

Voters with Disabilities



Figure 1: Photo Credit: Kim Hoog.

Voters with disabilities can face obstacles when trying to exercise their right to vote. Accessibility to the polling place can be a part of that; accessibility is an issue because many times voting is held in buildings that are accessible by stairs, such as church or school basements and are controlled by the local elections board.

Another accessibility issue is the use of electronic voting machines. These machines can pose problems because they may malfunction where there are no back-up machines available or where election staff don't know how to operate them.

There are federal election laws such as Voting Accessibility for the Handicapped and Elderly Act and Help America Vote Act (HAVA) which require polling places to be physically accessible to people with disabilities for federal elections. If there is no accessible location available to serve as a polling place, another way of casting a ballot must be made available; another requirement is for states to make available registration and voting aids for voters with disabilities and elderly voters, including information by TTYs (also known as TDDs) or similar devices.

American Association of People with Disabilities (AAPD): Voting

<http://www.aapd.com/what-we-do/voting/>

AAPD advocates for policies that allow people with disabilities to fully participate in the voting process by ensuring the accessibility of polling places and by promoting the availability of accessible voting technology.

AAPD: National Disability Voter Registration Week

<http://www.aapd.com/our-focus/voting/national-disability-voter-registration-week/>

The American with Disabilities and Other Federal Laws Protecting the Rights of Voters with Disabilities

http://www.ada.gov/ada_voting/ada_voting_ta.htm

Provides guidance to states, local jurisdictions, election officials, poll workers, and voters on how the Americans with Disabilities Act and other federal laws help ensure fairness in the voting process for people with disabilities.

The Center for an Accessible Society: People with Disabilities and Voting

<http://www.accessiblesociety.org/topics/voting/>

Despite state and federal laws - including the Americans with Disabilities Act - which require polling places to accommodate disabled voters, more than 20,000 polling places across the nation are inaccessible, depriving people with disabilities of their fundamental right to vote.

Disability Victory

<https://disabilityvictory.org>

Disability Victory is training disabled progressives on how to run for political office, staff campaigns and organize for change.

National Disability Rights Network

<http://www.ndrn.org/en/ndrn-member-agencies.html>

State Protection and Advocacy Systems (P&As) are another valuable resource. The Voting Access Program, Help America Vote Act (HAVA) administered by ACL, provides funding to P&As to support efforts to ensuring full participation by people with disabilities in the electoral process, including registering to vote, casting a vote, and accessing polling places.

P&As are responsible for the following HAVA activities:

- Full participation in the electoral process;
- Education, training and assistance;
- Advocacy and education around HAVA implementation efforts;
- Training and education of election officials, poll workers, and election volunteers regarding the rights of voters with disabilities and best practices;
- Assistance in filing complaints;
- Assistance to state and other governmental entities regarding the physical accessibility of polling places; and
- Obtaining training and technical assistance on voting issues.

Each P&A determines the best mix of HAVA services to provide based on the needs of their community. To find your state P&A for requesting assistance with voting, visit this website and select your state: <https://www.ndrn.org/about/ndrn-member-agencies/>

Source: Administration for Community Living

National Ombudsman Center

<http://ltombudsman.org/>

Individuals living in long-term care facilities who have concerns about exercising their right to vote may contact their state's LTC Ombudsman.

New Mobility: How They Won—Three Wheelchair Users Share Stories About Their Election to Office

<http://www.newmobility.com/2019/01/wheelchair-users-election-to-office/>

Nonprofit Vote: Voting with a Disability

<http://www.nonprofitvote.org/voting-with-a-disability/>

Provides a state by state list of information on voting with disabilities

Southeast ADA Center: Voting Access and Voters with Disabilities

<https://adasoutheast.org/resources/links-by-topic/#votingaccess>

U.S. Department of Justice: ADA Checklist for Polling Places

<https://www.ada.gov/votingck.htm>

The Department of Justice today released an updated technical assistance publication on polling place accessibility for voters with disabilities. The publication, "ADA Checklist for Polling Places," (PDF) includes a survey to guide election officials in evaluating the accessibility of facilities used or being considered for use as polling places. To find out more about the ADA, call the Justice Department's toll-free ADA Information Line at 800-514-0301 or 800-514-0383 (TTY), or access its ADA.gov website at <https://www.ada.gov/>.

U.S. Department of Justice: Election Complaint Form

<https://www.justice.gov/crt/complaint/votintake/index.php>

If you wish to report a possible violation of the federal voting rights laws, please fill out the form located in the above link. This includes possible violations of the voting-related provisions of the Civil Rights Acts, the Voting Rights Act, the Voting Accessibility for the Elderly and Handicapped Act, the Uniformed and Overseas Citizens Absentee Voting Act, the National Voter Registration Act, and the Help America Vote Act.

U.S. Department of Justice: Statutes Enforced by the Voting Section

<https://www.justice.gov/crt/statutes-enforced-voting-section>

The Civil Rights Division has prepared a summary (<https://www.justice.gov/crt/statutes-enforced-voting-section>) of some of the more common ways in which the federal voting rights statutes protect the ability of eligible voters to cast ballots that can be counted, organized by topic area instead of by statute.

U.S. Election Assistance Commission: Resources for Voters with Disabilities

http://www.eac.gov/voter_resources/resources_for_voters_with_disabilities.aspx

U.S. Election Assistance Commission: 10 Tips for Voters with Disabilities

https://www.eac.gov/assets/1/Documents/508%5b1%5d_14Disabilities.pdf

U.S. Election Assistance Commission: Voting Accessibility

<https://www.eac.gov/voters/voting-accessibility>

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