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August 12, 2020

STATE AND NATIONAL DISABILITY ORGANIZATIONS FILE AMICUS BRIEF IN FEDERAL INDIANA VOTE-BY-MAIL CASE

Yesterday, Indiana Disability Rights (IDR), the Protection & Advocacy System for Indiana, and Indiana Statewide Independent Living Council (INSILC), the leading Independent Living disability justice and advocacy organization in Indiana, joined the American Diabetes Association, the Disability Rights and Defense Fund, Inc. (DREDF), and the Disability Rights Legal Center (DRLC) in an amicus, or friend of the court, brief which the organizations are asking the court to consider in *Tully v. Okeson* in the United States District Court for the Southern District of Indiana. The case is about whether all registered Indiana voters will have access to No Excuse/No Fault voting by mail during the 2020 General Election, as they did during the June 2020 primary election.

The amicus brief details the need for:

- the State of Indiana to ensure that Hoosiers with disabilities, and those who live with and provide care to them, have safe and adequate access to voting during the pandemic;
- modifications to be made to Indiana’s voting program to ensure meaningful access to voting during the pandemic for voters with disabilities;
- Indiana to provide equal access to private and independent voting for all voters with disabilities, as defined by federal law, including those who are immunocompromised or who have otherwise been advised to avoid contact with others during the pandemic due to any pre-existing condition;
- Access to vote-by-mail options for voters who live with and/or care for people with disabilities for the same reason that voters with disabilities need those options – to avoid jeopardizing the health of the people with disabilities with whom they live or for whom they provide care.

“This case is about whether or not Indiana voters will have a safe and adequate voting experience during a pandemic. Our concern is not only for Hoosiers with disabilities but for those who have compromised immune systems and other health conditions that put them at a higher risk for contracting COVID-19 and the people they live with and those who provide essential service inside their homes,” states Melissa Keyes, IDR Executive Director. “People

should not have to choose between keeping them or their loved ones safe and casting their ballot.”

“This case outlines the critical importance for ALL Hoosier voters to have access to voting and the ability to exercise this right without risking their health and safety or the health and safety of those they care for,” said Amber O’Haver, INSILC Executive Director. “Our Hoosier peers with disabilities want to vote. And those who care for and support us also want to vote. However, we deserve the option to remain safe and healthy when doing so but are still faced with multiple barriers. Many of these barriers could easily be remedied with accommodations, one being vote-by mail.”

The five organizations that joined the brief do not support or oppose any political party or candidates for political office, nor do they support any of the parties in the case. The focus of their brief is the need to ensure that people with disabilities, as well as those who live with them and care for them, are able to cast their ballots safely, privately and independently during the pandemic.

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Indiana Disability Rights (IDR) is the designated Protection and Advocacy (P&A) System and Client Assistance Program (CAP) for the State of Indiana. The mission of Indiana Disability Rights is to protect and promote the rights of individuals with disabilities through empowerment and advocacy. For more information, visit www.IndianaDisabilityRights.org.

Indiana Statewide Independent Living Council (INSILC) is a 501c3 nonprofit organization and governor-appointed council, independent and autonomous from the state. INSILC is led and directed by a majority of diverse Hoosier leaders with disabilities. The Council addresses needs and concerns of the disability community ensuring no decisions that impact us are made without our input and direction. INSILC acts as the administrative body for the Indiana Independent Living Network providing oversight of the Indiana State Plan for Independent Living (SPIL) and the coordination of services with public and private entities to improve services provided to its peers with disabilities. INSILC use its platform to advocate for meaningful change within the disability community and provide opportunities to empower its peers with disabilities to **#BeTheVoice** to lead and control their own lives.