



MAKING VOTING ACCESSIBLE TO VOTERS WITH PRINT DISABILITIES

RIGHTS OF VOTERS WITH DISABILITIES

Various laws protect voter access in the United States for people with disabilities. The Voting Rights Act (VRA) ensures that any voter who requires assistance to vote be given assistance by a person of the voter’s choice (except a voter’s employer or agent of that employer or officer or agent of the voter’s union). The Americans with Disabilities Act (ADA) requires state and local governments to ensure that people with disabilities have a full and equal opportunity to vote. The Help America Vote Act (HAVA) mandates that voters with disabilities have the same opportunity to vote “privately and independently” by requiring that every polling place have at least one voting system that is accessible to people with disabilities.

In other words, Federal law mandates that every voter in America can receive, mark, verify, and cast a private and independent ballot. This means all methods of voting, including in-person and vote-by-mail, must be fully accessible to voters with disabilities.

Unfortunately, voting rights and accessibility are under attack across the country as states pursue [legislation](#) that would restrict the right to vote to many Americans, including Americans with disabilities. States are placing restrictions on absentee voting, mobile voting, drop boxes, voter assistance and more. These restrictions are disenfranchising voters with disabilities.

DISABILITY IN THE 2020 ELECTIONS

Approximately [16 percent](#) of the electorate has a disability. Despite the size, diversity, and political power of the disability community, America’s electoral system has a long history of excluding and disenfranchising people with disabilities.

- 21 million eligible voters have mobility impairments.
- 14 million eligible voters have difficulty going outside.
- 13 million eligible voters have cognitive disabilities.
- 13 million eligible voters have hearing impairments.

- 7 million eligible voters with disabilities have difficulty with self-care.
- 7 million eligible voters have a visual impairment.

DIFFICULTY VOTING IN THE 2020 ELECTIONS

Many people with disabilities face difficulties when trying to cast their ballot, from inaccessible polling places to poll workers who have not been trained on disability rights. Voting difficulties are [most common](#) among people with low vision, cognitive disabilities and those who need help in daily activities. Print disabilities encompass disabilities that make it difficult or impossible to access standard printed text. Print disabilities include low vision, cognitive disabilities and physical disabilities that may necessitate receiving help in daily activities.

- 16 percent of voters with low vision needed assistance in voting in-person and 25 percent needed assistance with voting by mail.
- 7 percent of voters with cognitive disabilities needed assistance in voting in-person and 13 percent needed assistance with voting by mail.
- 9 percent of voters who need help in daily activities needed assistance in voting in-person and 22 percent needed assistance with voting by mail.

ACCESSIBLE REMOTE VOTING OPTIONS

Across the country, states use either partially or fully electronic absentee or vote-by-mail systems to make voting more accessible and feasible for voters with disabilities and overseas military and citizens abroad (UOCAVA Voters). In the 2020 elections, more than half of all states allowed voters with disabilities to receive and mark their absentee or vote-by-mail ballots electronically, and some states also allowed voters with disabilities to verify and return their ballot electronically. For voters with print disabilities, such as visual, learning, or dexterity disabilities that make paper ballots inaccessible, these remote voting systems provide the only way to receive, mark, and verify their ballot privately and independently, a right guaranteed by the Americans with Disabilities Act (ADA) and Help America Vote Act (HAVA).

In some states, election officials have used accessible absentee and vote-by-mail systems for many years, while other states offered an accessible remote voting option for the first time in 2020 following [lawsuits](#) demonstrating the inaccessibility of paper-only absentee and vote-by-mail systems. Some electronic remote and in-person voting options remain inaccessible. For example, remote vote-by-mail systems sometimes require a print disabled voter to verify a printed paper ballot, even if that is impossible for them to do independently and privately. Similarly, voters with print disabilities using a Ballot-Marking Device (BMD) to vote in-person may vote with assistive technology but then have no accessible option to verify the paper ballot that the device prints.

Accessible absentee and vote-by-mail voting systems, in combination with in-person accessible voting systems, are critical to providing ways for voters with disabilities to execute the rights guaranteed to them by law and vote independently and privately.

The following states provide accessible electronic absentee or vote-by-mail ballots to voters with disabilities. States with asterisk (*) allow electronic ballot return:

Alaska	Maryland	Oregon
California	Massachusetts*	Pennsylvania
Colorado	Michigan	Rhode Island
Delaware*	Montana	Tennessee
District of Columbia	Nevada*	Utah
Florida	New Hampshire	Vermont
Hawaii	New Mexico	Virginia
Kentucky	New York	Washington (some counties)
Louisiana	North Carolina*	West Virginia*
Maine*	Ohio	

ACCESSIBLE VOTING FOR VOTERS WITH PRINT DISABILITIES MOVING FORWARD

As countless voting rights and accessibility attacks are occurring throughout the United States, paper-based ballot voting options have also become the preferred voting system to people who believe mandating the use of paper ballots is necessary to ensure the security of elections. However, having to hand mark, verify, and cast a paper ballot creates difficulties for many voters with print disabilities.

5 to 10 percent of Americans cannot read standard prints materials due to a physical or visual impairments.

Any mandate of a paper-based voting system will inevitably disenfranchise voters with print disabilities as it would: 1.) end all voting system innovation and advancement to produce a fully accessible voting system that provides enhanced security; 2.) limit voters with disabilities' federal right to privately and independently mark, verify, and cast their ballots, and 3.) ultimately segregate voters with disabilities.

Accessible [in-person](#) and vote-by-mail voting options must be offered to protect the rights of people with disabilities if paper-based voting systems become the law of the land.

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