

## EXHIBIT 1

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE GEORGIA SENATE BILL 202

CONCERNED BLACK CLERGY OF  
METROPOLITAN ATLANTA, INC.,  
*et al.*,

*Plaintiffs,*

v.

BRAD RAFFENSPERGER, in his  
official capacity as the Secretary of the  
State for the State of Georgia, *et al.*,

*Defendants.*

SIXTH DISTRICT OF THE AFRICAN  
METHODIST EPISCOPAL CHURCH,  
*et al.*,

*Plaintiffs,*

v.

BRIAN KEMP, Governor of the State  
of Georgia, in his official capacity, *et*  
*al.*,

*Defendants.*

MASTER CASE NO.  
1:12-MI-55555-JPB

Case No. 1:21-CV-01728-JPB

CIVIL ACTION

Case No. 1:21-CV-01284-JPB

Expert Report of Dr. Lisa A. Schur

Lisa A. Schur, Ph.D.

Department of Labor Studies and Employment Relations

50 Labor Center Way, Rutgers University

New Brunswick, NJ 08903

On behalf of Plaintiffs in the two above captioned cases.

**Declaration of Professor Lisa A. Schur, Ph.D.**

1. I, Lisa Schur, do hereby declare as follows:
2. I have been retained to act as an expert witness for the Plaintiffs in the above-captioned action.
3. Attached hereto as Exhibit A is a true and accurate copy of my January 13, 2023 Report in support of Plaintiffs' case, and the exhibits attached thereto (collectively, my "report").
4. My report describes the primary data and other information I considered in forming my opinions.
5. My CV is attached as Appendix A to my report, and sets forth my qualifications and all publications I have authored in the past 10 years.
6. Within the last four years, I have been an expert witness in one other case in 2020: *Corona et al. v. Cegavske et al.*, No. 20 OC 00064 1B, First Judicial District Court In and For Carson City, State of Nevada.
7. I am compensated for work on my report at a rate of \$200 per hour.
8. I respectfully adopt and incorporate into this Declaration my report, which describes the testimony I am offering in support of Plaintiffs' case.
9. I understand and intend that my report is to be presented to the Court with the same weight and consequences as if I had stated the report orally, under oath, in a court of law. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.
10. I am aware that discovery in this case is ongoing, and I reserve the right to continue to supplement the foregoing report in light of additional facts, testimony, and/or materials that may come to light.

11. Executed this January 13, 2023 in Mercer County, New Jersey.

A handwritten signature in black ink that reads "Lisa Schur". The signature is written in a cursive style with a long horizontal stroke extending to the right from the end of the word "Schur".

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Lisa A. Schur

# **EXHIBIT A**

## **PURPOSE OF ENGAGEMENT**

1. I have been retained by Plaintiffs in *Sixth District of the African Methodist Episcopal Church v. Kemp*, No. 1:21-CV-01284 and *Concerned Black Clergy of Metropolitan Atlanta, Inc., et al. v. Brad Raffensperger, et al.*, No. 1:21-CV-01728-JPB / 1:21-MI-55555 to provide my expert opinions on issues related to the ways in which SB 202 erects barriers that harm voters with disabilities by impeding their access to voting in the State of Georgia.

## **QUALIFICATIONS**

2. I am a Professor and former Chair of the Department of Labor Studies and Employment Relations at Rutgers University, and Co-Director of the Program for Disability Research. I joined the faculty at Rutgers University in 1998 after completing my Ph.D. in Political Science at the University of California-Berkeley in 1997. I also obtained a J.D. from the Northeastern University School of Law in 1987. My research focuses on political participation and employment among people with disabilities.

3. I have authored or co-authored 42 peer-reviewed journal articles or book chapters, and am first author of the book *People with Disabilities: Sidelined or Mainstreamed?* published by Cambridge University Press in 2013. My articles have appeared in leading peer-reviewed academic journals, including the *Political Research Quarterly*, *Election Law Journal*, *ILR Review*, *Social Science Quarterly*, *Behavioral Sciences and the Law*, *Human Resource Management*, *Journal of Occupational Rehabilitation*, and *British Journal of Industrial Relations* among others. I was also invited to prepare a White Paper titled “Reducing Obstacles to Voting for People with Disabilities” for the Presidential Commission on Election Administration in 2013. My curriculum vitae is attached to this affidavit as Exhibit A. My

published research uses a variety of methods common to the field, including development and analysis of quantitative and qualitative analysis data from surveys, interviews, and field and laboratory experiments. My research has been cited over 4,000 times according to Google Scholar.

4. I have substantial expertise on the topic of voting among people with disabilities. I have been principal investigator (PI) or Co-PI on five grant-funded national surveys on the voting experiences of people with and without disabilities. Three of these surveys were funded by the U.S. Election Assistance Commission (EAC). Following the release of key results, the data were further analyzed with results published in peer-reviewed journals; one of these articles received a major award from the Western Political Science Association. In addition to these surveys, I have analyzed U.S. Census microdata after each election since 2008 and co-authored fact sheets with detailed analyses of disability and voter turnout in each election, along with pre-election fact sheets projecting the number of eligible voters with disabilities in 2016 and 2020. The most recent fact sheet analyzing the 2020 election was jointly released with the EAC.

5. On February 8, 2022, I gave invited testimony before the U.S. Senate Health, Education, Labor, and Pensions Committee summarizing the employment status and barriers facing people with disabilities during the pandemic.

6. I have been PI or Co-PI on 12 grants with total funding of \$7.5 million. Currently I am PI or Co-PI on four disability-related grants, including two 5-year grants for centers funded by the National Institute on Disability, Independent Living, and Rehabilitation Research in the U.S. Department of Health and Human Services.

## EXECUTIVE SUMMARY

7. This report finds that:
8. Voting-eligible people with disabilities vote at lower rates than those without disabilities, vote by mail significantly more often than those without disabilities, and experience barriers to voting—both in person and by mail—more frequently than people without disabilities. Any impediments to the vote by mail process, such as those that SB 202 implements, increase the burden on voting for people with disabilities, because voting by mail is often the most accessible – or only accessible – means of voting for them.
9. At least 16%, or 1.3 million, of voting-eligible Georgians have disabilities.
10. Voting-eligible citizens in Georgia with disabilities face myriad barriers in accessing the ballot. These barriers stem from high rates of needing assistance in activities of daily living, higher likelihood of living alone, lower likelihood of having a vehicle they can drive, other barriers to travel, lower likelihood of Internet access, and lower average education levels compared to those without disabilities. Voting-eligible disabled citizens in Georgia are more socially isolated, which limits their support networks for assistance in voting. They also must contend with well-documented social stigma that both reflects and reinforces their social isolation and increases the barriers to obtaining necessary resources and assistance in exercising the right to vote. Because people with disabilities often must receive assistance to be able to vote – either in person or by mail – restrictions on who can assist them, or burdens on the assistors, will inevitably create additional barriers for disabled people’s access to the ballot.
11. Only 62.8% of voting-eligible people with disabilities in Georgia voted in 2020, compared to 66.4% of those without disabilities. If the rate of voter turnout had been the same

between people with and without disabilities, an additional 28,600 people with disabilities would have voted in Georgia in 2020.

**12.** Among Georgia voters in 2020, 44.7% of people with disabilities and 26.7% of people without disabilities voted using a mail ballot.

**13.** In 2020, 5.4% of Georgia registered voters with disabilities reported that they did not vote because they were not allowed to vote even though they were registered, found it was too much trouble, or were dissuaded by the long lines, compared to only 0.7% of Georgia registered voters without disabilities. This represents 48,300 Georgians with disabilities who did not vote due to one of these problems.

**14.** Among those who were able to vote in 2020, national data show that 21.3% of in-person voters with disabilities either required assistance or had difficulties in voting, which is almost twice the 11.9% rate among voters without disabilities. There was also a disability gap among mail-in voters, where 14.0% of voters with disabilities either required assistance or had difficulties in voting compared to 3.2% of voters without disabilities. While detailed representative data on specific voting difficulties and assistance in Georgia are not available at this time, the disability types and demographic characteristics of Georgians with disabilities are similar to those of people with disabilities in the United States as a whole, and it is likely that these national patterns apply to Georgia.

**15.** Based on these findings, and in my expert opinion, several provisions of SB 202 will impose barriers on Georgia citizens with disabilities who wish to exercise their right to vote.

**16.** The sections restricting the ability to vote by mail include Sections 47 and 25 to 27:

**17. Criminal penalties on assistance in voting by mail:** Section 47's new felony penalties for violation of the restriction that only family members, household members, and

caregivers can help people with disabilities mail or deliver absentee ballots to an election office will potentially impact a large number of Georgians with disabilities. An estimated 168,800 Georgians with disabilities receive assistance in activities of daily living from friends, neighbors, or other non-relatives who would not be eligible to help with an absentee ballot under this section (unless they happen to be poll workers). The new penalties for violating restrictions on assistance for voters with disabilities in returning absentee ballots are confusing and contradictory. SB 202's criminalization of violations of these requirements will likely deter well-meaning and potentially legally permissible assistors who may be the only means for some disabled Georgians to vote. The cumulative effect of these restrictions on top of existing restrictions will add to the voting difficulties faced by Georgians with disabilities.

**18. Limitations on time window and process for obtaining mail ballot:** Sections 25 and 27 limit access to mail ballots, through restrictions on the time window and process for requesting and returning mail ballots. This will burden many people with disabilities who either need to vote by mail due to their disabilities or find it less difficult to vote by mail due to their disabilities. As noted above, 44.7% of Georgians with disabilities voted by mail in 2020.

**19. Limitations on drop boxes:** Section 26 restricts the availability of drop boxes, which will likely make it harder for many people with disabilities to vote due to transportation difficulties and mobility challenges in getting to and going inside an election office to deliver a ballot. Close to one-sixth (15.7%) of voters with disabilities in the United States used a drop box in 2020.

**20.** The sections restricting the ability to vote in person include Sections 33 to 35, 28, 15, and 20:

**21. Decreasing assistance at polling places:** Section 33 places restrictions on assisting voters, which will burden many people with disabilities who require assistance in voting. Restricting the availability of assistance will make voting more difficult for many Georgians with disabilities, given that 44.4% of Georgians with disabilities of voting age require assistance with daily activities. National data show that 6.2% of people with disabilities who voted at a polling place in 2020 needed assistance in voting as did 10.5% of those who voted by mail. The fear that potential assisters could have of being charged with a crime is very likely to make it more difficult for some people with disabilities to obtain needed voting assistance, as some individuals will be reluctant to provide assistance due to the fear of being charged with a crime—either a misdemeanor for helping to apply for an absentee ballot, or a felony for helping to fill out or return an absentee ballot.

**22. Making it harder to vote if a citizen shows up at the wrong polling place:** Sections 34 and 35 make it harder for a citizen to vote if they show up at the wrong polling place. If the polling place location has been changed, people with disabilities are less likely to be aware of this given their lower rates of Internet access. Also, for those people with disabilities who arrive at the wrong polling place, the cost of getting to the correct polling place is likely to be high given the transportation difficulties many of them face and their lower likelihood of having a car they can drive.

**23. Reducing advance voting days for runoff elections:** Section 28 limits advance voting days for runoff elections, which constrains voting opportunities for a large portion of Georgian voters with disabilities, as over two-fifths (43.4%) of them voted early at a polling place or election office. This can create extra scheduling difficulties for those who need to coordinate with family or non-family members to obtain assistance in voting. This section also

provides that information on advance voting for runoff elections will be posted on websites and is required to be published in the print media only if the county election office does not have a website. People with disabilities are, however, less likely to have Internet access, and those who lack Internet access will not receive information on advance voting for runoff elections if the county election office has a website and does not also provide alternate means of informing voters of early voting places.

**24. Making it easier to challenge voter qualifications:** Section 15 expands the ability to challenge voter qualifications, which will likely be used against many people with intellectual and developmental disabilities and create substantial costs in responding to a challenge.

**25. Restricting mobile polling places:** Section 20 restricts the use of mobile polling places, which are highly useful to many people with disabilities who have mobility and transportation barriers.

**26.** The combined additional restrictions on mail-in voting in SB 202 are likely to push more people to vote in person at polling places, which will in turn exacerbate problems of long lines at polling places and consequently make it harder for many people with disabilities to wait in line to vote in person. While older voters and those with physical disabilities may ask to be moved to the front of a line, it may be hard to get the attention of poll workers and convince them that one is entitled to do so, and this practice would not be available to individuals with different disabilities, such as cognitive or other less-visible impairments, who may now need to vote in person.

**27.** These restrictions should be seen in the context of the on-going and recognized difficulties faced by people with disabilities in voting. The U.S. Department of Justice has explained:

Voting is one of our nation’s most fundamental rights and a hallmark of our democracy. Yet for too long, many people with disabilities have been excluded from this core aspect of citizenship. People with intellectual or mental health disabilities have been prevented from voting because of prejudicial assumptions about their capabilities. People who use wheelchairs or other mobility aids, such as walkers, have been unable to enter the polling place to cast their ballot because there was no ramp. People who are blind or have low vision could not cast their vote because the ballot was completely inaccessible to them.<sup>1</sup>

28. In sum, in my expert opinion, sections 15, 20, 25 to 28, 33 to 35, 47, and 48 of SB 202 will harm a significant number of Georgians with disabilities and make it more difficult, if not impossible, for many of them to exercise the right to vote.

### **DEFINITION OF DISABILITY**

29. The Americans with Disabilities Act (ADA) protects all individuals with a substantial limitation in one or more major life activities. The U.S. Department of Justice has explained:

The term “substantially limits” shall be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of the ADA...The comparison of an individual’s performance of a major life activity to the performance of the same major life activity by most people in the general population usually will not require scientific, medical, or statistical evidence.<sup>2</sup>

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<sup>1</sup> *The Americans with Disabilities Act and Other Federal Laws Protecting the Rights of Voters with Disabilities*, U.S. DEPARTMENT OF JUSTICE, October 10, 2014, [https://www.ada.gov/ada\\_voting/ada\\_voting\\_ta.htm](https://www.ada.gov/ada_voting/ada_voting_ta.htm).

<sup>2</sup> *Questions and Answers about the Department of Justice’s Notice of Proposed Rulemaking to Implement the Americans with Disabilities Act Amendments Act of 2008*, U.S. DEPARTMENT OF JUSTICE, January 30, 2014, [https://www.ada.gov/nprm\\_adaaa/adaaa-nprm-qa.htm](https://www.ada.gov/nprm_adaaa/adaaa-nprm-qa.htm).

## INTERPRETING THE DATA

**30.** This report presents an overview of the prevalence and characteristics of people with disabilities, drawing on analysis of six nationally representative surveys. Three of these surveys are conducted by the U.S. Census Bureau: the American Community Survey (ACS), the Survey of Income and Program Participation SSA Supplement (SIPP), and the Current Population Survey Voting and Registration Supplement (CPS).<sup>3</sup> The other three surveys are the National Household Travel Survey (NHTS) conducted by the Federal Highway Administration, the Survey of the Performance of American Elections (SPAЕ) conducted by the Caltech/MIT Voting Technology Project, and the Disability and Voting Accessibility Survey (DVAS) sponsored by the EAC and conducted by Rutgers University and SSRS Inc.<sup>4</sup> Each of these surveys has a large sample and uses widely-accepted methods to obtain information on a population's characteristics. Responding households are chosen randomly, and any differences from known values in the population are corrected using statistical weights in order to ensure that the final sample is representative of the population.

**31.** I rely on ACS data where the measures are available, because this dataset: i) has a much larger sample size than other surveys, which creates estimates with smaller margins of error, and ii) is more comprehensive by including residents living in group quarters, unlike the

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<sup>3</sup> See *American Community Survey*, UNITED STATES CENSUS BUREAU, <https://www.census.gov/programs-surveys/cps/about/supplemental-surveys.html> (last visited 2/28/2022) (the relevant supplemental surveys are the Social Security Administration Supplement and Voter Registration Supplement, in addition to the general survey).

<sup>4</sup> *National Household Travel Survey*, U.S. Department of Transportation, FEDERAL HIGHWAY ADMINISTRATION, <https://nhts.ornl.gov/> (last visited 2/28/2022); *Survey of the Performance of American Elections*, MIT ELECTION LAB, <https://electionlab.mit.edu/research/projects/survey-performance-american-elections> (last visited 2/28/2022); *U.S. Election Assistance Commission Study on Disability and Voting in the 2020 Elections*, <https://www.eac.gov/election-officials/us-election-assistance-commission-study-disability-and-voting-accessibility-2020> (last visited 2/28/2022).

SIPP, CPS, and NHTS. Group quarters are categorized in ACS into either “institutional” settings (nursing homes, mental health hospitals, and correctional facilities) or “non-institutional” settings (college dorms, military barracks, group homes, missions, and shelters). As will be described below, people with disabilities are significantly more likely than those without disabilities to be living in institutional group quarters. To the extent that people with disabilities in institutional group quarters have more severe disabilities and face greater barriers in general, the CPS, SIPP, and NHTS will underreport the disparities faced by people with disabilities overall.

**32.** The ACS and CPS have measures of both age and citizenship, so I limit the samples to the voting-eligible population (citizens age 18 or older). The DVAS includes only the voting-eligible population, and the SPAE includes only registered voters. The SIPP and NHTS have age but not citizenship measures, so estimates from those surveys are based on the voting-age population (age 18 or older).

**33.** The ACS and CPS measure disability using six questions. Four of the questions measure impairments (vision, hearing, cognitive, and mobility), and two of the questions measure activity limitations (difficulty dressing or bathing and difficulty going outside alone). These questions were chosen after extensive cognitive research by the Census Bureau, using interviews and focus groups to ascertain how respondents understood and interpreted the survey questions, to maximize the likelihood that answers to the final questions would reflect accurate reporting of disabilities rather than alternative understandings of the questions.<sup>5</sup> SIPP uses a more extensive set of over 100 questions to derive its disability measure. The DVAS measures

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<sup>5</sup> Kristen Miller and Theresa J. Demaio, *Report of Cognitive Research on Proposed ACS Disability Questions*, US CENSUS BUREAU, August 28, 2006, <https://www.census.gov/library/working-papers/2006/adrm/ssm2006-06.html>.

disability using the six ACS and CPS questions plus a seventh broader question, whereas the NHTS and SPAE each use one general question to measure disability.

**34.** An important note is that the six questions used by the ACS and CPS capture only a portion of the full disability population (as defined by the broad ADA definition described above). One issue is that measuring disability is made difficult by the wide variation in types of disability (e.g., hearing, vision, mobility, cognitive, developmental, chronic illnesses, and others) and the severity of disabilities (e.g., whether the condition causes a severe or less significant, or fluctuating, limitation in life activities). Asking about all types of disabilities is not feasible in a survey; due to the wide variation, it is inevitable that any set of questions will miss some disabilities. The six standard Census questions are likely to undercount speech impairments and learning disabilities, as well as mental illnesses such as depression and bipolar disorder. They may also undercount people with chronic illnesses or episodic conditions that wax and wane such as epilepsy, Lupus, and Multiple Sclerosis, and conditions like cancer, long-COVID, or back problems that cause pain or fatigue. A second issue is that people might underreport disabling conditions due to the stigma associated with disability, as found in research comparing subjective reports to objective reports of health conditions.<sup>6</sup> Despite these issues common to all surveys measuring disability, the Census surveys nonetheless provide a valuable window on a large portion of the disability population. Because the six questions are likely to undercount certain types of disabilities, I also present results from a more extensive set of disability questions used in a SIPP module in 2014. These more extensive questions have not been used in any major survey since 2014. Due to the greater number of questions that cover a broader range

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<sup>6</sup> Michael Baker, Mark Stabile, and Catherine Deri, *What do self-reported, objective, measures of health measure?*, 39 J. HUMAN RESOURCES 1067 (2004).

of disabilities, the SIPP is likely to be a more comprehensive portrait of the disability population, although it has the drawback that it excludes people in institutional group quarters and does not have a citizenship measure as noted above.

**35.** In this report I focus on the population of people with disabilities living in Georgia. The 2021 ACS has a large sample size of 74,106 for Georgia, while the Georgia sample sizes for other surveys are: 895 for SIPP, 1,819 for CPS, 15,198 for NHTS, and 1,000 for SPAE. These sample sizes are close to or exceed the standard sample size of 1,000 used to obtain reliable estimates within large populations. Where the Georgia samples are smaller, in several breakdowns I complement the Georgia numbers from those surveys with numbers for the overall U.S., plus estimates of the significance of any differences between the U.S. and Georgia samples. The DVAS has a good sample for national estimates but does not have a large enough sample within Georgia for meaningful analysis, so I present only national figures from this survey.

**36.** In a number of places, I compare results between people with and without disabilities, showing that people with disabilities face economic and social disparities and higher rates of voting difficulties that are linked to lower voter participation. These disparities are maintained when holding constant the effects of demographic characteristics (race, ethnicity, gender, age, and educational attainment). The effects of disability may be even greater than indicated by a simple comparison of barriers encountered between people with and without disabilities. Looking at the difference between people with and without disabilities may not most accurately reflect the barriers people with disabilities face, given the ways in which disability may interact with other barriers such as poverty in affecting voting. I focus on the absolute numbers of people with disabilities that encounter barriers wherever possible.

37. All estimates presented in this report use survey weights to ensure that the samples are representative of the disability population on key characteristics. Due to the pandemic possibly affecting survey responses, I have also made comparisons of the 2021 ACS data to the 2019 and 2020 ACS data. The results of this comparison are very similar on all key variables in 2019, 2020, and 2021.

38. In short, the Census surveys do a satisfactory job of providing a portrait of a large portion of the disability population and are used by scholars in peer-reviewed research on the status of people with disabilities. To the extent that they undercount people with disabilities, they will also undercount the number of people who face disability-related barriers and challenges in voting and other important activities.

## **OVERVIEW: PREVALENCE AND GENERAL CHARACTERISTICS OF PEOPLE WITH DISABILITIES AND IMPLICATIONS FOR VOTING ACCESS**

### **Summary**

39. In order to fully understand the extensive barriers people with disabilities face in accessing their fundamental right to vote, it is critical to provide an overview of the general barriers people with disabilities face in their daily lives and how each of these factors can impact access to voting. People with disabilities are likely to face myriad barriers in exercising the right to vote. These barriers can stem from a number of disability-related issues, including the need for assistance in activities of daily living, increased likelihood of living alone, lower likelihood of having a vehicle one can drive, other barriers to traveling, lower likelihood of Internet access, and lower levels of education. In addition, the lower economic status of people with disabilities, reflected in lower incomes and higher poverty rates, creates challenges in exercising the right to vote. For example, people with disabilities are less likely to have the money to buy computers or

own their own vehicles, making it harder to access information or get to election offices and polling sites. The social stigma many people with disabilities experience further compounds the difficulties they face in accessing voting.

### **Overall Prevalence and Types of Disability**

**40.** Both ACS and SIPP data can be used to provide estimates of the number of people with disabilities in Georgia. As explained above, the ACS uses only 6 questions so provides a more conservative estimate, while the SIPP disability measure is based on over 100 questions and provides a more expansive estimate. Based on the 2021 ACS 6-question measure, **Table 1** shows that 16.4% of voting-eligible people in Georgia have disabilities, representing 1.3 million people. Using the SIPP survey's more extensive set of disability questions, **Table 2** shows that 31.9% of voting-age people in Georgia have disabilities, which represents 2.5 million people when applied to 2021 population numbers.<sup>7</sup> The range of 1.3 to 2.5 million people reflects differences in whether disability is measured more narrowly or broadly. The broader measure includes conditions that may not be captured by the narrower measure, such as speech impairments, difficulty lifting or grasping, dyslexia, anxiety, depression, and cancer. Two important points about this range are: 1) both numbers indicate that a substantial portion of Georgians have disabilities; and 2) when the narrower ACS measure is used, this is likely to result in conservative estimates of the number of people who face disability-related disparities.

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<sup>7</sup> The 2.5 million figure assumes that the proportion of adults with disabilities in Georgia using the SIPP measure, and the relative disability rate among citizens and non-citizens, did not change between 2014 and 2021.

**41.** Whether one uses the narrower or broader measure, disability prevalence is projected to grow both in the United States and worldwide as the overall population ages over the next few decades.<sup>8</sup>

**42.** As shown in Table 1, a breakdown of 2021 ACS data by disability type shows that the Georgia population of citizens with disabilities includes the following overlapping categories:

- a. 680,300 people with mobility impairments,
- b. 479,700 with cognitive impairments,
- c. 335,900 with hearing impairments,
- d. 258,400 with vision impairments,
- e. 242,500 with difficulty dressing or bathing, and
- f. 483,700 with difficulty going outside alone due to a physical or mental condition.

**43.** Table 1 also shows the margin of error for each estimate, reflecting the potential for sampling error. The margin of error of 0.4% around the ACS disability prevalence estimate of 16.4% means that there is a 95% probability that the true population value lies within plus or minus 0.4% of the estimate, or between 16.0% and 16.8%.

**44.** These numbers are very similar to those from before the onset of the pandemic in 2020. In 2019, the ACS data show that 16.4% of the Georgia adult citizen population had one or more disabilities.

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<sup>8</sup> *Ageing and Disability*, UNITED NATIONS DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS (last visited 2/28/2022), <https://www.un.org/development/desa/disabilities/disability-and-ageing.html#:~:text=Currently%2C%20it%20is%20estimated%20that,experience%20moderate%20to%20severe%20disability>.

45. The SIPP survey provides a more detailed look at variation in disabling conditions in Georgia. As shown in **Table 2**, more than 10% of the Georgia population has difficulty with the physical activities of walking, climbing stairs, lifting, standing, pushing or pulling, crouching, and reaching. Nearly one-sixth of Georgians (15.5%) have difficulty with one or more basic activities of daily living such as getting into a bed or chair, taking a bath or shower, eating, preparing meals, or using a telephone. Applied to 2021 Georgia population figures, 1.2 million Georgians have difficulty with one or more activities of daily living.<sup>9</sup> The abilities needed for several of these activities are also needed in the act of voting, both in person and by mail.

### **Demographic Characteristics**

46. The prevalence of disability in Georgia is similar between Black and white non-Hispanic people, but is higher among Native Americans, older people, and those with lower levels of education. The 2021 ACS data in Table 3 show that:

- a. Black and white non-Hispanic people have similar rates of disability (16.9% and 16.8% respectively), while the rate is higher among Native Americans (18.8%) and non-Hispanic people of other races or ethnicities (19.3%).
- b. The disability rate climbs strongly with age, from 8.0% among those aged 18-34 to 26.4% among those aged 65-74, 43.7% among those age 75-84, and 70.5% among those aged 85 or older.

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<sup>9</sup> Calculated by multiplying the total voting-eligible citizens in Georgia (7,783,700 in **Table 1**) by the percent with difficulties with one or more activities of daily living (15.5%).

- c. The disability rate declines strongly as the level of education rises, from 30.4% among those without a high school degree to 10.1% among those with a graduate degree.

47. The relationship between education and disability reflects causality in both directions. Disability can limit education due to barriers that many people with disabilities encounter in furthering their education, such as lack of a correct diagnosis or appropriate accommodations, especially for poorer children. Education also may reduce the incidence of disability. It can create opportunities for jobs with safer working conditions that are less likely to lead to disability. For example, white-collar jobs are less likely to lead to physical injury and work-related disease than blue-collar production jobs. Education also provides opportunities for jobs with higher incomes that increase access to health services and assistive technology that help people cope with potentially disabling conditions.

48. According to ACS data, the estimated total number of voting-eligible people with disabilities in Georgia, as shown in **Table 3**, is

- a. 678,300 women (16.7% of all women)
- b. 595,000 men (16.0% of all men)
- c. 728,100 white non-Hispanic people (16.8% of all white non-Hispanic people)
- d. 409,900 Black non-Hispanic people (16.9% of all Black non-Hispanic people)
- e. 52,600 Hispanic people (11.6% of all Hispanic people).

Compared to pre-pandemic 2019 data, the percentages and numbers of people with disabilities in Georgia are very similar between 2019 and 2021.

### **Economic Status**

**49.** People with disabilities in Georgia have low employment rates and high poverty rates. As shown in **Table 4**, only 37.0% of working-age (18-64 years old) Georgians with disabilities were employed in 2021, which is half the rate of people without disabilities (74.3%). Among all ages, people with disabilities were almost twice as likely to live in poverty as those without disabilities (18.4% compared to 10.6%). They were also much more likely to receive income from Social Security (47.4% compared to 15.1%), reflecting both disability and retirement income provided through Social Security. In part due to their low incomes, 22.7% receive public assistance income or food stamps and 28.3% receive health care coverage through Medicaid or another low-income plan, compared to 12.0% and 8.2% (respectively) of people without disabilities. Additional breakdowns in the ACS data not shown here indicate that this pattern is very similar between Georgia and the U.S. as a whole and between 2019 and 2021.

### **Living Situation and Need for Assistance**

**50.** People with disabilities in Georgia are more likely to live alone and be unmarried, and a large portion need assistance with activities of daily living. From the 2021 ACS data shown in **Table 4**:

- a. People with disabilities are significantly more likely than people without disabilities to live alone in the community—that is, not living with others either in the community or in group quarters (18.5% compared to 12.4%).
- b. They are less likely to be currently married with a spouse present (42.3% compared to 49.4%) and more likely to be separated or divorced (19.0% compared to 13.1%) or widowed (14.9% compared to 3.9%).

- c. They are three times more likely than people without disabilities to live in institutional group quarters (3.7% compared to 1.2% are in nursing homes, mental hospitals, or correctional facilities).

**51.** These patterns of disparities are very similar between Georgia and the entire U.S.

**52.** People with disabilities are also more likely to need assistance with activities of daily living, which is measured only in SIPP. Because the 2014 SIPP sample has only 341 Georgians with disabilities, I also provide comparison numbers for the full U.S. sample of 10,003 people with disabilities. From the data shown in **Table 5**, over two-fifths of Georgians with disabilities (44.4%) need assistance with one or more activities of daily living, with especially high rates for going outside of the home for errands (24.6%), preparing meals (18.4%), doing light housework (18.4%), keeping track of money (13.5%), and accessing the Internet (13.4%). This pattern is very similar among the full U.S. population of people with disabilities.

**53.** Applied to the 2021 Georgia population, this indicates that close to 1.1 million Georgia citizens aged 18 or older need assistance with one or more daily activities.

**54.** Because a large number of people with disabilities live alone, many who need assistance must rely on non-household members. Over one-third (39.1%, or an estimated 973,200 in 2021) of Georgians with disabilities receive assistance in daily activities from family members, while 8.7% (216,400) receive assistance from any non-relative. Looking more closely at assistance from non-family members, 4.2% of all Georgians with disabilities (105,400) receive assistance from friends or neighbors, 2.4% (58,800) from paid help, 0.5% (12,800) from partners or companions, and 2.6% (63,400) from other non-relatives. These are percentages of all people with disabilities, not just those needing assistance with activities of daily living. The categories overlap as individuals may receive help from more than one person.

55. The above factors create greater challenges to voting for many people with disabilities, particularly when they need assistance and find it difficult to arrange such assistance due to their higher likelihood of living alone and greater social isolation.

### **Computer and Internet Access**

56. Due in part to their lower average incomes, people with disabilities in Georgia are less likely to have Internet access. From the 2021 ACS data shown in **Table 6**:

- a. Among Georgia citizens with disabilities who are eligible to vote, 87.7% live in homes with Internet access, compared to 95.2% for people without disabilities.
- b. Translated into absolute numbers, an estimated 157,000 citizens with disabilities who are eligible to vote in Georgia live in homes without Internet access.

57. These digital gaps also show up when looking at individual rather than household access to the Internet. Data from the Census Bureau's 2019 Current Population Survey Computer and Internet Use Supplement show that:

- a. People with disabilities in Georgia are less likely to use the Internet at home (59.6% compared to 79.1% of people without disabilities).
- b. This gap is not decreased by adding Internet access outside the home. Considering all forms of Internet access, only 60.0% of people with disabilities use the Internet in any location compared to 81.9% of people without disabilities.
- c. Translated into absolute numbers, an estimated 305,800 Georgia citizens with disabilities do not use the Internet either inside or outside the home.

- d. The disability gaps in Internet access and usage are not explained by age patterns in disability and Internet access. **Table 6** shows that large disability gaps exist both among people age 18-64 and those age 65 or older.
- e. Although the 2019 survey has a limited sample of Georgians with disabilities, the disability gaps in each measure are outside of the margin of error, meaning it is highly likely these gaps exist in the population.

**58.** Accompanying these digital gaps, people with disabilities are less likely to have access to printers and copiers. In a 2022 national survey sponsored by the EAC, only 67% of eligible voters with disabilities reported having a printer at home or easy access to one, compared to 82% of those without disabilities.<sup>10</sup>

**59.** These disability gaps in computer and Internet access can impact the ability of citizens with disabilities to obtain necessary resources for voting. Not having Internet access can make it more difficult to: a) register to vote; b) find out how and where to vote, particularly if polling places have been changed; c) gather information on candidates and issues in order to make informed decisions in voting; and d) cure issues with mail-in ballot applications. These difficulties can create serious problems when voting information is provided only in an online format.

### **Transportation**

**60.** People with disabilities face transportation barriers. Based on the 2017 National Household Travel Survey, 733,000 Georgians aged 18 or older (9.6%) have travel-limiting

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<sup>10</sup> U.S. Election Assistance Commission, “Disability, the Voting Process and the Digital Divide,” July 26, 2022, page 22, [https://www.eac.gov/sites/default/files/electionofficials/accessibility/Disability\\_the\\_Voting\\_Process\\_and\\_the\\_Digital\\_Divide\\_EAC\\_FINAL.pdf](https://www.eac.gov/sites/default/files/electionofficials/accessibility/Disability_the_Voting_Process_and_the_Digital_Divide_EAC_FINAL.pdf).

disabilities, defined as “a temporary or permanent condition or handicap that makes it difficult to travel outside of the home.” Several findings shown in **Table 7** are:

- a. Georgians with disabilities were four times more likely to live in zero-vehicle households (16.3% compared to 3.7% of Georgians without disabilities).
- b. Georgians with disabilities took fewer average trips per day (2.3 compared to 3.5) and were more likely to take no trips in a day (39.8% compared to 16.4%).
- c. Georgians with disabilities were less likely to be drivers than were those without disabilities (61.6% compared to 91.9%).
- d. Georgians with disabilities did not make up for transportation barriers by using ride-hailing services such as taxis or Uber (only 5.5% did so in the past month compared to 11.5% of Georgians without disabilities) or by relying on online purchases (only 32.5% did so compared to 54.9% of Georgians without disabilities.).
- e. Over half (58.3%) of Georgians with disabilities agreed that travel is a financial burden, compared to 42.9% of those without disabilities.

**61.** These results are supported when employing a broader disability measure using national data. As also shown in **Table 7**, national data from the 2020 Disability and Voting Accessibility Survey (DVAS) show that only 69.6% of people with disabilities can drive their own or a family vehicle, compared to 90.0% of people without disabilities. People with disabilities were also more likely than those without disabilities to say they faced transportation problems “very often” or “always” (5.6% compared to 2.9%).

62. Transportation difficulties can have a negative impact on voting, as research finds a significantly higher likelihood of voting among those who have a vehicle they can drive.<sup>11</sup>

63. These difficulties increase the importance of easy, accessible mail-in voting.

### **Social Isolation, Stigma, and Bias**

64. The lower employment levels, greater likelihood of living alone, lower Internet access, and transportation barriers among people with disabilities documented above all contribute to social isolation. The greater social isolation of people with disabilities is also evidenced in their lower likelihood of socializing with friends, relatives, or neighbors.<sup>12</sup> This social isolation limits the support network upon which people with disabilities may rely for assistance with fundamental daily activities, including accessing the right to vote.

65. The social isolation both reflects, and is reinforced by, the well-documented stigma attached to disability that continues to be manifested in attitudinal studies of the general population.<sup>13</sup> These attitudes toward people with disabilities impact all areas of an individual's life. The stigma attached to disability may create a more negative perception of a person's

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<sup>11</sup> Lisa Schur, Todd Shields, Douglas Kruse, & Kay Schriener, *Enabling Democracy: Disability and Voter Turnout*, 55 POLITICAL RESEARCH QUARTERLY 167 (2002).

<sup>12</sup> Harris Interactive, *The ADA: 20 Years Later*, KESSLER FOUNDATION AND THE NATIONAL ORGANIZATION ON DISABILITY at 15-16, July 2010, <http://www.advancingstates.org/hcbs/article/ada-20-years-later-2010-survey-americans-disabilities>.

<sup>13</sup> Fatima Jackson-Best and Nancy Edwards, *Stigma and intersectionality: a systematic review of systematic reviews across HIV/AIDS, mental illness, and physical disability*, 18 BMC PUBLIC HEALTH 919 (2018); Barbara Muzzatti, *Attitudes towards disability: beliefs, emotive reactions, and behaviors by non disabled persons*, 35 GIORNALE ITALIANO DI PSICOLOGIA 313 (2008); Katarina Scior, *Public awareness, attitudes and beliefs regarding intellectual disability: A systematic review*, 32 RESEARCH IN DEVELOPMENTAL DISABILITIES 2164 (2011); Denise Thompson, Karen Fisher, Christiane Purcal, Chris Deeming, and Pooja Sawrikar, *Community attitudes to people with disability: Scoping project No. 39*, DISABILITY STUDIES AND RESEARCH CENTRE, UNIVERSITY OF NEW SOUTH WALES (2011); Harold Yuker, *Attitudes toward Persons with Disabilities*, Springer (1st Ed. 1988).

abilities that do not align with reality. This can impact the ability of people with disabilities to vote by, for example, making people (particularly those outside of their families) less willing to assist them with voting, and can also result in people with disabilities themselves being less willing to ask for assistance when needed.

## **VOTING BARRIERS FACING PEOPLE WITH DISABILITIES**

### **Voter Participation**

66. People with disabilities in Georgia and nationwide are less likely to vote than their non-disabled counterparts. Data from the Current Population Survey Voting and Registration Supplement, conducted by the Census Bureau every two years following national elections, show that 69.4% of eligible citizens with disabilities in Georgia were registered to vote in 2020 and 62.8% voted, compared to 70.9% and 66.4% of citizens without disabilities respectively. If the rate of voter turnout had been the same between people with and without disabilities, an additional 28,600 people with disabilities would have voted in Georgia in 2020. Although the Georgia disability gaps in voting and registration are within the margins of error (due in part to the small sample size), these gaps are similar to those in the U.S. as a whole, which are well outside the margins of error. The U.S. figures show that people with disabilities were 3.0 percentage points less likely to be registered to vote, and 5.7 points less likely to vote, and the larger U.S. sample means that we are at least 99.9% confident that there is an actual participation gap between people with and without disabilities in the total U.S. population. These figures are provided in **Table 8**. Similar disability participation gaps at the national level are found in all of

the 13 studies going back to the 1992 elections, which use differing samples and definitions of disability.<sup>14</sup>

67. In both the Georgia and overall U.S. samples, the disability voting gap is larger than the disability registration gap, indicating that lower voting among people with disabilities cannot be explained by lower registration rates.

68. The importance of variation across different types of disability is shown in the voting figures. Broken down by type of disability, national voter participation in 2020 was lowest among people with difficulty dressing or bathing (49.4%), cognitive impairments (50.7%), and difficulty going outside alone (51.6%), but participation was also low among those with visual impairments (59.2%) or mobility impairments (60.4%). These numbers are drawn from **Table 9**.

69. Research indicates that several factors contribute to the disability participation gap, including lower levels of education and income, lower levels of perceived political efficacy, and greater social isolation that reduces the likelihood of being recruited or supported to vote by friends, neighbors, or colleagues.<sup>15</sup> Part of the gap can be traced to inaccessible voting systems, which not only make voting more physically difficult but can have psychological effects that discourage voting. Specifically, inaccessible voting systems can decrease perceptions that the political system is responsive to people like oneself, that people with disabilities have equal influence in the political system, and that people with disabilities are treated with equal respect

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<sup>14</sup> Summarized in Lisa Schur & Meera Adya, *Sidelined or Mainstreamed? Political Participation and Attitudes of People with Disabilities in the United States*, 93 SOCIAL SCIENCE QUARTERLY 811 (2012).

<sup>15</sup> Lisa Schur, Todd Shields, Douglas Kruse, & Kay Schriener, *Enabling Democracy: Disability and Voter Turnout*. 55 POLITICAL RESEARCH QUARTERLY 167 (2002); Lisa Schur, Todd Shields, & Kay Schriener, *Generational cohorts, group membership, and political participation by people with disabilities*, 58 POLITICAL RESEARCH QUARTERLY 487 (2005); and Lisa Schur & Meera Adya, *Sidelined or Mainstreamed? Political Participation and Attitudes of People with Disabilities in the United States*, 93 SOCIAL SCIENCE QUARTERLY 811 (2012).

by public officials.<sup>16</sup> Experiencing voting difficulties, such as problems getting into the polling place or using the voting equipment, is a predictor of these perceptions of political exclusion, and these perceptions in turn are tied to lower voter participation among people with disabilities.<sup>17</sup>

**70.** Feelings of political exclusion and lower perceived efficacy resulting from voting difficulties are illustrated in an anecdotal account by Jamie Ray-Leonetti, a wheelchair user, who said “It’s like being told that you’re invisible, or that your vote doesn’t matter . . . These people who are able to walk and see perfectly and navigate the world around them perfectly, they’re able to get into this location and vote with no difficulty. For me, I get in here, I get off the elevator, and the first thing I see is a table blocking my path. I’m not included here.”<sup>18</sup>

**71.** An important note is that voter participation can vary substantially across elections for citizens both with and without disabilities. An increase in participation in an election among people with disabilities does not necessarily indicate the absence of continued voting barriers that discourage participation.

### **Voting method**

**72.** People with different types of disabilities face different barriers in accessing the ballot. Voting in person may pose barriers to people with mobility impairments, transportation problems, or other issues that make it hard to leave one’s home. This is particularly relevant to the 9.6% of Georgians who report travel-limiting disabilities as shown in **Table 7**, as well as the 9.0% of Georgians with a mobility impairment and 6.3% of Georgians who have difficulty going

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<sup>16</sup> Lisa Schur, Todd Shields, and Kay Schriener, *Can I Make A Difference? Efficacy, Employment, and Disability*, 24 POLITICAL PSYCHOLOGY 1, March 2003, pages 119-149.

<sup>17</sup> Lisa Schur, Mason Ameri, and Meera Adya, *Disability, Voter Turnout, and Polling Place Accessibility*, 98 SOCIAL SCIENCE QUARTERLY 1374 (2017).

<sup>18</sup> Michaela Winberg, *‘I’m not included here’: People with disabilities face barriers to voting in Philly and beyond*, WHYY, October 15, 2020, <https://whyy.org/articles/voting-while-disabled-presents-challenges-for-philadelphians/>.

outside alone, as shown in **Table 1**. Voting in person may be more attractive, however, to the 3.1% of voting-eligible Georgians with vision impairments, who may be able to vote independently and confidentially only in a polling place with an accessible machine required by the 2002 Help America Vote Act (HAVA).

**73.** Overall, people with disabilities are much more likely to vote by mail, and voting by mail increased in 2020 due to the pandemic. Among Georgia voters in 2020, 44.7% of people with disabilities and 26.7% of people without disabilities voted using a mail ballot, as shown in **Table 8**. The rate of voting by mail is high across all of the major disability types, as shown in national data in **Table 9**. For many people with mobility restrictions, transportation barriers, and difficulty standing in long lines, voting by mail is effectively the only option they have to vote. While Census data are not yet available on disability and voting in the 2022 elections, early analysis of data from the Georgia Secretary of State indicates that mail voting dropped dramatically in Georgia from 2020 to 2022, and dropped to a greater extent than did mail voting in other states, indicating that SB 202 likely played a role in the large drop.<sup>19</sup>

**74.** Differences by disability status in the voting method used, however, existed before the pandemic. In the 2016 general election, Georgia voters with disabilities were more than twice as likely as voters without disabilities to vote by mail (12.0% compared to 4.9%, based on analysis of 2016 Current Population Survey Voting and Registration Supplement data).

### **Barriers to In-Person Voting**

**75.** As noted above, the disability gap in voter participation is not fully explained by standard predictors of participation. Voting barriers thus appear to play a role, as voter

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<sup>19</sup> Nick Coradaniti, “Turnout Was Strong in Georgia, but Mail Voting Plummets After New Law,” NEW YORK TIMES, December 1, 2022.

participation is lower when voting is more time-consuming and difficult. People with disabilities can face extra barriers in:

- a. Finding or getting to the polling place, particularly for those facing transportation barriers and Internet-access limitations, as described above.
- b. Getting inside the polling place, particularly for those in wheelchairs or with visual impairments.
- c. Standing in line, particularly for those with chronic illnesses or health conditions that cause pain when standing or limit their endurance.
- d. Being prevented from voting by poll workers, particularly for those who appear to have a cognitive disability.
- e. Reading or seeing the ballot, particularly for those with cognitive or vision impairments.
- f. Understanding how to vote or use the equipment, particularly for those with cognitive, vision, or upper-arm-mobility impairments.
- g. Communicating with poll workers, particularly for those with hearing, speech, or cognitive impairments.
- h. Writing on the ballot, particularly for those with vision disabilities or disabilities that limit upper-body mobility.
- i. Physically operating the voting machine, particularly for those with vision disabilities or disabilities that limit upper-body mobility.

76. There is empirical evidence on several of these factors. Difficulty in finding or getting to polling places has been shown to lower voter participation among people in general.<sup>20</sup> These barriers are greater for people with disabilities: one study found substantially lower voter participation among people with mobility limitations in areas with streets in poor condition.<sup>21</sup>

77. Analysis of the Survey of the Performance of American Elections (SPAEE) conducted following the 2020 elections shows that 3.2% of all registered voters with disabilities in Georgia said they did not vote because “I tried to vote, but was not allowed to when I tried” compared to 0.2% of people without disabilities.<sup>22</sup> In addition, 1.1% of Georgia registered voters with disabilities reported that “I tried to vote, but it ended up being too much trouble,” while 0.8% said they did not vote because “the line at the polls was too long,” compared to (respectively) 0.1% and 0.4% of Georgia registered voters without disabilities. Taken together, 5.4% of Georgia registered voters with disabilities said they did not vote for one of the above three reasons, compared to 0.7% of registered voters without disabilities—a highly significant gap at a 95% level of confidence.

Applied to the population of eligible Georgia citizens with disabilities, this means 48,300

Georgians with disabilities did not vote for one of these three reasons.<sup>23</sup> These results indicate that

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<sup>20</sup> Henry E. Brady & John E. McNulty, *Turning out to vote: The costs of finding and getting to the polling place*, 105 AMERICAN POLITICAL SCIENCE REVIEW 115 (2011).

<sup>21</sup> Philippa Clarke, Jennifer Ailshire, Els Nieuwenhuijsen, Marijke de Kleijn–de Vrankrijker, *Participation among adults with disability: The role of the urban environment*, 72 SOCIAL SCIENCE & MEDICINE 1674 (2011).

<sup>22</sup> The figures in this paragraph are derived from analysis of data from *Survey of the Performance of American Elections*, MIT ELECTION DATA + SCIENCE LAB, <https://electionlab.mit.edu/research/projects/survey-performance-american-elections> (last visited 2/28/2022). The data contain responses from 18,200 people registered to vote, including 1,000 in Georgia. No further information is available on what respondents meant by saying they were “not allowed” to vote. This could indicate legal barriers such as having their eligibility challenged, having a mail ballot rejected, not having proper ID, or being at the wrong polling place.

<sup>23</sup> This is calculated by multiplying the number of eligible Georgia citizens with disabilities (1,289,300 from Table 1) by the percent of eligible Georgia citizens with disabilities who are

the estimated voting gap between Georgia citizens with and without disabilities (from **Table 8**) is largely accounted for by a greater likelihood that registered voters with disabilities said they tried but were not allowed to vote, it was too much trouble, or they were dissuaded by the long lines.

**78.** One factor that may contribute to individuals not being allowed to vote is that 39 states restrict voting among people who are deemed incompetent or incapacitated.<sup>24</sup> These laws may be used to challenge the right to vote among people with disabilities who are in fact fully competent and qualified to vote, due to the strong stigma, bias, and stereotypes that are faced in particular by people with intellectual and developmental disabilities.<sup>25</sup> Responding to these challenges can take substantial time and energy, including learning about the challenge, getting appropriate counsel, getting to a hearing, and getting paperwork to defend against the challenge.

**79.** In national data from the 2020 DVAS, **Table 10** shows that over one-sixth (18.0%) of people with disabilities who voted at a polling place or election office reported at least one or more barriers, which was almost twice the rate of voters without disabilities (9.8%). The rate of barriers was especially high among those with cognitive impairments (30.0%) and those needing help with daily activities (24.8%).

**80.** Specific barriers are also listed in **Table 10**. The most common polling place barriers people with disabilities faced were difficulty waiting in line (7.4% among all polling place voters

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registered to vote (69.4% from Table 8) by the percent who did not vote for one of these three reasons (5.4%). Broken down by reported problem, an estimated 28,600 said they tried to vote but were not allowed, 9,800 said they tried to vote but it was too much trouble, and 7,200 said they did not vote because the lines at the polls were too long.

<sup>24</sup> “Thousands Lose Right to Vote Under ‘Incompetence’ Laws,” Pew Charitable Trusts Stateline, March 21, 2018, <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2018/03/21/thousands-lose-right-to-vote-under-incompetence-laws>; Friedman, C. “*Every Vote Matters: Experiences of People with Intellectual and Developmental Disabilities in the 2016 United States General Election*.” *REVIEW OF DISABILITY STUDIES: AN INTERNATIONAL JOURNAL*, 14(1) (2018).

<sup>25</sup> Katarina Scior, *op. cit.*

with disabilities), difficulty reading or seeing the ballot (3.8%), and getting inside the polling place (3.2%). These problems were especially likely among those with vision and mobility impairments and those needing help in daily activities.<sup>26</sup> Measures that make it more difficult to vote by mail will likely increase the number of people with disabilities going to polling places (if they vote at all) and will exacerbate problems of long lines.

**81.** News reports provide examples from across the country of several of these barriers to voting at polling places:

- a. Liam Dougherty, who has a progressive muscular disability, has had problems getting inside polling places, waiting in line due to bladder control issues, and having poll workers not know how to lower the machine to reach his wheelchair.<sup>27</sup>
- b. Sabrina Epstein is “physically unable to stand in long lines to vote” and sees images of long lines at polling places as “images of inaccessibility.”<sup>28</sup>
- c. Elizabeth Clay, who is missing her right leg, has difficulty navigating city streets and getting to her polling place.<sup>29</sup>

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<sup>26</sup> See Thad E. Hall & R. Michael Alvarez, *Defining the Barriers to Political Participation for Individuals with Disabilities*, THE INFORMATION TECHNOLOGY AND INNOVATION FOUNDATION, May 14, 2012, <https://elections.itif.org/reports/AVTI-001-Hall-Alvarez-2012.pdf> (describing problems of polling place access, reading the ballot, and understanding the voting process among focus group participants with disabilities in Los Angeles in 2010).

<sup>27</sup> Winberg, *op. cit.*

<sup>28</sup> Tonya Mosley and Elie Levine, *Voters with disabilities face an inaccessible system*, WBUR HERE AND NOW, October 28, 2020.

<sup>29</sup> *Id.*

- d. Xian Horn, who has cerebral palsy, found the wheelchair-accessible entrance of her polling place blocked by trash cans.<sup>30</sup>
- e. Emily Ladau, who has Larsen syndrome which affects bone development, found the accessible entrance to her polling place locked and had to rely on her father to go in through the main entrance to ask a poll worker to open the door.<sup>31</sup>
- f. LouAnn Blake, who is blind, found that poll workers did not know how to set up the audio ballot technology at her voting location.<sup>32</sup>
- g. Kathy Hoell, a wheelchair user with a brain injury, was initially denied permission to vote because poll workers told her she is not “smart enough,” and has had poll workers lead her to stairs she could not climb and prevent her from using an accessible voting machine because they had not turned it on.<sup>33</sup>

**82.** In addition, anecdotal reports from voters with disabilities collected around the country by a disability organization regarding voter experiences in the 2020 election included<sup>34</sup>:

- a. “I could not turn on the screen”
- b. “No headsets were available”

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<sup>30</sup> Maggie Astor, *‘A Failed System’: What It’s Like to Vote With a Disability During a Pandemic*, NEW YORK TIMES, September 25, 2020.

<sup>31</sup> *Id.*

<sup>32</sup> Jeanine Santucci, *30 years after the ADA, access to voting for people with disabilities is still an issue*, USA TODAY, July 26, 2020.

<sup>33</sup> Matt Vasilogambros, *How Voters With Disabilities Are Blocked From the Ballot Box*, PEW TRUSTS, February 1, 2018, <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2018/02/01/how-voters-with-disabilities-are-blocked-from-the-ballot-box>.

<sup>34</sup> *Experience Survey Results: Power of the Disability Vote*, SABE GOVOTER PROJECT, 2021, <https://www.sabeusa.org/wp-content/uploads/2021/10/SABE-GoVoter-2020-Survey-Report.pdf>.

- c. “Headsets available, did not work”
- d. “Poll worker did not know how to turn on the audio features”
- e. “Poll worker did not know how to make the sound louder or softer”
- f. “I did not know how to ‘go back’ or change who or what I voted for”
- g. “Had error message and could not vote”
- h. “Had to vote in person because I did not get my mail-in or absentee ballot”
- i. “Could not understand my ballot”

**Barriers to Voting With a Mail Ballot**

**83.** Potential barriers to voting with a mail ballot include:

- a. Complicated instructions in applying for a mail ballot
- b. Application requirements to identify as a person with a disability, which many people with significant impairments are reluctant to do due to disability stigma noted above
- c. The requirement to apply for a mail ballot for every election
- d. Difficulty reading or seeing the ballot, particularly for people with visual impairments
- e. Difficulty understanding the ballot or how to fill it out, particularly for people with cognitive or developmental disabilities
- f. Difficulty filling out the ballot or placing it in an envelope, particularly for people with limited dexterity
- g. Difficulty taking the ballot to a mailbox, a drop box, or an election office, particularly for people with mobility impairments or difficulty going outside

alone—these difficulties are likely to be magnified when drop box locations are restricted

- h. Postage expense in mailing the ballot in locations where stamps are required to return a ballot

**84.** In the 2020 DVAS survey, the overall rate of difficulty in voting with a mail ballot was 5.4% among voters with disabilities. The rate was especially high among those with visual impairments (22.1%), who expressed the most difficulties with reading and filling out the ballot, as shown in **Table 11**.

**85.** Barriers to voting by mail are exemplified in the following news stories from across the country:

- a. Jack Dougherty voted by mail in 2020 after many experiences of barriers to voting at a polling place. Due to dexterity issues, he said he had difficulty in filling out the bubbles on the mail ballot and writing his name and address on the correct lines.<sup>35</sup>
- b. Katie Maunder, who is blind, said she could not have filled out her mail ballot without her mother's help.<sup>36</sup>
- c. Sheryl Grossman has Bloom syndrome, a genetic disorder that weakens her immune system and causes cognitive disabilities. She cannot safely go to a polling place or allow anyone into her home, and she cannot complete a mail ballot, so she had to tape her mail ballot to her door with a list of choices and

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<sup>35</sup> Winberg, *op. cit.*

<sup>36</sup> *Id.*

watch as election officials filled out and sealed the ballot.<sup>37</sup> Her ballot was therefore not confidential.

**86.** In addition, anecdotal reports from voters with disabilities regarding their experiences with mail ballots in the 2020 election included descriptions of a number of barriers that may help explain some of the difficulties people with disabilities experience in voting by mail.<sup>38</sup>:

- a. “I had to ask for help.”
- b. “I had problems understanding how to complete the ballot.”
- c. “I had problems mailing my ballot.”

**87.** Experiencing these types of difficulties predicts negative attitudes among people with disabilities that discourage voting in the future.<sup>39</sup>

**88.** Measures that make it more difficult to vote by mail will likely increase the number of people with disabilities going to polling places (if they vote at all) and will exacerbate problems of long lines.

**89.** While voting by mail presents difficulties for some voters, it is preferred to voting in person by many people with disabilities. Given the variety of types and severity of disability that create challenges in exercising the right to vote, it is important that a wide variety of voting options be available so that individuals can find options that work best for them.

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<sup>37</sup> Maggie Astor, ‘A Failed System’: What It’s Like to Vote With a Disability During a Pandemic, NEW YORK TIMES, September 25, 2020.

<sup>38</sup> *Experience Survey Results: Power of the Disability Vote*, SABE GOVOTER PROJECT, 2021, <https://www.sabeusa.org/wp-content/uploads/2021/10/SABE-GoVoter-2020-Survey-Report.pdf>.

<sup>39</sup> Lisa Schur, Mason Ameri, and Meera Adya, *Disability, Voter Turnout, and Polling Place Accessibility*, 98 SOCIAL SCIENCE QUARTERLY 1374 (2017).

### **Need for Assistance in Voting**

**90.** As described earlier, about two-fifths of Georgians with disabilities need assistance with one or more activities of daily living. Many people who need assistance with activities of daily living will also need voting assistance, since voting requires functional abilities that are often similar or the same as those needed to perform activities of daily living (for example, manual dexterity needed for getting dressed or preparing meals is also needed in operating most voting machines or opening and sealing most mail ballots). In national data from the 2020 DVAS, 6.2% of people with disabilities who voted at a polling place reported needing assistance in voting, compared to 3.7% of those without disabilities.<sup>40</sup> Among those who voted by mail, 10.5% of people with disabilities reported needing assistance in doing so, compared to 1.1% of voters without disabilities.<sup>41</sup> The especially high need for assistance in mail voting among people with disabilities is probably due to the greater likelihood of severe disability among those who vote by mail.

**91.** Among people with disabilities who needed assistance in voting in a polling place, such assistance was most commonly provided by election officials (54%), family members (19%), and home aides (6%).<sup>42</sup> Among those who needed assistance in voting with a mail ballot, such assistance was provided by friends, neighbors, or other non-relatives apart from health aides in 14% of the cases (8% by friends and neighbors and 6% by other non-relatives).

**92.** People with disabilities are less likely to be able to vote independently (without assistance) with no difficulties. The 2020 DVAS found that over one-fifth (21.3%) of in-person

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<sup>40</sup> From results reported at <https://www.eac.gov/election-officials/us-election-assistance-commission-study-disability-and-voting-accessibility-2020>, Table 17. The difference of 2.7 points is within the 3.1 point margin of error.

<sup>41</sup> *Ibid.* The difference of 9.4 points is outside the 3.5 point margin of error.

<sup>42</sup> *Ibid.*

voters with disabilities either required assistance or had difficulties in voting, which is almost twice the 11.9% rate among voters without disabilities.<sup>43</sup> There was also a disability gap among mail voters, where 14.0% of voters with disabilities either required assistance or had difficulties in voting compared to 3.2% of voters without disabilities.

**93.** As described earlier, Georgians with disabilities are more likely than those without disabilities to live in institutional group quarters such as nursing homes and assisted living settings. Those in institutions generally have more severe disabilities and are more likely to require assistance in voting and daily activities. There is, however, tremendous variation in registration and voting procedures, staff attitudes, and likelihood of voting in nursing homes and assisted living settings; one study found that residents who wanted to vote were unable to do so at nearly one-third of sites, and that staff and administrator attitudes were a critical factor in their access to voting.<sup>44</sup>

**94.** Assistance in voting can take many forms, including but not limited to: driving someone to the polls, helping them get inside the polling place, providing support as they wait in line, helping them understand how to vote, reading and explaining words on the ballot, helping with the physical act of marking a ballot or operating the voting machine, and requesting and returning a mail ballot. When people with disabilities receive assistance in various aspects of the voting process, this does not suggest the assistor is “voting for” the person with a disability or exercising improper influence over the voter. A substantial body of literature supports the idea that people with cognitive disabilities, including intellectual and developmental disabilities, can make important decisions, such as voting, while relying on trusted assistors in executing those

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<sup>43</sup> Calculated from *Ibid.*, Table 18.

<sup>44</sup> Jason H.T. Karlawish et al., *Identifying the barriers and challenges to voting by residents in nursing homes and assisted living settings*, 20 J. AGING SOC. POLICY 65 (2008).

decisions.<sup>45</sup> Such assistance can “facilitate the exercise of autonomy” for individuals with certain neurological or cognitive conditions.<sup>46</sup> In the context of voting, this assistance often involves more than just reading the ballot aloud and helping people to mark it. This assistance for both in-person and mail voting can include activities such as:

- a. Using an American Sign Language (ASL) interpreter to interpret the ballot to someone who is deaf and does not read written English fluently. ASL and English are different languages with different syntax and grammar. ASL sometimes requires a signed explanation and interpretation of key terms and concepts.
- b. Reminding someone with memory issues from a Traumatic Brain Injury about how to use his or her marked sample ballot to refresh recollection about how he or she wanted to vote.
- c. Using simple plain language to help someone with cognitive or developmental disabilities understand the voting process. This can include answering the voter’s questions about the voting process or the language on the ballot.
- d. Helping someone with mobility, dexterity, or cognitive impairments vote in person (navigating the physical polling place, speaking to the poll workers) or with a mail ballot (requesting, filling out, and returning the ballot).

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<sup>45</sup> *Id.*; Raymond Raad, Jason Karlawish, & Paul S. Appelbaum, *The capacity to vote of persons with serious mental illness*, 60 PSYCHIATRIC SERVICES 624 (2009); Jason H. Karlawish et al., *Addressing the ethical, legal, and social issues raised by voting by persons with dementia*, 292 JAMA 1345 (2004); Andrew Peterson, Jason Karlawish, and Emily Largent, *Supported Decision Making With People at the Margins of Autonomy*, 21 AM. J. BIOETHICS 4 (2021).

<sup>46</sup> Andrew Peterson, Jason Karlawish, and Emily Largent, *Supported Decision Making With People at the Margins of Autonomy*, 21 AM. J. BIOETHICS 4 (2021).

- e. Helping someone with Autism Spectrum Disorder cope with stressful voting lines, noises, sensations, or lights. This may include implementing calming strategies to support the person so that he or she votes without triggering feelings of being overwhelmed.
- f. Helping someone with a visual impairment use an accessible voting machine in the polling place or fill out and return a mail ballot.
- g. Helping a person with an anxiety disorder cope with the anxiety of a possibly new and stressful situation of navigating the voting process. This may include verbal reassurance that the person marked the ballot in the manner he or she intended.

**SB 202 IMPOSES BARRIERS ON GEORGIA VOTERS WITH  
DISABILITIES THAT WILL MAKE IT HARDER FOR THEM  
TO VOTE AND MAY PREVENT SOME FROM VOTING  
ALTOGETHER**

95. The above findings are relevant to an analysis of the likely effects of SB 202 on the ability to vote among people with disabilities. Drawing on these data and my knowledge of the voting needs of people with disabilities, it is my opinion that SB 202 will impose barriers to voting on a significant number of Georgians with disabilities, and collectively the barriers will interact to further discourage voting. These barriers are tied to the substantial disparities that people with disabilities face in employment, income, transportation, Internet access, social isolation, stigma, and bias. The following provisions of SB 202 make it harder for Georgians with disabilities to vote and may prevent some from voting altogether. The sections that restrict the ability to vote by mail include:

**96. Section 47: Imposing additional barriers to providing assistance in delivering completed absentee ballots.** This section adds language to subsection (a) of Code Section 21-2-568, making it a felony to help someone deliver a completed absentee ballot unless the assister is one of the individuals listed in section 21-2-385 (a family member, household member, or caregiver). I conclude with a reasonable degree of certainty, based on the above data, that these new criminal penalties are likely to harm the ability to vote of Georgians with disabilities in several ways. Many Georgians with disabilities receive assistance from people who are not family members, household members, or caregivers. Among all Georgians with disabilities, 6.8% receive assistance in activities of daily living from friends, neighbors, or other non-relatives apart from paid help and partners/companions (**Table 5**). This represents 168,800 Georgians with disabilities.<sup>47</sup>

- a. It is likely that many of the 44% of Georgians with disabilities who require assistance with activities of daily living (**Table 5**) also require assistance with tasks related to voting and will find it more difficult to obtain needed voting assistance as a consequence of reluctance of individuals to provide assistance due to the fear of being charged with a felony.
- b. The uncertainty over who can legally deliver a ballot as a “caregiver” will add to the reluctance of non-family non-household members to provide assistance.
- c. As described above, national data show that 10.5% of people with disabilities who voted by mail needed assistance in voting in the 2020 elections. Among those

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<sup>47</sup> Calculated by multiplying the Georgia voting-eligible population (7,783,700 from **Table 1**) by the SIPP percentage of Georgians with disabilities (44.4% in **Table 5**) by the sum of people with disabilities reporting assistance from friends, neighbors, or other non-relatives (4.2% + 2.6% with no overlap from **Table 5**), which equals 168,826.

who needed assistance in voting by mail, 14% reported the assistance was provided by a friend, neighbor, or other individual who would not qualify as a legal assister (family member, household member, or caregiver) and would thus face felony charges for returning or delivering a completed absentee ballot.

- d. As described above, 9.6% of voting-age Georgians have a travel-limiting disability; these individuals are less likely to drive and more likely to live in a zero-vehicle household (**Table 7**). Transportation barriers can make it difficult to mail or deliver an absentee ballot to an election office. Assistance in delivering an absentee ballot may be difficult or impossible to obtain from family or household members as people with disabilities are less likely than those without disabilities to be married and are more likely to live alone (**Table 4**). Difficulties in returning ballots on time will be exacerbated by a shorter time for returning ballots in combination with transportation difficulties and social isolation. Therefore, this provision raises barriers to voting for many people with disabilities.
- e. Section 21-2-568(a)(5), which was added by Section 47 of SB 202, makes it a felony to accept for delivery or return an absentee ballot unless the person is the family or household member or “caregiver” of a “disabled” voter. The restrictions on who can return the absentee ballot of another person predate SB 202; however, the terms “caregiver” and “disabled” are not defined and are likely to create confusion and concern about criminal penalties for even inadvertent violations. For example, is a neighbor who delivers groceries or makes homemade meals for a person with disabilities a qualifying caregiver? Does the term “disabled” include voters with psychiatric disabilities? (Note that section 21-2-385(b), which

predates SB 202, limits who can receive assistance in “preparing” a ballot to people who have physical disabilities or are illiterate.)

- f. In addition, existing law (21-2-384(b)) references oath requirements for assistors and penalties for violation of the oath requirement. The oath requirement contained in 21-2-384(c)(1) predates SB 202 and requires an assistor to swear that the voter is “unable to read the English language or he or she has a disability which renders him or her unable to see or mark the ballot or operate the voting equipment or to enter the voting compartment or booth without assistance” (21-2-409(a)) but then also requires the assistor to check a box which limits the reason for needing assistance to a physical disability. Punishment for even inadvertent violation of the oath requirement includes the new felony punishment for unauthorized return of a ballot contained in 21-2-568 which was added in Section 47 of SB 202.

**97.** As such, the new criminal penalties imposed by Section 47 will make it harder for people with disabilities to vote. Therefore, I conclude that this section will cause some Georgians with disabilities to be disenfranchised and a further substantial number to face significant difficulties in voting because of their disabilities that they would not otherwise face but for SB 202.

**98. Sections 25 and 27: Restricting access to mail ballots.** These sections restrict both the time windows and the process for requesting and mailing absentee ballots, adding additional barriers to an already confusing and unnecessarily complicated scheme. I conclude with a reasonable degree of certainty, based on the above data, that these provisions are likely to harm the ability to vote of Georgians with disabilities in several ways. Voting by mail is critical for many people with disabilities:

- a. Many people with disabilities either must vote by mail due to their disabilities or find it less difficult to vote by mail due to their disabilities. As noted above, an estimated 6.2% of all Georgia citizens, or 483,700, have disabilities that create difficulty in going outside alone.
- b. As also documented above, over two-fifths (44.7%) of Georgia voters with disabilities voted in 2020 using a mail ballot, compared to 26.7% of voters without disabilities (a difference well outside the margin of error). Making it more difficult to vote by mail could therefore create barriers for over two-fifths of Georgian voters with disabilities.
- c. Turning to specific provisions, the **Section 25 ID requirements for absentee ballot applications** will be onerous for many people with disabilities. If a person does not have a driver's license or state ID, this section requires that a person make a copy of another acceptable ID in order to apply for a mail ballot. Estimates based on 2016 SPAE data indicate that about 80,000 Georgians with disabilities do not have a driver's license or other government-issued photo ID. As documented above, people with disabilities are less likely than people without disabilities to have access to a printer that can be used to copy documentation. Finally, the data that demonstrate greater travel barriers for people with disabilities indicate that it is more difficult and costly for voters with disabilities to travel to a site where they can make a copy of an acceptable ID. Over half of voting-age Georgians with disabilities agree that travel is a financial burden (**Table 7**). The cost may be especially burdensome for people with disabilities

who live in poverty because of other challenges pertaining to new and existing absentee voting barriers in Georgia. For example:

- i. **Disallowing permanent mail ballots** creates a burden for many people with disabilities by requiring that they re-apply each year for a mail ballot. Many people have permanent disabilities that necessitate the use of a mail ballot in each election. Having to apply each year—and in a narrower time window—creates an extra hurdle for Georgian voters with disabilities, particularly for those who may require assistance or face financial costs in reapplying.
- ii. The limitation **that only age and disability qualify a voter to receive mail ballots for a full election cycle** can discourage people from applying due to the extensively-documented stigma associated with disability.
- iii. The **Section 25 provision shortening the time frame for absentee ballot applications** is likely to cause some people with disabilities to miss the deadline for applying for an absentee ballot, particularly those who lack Internet access or face disability-related barriers for which they cannot obtain assistance.
- iv. The **requirement that only an “illiterate or physically disabled elector” can receive assistance in completing an absentee ballot application** will deny assistance to people with other disabilities who need assistance. In the 2020 DVAS survey, 13.1% of mail voters with cognitive impairments needed assistance in voting by mail. This category includes many people who would not be considered “illiterate” but who have

anxiety disorders or other difficulties concentrating, remembering, or making decisions that create a need for assistance in basic tasks like filling out forms.

d. In addition to the barriers summarized above, the **Section 25 and 27 restrictions on voter assistance** may dissuade potential assisters due to uncertainty about whether a voter is entitled to receive assistance and concerns about potentially being charged with a crime. The resulting confusion along with potential criminal punishment, is likely to deter assistors from helping disabled voters, and deter disabled voters from asking for assistance for fear of getting their friends or neighbors in trouble. This will leave many Georgian voters with disabilities unable to vote because they cannot receive the necessary assistance to do so. By way of example:

- i. Section 25 adds a requirement that no one, other than an authorized relative or a person assisting an illiterate or physically disabled voter, may handle a voter's completed absentee ballot application; violations are punishable as a misdemeanor.
- ii. Section 27 adds felony punishment to anyone who unseals a sealed absentee ballot envelope, except for (among others), those who are authorized to assist a disabled voter pursuant to 21-2-409. Section 21-2-409 predates SB 202 and permits a disabled voter to select their assistor (with some limitations) but appears to involve voting in person.
- iii. Section 27 adds a requirement for voters to swear they did not permit anyone other than "an authorized person lawfully assisting" them to

observe the marking of their ballot if they are “entitled to assistance” (21-2-384(b)) but does not define either of those phrases. The Georgia Election Code has varying requirements for who is eligible to assist and to receive assistance in the voting process and it is unclear what the terms in this section refer to. For instance, 21-2-385(b) allows a “physically disabled or illiterate voter to receive assistance “preparing” a ballot from the person of their choice (with some limitations) but only a family household member, or caregiver may return the ballot of a “disabled” voter (21-2-385(a)).

- e. It bears noting that Section 208 of the federal Voting Rights Act allows voters with disabilities to select their assistor, except for their employer or union representative. Thus, the confusing, complicated, and contradictory provisions of Georgia’s Election Code that predate and are contained in SB 202 impose barriers to voters with disabilities that likely impede voter access without justification. The new barriers and penalties on absentee voting imposed by Section 25 and 27, on top of existing restrictions, will make it harder for people with disabilities to vote. Therefore, I conclude that this section will cause some Georgians with disabilities to be disenfranchised and a further substantial number to face significant difficulties in voting that they would not otherwise face but for SB 202.

**99. Section 26: Reducing availability of drop boxes.** Close to one-sixth (15.7%) of voters with disabilities in the United States used a drop box in 2020. I conclude with a reasonable degree of certainty, based on the above data, that the restriction on availability of drop boxes is likely to create barriers for many Georgians with disabilities to vote in several ways:

- a. Given the transportation difficulties faced by many people with disabilities, a smaller number of drop boxes increases the difficulty in delivering a ballot and eliminates the advantages that drop boxes were designed to provide. In addition, requiring that drop boxes be “located outside the office of the board of registrars or absentee ballot clerk or outside of locations at which advance voting is taking place” only in an emergency means that many people with disabilities will face additional transportation and mobility challenges associated with the time and effort needed to get to and go inside an office to deliver a ballot. This is not simply an issue of whether the buildings are ADA compliant: even if the buildings are compliant, it is still an extra burden for people with mobility impairments (e.g., in wheelchairs) to be forced to get out of their vehicles and go inside an office to deliver their ballots. As noted, an estimated 680,300 Georgia citizens have mobility impairments and 483,700 have disabilities that create difficulty in going outside alone.
- b. Along with the additional time and energy involved in going inside a building, many people with disabilities have compromised immune systems and will be concerned about going into offices due to the risk of acquiring COVID-19 or another disease.
- c. As such, the new barriers imposed by Section 26 will make it harder for people with disabilities to vote. Therefore, I conclude that this section will cause some Georgians with disabilities to be disenfranchised and a further substantial number to face significant difficulties in voting because of their disabilities that they would not otherwise face but for SB 202.

**100.** The sections that restrict the ability to vote in person include the following:

**101. Section 33: Decreasing assistance at polling places.** Waiting in line can be onerous for many people with disabilities. I conclude with a reasonable degree of certainty, based on the above data, that close to 1% of registered voters with disabilities in Georgia, representing about 7,800 people, reported that they were dissuaded from voting in 2020 by the prospect of long lines at the polls that were well documented, indicating that their voter turnout could have been almost a full percentage point higher if long lines were not an issue. Also, national data show that among people with disabilities who voted at a polling place, 7.4% reported difficulty waiting in line. Section 33 specifically restricts giving food or drink to an elector who is waiting in line except to the extent a polling place chooses to set up a self-service water station. Such sustenance can be especially important to many people with disabilities, such as those with diabetes, fatigue, epilepsy, migraines, anxiety, or other conditions with unpredictable flare-ups who cannot anticipate exactly when they will need food or drink to ameliorate their condition or take medicine, and who may face lines that are longer than expected. As such, the new barriers imposed by Section 33 will make it harder for people with disabilities to vote. Therefore, I conclude that this section will cause some Georgians with disabilities to be disenfranchised and a further substantial number to face significant difficulties in voting because of their disabilities that they would not face but for SB 202.

**102. Sections 34 and 35: Making it harder to vote if citizen shows up at the wrong polling place.** If the polling place location has been closed or changed, as happened to many

polling places in 2020<sup>48</sup>, people with disabilities are less likely to be aware of this given their lower Internet access and greater social isolation that decreases the likelihood they will learn about changes from family members, friends, and others. Also, if a person with a disability arrives at the wrong polling place, they may face significant difficulties getting to the correct polling place given the transportation challenges they often face and their lower likelihood of having a car they can drive (**Table 7**). I conclude with a reasonable degree of certainty, based on the above data, that the new barriers imposed by Section 34 will make it harder for people with disabilities to vote. Therefore, I conclude that this section will cause some Georgians with disabilities to be disenfranchised and a further substantial number to face significant difficulties in voting that they would not otherwise face but for SB 202.

**103. Section 28: Reducing advance voting days for runoff elections.** Limits on advance voting days for runoff elections constrain the voting opportunities for a large portion of Georgian voters with disabilities, as over two-fifths (43.4%) of them voted early at a polling place or election office in 2020 (**Table 8**). This can create extra scheduling difficulties for those who need to coordinate with family or non-family members to obtain assistance in voting in runoff elections, or who need to arrange paratransit services that may be difficult to schedule (e.g., such services typically must be arranged at least one day in advance with a fixed time for return that may be difficult to predict, and the services are often a first-come/first-serve basis).<sup>49</sup> It is also likely to contribute to longer lines on the days advance voting is available, which in turn will discourage voting in runoff elections.

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<sup>48</sup> See, e.g., *For Nonwhite Georgia Voters, Numbers Have Soared As Polling Places Dwindled*, Georgia Public Broadcasting, October 17, 2020, <https://www.gpb.org/news/2020/10/17/for-nonwhite-georgia-voters-numbers-have-soared-polling-places-dwindled>.

<sup>49</sup> See, e.g., the paratransit services offered in Cobb County, Georgia, at <https://www.cobbcounty.org/transportation/transit/paratransit>.

**104.** In addition, Section 28 provides that information on advance voting will be posted on websites and requires publication in the print media only if the county election office does not have a website. Among Georgians with disabilities, however, 40% do not access the Internet at home or elsewhere (**Table 6**). If the county election office has a website and chooses not to publish information in print media, the wording of this section means that some people with disabilities who do not have Internet access will not receive information on advance voting. I conclude with a reasonable degree of certainty, based on the above data, that new barriers imposed by Section 28 will make it harder for Georgians with disabilities to vote. Therefore, I conclude that this section will cause some Georgians with disabilities to be disenfranchised and a further substantial number to face significant difficulties in voting that they would not otherwise face but for SB 202.

**105. Section 15: Making it easier to challenge voter qualifications.** The expansion of ability to challenge voter qualifications is likely to be used against many people with intellectual and developmental disabilities and those living with mental illness given the history of questioning the competency of voters with disabilities to exercise their right to vote. There are a number of steps in responding to a challenge—including learning about it, getting appropriate counsel, getting to a hearing, and getting paperwork to defend against the challenge—and all of these steps involve time and costs. I conclude with a reasonable degree of certainty, based on the above data, that the time, energy, and financial costs of responding to a challenge are very likely to be high for many Georgians with disabilities, given the lower financial resources, lower Internet access, higher transportation barriers, and greater social isolation and feelings of stigmatization of people with disabilities. As such, the new barriers imposed by Section 15 will make it harder for people with disabilities to vote. Therefore, in my expert opinion, I conclude

that this section will cause some Georgians with disabilities to be disenfranchised and a further substantial number to face significant difficulties in voting that they would not otherwise face but for SB 202.

**106. Section 20: Restricting mobile polling places.** This section restricts mobile polling places that put polling access closer to where a citizen lives. I conclude with a reasonable degree of certainty, based on the above data, that many Georgians with disabilities face mobility or transportation challenges that make these polling places highly useful in exercising the right to vote. In particular, by coming to locations where many people with disabilities live rather than requiring them to travel to a fixed polling place, these mobile facilities are useful to many people with disabilities who live in assisted living facilities, nursing homes, and psychiatric institutions or who face transportation or mobility difficulties. As such, the new barriers imposed by Section 20 will make it harder for people with disabilities to vote. Therefore, I conclude that this section will cause some Georgians with disabilities to be disenfranchised and a further substantial number to face significant difficulties in voting that they would not otherwise face but for SB 202.

**107.** While each of the above provisions on its own makes it more difficult for people with disabilities to vote, the total effect is likely to be even greater than the sum of their individual effects because of how they interact. For example, restrictions on voting by mail may cause more people with disabilities to try to vote at a polling place, but this is likely to increase problems of long lines at polling places and fears of being turned away that will decrease voting in person. In addition to specific barriers, the cumulative effect of restrictions may send a message to people with disabilities that they are not valued participants in the political process. The combination of

all these restrictions is likely to have a cumulative negative impact on voting among Georgia citizens with disabilities.

## **Conclusion**

**108.** In sum, in my opinion, based on reasonable certainty and widely accepted data, SB 202 will create an extra burden on voting for a significant number of people with disabilities across the state of Georgia and may prevent some from voting altogether. As documented above, people with disabilities already face many physical, social, and economic disparities that impact their ability to vote, including a high rate of needing assistance in activities of daily living, higher likelihood of living alone, lower likelihood of driving or travel in general, lower likelihood of Internet access, and lower economic resources compared to those without disabilities. They also must contend with well-documented social stigma that both reflects and reinforces their social isolation and increases the difficulty of obtaining necessary resources and assistance in exercising the right to vote. These factors help account for their lower voter turnout relative to people without disabilities. On top of existing voting barriers for many Georgians with disabilities, SB 202 creates extra barriers that make it more burdensome for them to exercise their right to vote. These extra barriers could cause a cascading effect that compounds the burden on people with disabilities to cast a ballot. In my expert opinion, SB 202 will cause some Georgians with disabilities to be disenfranchised entirely and a further substantial number to face significant barriers to voting that they would not otherwise face but for SB 202.

**Table 1: Disability Prevalence in Georgia Using Census Definition, 2021**

Figures are for Georgia citizens age 18 or older.

	<b>Number</b>	<b>% of adult citizens</b>	<b>Margin of error (+/-)</b>
	<b>(1)</b>	<b>(2)</b>	<b>(3)</b>
<b>Total citizens age 18 or older</b>	7,783,700	100.0%	
<b>No disability</b>	6,510,400	83.6%	0.4%
<b>Disability</b>	1,273,300	16.4%	0.4%
<b>Type of disability</b>			
<b>Hearing impairment</b>	335,900	4.3%	0.2%
<b>Vision impairment</b>	258,400	3.3%	0.2%
<b>Cognitive impairment</b>	479,700	6.2%	0.2%
<b>Mobility impairment</b>	680,300	8.7%	0.3%
<b>Difficulty with dressing or bathing</b>	242,500	3.1%	0.2%
<b>Difficulty going outside home alone</b>	483,700	6.2%	0.2%
<b>Sample size</b>	74,106		

Based on analysis of U.S. Census Bureau's 2021 American Community Survey microdata. A disability is defined as having one or more of the six conditions listed. See <https://www.census.gov/topics/health/disability/guidance/data-collection-ac.html>.

The margin of error is based on a 95% confidence interval.

**Table 2: Disability Prevalence Using More Expansive Definition**  
**Figures represent percent of Georgia adults age 18 or older**

	<b>Percent</b>	<b>Margin of error (+/-)</b>
	<b>(1)</b>	<b>(2)</b>
<b>Any disability</b>	31.9%	3.2%
<b>Hearing impairment</b>	5.5%	1.5%
<b>Vision impairment</b>	6.4%	1.6%
<b>Speech impairment</b>	3.0%	1.1%
<b>Difficulty with physical activities:</b>		
<b>Walking 3 blocks</b>	16.7%	2.5%
<b>Climbing stairs</b>	14.4%	2.3%
<b>Lifting</b>	10.9%	2.0%
<b>Grasping</b>	5.5%	1.4%
<b>Standing<sup>^</sup></b>	18.6%	2.6%
<b>Pushing/pulling<sup>^</sup></b>	16.8%	2.5%
<b>Sitting<sup>^</sup></b>	9.0%	1.9%
<b>Crouching<sup>^</sup></b>	22.4%	2.8%
<b>Reaching<sup>^</sup></b>	10.2%	2.0%
<b>Difficulty with activities of daily living due to physical or mental condition:</b>		
<b>Any of below</b>	15.5%	2.5%
<b>Getting around inside home</b>	2.2%	1.0%
<b>Going outside home for errands</b>	8.9%	1.9%
<b>Getting in bed or chair</b>	5.4%	1.5%
<b>Taking bath or shower</b>	4.3%	1.3%
<b>Getting dressed</b>	3.1%	1.1%
<b>Eating</b>	0.7%	0.5%
<b>Using toilet</b>	2.0%	0.8%
<b>Keeping track of money</b>	5.1%	1.5%
<b>Preparing meals</b>	6.6%	1.6%
<b>Doing light housework</b>	6.7%	1.6%
<b>Taking medicine</b>	3.2%	1.2%
<b>Using telephone</b>	1.5%	0.8%
<b>Mental or cognitive impairment:</b>		
<b>Learning disability</b>	2.5%	1.0%
<b>Alzheimer's, senility, or dementia</b>	3.5%	1.2%
<b>Intellectual disability</b>	1.5%	0.8%
<b>Developmental disability</b>	0.7%	0.6%
<b>Other mental/emotional condition</b>	4.2%	1.4%
<b>Sample size</b>	894	

<sup>^</sup> These conditions were not included as part of the expanded disability definition but are reported here to illustrate the range of limitations faced by people with disabilities. Based on analysis of 2014 Survey of Income and Program Participation SSA Supplement microdata. Discussion of the disability definition and fuller results for entire U.S. are in <https://www.census.gov/library/publications/2018/demo/p70-152.html>. The margin of error is based on a 95% confidence interval.

**Table 3: Disability and Demographic Characteristics in Georgia, 2021**

Figures are for Georgia citizens age 18 or older.

	Total with disability	Total with no disability	% with disability	Margin of error (+/-) (4)
	(1)	(2)	(3)	(4)
<b>Total citizens age 18 or older</b>	1,273,300	6,510,400	16.4%	0.4%
<b>Female</b>	678,300	3,386,300	16.7%	0.5%
<b>Male</b>	595,000	3,124,100	16.0%	0.5%
<b>Asian</b>	19,500	220,100	8.1%	1.5%
<b>Black non-Hispanic</b>	409,900	2,018,000	16.9%	0.7%
<b>Hispanic</b>	52,600	402,800	11.6%	1.5%
<b>Native American/Alaskan</b>	2,600	11,200	18.8%	7.4%
<b>White non-Hispanic</b>	728,100	3,605,300	16.8%	0.4%
<b>Other race/ethnicity</b>	60,600	253,100	19.3%	1.9%
<b>Age 18-34</b>	188,400	2,161,600	8.0%	0.5%
<b>Age 35-49</b>	188,000	1,739,900	9.8%	0.6%
<b>Age 50-64</b>	349,800	1,602,000	17.9%	0.7%
<b>Age 65-74</b>	257,000	717,000	26.4%	1.1%
<b>Age 75-84</b>	193,600	249,500	43.7%	1.7%
<b>Age 85+</b>	96,500	40,400	70.5%	2.8%
<b>No HS degree</b>	238,000	545,700	30.4%	1.5%
<b>HS degree</b>	430,900	1,777,500	19.5%	0.7%
<b>Some college, no degree</b>	271,000	1,418,800	16.0%	0.8%
<b>Associate's degree</b>	90,700	543,500	14.3%	1.2%
<b>Bachelor's degree</b>	147,700	1,381,900	9.7%	0.6%
<b>Graduate degree</b>	95,000	842,900	10.1%	0.8%
<b>Overall sample size</b>	14,039	60,067		

Based on analysis of U.S. Census Bureau's 2021 American Community Survey microdata.

The margin of error is based on a 95% confidence interval.

**Table 4: Economic Status and Living Situation of People with Disabilities, 2021**

Figures are for Georgia citizens age 18 or older

	<b>Disability</b>	<b>No disability</b>	<b>Disability gap</b>	<b>Margin of error on gap (+/-)</b>	
	<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	
<b>Employed if working age (18-64)</b>	37.0%	74.3%	-37.3%	1.7%	*
<b>In poverty</b>	18.4%	10.6%	7.8%	1.0%	*
<b>Social Security income</b>	47.4%	15.1%	32.2%	1.2%	*
<b>Public assistance income or food stamps</b>	22.7%	12.0%	10.7%	1.1%	*
<b>Medicaid or other low-income health plan</b>	28.3%	8.2%	20.1%	1.1%	*
<b>Living situation</b>					
<b>Live alone</b>	18.5%	12.4%	6.1%	1.0%	*
<b>Live with others, not in group quarters</b>	76.6%	84.9%	-8.3%	1.0%	*
<b>Noninstitutional group quarters<sup>^</sup></b>	1.2%	1.5%	-0.3%	0.2%	
<b>Institutional group quarters<sup>^^</sup></b>	3.7%	1.2%	2.6%	0.2%	*
<b>Marital status</b>					
<b>Married, spouse present</b>	42.3%	49.4%	-7.1%	1.3%	*
<b>Separated/divorced</b>	19.0%	13.1%	5.9%	1.0%	*
<b>Widowed</b>	14.9%	3.9%	11.0%	0.8%	*
<b>Never married</b>	23.8%	33.6%	-9.9%	1.2%	*
<b>Sample size</b>	9,609	14,039	60,067		

\* Disability gap is outside 95% margin of error.

<sup>^</sup> College dorm, military barracks, group home, mission, or shelter<sup>^^</sup> Nursing home, mental hospital, or correctional facility

Based on analysis of Census Bureau's 2021 American Community Survey microdata.

**Table 5: Need for Assistance in Disability Population**

Figures represent percent of disability population age 18 or older.

	<b>Georgia</b>	<b>Margin of error (+/-)</b>	<b>United States</b>	<b>Margin of error (+/-)</b>
	<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>
<b>Any help needed with activities of daily living</b>	44.4%	5.8%	37.4%	1.1%
<b>Need help with:</b>				
<b>Getting around inside home</b>	3.7%	2.2%	3.8%	0.4%
<b>Going outside home for errands</b>	24.6%	5.0%	21.2%	1.0%
<b>Getting in bed or chair</b>	9.4%	3.3%	7.2%	0.6%
<b>Taking bath or shower</b>	8.3%	3.1%	8.6%	0.7%
<b>Getting dressed</b>	7.8%	3.0%	6.9%	0.6%
<b>Walking</b>	8.6%	3.2%	8.2%	0.6%
<b>Eating</b>	1.1%	1.0%	1.3%	0.3%
<b>Using toilet</b>	4.1%	2.1%	3.3%	0.4%
<b>Keeping track of money</b>	13.5%	4.1%	12.2%	0.8%
<b>Preparing meals</b>	18.4%	4.5%	12.0%	0.8%
<b>Doing light housework</b>	18.4%	4.4%	15.4%	0.8%
<b>Taking medicine</b>	8.9%	3.4%	8.8%	0.7%
<b>Accessing Internet</b>	13.4%	3.9%	13.4%	0.8%
<b>Help provided by^:</b>				
<b>Family members</b>	39.1%	5.7%	30.7%	1.1%
<b>Friends or neighbors</b>	4.2%	2.3%	4.0%	0.5%
<b>Paid help</b>	2.4%	1.4%	4.2%	0.5%
<b>Partner or companion</b>	0.5%	1.0%	1.3%	0.3%
<b>Other non-relative</b>	2.6%	1.9%	1.9%	0.3%
<b>Any non-family member (last 4 groups)</b>	8.7%	3.1%	10.7%	0.7%
<b>Sample size</b>	341		10,003	

Based on analysis of 2014 Survey of Income and Program Participation SSA Supplement microdata. See Table 2 for prevalence figures using this definition of disability. Fuller results for entire U.S. are in <https://www.census.gov/library/publications/2018/demo/p70-152.html>.

The margin of error is based on a 95% confidence interval.

^ The categories overlap as the individual may have received help from more than one person.

**Table 6: Computer and Internet Access by Disability Status in Georgia**

Figures are for Georgia citizens age 18 or older.

	<b>Disability</b>	<b>No disability</b>	<b>Disability gap</b>	<b>Margin of error on gap (+/-)</b>	
	<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	
<b>Home has Internet access, 2021</b>					
<b>All</b>	87.7%	95.2%	-7.5%	1.2%	*
<b>Age 18-64</b>	92.8%	96.3%	-3.5%	1.4%	*
<b>Age 65 or older</b>	80.9%	89.4%	-8.5%	2.4%	*
<b>Individual uses Internet at home, 2019</b>					
<b>All</b>	59.6%	79.1%	-19.5%	7.2%	*
<b>Age 18-64</b>	61.0%	81.2%	-20.2%	10.5%	*
<b>Age 65 or older</b>	58.3%	69.1%	-10.8%	10.5%	*
<b>Individual uses Internet at home or elsewhere, 2019</b>					
<b>All</b>	60.0%	81.9%	-21.9%	7.2%	*
<b>Age 18-64</b>	61.6%	84.2%	-22.6%	10.5%	*
<b>Age 65 or older</b>	58.3%	70.2%	-11.9%	10.5%	*
<b>Sample size</b>					
<b>2021 data</b>	12,135	56,115			
<b>2019 data</b>	218	1,724			

\* Disability gap is outside 95% margin of error.

Home Internet access figures are based on analysis of Census Bureau's 2021 American Community Survey microdata, and individual Internet use is based on analysis of November 2019 Current Population Survey Computer and Internet Use Supplement microdata.

**Table 7: Transportation and Disability**

	<b>All (1)</b>	<b>Disability (2)</b>	<b>No disability (3)</b>	<b>Disability gap (4)</b>	
<b>Data for Georgians age 18 or older<sup>^</sup></b>					
<b>Have travel-limiting disability</b>	9.6%	100.0%	0.0%		
<b>Live in zero-vehicle household</b>		16.3%	3.7%	12.6%	*
<b>Average trips per day</b>		2.3	3.5	-1.2	*
<b>No trips in a day</b>		39.8%	16.4%	23.4%	*
<b>Driver</b>		61.6%	91.9%	-30.3%	*
<b>Public transportation in past 30 days</b>		12.6%	12.6%	2.0%	*
<b>Used ride-hailing in past 30 days</b>		5.5%	11.5%	-6.0%	*
<b>Average online purchases for delivery in past month</b>		32.5%	54.9%	-22.4%	*
<b>Agree that travel is a financial burden</b>		58.3%	42.9%	15.4%	*
<b>National data from 2020 survey with broader disability measure<sup>^^</sup></b>					
<b>Can drive own or family vehicle</b>		69.6%	90.0%	-20.4%	*
<b>Most often use for basic transportation:</b>					
<b>Own or family vehicle</b>		82.7%	93.3%	-10.7%	*
<b>Someone else's vehicle</b>		6.4%	1.8%	4.7%	*
<b>Taxi or rideshare</b>		3.2%	0.5%	2.7%	*
<b>Para-transit</b>		1.3%	0.2%	1.1%	*
<b>Other public transportation</b>		4.9%	3.0%	1.9%	
<b>Other</b>		1.5%	1.2%	0.3%	
<b>Have transportation problems "very often" or "always"</b>		5.6%	2.9%	2.6%	*
<b>Sample size</b>		1,768	787		

<sup>^</sup> From analysis of 2017 National Highway Travel Survey data at <https://nhts.oml.gov/>

<sup>^^</sup> From <https://www.eac.gov/election-officials/us-election-assistance-commission-study-disability-and-voting-accessibility-2020>, Table 31

**Table 8: Voting and Disability in 2020**

	Georgia				United States			
	No disability (1)	Any disability (2)	Disability gap (3)	Margin of error on gap (+/-) (4)	No disability (5)	Any disability (6)	Disability gap (7)	Margin of error on gap (+/-) (8)
<b>Among all eligible to vote:</b>								
<b>Registered to vote</b>	70.9%	69.4%	-1.5%	7.0 %	73.0%	70.1%	-3.0%	1.1 % *
<b>Voted</b>	66.4%	62.8%	-3.6%	7.3 %	67.5%	61.8%	-5.7%	1.1 % *
<b>Method if voted:</b>								
<b>In person on election day</b>	18.7%	12.4%	-6.4%	6.4 % *	31.2%	25.8%	-5.4%	1.3 % *
<b>Early in person</b>	54.4%	43.4%	-11.1%	9.3 % *	26.9%	21.0%	-5.8%	1.2 % *
<b>Mail ballot</b>	26.7%	44.7%	18.0%	9.2 % *	41.9%	53.2%	11.3%	1.5 % *
<b>Sample size</b>	1,611	208			70,898	11,000		

\* Disability gap is outside 95% margin of error.

Based on analysis of 2020 Current Population Survey Voting and Registration Supplement microdata.

**Table 9: Voting by Disability Type in 2020**

All figures are for  
entire U.S.

	No disability	Any disability	Hearing impairment	Vision impairment	Cognitive impairment	Mobility impairment	Difficulty dressing or bathing	Difficulty going outside alone
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<b>Among all eligible to vote:</b>								
<b>Registered to vote</b>	73.0 %	70.1 % *	76.2 % *	67.4 % *	61.6 % *	69.4 % *	61.9 % *	61.8 % *
<b>Voted</b>	67.5 %	61.8 % *	68.5 %	59.2 %	50.7 %	60.4 %	49.4 %	51.6 %
<b>Method if voted:</b>								
<b>In person on election day</b>	31.2 %	25.8 % *	25.4 % *	24.6 % *	26.4 % *	25.0 % *	23.4 % *	23.0 % *
<b>Early in person</b>	26.9 %	21.0 % *	22.0 % *	22.0 % *	19.3 % *	19.4 % *	14.4 % *	16.7 % *
<b>Mail ballot</b>	41.9 %	53.2 % *	52.6 % *	53.3 % *	54.2 % *	55.7 % *	62.1 % *	60.2 % *
<b>Sample size</b>	70,898	11,000	3,633	1,466	3,315	6,255	1,689	3,769

\* Disability gap is outside 95% margin of error.

Based on analysis of 2020 Current Population Survey Voting and Registration Supplement microdata.

**Table 10: In-Person Voting Difficulties by Disability Type in 2020**

<b>Types of voting difficulties</b>	<b>No disability</b>	<b>Any disability</b>	<b>Hearing impairment</b>	<b>Visual impairment</b>	<b>Cognitive impairment</b>	<b>Mobility impairment</b>	<b>No need for help in daily activities</b>	<b>Need help in daily activities</b>
	<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>	<b>(6)</b>	<b>(7)</b>	<b>(8)</b>
<b>Any difficulty in voting in person at polling place or election office</b>	9.8%	18.0% *	19.3%	23.5%	30.0% *	17.2% *	15.2%	24.8% *
<b>1. Difficulty in finding or getting to the polling place</b>	2.3%	1.4%	1.0%	3.8%	3.6%	1.2%	0.8%	3.1%
<b>2. Difficulty in getting inside the polling place (for example, steps)</b>	0.4%	3.2% *	1.6%	1.1%	2.4%	5.1% *	2.1%	6.0% *
<b>3. Difficulty waiting in line</b>	6.2%	7.4%	8.5%	1.4% *	11.2%	5.1%	7.1%	8.1%
<b>4. Difficulty reading or seeing the ballot</b>	0.0%	3.8% *	4.1%	20.5% *	7.4% *	5.2% *	1.5% *	9.7% *
<b>5. Difficulty understanding how to vote or use the voting equipment</b>	2.9%	2.7%	0.9%	2.2%	3.5%	2.9%	2.6%	2.9%

<b>6. Difficulty communicating with poll workers or other officials at the polling place</b>	0.6%	2.1%		3.2%	1.1%	2.5%	2.6%	1.3%	3.8%
<b>7. Difficulty writing on the ballot</b>	0.0%	1.2%	*	0.9%	1.2%	2.3%	2.2%	0.5%	3.2%
<b>8. Difficulty operating the voting machine</b>	0.9%	1.0%		1.0%	4.1%	1.5%	0.0%	0.9%	1.2%
<b>9. Other type of difficulty in voting</b>	0.3%	1.8%	*	4.0%	2.2%	4.3%	1.2%	1.7%	2.0%
<b>Sample size</b>	371	697		124	72	139	298	506	189

\* Difference from non-disability sample is outside 95% margin of error

From 2020 Election Assistance Commission survey with results reported at <https://www.eac.gov/election-officials/us-election-assistance-commission-study-disability-and-voting-accessibility-2020>, Table 8.

**Table 11: Mail Voting Difficulties by Disability Type in 2020**

<b>Types of mail voting difficulties</b>	<b>No disability</b>	<b>Any disability</b>	<b>Hearing impairment</b>	<b>Visual impairment</b>	<b>Cognitive impairment</b>	<b>Mobility impairment</b>	<b>No need for help in daily activities</b>	<b>Need help in daily activities</b>
	<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>	<b>(6)</b>	<b>(7)</b>	<b>(8)</b>
<b>Any difficulty receiving, returning, reading,</b>	2.1%	5.4%	5.1%	22.1%	6.3%	6.4%	3.8%	8.9%

<b>understanding, or filling out ballot</b>									
<b>Any difficulty reading, understanding, or filling out ballot</b>	0.7%	2.3%	1.6%	7.9% *	2.5%	2.5%	1.8%	3.3%	
<b>Difficulty reading mail ballot</b>	0.0%	1.4% *	1.6%	5.7% *	1.9%	1.2%	1.0%	2.3%	
<b>Difficulty understanding mail ballot</b>	0.4%	0.4%	0.0%	0.0%	0.0%	0.4%	0.3%	0.5%	
<b>Difficulty filling out mail ballot</b>	0.0%	0.8%	0.0%	2.2%	0.6%	1.3%	0.4%	1.7%	
<b>Other difficulty completing mail ballot</b>	0.4%	0.1%	0.0%	0.0%	0.0%	0.3%	0.2%	0.0%	
<b>Difficulty receiving mail ballot</b>	1.7%	1.9%	2.5%	5.9%	3.0%	1.9%	1.7%	2.5%	
<b>Difficulty returning mail ballot</b>	0.0%	0.7% *	1.6%	6.7%	2.0%	0.9% *	0.2%	1.9%	
<b>Sample size</b>	319	797	119	75	155	398	526	267	

\* Difference from non-disability sample is outside 95% margin of error

From 2020 Election Assistance Commission survey with results reported at <https://www.eac.gov/election-officials/us-election-assistance-commission-study-disability-and-voting-accessibility-2020>, Table 11.

# **APPENDIX A**

LISA A. SCHUR

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## EDUCATION

UNIVERSITY OF CALIFORNIA-BERKELEY, Berkeley, California

Ph.D. in Political Science, December 1997.

Fields: Public law, American politics, Political theory

Dissertation topic: Disability and political participation.

An examination of political attitudes and involvement among people with disabilities, including efforts to gain passage of the Americans with Disabilities Act and other attempts to change laws and policies affecting disability. Based on in-depth interviews and questionnaire data from a sample of people who have spinal cord injuries, including people who are not politically active as well as members of the disability rights movement.

M.A. in Political Science, 1984.

Master's thesis: "Women and Rebellion: The Shortcomings of Camus"  
An analysis of Camus' view of political action from the perspective of feminist theory.

NORTHEASTERN UNIVERSITY SCHOOL OF LAW, Boston, Massachusetts

J.D., 1987.

Concentration in labor law and Constitutional law.

Passed Massachusetts Bar exam in July, 1987.

HARVARD UNIVERSITY, Cambridge, Massachusetts

B.A. in Sociology, June 1981. Senior honors thesis on the rise of the Soviet state.

## EMPLOYMENT

### PROFESSOR

7/15-present Department Chair, 1/15-6/18, 7-19 to present, Associate Professor, 7/04-6/15, Assistant Professor, 7/98-6/04. Rutgers University, Department of Labor Studies and Employment Relations.

### VISITING ASSISTANT PROFESSOR

1/98-6/98 Haverford College. Designed and taught course on disability, law, and public policy, with focus on employment law.

### VISITING LECTURER

1/91-6/92 Rutgers University, Department of Labor Studies. Taught two undergraduate courses on American labor law, emphasizing legal reasoning, oral argument, and writing skills.

### TEACHING ASSISTANT

8/87-6/88 University of California, Berkeley, Department of Political Science. Helped teach undergraduate courses on Constitutional law with emphasis on the First Amendment, the Equal Protection Clause of the Fourteenth Amendment, and Criminal Due Process.

9/86-6/87 Northeastern University School of Law. Selected to teach first-year law students legal research methods, writing, and oral advocacy as part of Legal Practice course.

8/82-6/84 University of California, Berkeley, Department of Political Science. Helped teach courses in 19th and 20th Century Political Theory, American Political Theory and History, and Women in American Politics.

### JUDICIAL AND LEGAL INTERNSHIPS

12/86-2/87 The Honorable Joseph Tauro, U.S. District Court, District of Massachusetts. Drafted judicial opinions and conducted legal research on First Amendment issues, criminal conspiracy, and tort liability.

6/86-9/86 Massachusetts Attorney General's Office, Environmental Protection Division. Drafted complaints, pre-trial motions, and legal memoranda concerning hazardous waste litigation.

- 12/85-2/86 Thornton and Early, Boston, Massachusetts.  
Conducted legal research and writing for a firm specializing in toxic tort litigation.
- 6/85-9/85 Boston Municipal Court, Boston, Massachusetts.  
Drafted judicial opinions in the areas of consumer protection, contracts, and torts.

#### OTHER POSITIONS

Editor, Special Issue on People with Disabilities in the Workplace, with co-editors Adrienne Colella and Meera Adya, International Journal of Human Resource Management, Volume 17, Number 14, 2016.

Senior Fellow, Burton Blatt Institute, Syracuse University, 2010-present. The Burton Blatt Institute is dedicated to advancing the civic, economic, and social participation of people with disabilities.

Kellogg Fellow, School of Management and Labor Relations, Rutgers University, 2016-present.

#### FELLOWSHIPS AND AWARDS

Political Research Quarterly Best Article Award for “Enabling Democracy: Disability and Voter Turnout,” awarded by the Western Political Science Association for the best article published in the journal in 2002.

Ed Roberts Pre-Doctoral Fellowship, 1996-97, World Institute on Disability and School of Public Health, University of California-Berkeley.

Harry Braden Fellowship, Department of Political Science, University of California-Berkeley, 1982-83.

Elizabeth Carey Agassiz Award for Academic Excellence, Harvard University, 1980-81.

#### BOOK

Lisa Schur, Douglas Kruse, and Peter Blanck. People with Disabilities: Sidelined or Mainstreamed? Cambridge, England: Cambridge University Press, 2013.

Reviewed in British Journal of Industrial Relations, Industrial and Labor Relations Review, and Journal of Occupational Rehabilitation

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Mason Ameri, Douglas Kruse, So Ri Park, Yana Rodgers, and Lisa Schur, "Telework during the Pandemic: Patterns, Challenges, and Opportunities for People with Disabilities," Disability and Health Journal, forthcoming.

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pp. 589-622.

Lisa Schur, "Contending with the 'Double Handicap': Political Activism Among Women with Disabilities," Women and Politics, Vol. 15, No. 2, 2003, pp. 31-62.

Peter Blanck, Lisa Schur, Douglas Kruse, Susan Schwochau, and Chen Song, "Calibrating the Impact of the ADA's Employment Provisions," Stanford Law and Policy Review, Vol. 14.2, 2003, pp. 267-290.

Lisa Schur, Todd Shields, and Kay Schriener, "Can I Make A Difference? Efficacy, Employment, and Disability," Political Psychology, Vol. 24, No. 1, March 2003, pp. 119-149.

Douglas Kruse and Lisa Schur, "Employment of People with Disabilities Following the ADA," Industrial Relations, Vol. 42, No. 1, January 2003, pp. 31-66.

Lisa Schur, "Dead-end Jobs or a Path to Economic Well-being? The Consequences of Non-standard Work for People with Disabilities," Behavioral Sciences and the Law, Vol. 20, December 2002, pp. 601-620.

Lisa Schur, Todd Shields, Douglas Kruse, and Kay Schriener, "Enabling Democracy: Disability and Voter Turnout," Political Research Quarterly, Vol. 55, No. 1, March 2002, pp. 167-190.

Awarded \$1000 prize by the Western Political Science Association for the best article published in the journal in 2002.

Lisa Schur and Douglas Kruse, "What Determines Voter Turnout? Lessons from Citizens with Disabilities," Social Science Quarterly, Vol. 81, No. 2, June 2000, pp. 571-587.

Lisa Schur, "Disability and the Psychology of Political Participation," Journal of Disability Policy Studies, Vol. 9, No. 2, 1998, pp. 3-31.

Lisa Schur, "Do Seniority Systems 'Trump' the ADA? Conflicts Between Collective Bargaining Agreements and the Duty to Accommodate Disabled Workers," Journal of Individual Employment Rights, Vol. 7, No. 2, October 1998, pp. 167-186.

Lisa Schur and Douglas Kruse, "Gender Differences in Attitudes Toward Unions," Industrial and Labor Relations Review, Volume 46, Number 1, October 1992, pp. 89-102.

#### NON-REFEREED JOURNAL ARTICLE

Lisa Schur, "But Is It Still A Disability? Judicial Views of Mitigating Measures Under the ADA," Labor Law Journal, Vol. 50, No. 2, Summer 1999, pp. 146-155.

## BOOK CHAPTERS

Lisa Schur and Douglas Kruse, "Disability and precarious work," in Robyn Lewis Brown, Michelle Maroto, and David Pettinicchio (eds), Oxford Handbook on the Sociology of Disability, Oxford University Press, 2022. By Lisa Schur and Douglas Kruse.

- 1.
2. Lisa Schur, Yana van der Meulen Rodgers, and Douglas Kruse, "COVID-19 and Employment Losses for Workers with Disabilities: An Intersectional Approach," forthcoming in Sophie Hennekam, Joy Beatty, and Mukta Kulkarni, eds., Handbook of Disability and Management, DeGruyter, 2023.
- 3.
4. Mason Ameri, Mohammad Ali, Lisa Schur, and Douglas Kruse. "Disability in the Unionized Workplace." In Susanne Bruyere, ed., Employment and Disability: Issues, Innovations, and Opportunities. Ithaca, NY: Cornell University Press, 2019.

Lisa Schur, "Political and Social Participation of People with Disabilities," in Peter Blanck and Eilionóir Flynn, eds., Routledge Handbook of Disability Law and Human Rights (New York: Routledge, 2017).

Steven Abraham, Lisa Schur, and Paula Voos. "Changing Union Representation Voting Regimes: What Can We Learn?" In David Lewin, ed., Advances in Industrial and Labor Relations (Emerald Group Publishing Limited, 2015), pp. 1-28.

Lisa Schur and Douglas Kruse, "Disability and Election Policies and Practices," in Barry C. Burden & Charles Stewart, eds., The Measure of American Elections (Cambridge University Press, 2014), pp. 188-222.

Lisa Schur, "Political Participation," in Gary Albrecht, ed., Encyclopedia of Disability (Thousand Oaks, CA: Sage Publications, 2005), pp. 1260-1264.

Lisa Schur, Todd Shields, and Kay Schriener, "Voting," in Gary Albrecht, ed., Encyclopedia of Disability (Thousand Oaks, CA: Sage Publications, 2005), pp. 1615-1619.

Lisa Schur, "Is There Still a 'Double Handicap'? Economic, Social, and Political Disparities Experienced by Women with Disabilities," in Bonnie G. Smith and Beth Hutchinson, eds., Gendering Disability (New Brunswick, NJ: Rutgers University Press, 2004), pp. 253-271.

Douglas Kruse and Lisa Schur, "Does the Definition Affect the Outcome? Employment Trends Under Alternative Measures of Disability," in David Stapleton and Richard Burkhauser, eds., The Decline in the Employment of People with Disabilities: A Policy Puzzle (Kalamazoo, MI: W.E. Upjohn Institute for Employment Research, 2003), pp. 279-300.

## BOOK REVIEWS

Lisa Schur, "Review of Disabling Interpretations: The Americans with Disabilities Act in Federal Court," Journal of Politics, Vol. 68, No. 1, February 2006, pp. 220-221.

Lisa Schur, "Review of The Blue Eagle at Work: Reclaiming Democratic Rights in the American Workplace," Labor Studies Journal, Vol. 31, No. 1, Spring 2006.

## RESEARCH REPORTS

Lisa Schur, Douglas Kruse, and Mason Ameri. "Disability, the Voting Process, and the Digital Divide," U.S. Election Assistance Commission, July 26, 2022.

Lisa Schur and Douglas Kruse, "Fact sheet: Disability and Voting Access Policies in 2020," December 2021.

Lisa Schur and Douglas Kruse, "Fact sheet: Disability and Voter Turnout in the 2020 Elections," July 2021. Issued with U.S. Election Assistance Commission.

Lisa Schur and Douglas Kruse, "Disability and Voting Accessibility in the 2020 Elections: Final Report on Survey Results Submitted to the Election Assistance Commission," February 2021.

Lisa Schur and Douglas Kruse, "Projecting the Number of Eligible Voters with Disabilities in the November 2020 Elections," September 2020.

Lisa Schur and Douglas Kruse, "Fact sheet: Elected Officials with Disabilities," September 2019.

Janet Boguslaw and Lisa Schur. "Building the Assets of Low and Moderate Income Workers and Their Families: The Role of Employee Ownership." Institute for the Study of Employee Ownership and Profit Sharing, March 2019.

Lisa Schur and Douglas Kruse, "Fact sheet: Disability and Voter Turnout in the 2018 Elections," July 2019.

Lisa Schur and Douglas Kruse, "Fact sheet: Disability and Voter Turnout in the 2016 Elections," August 2017.

Lisa Schur and Douglas Kruse, "Projecting the Number of Eligible Voters with Disabilities in the November 2016 Elections," September 2016.

Azadeh Meshkaty, Annie Alcid, Elizabeth Barrett, Lisa Schur, and Peter Blanck, "Working Women with Disabilities: Employment and Earnings," White Paper prepared for Women's Bureau and U.S. Department of Labor, U.S. Department of Labor, April 2014.

Lisa Schur, "Reducing Obstacles to Voting for People with Disabilities: White Paper

prepared for Presidential Commission on Election Administration,” June 22, 2013

Lisa Schur, Meera Adya, and Douglas Kruse, “Disability, Voter Turnout, and Voting Difficulties in the 2012 Elections,” Report to the U.S. Election Assistance Commission, July 2013.

Lisa Schur and Douglas Kruse, “Fact sheet: Disability and Voter Turnout in the 2010 Elections,” August 2011.

Lisa Schur and Douglas Kruse, “Fact sheet: Disability and Voter Turnout in the 2008 Elections,” August 2009.

### TESTIMONY

Lisa Schur, “Testimony on Disability and Employment before the U.S. Senate Health, Education, Labor, and Pensions committee,” February 8, 2022.

Lisa Schur, “Reducing Obstacles to Voting for People with Disabilities,” Testimony to Presidential Commission on Election Administration, Denver, CO, August 8, 2013

### PUBLISHED PAPERS IN PROCEEDINGS

5.

Lisa Schur, Adrienne Eaton, and Saul Rubinstein, “High Performance Work Systems and Political Efficacy: A Tale of Two Departments,” Proceedings of the 56<sup>th</sup> Annual Meeting. Champaign, IL: Industrial Relations Research Association, 2004.

Lisa Schur, “Discrimination in the Workplace: Perceptions and Responses of People with Disabilities,” Proceedings of the 54<sup>th</sup> Annual Meeting. Champaign, IL: Industrial Relations Research Association, 2002, pp. 40-48.

Lisa Schur, “The Difference a Job Makes: The Effects of Employment Among People with Disabilities,” Journal of Economic Issues, Vol. 36, No. 2, June 2002, pp. 339-348.

Lisa Schur, “Do Seniority Systems ‘Trump’ the ADA? Conflicts Between Collective Bargaining Agreements and the Duty to Accommodate Disabled Workers,” Proceedings of the Southern Industrial Relations and Human Resources Conference, 1998.

Lisa Schur, “Disability and the Psychology of Political Participation,” Proceedings of the Society for Disability Studies, 1997.

Lisa Schur and Douglas Kruse, “What Determines Voter Turnout? Lessons from Citizens with Disabilities,” Proceedings of the Society for Disability Studies, 1997.

6.

7. WORKING PAPERS AND WORK IN PROGRESS

“See Me, Not the Disability: Field Experiments on Disability, Veteran, and Gender Status in Hiring Outcomes.” By Mason Ameri, Lisa Schur, Meera Adya, Adrienne Colella, and Douglas Kruse, December 2019.

“Disability and the Unionized Workplace.” IZA Discussion Paper #12258. By Mason Ameri, Mohammad Ali, Lisa Schur, and Douglas Kruse, March 2019.

"The Disability Employment Puzzle: A Field Experiment on Employer Hiring Behavior." By Mason Ameri, Lisa Schur, Meera Adya, Scott Bentley, Patrick McKay, Douglas Kruse. Working Paper No. 21560, National Bureau of Economic Research, Cambridge, MA, September, 2015.

“Disability and Political Participation: Closing the Gap?” with Meera Adya and Mason Ameri. Presented at Midwest Political Science Association, Chicago, IL, April 2015.

“Workplace Democracy and Political Participation,” with Douglas Kruse and Jung Ook Kim. Presented at International Association for the Economics of Participation, Copenhagen, Denmark, July 2016.

8. RESEARCH GRANTS

“Disability and Voting Accessibility in the 2020 Elections,” 2022-2023. Lisa Schur, Mason Ameri, Meera Adya, and Douglas Kruse. This \$306,553 contract from the U.S. Election Assistance Commission funded a post-election national survey of 2000 people on disability and voting in the 2022 elections.

“Disability and Voting Accessibility in the 2020 Elections,” 2020-2021. PI for \$318,000 grant from the U.S. Election Assistance Commission. This grant funded a 2020 post-election national survey that documents voter turnout and voting barriers faced by people with disabilities. The final report was submitted on February 17, 2021.

“Employer Disability Practices RRTC,” 2021-2025. Co-investigator for 5-year Rehabilitation Research and Training Center (RRTC) funded by the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR). The goal is to study the effects of employer practices on the employment of people with disabilities, with a focus on facilitating increased employment. The center is based at Rutgers University, with Syracuse University, University of Indiana, and National Organization on Disability as partners. The 5-year budget is \$4.3 million.

“Disability Inclusive Employment Policy RRTC,” 2020-2024. Co-investigator for 5-year Rehabilitation Research and Training Center (RRTC) funded by the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR). The goal is to study the effects of employment policies on the employment of people with disabilities, with a focus on facilitating increased employment. The center is based at Syracuse University, with Rutgers and Harvard as partners, with \$4.3 million total for

all partners and \$940,000 to Rutgers. The Rutgers projects include analysis of the effects on people with disabilities of policies on: 1) paid sick leave and paid family leave; 2) telework and other home-based work; 3) contingent work; 4) unemployment insurance; and 5) minimum wages.

“Collaborative Research: Future of Work for People with Disabilities,” 2020-2023. Co-investigator for 4-year project funded by the National Science Foundation. The goal is to study the potential of assistive technology to increase employment, productivity, and wages of people with disabilities. The center is based at CUNY, with Rutgers and NYU as partners, with \$2.3 million total for all partners and \$620,000 to Rutgers. The Rutgers components include looking at economic and policy implications of assistive technology using large-scale government datasets and data gathered from companies and employees about HR implications of integrating assistive technology in the workplace.

“Disability and Voter Turnout in the 2012 Elections,” 2012-2014. PI for \$235,000 grant from the U.S. Election Assistance Commission, through the Research Alliance for Accessible Voting at Clemson University. This grant funded a 2012 post-election national survey that documented voting barriers faced by people with disabilities. The results were presented to the Presidential Commission on Election Administration, Election Assistance Commission, National Institute on Standards and Technology, Midwest Political Science Association, and Society for Disability Studies. Results were published in Election Law Journal and are forthcoming in Social Science Quarterly.

“Disability Discrimination and Job Requirements,” 2010-2015. Co-PI for \$200,000 grant from Employment Policy Rehabilitation Research and Training Center, based at University of New Hampshire and funded by National Institute on Disability and Rehabilitation Research, 2010-2015. This project matches data on disability earnings gaps by occupation to data on occupational job tasks and ability requirements, examining whether disability earnings gaps are limited to occupations in which an impairment should limit productivity, or instead also exist in occupations where impairments do not limit productivity, which would support the idea that discrimination is at work.

"Corporate Culture and Disability," 2006-2008. Co-PI for \$500,000 grant from the Office of Disability Employment Policy, U.S. Department of Labor. A consortium of Rutgers, Cornell, and Syracuse researchers worked with three other research partners and six companies to study how corporate policies and practices, and manager and co-worker attitudes, can limit or facilitate employment opportunities for people with disabilities. The information from the case studies provides lessons about what works in diverse settings, helping companies develop "best practices" for employing people with disabilities and providing a platform for ongoing benchmarking and self-evaluation. Results were published in Human Resource Management.

"Disability and Demand-side Employment Placement Models," 2006-2011, Co-PI for a 5-

year center supported by four universities and funded by the National Institute on Disability and Rehabilitation Research, U.S. Dept. of Education. Rutgers received \$252,000 to study contingent work and worker displacement, and develop 10-year projections of employer demand for specific abilities. Results were published in Monthly Labor Review.

“Desired and Actual Work Arrangements Among People with Disabilities,” 2005-2007. Co-PI with colleagues from Rutgers University, Syracuse University, and the University of Iowa to gain approval and \$51,350 in funding for putting disability questions on the 2006 General Social Survey. In combination with two work modules (the Work Orientation module and the Quality of Work Life module), these data provided the first representative estimates of desired work arrangements among both employed and non-employed people with disabilities, and the attitudes and experiences of employed people with disabilities. The funding came from the National Institute of Disability and Rehabilitation Research, and the Rutgers School of Management and Labor Relations. Results were published in the Journal of Occupational Rehabilitation.

“Non-standard Work Arrangements and Disability,” 2000-2001. Co-PI for project analyzing the prevalence and trends of alternative work arrangements among people with disabilities over the 1992-2000 period, and legal issues facing workers with disabilities in such arrangements. This was supported by a \$54,000 grant through the Disability Research Institute, which is funded by the Social Security Administration. Results were published in Industrial Relations and Behavioral Sciences and the Law.

“Empowerment Through Civic Participation: A Follow-up Study,” 2000. Co-investigator for a post-election survey in November 2000 of 500 people who responded to our 1998 national survey, plus an additional cross-section of 502 people. This was funded by grants totaling \$50,000 from the National Institute on Disability and Rehabilitation Research, the Presidential Task Force on Employment of Adults with Disabilities, and the Rutgers School of Management and Labor Relations. Results were published in Women and Politics, British Journal of Industrial Relations, and Political Research Quarterly.

“Empowerment Through Civic Participation: A Study of the Political Behavior of People with Disabilities,” 1998. Co-investigator for national household survey of 1,240 people, 700 of whom had disabilities, conducted by the Rutgers Center for Public Interest Polling in November, 1998. This was funded by grants totaling \$52,500 from the New Jersey Developmental Disabilities Council and the Rutgers School of Management and Labor Relations. Results were published in Political Research Quarterly and Political Psychology.

#### EXPERT WITNESS

Expert witness in Minnesota voting case, *DSCC and DCCC v. Simon*, Case No. 62-cv-20-585 (2020).

Expert witness in Nevada voting case, *Corona v. Cegavske in Nevada State Court (Case No. 20-OC-00064-1B)* (2020).

## PRESENTATIONS

Roundtable panelist for “Disability in Political Science: Current Scholarship and Future Directions,” American Political Science Association annual conference, September 17, 2022

“Disability, the Voting Process, and the Digital Divide,” U.S. Election Assistance Commission, July 26, 202, with Douglas Kruse and Mason Ameri.

“Paid Leave Mandates and Disability Employment,” Labor and Employment Relations Association, June 4, 2022.

“Progress or Regress Amid the Pandemic? Disability, Voting Accessibility, and Voter Turnout From 2008 to 2020.” Presentation to American Political Science Association annual conference, October 1, 2021.

“Disability and Voter Turnout in the 2020 Elections.” Presentation to U.S. Election Assistance Commission, July 7, 2021, with Douglas Kruse.

“Disability and Voting Accessibility in the 2020 Elections.” Presentation to Respectability.org, April 8, 2021, with Douglas Kruse.

“Disability and Voting Accessibility in the 2020 Elections.” Presentation to American Association of People with Disabilities and REV UP! Campaign, March 18, 2021, with Douglas Kruse.

“Disability and Voting Accessibility in the 2020 Elections.” Presentation to U.S. Access Board, March 10, 2021, with Douglas Kruse.

“Disability and Voting Accessibility in the 2020 Elections.” Presentation to American Council on the Blind, February 22, 2021, with Douglas Kruse.

“Disability and Voting Accessibility in the 2020 Elections.” Presentation on Voting Rights Panel for “Shaping Justice” conference, University of Virginia Law School, February 20, 2021.

“Disability and Voting Accessibility in the 2020 Elections.” Presentation to U.S. Election Assistance Commission, February 17, 2021, with Douglas Kruse.

“Disability and Voting: What Does the Research Say?” Presentation to “Closing the Gap” webinar sponsored by Christopher & Dana Reeve Foundation, October 19, 2020.

- “Disability and Voting: What Does the Research Say?” Presentation to Mathematica Disability Affinity Group, October 19, 2020.
- “Disability and Voting: What Does the Research Say?” Presentation to Kansas Leadership Education in Neurodevelopmental Disabilities program, and Kansas University Center on Developmental Disabilities, October 16, 2020.
- “Disability and Voting.” Presentation on panel for “Ensuring the Right to Vote,” Columbia University’s Institute for the Study of Human Rights, September 29, 2020.
- “Disability and Voting: What Does the Research Say?” Presentation with Douglas Kruse for “POWER: The Disability Vote” webinar, sponsored by American Association of People with Disabilities and REV UP! Campaign, June 22, 2020.
- “Disability and Voting.” Presentation with Douglas Kruse for “Protecting the Right to Vote for People with Disabilities” webinar, sponsored by Leadership Conference on Civil and Human Rights, and National Disability Rights Network, May 21, 2020.
- “Disability in the Unionized Workplace,” Labor and Employment Relations Association, Cleveland, OH, June 2019.
- “Building the Assets of Low and Moderate Income Workers and their Families: The Role of Employee Ownership,” Beyster Symposium, LaJolla, CA, June 2019.
- “Does Employee Ownership Benefit Low- and Middle-income Workers?” International Association for the Economics of Participation, University of Ljubljana, Slovenia, July 2018.
- “Disability and Political Participation,” Sciences Po, Saint-Germain-en-Laye, Paris, France, March 2018.
- “Disability and Employment,” University of Cergy-Pontoise / Sciences Po Saint-Germain-en-Laye, Paris, France, March, 2018
- “Disability, Voter Turnout, and Polling Place Accessibility,” National Academies of Sciences, Engineering, and Medicine, Committee on the Future of Voting, New York, NY, July 13, 2017.
- “Employment of People with Disabilities and the Law,” New Jersey Labor and Employment Relations Association, Edison, NJ, May 1, 2017.
- “Workplace Democracy and Political Participation,” International Association for the Economics of Participation, Copenhagen, Denmark, July 2016.
- “Why Do Workers With Disabilities Earn Less? Occupational Job Requirements and

- Disability Discrimination,” Labor and Employment Relations Association, Minneapolis, MN, June 2016.
- “Disability and Political Participation: Closing the Gap?” Midwest Political Science Association, April 2015.
- “Survey Results on Polling Place Accessibility in the 2012 Elections,” National Coalition for Independent Living, Washington, D.C., July 2014.
- “Reducing Obstacles to Voting for People with Disabilities,” National Institute of Standards and Technology (NIST) and Election Assistance Commission (EAC), Webinar on Accessible Technology and the PCEA Report, May 22, 2014.
- “Disability, Voter Turnout, and Polling Place Accessibility,” Midwest Political Science Academy annual conference, Chicago, IL, April 2014.
- “Reducing Obstacles to Voting for People with Disabilities,” Testimony to Presidential Commission on Election Administration, Denver, CO, August 8, 2013
- “Survey Results on Polling Place Accessibility in the 2012 Elections,” Society for Disability Studies annual conference, Orlando, FL, June 2013.
- “Survey Results on Polling Place Accessibility in the 2012 Elections,” National Coalition for Independent Living, June 2013.
- “Survey Results on Polling Place Accessibility in the 2012 Elections,” Election Assistance Commission, Washington, D.C., May 2013.
- “Survey Results on Polling Place Accessibility in the 2012 Elections,” National Institute of Standards and Technology (NIST) and Election Assistance Commission (EAC), Accessible Voting workshop, Gaithersburg, MD, April 2013
- “Survey Results on Polling Place Accessibility in the 2012 Elections,” The Election Center, Research Alliance on Accessible Voting, Minneapolis, MN, April 2013
- “Disability and Election Policies and Practices,” MIT/Pew Project on Measure of Elections, Cambridge, MA, June 2012.
- “Disability, Voter Turnout, and Polling Place Accessibility,” U.S. Election Assistance Commission Board of Advisors, Washington, D.C., June, 2011.
- “Disability at Work: Job Characteristics and Attitudes of Employees with Disabilities,” Labor and Employment Relations Association conference, San Francisco, CA, January 2009.
- “Disability and Corporate Culture: Case Study Evidence,” Labor and Employment

Relations Association conference, San Francisco, CA, January 2009.

“Sideline or Mainstreamed? Political Participation and Attitudes of People with Disabilities in the United States,” American Political Science Association conference, Boston, MA, August 2008.

“Building Inclusive Organizations for Employees with Disabilities,” Conference on Strengthening the Intersection of Demand- and Supply-Side Disability Employment Research, sponsored by U.S. Department of Labor and the Interagency Consortium on Disability Research, Washington, D.C., June 2008.

“Enabling Democracy: Enhancing Political Participation among People with Disabilities,” University of North Carolina, Charlotte, NC, April 28, 2008.

“Corporate Culture and the Experiences of Employees with Disabilities,” Society for Industrial and Organizational Psychology annual conference, Dallas, TX, May 2006.

“High Performance Work Systems and Political Efficacy: A Tale of Two Departments,” Industrial Relations Research Association annual conference, San Diego, CA, January 2004.

“Corporate Culture and the Employment of People with Disabilities,” conference on corporate culture and disability sponsored by Merrill Lynch and the University of Iowa Center on Law, Health Policy, and Disability, New York, NY, June 2003.

“Do Jobs Create Active Citizens? Employment and Political Participation,” British Journal of Industrial Relations conference on politics and employment relations, London, UK, September 2002.

“Non-standard Work Arrangements and Disability,” Disability Research Institute, Washington, D.C., June 2002.

“Changes in the Workforce: Trends & Implications for Employment Law and Collective Bargaining,” Industrial Relations Research Association chapter meeting, Edison, NJ, April 2002.

“Discrimination in the Workplace: Perceptions and Responses of People with Disabilities,” Industrial Relations Research Association annual conference, Atlanta, GA, January 2002.

“The Difference a Job Makes: The Effects of Employment Among People with Disabilities,” Association for Evolutionary Economics annual conference, Atlanta, GA, January 2002.

“Conflicts Between Collective Bargaining Agreements and the ADA,” 23<sup>rd</sup> Annual Labor Law Conference, sponsored by Region 22 of the National Labor Relations Board, Edison, NJ, November 2001.

- “Employment, the ‘Double Handicap,’ and Political Action Among Women with Disabilities,” Center for Women and Work, Rutgers University, New Brunswick, NJ, October 2001.
- “Growing Older Alone? Social Capital, Age, Participation, and Disability,” American Political Science Association, San Francisco, CA, August 2001, with Todd Shields.
- “Contending with the ‘Double Handicap’: Political Activism Among Women with Disabilities,” Conference on Gender and Disability, Institute for Research on Women, Rutgers University, New Brunswick, NJ, March 2001.
- “Can I Make A Difference? Political, Personal, and Group Efficacy Among People with Disabilities,” American Political Science Association, Washington, D.C., August 2000.
- “Contingent Employment Among Workers with Disabilities: Opportunities and Barriers,” Cornell University Summer Institute on Disability and Employment Policy, Ithaca, NY, July, 2000.
- “Contingent Employment Among Workers with Disabilities: Opportunities and Barriers,” Society for Disability Studies, Chicago, IL, July, 2000.
- “Disability and Voter Turnout,” presented to President’s Committee on Employment of People with Disabilities, Subcommittee on Employee Disability Concerns, Washington, D.C., January 2000.
- “Employment and Participation Among People with Disabilities,” presented to European Union High Level Group on Disability, Washington, D.C., October 1999.
- “Disability and Voter Turnout in the 1998 Elections,” American Political Science Association, Atlanta, GA, September 1999, with Todd Shields.
- “Polling Place Accessibility for People with Disabilities,” National Task Force on Elections Accessibility, Washington, D.C., June 1999, with Douglas Kruse.
- “But Is It Still A Disability? Judicial Views of Mitigating Measures Under the ADA,” Society for Disability Studies, Washington, D.C., May 1999.
- “Political Participation Among People with Disabilities,” Society for Disability Studies, Washington, D.C., May 1999.
- “Do Seniority Systems ‘Trump’ the ADA? Conflicts Between Collective Bargaining Agreements and the Duty to Accommodate Disabled Workers,” Southern Industrial Relations and Human Resources Conference, Vanderbilt University Law School, Nashville, Tennessee, October 1998.

“Do Seniority Systems ‘Trump’ the ADA? Conflicts Between Collective Bargaining Agreements and the Duty to Accommodate Disabled Workers,” Society for Disability Studies, Oakland, California, June 1998.

“Disability and Political Participation,” Society for Disability Studies, Minneapolis, Minnesota, May 22, 1997.

“What Encourages People with Disabilities to Participate in Politics?” World Institute on Disability Colloquium, Oakland, California, April, 1997.

“What Determines Voter Turnout? Lessons from Citizens with Disabilities,” Southern Political Science Association, Atlanta, Georgia, November 8, 1996, with Douglas Kruse.

“Disability and the Psychology of Political Participation,” International Society of Political Psychology, Vancouver, British Columbia, July 3, 1996.

“Attitudes Toward Unions in the U.S.: An Analysis of Gender Differences,” School of Management and Labor Relations, New Brunswick, New Jersey, May 1990, with Douglas Kruse.

#### COURSES TAUGHT

Employment Law (in-class and on-line)(graduate and undergraduate)  
American Labor Law (undergraduate)  
Disability and Law (undergraduate)  
Disability, Work, and Society (undergraduate)  
Perspectives on Labor Studies (undergraduate)  
Legislation and Labor-Management Relations (graduate)  
Introductory Seminar in Labor Studies and Employment Relations (graduate)  
Designed and taught non-credit courses on labor law and the Americans with Disabilities Act for UCLEA Summer Institute for Union Women, various years since 2000.

#### COURSES CREATED

Developed on-line version of Introductory Seminar in Labor Studies and Employment Relations, Fall 2017/Spring 2018  
Disability and Law (undergraduate)  
Disability, Work, and Society (undergraduate)

#### SERVICE

Service to Profession

Organizer and chair for plenary session, “National Policy Forum Luncheon: Racial Diversity and Inclusion in the Labor and Employment Relations Community,” Labor and Employment relations Association, Cleveland, OH, June 2019.

Editor, Special Issue on People with Disabilities in the Workplace, with co-editors Adrienne Colella and Meera Adya, International Journal of Human Resource Management, Vol. 17, No. 14, 2016.

Reviewer for:

American Journal of Political Science

American Politics Research

American Political Science Review

British Journal of Industrial Relations

Citizenship Studies

Election Law Journal

European Political Science Review

Industrial and Labor Relations Review

International Journal of Human Resource Management

Journal of Business Ethics

Journal of Communication

Journal of Elections, Public Opinion, and Parties

Journal of Occupational Rehabilitation

Journal of Politics

Journal of Vocational Rehabilitation

Political Behavior

Policy Studies

Rehabilitation Education

Social Problems

Social Science Quarterly

Organizer of American Political Science Association panel, “Entering the Global Mainstream? The Politics of Disability in the 21<sup>st</sup> Century,” for the August 2008 conference in Boston.

Organizer of Industrial Relations Research Association panel, “Industrial Democracy and Political Participation,” for the January 2004 conference in San Diego.

Member, Education Committee, Industrial Relations Research Association, 2002-2004.

Senior Research Fellow, Burton Blatt Institute, Syracuse University, 2010-present.

Visiting Fellow, Sciences Po / St. Germain-en-Laye, France, March 2018.

Service to Government and Society

Member, CPS Disability Supplement Expert Panel, U.S. Department of Labor Chief Evaluation Office and the Office of Disability Employment Policy (ODEP), November 2021.

White Paper prepared for Presidential Commission on Election Administration, July 2013.

Presentations to governmental bodies:

    Presidential Commission on Election Administration, Denver, Colorado, August 2013.

    President's Committee on Employment of People with Disabilities, Washington, D.C.,

    January 2000

    European Union High Level Group on Disability, Washington, D.C., October 1999

    National Task Force on Elections Accessibility, Washington, D.C., June 1999

    New Jersey Developmental Disabilities Council, New Brunswick, NJ, April 1999

Chair, panel on ADA Amendments Act, New Jersey Labor and Employment Relations, November 7, 2011

Member of Blue Ribbon Expert Advisory Panel for the ADA Impact Study, funded by the Presidentially-appointed National Council on Disability, 2004-2005

Rutgers University representative on Planning Committee for Annual Labor Law Conference, 2000-present, sponsored by National Labor Relations Board Region 22.

Invited presenter for Webcast on disability and employment, sponsored by Institute for Rehabilitation Research, funded by the National Institute on Disability and Rehabilitation Research, June 2003 ([www.ilru.org/online/archive/2003/06-18-PB.html](http://www.ilru.org/online/archive/2003/06-18-PB.html))

Presentations to New Jersey Education Association on employment law, January and March, 2003.

Published interviews in Insight, supplement to Labor Law Reports, July 1999 and March 2002, on Supreme Court decisions interpreting the ADA.

Service to Rutgers

Chair, Department of Labor Studies and Employment Relations, January 2015-July 2018, July 2019-July 2020.

Member of committee to develop crossdisciplinary Disability Studies minor at Rutgers, September 2018-present.

Member, Mentoring Committees for Assistant Professors:

Saunjuhi Verma (2014-2019)  
Tobias Schulze-Cleven (2013-2018)  
Patrick Downes (2016-2018)  
Jessica Methot (2011-2017)  
Mingwei Liu (2010-2015)  
Hui Liao (2006-2011)

Chair, Master's Thesis Committee, and Member, Ph.D. Dissertation Committee, for Mason Ameri, 2013-2017.

Member, Dean's Search Committee, School of Management and Labor Relations, 2018.

Member, Dean's Search Committee, School of Management and Labor Relations, 2014-2015.

Member, Academic Standing Committee, Rutgers University, 2008-2013.

Member, Academic Coordinating Council, Rutgers University, 2003-2007.

Member, Faculty Search Committee, Department of Labor Studies and Employment Relations, Rutgers University, 2001-2002, 2004.

Member, Library Committee, School of Management and Labor Relations, Rutgers University, 2002-2003.

Member, Undergraduate Admissions Committee, Department of Labor Studies and Employment Relations, Rutgers University, 2003-2004.

Member, Graduate Admissions Committee, Department of Labor Studies and Employment Relations, Rutgers University, 2013-2014.

## AFFILIATIONS

American Bar Association  
American Political Science Association  
Labor and Employment Relations Association  
Society for Disability Studies