

Senate State Affairs

March 26, 2021

Testimony by Ginger Mayeaux, Director of Public Policy and Advocacy at The Arc of Texas

Thank you for the opportunity to provide input on SB7. I am Ginger Mayeaux, the Director of Public Policy and Advocacy for The Arc of Texas. The Arc of Texas promotes, protects, and advocates for the human rights and self-determination of Texans with intellectual and developmental disabilities (IDD). This includes ensuring Texans with disabilities can vote privately and independently with proper access, accommodations, and support.

The Arc of Texas respects the intention of SB7 and supports election integrity and security. However, there are multiple provisions in SB7 that interfere with the ability of Texans with disabilities to participate in the democratic process. Access to the electoral process for people with disabilities matters to all Texans, because public confidence in our system of democracy is based on knowing that all eligible voters are able to participate and have their vote count.

The Arc of Texas opposes the following provisions in SB7, because they infringe on the civil rights of Texans with disabilities and their ability to vote:

- **Requiring voters to prove their disability to vote by mail (Section 2.06)**

This section adds an extra and potentially costly barrier for people with disabilities who need the vote-by-mail accommodation. There are currently three qualifications that allow Texans to vote by mail, but the proposed change requires only people with disabilities to submit proof that they qualify to vote by mail. This discriminates against Texans with disabilities. In addition, requiring a person to go to a physician for a letter verifying their disability is an extra burden that will inhibit some Texans' ability to vote, especially those who do not have reliable transportation and/or who cannot afford to pay for a physician visit just to prove they have the right to vote.

- **Restricting access to curbside voting through additional and unreasonable requirements (Section 3.09)**

Curbside voting is a critical accommodation for accessible voting for many Texans with disabilities. It is unreasonable to expect a voter with a disability to be the only person in a vehicle. Further, providers from group homes, intermediate care facilities, state supported living centers, or assisted living facilities often transport groups of voters from their facility to the polls. Some individuals with disabilities need additional support and cannot be left alone in the vehicle. It will also inhibit people with disabilities who utilize ride-sharing services, such as Uber or Lyft.

In addition, the requirements for the driver to certify certain aspects about the individual's disability is intrusive, and will once again prohibit people's ability to use ride-sharing to get to their polling site. Uber and Lyft drivers do not know the person, nor should they be entitled to information about a client's disability. These types of unnecessary requirements will increase people's need to vote by mail, or worse, lead to disfranchisement of Texas voters with disabilities.

- **Adding unnecessary and excessive requirements for people who assist voters with disabilities (Section 3.10)**

This section requires people who assist an individual with a disability to vote to complete a form stating, “the manner in which the person assisted the voter,” “the reason the assistance was necessary,” and their relationship to the voter. This excessive requirement from a voter’s support person will further complicate the voting process and could lead to unnecessary confusion, or even voters with disabilities losing their support person and going without the help they need to cast a ballot as they choose. People such as poll workers, who may not be familiar with support for individuals with intellectual and developmental disabilities, may misunderstand cuing, prompting, and other ways people comprehend and remember information as abuse or exploitation of the voter. However, people with disabilities have proven they are proud of their right to choose who and what to vote for, just like everyone else. People who need assistance have the right to choose who supports them so they can have someone who understands their support needs and allows them to vote as they see fit, not as their supporter may vote. Self-advocacy groups continuously teach self-advocacy skills, including voting rights, and how to make informed choices. However, there is a misconception that people with disabilities are likely to be exploited and need protection. This provision will reduce the amount of valid voting—not prevent presumptive fraud.

The above provisions do not consider the lived experience of people with disabilities and the reasons these voting accommodations were put in place. We urge the committee to work with Texans with disabilities to amend the bill and ensure all Texans still have the right to vote as privately and independently as they can. People with disabilities already face barriers and discrimination on a daily basis, from being able to physically enter businesses, be included in schools, secure employment, and access essential services and supports. Voting is a fundamental civil right as American citizens and as Texans. At best, SB7 creates barriers to the voting process and at worst, is discriminatory against Texans with disabilities.

Thank you again for the opportunity to provide comments. I look forward to working with Senator Hughes and others moving forward.