

# Fact Sheet: Voting in Care Facilities

For Residents, Family Members, Friends & Staff in Long-Term Care Facilities (Skilled nursing facilities, Residential Care Facilities, Adult Residential Facilities, and other group settings)

## [Sign Up Here](#) to Take Action

**Like everyone else, residents of care facilities have the right to vote! And have been some of the most cut off and isolated in this moment, due to extremely strict visitation policies. Poor, Black and brown residents are affected disproportionately.**

***This election has been called the most important election of a lifetime and is in large part a referendum on the pandemic that threatens long-term care facility residents the most.***

## **Why is voting in care facilities an issue this year?**

- Many nursing homes are traditionally polling places but will not be this year because of the pandemic.
- Residents may need help physically filling out a ballot, or those with cognitive or intellectual disabilities may need additional support. Ableism is at play here as well. Under the Voting Rights Act, no one but a court may determine whether or not a qualified voter is mentally incompetent for voting. Being conserved does not automatically remove the right to vote.
- Restrictions on visitation mean that family members and friends may not be able to assist people to vote as they often might. Ombudsmen may be asked to help but there are not nearly enough staff to reach all the facilities.

**California's Department of Public Health and Department of Social Services have put out guidance, requiring skilled nursing facilities and assisted living facilities to assist residents in exercising their right to vote. They can be found [HERE](#) or at [www.sdaction.org](http://www.sdaction.org).**

## What rights do people in care facilities have to vote?

- ANY U.S. citizen can vote, though many states have restrictions based on incarceration, probation, parole, or past convictions.
- Some states take away the right to vote from some people with intellectual and developmental disabilities, but facility staff and family members are NOT allowed to determine that someone is mentally incapable of voting.
- Care facility residents who cannot physically get to a polling place have the right to mail in a ballot.
- Residents who need assistance reading a ballot, understanding the ballot, or filling out their votes are entitled to that assistance.
- Staff can only fill out a ballot as directed by a resident.

## What can you do?

### Residents: Exercise your right to vote!

- Call your local voting office to make sure they have your facility as your address, so they can send you a mail-in ballot.
- Learn about accessible voting if that is helpful to you.
- Ask a staff person or friend to help you fill out your ballot if needed.

### Family members and friends: Make sure people have the chance to vote!

- Help other residents with their ballots, since many residents do not have friends and family able to visit them. You can NOT influence a resident's vote, vote for a person, or determine that they are ineligible to vote.
- Talk to local care facility staff about how they can help residents to vote.

### Facility Staff: Assist residents to vote!

- Ask your employer for time to assist residents to vote.
- Share this fact sheet and voter guides with residents, in their language.
- Ask residents if they need help checking their registration and if they need help filling out their ballot or putting it in the mail.

### Everyone:

- Call your local department of elections to make sure they have a plan and will enforce it! [Find more information here or at www.sdaction.org](#).
- Drop off copies of this fact sheet and voter information at the care facility in your neighborhood!

*If your rights are violated or if you are aware that someone is being effectively denied the ability to vote, please [see this document or go to www.sdaction.org](#).*

Created by the California Care Rationing Coalition  
Senior and Disability Action, California Advocates for Nursing Home Reform, Choice in Aging,  
SEIU 2015, ILRC, California Foundation for Independent Living Centers, DREDF, and others

**For more information, please contact [info@sdaction.org](mailto:info@sdaction.org)**