



Residential Service Providers: Resources for Voters with Disabilities

Introduction

Voting is a constitutional right. Voters with disabilities who live in residential facilities may experience some difficulties participating in Wisconsin elections.

The Wisconsin Disability Vote Coalition is a resource to help residential service providers respond to questions about voting and support their residents to participate in choosing their elected officials.

For additional information:

- ❖ **Voting questions? Contact the Wisconsin Elections Commission:**
Call 1-866-VOTE-WIS; visit elections.wi.gov; or email elections@wi.gov
- ❖ For disability-related voting questions or help filing a complaint, call the **Disability Rights Wisconsin Voter Hotline:**
844-DIS-VOTE / 844-347-8683 or email info@disabilityvote.org.
- ❖ To register to vote, find your polling place, preview your ballot, and more:



visit myvote.wi.gov.

- ❖ **Photo ID Requirements for Voting:** bringit.wi.gov
- ❖ To request Disability Vote Coalition resources, email info@disabilityvote.org or view resources online and download for print at www.disabilityvote.org.

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*The Wisconsin Disability Vote Coalition is a project of
Wisconsin Board for People with Developmental Disabilities and Disability Rights Wisconsin.*

❖ Follow the Wisconsin Disability Vote Coalition:

- ◆ Website: www.disabilityvote.org
- ◆ Email: info@disabilityvote.org
- ◆ Facebook Page: www.facebook.com/wisconsin Disability Vote

☑ Voting Tips for Your Residents

- Share this information with your residents, staff, and others to help support residents in registering to vote and casting their vote.
- If a resident requests assistance with questions related to voting, **you may assist them**. For example, you may:
 - ◆ Answer questions about the voting process.
 - ◆ Share voting resources with them.
 - ◆ Assist them with voter registration if requested.
 - ◆ Assist them with absentee voting information if requested.
 - ◆ Provide transportation.
- You may help connect residents to the *Wisconsin Elections Commission* or *Disability Rights Wisconsin's Voter Hotline* to get their questions answered.
- Voters may request assistance with marking the ballot from a person of their choice.
Note: A voter's employer or union representative may not provide assistance.
- No one should tell someone else who to vote for. Staff cannot in any way prompt the voter to vote for a particular candidate.



☑ Five Ways to Register to Vote



A voter may register to vote at any address where they reside or intend to return to, even if that return is uncertain. A resident will typically vote from the care facility or their previous address, depending on which location the voter identifies as their address.

Voters may check their registration status at myvote.wi.gov. If a registered voter has moved, they can update their address.

Options to Register:

1. **Register at the polls on Election Day** with proof of residence documentation.
2. **Register online** with a Wisconsin driver license or ID card at myvote.wi.gov. The deadline to register online is 20 days before the election.
3. **Register in-person** at their Municipal Clerk's office until 5 p.m. on the Friday before Election Day with an acceptable proof of residence document.
4. **Register by mail.** Fill in and print out a Voter Registration Application form from myvote.wi.gov. Or the voter can write or call their Municipal Clerk and ask them to send a Voter Registration Application.

This form is also available on the Wisconsin Elections Commission website: elections.wi.gov/forms/el-131-fillable

Follow the instructions carefully. Mail it back before the deadline with a copy of your proof of residence document. It must be postmarked at least 20 days before the election.

5. **Register with an Election Registration Official.** For voters who live in a Nursing Home, Community-Based Residential Facility, Residential Care Apartment Complex, or Adult Family Home, a Special Voting Deputy (SVD) may visit the facility to conduct absentee voting. Residents can register to vote with an SVD who is also appointed as an Election Registration Official 20 days or more before an election.

Voting at the Polling Place on Election Day



- Voters can look up their polling place by entering their address at myvote.wi.gov/en-us/FindMyPollingPlace.
- **All polls are open** from 7 a.m. until 8 p.m. on Election Day.
- Note: Some communities offer in-person voting before Election Day, sometimes called “early voting”. Voters should contact their Municipal Clerk for information about their community.

Do Voters Need to Show a Photo ID?

- Wisconsin law requires voters to show an acceptable photo ID to vote at the polling place. A list of acceptable IDs can be found at bringit.wi.gov.
- If a voter does not have an acceptable photo ID, a free Photo ID for Voting can be obtained from the Department of Motor Vehicles (DMV): 844-588-1069 or wisconsindot.gov
wisconsindot.gov/Pages/dmv/license-drvs/how-to-apply/id-card.aspx
- **Important Note:** A valid photo ID or acceptable substitute must be provided when voting by absentee ballot, **unless you are part of a group exempted by law**. Voters who are indefinitely confined (meaning you have trouble getting to your polling place due to age, illness, infirmity, or disability), or who reside in nursing homes or other residential facilities, are NOT required to provide a Photo ID. They may have their witness verify their identity instead of submitting a copy of their photo ID. (See more detail on page 6).
- **Residents of care facilities served by Special Voting Deputies (SVDs)** do not have to provide photo ID in order to cast their ballot. In these instances, the SVDs will verify that the voter’s name and address are correct instead of viewing their photo ID. (See more detail on page 7).

☑ What Documents Can be Used for Proof of Residence?

A voter must provide proof of residence when registering to vote. All Proof of Residence documents must include the voter's name and current residential address. Some examples include:



- A current and valid State of Wisconsin Driver License or State ID card.
- Residential lease.
- A bank or credit card statement.
- A paycheck or paystub.
- A check or other document issued by a unit of government.
- An intake document from a residential care facility such as a nursing home or assisted living facility.

A complete list is on the Wisconsin Elections Commission website at:

elections.wi.gov/sites/default/files/documents/POR%20List%20and%20Info.pdf

☑ What About Absentee Voting?

Absentee Voting may be a convenient option for your residents.

- Any registered Wisconsin voter is eligible to request an absentee ballot. If a voter is not registered, they must **register to vote** before an absentee ballot can be sent to them.
- A voter can apply for and vote their absentee ballot in-person in the clerk's office, or another location designated for absentee voting in their municipality. They can also ask their municipal clerk to mail them an absentee ballot. The request can be made in writing by mail, email, fax, or online at myvote.wi.gov.
- To find the dates and hours for in-person absentee voting, the voter should **contact the municipal clerk for the city, village, or town where they live**. For contact information, go to myvote.wi.gov or elections.wi.gov/clerks/directory.



- A registered voter can download the *Application for Absentee Ballot* from the Wisconsin Elections Commission website: elections.wi.gov/wec-form/absentee-ballot-request
- The voter should complete the form and mail it to their municipal clerk's office. The application must be received by the clerk no later than 5:00 p.m. on the Thursday before the election for the ballot to be sent to the voter. The voter will also need to provide a copy of their acceptable photo ID unless they are part of a group exempted by law. More information about photo IDs can be found at www.bringit.wi.gov.
- The completed absentee ballot must be delivered no later than 8 p.m. on Election Day.
- Special provisions are made for hospitalized electors and sequestered jurors to request and vote by absentee ballot on Election Day.

Absentee Voting for Voters who are "Indefinitely Confined"

Residents who will always need to absentee vote due to disability, age, physical illness, or infirmity can apply to become an "indefinitely confined" voter.

Indefinitely Confined Voters will continue to receive absentee ballots in the mail for each election until the voter doesn't return a ballot for a spring, fall, or special election. If this occurs, the municipal clerk will contact the voter to see if they want to remain on the indefinitely confined voter list.

Note: "Indefinitely Confined" status does not mean that the voter is homebound and can never leave their residence.

Voters on the "Indefinitely Confined" list are **not required** to provide a Photo ID.

How to Apply for “Indefinitely Confined” Status:

A voter can complete the absentee ballot application and choose the Indefinitely Confined option in Section 6 of the form, certifying that the voter is indefinitely confined, or a voter can send a request in writing to their municipal clerk. Contact your clerk for additional information.

Voters can find contact information for their municipal clerk at myvote.wi.gov.

Special Voting Deputies

The Wisconsin Legislature recognized that it is difficult for some individuals to get to their polling place on Election Day, including individuals residing in Residential Care Facilities such as nursing homes, community-based residential facilities (CBRF), residential care apartment complexes, and adult family homes.



To encourage residents to participate in the electoral process, special procedures have been established for absentee voting in residential facilities. This includes use of Special Voting Deputies (SVD) who help to administer an absentee ballot.

Special deputies most often visit nursing homes or other large residential facilities. A Special Voting Deputy may visit if:

- There are at least 5 people registered to vote in the municipality where the facility is located; and
- At least one resident has requested an absentee ballot for the election.

The clerk may choose to send Special Voting Deputies if the facility does not meet the statutory threshold whereby they are required to send Special Voting Deputies.

Note: Contact the Municipal Clerk for the community where the facility is located to determine if it is possible for a Special Voting Deputy to visit your facility and assist your residents with voting. Depending on capacity, they may not be able to assist with every request.

Resources for Voting and Care Facilities

- Call the Wisconsin Elections Commission (WEC) at 1-866-VOTE-WIS
- Wisconsin Disability Vote Coalition fact sheets, videos, e-newsletter: disabilityvote.org
- What Voters in Residential Care Facilities Need to Know, WEC: elections.wi.gov/what-voters-residential-care-facilities-need-know

Competency, Guardianship, and Voting in Wisconsin

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 specifically say that the person has retained the right to vote, however, a box will be checked if the right has been removed.
- If someone is under guardianship and not sure if they have the right to vote:
 - ◆ Ask their guardian to look at the "Determination and Order" form mentioned above to see if their right to vote was removed. A copy of this form may be requested from the Probate Court in their county, which costs about \$2.00 for a copy.
 - ◆ Contact the Municipal Clerk for their community. The Clerk can check the list they receive from the state of individuals adjudicated incompetent and ineligible to vote.
- A person who has a guardian and has lost the right to vote may petition the court to restore their right to vote (Wis. Stat 54.64(2)(a)).
- 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.

- The Disability Rights Wisconsin *Competency, Guardianship, and Voting* brochure is available on both the Disability Rights Wisconsin and Wisconsin Disability Vote Coalition websites:

disabilityvote.org/2023/guardianship-and-voting-resources/

disabilityrightswi.org/resource-center/guardianship-and-voting/

Transportation to the Polls



Finding the polls on Election Day can be a barrier for some voters with disabilities. Below are some ideas to help residents overcome this barrier.

- Find their polling place at myvote.wi.gov. Ask voters if they have a plan for getting to their polling place and problem solve with them.
- Arrange rides to support voters in getting to their polling places. Some residential providers are able to provide transportation for their residents.
- Arrange rides for voters to vote early at the Municipal Clerk's office or another location designated for absentee voting. This may provide more flexibility in scheduling transportation. Contact your Municipal Clerk to ask about early voting times: myvote.wi.gov/en-US/MyMunicipalClerk
- If transportation is not available, provide the resident with information about absentee voting. Ask if they would like assistance to request an absentee ballot.

☑ Voter Rights



- Every voter has the right to vote privately and independently.
- Every voter has the right to access the polling place, including an accessible route to enter the building.
- Every voter has the right to use an accessible voting machine. All polling places are required by law to have an accessible voting machine.
- Every voter has the right to assistance marking the ballot. The voter may bring someone to assist them or ask a poll worker for assistance.
Note: Voters cannot receive assistance from their employer or from their union representative.
- Every voter has the right to ask for reasonable accommodations at the polling place. Some common reasonable accommodations include:
 - ◆ A chair to sit on
 - ◆ A signature guide
 - ◆ A magnifying glass
 - ◆ Assistance with stating a person's name and address
- If unable to enter the voting location due to disability, the voter may request curbside voting.
- For disability-related voting questions or help filing a complaint, **call the Disability Rights Wisconsin Voter Hotline:**
844-DIS-VOTE / 844-347-8683 or email info@disabilityvote.org