5 below.)

TRUE FALSE N/A

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 3.1. The path of travel to the entrance of the polling location is at least 36" wide (excluding doorways) | ☐ | ☐ | ☐ |
| 3.2. The ground along this path is the ground stable, firm, and slip resistant. | ☐ | ☐ | ☐ |
| 3.3. Along this path, there are no changes in elevation greater than ¼" or ½" (including curbs but not including ramps, which are defined as changes in level greater than ½"). Note: if ramps are needed but not installed, check false; if ramps are installed, complete question 6. | ☐ | ☐ | ☐ |
| 3.4. If there are changes in elevation between ¼" and ½", these are beveled at 1:2 up to ½" | ☐ | ☐ | ☐ |

4. If voters with disabilities are required to use an alternate entrance to the building housing the polling location, complete the following. Otherwise, check N/A and go to item 5.

☐

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 4.1. There is directional signage to the alternate entrance. | ☐ | ☐ | ☐ |
| 4.2. The alternate entrance is identified with the international symbol of accessibility. | ☐ | ☐ | ☐ |
| 4.3. The alternate entrance will be left unlocked on Election Day. | ☐ | ☐ | ☐ |

5. For all doorways (both interior and exterior) leading to the voting area, complete the following.

- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 5.1. Doors are easy to open for those with limited hand/arm motion. | ☐ | ☐ | ☐ |
| 5.2. Door hardware is easy to grasp with one hand without tight grasping or twisting of the wrist to operate. (Note: Lever operated mechanisms, push-type mechanisms and U-shaped handles are acceptable designs.) | ☐ | ☐ | ☐ |
| 5.3. Doors provide a clear opening of 32". | ☐ | ☐ | ☐ |
| 5.4. Doors have thresholds beveled with a slope not exceeding 1:2. | ☐ | ☐ | ☐ |
| 5.5. Force required to open interior doors does not exceed 5lbs. | ☐ | ☐ | ☐ |

6. If ramps are used to provide access to the voting area, complete the following. Otherwise, check N/A and go to item 7. (Note: A change in level higher than ½" requires a "ramp" and has to be constructed at a 1:12 slope.)

☐

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 6.1. Ramps are at least 36" wide. | ☐ | ☐ | ☐ |
| 6.2. Ramps are stable, firm, and slip resistant. | ☐ | ☐ | ☐ |
| 6.3. Ramps have a slope no greater than 1:12. (Note: A slope of 1:10 to 1:12 is allowed for a rise up to 6". A slope of 1:8 to 1:10 is allowed for a raise up to 3"). | ☐ | ☐ | ☐ |
| 6.4. If there is a rise exceeding 6", handrails on both sides of the ramp are used. | ☐ | ☐ | ☐ |
| 6.5. If there are drop-offs exceeding 6", protective ramp edges of a minimum of 2" in height are used. | ☐ | ☐ | ☐ |

6.6. The ramp has a 5' by 5' landing at the top of the ramp, the bottom of the ramp, and where the ramp changes direction

☐ ☐ ☐

7. Interior path of travel. (The result of doorway inspections should be reported in item 5 above.)

7.1. This path is at least 36" wide (excluding doorways).

☐ ☐ ☐

7.2. This path is stable, firm, slip resistant, and well-lit.

☐ ☐ ☐

7.3. Along this path, there are no changes in elevation greater than ¼" or ½" (not including ramps, which are defined as changes in level greater than ½"). Note: if ramps are needed but not installed, check false; if ramps are installed, complete question 6.

☐ ☐ ☐

7.4. If there are changes in elevation between ¼" and ½", these are beveled at 1:2 up to ½".

☐ ☐ ☐

8. Protruding objects.

8.1. Objects do not protrude more than 4" from the wall.

☐ ☐ ☐

8.2. If the leading edges of objects between 27" and 80" above the floor protrude from the wall more than 4", there is protection provided that is detectable by someone using a cane or that will alert people who are blind or have low vision.

☐ ☐ ☐

8.3. All objects that hang over the pedestrian routes are 80 inches or more above the route.

☐ ☐ ☐

9. If elevators are used, complete the following. Otherwise, check N/A and go to item 10.

☐

9.1. The elevator has a clear opening of 32".

☐ ☐ ☐

9.2. The elevator has an interior that is at least 68" x 54".

☐ ☐ ☐

9.3. The elevator has easy to use operating controls that are no higher than 48" above the floor.

☐ ☐ ☐

9.4. Raised letters and Braille characters are used to identify each floor button and control.

☐ ☐ ☐

9.5. The elevator equipped with audible tones or bells or verbal annunciators that announce each floor as it is passed.

☐ ☐ ☐

10. Ceilings

10.1. The ceilings (measured from the bottom of any objects hanging from the ceiling) are at least 6' 8" high.

☐ ☐ ☐

11. Tables for polling books

11.1. At least one table used for signing the poll books will have a clear knee space underneath that is at least 27" high and 30" wide.

☐ ☐ ☐

TRUE FALSE N/A

11.2. The top of this table is a maximum of 34" above the floor.

☐ ☐ ☐

12. If restrooms are available to voters, complete the following. Otherwise, check N/A and go to item 13.

☐

12.1. Doorways comply with #5 above.

☐ ☐ ☐

12.2. There is clear floor space of at least 5' x 5' that is clear of the door swing.

☐ ☐ ☐

12.3. The water faucets are operable without tight grasping, pinching, or twisting of the wrist.

☐ ☐ ☐

12.4. The soap dispenser is no more than 48" above the floor.

☐ ☐ ☐

12.5. The paper towel dispenser is no more than 54" for a side reach or 48" for a forward reach.

☐ ☐ ☐

13. Voting machine instructions

13.1. Typed instructions at the voting machine will be in at least 14-point font.

☐ ☐ ☐

14. If a wheelchair lift is used, complete the following. Otherwise, check N/A and go to item 15.

☐

14.1. The lift is operational.

☐ ☐ ☐

14.2. The change in level from the floor to the lift surface is ramped or beveled.

☐ ☐ ☐

14.3. There is at least a 30-inch by 48-inch clear floor space on the wheelchair lift.

☐ ☐ ☐

14.4. The lift allows a wheelchair user unassisted entry, operation, and exit.

☐ ☐ ☐

14.5. The controls and operating mechanisms are mounted no more than 48 inches above the floor.

☐ ☐ ☐

14.6. The controls and operating mechanisms are usable with one hand without tight grasping, pinching, or twisting.

☐ ☐ ☐

15. If you answered “false” to any of the questions above, provide a specific and detailed description of the problem, what can be done to bring this item into compliance for Election Day, and who (name/title) is responsible. (If more room is needed, attach extra sheets.)

16. Are any of the identified problems so substantial that they could not be easily remedied prior to the next election? If so, specify what the problems are and the reasons for your conclusions.

17. Signature of principal inspector

Date

Part II: To be filled out by County Board of Elections

1. Describe what will be done to bring this polling site into compliance by Election Day and by whom:

2. Alternatively, if the polling place needs to be relocated, state where it will be moved to:

3. Signature of board of elections personnel:

Date