



South Dakota Toolkit

Presented by

South Dakota Coalition of Citizens with Disabilities

South Dakota Advocacy Services

South Dakota Council on Developmental Disabilities

USD Sanford School of Medicine – Center for Disabilities

Special thanks to The Texas Disability Project for creating the initial Toolkit

The American Association of People with Disabilities

www.aapd.com/REVUP



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Dear Disability Rights Advocates:

In July 2015 we celebrated the 25th anniversary of the Americans with Disabilities Act (ADA).

We can take great pride in the historic advances we have made in the community integration of people with disabilities of all ages since the passage of Section 504 of the Rehabilitation Act of 1973. No matter what the issue — education, housing, transportation, personal assistance services, employment, recreation, adaptive technology, durable medical equipment, or health care, we can see the advances that have improved our lives and moved us closer to true equality.

This has come about by working together and implementing a strategy that has included legislative, legal, direct action, and educational tactics. These tactics are part of our overall goal to bring about the community integration promised in the ADA.

We cannot rest on our past victories. We must build on the past and move forward using the power we have acquired. This power can be exerted if we ***Make the DISABILITY VOTE Count!*** Policymakers are influenced by large numbers of people turning out to vote in the primaries and the general elections. This reality is why we started the **REV UP Campaign**.

The American Association of People with Disabilities (AAPD) is a convener, connector, and catalyst for change, increasing the political and economic power of people with disabilities. The focus of the **REV UP Campaign** is to get more people with disabilities and our supporters registered and voting!

This Toolkit is designed to help you begin organizing in your state. Effective REV UP Campaigns will convene state and local disability organizations, such as centers for independent living (CIL) and protection and advocacy (P&A) organizations, to amplify this message and reach more people with disabilities.

If you need assistance getting connected to CILs or P&As in your state please contact AAPD at communications@aapd.com. We'll be happy to make an introduction.



Register! Educate! Vote!

Use your Power!



***South Dakotans with disabilities CAN influence the outcome
of the June 7th South Dakota Primary and the
November 8th General Election***

More than any time in memory:

- Elected leaders and political candidates are recognizing the 57 MILLION Americans with disabilities—from birth to advanced age—as a powerful, important constituency.
- Issues important to people with disabilities must be part of the platform for any candidate running for public office.

Join thousands of Americans with disabilities in this important and historic effort!

***Don't Mourn...Organize, Register, and VOTE!
Onward to November 8, 2016! Make the DISABILITY VOTE Count!***

For more information:

South Dakota Coalition of Citizens with Disabilities

605.945.2207 or 800.210.0143

shellyp@sd-ccd.org

221 South Central Avenue, Suite 34A; Pierre, SD 57501

www.sd-ccd.org

“Vote as if your life depends on it — *because it does!*”

Justin Dart, Jr., Texan, patriot, father of the ADA.

The November 8th election will be one of the most important elections in over a decade.

The disability community—people with disabilities, family members, attendants, providers, professionals, advocates and supporters—has a major stake in the outcome of this election.

The ***Disability Vote*** can make a difference on issues such as:

- Adequate funding and coverage for Medicaid acute and long term services and supports.
- Waiting lists for home and community services.
- Consolidation and closure of public institutions.
- Integrated employment at no less than minimum wage.
- Accessible, affordable, integrated housing.
- Adequate funding for quality public and higher education.
- Quality Medicaid managed care with strict accountability measures.
- Recruitment and retention strategies for improved wages and benefits for community attendants.
- Implementation and enforcement of the “most integrated setting” requirements in the Americans with Disabilities Act (ADA).

REV UP! 2016: A Project of South Dakota Coalition of Citizens with Disabilities, South Dakota Advocacy Services, South Dakota Council on Developmental Disabilities and the USD Center for Disabilities.

The mission of South Dakota Coalition of Citizens with Disabilities is to advocate for the full inclusion of all people with disabilities in all aspects of society.

WHY? Nationally, there are approximately 57 million Americans with disabilities. People with disabilities represent 15% of the total voting population.

However, in the 2012 election:

- 57.2% of people with disabilities ***DID NOT VOTE!***
- 30% of people with disabilities said they wanted to vote but were unable to.
- 72% of polling places ***WERE NOT ACCESSIBLE!***

HOW? To make participation in the election process as simple as possible, REV UP 2016 encourages individuals to take these steps:

- Step 1** Download a *REV UP 2016 Toolkit* from www.aapd.com/REVUP. The Toolkit includes information and resources to help people with disabilities and supporters register and vote.
- Step 2:** Make sure YOU are registered to vote and sign the ***REV UP Pledge to Vote!***
- Step 3:** Distribute information and registration forms to your friends for them to complete to ensure that they are registered to vote.
- Step 4:** Encourage others to request a *REV UP 2016 Toolkit* and sign the *REV UP Pledge to Vote*.
- Step 5:** Use the *Polling Place Survey* (at the end of this Toolkit) when you vote to help us collect information about the accessibility of polling places statewide and nationally.

Important pointers for talking to people about voting:

DO:	DO NOT:
<ul style="list-style-type: none"> – Encourage family, friends and others to register to vote and, if eligible, to request a ballot by mail. – Explain and emphasize the importance of the disability vote and the rights of individuals with disabilities to vote. – Encourage friends, colleagues, and family members to request a <i>REV UP 2016 Toolkit</i> from www.aapd.com/REVUP. 	<ul style="list-style-type: none"> – Recommend, endorse, or encourage support for one candidate or party over another. – Tell the people you're registering which party to register under or who to vote for. – Coordinate activities with a candidate or campaign or political party. – Target your registration efforts toward any particular ideological group, party, or issue.

Guide for talking to others about voter registration and *REV UP 2016* :

Ask the question, "Are you registered to vote?"

If the answer is NO:	If the answer is YES:
<p>Would you like register? It's easy!</p> <ul style="list-style-type: none"> – Provide them with the registration form. – Forms are available for download from the South Dakota Secretary of State's (SOS) office. <p>Would you like assistance to complete the registration form?</p> <ul style="list-style-type: none"> – You may assist them in completing the registration form. <p>You need to mail the registration form to the County Auditor Office.</p> <ul style="list-style-type: none"> – The address for the County Auditor Office is on the Secretary of State website: https://sdsos.gov/elections-voting – You may assist them in mailing in the form. <p>Voter Registration Forms must be received by the County Auditor Office 15 days before any election if you wish to vote in that election.</p> <p>Remind them that primary election day is June 7, 2016 and general election day is November 8, 2016.</p>	<p>Do you need to apply for an absentee ballot? It's easy!</p> <ul style="list-style-type: none"> – Provide them with the information about requesting an absentee ballot. – Applications can be downloaded from the Secretary of State's website. <p>Would you like assistance to complete the application for an absentee ballot?</p> <ul style="list-style-type: none"> – You may assist them in completing the absentee ballot application. <p>The applicant needs to mail the application to the County Auditor Office.</p> <ul style="list-style-type: none"> – The address for the County Auditor Office is on the SOS website. – Tell them to mail in the form. <p>The voted absentee ballot must be returned to the County Auditor Office no later than 5 p.m. the day before the election.</p> <p>Remind them that primary election day is June 7, 2016 and general election day is November 8, 2016.</p>

Join the REV UP Campaign

with

South Dakota Coalition of Citizens with Disabilities

Together we have the power to change our communities!

_____ Add my name to get information on the South Dakota Coalition of Citizens with Disabilities and on state and national election issues impacting people with disabilities and their families.

I want to make the DISABILITY VOTE count! SIGN ME UP!

Name: _____

Organization: _____

Address: _____

City: _____ State: _____ Zip: _____

Email: _____ Phone: _____

Complete the form and return by email to: shellyp@sd-ccd.org

Return by mail to:

South Dakota Coalition of Citizens with Disabilities
221 South Central Avenue, Suite 34A
Pierre, SD 57501

Questions?

Send email to shellyp@sd-ccd.org or call 605.945.2207 or 800.210.0143.

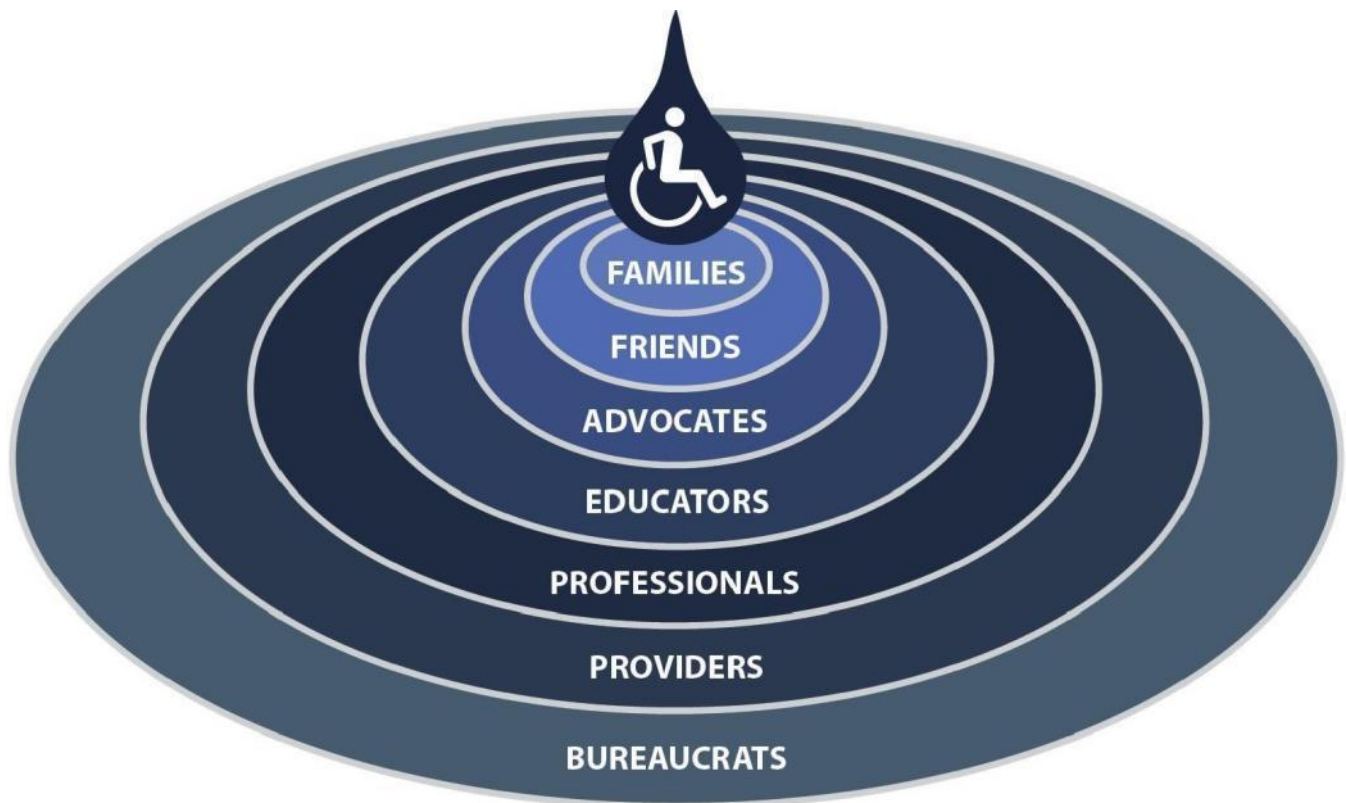
Register! Educate! Vote!

Use your Power!

RE[✓]UP!

MAKE THE **DISABILITY VOTE** COUNT

Ripple Effect of the Disability Vote





Definition of the DISABILITY VOTE:

1. People with disabilities
2. Family members and friends
3. Advocates
4. Educators
5. Professionals
6. Providers
7. Bureaucrats
8. Supporters

Need information about when, where, and how to register and vote?

The South Dakota Coalition of Citizens with Disabilities recommends the following resources to find what you need. Need more help? Call 605.945.2207 or 800.210.0143 or send an email to shellyp@sdccd.org.

South Dakota Secretary of State's (SOS) Office

- <https://sdsos.gov> (website) - 605.773.3537 (phone) – elections@state.sd.us (email)

Where You Can Register to Vote

- County Auditor Offices
- Driver's License Stations (when applying for or renewing a license)
- City finance offices
- SD Department of Human Services offices (which provide assistance to people with disabilities)
- Public assistance agencies providing Food Stamps, TANF or WIC.
- Military Recruitment Offices

Other State Specific Voting Resources

- South Dakota Advocacy Services – www.sdadvocacy.com (website) – 800.658-4782 or 605.224.8294 (phone)

AAPD REV UP Voting Resources

- www.aapd.com/REVUP

2016 Voting Dates to Remember

PRESIDENTIAL PRIMARIES

- May 23rd: Last day to register to vote in primary election
- ***June 7th: Primary Election Day***

NOVEMBER GENERAL ELECTION

- South Dakota does not have early voting.
- September 23rd: Absentee voting begins
- September 27th: National Voter Registration Day
- October 24th: Last day to register to vote in the general election
- ***November 8: Election Day!***

Registration dates will vary depending on your state. Rock The Vote provides a resource identifying deadline per state:

<http://www.rockthevote.com/get-informed/elections/important-election-dates-deadlines/by-state.html>

Your Vote Matters

Information for Individuals with Disabilities

You have the right to:

- Vote by yourself and make your own choices.
- Get help from a person of your choice or an election worker.
- Use a physically accessible polling place and an accessible voting machine.
- Vote if you have a guardian, unless a court determines you cannot.

Help America Vote Act (HAVA)

The goal of the Help America Vote Act (HAVA), passed by Congress in 2002, is to make the voting process more inclusive and accessible so that more Americans will become registered voters and participate in elections.

South Dakota Advocacy Services is the protection and advocacy agency designated by HAVA to help ensure accessible voting in South Dakota. Specialists on staff can answer questions, respond to legal violations, and troubleshoot problems related to your voting rights. There are no costs for these services.

South Dakota Advocacy Services provides the following services related to voters with disabilities:

- Educates voters, election workers, and other persons involved in the voting process about the rights of people with disabilities.
- Provides information to people with disabilities about voter registration and the opportunity to register to vote.
- Provides advice about access to polling places on Election Day.
- Works with groups representing people with disabilities and other organizations in registering voters and surveying polling places for accessibility.
- Represents/advocates for individuals with disabilities who have complaints about the voting process.

Who can register to vote?

Any United States citizen who:

- Resides in South Dakota
 - For the purposes of this title, the term, residence, means the place in which a person has fixed his or her habitation and to which the person, whenever absent, intends to return.
 - A person who has left home and gone into another state or territory or county of this state for a temporary purpose only has not changed his or her residence.
- Registration and voting by overseas citizens
 - Any overseas citizen shall have the right to register and vote in any federal, state, county or local election held within South Dakota under the following conditions:
 - The overseas citizen or the spouse of the overseas citizen was last domiciled in South Dakota immediately prior to departure from the United States.
 - The overseas citizen does not maintain a domicile, is not registered to vote and is not voting in any other state.
 - The overseas citizen is otherwise qualified to vote according to law.
- Is at least 18 years old on or before the next election
- Under South Dakota Codified Law § 12-4-18 , a person convicted of a felony in either federal or state court on or after July 1, 2012 loses the right to vote. A person so disqualified becomes eligible to register to vote upon completion of his or her entire sentence. A person who received a suspended imposition of sentence does not lose the right to vote.
- Felony Convictions On or Before June 30, 2012
 - Impact of State and Federal Felony Convictions on Voting Rights
 - Federal
 1. Individuals who are convicted of a felony in federal court and sentenced only to probation retain the right to vote.
 2. Individuals who are convicted of a felony in federal court and sentenced only to pay a fine or restitution retain the right to vote.
 3. Individuals who are convicted of a felony in federal court and sentences to a term of imprisonment lose the right to vote. The loss of voting rights continues for as long as the individual is serving a term of imprisonment including supervised release.
 - State
 1. Individuals who are convicted in State court of a felony and sentenced only to probation retain the right to vote. A sentence of probation only may include fines, fees, restitution and other conditions associated with the sentence of probation.
 2. Individuals who are convicted of a felony in State court and sentenced only to pay a fine or restitution retain the right to vote.
 3. Individuals who receive a suspended imposition of sentence on a felony in State court retain the right to vote.

4. Individuals who are convicted in State court of a felony and receive a suspended executive of sentence to the adult state penitentiary system lose the right to vote during the term of the suspended sentence.
 5. Individuals who are convicted in State court of a felony and receive a sentence to the adult state penitentiary system lose the right to vote during the term of imprisonment. The loss of voting rights continues as long as the individual is physically incarcerated or on parole.
 6. Juveniles adjudicated as delinquent or as a child in need of supervision and sentenced to incarceration in a juvenile detention facility retain the right to vote once they have reached eighteen years of age.
- Not be judged mentally incompetent to vote by a court of law.

How to register to vote.

- By mail: Request an application from your local voter registration office.
- In person: At County auditor's office, Driver's license station (when you are renewing or applying for a driver's license you may also register to vote on the driver's license application), city finance office, public assistance agencies providing food stamps, TANF or WIC, Department of Human Services offices which provide assistance to individuals with disabilities, and Military recruitment offices.
- Use a computer to print off the form; go to: <https://sdsos.gov/elections-voting/voting/register-to-vote/>

Different ways to vote.

In addition to voting in person on Election Day, you can vote:

- **Absentee Ballot:** Voters with disabilities may submit an application for an absentee ballot by requesting it from your County Election Official (county auditor) or going to the South Dakota Secretary of State website.
To apply to vote by mail (absentee ballot), contact your County Auditor or download an absentee ballot application at <https://sdsos.gov/elections-voting>
- **Voter confined due to sickness or disability:** If a voter is confined due to sickness or disability, they can use an authorized messenger to bring their ballot to them up until 3 p.m. on Election Day.
- **Curbside voting:** *South Dakota does not allow curbside voting.*

What to bring when you vote.

You must have **ONE** of the following current forms of identification when you vote:

- Driver's License or State Issued Non-Driver Photo ID Card
- U.S. Military ID
- U.S. Government Photo ID

- Current Student ID from SD High School or SD Accredited Institution of Higher Education
- Tribal Photo ID
- If a voter does not have one of these forms of identification, they can sign a personal ID affidavit.

Voting Rights & Accommodations

Voting Rights

I have the right:

- To vote by myself and make my own choices.
- To get help from a person of my choice or an election worker.
- To a physically accessible polling place and the use of an accessible voting machine.
- To vote if I have a guardian, unless a court determines I cannot.

You Have a Right to Election Accommodations on Election Day:

You can:

- Bring someone to help you.
- Have headphones to hear your ballot.
- Have accessible parking.
- Have temporary ramps.
- Use a communication board.
- Access voting machines for voters in wheelchairs.
- Use different colored voting screens.

HOW TO REGISTER TO VOTE IN SOUTH DAKOTA

Who may register to vote in South Dakota?

Any United States citizen residing in South Dakota who:

- Is at least 18 years old on Election Day;
- Has not been declared mentally incompetent to vote by a court of law.
- If convicted of a felony, refer to page 15.

How do I register to vote?

- By mail – Just get a registration form, fill it out, and mail it in. It is free.
- In person -- Register at a voter registration agency.

Where can I get a registration form to mail in or register to vote in person?

They are available at the following places:

- All Driver License Offices (when applying for or renewing a license)
- All county auditor offices
- Secretary of State's Office <https://sdsos.gov/elections-voting>
- City finance offices
- SD Department of Human Services offices (which provide assistance to people with disabilities)
- Public assistance agencies providing food stamps, TANF or WIC
- Military Recruitment Offices

Offices that have the registration forms must also help you complete the forms, unless you refuse assistance.

If I am registering by mail, do I need to send anything else in besides the form?

No.

What is the deadline to register to vote for an upcoming election?

- You must register 15 days before an election to be eligible to vote in that election.
- The application form must be received in the County Auditor's office by 5 p.m. on the deadline date.

What if I have a disability and can't leave the house?

- You can either register by mail, or
- If an agency is providing you with services in your home, and they offer voter registration services, they must provide those services at your home.

What if I am staying in a hospital or other institution that is not in my home county?

If you reside in an institution, or somewhere else that is not in the same county as your permanent address, you can register to vote by mail in the county where your permanent address is. Then you can vote at your current residence with a vote-by-mail ballot. (See handout on Alternative Voting Options.)

What if I need help to register?

Anyone of your choice can help you register. Anyone you choose may fill out the registration card for you, in your presence. If you cannot sign your name, you may have a “witness” sign on your behalf. You have to make a mark of any kind in the signature line. Have your “witness” sign and date their name under the signature line, to indicate that they acted as your witness.

Is there a way to find out if I am already registered to vote?

You can call the Secretary of State’s office at 605.773.3537. This is the same number you would call to request an application by mail or to seek answers to any voting related question. You can also check your registration, see polling place information and view sample ballots for primary and general elections at www.sos.sd.gov

How do I make changes to my voter registration?

If you move:

- Fill out a new voter registration application form. Make sure to fill out the bottom portion of the form “Previous Voter Registration Information Required.” Mail to the County Auditor.
- Make simultaneous changes to your driver's license and voter registration when you apply for or update your driver's license; or
- Request changes to your voter registration card by printing an application off at <https://sdsos.gov/elections-voting>

If you have a name change:

- You are encouraged to update your voter registration.
- Download a voter registration form by visiting <https://sdsos.gov/elections-voting>. Make sure to fill out the bottom portion “Previous Voter Registration Information Required.”
- Once completed, please mail the form to your County Auditor.

If you want to Change Party Affiliation:

- You must update your voter registration form. Download it at <https://sdsos.gov/elections-voting>; complete and mail it to your County Auditor.

Helpful Information for South Dakota Voters with Disabilities

Take this along when you vote

- 1) Bring a Photo ID with you to vote. If you do not have one or forget to bring it, you can fill out a Personal ID Affidavit and still vote.**
- 2) To fix a problem at the polls, before you leave the polling place**
 - a) Talk to the head election judge, and if they can't fix it, ask them to contact a county or city election official. If that doesn't work,
 - b) Contact Voting Hotline at 1-888-703-5328
 - c) File a written complaint at your polling place.
- 3) To fix a problem at the polls, after you leave the polling place**
 - a) Contact South Dakota Advocacy Services
- 4) If you are under a guardianship...**
 - a) You still have the right to vote UNLESS your guardianship order says that the court has taken away your right to vote.
- 5) You have the right to ask for help voting.**
 - a) Any person you choose can go with you into the voting booth.
- 6) It is against the law for anyone in the polling place to try to influence your vote.**
- 7) You can ask someone to mark your ballot for you.**
- 8) You have the right to take a sample ballot into the voting booth with you.**
- 9) If you make a mistake before submitting your ballot**
 - a) You may go back and make corrections, follow the directions on the voting system screen or ask for help from a voting official.
 - b) You can take your ballot back to the election board and get a new ballot. A voter can receive up to three (3) spoiled ballots.

A Basic Guide to Polling Place Accessibility

This is a basic guide to accessibility to assist in identifying barriers and potential solutions to ensure access to voters with disabilities. Election officials should try to select fully accessible polling places and conduct the full Department of Justice accessibility survey.

Parking and Drop-Off Areas

- If parking is provided, at least one accessible parking spot that is nearest to the accessible entrance must be provided for every 25 regular parking spaces.
- The first accessible spot should be van accessible with an access aisle at least 8ft wide.
- Accessible parking spots should be relatively level and not have loose gravel or dirt.
- If drop-off area is provided, it should be level and have an access aisle that is at least 5ft deep and 20ft long where people can access entrance (near ramp if necessary).

Solutions: Traffic cones can be used to mark accessible parking spaces and access aisles. Heavy duty mats can be used to level out uneven surfaces.

Paths of Travel

- There must be an accessible path from parking spot to entrance and voting area.
- Path must be at least 36 inches wide and free of steps or level changes more than ½ inch.
- If accessible path crosses traffic, a marked crosswalk should be used.
- Where path crosses curb, a curb cut or temporary ramp should be used.
- Ramps can't be steep. For every 1 inch high, a ramp must be at least 12 inches long.

Preventing Obstructions for Voters Who are Blind or Have Low Vision

- People who are blind can easily run into objects that hang from above (ex. tree limbs), are open beneath (ex. staircases), or protrude from the side (ex. trophy cases).

Solution: Place a barrier within 27 inches of the floor so cane can detect the obstruction.

Entrance to Polling Place and Voting Area

- Doorways must be at least 32 inches wide.
- Threshold must not be more than ¾ inches high at door and must be beveled on each side.
- No heavy doors.
- No slick, round door handles.

Solutions: If door is too heavy to open easily, adjust door closer, disconnect operating arm, or prop door open on Election Day. If smooth round handles are on door, use temporary hardware or prop door open. If threshold is too high, use temporary threshold ramp on each side that is too high.

Voting Area

- An accessible voting machine on wheelchair accessible booth should be located along an accessible path in a location that ensures privacy.

Visit www.866ourvote.org or call 1-866-OUR-VOTE (1-866-687-8683) if you have any issues or concerns related to Election Day.



Polling Place Survey

The REV UP Campaign would like to know if your polling place is accessible. Providing us information on the accessibility of your polling place may help resolve accessibility issues in the future. If you are interested in filling out this survey, please indicate the county and precinct information. You can also provide your contact information, although it is not required.

Thank you!

State: _____

County: _____

Precinct: _____

Polling place address: _____

Your Name (optional): _____

Your Phone/Email (optional): _____

Parking

- | | | | | |
|----|--|-----|----|-----|
| 1. | Was there at least one accessible parking space? | Yes | No | n/a |
| 2. | Was the accessible space marked by a visible sign (other than on the asphalt)? | Yes | No | n/a |
| 3. | Was the accessible parking area paved? | Yes | No | n/a |

Entrance

- | | | | | |
|----|--|-----|----|-----|
| 4. | Is the walkway from parking to accessible entrance free of steps? | Yes | No | n/a |
| 5. | If there are steps or curbs, are there ramps provided? | Yes | No | n/a |
| 6. | Was there at least one accessible entrance? | Yes | No | n/a |
| 7. | Could you open all doors with a closed fist? | Yes | No | n/a |
| 8. | Were all doors wide enough for a wheelchair to pass through (32 inches)? | Yes | No | n/a |

Voting Area

- | | | | | |
|-----|--|-----|----|-----|
| 9. | Was there at least one accessible voting system provided? | Yes | No | n/a |
| 10. | Were you able to easily use the voting machine's accessibility features? | Yes | No | n/a |

If no, please explain: _____

- | | | | | |
|-----|--|-----|----|-----|
| 11. | Were you able to cast your vote privately and independently? | Yes | No | n/a |
| 12. | Were you asked to show a PHOTO ID ? If you did not have one or forgot it, were you given a Personal ID Affidavit to complete ? | Yes | No | n/a |
| 13. | If assistance or accommodations were requested, were poll workers helpful? (example: showed you how to use the voting machine) | Yes | No | n/a |

If no, please explain: _____

14. If your eligibility to vote was questioned, how did the poll worker handle the situation?

15. What, if any, voter education or training have you received?

16. Any other comments:

Please return this survey to:

South Dakota Coalition of Citizens with Disabilities

shellyp@sd-ccd.org

or

South Dakota Coalition of Citizens with Disabilities

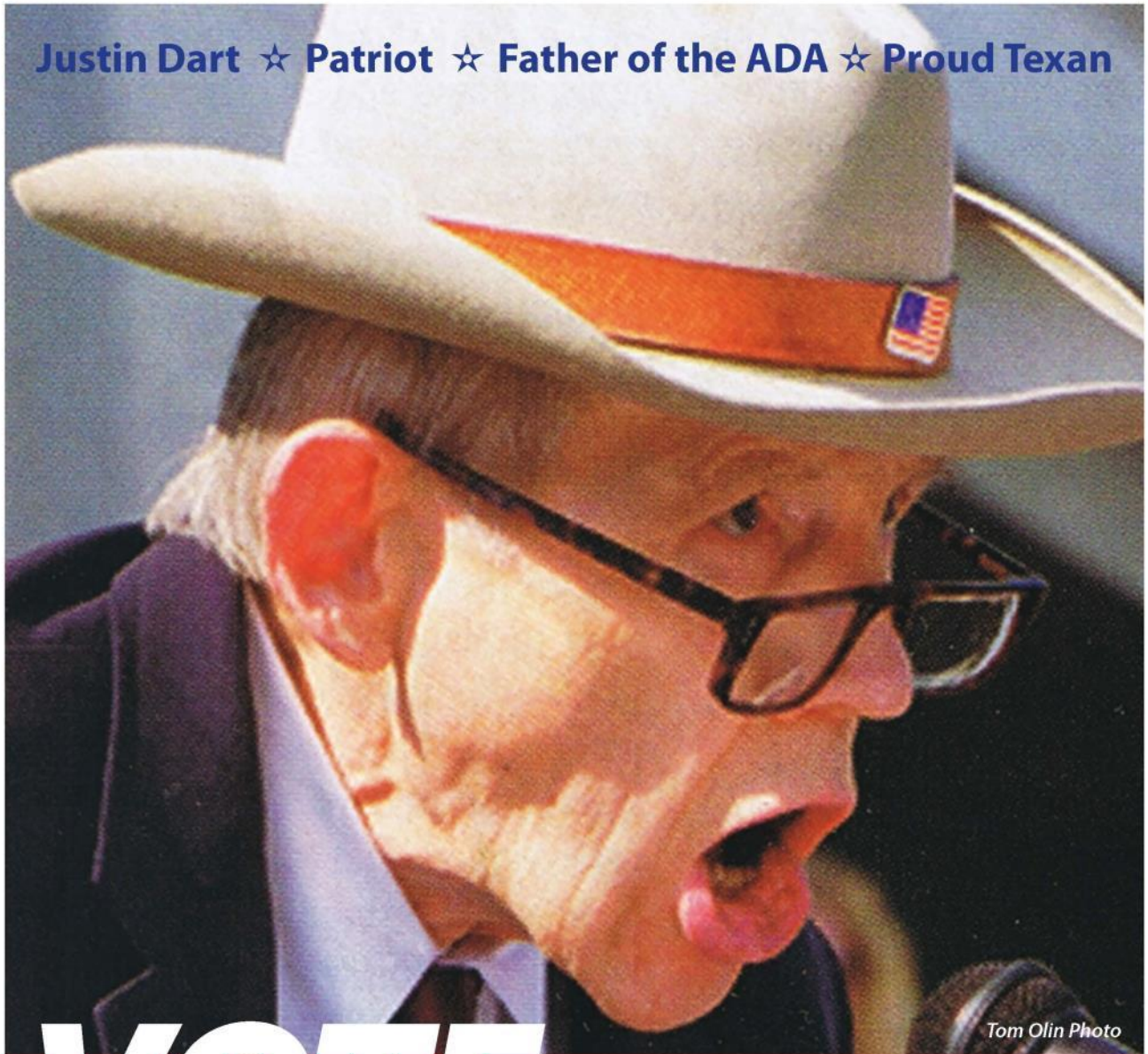
221 South Central Avenue, Suite 34A

Pierre SD 57501

**If you have questions about your voting rights,
or want to report a violation,**

Visit www.866ourvote.org or call 1-866-OUR-VOTE (1-866-687-8683)

Justin Dart ☆ Patriot ☆ Father of the ADA ☆ Proud Texan



Tom Olin Photo

VOTE

as if your life **DEPENDS** on it—

Because it DOES!