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Voting Rights:
What are My Voting Rights and Where is Virginia Heading?

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* Legal Disclaimer
* This presentation is designed to provide general legal information and is not intended to provide legal advice.
* This presentation does not create an attorney-client relationship with the disAbility Law Center of Virginia.

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Mission

Through zealous and effective advocacy and legal representation to:  protect and advance legal, human, and civil rights of persons with disabilities; combat and prevent abuse, neglect, and discrimination; and promote independence, choice, and self-determination by persons with disabilities.

Slide 4 Organization and Case Selection

* The disAbility Law Center of Virginia (“dLCV”) provides services ranging from general information about legal rights, individualized technical assistance, advocacy services, and legal representation in selected cases.
* Although we would like to help resolve every disability-related problem that comes to our attention, dLCV does not have enough staff or funding to provide advocacy services for everyone who contacts us for assistance. To ensure that dLCV’s limited resources are used wisely, we adopt annual “Goals, Focus Areas, Objectives and Case Selection Criteria” to determine the types of cases we will take.

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* Goal 1
* **People with Disabilities are Free from Harm**
* Typically this is in an institutional setting such as state psychiatric hospital
* Abuse in adult institutions
* Abuse in adult community settings
* Children in Institution Settings are safe from harm in schools, community, and institutional settings
* Children and youth with disabilities receive appropriate services in juvenile justice facilities
* Programs licensed by DBHDS will be safer and more inclusive due to dLCV’s monitoring.

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GOAL 2

**People with Disabilities Have Appropriate Access to Government Services**

**-Government programs remove both architectural barriers as well as barriers to service and provide reasonable and appropriate accommodations**

**-People with disabilities have equal access to vote**

**-Social Security recipients who have representative payees are free from exploitation**

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GOAL 3

**People with Disabilities Live in the Most Appropriate Integrated Environment**

 **- People with mental illness are appropriately discharged in a timely fashion from state facilities to appropriate community placements**

* **People with disabilities have maximum individual choice**
* **People with disabilities have equal access to public accommodations**

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* GOAL 4
* **People with Disabilities are Employed to their Maximum Potential**
* **-People with disabilities receive appropriate vocational rehabilitation services and employment supports**
* **People with disabilities access supports and benefits for community integrated employment**

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GOAL 5

**People with Disabilities have Equal Access to Appropriate and Necessary Healthcare**

People with disabilities are not denied Medicaid services unlawfully

People with disabilities have appropriate in- person and remote access to necessary healthcare services

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GOAL 6

**People with Disabilities Become Better Self Advocates through Education and Training**

- All people with disabilities who contact dLCV receive Information and Referral services

* dLCV provides education, training and outreach to underserved populations
* dLCV provides education, training and outreach to the general public
* dLCV advances legal rights through its amicus program

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What We Cannot Assist With

(IMAGE- but list includes): Divorce, criminal cases, family law/custody, workers compensation, civil suits, bankruptcy, assisted suicide, drafting of wills and estate planning, consumer protection, tax issues, pension and property disputes.

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* Why is it important to understand your rights?
	+ We also know that people who have disabilities are more likely to encounter difficulties while voting
	+ As a person with a disability, you have a unique perspective on the issues that you face and can express your thoughts at the voting poll.
	+ (<https://www.eac.gov/news/2021/07/07/new-data-177-million-americans-disabilities-voted-2020-significant-increase-over>)
	+ Registration for Individuals who have Low Vision or are Blind

Slide 13- Right to Register

* Any person, regardless of their disability status, has the right to register to vote at any office or agency that provides such a service. Most state agencies provide this service (the Departments of Health, Social Services, Behavioral Health and Developmental Services, Aging and Rehabilitative Services, Deaf/Hard of Hearing, and Blind/Vision Impaired). Also your local Registrar’s Office has registration forms and should be able to accommodate any special need.
* National Voter Registration Act and ADA

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* Accessible Voting Machine
* Each polling place should have at least 1 (one) accessible voting machine
	+ Large print (should be able to change font size and display)
	+ Audio output
	+ Must also be able to cast a vote privately
	+ Poll workers must be trained on how to use these machines
	+ Our understanding is that YOU MUST be the one to ask for the accessible machine. From experience speaking with other advocates, the poll worker watches the individual insert their ballot into the accessible machine.
	+ EQUAL OPPORTUNITY TO VOTE

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* + Accessible Voting Machines Continued
* Touch screen interface
* External tactile keypad that can be used instead of/in addition to the touch screen
* High contrast settings- choose a light background with dark text or a dark background with light text
* Zoom/increase font size
* Tactile labels that show directions on how to use the machine
* Text-to-speech that reads information out loud and confirms selection- must have headphones plugged in to work (you can bring your own).
* Options for voting while sitting or standing

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* If You Need Assistance
* You can ask a poll worker for an “assistance form” or an Elect 649.
* The poll worker will assist you in filling out the form if you require assistance
* Boss, union representative and those running for an elected office cannot assist with the form.
* If you do decide to ask for this form, please let dLCV know your experience. We advocated last year that this form be more available and “publicized”

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Electronic Ballot

* If you wish to vote absentee and use an electronic ballot, you have a right to request that.
* You would request this through your registrar’s office
* The ballot that they send to you should be accessible through screen reader. If it is not, you can contact dLCV, and we can help you advocate for an accessible ballot
* At this time, ballots must still be returned by mail.

Slide 18: Other rights for Voters:

Curbside Voting

* **There should be a Curbside Voting sign or clear instructions on how to vote curbside.**
* Should have a contact number to call if no one is out waiting for curbside voters.
* Unacceptable Answers
	+ Honk
	+ Ring the bell for assistance (when bell is at the door)

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**Accessible Parking Spaces the Closest Spots to the Door**

* What language is on the accessible parking signs?
* Are these spots the closest to the door?
	+ Often, if there is a special voting entrance, this involves moving the accessible parking. People forget about this!!
* Is there anything blocking the accessible parking spots?

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* **Smooth, Clear Path of Travel From the Parking Lot to the Front Door**
* The path to the door should be clear of any obstacles (trees, holes, barriers, etc…)
* Is there a curbcut?

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* Door Should Be Open with a Closed Fist

 Is there a doorstop or something holding the door open?

 Sometimes, there are also people there to open the door. This is acceptable

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What Virginia is Working Towards:

* Virginia is working with the Department of Elections to focus on systemic issues that can affect the entire state. This includes:

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* All New Polling Places are Accessible
* All polling places should be accessible every day, not just election day.
	+ This is an issue because if polling places make temporary fixes for election day, this has led to accessible parking places not being in the right location and voters not having a clear path to the door.

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Accessibility Issues

* We have addressed all of the accessibility issues that our volunteers or staff found at their polling place with the Board of Elections including:
	+ Curbside Voting Issues
	+ Accessible Parking
	+ Clear Path to the Door
	+ Inaccessible handle on door

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* Need Help Voting?
* You have a right to ask for help if you need help voting. One way that you can do this is asking for the Elect 649 form. In the past, individuals have had issues getting this form, so we have asked that the Board of Elections hang a sign in each polling place to let voters know that they can ask for an Elect 649 form

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* Here’s How You Can Help!
* Every election day in November, our staff surveys polling places in nearby areas (or around the state), and we also use the help from Volunteers!
* We train volunteers prior to this experience.
* With the help from staff and volunteers, we surveyed 550 polling places all throughout Virginia last November.
* <https://www.dlcv.org/voting-rights>

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* Resources I Used to Create this Presentation:
* <https://acb.org/voting>
* <https://veroniiiica.com/accessible-voting-machines/>

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CONNECT WITH US

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symbols for Spotify, Twitter, Instagram, and Facebook.