

VOTING IS EVERYONE’S RIGHT, REGARDLESS OF DISABILITY!

Next Tuesday is Election Day, in what many have called the most important election of our lifetimes. The vote is the way we make our voices heard about what we want for the future and who we choose to make that happen. It’s not just about the President, but also about who represents you in Congress (your US Senator and the US Congressman for the Congressional District where you live), your state Senator and Assembly Member, and several legislative proposals, including Proposition 1 which adds new protections to the New York State Constitution Equal Protection Clause, prohibiting discrimination based on “ethnicity, national origin, age, **disability** and sex.”

It is important to understand that people with I/DD (if they are 18 or over) have the same right to vote as everyone else if they have registered to do so. (If you’re not already registered, it’s too late to vote in this election, but be sure to register so you’ll be able to vote in the future. [Click here for a link to help you](#)).



Decision-Maker Thomas proudly affirms his right to vote

This is true even for most people under guardianship. State law only prohibits voting for individuals who have been adjudicated “incompetent” by a court; 17-A guardianship does NOT include a finding of “incompetency” (it’s technical, but the statute uses the term “incapacity”). As OPWDD explains,

“Adult New Yorkers with guardians maintain the right to vote unless the original order appointing the guardian was accompanied by an additional ‘order of incompetence’ issued by a court and signed by a judge [and such an order is very uncommon]”

It’s also important to know that people with I/DD can vote independently, with accommodations, such a “Ballot Marking Device” available at every polling place, or with the support of someone they bring with them, so long as that person is not their employer, union representative, or any candidate who is on the ballot seeking election.

In the unlikely event that a person with I/DD encounters a problem when attempting to vote, they can call the Election Protection Hotline at 1-866-OUR-VOTE or contact Disability Rights New York at: (518)432-7861 (voice), (518)512-3448 (TTY), (800) 993-8982 (Toll-Free). They also have the right to file a complaint with the New York State Board of Elections.

You should also note that New York has early voting, so you don’t need to wait until Tuesday to cast your ballot. You can find the location and available times for early voting at <https://www.voteearlyny.org>.

We believe in and have fought for the right of people with I/DD to make their own decisions, and that includes the decision about who should govern.

EXERCISE YOUR RIGHT TO VOTE, AND MAKE SURE YOUR VOICE IS HEARD!