



# Voting Rights & Local Elections

February 6, 2024  
Lunch and Learn

disability**rights** | WISCONSIN



# Wisconsin Disability Vote Coalition

- A non-partisan effort to help ensure full participation in the entire electoral process of voters with disabilities, including registering to vote, casting a vote, and accessing polling places.
- DVC members include people with disabilities and over 40 community agencies and is coordinated by DRW and the Wisconsin Board for People with Developmental Disabilities.
- Resources include voting fact sheets, videos, posters, postcards, and “swag.” Materials can be printed from the DVC website or can be ordered and mailed.

# **2024 Elections: A Look Ahead**

**Spring Primary: February 20<sup>th</sup>, 2024**

**Spring & Presidential Preference: April 2, 2024**

**Partisan Primary: August 13<sup>th</sup>, 2024**

**General Election: November 5<sup>th</sup>, 2024**

# About the Disability Vote

- ▶ CDC estimates 26% of adults have a disabling condition.
- ▶ A diverse group of voters: people with sensory disabilities, intellectual and developmental disabilities, physical disabilities, mental health disabilities, complex medical needs, and chronic health conditions.
- ▶ any older adults have disabilities acquired through aging, although they may not formally identify as a person with a disability.
- ▶ Approximately 23% of the electorate in November 2020 election were individuals with some type of disability.
- ▶ Only 17.7 million of over 38 million eligible voters with disabilities participated in the 2020 elections.
- ▶ People with disabilities are underrepresented at the polls. A study on the 2020 Elections noted an 11.4% gap in voters with and without disabilities; if people with disabilities voted at the same rate as people without disabilities, there would 1.75 million more voters.

# Major barriers, historically

- ▶ Accessibility concerns
- ▶ Lack of photo ID (high percentage of non-drivers)
- ▶ Lack of transportation (hard to get to polls or to DMV)
- ▶ Failure to provide or limited accommodations
- ▶ Limited access to Internet and technology
- ▶ Housing insecurity; group home or institutional setting
- ▶ Lack of training for poll workers
- ▶ Confusion about voting rights and status, including for people under guardianship and those with criminal convictions
- ▶ Stigma and discrimination

# Voter Rights



- ▶ You have the right to vote **privately** and **independently**.
- ▶ You have the right to access the polling place, including an accessible route to enter the building.
- ▶ You have the right to ask for reasonable accommodations at the polling place.
  - Some common accommodations: *a chair to sit on, a signature guide, a magnifying glass, assistance with stating a person's name and address, tools to help poll workers interact with deaf and hard of hearing voters such as pen and paper, or an easel for announcements.*

# More Voter Rights

- ▶ You can **file a complaint** if you feel your rights have been violated.
- ▶ If you make a mistake, you can **request another ballot** from the election officials.
- ▶ You may bring a "**notes sheet**" into the polling place.
- ▶ **No one should tell you how to vote.**



**DISABILITY RIGHTS**  
**ARE CIVIL RIGHTS**

# The Right to Assistance for Voters with a Disability

- ▶ Voters with a disability have the right to assistance with any part of the voting process. That right is protected by federal law.
  - You have the right to assistance marking your ballot, whether voting absentee or in-person. You may bring someone to assist you or ask a poll worker for assistance. Poll workers are required to assist a voter if they request it.
  - Note: *You cannot receive assistance from your employer, union representative, or from a candidate on the ballot.*
- ▶ An August 31 court order in the Carey v. WEC case clarified that voters with a disability may request assistance with mailing or delivering their ballot from anyone who is not their employer or a representative of their labor union.
- ▶ Voters who do not have a disability can not have assistance delivering their ballot.



# Information for Your Assistor

- ▶ If you ask someone to return your ballot, let your assistor know they may be asked a few questions by the election official.
  - *Are you the voter? If not, then:*
  - *Are you delivering the voter's ballot because the voter has determined that they require assistance returning their ballot due to their disability? If yes, then:*
  - *Are you someone other than the voter's employer, an agent of that employer, or an officer or agent of the voter's union? If yes, then the ballot can be accepted.*
- ▶ The voter and assistor should **not** have to fill out any forms or provide proof of disability.

# What is an accessible voting machine?

- ▶ Each polling place is required to have at least one accessible voting system.
- ▶ The accessible voting system must provide the opportunity for voters to vote privately and independently.
- ▶ Anyone can use the accessible voting system.
- ▶ Elections officials must make sure it's functioning properly in each election, and that election officials are trained to operate them.





## What is curbside voting?

- ▶ Required by law for any voter who cannot enter the polling place due to a disability.
- ▶ Curbside voting should also be available during in-person absentee voting at the clerk's office or alternate site.
- ▶ Contact your Municipal Clerk in advance of Election Day to determine the process to access curbside voting (e.g. honk your horn, ring a doorbell, call a phone number).

# Voting Rights of People Alleged to Be Incompetent

- ▶ Only a court can remove the right to vote of a person alleged to be incompetent.
- ▶ No one else can interfere with the right to vote.
- ▶ The procedure for removing the right to vote is found in Wisconsin's guardianship law – Chapter 54.
- ▶ Rights are retained unless expressly removed.
- ▶ The standard for removing the right to vote is “incapable of understanding the objective of the elective process.”
- ▶ An individual who has lost the right to vote can petition the court to have their right to vote restored.

# Wisconsin Disability Vote Coalition Videos

- ▶ “Know Your Rights” Video
- ▶ Watch “Know Your Rights” with Captions [here](#)



# Why is Voting Important?

- ▶ It's a constitutionally protected right
- ▶ It's a chance to choose decision makers who decide policies that impact people with disabilities and older adults
- ▶ It's a civic responsibility

# How Do **Local Elections** Affect Change?

- ▶ State and local elected officials make important decisions about services for people with disabilities.
- ▶ Local officials represent the community. If only those without disabilities vote a smaller number of people are represented.

# What do local elected officials make decisions about?

- ▶ Public transit
- ▶ Affordable housing
- ▶ Public health
- ▶ Public safety
- ▶ Job training programs
- ▶ Libraries
- ▶ How tax dollars are spent
- ▶ Election administration



# Resources for Care Facilities & Service Providers

- ▶ [MyVote Wisconsin](#)
- ▶ [Disability Vote Coalition](#)
- ▶ [Disability Vote Coalition Resource List](#)
- ▶ [Absentee Voting in Residential Care Facilities and Retirement Homes](#)

# Voting Resources

## Disability Vote Coalition:

- **Website:** [www.disabilityvote.org](http://www.disabilityvote.org)
- **Facebook:** [www.facebook.com/wisconsindisabilityvote](http://www.facebook.com/wisconsindisabilityvote)

## DRW Voter Hotline:

- 844-DIS-VOTE (347-8683) or email [info@disabilityvote.org](mailto:info@disabilityvote.org)

**Your municipal clerk:** [myvote.wi.gov/en-us/MyMunicipalClerk](http://myvote.wi.gov/en-us/MyMunicipalClerk)

## Wisconsin Election Commission

- 1-866-VOTE-WIS / [elections.wi.gov](http://elections.wi.gov) or email [elections@wi.gov](mailto:elections@wi.gov)

**MyVoteWisconsin:** [www.myvote.wi.gov](http://www.myvote.wi.gov)

## ► Photo ID

- **Bring It to the Ballot:** [bringit.wi.gov](http://bringit.wi.gov)
- **Wisconsin DMV Voter ID hotline:** 844-588-1069
- **Voter ID Helpline:** 608-285-2141

# What do I do if I need help or run into a problem?

Contact the *Disability Rights Wisconsin Voter Hotline*

844-DIS-VOTE (844-347-8683)  
or [info@disabilityvote.org](mailto:info@disabilityvote.org)

