



disability **rights** montana

VOTE

information

empowerment

action

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Your Vote is **YOUR VOICE** Participate in your local elections, **November 4**

As a community, people with disabilities are significantly affected by the decisions of our local elected officials. Issues at the very heart of the concept of independent living such as quality public transportation, inclusive education, and real community access are under the direct control of our mayors, city and county commissioners, and school boards. Tuesday, November 4, 2008, presents a tremendous opportunity for people with disabilities to make their voices heard as communities all across the state cast ballots to elect individuals to these positions.

Overall turnouts are generally low in local elections. This means that your vote carries more weight than it does in an election with high turnout rates. Given this, if we mobilize as a community, people with disabilities can single-handedly install local governments that are committed to the concept of independent living and are respectful of all individuals who wish to participate equally within the community. Imagine your election officials supporting accessibility and independence for all citizens. That is what we can achieve through the ballot box.

While people with disabilities have traditionally been under represented at the polls, recent changes to the process brought about by the Help America Vote Act have made great strides toward creating a more inclusive and accessible process. For example, local election officials have been working hard to ensure that polling places are free of barriers. The placement of one AutoMARK ballot-marking machine at each location provides an opportunity for all voters to cast a ballot privately and independently. Now it is up to us to step forward and take part in the process.

For too long the disability community has been under represented in local government. Let's spread the word throughout the community that change begins now. Together we can become a powerful and respected force on the Montana political landscape. **Your vote is your voice! Go to the polls on November 4 and make your voice heard!**

Bernadette Franks-Ongoy
Executive Director

Be Prepared to vote Tuesday, November 4!

- Be sure your **registration is up to date.**
- **Check your registration status** at your local county Clerk & Recorder's Election Department.
- **To participate this November, you must be registered to vote.**
- **Register to vote** at any local county Clerk & Recorder's office, the Montana Secretary of State's office; or obtain a mail-in form at www.montanavotes.net or <http://sos.mt.gov/ELB/forms/voters/register.pdf>
- **Check your polling place** location at your local county Clerk & Recorder's office.
- **Bring your ID to the polls!** Newly enforced laws require all Montana voters to present proper ID. This can be a driver's license, tribal or student ID, or other photo ID with your name, or a current utility bill, bank statement, paycheck, government check, or other government document that includes your name and address.
- **Get informed:** Find the candidates in your local elections who best represent you!

Know Your Rights as a Voter

Below is a list of your voting rights as guaranteed by law. If you feel your rights have been violated or if your vote has been challenged, contact the Disability Rights Montana Election Hotline at **1-866-790-VOTE (8683)**.

You have the right to vote.

- The U.S. Constitution guarantees the right to vote to all American citizens who are eighteen or older.
- Montana election law requires that voters live in Montana for at least 30 days; voters may not be currently serving a prison or jail sentence.
- Unless you are found by a court judge to be of unsound mind you have the right to vote in Montana.
- There are NO other qualifications.

You have the right to access your local polling place.

- The Americans with Disabilities Act of 1990, Title II, prevents discrimination on the basis of disability in the “services, programs, or activities of all state and local governments.”
- Montana election law requires that polling places approved on or after October 1, 2005, must comply with the accessibility standards in the ADA. The law also provides that when an elector with a disability enters a polling place, an election judge will ask the elector if the elector wants assistance, and it allows election officials to accept a number of substitutes in place of a signature from an elector with a disability.

You have the right to cast a secret ballot.

- Under state law, each polling place must be equipped with at least one assistive technology device – the AutoMARK ballot-marking machine – which enables voters with various types of disabilities to cast a ballot privately and independently.
- No one has the right to see your ballot.

You have the right to request assistance with the voting process.

- As a person with a disability, you can choose to designate an agent to help you with any part of the voting process. To designate an agent, you must use the form provided by the Secretary of State and take it to your local elections administrator.
- You also have the right to have a family member or friend of your choice accompany you into the booth. (This person cannot be your employer, a representative of your employer, nor an officer or agent of a union to which you belong.)
- Two poll workers of declared different party affiliations may assist you upon your request.

You have the right to cast an absentee ballot.

- Montana law allows anyone to vote by mail using an absentee ballot in federal elections if they choose.
- To vote by absentee ballot, you must request one in writing using the Secretary of State’s form or by written request. You must supply your birth date and signature and return the information to your local elections office.
- Montana voters may also sign up to be registered as a “permanent” absentee voter. You may request forms be sent to you for every election, or for only federal elections.
- If you need assistance filling out the absentee ballot, you may receive assistance from the local election department in the same manner as you would at the polling place.
- The deadline to request an absentee ballot is noon the day before Election Day. An emergency absentee ballot can be requested until noon on Election Day. A completed ballot must be received by 8 p.m. on Election Day to be counted.

ACCESSIBLE VOTING for Everyone Has Arrived!

Use the **AutoMARK Voter Assist Terminal**

The 2006 November general election marked the rollout of Montana’s first accessible voting system, the AutoMARK Voter Assist Terminal. Under the Help America Vote Act (HAVA) of 2002, each polling place is required to be equipped with at least one voting device that enables people with various types of disabilities to cast a secret ballot. Montana’s system of choice, the AutoMARK, provides a variety of assistive technology features that allow voters who cannot mark a paper ballot in the traditional way to make their selections privately and independently.

The purchase of the AutoMARK is a huge success for the disability

rights movement. Members of Montana’s disability community played a major role in selecting this system. “I want to vote by myself,” says Myrle Tompkins of Helena who helped test the various voting machines. “I can have my husband vote for me and I trust him, but I want to vote independently.”

And after many years of anticipation and preparation, we are very excited to see the AutoMARK officially employed as part of the process. Myrle says she feels people won’t have trouble using the new system. However, feedback from the 2006 general election indicates work remains to be done regarding the successful implementation of the AutoMARK.

Consider being a **Poll Worker**

Montana has 56 counties with about 492 polling places. During an election, each of these polling places requires a staff of at least three to work at the polls. These poll workers, or election judges, are paid to assist voters on Election Day.

Many of the problems that people with disabilities experience on Election Day result from the fact that many of the poll workers lack experience in working with people with disabilities and are unaware of how to address many disability-related issues. These problems could be reduced considerably by getting people with disabilities on the service side of the equation.

Registered voters interested in serving as election judges can apply by contacting their local county elections office. You can find contact information in your local phone book or at <http://sos.mt.gov/elb/forms/elections/electionadministrators.pdf>



As with any new technology, it is to be expected that there will be glitches and other problems resulting from the learning curve as both voters and poll workers become accustomed to the new process. Toward that end the Montana Secretary of States’ office has listed among its 2008-2009 priorities the following tasks:

- 1) educate Montana voters on their rights and responsibilities;
- 2) further train voters on the use of the AutoMARK;
- 3) continue training all election officials in Montana;
- 4) work closely with counties to build the trust of all voters in the election process; and,
- 5) work to improve all areas of the election process.

Voter ID Requirements Have Changed

Beginning in 2006, all Montana voters must show proper identification to receive a ballot. If not, you must cast a provisional ballot. If you are unable to sign your name or to give your fingerprint, you may request your voting agent provide a signature for you.

The intent of the law is to safeguard the integrity of our elections system from fraud.

To satisfy the new identification requirement, voters can show a Montana driver’s license or personal identification card. If voters do not possess either document, any of the following forms are acceptable, as long as they are current and include the voter’s name and address.

- Driver’s license or personal identification card with photo issued by the government

To assist in this effort, Disability Rights Montana is encouraging all voters, especially members of the disability community to mark their ballots on November 4 using the AutoMARK and to submit feedback regarding the experience. Did the machine work properly? If not, what were the problems? Were poll workers helpful? Discouraging? Were they knowledgeable? If it went well, we would like to hear that, too. To share your experience, call the **Disability Rights Montana Election Hotline at 1-866-790-VOTE (8683)**. This information will be helpful in identifying the source of and resolving any remaining problems.

- U.S. passport
- Tribal ID with photo
- Military ID with photo
- Student ID with photo

Proper identification for Montana voters may also include: A current utility bill, bank statement, paycheck, a confirmation of voter registration card, government check, or other government document that shows the voter’s name and current address.

The cost of a regular Montana driver’s license is \$40 for an eight-year license. The Motor Vehicle Division also issues basic identification cards for \$8, valid for four years, with proof of Montana residency. You may obtain identification cards at your local driver’s exam office.



Voting Rights Activities for Disability Organizations

In order to ensure that the disability community is a powerful constituency, it is important that we remain focused on ensuring that elections in Montana are accessible and that people with disabilities are making their voices heard at the polls. Here are some ideas on how to take action!

Voter registration

People with disabilities are still under represented among registered voters. While there is always a surge in registration efforts as a major election approaches, a more effective means of addressing this problem is to offer registration opportunities to our members and clients year round:

- Always keep a stack of voter registration forms on hand.
- Post a sign at your entrance or reception desk: "Register to Vote Here."

- Post a sign at your entrance or reception desk: "Not sure if you're registered to vote? Ask me."
- Offer voter registration opportunities as a part of your intake/membership process.

Form a relationship with your county, city or tribal election officials

No matter if it's an on-year or an off-year election, it is always a perfect time to work with local election officials to address the various barriers still faced by people with disabilities on Election Day. Many of the problems reported during the 2006 election can be attributed to lack of general knowledge and experience with disability issues:

- Contact your local election administer, explain your organization's mission and make it known that you are available as a resource with regard to disability issues.

- Offer to meet with election officials and staff to discuss accessibility and etiquette.
- Offer to review the accessibility of your local polling place(s).
- Report common problems/barriers to the Clerk and Recorder, and offer possible remedies.
- Work with election officials to set up interactive AutoMARK demonstrations.
- Communicate the value of accessible voting with the AutoMARK, share positive stories of individuals' experiences, as well as suggestions for improvements.

Voter education and engagement

In order for the disability community to reach its true potential as a political constituency, it is essential that voters are well informed and motivated to get to the polls on Election Day:

- Include upcoming election dates on all communications to members and clients.
- Offer seminars regarding voter empowerment, voting rights, and the electoral process.
- Arrange town hall forums where local candidates or elected officials can interact directly with their constituents who are members of the disability community.
- Encourage and assist individuals to apply to become poll workers.

If you have any questions, need more information, or would like support with a particular project, please contact Raylynn Lauderdale, raylynn@disabilityrightsmt.org, or Dave Ketelhohn, dave@disabilityrightsmt.org or call the **Disability Rights Montana Election Hotline at 1-866-790-VOTE (8683)**.



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