

## DRNJ POLICY STATEMENT: VOTING RIGHTS

### I. DRNJ'S MISSION

To protect, advocate for and advance the human, civil, and legal rights of persons with disabilities.

### II. POLICY STATEMENT

All adult citizens, including people with disabilities, have a fundamental right to vote and cast a confidential ballot in their local polling place.

### III. BACKGROUND

Several federal and state laws mandate equal access to the voting process for individuals with disabilities and regulate the administration of voting activities to reduce the discrimination and disenfranchisement that many voters with disabilities still experience. These laws include the Help America Vote Act, 42 U.S.C. §§ 15301-15545, Title II of the Americans With Disabilities Act, 42 U.S.C. § 12131, *et seq.*, the Voting Accessibility for the Elderly and Handicapped Act, 42 U.S.C. § 1973ee-1 *et seq.*, the National Voter Registration Act, 42 U.S.C. § 1973 *gg et seq.*, Title 19 of the New Jersey Statutes, and Title 13 of the New Jersey Administrative Code.

With enforcement of the letter and spirit of these existing laws and a commitment to the funding of technologically advanced voting equipment and systems, the barriers to voting can finally be removed.

In order to ensure that voters with disabilities have the equal access to the fundamental right to vote:

- all polling places must be free of physical obstructions such as steps or curbs in the parking lot, at the entrance, and in the voting area;
- counties must purchase at least one direct recording electronic voting machine with an auditory component that announces ballot choices and provides a summary of votes, allowing sight-impaired voters to verify and cast ballots without assistance and in complete privacy;
- registration forms, absentee and provisional ballots, educational material, and election day notices advertisements must be available in accessible formats, including Braille, large print and audio, and all languages;

- state agencies that provide services to people with disabilities must increase compliance with the voter registration requirements of the National Voter Registration Act (NVRA);
- counties must reduce the reliance upon the use of absentee ballots for voters with disabilities as an accommodation;
- county Boards of Election must eliminate the discriminatory disqualification of absentee ballots cast by voters in institutions or by voters using rubber stamp or mark signatures;
- the State must develop programs to increase the availability of free and physically accessible transportation to polling places; and,
- all election officials and poll workers must participate in a mandatory statewide training developed by a committee of disability advocates that includes a curriculum about the legal capacity to vote and other disability issues.

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