

Voters with Disabilities

Voters with Disabilities

More than 35 million Americans with disabilities are eligible to vote. But only 15 million do vote. That means 20 million people with disabilities are **not** voting. Their votes could have a big impact on who is elected and on policies that affect people with disabilities. Some elections are very close. Every vote counts.

Your vote decides who will be in office. Voting is your chance to tell elected officials what issues and projects matter to you. Your vote counts! Your vote is important!

This booklet will tell you about:

- Laws that Protect Voters with Disabilities
- How to Register to Vote
- Voting Materials to Help You Vote
- How to Vote
- What Disability Rights California can do to Help You

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Federal and State Laws that Protect Voters with Disabilities

You have the right to vote in an accessible place. You also have the right to a secret and easy-to-use way to vote. Federal laws and California laws protect your right to vote.

Federal Laws

The federal laws that protect voters with disabilities are:

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.

HAVA says:

- By January 1, 2006, every precinct must have at least one voting machine or system that is accessible to voters with disabilities. This includes blind and low vision voters.
- Each voter must be able to vote secretly and by him/herself.
- State and local governments can get grant money to help make polling places accessible.
- Elections officials and poll workers will be trained to help voters with disabilities.

42 USC § 15301, et seq.

Americans with Disabilities Act (ADA) of 1990

The ADA is a law that says employers, state and local governments, and public places cannot discriminate against you because of your disability.

You must be able to register and vote. Your county must have polling places that are accessible to you. Accessible polling places means the parking, paths to the polling place, entrances, exits and voting areas are easy for you to use.

42 USC § 12101, et seq.

National Voter Registration Act (NVRA or “Motor Voter Act”) of 1993

The NVRA makes it easier for you to register to vote because you can register at:

- Any state office that provides public assistance
- Any state-funded program that serves people with disabilities

These agencies all have voter registration forms. And they can help you fill them out and mail them.

42 USC § 1973 (gg), et seq.

Voting Accessibility for the Elderly and Handicapped Act (VAEHA) of 1984

The VAEHA says that polling places for federal elections must be accessible to you. States must help you register and vote. You must be able to get information by TDD/TTY. If no accessible polling place is available, you must be given another way to vote.

42 USC § 1973 (ee), et seq.

Federal Standards for Electronic Voting Systems

In 2002, the Federal Election Commission (FEC) said all voting systems must be accessible to voters with disabilities.

To learn more about these standards, see: www.fec.gov

California State Laws

The state laws that protect voters with disabilities are:

The California Constitution

The California Constitution says voting must be done in secret.

California Constitution, Art. II § 7

Accessible Voting Technology Act (AVTA) of 2002

The AVTA says blind and low-vision voters have the right to vote without being “helped”.

The law says you must:

- Be able to use, choose, and move data and work the controls of the voting system.
- Have the same access to voting and technology as voters who are not blind or low-vision.
- Have access to at least 1 accessible voting unit at your polling place.

California Elections Code § 19225, et seq.

Proposition 41

Proposition 41 was passed by the voters in 2002. It says that counties can get some money (“matching funds”) from the state when they buy new voting systems. Proposition 41 also sets up the Voting Modernization Board.

California Elections Code § 19230, et seq.

Register to Vote

Who can vote?

You can register to vote if you are:

- A U.S. citizen,
- A California resident,
- At least 18 years old,
- Not in prison or on parole for a felony conviction, and
- Not found by a court to be "Not Guilty by Reason of Insanity," "Incompetent to Stand Trial," a "Mentally Disordered Sex Offender," or a "Mentally Disordered Prisoner." In addition, some other individuals on conservatorship may not be eligible if a court finds that the person is "not capable of completing an affidavit of voter registration" and specifically takes away the right to vote in the conservatorship papers. See Disability Rights California publication called Right to Vote When You are in a Facility or Under a Conservatorship available at <http://www.disabilityrightsca.org/pubs/541401.htm> for more detailed information.

How to register

If you meet these requirements, you can get a voter registration form and fill it out. Return it to your County Elections Office or the Secretary of State. You can mail it for free.

You must put these items on the registration form:

- Your name.
- A mailing address. If you are homeless, put an address where you can get mail. This address could be the post office, a friend or relative's home, a homeless shelter or social service agency.
- A residence address. This information is needed to assign your polling place (where you vote). You can put a street intersection if you are homeless.

- A California driver's license or California ID card number. If you do not have a driver's license or ID, use the last four digits of your Social Security number.
- You must sign the form and swear all the information on it is correct.

You will receive a Voter Notification Card in the mail about 2 weeks after you register. Make sure the information is correct. Let the Elections Office know if something on the card is wrong.

Where to get a registration form

There are many ways to get a registration form.

- Call 1-800-345-VOTE (8683) (voice or TDD/TTY). Ask them to mail you a form.
- Contact your County Elections Office. See page 14.
- Pick up a form at the:
 - Library
 - Post Office
 - Disability Rights California office
 - Regional Center
 - Department of Motor Vehicles (DMV)
 - County Mental Health Agency
 - County or City Clerk Offices
- Register on-line at the Secretary of State's website:
www.sos.ca.gov/elections/elections.htm
 Click on "Fill out a Voter Registration Form Online."
- Download the form from the Secretary of State's website. Fill it out and mail it to:

Secretary of State
 1500 11th Street
 Sacramento, CA 95814

When to register

In California, you must register to vote at least 15 days before Election Day.

Do I have to register again?

You have to register again **only** if you:

- Move,
- Change your name,
- Change your political party,
- Got back your right to vote after getting out of prison or getting off parole for a felony, or
- Got back your right to vote after getting off a conservatorship that suspended your right to vote.

Need help with voter registration?

You can get help with voter registration from the Secretary of State's Office, DDS Regional Centers, County Mental Health Agencies, and Disability Rights California. Their contact information is listed below.

Secretary of State's Office

For questions or help with voter registration, call any of these numbers:

English:	1-800-345-VOTE (8683) – voice or TTD/TTY
Spanish:	1-800-232-VOTA (8682)
Chinese:	1-800-339-2857
Vietnamese:	1-800-339-8163
Japanese:	1-800-339-2865
Tagalog:	1-800-339-2957
Korean:	1-866-575-1558

DDS Regional Centers

The law says the California Department of Developmental Services (DDS) must give you information and help you with voter registration. DDS has 21 regional centers in California. Your local regional center can help you.

For more information, read:

- Regional Center: Responsibility to Assist Regional Center Clients with Voter Registration
- Voter Registration for Regional Center Clients

You can get these publications from Disability Rights California at:

www.disabilityrightsca.org;

or call Disability Rights California. See page 7 for an office near you.

County Mental Health Agencies

All state-funded programs that serve people with disabilities must have voter registration services. This includes county mental health agencies and state hospitals.

For more information, read:

- “Right to Vote When You are in a Facility or Under a Conservatorship”

You can get this publication from Disability Rights California at:

www.disabilityrightsca.org;

or call Disability Rights California. See below for an office near you.

Disability Rights California Offices

Disability Rights California
100 Howe Avenue, Suite 235-N
Sacramento, CA 95825
Toll Free: 800-776-5746
Phone: 916-488-9950
Fax: 916-488-9960
TTY: 800-719-5798

Disability Rights California
3580 Wilshire Blvd., Suite 902
Los Angeles, CA 90010
Toll Free: 800-776-5746
Phone: 213-427-8747
Fax: 213-427-8767
TTY: 800-781-4546

Disability Rights California
1330 Broadway, Suite 500
Oakland, CA 94612
Toll Free: 800-776-5746
Phone: 510-267-1200
Fax: 510-267-1201
TTY: 800-641-0154

Disability Rights California
1111 Sixth Avenue, Suite 200
San Diego, CA 92101
Toll Free: 800-776-5746
Phone: 619-239-7861
Fax: 619-239-7906
TTY: 800-576-9569

Voting Materials to Help You Vote

Sample Ballot and California Ballot Pamphlets

About 6 weeks before Election Day, the County Elections Office will mail you a Sample Ballot. This has information about the candidates and issues on the ballot. You will also receive a California Ballot Pamphlet with more information.

If you registered close to the election, (15-29 days before), there may not be time to mail these materials. You will receive a post card in the mail that says you registered. You can get the Ballot Pamphlet at the library or online at:
www.ss.ca.gov/elections/elections_i.htm

What if I have trouble seeing, reading or understanding English?

You can get an audio cassette version of the Ballot Pamphlet. It is available for free at the:

- Library
- Braille Institute
- County Elections Office
- Secretary of State's website:
www.ss.ca.gov/elections/elections_dis.htm
- Secretary of State's Office:
1-800-345-VOTE (8683) (voice or TDD/TTY)

Non-English Ballot Pamphlets

You can get ballot pamphlets in languages other than English. Contact your County Elections Office to ask what languages your county has.

California ballot pamphlets are available in English, Spanish, Chinese, Japanese, Korean, Tagalog and Vietnamese. You can get these ballots online at:
www.ss.ca.gov/elections/elections_i.htm

Easy Voter Guide

You can also get an **Easy Voter Guide**. This booklet gives you clear and easy-to-read information about your California ballot and voting. It is available in English, other languages, on tape and in large print.

The Easy Voter Guide has:

- Statements from each political party
- Statements and pictures of candidates
- Explanations of ballot measures (Propositions)
- Information about registering and voting

To get the **Easy Voter Guide**:

- Download the Guide at www.easyvoter.org. It is screen reader-friendly.
- Pick up a free copy at the library.
- Contact your County Elections Office.
- You can also get the Guide on audiotape or in large print. Contact:

Easy Voter Guide
League of Women Voters of California

801 12th Street, Suite 220
Tel: 916-442-7215 (voice only, no TDD/TTY)

Susan Clark, Project Director

How to Vote

Where do I vote?

You vote at your polling place. It is open from 7 a.m. until 8 p.m. on Election Day. Check your Sample Ballot or the postcard mailed to you saying you registered. This will tell you where to vote.

Is my polling place accessible?

Maybe. Look for the blue wheelchair symbol on the back page of your Sample Ballot. If there is a blue wheelchair symbol, then your polling place should be **accessible**.

By law, each state must have guidelines about accessible polling places. You can find a checklist for polling places prepared by the U. S. Department of Justice at:

www.usdoj.gov/crt/ada/votingck.htm

The Secretary of State has a ***Polling Place Accessibility Checklist*** for California. Download the checklist from:

www.ss.ca.gov/elections/access_check.pdf

Or, ask the Secretary of State's Office to mail you a copy:

1-800-345-VOTE (8683) – voice or TDD/TTY

Accessible polling places have:

- Marked accessible parking near the entrance
- A clear path from the parking area to the polling place
- Doors that are wide and easy to open
- Election materials and signs in large print
- Poll workers to help you and answer your questions

If your polling place is not accessible or you cannot get to the polling place, you can:

- Vote by Absentee Ballot before the election.

- Ask to vote at an accessible polling place near you.
- Use “Curbside Voting”. If you cannot come into the polling place, a poll worker will bring a ballot to you at the curb or in your car.
- Call your County Elections Office or Disability Rights California if you have questions.

In the Voting Booth

Even if your polling place is accessible, your voting system may not be. Federal law says that voters with disabilities must have accessible voting systems by 2006. Disability Rights California expects there to be accessible voting systems by that date.

You have the right to a secret and easy-to-use way to vote. Most polling places will have these items to help you:

- A tabletop voting booth (for wheelchair access)
- Braille and large print instructions
- A magnifying sheet
- Pictures to help explain the voting system
- A ballot marker that is easy to use

Can other people help me vote?

Yes. You can:

- Choose 1 or 2 people to help you in the voting booth. But, you cannot choose your employer or union official.
- Ask a poll worker to help you. But, they must not influence you, and they cannot tell anyone how you voted.
- Ask a sign language interpreter to help you. You can bring your own interpreter or call the County Elections Office before the election to request an ASL interpreter.

You can also take your service animal to the polling place and into the voting booth.

Voting by Absentee Ballot

An Absentee Ballot lets you vote by mail. If your polling place is not accessible, or you cannot get there, you can vote absentee.

But you must apply for an absentee ballot at least 7 days **before** the next election. Your Sample Ballot pamphlet has an application. Or you can contact your County Elections Office. See page 14.

Mail your absentee ballot or drop it off at the County Elections Office or at any polling place in the county where you are registered to vote.

It must arrive by 8 p.m. on Election Day. If it is late, it cannot be counted.

Do I have to apply for an absentee ballot before every election?

Yes, unless you apply for Permanent Absentee Status. Permanent Absentee Status means an absentee ballot will automatically be sent to you before every election. But if you do not vote in an election, you will be taken off the permanent list. To get back on the list, you must apply again.

To apply for Permanent Absentee Status, use the application in your Sample Ballot, or call your County Elections Office.

What if I lose my absentee ballot or forget to mail it on time?

If you lose your absentee ballot, you can vote by Provisional Ballot on Election Day at your polling place. Or request a new one on Election Day, by calling the County Elections Office.

If you did not mail your ballot on time, be sure to fill out all the information on the ballot and the outer envelope. Then, on Election Day you or someone you choose can take it to any polling place in the county where you are registered to vote.

Common Questions

Can Disability Rights California help me?

Yes. HAVA says Disability Rights California must make sure you can exercise your right to vote.

If you feel discriminated against because of your disability, or if you think any of the voting laws were broken, contact Disability Rights California. For Disability Rights California's contact information, see page 7.

What is Provisional Voting?

If the poll worker cannot determine you are properly registered, they will ask you to fill out a "provisional" ballot. Your provisional ballot will be put in a special envelope in the ballot box. Later, the County Elections Office will check your registration and make sure you are eligible to vote. If you are, they will count your vote.

The poll worker will give you a receipt. You can call the phone number on the receipt to see if your vote was counted.

What if I am put in the hospital on or just before Election Day?

You can still vote. Ask for an ***Emergency Absentee*** or ***Hospitalized Voter Ballot***. Call the County Elections Office for an application. Then, send someone to the County Elections Office to pick up your absentee ballot. After you vote, they can return the ballot to the polling place.

What if I make a mistake on my ballot?

Give your ballot back to the poll worker. They will give you a new one. You can get up to three ballots. But you cannot get a new ballot if you put the ballot in the ballot box. If you have trouble with the voting equipment, ask a poll worker to help you.

Elections Officials, by County

Alameda

(510) 267-6933
www.acgov.org/

Alpine

(530) 694-2281
www.co.alpinecounty.ca.gov

Amador

(209) 223-6465
www.co.amador.ca.us/depts/elections/index.htm

Butte

(800) 538-7761 (Butte only)
(530) 538-6366
<http://clerk-recorder.buttecounty.net>

Calaveras

(209) 754-6376
www.co.calaveras.ca.us/departments/recorder.html

Colusa

(530) 458-0500
www.colusacountyclerk.com

Contra Costa

(925) 335-7800
www.cocovote.us

Del Norte

(707) 464-7216
(707) 465-0383
www.co.del-norte.ca.us

El Dorado

(530) 621-7480
www.co.el-dorado.ca.us/elections

Fresno

(559) 488-3246
www.co.fresno.ca.us

Glenn

(530) 934-6414
www.countyofglenn.net/Elections

Humboldt

(707) 445-7678
www.co.humboldt.ca.us/election

Imperial

(760) 482-4226
www.imperialcounty.net/Election

Inyo

(760) 878-0224
www.countyofinyo.org

Kern

(661) 868-3590
www.co.kern.ca.us/elections/

Kings

(559) 582-3211 Ext. 4401
www.countyofkings.com

Lake

(707) 263-2372
www.co.lake.ca.us

Lassen

(530) 251-8217
<http://clerk.lassencounty.org/registrarm.htm>

Los Angeles

1-800-815-2666
(562) 466-1310 (LA only)
www.lavote.net

Madera

(559) 675-7720
www.madera-county.com

Marin

(415) 499-6456
<http://co.marin.ca.us/depts/RV/main/index.cfm>

Mariposa

(209) 966-2007
www.mariposacounty.org

Mendocino

(707) 463-4371
www.co.mendocino.ca.us/acr

Merced

(209) 385-7541
www.co.merced.ca.us/elections/index.html

Modoc

(530) 233-6201

Mono

(760) 932-5537
www.monocounty.ca.gov

Monterey

(831) 796-1499
<http://montereycountyelections.us>

Napa

(707) 253-4321
www.co.napa.ca.us/gov/Departments

Nevada

(530) 265-1298
<http://new.mynevadacounty.com/elections>

Orange

(714) 567-7600
www.ocvote.com

Placer

(530) 886-5650
www.placer.ca.gov/recorder/elections.aspx

Plumas

(530) 283-6256
www.countyofplumas.com/clerkrecorder/elections

Riverside

(951) 486-7200
www.voteinfo.net

Sacramento

(916) 875-6451
www.elections.saccounty.net

San Benito

(831) 636-4016
www.sanbenitocountyelections.us

San Bernardino

(909) 387-8300
www.sbcrov.com

San Diego

(800) 696-0136
(858) 565-5800
www.sdvote.com

San Francisco

(415) 554-4375
www.sfgov.org/election

San Joaquin

(209) 468-2885
www.sjcrov.org

San Luis Obispo

(805) 781-5228
www.slocounty.ca.gov/clerk

San Mateo

(650) 312-5222
www.shapethefuture.org/voters/default.asp

Santa Barbara

South County: (805) 568-2200
North County: (805) 346-8374
www.sbcvote.com

Santa Clara

(408) 299-8683
www.sccvote.org

Santa Cruz

(831) 454-2060
www.votescount.com

Shasta

(530) 225-5730
www.co.shasta.ca.us/departments/countyclerkregistrarofvoters/index.shtml

Sierra

(530) 289-3295
www.sierracounty.ws

Siskiyou

(530) 842-8084
www.co.siskiyou.ca.us/clerk/elections/elections.htm

Solano

(707) 784-6675
www.solanocounty.com/elections

Sonoma

(707) 565-6800
www.sonoma-county.org/regvoter/index.htm

Stanislaus

(209) 525-5200
<http://stanvote.com>

Sutter

(530) 822-7122
www.sutter.us/doc/government/depts/cr/elections/cr_elections_home

Tehama

(530) 527-8190
www.co.tehema.ca.us

Trinity

(530) 623-1220
www.trinitycounty.org/elections

Tulare

(559) 733-6275
www.tularecoelections.org/

Tuolumne

(209) 533-5570
www.tuolumnecounty.ca.gov

Ventura

(805) 654-2781
<http://recorder.countyofventura.org/elections.htm>

Yolo

(530) 666-8133
www.yoloelections.org/

Yuba

(530) 749-7855
<http://elections.co.yuba.ca.us>