

Voting Rights for Individuals with Intellectual and Developmental Disabilities

Alliance Summit 2026

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Agenda

- Disability Justice
- Why Vote?
- 2026 Important Voting Dates
- Election Laws & Terms
- Voting Rights & Requirements
- How to Vote
- Help Voting
- What Happens after Voting?
- Complaints
- Scenarios
- Resources

Caveat: We can't give legal advice

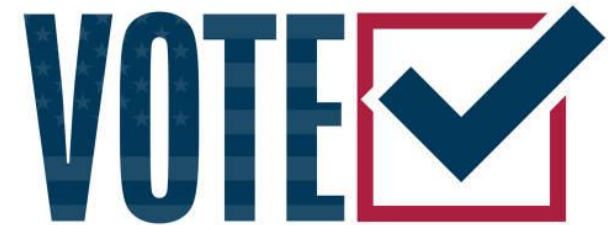
Disability Justice

- Formerly Disability Law Colorado
- Colorado's Protection and Advocacy Organization
- Areas of our work:
 - School-to-prison pipeline, housing & employment discrimination, transportation, access to services to live in the community, conditions in facilities, voting rights, services from the Division of Vocational Rehabilitation and Centers for Independent Living, representative payee investigations
- Types of work we do:
 - Investigations into allegations of abuse and neglect
 - Legislative Action
 - Outreach and Trainings
 - Systemic Impact Work
 - Monitoring
 - Individual Advocacy – Complaints alleging civil rights violations based on disability discrimination



Disability Justice's VOTE! Program

- PAVA Program – funded under the Help America Vote Act (“HAVA”)
- Assist voters in filing HAVA complaints
- Work with election officials to ensure an accessible voting process
- Work with the Secretary of State on rulemaking and legislative action
- Protect the rights of voters with disabilities through individual and systemic advocacy
- Part of the Just Vote! Coalition and Election Protection Hotline
- Cannot litigate with PAVA funds



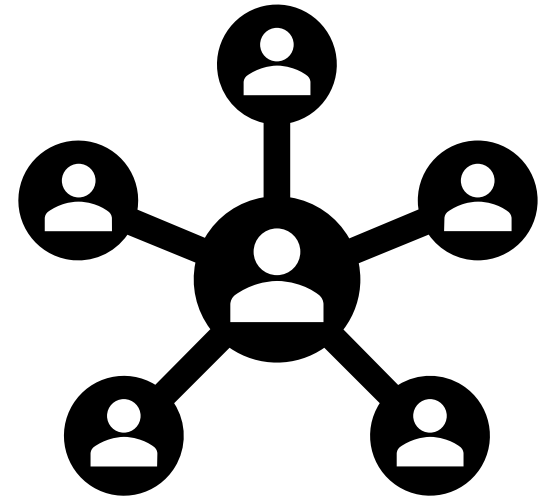


Why is it important to vote?

- Voting is one of our most important rights.
- Voting helps us have a say in our communities and what laws are being made.
- Voting is a powerful way we can speak up for what we believe in.
- Voting helps us pick who is in charge of our government and makes decisions that affect us.

Why is the disability vote important?

- Roughly 1 in 4 adults (27%) in the United States has some type of disability.
- If people with disabilities voted at the same rate as people without disabilities who have the same demographic characteristics, there would be about 1.75 million more voters. That's enough to change a lot of results!
- There are many issues that affect voters with disabilities. Disability issues are diverse and so are voting issues. Laws affect disability services, Medicaid, housing, transportation, employment, education, and civil rights—to name a few. Everyone's opinion should be included!



2026 Important Voting Dates

- Primary elections: Finished for the year
- Mail ballots sent to voters by: Friday, October 9th
- Register by mail/online: Monday, October 26th
- Register in person: Tuesday, November 3rd
- General Election: Tuesday, November 3rd
 - All ballots must be in the hands of the county clerk by 7pm
- Cure ballots by: Thursday, November 12th

Federal Election Laws that Protect People with Disabilities

- **Voting Rights Act 1965**
 - Took away testing and fees
 - Gave people with disabilities the right to have assistance when they vote
- **Voting Accessibility for the Elderly and Handicapped Act 1984**
 - Required physical accessibility of polling places
- **Americans with Disabilities Act 1990**
 - Reasonable modifications/accommodations apply for voting
- **Help America Vote Act (“HAVA”) 2002**
 - Added the right to vote independently and privately
 - Required an accessible machine at every Voting Service & Polling Center (VSPC)
 - Established P&A voting rights programs

State Election Law that Protects People with Disabilities

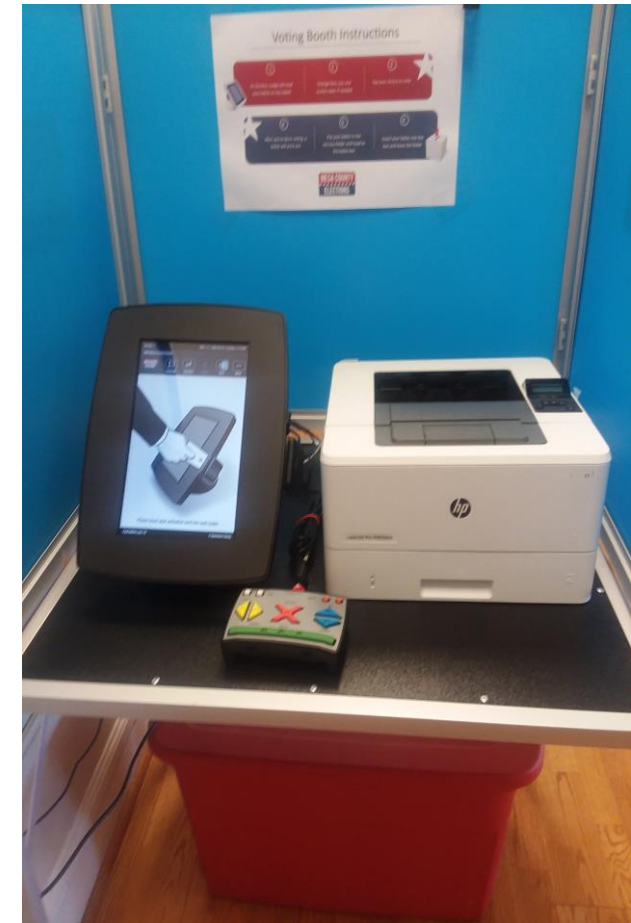
- **Colorado's Election Law Title 1 C.R.S.**
 - 2013: Stated that everyone in CO receives a mail ballot
 - Current status
 - 2025: Added provisions called the "Colorado Voting Rights Act"
 - Disability specific additions include:
 - Anti-discrimination provisions
 - Voting rights notices to be placed in nursing facilities, day programs, group homes, and state hospitals

The ADA is the Minimum Standard

- The Americans with Disabilities Act (ADA) provides the minimum standards for accessibility.
- Polling places are allowed to and encouraged to go beyond this.
- For example, a polling place can be physically accessible under the ADA and also proactively think about creating sensory friendly kits that include sunglasses to help with fluorescent lighting or fidgets to reduce anxiety.
- Accessible features can make a polling place more accessible for everyone!

Definitions

- Ballot
 - Paper
 - Online
 - Accessible Voting Machine
 - Audio/Visual Technology,
Tactile Input, Sip & Puff features
- Voting Service and Polling Center
- Ballot Drop Box



Alt text: Images of a mail-in ballot, a ballot drop off box, and an accessible voting machine

Your Legal Rights

- ✓ You have the right to vote even if you have a guardian.* (not true in every state)
- ✓ You have the right to vote independently and privately.
- ✓ You have the right to have any person you choose help.*
- ✓ You have the right to have a poll worker help you if you didn't bring anyone with you.
- ✓ You have the right to vote if you have a felony, as long as the time for the felony has been served.
- ✓ You have the right to vote if you are on an involuntary psychiatric hold.
- ✓ You have the right to vote if you do not have a current "home base". (need mailing address)

- ✓ Each voting and service polling center (“VSPC”) must have an accessible voting machine.
- ✓ All VSPC’s must be physically accessible under ADA standards.
- ✓ Registration forms, ballots, and other materials must be made available in alternate formats that are accessible.
- ✓ If a voter with a disability needs to use online assistive technology, there is an online ballot delivery system.

Rights, cont.

Things You Cannot Do

1

Vote if you are currently serving a term of imprisonment for a felony.*

2

Vote if a judge has specifically ordered that you do not have the capacity to vote.

3

Have an employer or union representative help you vote.

*Does not include probation or parole.

Registration

You must be a US citizen.

You must be a resident of Colorado for 22 days prior to the election.*

You can register to vote up until and on election day.

You must register 8 days prior to the election to receive a mail ballot.

You can pre-register at 15 years old.

Colorado has Automatic Voter Registration through the DMV.

Update and check your registration regularly (changes in address, name, etc.).

*Does not apply to President/Vice-President election.

Where to Register

Register online -
Govotecolorado.com

PDF Form Printed
from
govotecolorado.com –
mail, fax or email
form to clerk

Department of Motor
Vehicles (DMV)

A state agency that
provides public
assistance

Voting Service and
Polling Center

Voter Registration
Drive*

*Must register with the SOS to collect/deliver 2+ applications

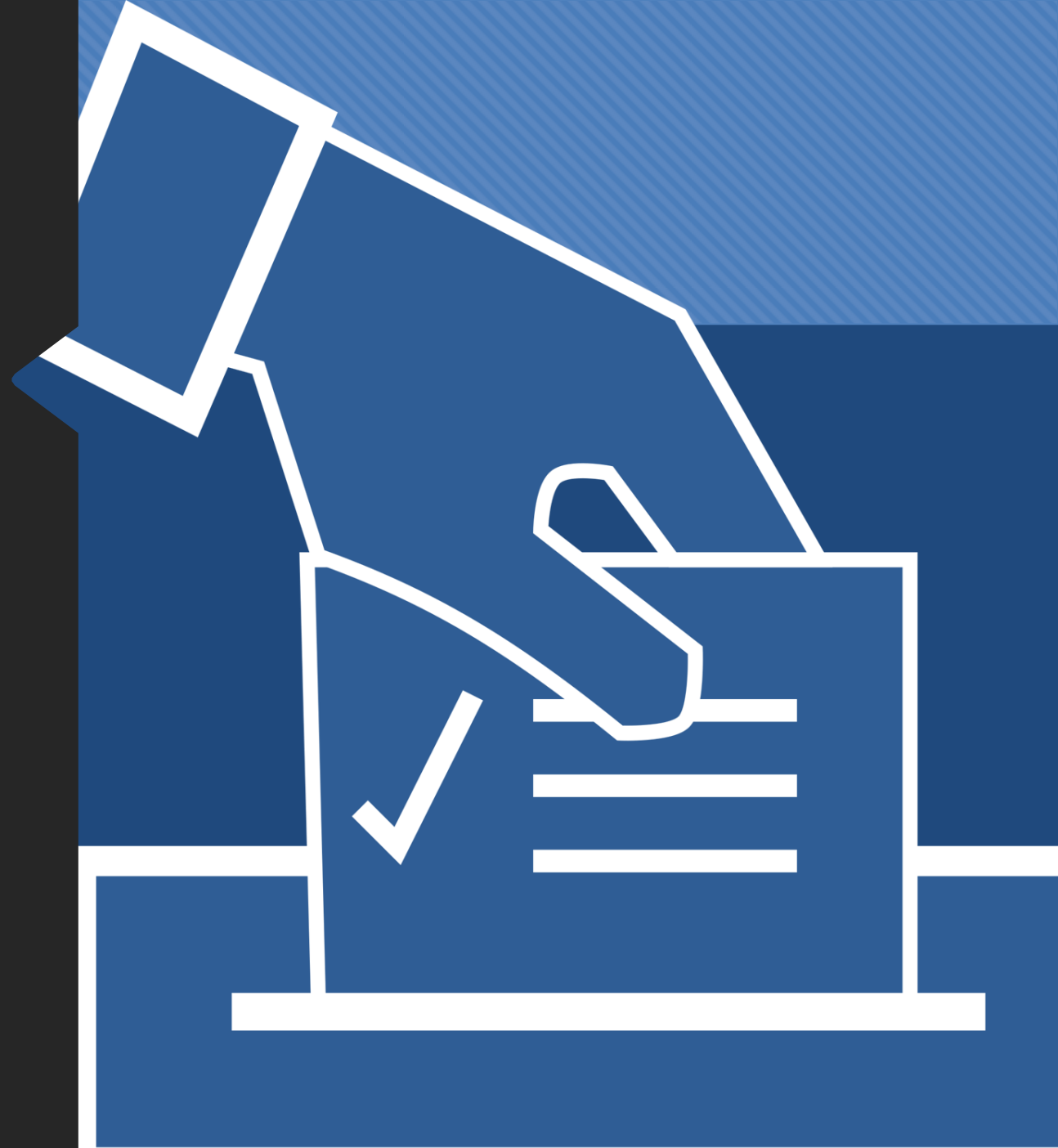
Voter Identification

- All voters who vote at the polls must provide identification.
- You are not required to have a Colorado driver's license or a photo ID in order to vote, but you must have an acceptable form of identification.
- There are many acceptable forms of identification, including but not limited to: a passport, military ID card, current paycheck or bill that shows a Colorado address, or student ID.
- An acceptable form of ID is also verification that you live in a group residential facility, county jail, or are committed to the Department of Human Services (DYS, foster care, etc.).



How to Vote

- You can vote by mail, in-person at a VSPC, or through an accessible electronic ballot up to **two weeks** prior to election day.
- ALL registered voters receive a mail ballot at least 8 days prior to the election. You cannot opt out.
- Mail Ballots can be dropped at a drop box or mailed through the US Postal Service or returned to a VSPC.
- Ballots sent via USPS should be sent at least a week or so early.
- There is 24-hour surveillance on all drop boxes.
- You cannot return more than 10 ballots at a time.
- No excuse: [Astronauts vote!](#)



Colorado's Online Ballot

- Found at – <https://myballot.coloradosos.gov>
- May be used by a small percentage of Coloradans:
 - Military or overseas voters
 - Voters with disabilities
 - Voters unable to vote in person for defined reasons (catastrophic weather event, confined to a hospital, first responder unable to leave post)
- If you are a blind, visually impaired, have a reading disability or are unable "to hold, mark or manipulate a ballot", you can return your ballot electronically.
- You are also able to print and return this ballot by mail.
- This ballot is protected by both Federal and State regulations.

Polling Place Accessibility

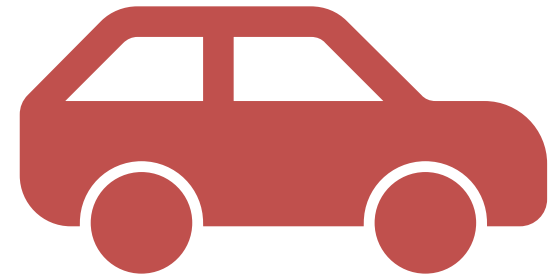
- There are many common barriers often seen at polling places that can usually be addressed quickly with the polling place supervisor or county clerk.
- Issues can also be brought to the attention of Disability Justice and raised with the Secretary of State's (SOS) Accessibility Coordinator.
- The SOS's office also provides accessibility surveys to every polling place ahead of each election that must be completed to ensure ADA compliance.

- Voters can request to be moved up in line. You can but don't have to be moved to the front of the line. However, you must be accommodated in some way.
- For example, someone's disability may make it difficult for them to stand in a long line or unable to tolerate extreme temperatures. One solution may be allowing these voters a place to sit down indoors without losing their place in line.
- "No pets" policies also must be modified to allow voters with disabilities to be accompanied by their service animals in all areas of the polling place where the public is allowed to go.

Accommodations When There are Long Lines

Rides to the Polls

- There is an online ballot option in Colorado, but it doesn't work for everyone.
- There are often fewer services offering rides to the polls in mail-ballot states.
- RTD offers free rides on election day.
 - More metro-centric
 - Sometimes advanced reservation is needed for people with disabilities



Help Voting

- If a person needs help voting in person or by mail, they are entitled to that help, both for registering and voting.
- A person with a disability may vote alone or with assistance from a person of the voter's choice, other than the voter's employer or an agent of the voter's union.
- The person you choose to help you does not have to be registered to vote, live in the state, speak English, or be an adult. A poll worker cannot tell them to leave.
- An election worker can help a person vote if they need assistance and did not bring anyone with them.
- Typically, both a Democrat and Republican election judge assist to make sure everything is above board.
- A person may have extra time to cast their vote if needed.



How to Help Someone Vote – What you CAN do (If Asked):

- Normalize being confused by ballots
- Explain *how* voting works
- Explain what an office does
 - "The governor runs Colorado's executive branch—they are the closest thing to Colorado's president."
- Help someone register
- Help return their ballot
- Read the ballot aloud
- Explain unfamiliar words neutrally
 - "A tax increase means people would pay more money to the government"
 - Without saying "which is a good thing for schools"
- Help find neutral information about the candidates and issues and compare
- Respect if someone changes their mind
- Help mark the ballot only as directed by the voter
- Let someone know their ballot has arrived and ask if they'd like to vote and if they would like help with the process

How to Help Someone Vote - What You CANNOT Do

- Prevent someone with the right to vote from voting
- Tell someone who to vote for
- Tell someone how they "should" vote
- Fill out a ballot without direction
- Pressure someone to vote a certain way
- Tell someone they must share whom they voted for
- Ignore someone's expressed choices because they disagree
- Say that you'll help someone vote without establishing what help they want

Discussions are Encouraged

- Many people don't think they can discuss the issues with the individuals they support because it would be inappropriate.
- It isn't—and can be very helpful—as long as it's balanced.
- Instead of simply saying "Candidate A supports Medicaid," say:
 - Candidate A says more people should be able to get Medicaid and that Medicaid should pay for more services. If the government pays more money from the budget to Medicaid, there could be other programs from the government that receive less funding.
 - Candidate B says the government should spend less money on Medicaid. This could mean fewer people qualify or some services receive less funding, but other programs get more funding.
 - Is Medicaid important to you? Why or why not?
- It can be very helpful to create a chart with each candidate and important issues and write a short, plain language description of their position to help the individual compare. Adding pictures to help with understanding is always a bonus!

Barrier to Voting: Ballots are Hard to Understand for Everyone!

- Ballots can be written in confusing formats and with complicated language, making it hard to understand (for voters with disabilities and without)
- People with IDD report being hesitant to vote because they don't understand what is on their ballot.
- [Vote411.org](#) → Non-partisan, plain language information put out by the League of Women Voters:
 - Gives the text on the ballot
 - What voting "yes" and "no" means
 - The reasons why people support or oppose the proposition
 - Candidate information
- [Ballotpedia](#) → Another non-partisan resource that focuses on history and candidate's own words
 - More in-depth information, like a candidate's voting history
- Colorado Blue Book ([Text](#)) ([Audio](#)) --> Information about issues without relying on advocacy organizations or a candidate's description

What if I Don't Think Someone Can Understand or Cast a Ballot?

- Regardless of how others view an individual's state of mind, or whether they question whether the individual fully understands what they are voting for, if the individual has the ability to direct how they would like to vote and they are otherwise registered to vote, then they must be allowed to vote.
- What matters is the voter's intent: if the voter's intent can be determined, then the voter must be allowed to vote.
- Remember: Speaking isn't the only way to express intent. An AAC device, pictures, shaking/nodding head and other gestures...
- If the individual is unable to articulate their preference when voting, then others must not cast a vote for them.



- Some people with disabilities take the time to get educated and make good decisions that align with their values. Some people with disabilities don't.
- Similarly, some people without disabilities take the time to get educated and make good decisions that align with their values. Some people without disabilities don't.
- We don't question those people without disabilities who make decisions that don't align with their values. We don't question whether they should have the right to vote. We only do that with people with disabilities. And that's pretty messed up.

**But Should
People Who
Have Trouble
Making
Informed
Decisions
Have the Right
to Vote?**

I Voted! – Now What?

- Tracking your ballot
 - Colorado uses a tool called BallotTrax: <https://ballottrax.coloradosos.gov>.
 - This allows you to receive confidential notifications when your ballot is received and counted by text, phone, or email.
- Ballot rejection
 - You may receive a ballot rejection letter from your county election office, or a ballot rejection message from BallotTrax, because:
 - Two election judges of different political party affiliations agreed that the signature on your reply envelope was either missing or did not match your signature on file with the County Clerk and Recorder,
 - Or you were required to and did not enclose a photocopy of an acceptable form of ID with your voted ballot.
 - You are allowed to “cure” these problems no later than 8 days after an election.

Disability Related Complaints

- Architectural and Physical Barriers
- Inaccessible Voting Machines
 - Lack of space for mobility
 - Pathway is blocked
- Voting Machines Not In Operation
- Lack of Knowledge and Testing
- Discriminatory Attitudes
- Privacy Violations
 - Hovering election worker
 - Machine facing the public



Voting Rights were Violated! What do I Do/Tell People to Do?

- If you are being told that you can't vote, ask for a provisional ballot.
- Ask to speak to the person in charge at the VSPC if a lower volunteer is contributing to the violation of rights.
- Call the Election Protection Hotline at 1-866-OURVOTE (1-866-687-8683).
 - We help staff this hotline!
- Contact Disability Justice for direct advocacy in filing a disability related complaint with the Secretary of State's Office or with the Department of Justice.

Scenarios



○ This is John, he has developmental disabilities and has a guardian.

○ Can he vote?

○ YES, People with guardians are entitled to independently cast ballots in Colorado.*

*Unless a court order, including a guardianship order, specifically takes away their right to vote.

Scenario 1



- Fatimah asks staff member Aaliyah: "Whom did you vote for? Whom should I vote for?"
- What should Aaliyah say?
- "I'm more interested in helping you figure out who *you* want to vote for. What issues matter most to you? We can look at what each candidate says."
- Why?
- Because providers are in a position of trust and authority. Even well-intentioned opinions can unintentionally influence someone's vote. The goal is to support informed, independent decision-making—not to persuade. While many people ask friends and family whom they voted for, the power dynamic is very different, and the best practice is not to share your political preferences during voter assistance.
- Can Aaliyah share whom she voted for after the fact?
- Yes—if done carefully (and if she wants to—Aaliyah has a right to privacy, too!). She could still influence Fatimah in future votes or make Fatimah feel like she should have agreed. The power dynamic is still there. But Fatimah shouldn't be excluded from having conversations about politics just because she has a disability.
 - Aaliyah could say, "I'll tell you if you'd like, but I want to make sure you know that you don't have to agree with me—and you never have to tell me how you voted."

Scenario 2



- This is Ana. She uses a motorized wheelchair, cannot drive, and is unable to use a computer. She needs to update her registration before voting on election day.
- Can she vote?
- YES, she can register through Election Day in person and can cast her vote, even if she needs assistance to do so. If her county contracts with an accessible rideshare service, she can call her county to get a ride to a VSPC. She can also have someone help her submit her registration virtually/by mail and turn in her ballot by mail or drop it off for her, as long as she does so in enough time.

Scenario 3

Resources

- Disability Justice
 - <https://disabilityjustice.co/know-your-rights/voting/>
 - <https://disabilityjustice.co/wp-content/uploads/2026/01/Voting-Rights-in-CO-updated-2026-1.pdf>
- National Disability Rights Network <https://www.ndrn.org/voting/>
- Election Assistance Commission www.eac.gov
- National Institute of Standards and Technology www.nist.gov
- National Federation of the Blind www.nfb.org
- Vote Riders (ID assistance) <https://voteriders.org>
- [Justvotecolorado.org](http://justvotecolorado.org) – VSPC and Mail Ballot Drop Box locations
- Govotecolorado.com – register to vote online
- Accessible Online Ballot – <https://www.coloradosos.gov/pubs/elections/accessibleVoting.html>
- Working for your election office – contact your county clerk

**Remember to cast
your vote!**



Questions? Concerns?

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