

BROWN GOLDSTEIN LEVY

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Victory in Sixth Circuit on Accessible Absentee Voting in Ohio

Brown, Goldstein, & Levy, along with Disability Rights Ohio, represents three blind Ohio voters and the National Federation of the Blind in a lawsuit demanding that Ohio allow blind voters to vote absentee privately and independently through the use of electronic ballot marking technology.

After the district court dismissed this claim, Plaintiffs appealed. Today, the Sixth Circuit Court of Appeals revived Plaintiffs' lawsuit by holding that Ohio cannot point to the mere existence of an unmet state certification requirement for new voting technology as an excuse for denying Plaintiffs their federal civil rights.

Attorney Jessie Weber stated: "The Sixth Circuit has recognized that Ohio cannot deny blind voters the opportunity to vote absentee privately and independently, as all other voters do, when the technology that would allow this is available, but simply has not yet been certified according to state law. All states should take notice and ensure that they are providing the blind with an equal opportunity to exercise their fundamental right to vote."

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