

Comments on SB HB1345 — Mail-in Voting

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Thank you for the opportunity to comment on the value of making mail-in ballots and vote-by-mail materials easier for voters to use. I am a human/computer interaction researcher at the University of Baltimore, and I have been researching information and interaction design for people who don't read well, or who use assistive technology, for nearly 20 years. (more here)

It has been my great pleasure to work with the Maryland State Board of Elections on projects that include

- Usability & accessibility testing to evaluate ballot marking devices
- Expert review and usability testing of the online voter registration and online ballot marking tools
- Training materials for poll workers, checklists for poll workers
- Paper application for mail-in ballot

Simplifying the language on the envelopes used for mail-in votes in November helped reduce Maryland's number of rejected ballots in 2020 as compared to 2016.

Bill HB1345 solidifies this improvement and paves the way for essential further progress towards fully inclusive elections. HB1345 expands support for voters through a consistent state-wide envelope template designed with best practices for plain language and plain interaction. It also simplifies the certification process for individuals who assist voters with mail-in voting, and implements a cure process for missing signatures or other issues that can lead to ballot rejection. These are important steps forward in making Maryland elections universal and inclusive. I am proud to be a citizen of a state that is committed to enabling as many voters to participate in our democracy as possible, without sacrificing any of the commitment to safety and security that makes Maryland exemplary.

I would like to focus my testimony on the power and importance of **plain language** in voting materials.

Plain Language

Many legislators will already be familiar with the concept of plain language. Using simple and familiar words, in simple sentences, allows the vast majority of voters to understand and follow the instructions they need in order to vote.

Using plain language is helpful for all voters, since even highly literate voters appreciate materials that are easy to use and understand. (No one ever finished filling out a form and said, “I wish that process had taken longer and been more complicated!”)

In fact, research shows that plain language allows both high- and low-literacy readers to find information more quickly, answer more questions correctly, and perform more tasks successfully.

Plain language is absolutely essential for people who don’t read well. In Maryland, nearly 1 million adults in Maryland read at Level 1 or below, and more than 1.5 million adults in Maryland read at Level 2, as measured by the Survey of Adult Skills (conducted in 2017 by the National Center for Education Statistics in the U.S. Department of Education; see <https://nces.ed.gov/surveys/piaac/skillsmap/>.)

According to this most recent Survey of Adult Skills (2017), nearly 50% of adults in the United States perform on the lower end of the literacy spectrum. Adults in this range can perform only the most basic of tasks, which can affect their ability to understand and perform the activities associated with voting. These voters are effectively disenfranchised when election materials are not written in plain language.

Low literacy doesn’t mean someone can’t read. More often, it means having trouble with word recognition, understanding sentence structure, being able to locate a piece of information in text, being able to make inferences, or being able to connect one piece of information to another. Voters with low literacy may read slowly, with great effort, and they may come away with an incomplete or incorrect understanding of what they’ve read. Such readers need to devote so much cognitive capacity to low-level information processing that they have fewer resources to devote to comprehension or retention.

For example, the following sentence uses simple words and simple syntax, but it depends on the reader’s ability to make a low-level inference and perform simple arithmetic. As a result, it was NOT understandable for Maryland voters with lower literacy skills.

You could have voted for 4 candidates and you only voted for 2.

To make this sentence work for all of Maryland’s voters, it needed to be revised so that no inferences or arithmetic was required, as follow:

You voted for 2 people. You can vote for 2 more.

During the last decade, Maryland has made laudable progress in making our elections secure and inclusive. I applaud the legislature’s commitment to a fair and representative democracy, and I encourage you to build on this foundation by voting yes on HB1345.