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April 29, 2022

For Immediate Release

MILWAUKEE COUNTY COMMISSION ON AGING STATEMENT ON VOTING RIGHTS

Milwaukee, WI – Voting is the foundation of democracy. Older adults expect to be able to exercise their right to vote regardless of age, disability, or residence. The first article of the Wisconsin Constitution reminds us that all people are born equally free and that governments derive their just powers from the consent of the governed. Thus, we expect our elected officials to do everything in their power to respect the right of all Wisconsin citizens to vote and to provide them free access and assistance to exercise that right.

The Milwaukee County Commission on Aging voices its support for the Wisconsin Election Commission and the efforts of nursing home staff, residential care workers, and family caregivers who, despite the burden of their work during this unprecedented time, assisted residents to exercise their right to vote.

The Commission also applauds the work of local municipal clerks, particularly the municipal clerks in the seventeen municipalities in Milwaukee County and our own Milwaukee County Clerk and Milwaukee County Election Commission in their diligent work to conduct free and fair elections in accordance with federal and state election law.

While no one should be coerced to vote, the ability to cast a ballot is fundamental. The right to vote is only circumscribed in very specific situations. Citizens in a residential care facility, having a disability, or simply growing older and acquiring physical infirmities retain their right to vote unless a court has made a specific finding in a guardianship proceeding to the contrary. Moreover, federal law requires that voting be accessible to all citizens with and without disabilities.

We are deeply concerned about new barriers to exercise the right to vote created by the Waukesha Circuit Court ruling in *Teigen v Wisconsin Elections Commission*, namely that only a voter and not another person designated by the voter must mail or deliver the elector's ballot, and that use of ballot drop boxes is prohibited.

Many voters with disabilities and older adults must rely on a friend, family member, or care provider to physically place their ballot in the mailbox or return it to their clerk or to a secure drop box. The prohibition on absentee ballot return assistance will make it difficult if not impossible for many disabled and older Wisconsin voters to return their ballots in the manner they have used for years.

Moreover, Milwaukee County has a large and dense population. Providing secure drop boxes for residents is a safe, prudent, effective, and reasonable accommodation to assist all voters to exercise their right to vote. No demonstration of fraud has ever been found in the use of drop boxes in Milwaukee County, including at senior centers. Drop boxes significantly reduce the burden on individuals to vote, increase public safety, and decrease traffic congestion.

As we have consistently stated, we call upon the state legislature and the Governor to reject any legislation which seeks to restrict or limit the right to vote, including by restricting access to the ballot box. We oppose proposals to:

- restrict early voting times or locations;
- restrict the use of secure drop boxes in locations apart from the municipal clerk's office for the purpose of early voting;
- require absentee voters to provide proof of identification for *every* election;
- reduce the number of elections a voter can apply to receive ballots for with a single absentee ballot application;
- require all in-person absentee voters to complete an absentee ballot application, even if they already have such a request on file;
- prohibit municipal clerks from sending absentee ballot applications to anyone who has not requested them;
- restrict who a voter may choose to return their ballot;
- limit the ability of municipal clerks to update voter address information without requiring the voter to re-register;
- create any new felony for a person who assists a resident to vote on the basis of "coercion";
- limiting the assistance an individual in a residential care facility can receive to register to vote and cast their ballot;
- provide additional notice to relatives of an individual in a residential care facility of the times and dates of absentee voting for the individual in the facility without their consent;
- prohibit the use of private funds by municipalities for the purposes of election administration;
- prohibit a municipal clerk from correcting a defect on a completed absentee ballot envelope;
- restrict or make subject to review by the state legislature compliance by the Wisconsin Election Commission and municipal clerks with federal voting rights laws including the Americans with Disabilities Act (ADA), the Voting Rights Act (VRA), and the Help American Vote Act (HAVA).
- abolish or change the Wisconsin Elections Commission to a strictly partisan commission.



While the COVID-19 pandemic caused untold hardship and required the compliance of our citizens with certain restrictions on congregate activities and travel, the Wisconsin Election Commission and municipal clerks in Milwaukee County found common-sense ways to ensure that its citizens could still register to vote and exercise that right despite unprecedented restrictions and difficulty in accessing government offices, polling places, or online systems.

We encourage the legislature and the Governor to recognize and reward these practices and employ its legislative prerogative in removing restrictions, fear, and inconvenience to make voting easy and accessible to all the state's citizens, regardless of age, infirmity, disability, or residential status.

BY:

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