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## **Legislature considering bills making it harder for people with disabilities to vote**

(Madison) – Today the state Assembly is considering bills that will make it harder for people with disabilities and older adults to vote. SB 203, SB 204, SB 205, and SB 212 make it harder for indefinitely confined voters and voters in general to vote absentee and creates new felonies that penalize voters, good Samaritans, and residential living staff.

“These bills make it harder for voters who already face significant challenges to have their voices heard and their votes count,” said Beth Swedeen, Executive Director for the Wisconsin Board for People with Developmental Disabilities (BPDD). “Adding more administrative hurdles and penalties for voters or people trying to help voters is not fair or wise. For a truly representative government, the goal should be to make it easy for everyone to participate in elections.”

Many people with disabilities rely on absentee voting to exercise their right to vote because they face constant barriers that make it difficult to get around in their community, including to the polls. For those with mobility challenges, absentee voting options are the only way they can do the advance planning necessary to guarantee they can exercise their right to vote. In most of the state, being a non-driver, living in a restrictive setting, or having limited internet access means relying on friends, neighbors, extended family, and the community for help.

“Many people with disabilities fight every day to have a say about what happens in their own lives. They should not have to fight to have equal and easy access to the fundamental right to vote that gives us all a say in our government,” said Swedeen. “The disability and aging community want to address barriers to voting and make elections more accessible, not less. These bills create more challenges for people with disabilities.”

Disability advocates oppose these bills.

*BPDD is charged under the federal Developmental Disabilities Assistance and Bill of Rights Act with advocacy, capacity building, and systems change to improve self-determination, independence, productivity, and integration and inclusion in all facets of community life for people with developmental disabilities More about BPDD [https://wi-bpdd.org/wp-content/uploads/2021/01/Legislative\\_Overview\\_BPDD\\_Final\\_01042020.pdf](https://wi-bpdd.org/wp-content/uploads/2021/01/Legislative_Overview_BPDD_Final_01042020.pdf).*

# Excerpts from BPDD testimony on voting bills

## **SB 204—Absentee Voting**

SB 204 eliminates the ability for “indefinitely confined” voters to automatically receive and absentee ballot. This adds significant administrative burden to the voter to request an absentee ballot for each election and introduces delay in receipt of requested ballot as a variable outside of the voter’s control that can interfere with the voter’s vote being counted.

SB 204 also requires Indefinitely confined voters to provide Photo ID to receive an absentee ballot. Indefinitely confined voters are far more likely to not have a Photo ID—less likely to have a driver’s license, passport, university ID, or active military ID, etc.--and face significant barriers to getting one. Many DMV sites are not on public transit routes, have limited hours, and are geographically far for people with disabilities to travel. Even for indefinitely confined voters who have Photo IDs, requiring one to request an absentee ballot adds logistical complexity that can become an additional barrier. This group of voters is less likely to have sufficient internet access or devices that connect to the internet to access and upload a Photo ID picture to the MyVote website when requesting an absentee ballot. Many of these voters do not use computers at all, so requiring an upload would effectively shut them out of the election process.

## **SB 205 Absentee voting in residential care facilities**

SB 205 prohibits residential staff from offering or helping residents complete their ballots and imposes severe penalties for doing so. Preventing residents from asking trusted staff to complete a clerical task on their behalf interferes with the residents’ right to vote, and unnecessarily criminalizes actions of staff that would be considered a reasonable accommodation or help if done at a polling place or by a family member or stranger.

This bill requires notification of when special deputies will be at facilities to relatives of residents who have already indicated they want to vote absentee but does not appear to require notification of the residents themselves. If the courts have not taken away a resident’s legal right to vote, and it is the residents who are exercising their right to vote, it seems they should be notified of opportunities to do so. Not all residents have families or are close with family members.

## **SB 206/AB 180 Returning Absentee Indefinitely Confined Voter**

This bill would place additional barriers on voters who already face significant challenges, including introduction of administrative burdens that add to the timeline and complexity of being able to request an absentee ballot.

The bill establishes both the signed statement by a doctor and taking of an oath as pre-requisites for qualifying for “indefinitely confined” status and being able to apply for an absentee ballot under that status. The bill also requires this process be repeated every two years. This effectively defeats the purpose of the Indefinitely Confined Voter provision, which is to provide the status of permanent absentee voter, due to age, disability, or health status. Health care professionals are not arbitrators of voting rights. They diagnose and treat disease and condition, many of which impact patient’s mobility and daily living skills either intermittently or permanently. It is outside of a health care role to ask medical professionals to complete non-medical paperwork. Many people

with disabilities who have used indefinitely confined status for years face the same barriers getting to doctor's office or county seat to take an oath as they do to the polls.

## **SB 209 / AB 177- Returning Absentee ballots to the office of the clerk**

BPDD supports the provision of the bill that requires absentee drop boxes comply with ADA accessibility standards.

Many people with disabilities are non-drivers, rely on absentee voting, and routinely use drop boxes where they are available to guarantee receipt of their ballots. Allowing municipalities the continued flexibility to determine the number and location of drop boxes to be responsive to voter needs and facilitate the election process is important. Many absentee voters were concerned that absentee ballots would not be delivered on time if they used the postal service, and were able to walk to or have their ballot returned to absentee drop boxes. If the number of drop boxes is limited, many people will be forced to rely on mail delivery and their ballots may not arrive in time to be counted.