



TESTIMONY FOR FY2025-2026 PERFORMANCE OVERSIGHT
HEARING FOR THE BOARD OF ELECTIONS

COMMITTEE ON EXECUTIVE ADMINISTRATION AND LABOR
Written Testimony of Disability Rights DC at University Legal Services
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Disability Rights DC at University Legal Services (DRDC) appreciates the opportunity to testify about the DC Board of Elections' (BOE's) obligation to ensure that all District residents with disabilities have a full and equal opportunity to vote. DRDC is the federally-designated Protection and Advocacy program for the District. Among other programs, we advocate on behalf of District residents with disabilities to promote their equal access to voting. The Help America Vote Act of 2002 (HAVA) charged protection and advocacy organizations throughout the nation, including DRDC, to "ensure full participation in the electoral process for individuals with disabilities, including...accessing polling places." 52 U.S.C. § 21061. For over 20 years, DRDC has surveyed the accessibility of the District's polling sites, provided recommendations to the Board of Elections, and issued comprehensive reports in effort to ensure full compliance with HAVA and the Americans with Disabilities Act (ADA).

DRDC uses a checklist¹ to survey the District's vote centers and ballot drop boxes for accessibility. Our checklist surveys for both operational accessibility and structural accessibility. Structural inaccessibility refers to issues at a vote center that BOE staff or poll workers cannot remedy, such as broken elevators or ramps that don't comply with ADA standards. Operational inaccessibility refers to issues at the vote center that could be remedied by BOE staff or poll workers, such

¹ This accessibility checklist was developed by DRDC using the U.S. Department of Justice's ADA Checklist for Polling Places (2016) (available at <https://www.justice.gov/voting/accessibility-voting>) and has been adopted as a national model.

as insufficient accessible parking, incorrect signage, or missing assistive equipment.

DRDC surveyed 97.33% (73 of the District's 75) vote centers during the November 2024 General Election. Our surveys showed:

- 12.32% (9 of the 73 vote centers surveyed) were structurally inaccessible,
- 55% (40 of the 73 vote centers surveyed) were operationally inaccessible,
- 6.85% (5 of 73 vote centers surveyed) were both structurally and operationally inaccessible.

DRDC also surveyed 11 of the 12 available vote centers during the July 2025 Special Election. Though our report is not yet final, our preliminary survey results show that 27.27% (3 of 11 vote centers surveyed) were structurally inaccessible, operationally inaccessible, or both structurally and operationally inaccessible. These results unfortunately demonstrate that BOE is not meeting its legal obligations to ensure voting accessibility throughout the District.

BOE Continues to Utilize Structurally Inaccessible Vote Centers in Violation of Federal Laws

The ADA requires state and local governments and their election officials to ensure that people with disabilities have a full and equal opportunity to vote in all elections. That includes ensuring that people with disabilities can access and use voting facilities. Despite this mandate, BOE knowingly continues to use vote centers that are structurally inaccessible.

In its FY2024-2025 oversight report, BOE explained that its accessibility analysis for vote centers begins with “physical accessibility, where the BOE evaluates entrance and exit accessibility by assessing ramps, door widths, and automatic door openers to ensure compliance with ADA standards.”² Nevertheless, BOE has proposed at least nine vote

² DC Board of Elections, FY 2024-FY2025 Performance Oversight Report, p. 96, (Feb. 19, 2025), available at <https://dccouncil.gov/wp-content/uploads/2025/02/2025-BOE-POH-Report-FINAL-Prehearing-Responses.pdf>.

centers³ to be used for the 2026 Primary Election, despite being aware that those locations pose significant structural accessibility issues. These locations present issues such as abrupt rises in the pathway⁴ that are difficult for individuals with mobility disabilities to navigate, inaccessible elevators,⁵ ramps out of compliance with ADA standards,⁶ narrow doorways,⁷ and pathways obstructed by significant broken concrete.⁸ DRDC has repeatedly made BOE aware of these issues in our reports and most recently in our January 2026 comments on BOE's list of proposed vote center locations. Structural barriers can wholly bar individuals with disabilities from accessing vote centers, thereby restricting the right to full and equal participation in the voting process as promised by HAVA. DRDC requests the Council to ensure that BOE has worked or will work with other District agencies to ameliorate the accessibility barriers or will finalize alternative locations for these structurally inaccessible vote centers.

³ Those vote centers include Columbia Heights Education Campus (3101 16th Street NW, 20010), Fifteenth Street Presbyterian Church (1701 15th Street NW, 20009), Powell Elementary School (1350 Upshur Street NW, 20011), Shepherd Recreation Center (7800 14th Street NW, 20012), Stuart-Hobson Middle School (410 E Street NE, 20002), Watkins Elementary School (420 12th Street SE, 20003), Nalle Elementary School (219 50th Street SE, 20019), Covenant Baptist Church (3845 South Capitol Street SW, 20032), and Hendley Elementary School (425 Chesapeake Street SE, 20032). A tenth vote center, Shiloh Baptist Church (1500 9th Street NW, 20001) was also previously found to be structurally inaccessible due to an abrupt rise, but DRDC has not surveyed this location since the 2008 Primary Election and is unaware if the issue has been fixed since then.

⁴ These locations include: Columbia Heights Education Campus, Powell Elementary School, Shepherd Recreation Center, Watkins Elementary School, and Nalle Elementary School.

⁵ This location is Fifteenth Street Presbyterian Church. BOE has been aware of the inaccessibility of this elevator for over 14 years and has previously reported in its performance oversight response to the DC Council that this vote center has an elevator that does not conform to the ADA requirements for elevator cars. DC Board of Elections, Oversight Responses FY 2022-FY2023, Question 67 (p.126), available at <https://dccouncil.gov/wp-content/uploads/2023/02/2023-Performance-Oversight-Responses-DC-BOE.pdf>.

⁶ These locations include: Powell Elementary School, Shepherd Recreation Center, Stuart-Hobson Middle School, Nalle Elementary School, and Covenant Baptist Church.

⁷ This location is Stuart-Hobson Middle School.

⁸ This location is Hendley Elementary School.

BOE Must Ensure Operational Accessibility at All Vote Centers

BOE is aware of its own shortcomings with regards to operational accessibility: for at least the fourth⁹ year in a row, BOE failed to meet its own target with respect to the target percentage of polling places that were operationally accessible. BOE's 2024 Performance Plan noted that in FY2022, only 59.5% of its polling places were operationally accessible.¹⁰ In FY2023, only 59% of its polling places were operationally accessible.¹¹

To BOE's credit, in its Oversight Responses for FY2024-FY2025, BOE noted that its "election worker training was modified to emphasize accessibility and its importance. As such, each election worker received accessibility training for the 2024 election cycle."¹² This training focused on "Title II of the ADA, compliance, awareness, and disability etiquette" and "election workers learned how to set up voting machines in an accessible manner."¹³ According to BOE's own reports, the 2024 election cycle demonstrated a significant increase in operational accessibility at vote centers. In FY2024 and FY2025, BOE reported significant increase in operational accessibility.¹⁴ This seems to indicate that the accessibility training implemented ahead of the 2024 election cycle may have had a positive impact on accessibility.¹⁵

⁹ BOE began measuring operational accessibility of polling places as a key performance indicator (KPI) in 2018 (see BOE FY20 Plan, available at <https://oca.dc.gov/sites/default/files/dc/sites/oca/publication/attachments/BOE20.pdf>), but it is unclear how BOE measures this KPI. DRDC's own accessibility reports widely differ in operational accessibility results for those same years, as discussed later in this testimony.

¹⁰ DC Board of Elections, FY 2024 Performance Plan, p. 7 (Dec. 1, 2023), available at https://oca.dc.gov/sites/default/files/dc/sites/oca/page_content/attachments/Board%20of%20Elections_2023-12-01.pdf.

¹¹ *Id.*

¹² DC Board of Elections, Performance Oversight Report: Fiscal Year 2024-2025 at 27 (Feb. 19, 2025), available at: <https://dccouncil.gov/wp-content/uploads/2025/02/2025-BOE-POH-Report-FINAL-Prehearing-Responses.pdf>.

¹³ DC Board of Elections, "2024 General Election After-Action Report, Attachment 5: Americans with Disabilities Act (ADA) Overview," (p.1), available at <https://www.dcboe.org/open-government,-reports,-foia/after-action-reports>.

¹⁴ DC Board of Elections, FY 2025 Performance Plan, p. 6 (Nov. 26, 2024), available at https://oca.dc.gov/sites/default/files/dc/sites/oca/page_content/attachments/DCBOE.pdf.

¹⁵ DRDC's surveys on the November 2024 General Election reported only 55% of polling places as operationally accessible. DRDC, "Access the Vote: Voting Accessibility

Unfortunately, DRDC’s reports widely differ in operational accessibility results, though we can agree there was an improvement in operational accessibility between FY2024 and FY2025. BOE reported 70% of polling places were operationally accessible for FY2024 (covering the 2024 Primary Election), whereas DRDC reported only 29.33% of vote centers as operationally accessible for that same year (DRDC found 70.67% of polling places as operationally *inaccessible* that year). This is a continuing trend: BOE self-reports a much higher level of accessibility than DRDC observes using our accessibility checklist (which has been adopted as a national model). The chart below directly compares BOE’s self-reported operational accessibility metrics with DRDC’s reports.

BOE’s Self-Reported Metrics of Operationally Accessible Polling Places vs. DRDC’s Reported Metrics of Operationally Accessible Polling Places

FY	BOE Performance Plan Report	DRDC Report
2020	100% operationally accessible	50% operationally accessible
2021	100% operationally accessible	17% operationally accessible
2022	59.5% operationally accessible	24% operationally accessible
2023	59% operationally accessible	30% operationally accessible
2024	70% operationally accessible	29.33% operationally accessible
2025	73% operationally accessible	45% operationally accessible

DRDC applauds BOE for recognizing that additional training was necessary to improve operational accessibility at vote centers throughout

in the District of Columbia During the November 5, 2024 General Election,” available at https://cdn.prod.website-files.com/65792ba62c7815e2cdc139a2/68d56db91332330231bf92e8_Nov.%205%202024%20General%20Election%20Accessibility%20Report.pdf. DRDC’s report on the November 2024 General Election was published after BOE published its FY2025 Performance Plan, where BOE reported 70% of polling places were operationally accessible.

the District. Despite these efforts, it is concerning that BOE still fails to reach its goal of 100% operational accessibility and has not seen a lasting significant improvement in operational accessibility across several fiscal years. DRDC also is unsure what metrics BOE uses to analyze its own operational accessibility, given the wide discrepancies in BOE's self-reporting versus DRDC's own results. BOE must continue to do more to improve operational accessibility in its elections, including continuing to improve its training regimen for election workers, ensuring sufficient signage¹⁶ is available at each vote center, and conducting accessibility surveys well in advance of vote centers opening to the public so that any barriers may be corrected beforehand.

Implementation of Ranked Choice Voting

DRDC also wants to express our thoughts regarding BOE's implementation of and outreach and education on ranked choice voting ahead of the 2026 Primary Election. BOE has acknowledged that it will focus its outreach efforts regarding ranked choice voting on various populations, including seniors and voters with disabilities.¹⁷ BOE also noted that it will plan outreach events at senior facilities and rehabilitation centers. DRDC asks the Committee to ensure that BOE's implementation of ranked choice voting is done in an accessible manner.

DRDC supports the Board's public commitment to ensure that the District's disability community receives particular attention to raise awareness of the change of ranked choice voting. We submitted comments to the Board on its ranked choice voting outreach efforts via a letter on January 15, 2026 and made recommendations to further ensure the Board connects with voters with disabilities where they are, including that the Board consider conducting outreach events at nursing facilities and assisted living facilities more broadly, as well as other institutions that serve people with disabilities, such as the Psychiatric Institute of Washington (PIW), St. Elizabeth's Psychiatric Hospital, Mental Health Community Residential Facilities, and DC's Central Detention Facility and Correctional Treatment Facility. A review of the Board's calendar events shows that the

¹⁶ Such signage includes signage indicating accessible parking areas, curbside voting, and accessible routes and entrances.

¹⁷ DC Board of Elections, Roundtable Testimony Nov. 24, 2025, (p.6), available at: [Executive Administration and Labor -Roundtable - DC Council Hearings Management System](#).

Board is conducting ranked choice voting workshops at churches, libraries, and senior centers throughout the District.¹⁸ Though DRDC supports these outreach opportunities, we also urge the Board to conduct these workshops at places where the disability community is historically isolated: nursing facilities, assisted living facilities, and other institutions in the District that serve people with disabilities. The Board has historically conducted voter registration drives at such locations with great success,¹⁹ so it should not be difficult for the Board to coordinate similar ranked choice voting trainings.

DRDC routinely conducts outreach trainings at institutions that provide services to people with disabilities, including nursing facilities, throughout the District. As a part of these trainings, DRDC explains the voting rights of individuals with disabilities. At multiple separate trainings over the past month, we have asked dozens of nursing facility residents whether anyone is aware of the change of ranked choice voting and whether anyone has heard from or received any information from the Board of Elections about this change. The result has been a resounding no: not a single person responded that they were aware that DC is implementing ranked choice voting or that they had received any outreach information from the Board of Elections about this change. The Board must do more to meet with and provide information to individuals with disabilities where they are at to ensure that all District residents are informed about these changes.

The Board's website provides an "interactive ballot" that allows visitors to "practice" ranked choice voting. The website also notifies visitors that they can "Practice RCV in person at DC BOE's office" by scheduling an appointment.²⁰ Individuals in institutions such as the ones mentioned above should also have access to practicing their vote in person and we urge the Board to conduct hands on demonstrations that simulate the voter experience using voting equipment and a sample ranked choice ballot at all their outreach events to the disability community.

¹⁸ DC Board of Elections, Events Calendar, available at <https://www.dcboe.org/events>.

¹⁹ See *generally* DC Board of Elections FY 2024-FY2025 Performance Oversight Report, p. 49-77 (Feb. 19, 2025), available at <https://dccouncil.gov/wp-content/uploads/2025/02/2025-BOE-POH-Report-FINAL-Prehearing-Responses.pdf>.

²⁰ DC Board of Elections, Ranked Choice Voting in DC, available at <https://dcboe.org/rcv>.

BOE also plans to have available on its website and mail households various printed materials, in multiple languages and in large print, regarding ranked choice voting prior to the Primary Election. DRDC urges BOE to also make these materials widely available at nursing facilities and other facilities that serve people with disabilities. It would also benefit the disability community to have the information available in other formats, such as Braille, easy-read format, and a video (including with ASL and captions) explaining ranked choice voting on BOE's website.²¹ We also urge the Council to ensure BOE conducts accessibility testing of the ranked choice voting ballot by testers who have print-related disabilities and have a range of other disabilities prior to the 2026 Primary Election to ensure the ballot design is accessible, including while using the accessible remote ballot system.

Conclusion

DRDC submitted comments to BOE regarding the accessibility of both proposed vote center and ballot drop box locations for the 2026 Primary Election and regarding the implementation of ranked choice voting. Though we expressed the above concerns regarding ranked choice voting outreach, we have yet to receive any response from the Board. BOE reported in its Performance Oversight Report that the Board's ADA Coordinator has resigned and that the Board plans to fill that position "as soon as possible."²² DRDC is concerned about the effect this vacancy will have on the accessibility of the June Primary Election, particularly given novel accessibility issues that may arise with the implementation of ranked choice voting.

DRDC asks the Committee, in its oversight capacity, to ensure the Board's roll out of ranked choice voting is accessible and that outreach is done to meet with individuals with disabilities where they are. We also ask the Committee to monitor the Board's efforts to fill its ADA Coordinator

²¹ At the performance oversight hearing on February 26, 2026, the Office of Deaf, Deafblind, and Hard of Hearing (ODDHH) told the Council that it would work with BOE to translate all of BOE's materials in ASL. DRDC urges the Council to follow up with BOE and ODDHH to ensure that this collaboration happens and that all outreach and voting materials are accessible to all DC residents across the disability spectrum.

²² DC Board of Elections FY 2025-FY2026 Performance Oversight Report, p.118 (Feb. 26, 2026), available at [BOE Official Doc Performance Hearing - FINAL.pdf](#).

position and work with partner agencies to ensure that all vote centers and mail ballot drop boxes are accessible prior to the 2026 elections.

Thank you for this opportunity to submit testimony on these important issues.