

Voting and Accessibility

Disability Rights California

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2015

TYPES OF DISABILITIES

MOBILITY IMPAIRMENTS



VISUAL IMPAIRMENTS



HEARING IMPAIRMENTS



MENTAL HEALTH IMPAIRMENTS



INTELLECTUAL AND DEVELOPMENTAL DISABILITIES



COGNITIVE IMPAIRMENTS

FEDERAL AND STATE LAWS THAT PROTECT VOTERS WITH DISABILITIES

Help America Vote Act (HAVA)

HAVA, the Help America Vote Act of 2002, sets the rules for voting systems in federal elections. These rules include making sure voting systems are accessible for voters with disabilities. ***Accessible*** means that the voting system is easy to use privately and independently.

42 USC § 15301, et seq.

NOT EVERYONE CAN VOTE PRIVATELY AND INDEPENDENTLY BY MAIL

- ◉ DEXTERITY IMPAIRMENTS
- ◉ VISUAL IMPAIRMENTS
- ◉ LEARNING IMPAIRMENTS

**EVERY VOTER
HAS THE RIGHT TO A
PRIVATE AND
INDEPENDENT BALLOT!**

THE CALIFORNIA CONSTITUTION:

The California Constitution says
voting must be done in secret.

California Constitution, Art. II § 7.

**EVERY VOTER
HAS THE RIGHT TO
A BALLOT
WHICH IS ACCESSIBLE
TO THEM!**

WHAT IS ACCESSIBLE?

Department of justice sets standards for

- Accessibility
- Path of Travel
- Slope of Entry
- Accessible Parking, etc.

Accessibility standards are available at:

- www.ada.gov/votingck.htm

**EVERY VOTER HAS
THE RIGHT TO
VOTE
INDEPENDENTLY!**

ASSISTING VOTERS WITH DISABILITIES

Voters with disabilities may have anybody to assist them with voting, except for their employer, an agent for their employer, a member of their union.

California Elections Code
Sec. 14282(a).

A voter with disabilities may have no more than two persons assist him or her to vote (including poll worker).

A person assisting a person with disabilities to vote must keep all information about the person's choices confidential.

**ASSISTING VOTERS WITH
DISABILITIES IS NOT
A SUBSTITUTE FOR
HAVING AN ACCESSIBLE
VOTING SYSTEM.**

CURBSIDE VOTING

If a polling place is not accessible to people with disabilities:

- A poll worker must bring a regular ballot to a person with disabilities outside of the polling place (e.g., parking lot or sidewalk).
- If it is impractical to bring the ballot to the person with disabilities, the poll worker must bring a vote by mail ballot to the person with disabilities.

California Elections Code Sec. 14282(c).

During the November 4, 2014 Election, Disability Rights California Hotline had ten phone calls; six of which were concerned with the accessible voting system not being placed so as to insure a private and independent ballot.

What is a VAAC?

A Voting Accessibility
Advisory Committee

What does a VAAC do?

A local VAAC can benefit your county in many ways, including providing a forum for the disability and senior communities in your county to voice their concerns and provide input and opportunities for collaboration and outreach in your community.