



Safeguarding Democracy: The Maryland Case Shaping Voting Rights for People with Disabilities

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Voting is one of the most powerful expressions of citizenship. Yet for millions of Americans with disabilities, the simple act of casting a ballot can still be a struggle. Despite decades of civil rights progress, the promise of equal access at the polls has not been fully realized.

Maryland, however, has become an important stage for the legal battles that shape how voters with disabilities exercise their rights. Recent cases highlight both the barriers that persist and the strides being made to ensure that democracy is accessible to all.

The Legal Landscape

Federal protections lay the groundwork. The Voting Rights Act of 1965, the Americans with Disabilities Act (ADA), and the Help America Vote Act (HAVA) all work together to guarantee that citizens with disabilities can participate in elections. These laws mandate accessible polling places, accessible voting machines, and nondiscrimination in election procedures.

The national trend is toward presuming that the right to vote is retained unless a court expressly rules otherwise, but the landscape is uneven; a handful of states allow individuals under general guardianship to vote without any required proof of capacity, while [nine states](#) still disenfranchise those under guardianship outright. The remaining states — including Maryland — require proof before voting rights can be removed.

In fact, the Election Law Article of the Maryland Code and the Supported Decision-Making Act of 2022 affirm that individuals under guardianship should not be stripped of their rights unless there is clear and convincing evidence that they cannot, even with help, communicate a desire to vote.

A Landmark Case: In the Matter of William Pughsley

In 2025, the Maryland Appellate Court issued a decision in [In the Matter of William Pughsley, No. 1489 September Term 2023](#), (June 2, 2025) that reshaped how courts evaluate voting capacity for individuals under guardianship.

William Pughsley, an adult with a mental disability, had been disqualified from voting by a lower court. The judge reasoned that because he did not demonstrate a “base level understanding” of the political process, he could not exercise the right to vote responsibly.

But Maryland’s appellate judges disagreed. The law, they emphasized, asks only whether a person can communicate a desire to participate in the voting process — not whether they understand how the political system works. And that communication does not have to be verbal or conventional; the statute explicitly allows for accommodations, so long as the desire to participate is genuine.

The decision means that individuals like Pughsley, who rely on supported decision-making, cannot be disenfranchised simply because they process the world differently. It was a victory not just for one man, but for thousands of Marylanders — as well as individuals across the country looking to cases like this for precedent — whose rights hinge on whether the law recognizes ability rather than presumes incapacity.

Beyond the Courtroom

This is not Maryland’s first brush with voting-rights litigation. In *National Federation of the Blind v. Lamone*, 813 F.3d 494 (2016), advocates challenged the state’s absentee voting process, arguing that it effectively excluded voters with visual impairments who could not complete paper ballots without assistance. The case underscored the principle that equal access to voting includes not only getting into a polling place, but also being able to cast a private and independent ballot.

Meanwhile, legislative proposals — such as requiring universal use of ballot-marking devices and strengthening the Maryland Voting Rights Act — signal growing awareness that accessibility should be woven into every aspect of election administration.

Barriers That Remain

Despite these gains, obstacles persist:

- Some polling places are still physically inaccessible.
- Ballot-marking devices are not always available or functioning.
- Poll workers may lack training on the rights of voters with disabilities
- Families and guardians sometimes misunderstand the law, believing that guardianship automatically strips voting rights.

The gap between legal protections and lived experience remains wide.

Why It Matters

People with disabilities make up one of the largest minority groups in the United States — over [70 million individuals](#), representing nearly one in four American adults. Their experiences span every demographic, every community, and every political leaning. Their voices can and should shape public policy, yet for too long, systemic barriers have meant that their votes were harder to cast, easier to dismiss, and sometimes never counted at all.

Cases like Pughsley serve as reminders that democracy is stronger when barriers fall and participation rises. When a person is denied the ballot because of assumptions about their ability, the loss is not theirs

alone — it diminishes the integrity of the process for everyone. Ensuring voting access is not an act of charity. It is a fulfillment of the Constitution's promise of equality.

Moving Forward

Maryland's recent rulings and debates should inspire both vigilance and action. Election officials must invest in accessible technology, courts must faithfully apply the law, and communities must spread awareness about the rights of voters with disabilities.

Democracy depends on inclusion. As the Pughsley decision makes clear, the right to vote is not measured by how much one understands politics, but by the simple desire to have a voice. For voters with disabilities, that voice matters just as much as any other.

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