



1-844-DIS-VOTE
www.disabilityvote.org

Voter Guide Content Recommendations: Disability Rights and the November 8th Election

Does your organization have a voter guide? Don't forget to include information about the voting rights and accommodations that provide equitable access to the ballot for voters with disabilities. The American Associations of People with Disabilities (AAPD) estimated that 23% of voters in the 2020 election had a disability, so this is a significant number of voters. Changes to the law in 2022 have created confusion and uncertainty about disability rights, so accurate information is needed now more than ever.

This document has some key content we hope you will include in your voter guide. Questions? Contact the Disability Rights Wisconsin Voter Hotline at 844-347-8683 or info@disabilityvote.org.

Voter Guide Content Recommendations

Ballot Return Assistance

Voters with a disability may request assistance with mailing or delivering their ballot, or with any part of the voting process, from anyone who is not their employer or a representative of their labor union. Voters should let their assistor know they may be asked to confirm they are returning a ballot for a person with a disability. The voter and assistor should **not** have to fill out any forms or provide proof of disability. The right to assistance is protected by federal law and was affirmed by an August 2022 court order.

For information about ballot return assistance:

- **Absentee Ballot Return Assistance for the November 8th, 2022 Election,** Disability Rights Wisconsin: disabilityvote.org/wp-content/uploads/2022/09/DRW-Absentee-Ballot-Return-Assistance-Nov-8-acc.pdf
- **Guidance on Absentee Ballot Return Options Under the Federal Voting Rights Act including Judge Peterson's Opinion, Order and Injunction,** WI Election Commission: elections.wi.gov/memo/guidance-absentee-ballot-return-options-under-federal-voting-rights-act

Assistance Completing a Ballot

If a voter with a disability needs help marking the ballot, they may have a person of their choice assist them. That person does not need to be qualified to vote. If voting at their polling place, the voter may bring someone with them or request assistance from a poll worker. The assistor cannot be the voter's employer or union representative. The person assisting you must sign the ballot in the space provided. If voting absentee, the assistor should also sign the absentee certificate envelope. The assistor may also serve as the witness.

Absentee Voting

All Wisconsin voters are eligible to request a by mail absentee ballot for any reason. Voters may also certify they are indefinitely confined, due to age, illness, infirmity, or disability and receive ballots for every election until they fail to return a ballot or indicate a change in status. Indefinitely confined voters are not required to provide a photo ID. They prove their identity by providing proof of residence when registering to vote, and the witness also confirms their voter's identity.

All polling places must have accessible voting equipment set up and turned on.

This is required by federal and state law. This machine allows voters to independently and privately mark the ballot. They should be set up to allow voters who use a wheelchair to reach the controls and have an audio ballot-marking option for voters with a visual disability. Any voter may use this equipment.

The poll worker may ask voters to speak their name and address.

If a voter is unable to state their name and address, Wisconsin law allows voters to have poll workers or assistor of their choice state their name and address on their behalf prior to receiving a ballot. Voters can also provide their information in writing to poll workers or assistants.

Curbside Voting

Curbside voting is required by state statute for any voter who cannot enter the polling place due to disability. Two poll workers will bring you your ballot and conduct voting at your vehicle or at the polling place entrance. If you vote curbside, you are not required to sign the poll list. Instead, the poll workers will write "exempt by order of inspectors" in the signature space on the poll list. It is helpful for voters to contact their clerk in advance of the election to ask how to access curbside voting.

Accessibility

Under federal and state law, all polling places must be fully accessible to older adults and voters with disabilities. If you experience accessibility concerns at your polling place, it is important to report this so it can be addressed. Tell the chief inspector at your polling place. It is also helpful to report this to the Wisconsin Election Commission:

elections.wi.gov/form/report-an-accessibility-concern

If you need assistance reporting a concern, contact the Disability Rights Wisconsin Voter Hotline: 844-347-8683.

Accommodations

Voters with a disability have the right to ask for reasonable accommodations at the polling place. Examples: a chair to sit, signature guide to sign your name, magnifying glass, assistance stating your name/ address, tools to help poll workers communicate with you such as pen/paper or easel for public announcements.

Transportation

Because so many people with disabilities and older adults are non-drivers, transportation to the polling place is often a challenge. the Wisconsin Disability Vote Coalition has compiled this list of providers who offer transportation for voting: disabilityvote.org/rides-to-polls/

Guardianship and Voting

In Wisconsin, a person under guardianship retains the right to vote unless the court expressly removes it. If an individual under guardianship is unsure of their right to vote, the Court's decision regarding the right to vote is recorded on a court form called "A Determination and Order on Petition for Guardianship Due to Incompetency." (GN-3170). The language in the court order will not say that the person has retained the right to vote; however, a box will be checked if the right has been removed.

Incompetency for voting purposes can only be determined by a judge. Family members, doctors, or caretakers may not determine that a voter is incompetent to vote.

For voting questions or assistance with a concern:

- **Disability Rights Wisconsin Voter Hotline:** 1-844-347-8683 / 1-844-DIS-VOTE
Email us at info@disabilityvote.org
- **Wisconsin Disability Vote Coalition:** disabilityvote.org/