



**LAWSUIT CHALLENGES STATE LAW PROHIBITING INDIVIDUALS WITH MENTAL ILLNESS
RESIDING IN INSTITUTIONAL SETTINGS FROM VOTING IN THAT FACILITY'S PRECINCT**

FOR IMMEDIATE RELEASE

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INDIANAPOLIS – Indiana Protection and Advocacy Services Commission (IPAS) and The American Civil Liberties Union of Indiana (ACLU of Indiana) have filed a class action lawsuit against the State of Indiana, the Indiana Secretary of State, the Clerk of Jefferson County, and members of the Indiana Election Commission. The complaint alleges that an Indiana state law is unconstitutional as it imposes an undue burden on people with mental illness who reside in institutions in exercising their right to vote and discriminates against those with mental illness in violation of the Fourteenth Amendment. The law bars individuals committed to one of five state institutions from using the institution's address as their residence for voting. There are 647 adults residing in the five state hospitals, with a maximum potential population of 850.

Many people live in these institutions for years and consider the facility their home. They want to cast their vote in their community—just as veterans living in veterans' homes or college students living on campus are able to do. Other residents of these institutions have no other address to use for purposes of voting and thus would be completely disenfranchised. The suit asks the federal court to enter a preliminary injunction prohibiting the Clerk of Jefferson County from removing voter registrations of residents using Madison State Hospital as their address and stop the enforcement of the Indiana law that permits such actions.

"This law singles out people in state institutions. It places a significant burden on residents' ability to vote, just because they live in a setting where they can receive the treatment they need," said Dawn Adams, Executive Director of IPAS. "It is extremely disturbing that anyone would be denied their right to vote because of where they live. Voting is every person's constitutional right—to actively participate in their government. This law prevents hundreds of citizens of Indiana from potentially participating in our democracy."

The case has been filed in the U.S. District Court, Southern District of Indiana. The Plaintiffs are represented by Attorneys Melissa L. Keyes, Thomas E. Crishon and Grant E. Helms of Indiana Protection and Advocacy Services and Kenneth J. Falk and Gavin M. Rose of ACLU of Indiana. A copy of the filed complaint can be found at <http://www.in.gov/ipas>.

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The mission of Indiana Protection & Advocacy Services is to protect and promote the rights of individuals with disabilities through empowerment and advocacy.