SUPPORT STAFF RESPONSIBILITIES TO HELP PEOPLE WITH DISABILITIES VOTE

A non-partisan guide to enforcing the rights of people with disabilities in accessing the voting process
PEOPLE WITH DISABILITIES HAVE THE RIGHT TO VOTE. AS THEIR STAFF, YOU ARE RESPONSIBLE FOR SUPPORTING THIS RIGHT. YOU CAN HELP VOTERS WITH DISABILITIES IN 3 EASY STEPS, WHILE KEEPING IMPORTANT DECISIONS IN MIND.

- You must assist individuals with voter registration and getting to the polls even if you disagree with their candidate preference.
- It is illegal to coerce an individual to vote for a specific candidate. 18 U.S. Code § 594
- Only a court decision can say whether someone has the competency to vote. You cannot make that decision.
- A person can vote even if they have a guardian, unless a judge has specifically ordered that the individual is incompetent to vote.
STEP 1  VOTER REGISTRATION

Check voter registration status at: https://app.mt.gov/voterinfo/

Help register to vote by mail: A completed voter registration form can be mailed to the local county election office. You can visit the Secretary of State's website and print a voter registration form at: https://sosmt.gov/elections/vote/

Help register to vote in-person: A voter registration form can be completed at the local county election office.

STEP 2  LEARN ABOUT CANDIDATES

There are many ways to connect voters to information about candidates during the election season. Consider seeking information about a candidate from non-partisan resources with factual information (usually nonprofits funded under 501(c)(3) status) on TV, through newspapers, and on the web.

Examples of websites with factual information about candidates and issues include: www.VoteSmart.org and www.Vote411.org

STEP 3  VOTING OPTIONS

Absentee Ballot

Absentee voting, or voting by mail, is a safe and secure method of voting that does not require a voter to go to a polling location on Election Day. To vote absentee, a voter needs to fill out an Application for Absentee Ballot; this form may then be mailed, or hand delivered, to their local county election office. Applications must be received by the county election office by noon (12:00 PM) the day before the election. For more information on how to vote by mail, visit the Secretary of State’s Voting by Absentee Ballot: https://sosmt.gov/elections/absentee/

Early In-Person Voting

This can be done by visiting the local county elections office to fill out a paper ballot between Tuesday, Oct. 11, and Monday, Nov. 7th at noon. They may request the use of an accessible voting machine at this time.
Electronic Ballot Request System (EBRS)
As a qualified voter with a disability, they can ask for an absentee ballot, and receive and mark a ballot from where they live, instead of having to go to the Election Office. They can ask for a ballot on Montana's Secretary of State's website at: https://sosmt.gov/elections/vote/

Accessible Voting Machines
Every polling location will have a safe and secure accessible voting machine for a voter to use in order to vote privately and independently. The two types of accessible voting machines used in Montana are known as: ExpressVote and AutoMARK. If a voter would like to use or need to use an accessible voting machine, ask an election judge at the polling place for one and it will be available!

Get Help From Your Election Judge
Election judges will be present at voting locations on Election Day. If a voter with disability has any questions about their rights or how to vote privately and independently, they can ask them for assistance!

Designation of an Agent
When a voter with a disability votes absentee (by mail or drop-off), Montana state law requires that their ballot has their signature, or identifying mark. If a voter cannot mark a ballot because of a disability, they can ask someone to help them with this signature or identifying mark, like a fingerprint, on an absentee ballot application through a process called “Designation of an Agent.” To choose the person who can help them, who would be called an “Agent,” a voter and someone helping a voter would need to fill out a form called “Designation of Agent by Individual with Disability” form. A voter or the Agent would then deliver the signed form to their local county election office.
Alternative Signature Methods
If a person with a disability is unable to provide a fingerprint or an identifying mark and the person has not chosen an agent as mentioned above, “the election administrator or an election judge may sign for the elector after reviewing and verifying the elector’s [a person with a disability] identification.” Montana Code Annotated § 13-1-116(3).

Group Home Providers for the Developmentally and Physically Disabled as Designated Agents
Providers for people with disabilities residing in group homes, generally, may be designated agents to assist with voting processes. However, if this provider is also the person’s employer, that provider and its' staff cannot serve as a designated agent for the person with a disability and another person will need to be considered.

Who Cannot Be An Agent?
A designated agent cannot be “the elector’s employer, an agent of the elector’s [a person with a disability] employer, or an officer or agent of the elector’s union.” The use of an agent “is a reasonable accommodation under the provisions of [Montana Code Annotated] 49-2-101(19)(b).”

Curbside Voting
If a voter cannot enter their polling location, they may request that an election judge assist with ‘curbside voting.’ Please consider calling the local county election office for assistance ahead of time, or request assistance from an election judge on the day of the election.

In-Person Voting on Election Day
The state’s General Election is Tuesday, Nov. 8th. Polls are generally open from 7 a.m. to 8 p.m.
Voting Dates to Know:

Prior to October 11, 2022: Regular Registration for Voting. Ballots must be available at county elections offices on October 11, 2022.

October 12, 2022: Late Registration Begins for Voting.

October 14, 2022: Registration forms postmarked by October 11, 2022 and received by October 14, 2022 are accepted for Regular Registration status.

November 7, 2022 at noon: End of Late Registration (or when all individuals in line at 12:00 PM have registered).

November 8, 2022, 7:00 a.m.: Polls open for the General Election. November 8, 2022, 8:00 p.m.: Polls close for the General Election; their vote still counts if they are in line to vote by 8:00 p.m. Voters have the right to place their vote so long as they are in line at poll closure!

REPORT INTIMIDATION TO THE ELECTION PROTECTION HOTLINE AT 1-866-OUR-VOTE OR 1-888-VE-Y-VOTA (EN ESPAÑOL)
IMPORTANT WORDS TO KNOW

**Absentee Voting** - You do not have to go to your polling place to vote. You can vote by mail.

**Ballot** - A list of who and what you vote for during an election.

**Candidate** - Someone who is running for office.

**Early Voting** - When polling places open before election day.

**Election** - An organized way to choose our elected officials by voting. Election Judge - The person working at your polling place.

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**Election Offices** - These offices help manage where polling place locations are and help put on the elections.

**Elected Official** - A person chosen by voting at an election to lead a part of the government.

**Electronic Ballot Request System** - This allows you to print your ballot from a computer and mail it back.

**Guardian** - Someone who makes decisions for a person with a disability. A judge will decide if someone needs to have a guardian.

**Polling Place** - Is the place where you go to vote in-person.

**Registering to Vote** - To get on the list of people who can vote within your state.

**Run for Office** - When someone wants to be an elected official, they need to run for office. They share their ideas on issues and ask people to vote for them.

**Vote** - A way to make decisions about laws and elected officials.
For questions or assistance in asserting voting rights, contact Disability Rights Montana

Email Advocate@DisabilityRightsMT.org

Voice/TDD 1-406-449-2344

Toll-free 1-800-245-4743

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