

Voting Rights & Local Elections

disabilityrights wisconsin

February 6, 2024 Lunch and Learn



WISCONSIN BOARD FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

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 20th, 2024

Spring & Presidential Preference: April 2, 2024

Partisan Primary: August 13th, 2024

General Election: November 5th, 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

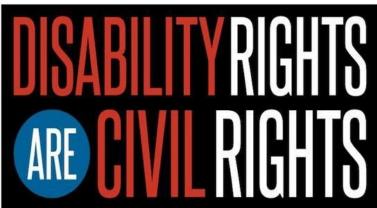
Voter Rights



- 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.



The Right to Assistance for Voters with a Disability

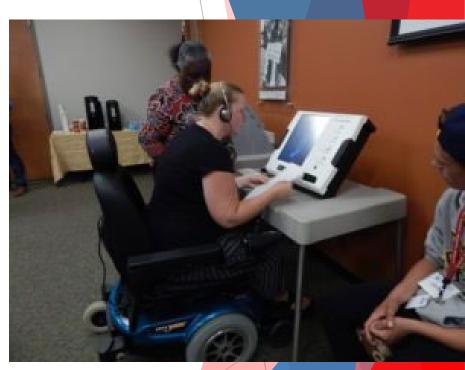
- Voters with a disability have the right to assistance with any part of the voting process. That right is protected by federal law.
 - You have the right to assistance marking your ballot, whether voting absentee or in-person. You may bring someone to assist you or ask a poll worker for assistance. 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 <u>here</u>



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 official 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 <u>Residential Care</u> <u>Facilities and</u> <u>Retirement Homes</u>

Voting Resources

Disability Vote Coalition:

- Website: <u>www.disabilityvote.org</u>
- Facebook: <u>www.facebook.com/wisconsindisabilityvote</u>

DRW Voter Hotline:

• 844-DIS-VOTE (347-8683) or email info@disabilityvote.org

Your municipal clerk: <u>myvote.wi.gov/en-us/MyMunicipalClerk</u>

Wisconsin Election Commission

1-866-VOTE-WIS / <u>elections.wi.gov</u> or email <u>elections@wi.gov</u>

MyVoteWisconsin: <u>www.myvote.wi.gov</u>

Photo ID

- Bring It to the Ballot: 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