

BayLines

Fall, 2019



Bay State Council of the Blind
57 Grandview Avenue
Watertown, MA 02472
Phone: 773-572-6312

www.acbofma.org

President: Brian Charlson

617-926-9198

president@acbofma.org

Editor: Bob Hachey

781-893-6251

bhachey@verizon.net

Assistant Editors: Dianna Leonard, Steve Dresser, Jerry Berrier, and Judy Savageau

BayLines is published three times per year in large print, via e-mail, and on the Web. Please contact the editor if you wish to request a change of format. Deadlines for receiving material are April 15, August 15, and December 15.

BSCB E-mail Lists:

BSCB-L is an open e-mail list for discussion of topics of interest to BSCB members and friends. To subscribe, send e-mail to bscb-l-subscribe@acblists.org.

BSCB-ANNOUNCE is a moderated one-way e-mail list used to disseminate pertinent announcements to members and friends

of the Bay State Council of the Blind. To subscribe, send an e-mail request to: bscb-announce-subscribe@acblists.org.

Table of Contents

Note from the Editor	4
Save the Date.....	4
Central Mass Chapter Sponsors Clock Museum Tour	5
BSCB Life Membership	6
Meet New BSCB Life Member Martha Steele	7
Introducing Gerard Boucher: Leader of Blinded Veterans, Advocate, and Generous BSCB Member	8
Voters with Disabilities Feel Left Behind.....	10
Op/Ed Regarding a Recent Supreme Court Decision	15
BSCB Chapter Reports Compiled	17
BSCB Board of Directors.....	20
Chapter Contacts	21

Note from the Editor
by Bob Hachey

As the leaves change colors and the air grows cooler, I look back in amazement at my recovery from cancer. After six rounds of chemotherapy, the cancer has shrunk so much that the doctors can't even measure it accurately! The doctors believe that I will likely be cancer free for at least a year. I will need regular scans, but things are really looking up.

It has been a pleasure putting this issue of *BayLines* together, and now that Dianna Leonard is a permanent part of our editorial staff there is less work for me to do.

The only complaint I have is the same one I've had since I became *BayLines* editor. I'd love to see more articles from our membership. Enjoy the rest of *BayLines*.

Save the Date

The BSCB 2020 Spring Convention will be held at the Grand Masonic Lodge, located at the corner of Tremont and Boylston Streets in downtown Boston, on Saturday, March 28, and Sunday, March 29. I believe this is the first time a BSCB convention will be held in our capitol city. The convention will be packed with information, fun, and fellowship. Please mark the dates on your calendars and plan to join us.

Central Mass Chapter Sponsors Clock Museum Tour
by Sharon Strzalkowski

The hour is 10 AM, but you don't need your braille or talking watch to tell you this when you are at the Clock Museum in Grafton, Massachusetts, for you will soon hear many clocks striking, some rich, low and unhurried, and others at a quicker tempo with more brightness in their tone. None strikes exactly at the same time, so if you don't count properly to ten the first time, you have many other opportunities to get it right!

Some 20 of us from Bay State Council of the Blind had the pleasure of touring this wonderful clock museum on Saturday, May 4, thanks to the hard work of Mary Haroyan and Rose Miller of our Social Committee. We were drawn into the world of the clock maker by the director and excellent lecturer, who told us about the Wilbur family of 12 children with at least as many opinions as to how the clock business should be run. He asserted that this was the first family in the United States to perfect some automation of clock parts, shipped from factories around the United States and England and, then assembled in Massachusetts. In its hay day, clock makers provided their wares to homes as simple as a farmhouse and as grand as a mansion. Did you know that the Grandfather clock was originally called the eight-day clock? This was because it was to be wound every seven days, and the eighth day provided a grace period for the tardy winder. Many other such facts came to light during the lecture.

We then had the opportunity to touch some clocks, and the one I remember was very tall and extremely ornate. We then went to the original part of the house and saw that a room smaller than my living room housed mother, father, and the 12 children, with a loft above for sleeping.

After the lecture and tour, we enjoyed a lunch from Peperoni Express, and it was fun to chat with people from the North Shore and Boston as well as from the Central Mass. chapter. I believe that we all came away from the experience having learned about a wonderful craft and having a good experience of blind people meeting together for education and a lot of fun.

[BSCB Life Membership](#)
by Mary Haroyan

This past year the Bay State Council of the Blind was fortunate enough to have two of its members make the decision to become Life Members of the organization. In showing their commitment to BSCB's mission and activities, Gerard Boucher and Martha Steele each donated \$250. In return, they have been made BSCB Life Members, meaning they will never have to pay annual dues to BSCB and will be able to proudly show their belief in the organization. In this issue of *BayLines*, you can read an article about Gerard reprinted from a previous issue and get to know Martha as well.

When I asked Gerard and Martha why they wanted to make this commitment, here is what they said:

Gerard credited people like the Charlsons and David Kingsbury for "inspiring" him to get involved and wanting to be part of an organization working to make people's lives better.

Martha said she was "impressed with the advocacy work of the BSCB as well as the obvious sense of community among members."

We are so grateful to Gerard and Martha for this dedicated show of support. We are also thankful to all members of BSCB for their commitment and engagement.

Meet New BSCB Life Member Martha Steele
by Jerry Berrier

I first met Martha and her husband Bob Stymeist several years ago at a Bay State Council of the Blind convention and enjoyed chatting with them. I knew of them from reading their posts on a Massachusetts e-mail list for birding enthusiasts. They are avid birders and widely known as experts in the field.

Prior to retirement, Martha worked for 27 years for the Commonwealth of Massachusetts, specializing in environmental health concerns related to exposure to pollution. Currently a chapter president of the Foundation Fighting Blindness (FFB), she captained a team two years in a row for FFB's Vision Walk and raised \$24,000 each year. She holds a seat on the board of directors of the Carroll Center for the Blind in Newton, Massachusetts. In her spare time, she writes a column called "Musings from the Blind Birder" for a New England publication called *Bird Observer*, <https://www.birdobserver.org>.

Due to Usher Syndrome, Martha began wearing hearing aids in early childhood, and she had relatively good central vision until she was in her 30's. Since then her vision has declined, and she is now functionally blind. While no longer able to recognize birds by sight, she recently received cochlear implants and is now adept at identifying birds by sound.

I have only been in Martha Steele's presence a few times, but I can tell you she epitomizes spirit, determination, flexibility,

and dedication in whatever captures her interest. I am delighted she has chosen to become a BSCB life member.

Introducing Gerard Boucher: Leader of Blinded Veterans, Advocate, and Generous BSCB Member
by Bob Hachey

Sometime around 20 years ago, I was attending a monthly meeting of the Disability Policy Consortium (DPC) at the State House in Boston. All of the voices in the room were familiar to me except one, that of Gerard Boucher. He introduced himself as a member of the Blinded Veterans Association (BVA) of Massachusetts. Immediately, I could hear the passion in his voice. At the time, we were working on our annual budget campaign for the three smaller disability agencies, the Massachusetts Commission for the Blind (MCB), the Massachusetts Rehabilitation Commission (MRC), and the Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH). Gerard was not as familiar with the state budget as the rest of us in the room, but he asked many very good questions and was eager to learn about the budget and work on our issues. When the meeting ended, Gerard introduced himself to me and informed me that he was a veteran of Vietnam where he was blinded, and that he was very interested in helping MCB to get more funding for its programs and services.

Boucher graduated from Haverhill Vocational High School in 1966. He then joined the Marines. He took special training in guerilla warfare and went to Vietnam as a Lance Corporal. On October 11, 1967, Boucher was wounded in a mortar attack, which also killed one of his comrades. He was blinded, lost some of his hearing, and sustained nerve damage. Boucher received rehabilitation training from the Veterans Administration in Illinois and joined the BVA shortly thereafter. The death of his comrade

in the mortar attack motivated him to advocate on behalf of veterans, “to keep the honor alive of those who made the ultimate sacrifice.”

Boucher took a few postgraduate courses at Perkins in 1969 and 1970 and graduated with a Bachelor’s degree from Haverhill Community College in 1973. He next worked for Kurzweil for a few years, the maker of the first reading machines for the blind. In the late 1970’s, Boucher became a real estate broker and had a long and successful career. Meanwhile, he remained very active in the BVA of Massachusetts where he held many positions on the BVA of Massachusetts Board of Directors, including President. As of this writing, he serves as their Secretary/Treasurer.

In 1981, Boucher married Janet and they remained together for 33 wonderful years. Gerard obtained his Master’s degree from Bradford College. Over the years, he began to advocate for services provided by MCB and the Talking Book Library.

Gerard hit a low point in 2014 when Janet passed away. However, he quickly pulled himself out of that slump and obtained his PhD from Atlantic International University. Boucher credits his love for advocacy and continuing education for helping him to thrive once again as a single person. He continues to advocate on the local, state, and national level for blinded veterans and for blind persons generally. He has spent many hours on the phone with elected officials and in meetings in pursuit of these efforts.

Today, Gerard is a very active member of BSCB. He is also one of our most generous members. His generosity has helped to provide funding for BSCB conventions for the last three years. I want to personally thank Gerard for a number of things:

1. for his service to our nation;

2. for his advocacy on behalf of veterans and persons who are blind; and
3. for his generous contributions to BSCB conventions.

Voters with Disabilities Feel Left Behind

by Paper Ballot Push

Chris Schneider / *the Associated Press*

Here's how voting should work for blind voters like Ruth Sager. She walks into her polling place in Pikesville, Maryland, tells poll workers she wants to vote on an electronic voting machine instead of a paper ballot, and is handed a card she can place in the machine to begin voting.

Using headphones, the 68-year-old listens to the choices in the various contests and, with a hand-held controller, makes selections by pressing a raised arrow and buttons in other shapes. The digital narrator confirms every selection before the machine prints a paper record of her finished ballot that she gives to poll workers.

But that's not what happened when Sager, a retired rehabilitation program instructor for the blind, tried to vote in the 2018 midterm elections. When she arrived at her Baltimore-area polling place, the only electronic voting machine in the precinct was not working. The only thing officials could offer her was to have two election judges — one serving as a witness — walk her through the paper ballot, reading every option aloud and marking her choices for her.

Not only did the poll worker have trouble pronouncing names and often skip party affiliations and candidates in crowded races, Sager said, but it was a complete violation of her privacy. "It is

their job to make certain the election equipment functions for all voters, not just for some voters,” said Sager, who has since filed a lawsuit. “If this can happen to me, it can happen to anybody else.”

Voting machines are the most accessible ballot options for voters with disabilities. But paper ballots are the preferred voting method among election security experts, who worry voting machines are susceptible to hacking attempts. In this current climate of heightened fears of election disruption, officials are finding it difficult to balance security and accessibility, especially for voters with disabilities.

“The recent push toward paper has left voters with disabilities behind,” said Michelle Bishop, a disability advocacy specialist for voting rights at the National Disability Rights Network. “Marking a paper ballot with a pen or pencil may seem easy to able-bodied voters,” she said, “but holding a pen, seeing text on a ballot and so on may not be possible for many people with disabilities. Between security and accessibility, one is not more important than the other,” Bishop said. “We have to be able to do both if we really want to make democracy work.”

“A voting system that relies on paper ensures that elections are auditable and creates a fail-safe against potential hacks,” said Marian Schneider, president of Verified Voting, an election security organization that has long advocated for a verified paper trail at the ballot box. “There’s always a risk that someone is going to interfere with the process,” she said of electronic voting machines.

For Sager, the accessibility problem is nothing new. In fact, in the 25 years she’s regularly voted, she can recall just two times when the voting machine was up and running and poll workers were properly trained to help her use it. “Sager’s 2018 experience would have been different if her polling place had had more than

one electronic voting machine,” said Chris Danielsen, director of public relations for the National Federation of the Blind, a Maryland-based group.

Danielsen believes electronic voting machines should be the default option for all voters, with and without disabilities. “All voters need to be using ballot marking devices, unless they opt out and want to use paper,” he said. “We cannot have a separate-but-equal system.”

[A Lawsuit in Maryland](#)

Sager, along with two other voters and the National Federation of the Blind of Maryland, filed a federal lawsuit against the Maryland Board of Elections last month to force the state to make machines the default voting method instead of paper ballots.

If everyone had to use an electronic voting machine, the suit argued, poll workers would be properly trained to use the equipment and there would be plenty of backup machines if one failed. Voters with disabilities wouldn’t be segregated, and their privacy would be protected. “Secrecy does not have to come at the price of accessibility,” said Jessie Weber, an attorney for the plaintiffs.

Donna Duncan, assistant deputy for election policy at the Maryland Board of Elections, said she could not comment on litigation. Maryland Assistant Attorney General Andrea Trento referred Stateline to the court arguments.

The state in 2016 switched from electronic voting machines that left no paper trail to a system of paper ballots tallied by electronic scanners. Election security experts have relentlessly pushed for states to switch to a paper-ballot system that is

immune from hacks and other security breaches. Requiring that voting machines have a paper trail is a step in the right direction, they say, but those are still vulnerable to electronic interference.

In a September 4 memorandum supporting the Maryland Board of Elections' motion to dismiss, Trento and other top state election officials argued the lawsuit does not offer "a plausible claim disabled voters were denied meaningful access to the secret ballot as a result of their disabilities." Further, officials said any failures by poll workers were isolated and not statewide or systemic. Even though Sager had to be assisted during voting, state officials argued, that does not violate federal disability and voting protections.

Many of the issues outlined in the lawsuit were addressed in a new Maryland Board of Elections policy adopted earlier this year, officials said. The new policy requires that at least five voters in each precinct cast their ballots on voting machines instead of paper ballots, to ensure the privacy of voters with disabilities who must rely on machines.

The policy also changes the way the machines are presented to voters. Voting machines are no longer described as "accessible" devices, but merely "if needed," which officials see as a neutral alternative not specific to voters with disabilities. The state also is increasing the training it gives poll workers about the machines.

The lawsuit in Maryland is in its early stages. A month after filing the federal suit in early August, the state filed a motion to dismiss. Weber, the attorney for the plaintiffs, responded to that motion this week. In a second memorandum supporting the motion to dismiss, top Maryland officials noted that the state could procure enough new voting machines in time for the 2020 primary and general elections if it ordered them by Oct. 4. The state has

3,500 voting machines but would need 18,000 to switch its system. This would cost the state \$12 million, according to state officials, which “exceeds the benefits” of switching Maryland’s election system to satisfy the lawsuit.

Finding a Balance

The tension between security and accessibility has arisen in other states, too. In 22 states, [the default method](#) of voting is paper ballots. And in all but two states at least some jurisdictions use paper ballots in their voting process. This is seen as significant progress among election security advocates worried about voting machine hacking.

Schneider of Verified Voting said there are not a lot of great choices on the market for secure voting machines. But she hopes that will soon change with better technology. One of the biggest frustrations for disability rights activists such as Danielsen, of the National Federation of the Blind, is the “fatalistic view among security advocates that there’s no resolving the security aspect of voting machines.”

“There’s nothing magic about paper,” Danielsen said. “Rather than trying to solve the security risk with the machines, the alleged security community is just throwing its hands up and saying, ‘We’re going to have a separate system for people with disabilities,’ and, in effect, it doesn’t matter if our votes get targeted.” “But there doesn’t have to be this division,” said Bishop of the National Disability Rights Network.

“Figuring out an election system that is both safe and accessible will require a dedicated effort by officials and, inevitably, an investment,” she said. “But the federal government does not seem serious about spending the money,” she said.

“Last year, Congress allocated \$380 million for election administration in the states, which they used to buy new equipment and tighten security by implementing post-election audits and training staff. But the allocation fell well short for what is truly needed in the states,” said Schneider, adding that America has “woefully underfunded elections.”

The lawsuit in Maryland, which could force the state to buy enough machines for 2020, seems “impractical,” said Schneider, considering the high costs. She hopes election officials around the country can find a middle ground. Having only electronic voting machines at a polling place risks long lines if there are malfunctions, just as an all-paper-ballot system may disenfranchise voters with disabilities.

“Both of the extremes are too extreme,” she said. “They may not meet the needs of all voters, and that’s why there needs to be a choice at the polling place.” “If states make sure that a certain number of voters use an alternative voting system, it solves many of the privacy frustrations voiced by disability rights activists,” Schneider said. Poll workers, [Verified Voting suggests](#), should encourage voters to use whichever voting method they feel most comfortable with.

Still, the conversation between election security and disability rights advocates has stalled, said Bishop. “I don’t know why it’s been so difficult,” she said. “There has to be a willingness on both sides to hammer that out and figure out what the right solutions are right now.” Schneider agrees. “It doesn’t seem to be an insurmountable problem to solve,” she said, “but I think there needs to be a conversation about it.”

Judge: "How do you plead?"

Driver: "Not guilty, of course."

Judge: "What is your defense?"

Driver: "I drive an electric car. Electric cars were not around when speed limits were enacted so the law doesn't apply to me."

Judge: "Sir, I find you ..."

OK, this is not an actual court transcript, but it could be. I think most readers know how the judge would have finished his statement. In the hypothetical scenario, the defendant attempted to use the straw man defense that a legally enacted law could not possibly apply because the technology the defendant chose to use did not exist at the time the law was enacted. Historically, laws have been written intentionally vague to include in their meaning the different means and methods of application of the action which the law was written to address, that did not exist at the time of enactment. Even the United States Constitution, our nation's framework, was specifically written so it would not limit its reach to only documented technologies. For example: Does the right to free speech pertain to Internet, radio, and television communications, or does it only apply to the town crier shouting in the village square? I think the answer has proven itself evident.

Flash forward two centuries when our nation enacted a very important piece of civil rights legislation known as the Americans with Disabilities Act. Prevention of discrimination by entities providing public accommodations, such as those selling goods and services, is addressed in Title 3. Again, as with the U.S. Constitution, the authors of the act were careful to make it essentially technology agnostic. I won't bore anyone with the exact language as it is a mere web search away.

Recently, the U.S. Supreme Court took the rare step of ruling in a case that specifically revolved around access to technologies employed by one corporation for users of blindness-

related adaptive technology. The Supreme Court correctly rejected the notion that the web site and smartphone apps used by the corporation were not covered by the ADA because they did not exist at the time the ADA was enacted. Admittedly, this was a decision somewhat limited in scope as it did not address what is considered reasonable, but merely address the question of application of the law to web sites and smart phone apps, and the standing of blind users of those technologies. However, what it does give us is momentum, which we can define as a property of movement. In today's world. Thanks to brave and wise folks such as Guillermo Robles, and to the Supreme Court's landmark decision, I hope to see a world where all barriers to inaccessibility will soon fall.

[BSCB Chapter Reports Compiled by Bob Hachey](#)

Central Mass. Chapter

The Central Mass. Chapter has had an interesting speaker and a technology workshop during the last few months. In our area most cable subscribers have Charter/Spectrum, which just recently put out a new cable box and talking remote. Two chapter members gave a demonstration of the remote, and a Spectrum representative, not very familiar with the device, was present and learned a lot. Our member, Nona Haroyan, has been working diligently with Spectrum to improve the accessibility service at the local level.

The chapter also had a presentation on the Real ID, after having heard a similar one at our spring convention. The talk was well received. We have been meeting in the conference room of the CMC BSCB president's apartment building because the library is under renovation. As a result, presentations have been

opened up to the other residents in the building, and we have had a couple of people take advantage of them.

We held elections this month as follows: Sharon Strzalkowski, president; Russell Andrews, vice president; Nona Haroyan, secretary; and Jim Izatt, treasurer. Our thanks to past treasurer Marion Dyson for her support and service.

Future plans include an annual holiday lunch, and the board is meeting next weekend to discuss upcoming speakers and projects.

[Charles River Chapter](#)

The crisp air today is a reminder of more fall weather. Let's take a moment to go back over the things that our Chapter did this summer.

On June 29, about 15 members enjoyed an afternoon at the Mosessian Art Center in Watertown. Center staff and volunteer guides were cordial and helpful, and we met in a separate room for our meeting, and then proceeded to spend some time with an accessible art center. The pieces were all accessible to us in some way through touch and through a variety of sounds.

In August, our Chapter enjoyed our annual Pool Party at the home of the Charlsons, and Vicki Vogt. Approximately 20 people enjoyed hanging out in the sun, the pool, fellowship, and good food. Thanks to Kim, Brian, and Vicki for opening your home once again to all of us.

[Boston Chapter Update](#)

The Boston chapter of BSCB has had an eventful year. We approved our new constitution.

This summer, we had a delicious luncheon meeting at President Frank Ventura's home, where we listened to two interesting guest speakers. One was former ACB President Kim Charlson, who reflected on her ACB presidency. The other guest spoke about the upcoming census.

BSCB Board of Directors

Brian Charlson, President
Phone: 617-926-9198
Email: president@acbofma.org

David Kingsbury, First Vice President
Phone: 781-974-2001
Email: davidkingsbury77@gmail.com

Frank Ventura, Second Vice President
Phone: 617-267-1067
Email: frank@littlebreezes.com

Jerry Berrier, Secretary
Phone: 508-735-4420
Email: jerry.berrier@gmail.com

Rick Morin, Treasurer
Phone: 617-633-7947
Email: rick.morin@comcast.net

Rose Miller, Director
Phone: 617-963-2476
Email: rosemarymiller3266@gmail.com

Mary Haroyan, Director
Phone: 508-853-6445
Email: mharoyan@charter.net

Dianna Leonard, Director
Phone: 978-886-3308
Email: dianna.l93@gmail.com

Cheryl Cumings, Director

Phone: 617-731-5998
Email: cscummings@comcast.net

Chapter Contacts

Charles River Chapter
Anne Donna, President
Phone: 617-926-8836
Email: annemdonna@aol.com

South Shore Chapter
Chris Devin, President
Phone: 617-472-0308
Email: cfdevin@gmail.com

Boston Chapter
Frank Ventura, President
Phone: 617-267-1067
Email: frank@littlebreezes.com

Central Mass. Chapter
Sharon Strzalkowski, President
Phone: 508-363-3866
Email: strzal@charter.net

Guide Dog Users of Massachusetts
Carl Richardson, President
Phone: 617-254-0425
Email: carl@carl-richardson.com

Bay State Council of the Blind Students
Daisy Russell, President
Phone: 781-535-9366

Email: siobhan.daisyrussell@gmail.com