



Your Right to Vote in New York State: Individuals with Disabilities

Voting is an important part of being a U. S. citizen. The people who are elected this year will make decisions about things that directly affect your life, like your taxes, the education of your children and/or grandchildren, and changes in the laws of our state and nation. Voting is your chance to choose the decision makers and tell them what you want. To be eligible to vote in New York State, you must:

- be a United States citizen
- be 18 years old by December 31 of the year in which you register (note: you must be 18 years old by the date of the general, primary or other election in which you want to vote)
- live at your present address at least 30 days before an election
- not be in jail or on parole for a felony conviction
- not claim the right to vote elsewhere
- have registered to vote.

Can I count on voting at a local polling place if I am physically disabled?

Polling places in New York State are required to be accessible, but polling places may apply for and be granted an exemption from this requirement for various reasons.

What can I do if I want to vote at an non-accessible polling place?

If you have been assigned to a polling place that is not accessible, you can apply to have your registration records moved to an accessible polling place that has the same ballot. You must apply at least two weeks before the election, and you may specify which polling place you wish to use. If there is no accessible polling place with the same ballot, the Board of Elections will treat your application for an accessible polling place as an application for an absentee ballot, and supply you with an absentee ballot.

Can I vote if I can't get out to a polling place?

Yes, you can vote by absentee ballot. You must first obtain an application for an absentee ballot from the board of elections, fill it out, and mail it in. You can call and ask them to send you one, or print it from their web site at www.elections.state.ny.us. They will mail you your absentee ballot before the election.

Do I have to apply for an absentee ballot every time I want to vote?

No. If you claim permanent disability or illness, you can file another application with the board of elections which contains a statement showing the particulars of your disability or illness. The board will maintain the information that you are permanently disabled and send an absentee ballot for each election, until your registration is no longer valid (if you move from your address of record, for example).

Will there be voting machines at the polling place that are accessible to people with various handicaps?

For the last two hundred years, individuals with a mobility impairment, learning disability and/or visual impairment could not vote independently and privately. For the Fall 2008 elections and thereafter, as part of New York State's implementation of the Help America Vote Act (HAVA), there will be at least one ballot marking device per polling place which will be accessible to individuals with disabilities. These devices enable individuals with disabilities, who cannot use a lever machine or mark a paper ballot, to create a marked paper ballot for casting their vote on Election Day. This is accomplished in the following ways:

- For voters who cannot see or read the ballot text, an audio interface recites the ballot, including all contests and candidates, and allows the voter to make selections. It also verifies selections by reciting them back to the voter.
- For voters with some form of visual impairment, a key pad with Braille enables the voter to navigate through the ballot and record their vote.
- For voters who are unable to use a pen, or who are quadriplegic or paraplegic, a "sip and puff" device allows them to navigate the ballot and make their selections.
- For voters with limited manual dexterity, accessible "paddles", access pads, foot pads and buttons allow them to navigate the ballot and make selections.

These interfaces and features, and multi-language capability, are common to the two brands of Ballot Marking Devices (BMDs) that New York counties have chosen. New York City, Erie, Rockland, Schenectady and Albany counties have chosen the AutoMark device, and all other

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counties have chosen the ImageCast device. These devices will be used to assist voters in marking their ballots only; the actual reading and counting of these ballots, for this election, will be done in a manner determined by each county's Board of Elections.

How do I vote using these new machines?

Here is the process that a person voting on the new voting machines will follow at their polling place:

- The voter will check in at the registration desk and obtain a paper ballot (if not printed automatically by the machine).
- The voter will take the ballot to the ballot marking device, and will use the device to record their vote on the ballot. If requested, a poll worker can help in inserting the ballot.
- The voter will take the completed ballot to a secure deposit location to be counted later by the Board of Elections. If requested, a poll worker can insert the completed ballot in a privacy sleeve and take it to the deposit location.

If you wish, you may bring someone to the polls to help you. Poll workers are there to assist you and trained to do so, and will do so in a bipartisan fashion (both a Democrat and Republican will assist you). Be sure to communicate with them if you need help or the instructions are unclear. There are different ways available to use the machines depending on your disability. Make sure to tell the poll worker whether you are blind or visually impaired; whether you need the audio interface because you cannot read or see the ballot, or you speak a different language; or whether you have no or limited use of your hands and need to use either the paddles or the "sip and puff" device.

Poll workers can also assist a voter in inserting the blank ballot into the ballot marking device.

How do I register to vote?

You need to fill out and submit a Voter Registration form. You may register in person at your local board of elections or at any state agency participating in the National Voter Registration Act, on any business day throughout the year. You may also register by mail. Forms are available from your county board of elections, town and city halls, post offices, political parties, various state offices, and the League of Women Voters. Contact the League of Women Voters of New York State - 1-866-LWVNYS1, the New York State Board of Elections - 1-800-FOR-VOTE, or your county board of elections to have a voter registration form sent to you. You may also download a voter registration form in New York State from <http://www.elections.state.ny.us/>. Complete, sign, and submit the form, either in person or by mail.

If I register to vote, will I be called for jury duty?

The rolls of prospective jurors are compiled from a number of sources, so registering to vote does not necessarily mean that you will be called. Similarly, *not* registering to vote does not necessarily mean that you will *not* be called for jury duty. If you are called and feel that you cannot serve, jurors can often be temporarily or permanently excused for a valid health reason.

To obtain a Voter Registration form or Absentee Ballot Application form, or to find out dates for the elections, for registering, for filing absentee ballot applications and submitting ballots:

- Call the NYS Board of Elections at 1-800-367-8683, or download the forms/calendar from the web site for the New York State Board of Elections (<http://www.elections.state.ny.us/>).
- Call, write to, or download forms/calendar from the web site for your local county board of elections. You can get their contact information from the NYS Board of Elections.
- Call your local League of Women Voters, or the League of Women Voters of New York State at 518-465-4162 or toll free at 1-866-598-6971, or go to our web site at <http://www.lwvny.org/>.

To check your voter registration status:

You should receive in the mail before the election a card that informs you of your polling place. If you do not receive such a card, call your local board of elections and ask them:

1. Am I registered to vote?
2. Is my registration status set to "Active"? If not, to what is it set?
3. Will my name appear in the polling place roll book on Election Day?

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If you are not on the rolls at your polling place:

If you believe you are registered to vote and are not on the rolls, ask for an "affidavit" (paper) ballot, and ask the poll worker for advisement about following up on your status. You are legally entitled to an affidavit (paper) ballot and must be given one.



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