

Disability Rights Nebraska

Protection and Advocacy for People with Disabilities

Testimony on LB 733

Before the Government, Military and Veterans Affairs Committee
Nebraska Legislature
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Good afternoon Senator Brewer and members of the committee. For the record, my name is Brad B-R-A-D Meurrens M-E-U-R-R-E-N-S. I am the Public Policy Director at Disability Rights Nebraska, the designated Protection and Advocacy organization for people with disabilities in Nebraska. Under the auspices of the federal Protection and Advocacy for Voting Access legislation, Disability Rights Nebraska works to educate individuals and institutions about the voting rights of people with disabilities and the voting process, as well as to ensure that Nebraskans with disabilities have access to exercise their fundamental right to vote. I am here today in support of LB 733.

Having a disability does not automatically disqualify an individual from voting, and a web of federal laws including the Americans with Disabilities Act, the Help America Vote Act, and the Voting Rights Act¹ help guarantee that people with all types of disabilities are not denied their right to vote.

However, sometimes there is a disconnect between what is required and what actually happens at the polling place. A recent study by the Governmental Accountability Office indicated that a substantial number of the polling places they inspected on Election Day 2016 had at least one impediment to voters with disabilities²:

“Outside the voting area, GAO was able to examine features at all 178 polling places and found that 60 percent (107) had one or more potential impediments.

¹ See “Vote. It’s Your Right: A Guide to the Voting Rights of People with Mental Disabilities” (2016) available at <http://www.bazelon.org/wp-content/uploads/2017/01/voting-rights-guide-2016.pdf>; see also “The Americans with Disabilities Act and Other Federal Laws Protecting the Rights of Voters with Disabilities”, available at: https://www.ada.gov/ada_voting/ada_voting_ta.htm

² “Voters With Disabilities: Observations on Polling Place Accessibility and Related Federal Guidance”, October 2016, available at: <https://www.gao.gov/assets/690/687556.pdf>

The most common were steep ramps located outside buildings, lack of signs indicating accessible paths, and poor parking or path surfaces.”

Other impediments that have been reported include: “The accessible voting machine wasn’t set up and powered on, the earphones weren’t functioning, the voting system was not wheelchair-accessible, or the voting system didn’t provide the same privacy as standard voting stations.”³

LB 733 would provide increased awareness of the right of people with disabilities to vote and the obligation of the state to provide an accessible means for Nebraskans with disabilities to vote. It would solidify the progress that Nebraska has made in terms of making voting more accessible for people with disabilities. The bill would be a constant reminder that Nebraska must be both diligent and vigilant in its efforts to not only secure the voting rights of people with disabilities but to ensure that voting is accessible to all eligible Nebraskans, regardless of disability.

We urge the committee to advance LB 733.

³ See “How Voters With Disabilities Are Blocked From the Ballot Box”, *Stateline*, February 1, 2018, available at: <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2018/02/01/how-voters-with-disabilities-are-blocked-from-the-ballot-box>