

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO**

SHELBI HINDEL, *et al.*,

*

Plaintiffs,

*

v.

*

Civil Action No. **2:15-cv-3061**

JON A. HUSTED,

*

Defendant.

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* * * * *

DECLARATION OF BARBARA PIERCE

I, Barbara Pierce, declare as follows:

1. I am over 18 years of age and am competent to make this declaration.
2. I reside in Oberlin, Ohio.
3. I am blind and a member of the National Federation of the Blind.
4. I am registered to vote in Ohio.
5. I access text on my computer by using VoiceOver, a type of screen access software that is built into Apple products. VoiceOver reads aloud the text that appears on my computer screen. I regularly use VoiceOver to read and complete electronic forms on my computer.
6. My husband and I recently moved from our old home into a retirement community. In advance of the November 3, 2015 election, I attempted to update my voter registration to reflect my new address. I began trying to change my voter registration in September 2015 by visiting the Secretary of State's voter services website. Because of the website's poor design, however, I could not find the correct page for changing voter registration on my own. I can usually navigate

a website by reading the headings, but on the voter services website, VoiceOver was not able to read the headings to me.

7. Once I found the online voter registration change form within the voter services website, with assistance, I could not independently fill out the form using VoiceOver. At the first box, I was prompted to enter my state identification number, but after I entered the number, I could not get the website to read the number back to me to confirm that I had entered it correctly. When I attempted to enter my last name in the next box, I got kicked back to the first box and found myself overwriting my state identification number with my last name. When I tried to erase this, VoiceOver jumped out of the text box into a different part of the screen. I could not fill out the change of registration form on my own. I know that the problem was not VoiceOver because when websites are designed to be accessible, I have no trouble navigating them and entering information into form fields.

8. Although I prefer voting in person, I want the option of voting absentee in case I am ever ill or traveling on election day. In addition, after an awful experience voting in person I had in a past election, I may opt to vote absentee in future elections to avoid repetition. During that past election, although the poll workers were very kind and tried to be helpful, my voting machine would not work with the accessible keypad this past election. I tried several times to make the machine work, as did the poll workers, but the problem could not be fixed. As a result, in order to vote, I had to have my husband read me the ballot and cast my votes for me. I love my husband, but I do not want to rely on him to cast my vote for me and I should not have to disclose to him the candidates for whom I vote. To me, being able to vote means being able to vote privately, without having to reveal my selections to anyone else. I fear that this devastating experience could repeat itself in future elections, in which case I would opt to vote absentee.

9. I plan to vote in the March 15, 2016 presidential primary and want the option of voting absentee privately and independently in that election. I also want to be able to access information about the election and complete my change of registration form on the voter services website by myself in advance of the March election.

10. I cannot fill out a paper absentee ballot privately and independently. Because I am blind, I require sighted assistance to read printed text and to mark my selections on a paper ballot.

11. For the same reasons it is important to me to vote privately and independently at the polling place, it is just as important to me to vote privately and independently by absentee ballot. I want to vote for myself, not have my husband vote for me. I am also extremely uncomfortable relying on strangers to mark my votes for me.

12. I would be able to vote absentee privately and independently if I could fill out my absentee ballot on my computer, using VoiceOver to read me the text of the ballot and my keyboard to make my selections.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/4/2015


Barbara Pierce