



## Common Issues Faced When Residents Vote

### Voter Registration

- Many LTC residents don't make it past the first step to voting – registering – for lack of assistance and/or information
- Registrations can be rejected for a variety of reasons
  - Some residents do not accurately, completely or legibly fill out registration forms
  - Residents who list their facility as their address of residency may find that some facility addresses are tagged as commercial addresses and not accepted.
- Some LTC residents don't register to vote because they are not interested or because they feel that voter registration drives are sponsored by a political party or candidate
  - The amount of participation in elections can be a reflection of the facility and staff's awareness and viewpoint of an election. Often, if the facility staff is not enthusiastic about the election and election process, most residents will not attempt to vote.
- Filling out voter registration can be complicated, and it is important that someone in the facility or in the community is trained specifically to assist with voter registration to increase the success rate of registration. Voter registration training is provided by some Secretary of State offices.<sup>i</sup>
- Getting registered is a time-consuming process, and sometimes, registration needs to be done as many as 30 days in advance (check with your community's Secretary of State Office for more information on registration deadlines). It is important that residents know about the process and the election far enough in advance that they can register in time to vote.
- Residents are often advised not to keep valuables in their rooms, so they do not have their social security cards, driver's licenses or other identification documents necessary to register to vote.

### Casting a Ballot

- Many residents are unable to cast their votes because they do not have transportation to a polling location
  - Transportation can be provided by a family member, a facility van, state/city/county-owned buses, or volunteers
- Ballots can be requested by mail, but often times the process is long and complicated.

- In cases where residents cannot get to a polling place, mobile polling<sup>ii</sup> may be used to bring ballots to facilities.
- In some extreme cases, residents can become victim of fraudulent manipulation of their vote. It is important that residents, family members and staff understand residents' voting rights and work to protect and encourage that right.
- Residents need to be reminded that voting machines are compliant with the Americans with Disabilities Act, absentee ballots are available upon request and auxiliary aids are available to citizens prior to elections.
- Sometimes poll workers do not know how to accommodate voters with disabilities. Some states train poll workers on how to provide assistance to voters with disabilities.

### Voters with Cognitive Impairments

- Voters who are developmentally disabled, have brain injuries, experience severe memory loss or have some other cognitive impairment may be entitled to vote. Some states publish brochures, booklets or flyers explaining the voting regulations regarding these impairments in the state. Other states publish this information on their websites.<sup>iii</sup>
  - The American Bar Association has recommended that no governmental entity exclude any otherwise qualified person from voting on the basis of medical diagnosis, disability status, or type of residence. In order for a person to be excluded from voting, a court must find that the person does not have the mental capacity to vote. The objective is to not treat people any differently in voting rights based on any perceived deficiency or other individual characteristic.
- For more information about cognitive impairment and voting, read "Cognitive Impairment & Voting," a [fact sheet](#) from the Consumer Voice.

#### Resources:

Mounce, Carolyn. *Comparison of Voter Participation in Long Term Care Facilities in the 2004 and 2008 Presidential Elections*. 2009.

Klem, Ellen. *More Help Is Needed for Persons with Cognitive and Other Brain Impairments, Especially Those in Long-term Care Facilities, Who Want to Vote*. 2010.

[http://www.americanbar.org/content/dam/aba/migrated/aging/PublicDocuments/more\\_help\\_pers\\_w\\_cog.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/migrated/aging/PublicDocuments/more_help_pers_w_cog.authcheckdam.pdf)

Commission on Law and Aging, Standing Committee on Election Law, and Commission on Mental and Physical Disability Law. *Report to the House of Delegates*. American Bar Association. 2007.

[http://www.americanbar.org/content/dam/aba/migrated/aging/voting/pdfs/voting\\_rec\\_final\\_approved.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/migrated/aging/voting/pdfs/voting_rec_final_approved.authcheckdam.pdf)

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<sup>i</sup>The National Voter Registration Act of 1993 (or the "Motor Voter" law) requires that government agencies must not only offer voter registration but assist in the process of registering.

California Secretary of State Department. "National Voter Registration Act (NVRA)." <http://www.sos.ca.gov/elections/nvra/training-for-agencies-that-provide-public-assistance.htm>.

Tennessee Department of Human Services. "Motor Voter Registration Training." <https://www.sworps.tennessee.edu/induction/motorvoter/html/index.htm>

<sup>ii</sup> Mobile polling is available in some areas. Contact your Secretary of State for details on availability in your area.

<sup>iii</sup> To find out if your state offers brochures or a specific website, contact your Secretary of State office. For some materials on voters with disabilities, go to the Residents' Rights Month page on the Consumer Voice's website: [www.theconsumervoice.org](http://www.theconsumervoice.org).