

For Immediate Release

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Disability Rights Wisconsin Joins in Lawsuit to Ensure Safe, Accessible Elections

Today, Disability Rights Wisconsin joined Black Leaders Organizing for Communities (BLOC) and several individuals with disabilities in filing suit in the Federal Court of the Western District of Wisconsin against the Wisconsin Election Commission, to make voting in upcoming elections safer and accessible for people with disabilities and other at risk communities. The lawsuit asks the court to remedy Wisconsin's shortcomings of the recent April election and ensure that all Wisconsin voters will be able to safely and equally participate in the August and November elections.

"The April 7, 2020 election created unprecedented barriers that made it difficult or impossible for some voters with disabilities to cast a ballot," said Kit Kerschensteiner, Legal and Advocacy Services Director. Because of concerns related to COVID 19, many voters with disabilities were unwilling to vote in person and risk their health. For those who attempted to vote in person, DRW heard from voters about barriers at their polling place including failure to offer curbside voting, long lines for curbside voting, long lines to enter the polling place, and failure to honor requests for disability related accommodations. Constraints related to their disability made it impossible for some voters to endure long waits in line.

Absentee voting was heavily utilized by voters with disabilities. However, some voters who wished to vote absentee could not do so because they did not receive a ballot in time, could not safely get their ballot witnessed, or were not able to upload their photo ID to request and receive a ballot. Voters who rely on assistive technology to vote privately and independently did not have equitable access to absentee voting as Wisconsin does not have an ADA compliant accessible absentee ballot. In addition, suspension of Special Voting Deputies in nursing homes and group homes likely left many residents unable to cast a ballot.

A significant number of voters with disabilities are non-drivers. Lack of transportation to the polls, to register to vote, or to drop off an absentee ballot limited their participation in the electoral process. For those who needed to obtain a State ID for Voting, the closure of DMV offices limited access. Although DMV offered the option to schedule an appointment, this was not a realistic option for many due to Safer at Home restrictions and lack of access to "safe" transportation.

"Democracy requires that everyone be provided an equal opportunity to cast a ballot and that didn't happen in April," Kerschensteiner said. "We hope that through this action, we can help restore some faith in the electoral process for people with disabilities, and ensure that they can have a strong and equitable voice in the upcoming elections."

Disability Rights Wisconsin is the federally mandated Protection and Advocacy system for the State of Wisconsin, charged with protecting the rights of individuals with disabilities and keeping individuals free from abuse and neglect.

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