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*The Human Development Institute, the Kentucky Council on Developmental Disabilities and the Kentucky Division of Protection and Advocacy form the state's Developmental Disability Network. This network is funded through the Developmental Disabilities Assistance and Bill of Rights Act of 2000, and is administered through the U.S. Administration on Developmental Disabilities, U.S. Department of Health and Human Services.*

*Each of these agencies collaborate extensively and work tirelessly to improve the daily lives of individuals with disabilities and their families.*

# kentucky developmental disabilities network

human development institute • kentucky council on developmental disabilities • protection & advocacy

## The Importance of Voting – Why Every Vote Counts

Few of us will ever forget the 2000 Election night coverage, in which the race for the U.S. President literally “hung” in the balance for weeks, over a couple of hundred votes, in a race in which millions and millions of people voted. EVERY vote REALLY does count, and we only have to remember that night to realize the truth of this statement.

We HAVE to vote. Even if we do not like any of the candidates (and sometimes people say that!), we need to consider which candidate best represents the views we care most about and who we believe offers the best direction for our nation, our state, or our community. People with disabilities represent a fundamental (and largely untapped) political force, but that presence and that voice cannot be heard unless everyone with a disability, their families, and their advocates, go to the polls this November.

This newsletter is not about whom you should vote for – you and you alone can decide that! But this newsletter is all about the importance of you voting, of registering to vote if you are not yet registered, and of making your voice heard. It is about speaking up if your voting place is not accessible, so that you can vote on Election Day (see information about the Voter Hotline in this newsletter!). And it is about getting as much information as you can about the candidates on the ballot, so that you can make a truly informed choice, and know that you voted for the candidates who best represented the positions most critical to your life and to those you love.

We are proud as the KYDDNetwork to present this newsletter to you. The Kentucky Council on Developmental Disabilities, the Kentucky Division of Protection and Advocacy, and the Human Development Institute at the University of Kentucky – hope that all of us will come out in force on November 4th. This is what our country is truly about, and this is why so many brave men and women have given their lives to preserve our right to choose our leaders and the future of our country!

## IN THIS ISSUE

Voting Accessibility in Kentucky.....	2
Voting and Guardianship.....	4
Accurate Candidate Information Available.....	6
KCDD Launches Web site to Provide Voting Information.....	7

## Voting is Accessible in Kentucky — Norb Ryan, State ADA Coordinator

HAVA, the Help America Vote Act, became a Federal law in 2002. An important section of this law requires accessibility for people with disabilities. Many people with disabilities have been limited in their right to vote due to the inaccessibility of both the voting location and the actual voting machines. HAVA requires that both the voting booth and its location now be totally accessible to people with all types of disabilities.

Not only is a voting booth required to be accessible, but it must be in a fully accessible location. This includes parking, loading areas, entrances, exits and voter's path of travel to the accessible voting booth. To assure accessibility, each of Kentucky's approximately 2800 locations were surveyed by a team. Each team was trained and included an individual with a disability, as well as a representative from the county Clerk's office and/or local Board of Elections. Those locations found to be inaccessible were required to make the necessary move to an accessible location.



Once in the booth, an accessible voting system is required at each polling location. One accessible voting system may be accessible for several precincts in one location. The voting system certified by the Kentucky Board of Elections is accessible to persons with a full range of disabilities and provides a private voting experience. Individuals who require assistance may request a poll worker to provide that assistance. If they are more comfortable with a family member or a caretaker providing assistance, a request for that individual to assist in the voting booth should be granted by the poll workers.

The Commonwealth requires that County Boards of Election provide training before each primary and regular election. All poll workers, alternates and certified challengers must be trained regarding their duties. A portion of that training includes issues regarding accessibility and disability sensitivity. The training will continue to be presented at future State Board of Elections workshops, and the summer and fall conferences of the Kentucky County Clerks' summer and fall conferences.

This newsletter is published annually by the Kentucky Developmental Disabilities Network to provide all individuals with news and information relating to persons with disabilities.



Visit our Web site at  
[www.kyddnetwork.org](http://www.kyddnetwork.org)

Voting is a right that must be available to our citizens. For people with disabilities, that right has not always been one they could exercise. Thanks to the Help America Vote Act and the Kentucky Board of Elections, voting is more accessible to every citizen with a disability. However, if you should encounter difficulties in accessing the location, the voting booth or problems with a poll worker, please call the following numbers and report any violation to the County Board of Elections in which the violation has occurred.

There are also two toll free numbers available to you:

- Office of the State ADA Coordinator at (877) 423-2933
- Kentucky Protection and Advocacy at (800) 372-2988 from 6 a.m. to 6 p.m.

## Kentucky Advocate Urges All People to Exercise the Right to Vote — [Human Development Institute](#)

It all started with an inaccessible polling place. “I use a motorized wheelchair and I could not get into the building to vote,” said Marie Braun, disabilities advocate and rights trainer for Kentucky Protection and Advocacy (P&A). This incident has led to more than two decades of work in the community on behalf of people with disabilities, especially in the area of voter rights.

Since the fall of last year, Marie has been giving presentations to people with disabilities, informing them of their rights. Armed with her compelling PowerPoint presentation, which was developed with in conjunction with the Protection and Advocacy for persons with Developmental Disabilities (PADD) advisory board program coordinator, Marie lets everyone know that they have the right to services that can help them live as independently and productively as possible.



[Voting Rights Advocate Marie Braun](#)

“I get a lot of great feedback from people at the presentations,” said Braun. “They know I am talking from experience. I lived in an institution and couldn’t even pick out my own clothes. I try to let people know that they can do things for themselves and [that] they do have rights.”

Braun does several talks a month, but her schedule varies. “I really enjoy getting out in the community,” Braun said. “I feel this is definitely my calling. I understand where people with disabilities are coming from. I have been there.”

P&A normally schedules the presentations; however, Braun also receives requests directly.

As for the upcoming election, Braun is reading up on each of the candidates and is unsure for whom she will be voting. However, one thing is for sure - she will definitely be casting her ballot on November 4th and urging others to do the same. “I always tell everyone I talk to that your vote counts,” Braun said. “If you pay taxes, your vote counts.”

For more information or to schedule a presentation, please call Protection and Advocacy at (800) 372-2988.

## Voting When You Have a Guardian — Protection & Advocacy

Having a guardian removes your legal right to do some things, including voting. But on June 26, 2007, Kentucky's guardianship law changed. Now it's easier to keep your right to vote if you have a guardian.

### How did the law change?

Before, if you had a full guardian you lost the right to vote. Now the judge has to make a separate decision saying whether you lose the right to vote. If you do lose it, she has to write a reason why you do.

### How do I find out whether I can vote?

If you had a full guardian before June 26, 2007, you probably lost your right to vote. If you were given a full guardian after June 26, 2007, you may still have the right to vote. Ask your guardian if you still have this right. You can also find out by looking at your guardianship order.

### I want to vote but I don't have the right. What can I do?

You will need to ask the judge to give the right back to you. There are two ways to do this.

1. You can write the judge a letter to ask her to give back your voting right.
2. You can file a modification petition in district court. A modification petition can be used to get back all your rights. It can also be used just to get back your right to vote.

### How do I file a modification petition?

First, you must get a special form called a modification petition. You can get one from your local district court clerk's office or from Protection & Advocacy.

### Next, fill out the form. If you need help, you can ask:

- the court clerk
- family or friends
- service provider

Turn in the form to your local district court clerk's office. The clerk's office will let you know when you need to come see the judge. Go see the judge on the date and time the clerk tells you to be there. You can bring a friend or family member to be with you. Tell the judge in court that you want her to give you back your right to vote. The judge will decide if you can vote.

### The judge says I can vote now. Now what?

Get registered! You will need to fill out a registration form and turn it in to your local county clerk. You can get the form from the following places:

- The Kentucky Board of Elections Web site: <http://www.elect.ky.gov/register.htm>;
- Your local county clerk's office;

- Your local circuit clerk's office;
- Any local agency where you sign up for food stamps, WIC checks or Medicaid;
- Any armed forces recruitment office;
- Your local high school; and
- Protection and Advocacy.

During fiscal year 2008, a small number of people with developmental disabilities will be eligible to receive legal help from P&A to get their rights restored. This includes voting rights. To see if you qualify, call Protection & Advocacy.

For more information on voting rights, please call Protection and Advocacy at (800) 372-2988 or visit our Web site at [www.kypa.net](http://www.kypa.net).

## Restoring Your Voting Rights - One Person's Story – [Protection & Advocacy](#)

Jeremy Hosford, a 30 year old young man who lives in Graves County, requested assistance from P&A with having his right to vote restored. Jeremy, a newly appointed member of the PADD Advisory Board, was interested in becoming involved in civic matters in his community and casting his vote was an important part of that involvement.

In 1995, Jeremy was found wholly disabled and his mother appointed his full legal guardian. During the guardianship hearing, there was no specific mention regarding voting rights. Thus, when his mother was appointed his guardian, he lost his right to vote. P&A attorney Kevin McManis represented Jeremy in his quest to have his right to vote restored.

In September 2007, Jeremy's dream became a reality when the Judge restored his right to vote! Jeremy immediately registered to vote and cast his vote for the first time ever in the 2007 November election.

In a Public Service Announcement recently filmed at the State Capitol, Jeremy talks about his journey to have his right to vote restored.

You may view the public service announcement on P&A's Web site at [www.kypa.net](http://www.kypa.net). If you or someone you know has questions about voting, including voter registration, you may contact Protection & Advocacy at (800) 372-2988.

## Finding Accurate Candidate Information for Upcoming November Election – [Kentucky Council on Developmental Disabilities](#)

On Tuesday, November 4, 2008, people throughout the State will venture out to their polling places and cast their ballot on both state and national races.

To make sure you have the most accurate and up-to-date information available, we've compiled a list of Web sites that will serve as a resource as you make your decisions. \*Please note – The KYDDNetwork, or its partners, does not endorse specific candidates. All information should strictly be used as a reference guide.

### **State Contact Information**

Kentucky State Board of Elections  
Trey Grayson, Chairman  
Tel: (502) 573-7100  
[www.kentucky.gov](http://www.kentucky.gov)

### **Presumptive Democratic Presidential Nominee Senator Barack Obama**

Contact Information for Kentucky campaign:  
<http://my.barackobama.com/page/content/kyhome>

General Summary of Campaign Platform:  
[www.barackobama.com](http://www.barackobama.com)

### **Presumptive Republican Presidential Nominee Senator John McCain**

Contact information for Kentucky campaign:  
Mid-Atlantic Regional Headquarters  
1235 S. Clark Street  
Arlington, VA 22202  
Tel: (703) 297-8900  
Email: [kentucky@johnmccain.com](mailto:kentucky@johnmccain.com)

General Summary of Campaign Platform:  
[www.johnmccain.com](http://www.johnmccain.com)

For information on Kentucky Congressional and State races, please visit the CAPWIZ Web site at  
<http://kentuckydisability.org>

## Your Voice, Your Vote!

If you encounter problems casting your vote on

**Election Day (November 4)  
Call your local county clerk**

~ OR ~

**Protection and Advocacy's voter hotline  
(800) 372-2988 Hours: 6 a.m. to 6 p.m. (EDT)**

Have a legal guardian? Have questions about voting?  
Give Protection & Advocacy a call!

## Developmental Disabilities Advocate's Life Remembered – [Kentucky Council on Developmental Disabilities](#)

On June 22, 2008, the advocacy community lost a strong voice for developmental disability services in our state. Louise Underwood was a proud member of the Voice of the Retarded, yet she spent countless hours promoting the rights of every person with a disability to have a 'choice' in where they lived.

While we often disagreed that large congregate facility should be such a 'choice', everyone respected her because she also steadfastly and tirelessly promoted community options. Louise was one of the staunchest advocates in promoting HB 144 – the Commission for Individuals with Mental Retardation and Other Developmental Disabilities in 2000. This legislation represented a major turning point in Kentucky for those whose preference was to remain in the community and/or move to the community. The Kentucky waiver program began significant growth following the passage of this legislation. This is just one example of the many pieces of legislation upon which she had an impact during her years of advocacy.

Because of her commitment to choice, many people have been able to remain in their homes with family, move to their own homes and move out of large facilities. The number of individuals currently residing in large facilities has decreased over the years and Louise will always be remembered as one of the people who worked tirelessly to promote this choice.

Louise was always supportive of the Kentucky Developmental Disabilities Network Partners, especially the Kentucky Council on Developmental Disabilities. She always promoted the KCDD's mission to Congress and other legislators. It was always a joy to enter a Congressperson's office and hear "Representatives of the Voice of the Retarded was just here and they spoke very highly of the Council." Those words are a testament to the true character of Louise.

Louise Underwood will be greatly missed. The network partners send our deepest sympathy to her family and friends.

May her memory never leave us as we move forward.

## KCDD Launches Web site to Keep People with Disabilities Informed – [Kentucky Council on Developmental Disabilities](#)

The Kentucky Council on Disabilities (KCDD) recently created a Web site specifically for those interested in public policies affecting individuals with disabilities.

The Web site, <http://kentuckydisability.org>, features two specific areas: Legislative Action Center for Kentucky or CAPWIZ site and the KCDD site. Users can access either one from the front page.

The CAPWIZ site shows users the daily legislative calendar and how to track current bills in the House and Senate. In addition, the Web site features information on elected officials, issues and legislation, elections and candidates as well as a media guide.

The KCDD Web site features information on the Council, its current work scope as well as updates and resources for individuals with disabilities.