

NEVADA DISABILITY ADVOCACY AND LAW CENTER

Nevada's Protection & Advocacy System for Individuals with Disabilities



PROTECTION & ADVOCACY

FOR VOTING ACCESS

(PAVA)

INFORMATIONAL PACKET

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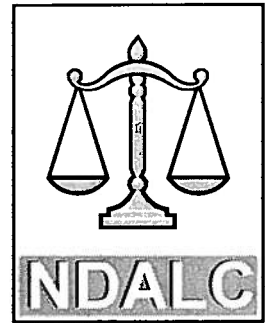
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NDALC

Nevada Disability Advocacy & Law Center provides free legal representation, advocacy, and technical assistance for individuals with disabilities in Nevada who have been denied their rights in the electoral process (right to register to vote, access to polling places, and right to vote). All requests for services are assessed on a case-by-case basis and will be evaluated based upon NDALC's current service priorities and available resources. Please contact one of our offices listed on the back cover.

This publication is intended to help Nevadans with disabilities understand their rights in registering to vote and in participating in the voting process. The information is designed to provide general guidance only.

HELP AMERICA VOTE ACT OF 2002 (HAVA)

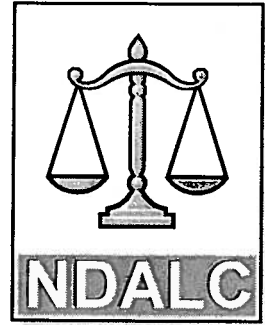
On October 29, 2002, the President of the United States signed into law the Help America Vote Act of 2002 (HAVA), to improve the administration of elections. HAVA provides financial assistance to states and creates new minimum standards for states to follow in several key areas. Among other things, these new standards concern voting systems, voting accessibility, statewide computerized voter registration lists, provisional voting, information provided to voters, and voter registration by mail.

HAVA seeks to improve voting access to individuals with disabilities as follows:

- ◆ Establishes a Voting Protection agency and authorizes funding
- ◆ Makes accessibility grants available to states and local units of government to improve physical and non-visual access to polling places
- ◆ Creates minimum standards for accessibility of voting systems that states must follow
- ◆ Requires states to include individuals with disabilities in developing the State Plan for compliance with HAVA's requirements
- ◆ Provides funds for research on accessible voting technology

Other important **non-disability** provisions of HAVA include:

- ◆ Establishes the Elections Assistance Commission, a new federal agency to serve as a clearinghouse for election administration information
- ◆ Provides funding to states to improve election administration and to replace punch card and lever style voting systems
- ◆ Create minimum standards for states to follow in several key areas of election administration
- ◆ Establishes a state administrative procedure for voting complaints



PROTECTION AND ADVOCACY FOR VOTING
ACCESS (PAVA)

NDALC receives funds under HAVA for Protection and Advocacy for Voting Access (PAVA) on behalf of individuals with disabilities. NDALC has the following service priorities under PAVA:

♦ **Voter Registration**

NDALC provides voter registration assistance and education to individuals with disabilities by distributing Voter Registration Applications at outreach meetings and making them available at its offices or through the mail. NDALC encourages other agencies who provide services to individuals with disabilities to make Voter Registration Applications available.

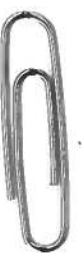
♦ **Access to Polling Places**

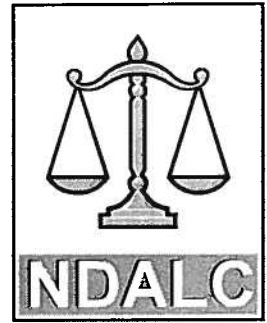
NDALC advocates that both State and County Election Officials in Nevada assure that all polling places are accessible. NDALC further advocates that the State and County Election Officials purchase and make available at least one accessible voting machine at each polling place in Nevada.

NDALC assists individuals with disabilities in filing complaints regarding access issues (and other voting issues) under the State of Nevada based grievance procedure.

♦ **Develop and Disseminate Information related to voting and HAVA**

NDALC publishes and disseminates information to provide individuals with disabilities the opportunity to register to vote, know their legal voting rights, and access polling places.





NEVADA VOTER'S BILL OF RIGHTS

Nevada Revised Statutes, Chapter 293 was amended in 2003 to include the *Voter's Bill of Rights*:

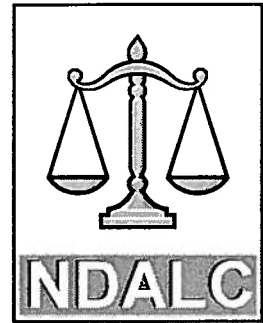
NRS Chapter 293, Section 3. *The Legislature hereby declares that each voter has the right:*

1. *To receive and cast a ballot that:
(a) Is written in a format that allows the clear identification of candidates; and
(b) Accurately records the voter's preference in the selection of candidates.*
2. *To have his questions concerning voting procedures answered and to have an explanation of the procedures for voting posted in a conspicuous place at the polling place.*
3. *To vote without being intimidated, threatened or coerced.*
4. *To vote on election day if the voter is waiting in line at his polling place to vote before 7 p.m. and he has not already cast his vote in that election.*
5. *To return a spoiled ballot and is entitled to receive another ballot in its place.*
6. *To request assistance in voting, if necessary.*
7. *To a sample ballot which is accurate, informative and delivered in a timely manner.*
8. *To receive instruction in the use of the equipment for voting during early voting or on election day.*
9. *To have nondiscriminatory equal access to the elections system, including, without limitation, a voter who is elderly, disabled, a member of a minority group, employed by the military or a citizen who is overseas.*
10. *To have a uniform, statewide standard for counting and recounting all votes accurately.*
11. *To have complaints about elections and election contests resolved fairly, accurately and efficiently.*

Section 4.

1. *The Secretary of State, each county clerk and each city clerk shall:
(a) Make the Voters' Bill of Rights readily available to the public;
(b) Maintain a copy of the Voters' Bill of Rights in his office for reproduction and distribution to the public; and
(c) Ensure that the Voters' Bill of Rights is posted in a conspicuous place, in at least 12-point type, at each polling place.*
2. *The Secretary of State shall ensure that the Voters' Bill of Rights is posted on his Internet website.*





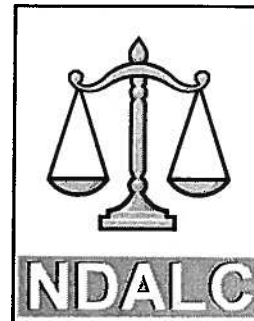
VOTING RIGHTS FOR EX-FELONS

- ◆ NRS 176A.850 provides for the restoration of civil rights, including the right to vote for ex-felons. This statute generally provides for the automatic restoration of civil rights of a person who has been honorably discharged from probation or parole. For more information, contact the Nevada Division of Parole and Probation, Office of the Chief, 1445 Hot Springs Road, #104, Carson City, NV 89706, (775) 684-2605) or NDALC.

OTHER NEVADA VOTING LAWS

- ◆ NRS 293.5235 provides that any person may assist an individual with a disability in completing the Voter Registration Application.
- ◆ NRS 293.5237 provides registration of a person at home by a field Registrar.
- ◆ NRS 293.296 requires assistance be provided to a voter who has a physical disability.
- ◆ NRS 293.2955 provides for the accessibility of the polling place, ballot, and election materials to an individual with a disability.
- ◆ NRS 426.257 provides for and authorizes the use of a signature stamp, for all purposes including those related to voting, for people with a physical disability who are unable to write their name.





KNOW YOUR REGISTRAR

Every Nevada county and city has a person responsible for making sure the county or city complies with state and federal law. The County Clerk or Registrar is the person to whom you should address your questions and concerns regarding voting site accessibility or obtain an absentee ballot.

COUNTY CLERK AND REGISTRAR OF VOTERS:

CARSON CITY:

885 East Musser Street Suite 1025
Carson City, Nevada 89701-4475
(775)-887-2087 FAX-887-2146
Web: www.carson-city.nv.us

CHURCHILL COUNTY:

155 N Taylor St, Suite 110
Fallon, Nevada 89406-2748
(775)-423-6028 FAX-423-7069
Web: www.churchillcounty.org

CLARK COUNTY:

965 Trade Drive Suite A
North Las Vegas, NV 89030-7802

Elections Department
P.O. Box 3909
Las Vegas, Nevada 89127-3909
(702)-455-VOTE (8683) FAX-455-2793
Web: www.co.clark.nv.us

DOUGLAS COUNTY:

1594 Esmeralda Street
P.O. Box 218
Minden, Nevada 89423-0218
(775) 782-9023 FAX-782-9016
Web: cltr.co.douglas.nv.us

ELKO COUNTY:

571 Idaho St. 3rd Floor
Elko, Nevada 89801-3700
(775) 753-4600 FAX-753-4610
Web: www.elkocounty.net

ESMERALDA COUNTY:

Corner of Crook & Euclid
P.O. Box 547
Goldfield, Nevada 89013-0547
(775) 485-6367 FAX-485-6376
Web: www.accessesmeralda.com

EUREKA COUNTY:

County Courthouse, Main Street
P.O. Box 677
Eureka, Nevada 89316-0677
(775) 237-5262 FAX-237-6015
Web: co.eureka.nv.us

HUMBOLDT COUNTY:

50 W. 5th Street, #207
Winnemucca, Nevada 89445-3199
(775)-623-6343 FAX-623-6309
Web: www.hcnv.us

LANDER COUNTY:

315 So. Humboldt Street
Battle Mountain, Nevada 89820-9998
(775) 635-5738 FAX-635-5761
Web: www.landercounty.com

LINCOLN COUNTY:

1 North Main Street
P.O. Box 90
Pioche, Nevada 89043-0090
(775) 962-5390 FAX-962-5180
Web: www.lincolncountynevada.com

LYON COUNTY:

27 South Main Street
Yerington, Nevada 89447-2571
(775)-463-6501 FAX-463-5305
Web: www.lyon-county.org

MINERAL COUNTY:

105 South "A" Street, Suite 1
P.O. Box 1450
Hawthorne, Nevada 89415-1450
(775) 945-2446 FAX-945-0706

NYE COUNTY:

101 Radar Road
P.O. Box 1031
Tonopah, Nevada 89049-1031
(775)-482-8127 FAX-482-8133
Web: www.co.nye.nv.us

PERSHING COUNTY:

398 Main Street
P.O. Box 820
Lovelock, Nevada 89419-0820
(775)-273-2208 FAX-273-3015

STOREY COUNTY:

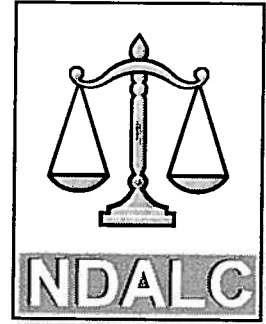
County Courthouse, "B" Street
Drawer "D"
Virginia City, Nevada 89440-0139
(775)-847-0969 FAX-847-0921

WASHOE COUNTY:

1001 E. Ninth Street
P.O. Box 11130
Reno, Nevada 89520-0027
(775)-328-3670 FAX-328-3747
Web: www.co.washoe.nv.us/voters

WHITE PINE COUNTY:

801 Clark Street #4
Ely, Nevada 89301-1994
(775) 289-2341 FAX-289-2544
Web: www.co.white-pine.nv.us



COMPLAINTS

To file a complaint regarding a violation of HAVA, contact:

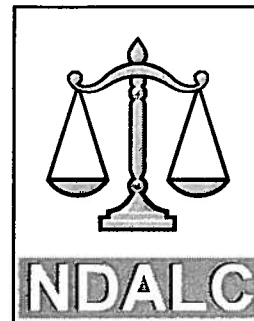
The United States Department of Justice
Disability Rights Section
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, DC 20530
(800) 514-0301 (Voice)
(800) 514-0383 (TTY)
www.usdoj.gov/disabilities.html

To file a complaint with the Secretary of State contact:

The Nevada Secretary of State
Elections Division
101 N. Carson City Street, Suite 3
Carson City, NV 89701
(775) 684-5705
www.sos.state.nv.us

OTHER HAVA RESOURCES

- ♦ Nevada's Secretary of State - www.sos.state.nv.us
- ♦ American Association of People with Disabilities - www.aapd-dc.org
- ♦ Civil Rights Division Department of Justice - www.usdoj.gov/crt/crt-home.html
- ♦ Lawyers' Committee for Civil Rights Under Law - www.lawyerscomm.org



NDALC PROGRAMS

NDALC is a private, nonprofit organization, which serves as Nevada's protection and advocacy system for the human, legal, and service rights of individuals with disabilities. NDALC has offices in Reno/Sparks and Las Vegas, with services provided statewide.

NDALC operates under several different federal laws, which mandate protection and advocacy programs for different groups of individuals with disabilities. Below is a list of current NDALC programs.

Protection and Advocacy for Individuals with Developmental Disabilities (PADD)

Protection and Advocacy for Individuals with Mental Illness (PAIMI)

Protection and Advocacy for Individual Rights (PAIR)

Protection and Advocacy for Assistive Technology (PAAT)

Protection and Advocacy for Beneficiaries of Social Security (PABSS)

Protection and Advocacy for Voter Access (PAVA)

Protection and Advocacy for Individuals with Traumatic Brain Injury (PATBI)

Nevada Disability Advocacy & Law Center

Main Office

6039 Eldora Avenue, Suite C-Box 3
Las Vegas, NV 89146

Telephone ----- **702/ 257-8150**
TTY ----- 702/ 257-8160
FAX ----- 702/ 257-8170
Toll Free----- 1-888/ 349-3843
Email ----- ndalc@ndalclv.org

Northern Office

1311 North McCarran Blvd., Suite 106
Sparks, NV 89431

Telephone ----- **775/ 333-7878**
TTY ----- 775/ 788-7824
FAX ----- 775/ 788-7825
Toll Free----- 1-800/ 992-5715
Email ----- reno@ndalc.org

NDALC Website: www.ndalc.org

This publication was made possible by funding support from the U.S. Department of Health & Human Services, Administration for Children and Families. These contents are solely the responsibility of the grantee and do not necessarily represent the official views of the U.S. Department of Health & Human Services.

If you would like this document in an alternative format, please call either office above.

(4/2007)