

Protection and Advocacy for Voting Access



Why Vote?

- Your vote counts!
- Your vote may help decide who will speak for YOU!
- Your vote may help elect people who decide on the rights, funding, programs, and services and supports YOU need!

You are eligible to vote in West Virginia if you are:

- U.S. Citizen and a resident of West Virginia and the county in which you register
- Not **currently** under conviction for a felony, including probation and parole, or a court ruling of mental incompetence. **Voting rights are restored when the term of conviction ends.**
- At least 17 years old, and 18 before the next General Election. (Seventeen year olds may register and vote in primary elections if they turn 18 by the next General Election.)

Contact DRWV if:

- You need assistance when registering to vote
- You have questions about voter rights
- You encounter harassment or discrimination by an election official
- Your polling place is not accessible
- You have not been provided with the opportunity to vote in an accessible format

HAVA and PAVA

People with disabilities historically have lower voter turnout than the general population. Factors such as prejudice or physical barriers contribute to this. But there is a program in place that can help.



The Help America Vote Act (HAVA) was passed in 2002 which allows Disability Rights of West Virginia (DRWV) to ensure full participation in the electoral process for individuals with disabilities through the Protection and Advocacy for Voting Access (PAVA) program.

Assistance through PAVA and DRWV are uniquely qualified to address specific voting issues. There is no charge for our services.

Alternative Formats are available upon request.



Disability Rights of West Virginia

Your Voting Rights

As a person with a disability, you have a right to:

- Access your public polling place
- Cast a secret ballot
- Have someone of your choosing assist you in the voting booth
- Request assistance from a poll worker at your polling place
- Request an absentee ballot
- Request a provisional ballot if your name is not in then poll book or if your eligibility to vote is in question



Every polling place must:

- Have at least one voting device that allows voters, regardless of disability, to cast their ballots privately and independently
- Be physically accessible in a manner compliant with the Americans with Disabilities Act (ADA) accessibility guidelines

Voting Access FAQ's

Q: Does a voluntary or involuntary commitment affect my ability to vote?

A: No, it does not.

Q: Does receiving the I/DD, A/D, or TBI Waiver affect my ability to vote?

A: No. You may still vote.

Q: Does having a Power of Attorney, designated payee, or surrogate affect my ability to vote?

A: No. You still get to vote.

Q: Does having a living will or receiving SSI/SSDI affect my ability to vote?

A: Nope. Sure doesn't.

When Do I Lose My Right To Vote?

A person can ONLY lose their right to vote when placed under Guardianship (being declared a "protected person") and one of the following occurs:

1. The document saying one is under Guardianship, which is called an "Order of Appointment," specifically states that the person is "mentally incompetent," or
2. The document saying one is under Guardianship specifically states that the person's right to vote has been taken.

If you are denied for a reason not listed above, you can insist to vote with a provisional ballot. Then contact your County Clerk, the Secretary of State, or DRWW.

If you need help:

Contact your County Commission, County Clerk, or the West Virginia Secretary of State's Office.

1-866-SOS-VOTE

(1-866-767-8683)

Website: wvsos.com

Disability Rights of West Virginia
5088 Washington St. W, Suite 300
Charleston, WV 25313

304-346-0847 (voice/TTY)

304-346-0867 (fax)

800-950-5250

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***Alternate Formats Available on Request**