

## **Being Heard: The Voting Rights of Individuals with Disabilities**

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Elections are in the air, as hopefuls position themselves for local, state and federal office. Given the budget pressure on public benefits and services, the stakes couldn't be higher for individuals with special needs, and it's important that they make their voices heard.

The U.N. Convention on the Rights of Persons with Disabilities has declared that member states "shall undertake to ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others...including the right and opportunity for persons with disabilities to vote and be elected."

Here in the U.S., progress has been bumpy. While the federal Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 stipulated that individuals with special needs have access to "public programs," the legislation's relation to voting rights was unclear. It was left to the Help America Vote Act (HAVA) of 2002 to specifically tackle the issue of voting accessibility for those with disabilities. HAVA requires that all voting sites have at least one accessible voting machine to ensure that people with special needs can vote on their own and in privacy.

Although the American Association of People with Disabilities reports that more individuals with special needs voted during the 2008 general election than at any other time in history (only seven percent fewer than those without disabilities), disparities in voting processes meant that barriers remained. Technology malfunctioned. Accessible voting machines were placed in inaccessible locations. Lawsuits resulted, and it's hoped that this year's experience will be better.

Misinformation and stereotypes, though, remain significant challenges. All U.S. citizens have the right to vote if they are at least 18 years old and have not been expressly told by a judge that they are ineligible (due to incapacity, imprisonment or felony-related parole). Here are important things to remember concerning the right of individuals with disabilities to vote:

- Living in a group home or institution does not affect eligibility.
- Voters are not required to be able to read or write.
- Assistance in filling out voter registration forms must be available.
- Individuals have the right to be assisted with voting by a friend or poll worker.

The Arc of the U.S. has launched a national campaign, "We've Got the Power!" in order to educate, register and mobilize individuals with developmental disabilities to vote this year. They plan to provide online training and materials, as well as links to voter registration information. As The Arc's newsletter points out, by voting, "...we increase our power to fight for real participation in society and independence...."