Alabama Disabilities Advocacy Program

Comprehensive Guide to Voting and Voting Assistance

THIS GUIDE CONTAINS EVERYTHING YOU NEED TO KNOW ABOUT VOTING REQUIREMENTS

Table of Contents:

Who we are	2
What the law says	3
What you should remember	4
Dos and Don'ts of voting assistance	5
Important dates for upcoming elections	7
Voter registration requirements	8
Getting a valid Photo ID	9
Voting rights restoration	10

Contact ADAP
Web: adap.ua.edu
Phone: 800.826.1675

Who we are: We are the Alabama Disabilities Advocacy Program (ADAP), part of the United States' federally-funded protection and advocacy system. ADAP provides legal services to Alabamians with disabilities to protect, promote, and expand their rights.

We all want to protect voting rights and make sure that people with disabilities have the same access as all Americans!

What we do: We have an experienced staff of attorneys, social workers, and advocates helping to ensure that people with disabilities' civil rights are protected and maintained.

When you need help: Give us a call! We're here for you. We all want to ensure that people with disabilities maintain the same rights and freedoms we enjoy as Americans. You may run into situations where you don't know the answer to a question, and that's okay – that's what we're here for!

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What the Law Says

The **Americans with Disabilities Act (**ADA) is a federal civil rights laws that provides protections to people with disabilities that are like protections provided to individuals on the basis of race, color, sex, national origin, age, and religion. Title II of the ADA requires state and local governments to ensure that people with disabilities have a full and equal opportunity to vote. These provisions apply to all aspects of voting, including voter registration, site selection, and the casting of ballots, whether on Election Day or during an early voting process.

The **Voting Rights Act of 1965** (VRA) has provisions relevant to voting rights of people with disabilities. The VRA requires election officials to allow a voter who is blind or has another disability to receive assistance from a person of the voter's choice, and prohibits conditioning the right to vote on a citizen being able to read or write, attaining a particular level of education, or passing an interpretation "test."

The **Voting Accessibility for the Elderly and Handicapped Act of 1984** (VAEHA) requires accessible polling places in federal elections for elderly individuals and people with disabilities. Where no accessible location is available to serve as a polling place, voters must be provided an alternate means of voting on Election Day.

The **National Voter Registration Act of 1993** (NVRA) aims, among other things, to increase the historically low registration rates of persons with disabilities. The NVRA requires all offices that provide public assistance or state-funded programs that primarily serve persons with disabilities to also provide the opportunity to register to vote in federal elections.

The **Help America Vote Act of 2002** (HAVA) requires jurisdictions responsible for conducting federal elections to provide at least one accessible voting system for persons with disabilities at each polling place in federal elections. The accessible voting system must provide the same opportunity for access and participation, including privacy and independence, that other voters receive.

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What you should remember

• Unless otherwise declared by a judge, people with disabilities have the right to register and vote in an accessible way
• People with disabilities have the right to receive voting assistance from a person of their choice
• The accessible voting systems required by the Help America Vote Act must provide the same chance for meaningful participation in the voting process that other voters receive – including privacy and independence

What this means for helping someone vote

• Providing people with opportunities to be informed about the election process (Please see Page 8 of this guide)
• Providing people with education opportunities about the basics of government offices and what they do (Please see Page 8 of this guide)
• Emphasizing that the person with the disability gets to vote, gets to vote how they want to, and ensuring that you do not, purposefully or accidentally, influence someone's vote

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Do's and Don't's:

Do

- Remind people of upcoming elections, important dates for voting deadlines, and how the process works (we've included a guide to help!)
- Remind people that you can help them get more informed about upcoming elections, candidates, and issues if they'd like to know more
- Help people get an absentee ballot using internet access on the Secretary of State's website: https://www.sos.alabama.gov/alabama- votes/absentee-ballot-applications
- Help people with the valid photo identification requirements (we've included a guide to help!)
- Notify friends and family that you can help with the voting process, including voter education, getting registered to vote, and getting an absentee ballot Know the basics of voting rights restoration (certain people with felony convictions in the state of Alabama are eligible to petition for their rights to be restored, and we've included a guide for that as well!)
- Be prepared to be the person who assists with the voting process at the person's request
- Remember to maintain neutral facial expressions and treat helping someone with their ballot as though you are essentially a machine with a marker
- Sign the ballot as a witness as needed
- Read the ballot out loud and mark it for the person as needed
- Be prepared to copy valid photo IDs for residents to include in the mailed-in absentee ballot
- Be prepared to mail absentee ballots on behalf of people who may be unable to do so

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Don't

- Assume a person with a disability cannot vote – if they have not been declared mentally incompetent by a judge, you can help them vote if you follow the rules
- Direct someone's vote – if they ask, you can offer to help them do research, but you cannot tell them who to vote for or how to vote on a ballot measure
- Influence people with their vote in any way
- Tell the person you are helping how you are voting or why the current officeholder is "bad" or "good"
- Indicate that you agree or disagree with their voting choice
- Assume you have all the answers to a person's questions – there are great, nonpartisan resources out there that have been researched and analyzed carefully and put together for you to use (Please see Page 8 of this guide)

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Important Dates for General Election 2022*

Oct 24: Voter registration deadline

Nov 1: Last day to apply for an absentee ballot by mail

Nov 3: Last day for voter to apply for absentee ballot in person

Nov 7: Last day for voter to hand-deliver an absentee ballot

Nov 8: Absentee ballots returned by mail must be received by noon

*Note if a voter votes in a primary election, that voter may vote in a primary runoff election ONLY if they voted in the primary election of the same political party. (Example: Jane votes in the Republican primary election. Jane can also vote in the runoff election because she voted in the Republican primary election. If Jane had voted for another political party in the primary election, she could not vote in the runoff.)

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Voter Registration Requirements

- Must be a citizen of the United States
- Must live in Alabama
- Must be at least 18 years old on or before Election Day
- Must not be barred from voting because of a disqualifying felony conviction and cannot have been declared mentally incompetent by a court

Resources for Getting Informed about Elections

Nonpartisan information on candidates here:
https://justfacts.votesmart.org
Alabama State Legislature:
https://alison.legislature.state.al.us
Find out more about what governments do:
https://www.whitehouse.gov/about-the- white-house/our-government/state-local-government/
Alabama Secretary of State (job description):
https://www.sos.alabama.gov/sos-office
Watch Alabama legislature and committees:
http://alisondb.legislature.state.al.us/Alison/LegVideo.aspx
Learn about state bills:
http://alisondb.legislature.state.al.us/Alison/Splash_Bills.aspx

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WHAT TO KNOW ABOUT VOTER ID

ACCEPTED FORMS OF ID

- Valid Driver's License
- Valid Nondriver ID
- Valid Alabama Photo Voter ID card
- Valid State Issued ID (Alabama or any other state)
- Valid Federal Issued ID
- Valid US Passport
- Valid Military ID
- Valid Employee ID from Federal Government, State of Alabama, County, Municipality, Board, or other entity of this state
- Valid student or employee ID from a public or private college or university in the State of Alabama (including postgraduate technical or professional schools)
- Valid Tribal ID

HOW TO GET A FREE VOTER ID CARD

To apply for a free Alabama Photo Voter ID card, you must complete and turn in the application to your county's Board of Registrars and meet the following requirements:

- Provide a photo ID document or a non-photo identity document can be used if it contains your full legal name and date of birth
- Must be a registered voter in Alabama
- Must not have any valid form of photo ID listed above

Examples of documents that can be used to obtain a free Alabama Photo Voter ID card:

- Birth Certificate
- Hospital or nursing home record
- State or Federal Census Record
- Military Record
- Medicare or Medicaid document
- Social Security Administration document
- Certificate of Citizenship
- Official school record or transcript

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Voting Rights Restoration

What this means: Alabama law allows convicted persons to apply for a certificate of eligibility to register to vote (CERV) subject to the procedures and requirements specified by law.

1. Complete the certificate of eligibility to register to vote application form. You can find the application here

2. The form must be submitted to the Alabama Bureau of Pardons and Paroles at the following address:

Alabama Bureau of Pardons and Paroles
100 Capitol Commerce Boulevard, Suite 310
Montgomery, AL 36117
Email: mpardons@paroles.alabama.gov

3. No CERV investigation will be started without a signed application from the person whose conviction is at issue

Knowing your rights resources:
https://tinyurl.com/restore-rights

Check out our comprehensive guide for understanding your rights if you are or have been incarcerated:
https://tinyurl.com/understand-your-rights

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