

# Center for Disability Rights, Inc.

1/24/17

## Testimony of Center for Disability Rights before the Joint Budget committee hearing on Local Government

Thank you to Senator Young, Assembly Member Farrell, and the Joint Budget Committee for this opportunity to testify before Higher Education in the Governor's 2017-2018 Budget. My name is Adam Prizio, I am the Director of Governmental Affairs at the Center for Disability Rights. The Center for Disability Rights (CDR) is a disability led, not-for-profit organization headquartered in Rochester, New York. CDR advocates for the full integration, independence, and civil rights of people with disabilities. CDR provides services to people with disabilities and seniors within the framework of an Independent Living Model, which promotes independence of people with all types of disabilities, enabling choice in living setting, full access to the community, and control of their life. CDR works for national, state, and local systemic change to advance the rights of people with disabilities by supporting direct action, coalition building, community organizing, policy analysis, litigation, training for advocates, and community education.

### **Early Voting for Some is Discrimination; We Want Early Voting for All.**

The Governor has proposed allowing early voting in all districts.<sup>1</sup> Accessible early voting would benefit people with episodic disabilities who may be unable to get out of the house on a particular day, as well as providing needed opportunities for poll workers to set up and operate accessible voting machines. If accessible to disabled voters, early voting would be a great benefit to our community, and would have CDR's strong support. The flexibility of early voting would be of great use to disabled New Yorkers many of whom are at the mercy of the State's very limited accessible transportation offerings, when trying to vote.

Unfortunately, the Governor's proposal indicates that accessibility is optional for local boards of elections to consider when selecting early voting sites. Specifically, the notice which the local board of elections is to send out must indicate "whether the site is accessible to persons with physical disabilities." This language implies that discrimination against disabled voters in early voting is acceptable.

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<sup>1</sup> 2017 Good Government and Ethics Reform Article VII, Part N. p. 96 et seq.

We are at a loss to understand how this language was drafted and published by a Governor who holds out New York State as a safe haven for people whose civil rights are violated. It is more than decade after the Help America Vote Act, and more than a quarter-century after the ADA. Voting is a fundamental right of all Americans, including disabled Americans. Voting locations, voting machines, and the entire polling process must be accessible as a matter of fundamental civil rights. This is not a difficult question, and the Governor has gotten it wrong. We urge the Legislature to support our rights where the Governor has not: to require all early voting locations, machines, and the entire early voting process, to be required to be accessible to all people with disabilities.

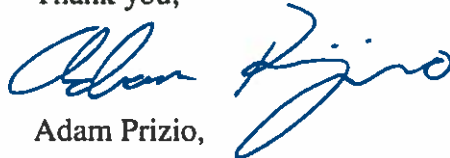
### **Same-Day Voting Registration**

CDR supports the Governor’s Proposal to allow same-day Voter Registration<sup>2</sup>. With that said, we foresee in same-day registration a potential hazard which may result in the disenfranchisement of some voters. Local boards of elections should be required to publish clear instructions as to the requirements for same-day registration, in order to ensure that unregistered voters understand those requirements before they show up at the polls. These instructions should be written in a way that is accessible to people with intellectual and/or developmental disabilities, and published in alternative formats such as large print, braille, and accessible electronic formats in order to ensure that disabled voters do not show up unprepared to register, and so be denied their opportunity to vote. We urge the Legislature to call for this requirement in the final Article VII language.

### **Protect People with Disabilities In Property Tax Referenda**

Governor Cuomo has proposed that the budgets of local governments be approved by direct referenda. The Disability Community is alarmed by this proposal. Direct referenda on spending for services will always subordinate the services which our community requires in favor of the interests of a majority which often discriminates against our community. On issues from: ensuring physical access, to local services, to sidewalk snow removal, to ASL interpreters at local events, the integration and equal treatment of our community cannot be left to majority vote. Our community has a hard enough time getting access and services without leaving it up to the whim of a majority that rarely even considers us much less defends our rights. We urge the Legislature to oppose this proposal. Our fundamental Constitutional and civil rights must not be left up to majority vote.

Thank you,



Adam Prizio,  
Manager of Government Affairs  
Center for Disability Rights, Inc.

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<sup>2</sup> Governor’s SAME DAY VOTER REGISTRATION CONCURRENT RESOLUTION