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E-government in Alabama: An analysis of county voting and election website content, usability, accessibility, and mobile readiness

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ABSTRACT

Previous scholarship has evaluated the quality and content of state voting and election websites, often finding that states do not provide voters with the type of information and tools they need in a format that is usable and accessible. Although states establish voting and election rules, much of what voters experience on Election Day is determined by the decisions of county election officials. However, limited scholarship has investigated the content and quality of information provided by these individuals. This study analyzes the content and quality of county voting and election websites in Alabama. To evaluate content, a 22 point Election Information Content Score (EICS) is used. Website accessibility, usability, and mobile readiness standard compliance are assessed using a combination of heuristics, automated evaluation tools, and manual inspection. A series of correlations are also presented to evaluate the relationship between EICS and the demographic, socioeconomic, partisan, and participatory composition of a county. The findings suggest that across the state, counties provide limited voting and election information and are not in full compliance with accessibility, usability, and mobile readiness standards. Further, the extent to which voting and elections information is provided, is related to county composition.

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1. Introduction

The number of American¹ adults with Internet access increased from 52% to 84% between 2000 and 2015 (Perrin & Duggan, 2015). With citizens turning to the Internet to communicate and gather information, governments need to deliver useful digital information that gives citizens the opportunity to engage, access information, and participate in a variety of transactions. Providing government services via e-government can foster better citizen-government relationships and has the potential to allow citizens and government to learn about each other and create the linkages necessary for a functional democracy (Verba, Schlozman, & Brady, 1995), effectively bridging the gap between citizens and the government (Kolsaker & Lee-Kelley, 2006). Information and communication technology can also facilitate citizen empowerment by providing information which can be used in democratic decision making (Alathur, Ilavarasan, & Gupta, 2011), promote civic equity and an informed citizenry (Freeman & Quirke, 2013), and enhance access to and the delivery of government services (Maher & Krimmer, 2005). Voting and e-government are particularly important given the

demographic and socioeconomic participation gaps in American elections, e-government has the potential to help close these gaps by engaging across boundaries (Jaeger & Thompson, 2004). Government success in these efforts depends in part on how effective the content and functionality of websites are and how effective e-government is at providing information and services in an accessible and usable manner for all citizens, including those with physical and cognitive impairments. Additionally, given the increasing number of Americans whose primary point of Internet access is a cellular device, mobile readiness—website that reformats when accessed through a mobile phone—is especially important, particularly as smartphone dependent users often use their devices for critical tasks such as applying for jobs and looking for health information (Smith, 2015). The current study examines how Alabama counties are using their websites to provide citizens with election information and seeks to develop a scale for measuring how election information is provided online. The study builds on previous research on Alabama state and local e-government and examines the quality of voting and election information, as well as issues related to usability, accessibility, and mobile readiness.

1.1. Voting in the context of the American south

In early America, the ability to participate in colonial governance, specifically voting, was conditioned upon social and economic status, race/ethnicity, and gender. Women, African Americans, non-property

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¹ The term American is used throughout the text. This term is used in reference to citizens of the United States of America.

owners, the poor, and felons, in particular were excluded from the voting process. Following the American Revolution, there was no guaranteed right to vote included in the United States Constitution. What the Constitution does provide is a federalist system in which both the federal government and state governments operate as sovereign entities. The Tenth Amendment, states “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” Effectively, the Tenth Amendment provided states with the authority over all issues not explicitly established as being under federal jurisdiction. This left states in the position to make decisions regarding voter eligibility, requirements, and administrative procedures; a provision that continues to this day.

Following the American Civil War, and the abolition of slavery by the Thirteenth Amendment, the passage Fourteenth Amendment which addressed citizenship rights, and the Fifteenth Amendment which prohibited states from denying access to the franchise solely based on race, color, or previous condition of servitude to the United States Constitution, Democrats from the southern states sought to solidify their hold on the region by modifying voting laws to exclude African Americans from the polls (Wood & Trivedi, 2007). Administrative efforts to limit access to the polls included the adoption of poll taxes and literacy tests. Poll taxes were payments required by voters in order to register to vote. In many jurisdictions, voters were required to present a poll tax receipt at their polling location before they were allowed to vote. Those who could not present proof of payment were deemed ineligible to vote. Between 1871 and 1902 poll taxes were adopted in Georgia, Florida, Alabama, Tennessee, Arkansas, Louisiana, Mississippi, North Carolina, South Carolina, Virginia, and Texas (Dowdy, 2014). In 1877, Georgia instituted a cumulative poll tax requirement that required eligible men to pay back taxes for every year from the time they turned 21, or from the time that the law took effect. The value of the poll tax in the former confederate states varied from \$1–\$2 and was difficult, if not impossible for poor blacks and whites to pay (Key, 1984).

The literacy test was one of many tools used, primarily in the South, as part of the registration process. Literacy tests were also used to exclude blacks from voting. A potential voter had to pass a literacy test in order to qualify to vote. According to Keysar (2000), 50% of black men were illiterate. Louisiana adopted the grandfather clause in 1898, which denied blacks the right to vote unless their grandfathers could vote in 1867. These laws had a severe impact on the number of blacks registered to vote. According to the Smithsonian National Museum of American History, in Mississippi, fewer than 9,000 of the 147,000 eligible black voters were registered after 1890. In 1889, Louisiana had more than 130,000 black registered voters; this number dwindled to 1,342 by 1904.

In 1964, the Civil Rights Act was passed by Congress. The act included a provision that voter registration rules and procedures be applied equally to all races. The Twenty-Fourth amendment, also passed in 1964, abolished poll taxes in federal elections. Following this, the 1965 Voting Rights Act (VRA) directly addresses discriminatory registration and voting procedures. The VRA dramatically effected the voting rights of blacks because it forced states to act in accordance with the Fifteenth Amendment to the Constitution, which eliminated the right to establish voting rights based on race (Henderson 2006). The primary purpose of the 1965 VRA was to establish a federal guarantee and eliminate policies in states, particularly those in the South that impeded the right of blacks and other minorities to vote (Barker Twiley & Barker, 1987). With the passage of the VRA, literary tests, poll taxes, and other obstacles to enfranchisement were eliminated (Barker Twiley & Barker, 1987; Cain & Miller, 1998).

The general provisions against discrimination found in the VRA apply nationwide. However, contained within the VRA are special provisions that required some states to receive preclearance (review and approval) from the United States Department of Justice or through the federal courts before any changes related to voting laws or practices

could be implemented. In order to receive preclearance, jurisdictions had to demonstrate that the proposed change did not deny or infringe upon the right to vote based on race, color, or membership in a language minority group. The preclearance requirement was determined using a formula outlined in Section 4(b) of the VRA. Alabama was one of the states initially covered by Section 5 of the Voting Rights Act.

1.2. Voting in Alabama

Alabama has had a unique relationship with the American franchise. Following reconstruction and readmission to the union, Alabama, like many of the former confederate southern states, engaged in the statutory discrimination of minorities. This discrimination included the use of unequal voter registration requirements, literacy tests, and poll taxes to discourage black Americans from registering and voting. From 1965 to 2013, Alabama was covered by Section 5 of the 1965 Voting Rights Act (VRA). While under Section 5 coverage, the Department of Justice accused Alabama of not complying with sections of the National Voter Registration Act, provisions of the Help America Vote Act, and the Uniformed and Overseas Citizens Absentee Voting Act, pieces of legislation that have the explicit purpose of providing citizens with greater voting access and streamlining the administration of elections. The state of Alabama has also had an impact on elections nationally. *Shelby County v. Holder*, the case that resulted in the Supreme Court ruling Section 4(b) (the pre-clearance coverage formula) of the Voting Rights Act unconstitutional was filed by Shelby County, Alabama. Given the unique historical relationship between Alabama and voting, the changes in information technology and communication, the extent to which the state and specifically its counties have evolved in using information to enfranchise citizens and to what extent, if any, the evolution is related to the demographic composition of Alabama's counties is appropriate to further understand the relationship between digital communication and information and political participation.

There are multiple ways citizens can access Alabama voting information. This includes: utilizing standard mail, in person contact, contact by phone, and online contact (including email). One specific source of online voting information is the Alabama Secretary of State website. The state has a comprehensive Voting and Elections (alabamavotes.org) website housed in the Alabama Secretary of State–Division of Elections, which in addition to providing general statewide election information including election dates and deadlines, allows individuals to access information about their registration status and polling location. The website also provides sample ballots, downloadable voter registration forms, an online registration portal, the names and contact information for election officials in Alabama's 67 counties, and historical election results (up to the 2012 general election). Another option is to access county websites that allow voters to find general information as well as county-specific voting and election information.

In terms of the institutional arrangement of American elections, counties play a pivotal role. While the United States Constitution defers authority to state governments to create the rules and policies that dictate how elections take place, local election officials are responsible for administration, implementation, and management. County (local) election officials are also responsible for poll worker training and recruitment, ballot and voting machine distribution, securing polling locations, maintaining voter registration records, printing ballots, purchasing and maintaining voting machines, processing absentee ballots applications and completed absentee ballots, and resolving any irregularities that arise on Election Day. Lastly, local election officials in the United States are responsible for ballot counting and ensuring an accurate ballot count in every election.

1.3. Alabama e-government

In his survey of Alabama state agency websites, Potter (2002) found the websites rife with accessibility issues. A decade later, Youngblood

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