

Wisconsin Disability Vote Coalition

Webinar Series:

Wisconsin ADA Coordinators Association

Disclaimer

This webinar hosted by the Wisconsin ADA Coordinators Association is not meant to be legal advice. Although we may refer to the Americans with Disabilities Act (ADA) or similar state and local laws, this presentation is provided as an educational resource. Our goal is to give public entities a framework for accessibility and providing accommodations or modifications. We encourage attendees to seek guidance about their obligations from their own legal counsel.

1. Wisconsin Disability Vote Coalition.

Your vote is your voice!

Presentation for Wisconsin ADA Coordinators – February 2024

2. About the Wisconsin Disability Vote Coalition

- ▶ A non-partisan effort to help ensure full participation in the entire electoral process of voters with disabilities, including registering to vote, casting a vote, and accessing polling places.
- ▶ The Coalition is coordinated by Disability Rights Wisconsin and the Wisconsin Board for People with Developmental Disabilities. Members include people with disabilities, community agencies, and other partners.

3. 2024 Elections in Wisconsin

- ▶ February 20: Spring Primary
- ▶ April 2: Spring and Presidential Preference Election
- ▶ August 13: Fall Partisan Primary
- ▶ November 5: General Election

4. What are key rights for voters with a disability?

- ▶ Right to vote **privately and independently**.
- ▶ Right to **access** the polling place.
- ▶ Right to use the **accessible voting machine** at the polling place.
- ▶ Right to **ask for accommodations**, such as a chair to sit in rather than standing in line, signature guide, magnifying glass, assistance stating your name and address.
- ▶ Right to **assistance** marking the ballot (just not the voter's employer or union representative).

Image: A blue button with an American flag above text stating "I Vote" and www.disabilityvote.org plus Wisconsin Disability Vote Coalition.

5. More Voter Rights (slide 1 of 2)

- ▶ Right to **Curbside Voting** if the voter can't get into the polling place as a result of a disability.
- ▶ If a voter makes a mistake, they can **request another ballot** from the election officials.
- ▶ Voters may bring a "**notes sheet**" into the polling place.
- ▶ **No one should tell a voter how to vote.**

Image: A black, red and white sign saying "Disability Rights Are Civil Rights."

6. More Voter Rights (slide 2 of 2)

- ▶ Voters can **file a complaint** if they feel their rights have been violated.
 - ▶ WEC [Report an Accessibility Concern](#)
 - ▶ [WEC complaint form](#)
 - ▶ U.S. Department of Justice civil rights [violation reporting](#)

Image: A black, red and white sign saying "Disability Rights Are Civil Rights."

7. Guardianship and Voting

- ▶ In Wisconsin, a person under guardianship retains the right to vote unless the court expressly removes it.
- ▶ This determination can be found on an individual's "Determination and Order on Petition for Guardianship Due to Incompetency" (GN-3170) form.
- ▶ A person who has a guardian and has lost the right to vote may petition the court to restore their right to vote (Wis. Stat 54.64(2)(a)).
- ▶ [Guardianship and Voting Resources - Wisconsin Disability Vote Coalition](https://www.disabilityvote.org/2023/guardianship-and-voting-resources/)
web: [disabilityvote.org/2023/guardianship-and-voting-resources/](https://www.disabilityvote.org/2023/guardianship-and-voting-resources/)

Image: White letters spelling out VOTE! on a black background.

8. WEC Polling Place Accessibility Reviews (1)

- ▶ Spearheaded by the Wisconsin Elections Commission with assistance from partner organizations.
- ▶ Not required by law but is consistent with the responsibility identified in Wisconsin statutes to "ensure that the voting system used at each polling place will permit all individuals with disabilities to vote without the need for assistance and with the same degree of privacy that is accorded to nondisabled electors voting at the same polling place."
- ▶ Over 3,300 polling place accessibility reviews since 2010.
- ▶ All reviews are conducted using the Polling Place Accessibility Survey developed with the assistance of WEC's Accessibility Advisory Committee (AAC).
 - ▶ The survey was updated in 2023 and recently approved by WEC for use starting with the 2024 elections.

Image: A person in a wheelchair using an accessible voting machine.

9. Review Plan for 2024-25

- ▶ Goal is to conduct a total of 500 polling place reviews.
 - ▶ 25 reviews at the partial spring primary (February 2024).
 - ▶ 95 reviews at each of the five statewide elections (April/August/November 2024 and February/April 2025).
- ▶ If there are any special elections that use at least ten polling places, additional reviews will be conducted.

Image: A reviewer is measuring the break in the pathway to determine if the difference in height is too great.

10. Entrance: Door

- Does the accessible entrance have a sign showing it is accessible?
- Is the door at the accessible entrance unlocked?
- Are all door handles no higher than 48 in. from the ground?
- Height of door handles.

Image: A close-up of three doors.

11. Drop Off Zone

- Is there a marked drop off zone?
- Is there a marked access aisle adjacent to the pull-up area?
- Is the access aisle at least 60 in. wide and the full length of the drop off zone?
- Width of the drop off zone.
- Is there at least 9ft. 6 in. of unobstructed vertical clearance for the vehicle route to the drop off zone, the access aisle, and along the vehicle route to the exit?
- Height of the vertical clearance along the drop off zone driving route at its lowest point.

Image: Drawing of van dropping off materials.

12. Exterior Route: Path

- Is the accessible route the same as the primary route, which all voters use to enter the building?
- Is the accessible exterior route clearly marked by large print signs?
- Is the exterior route to the polling place properly lit throughout Election Day?
- Are exterior routes maintained and kept clear of hazards such as ice, snow, leaves, bicycles, trash cans, etc.?

Images: Two pictures of blocked sidewalk and stairs.

13. Interior Route: Doorways

- Do voters pass through one or more interior doorways to reach the voting area?
- Are all interior doors unlocked?
- Is there a change in level at the threshold of the door?

Options for level change:

- The height of the interior door threshold is less than or equal to $\frac{1}{4}$ inch.
- The height of the interior door threshold is between $\frac{1}{4}$ inch and $\frac{1}{2}$ inch and it is beveled.
- The height of the interior door threshold is between $\frac{1}{4}$ inch and $\frac{1}{2}$ inch but it is not beveled.
- The height of the interior door threshold is greater than $\frac{1}{2}$ inch and a threshold ramp is provided.
- The height of the interior door threshold is greater than $\frac{1}{2}$ inch but a threshold ramp is not provided.

Image: Two pictures of door entryways at the floor.

14. Voting Area: Room

- Are all paths of travel within the voting area at least 36 inches wide and do not narrow to less than 32 inches for a distance greater than 24 in.?
- Width of the narrowest path of travel;
- Is there a minimum clear space of 5 ft. x 5 ft. for the movement of voters in wheelchairs?
- Dimensions of clear space;
- Is the voting area free of objects or protrusions that extend greater than 4 in. from the wall, and are between 27 in. and 80 in. from the floor? (e.g., drinking fountains, wall-mounted display cases, chairs in the path of travel, boxes).
- Describe protrusions (optional).

Image: Interior room with people, tables, and pathways.

15. WEC Polling Place Accessibility Reviews (2)

- ▶ After each election, review findings are reported to each municipality for each polling place that was visited.
 - ▶ These reports detail the problems identified on Election Day and provide municipal clerks with suggested resolutions to these issues.
- ▶ Clerks are required to file a Plan of Action that addresses all concerns outlined in the audit report.
- ▶ WEC staff then reviews each Plan of Action and works with each municipality to ensure cost-effective and comprehensive solutions are put into place.

Image: A person standing in a bi-level room.

16. WEC Supply Program

- ▶ Local election officials are provided with the opportunity to order specific accessibility-related supplies to assist their efforts in remedying problems.
 - ▶ Those supplies are purchased by WEC using federal and state funds and are sent to requesting municipalities at no cost to them.
- ▶ These supplies include signature guides, page magnifiers, and various signs for parking areas, exterior routes, and accessible entrances.

Image: A ballot with a checkmark is sticking out from a box that says "Vote."

17. Resources and Reports

- ▶ Wisconsin Elections Commission June 2023 report: [Barriers Faced by Elderly Voters and Voters With Disabilities \[PDF, 35 pages\]](#)
web: docs.legis.wisconsin.gov
- ▶ Know Your Rights Fact Sheet in [English \[PDF, 3 pages\]](#) and [Spanish \[PDF, 3 pages\]](#)
web: disabilityvote.org
- ▶ [Know Your Rights](#) Video
web: disabilityvote.org/2018/release-of-know-your-rights-video/
- ▶ Disability Rights Wisconsin Voter Hotline: 844-DIS-VOTE (844-347-8683) or info@disabilityvote.org

18. More Information

▶ **Disability Vote Coalition:**

www.disabilityvote.org

www.facebook.com/wisconsin Disability Vote/

▶ **Municipal Clerks**

myvote.wi.gov/en-us/MyMunicipalClerk

▶ **Wisconsin Election Commission**

1-866-VOTE-WIS

elections.wi.gov

elections@wi.gov

▶ **MyVote Wisconsin**

myvote.wi.gov

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