



DISABILITY RIGHTS OREGON

**Assisting Voters With Disabilities:  
A Guide for Family, Friends and Providers in  
Oregon**

© Disability Rights Oregon, 2014

Written by Esther Harlow, with contributions from Jan Friedman, Kathy Wilde, Chris Shank, Arlene Jones, and Susana Ramirez

Disability Rights Oregon (DRO) is the federally mandated Protection and Advocacy (P&A) agency for Oregon. We help people who have a legal issue directly related to having a disability.

Disability Rights Oregon  
610 SW Broadway, Suite 200  
Portland, OR 97205

Voice: 1-800-452-1694 or 503-243-2081

Web: [droregon.org](http://droregon.org)

Email: [welcome@droregon.org](mailto:welcome@droregon.org)

# TABLE OF CONTENTS

Does a person with a disability have the right to vote? .....	4
Why should people vote? .....	4
Who can ask for help? .....	5
Who can they ask to help them? .....	5
Is there anyone that can't help them? .....	5
Can I offer help? .....	6
How can providers or facilities help vote? .....	6
What rules should I follow if I help someone register or vote? .....	6
<b>REGISTRATION</b> .....	<b>8</b>
How can I help someone register? .....	8
<b>VOTING</b> .....	<b>9</b>
What should I do before the person votes? .....	9
How do I assist filling out the ballot for the voter? .....	9
How can I make sure that I am giving them appropriate and adequate information about the candidates or measures? .....	10
How can I make sure I am following their intent when voting? .....	11
How do I ensure the voter's privacy? .....	11
<b>WHAT IF I HAVE A PROBLEM OR QUESTION?</b> .....	<b>12</b>

## **Does a person with a disability have the right to vote?**

Yes. **Every U.S. citizen over the age of 18 who is not currently incarcerated with a felony** has the right to vote in Oregon.

- If someone has a cognitive or intellectual disability that affects their learning, reading, writing, or speaking, they still have the right to vote.
- If someone has a physical disability that affects their ability to fill out a registration form or mark a paper ballot, they still have the right to vote.
- If someone has a guardian or lives in a facility or state hospital, they still have the right to vote.

## **Why should people vote?**

Voting can.....

- Ensure that individuals' voices are heard on important issues that affect them.
- Be a form of self-empowerment.
- Promote good mental and physical health.
- Keep people engaged and integrated in their civic and religious communities.
- Be a readily achievable goal for adults in Oregon, regardless of their employment, housing or income status.
- Help practice skills that are useful in other parts of life, such as decision-making and self-empowerment.

## Who can ask for help?

Any Oregon voter can ask for help from a friend or family member to register or vote.

## Who can a voter ask to help them?

They can ask for accommodations from their **County Elections Office**, including:

- fill out an email or online ballot ([oregonvotes.org](http://oregonvotes.org)), print and return themselves
- a bipartisan Voter Assistance Team from the Elections Office to assist them to register or vote privately
- a large print ballot
- voting privately at home or at the Elections Office, on an electronic tablet that has enlarged text, text-to-voice, touchscreen, joystick, toggle switch, keyboard, and plugs for their own assistive technology

They can also ask an **individual family member, friend, provider, or caregiver** for help.

## Is there anyone that can't help a voter?

By law, their employer or union, or an agent of their employer or union cannot help them vote.

## Can I offer help?

You can offer help to the voter. You should not assume that they need help. You should only help them if they indicate they want help to register or vote. You should also let them know they can get accommodations from the County Elections Office to register and vote privately.

## How can providers or facilities someone vote?

Care facilities should let all residents know they have a right to vote, and that they can have help or accommodations to register and vote privately.

If the person wants help to vote, care facilities can create their own Facility Assistance Team, which must have **two registered voters that do not have the same political party affiliation.**

Or, providers can call the County Elections Office for a Voter's Assistance Team.

## What rules should I follow if I help someone register or vote?

Everyone assisting a voter should be:

- Respectful
- Confidential
- Non-partisan

This means you should always...

- Do what the voter asks you to do, even if you disagree with it.
- Give the voter information about how to fill out the registration form and ballot correctly.
- Give the voter information from elections materials.
- Use language that is appropriate to the voter's needs. **This can include clarifications and summaries, as long as it does not alter the meaning or contain a bias.**
- Clarify what the voter means, without biased questions.
  
- Do not share how the voter registered or voted with anyone else.
- Do not try to persuade the voter to vote a certain way or register with a specific party.
- Do not wear clothing or pins that suggest the voter should vote a certain way, or that are affiliated with any political parties or preferences.
- Do not change the language of a ballot measure or candidate to try to influence the voter.
- Do not give the voter extra information or comments, or leave out information, to try to influence them.

# REGISTRATION

## How can I help someone register?

- **Verify whether they are currently registered with their current legal name, address, and political party affiliation** if they have one. They can confirm their registration status by checking online at **oregonvotes.org** (using name and birthdate), or calling the Oregon Voter Information Line: 866-673-8683 (866-ORE-VOTES).
- **If necessary, register or update registration.** If the person needs to update their registration address or political party, they can update online at **oregonvotes.org**. If they have never registered, they can register online (only with Oregon ID or Social Security Number), with the paper form (with Oregon ID, SSN or other ID such as a utility bill), or call the County Elections Office for accommodations.
- **If they use a signature stamp or a mark to sign things, make sure they have completed a Signature Stamp Attestation Form at the time they register.** Contact the County Elections Office to fill out and submit a Signature Stamp Attestation. Their ballot is only counted if their signature mark matches this form.

# VOTING

## What should I do before the person votes?

- Explain that **they can skip any contest, or write in candidates.**  
The voter does not have to vote for every measure or position. If they skip one, this is called an “undervote.”
- Explain that **it may not be counted** if they vote for too many choices in one race (example: vote both “yes” and “no,” or vote for more than 1 candidate). This is called an “overvote.”
- Explain they can request a replacement ballot **at any time.** This includes mistakes, damage, losing the ballot, or any other reason, including privacy concerns.
- Let them know that they can request that the County Elections Office give them accommodations to vote privately. Call the County Elections Office to set up accommodations.

## How do I assist filling out the ballot for the voter?

- Follow instructions to fill out the ballot correctly and completely, as with any ballot.
  - Use a black or blue pen, or #2 pencil, to fill out the ballot.
  - Fill ovals completely.
  - Correct mistakes according to the ballot instructions.
  - If the ballot is damaged or a mistake cannot be corrected, contact the County Elections Office for a replacement ballot.

- Check both sides of the ballot. Make sure the voter has had an opportunity to vote for every ballot measure or position, even if they choose not to.
- Offer to fix a mistake to indicate their true intent. If the voter indicates they want an “overvote” or an “undervote,” you must fill out the ballot the way they want.

## **How can I make sure that I am giving the voter appropriate and adequate information about the candidates or measures?**

As one of the people who communicates with the voter most often, you may know how to give them information that best meets their communication style.

You can clarify and summarize ballot measures and candidates’ positions, as long as you are not altering the meaning or giving a bias to the information.

If you feel you do not have enough information or will give biased information, you can offer them other resources:

- The League of Women Voters and Disability Rights Oregon collaborate with the Secretary of State to publish a statewide, nonpartisan **Easy Voters’ Guide** for the May and November elections. It is available online at [droregon.org](http://droregon.org) or by mail from

Disability Rights Oregon. It uses accessible language for ballot measures, and candidates give their own information using accessibility guidelines. It has icons and pictures that provide visual cues.

- You can offer them the same information other voters use, such as the supporter and opponent arguments in the Voters Pamphlet that is mailed to everyone.

## **How can I make sure I am following the voter's intent?**

- If you are unsure about their selection, you can clarify their intent. (“I believe you said you wanted to vote for X. Is that correct?”)
- If they have indicated an “overvote” or an “undervote,” you can offer to correct a mistake to indicate their true intent. If the voter still indicates they want the overvote or undervote, you must fill out the ballot the way they want.

## **How do I ensure the voter's privacy?**

- Give them an opportunity to review the ballot privately before sealing it.
- Put the ballot in the Secrecy Envelope, inside the Return Identification Envelope. However, the person may request not to use the Secrecy Envelope.

- **Make sure the voter signs the Return Identification Envelope**, or uses their signature stamp or mark if they submitted a Signature Stamp Attestation Form. They can only use a stamp or mark if they completed this form when they registered.
- **Immediately return the ballot.** Mail it in order to arrive by Election Day, deliver it to an official Ballot Drop Site, or deposit it in the locked box provided by the Elections Office Voter Assistance Team.

## **WHAT IF I HAVE A PROBLEM OR QUESTION?**

You can contact the Oregon Secretary of State Elections Division about voting questions. They can transfer you to your County Elections Office if necessary. If you believe a voter's rights have been violated, you can file a formal complaint.

Telephone: 866-673-8683 (866-ORE-VOTE)

Online: [oregonvotes.org](http://oregonvotes.org)

You can also contact DRO with problems or questions about voting rights related to a disability. We can help file a formal complaint.

Telephone: 800-452-1694

Online: [disabilityrightsoregon.org](http://disabilityrightsoregon.org)

Email: [welcome@droregon.org](mailto:welcome@droregon.org)