

Voters' Guide:

Welcome to the CCDC Voters' Guide: The intent of this guide is to give Colorado based, disability specific information regarding voting as it pertains to the 2016 election.

YOU HAVE TO BE REGISTERED TO VOTE TO PARTICIPATE: You can still register to vote if you are not registered.

<https://www.sos.state.co.us/pubs/elections/vote/VoterHome.html>

If you experience ANY barrier to voting please [call Disability Law Colorado at 303-722-0300](https://www.sos.state.co.us/pubs/elections/vote/VoterHome.html) or toll free 1-800-288-1376. You may also call DLC's Grand Junction office by phone at 970-241-6371 or toll free 1-800-531-2105 or contact DLC by email at dclmail@disabilitylawco.org. They enforce our voting rights. Check out their excellent web resources on voting rights.

<https://disabilitylawco.org/issues/category/voting-rights>

Some barriers experienced by people with disabilities (PWD) included

- Non-accessible ballots
- Non-accessible vote centers
- Staff or others telling PWD they have to vote a certain way.

This is a very important election.

November 8th. Election Day

October 24th Vote Centers Open

October 17th Mail ballots are sent

If you need help reading or filling out the ballot, you

*You can get that help from a family member or friend you trust OR

*You can go to the vote center and get help from an election staff member. The election staff can read a ballot to you and can help you push buttons on a

machine at your direction. They cannot explain what a certain question means or give you information about a candidate. If you need that kind of help, you need to speak to a friend or family member. CCDC is also available to help as are many other advocacy organizations. Some organizations that might be able to help include:

[Local Arc chapters](#)

[Centers for Independent Living](#)

[National Federation of the Blind-Colorado Chapter](#)

NO ONE including friends, family or advocates should ever tell you HOW to vote—they should just explain the issue.

ALL people with disabilities in Colorado who are registered to vote can vote—including people who have a guardian. If you live in a group home, host home or nursing facility you have the right to vote, and staff must facilitate this process for you. Staff cannot tell you how to vote.

What you get to vote for this time!

- 1) President of the United States [Hillary Clinton](#) versus [Donald Trump](#)
- 2) United States Senate Race for Colorado –[Bennet](#) Versus [Glenn](#). There are races in most Colorado Congressional districts as well.
- 3) Depending on where you live you may be electing your state Senator or your State Representative. In some areas you will vote for other offices such as school board member or district attorney. In the metro area, people vote for RTD Board Members. All candidates for office are listed on the [Secretary of State website](#).
- 4) You can vote to retain judges or not.
- 5) You can vote on a number of state and local ballot initiatives. This guide will go through each statewide ballot initiative. For local initiatives please contact a local advocate.

As a nonprofit organization CCDC cannot endorse or oppose any candidate—we cannot be and are not partisan! This means we do not favor Democrats or Republicans – we focus only on issues that affect people with disabilities.

This voters' guide focuses solely on issues that affect people with disabilities. We pose questions to ask and things to think about when you are voting if your vote is swayed by disability rights issues. There is growing evidence that people with disabilities and our families, friends and allies are voting as a bloc. When we vote fully or partially based on a candidates views on disability we increase our collective political power.

You will get a Ballot Information Book, called a "[Blue Book](#)," in the mail. The Blue Book will give the official "pro" and "con" on each ballot initiative, but may fail to address issues that affect people with disabilities. The Blue Book also provides you information about judges that are up for retention. In Colorado, Judges are initially appointed, but voters periodically decide whether judges get to keep or "retain" their jobs. We suggest you read the reports in the Blue Book and perhaps research regarding the recommendations for or against retention of certain judges. Too many people just do not vote whether or not to retain judges. **Any time you do not vote, you are giving up power.**

You have a lot of power in the local races. You should be able to attend an event for candidates or simply reach out and contact them through their website. You can ask them questions on issues that are important to you. For the Presidential Race or the US Senate Race, you likely will not get to speak to the candidate but you can still search their websites and their personal histories to see how much they care about issues important to you.

Here are some questions or things to think about when trying to decide about candidates. One important clue is to see if they are even talking about disability issues at all. Sadly, neither candidate for US Senate in Colorado has a disability section on their website.

QUESTIONS FOR POLITICAL CANDIDATES

Sample questions you may want to ask candidates running for national office:

- 1) The American's with Disabilities Act is under attack. The law has been around for more than 25 years and people should know and obey the law and the regulations. Some people are trying to limit the effectiveness of the ADA by requiring people with disabilities to notify a business that it is discriminating before filing a lawsuit. CCDC strongly opposes a notification requirement, because this creates an unacceptable burden on the disabled person. Just finding an owner can be challenging. Will you oppose any effort, such as this one, to weaken the ADA?
- 2) Most people with disabilities want to work and can work –but not always full time or consistently. Social Security defines disability as the inability to do any job in the national economy. This definition creates a disincentive to work because if people are able to work even part time or show ability they fear that Social Security will use that to determine that they are not truly disabled. What ideas do you have to allow people to work when they can as much as they can but provide a safety net for those unable to work enough or consistently to survive?
- 3) What do you think the federal government should do to promote employment of people with disabilities?
- 4) People with disabilities continue to have severe disparities in education. Nationally and in Colorado too few kids with disabilities graduate high school. Too often special education is simply “prep school for prison” and accountability is non-existent. What role do you think the federal government should have to make sure kids with disabilities are educated?
- 5) The [Disability Integration Act](#) would reform how community-based long-term services and supports are provided through the Medicaid system and reduce inequities between states. Do you support this act? If not, why and what are your proposals.

Sample questions for candidates running for local office:

- 1) People with disabilities know what we need and what is best for us. Will you commit to include people with all types of disabilities in all policy decisions that will affect our lives in a real and meaningful way? This

means involving people who have lived experience and connection to the disability community.

- 2) People with disabilities have a lot to contribute to society if allowed and supported to do so. We still face barriers to employment and education. Only 67.4% of kids in Special Education are graduating high school in Colorado. Fewer than 30% of people with disabilities have full time, full year jobs. What ideas do you have to improve education for children with disabilities and to increase employment for adults with disabilities? ?
- 3) People with disabilities often need supports such as Medicaid programs that provide equipment and attendant care even when we have jobs. How will you support people with disabilities that need programs such as Medicaid?
- 4) Some disability programs have a \$2000 asset test, excluding a home and a vehicle. This means that if you ever save more than \$2000, you are not eligible for the program. This low asset limit discourages self-sufficiency and economic responsibility for people with disabilities – they are not permitted to save enough money to be responsible owners. Would you support raising or eliminating this asset test for people with significant disabilities?
- 5) It has become impossible for many people to afford rent. This is especially true for those living on low and fixed incomes, which includes many people with disabilities. What will you do about the affordable housing crisis to ensure people with disabilities can afford housing?

BALLOT INITIATIVES THAT AFFECT PWD

CCDC takes positions on ballot initiatives that have specific disability-related impact. Below is our analysis of all statewide ballot initiatives that we believe impact people with disabilities. . We have taken only on those issues Read this and make up your own mind.¹

Amendment 69 - OPPOSE: This would change the Colorado constitution to create a statewide single payer health care system. This system would eliminate the need for insurance companies and assure that all Colorado residents receive health care coverage. This would fold Medicaid and the Children’s Health Care program into the single payer system with approval from the federal government. The system would be governed by a 21 member board.

Is this a disability issue? YES—health care and disability are closely linked. Most long-term services and supports are funded through the Medicaid program.

CCDC sadly must OPPOSE Amendment 69. While CCDC has not taken a position on single payer, many people involved with CCDC think that a single payer system for the country would be a good idea. CCDC also agrees with the proponents of Amendment 69 that the current system is horribly broken and is leaving too many people out. Private insurance premiums and overhead is outrageous and bureaucracy is taking up an increasing share of health care resources.

However there are too many problems with Amendment 69 that are risky for people with disabilities. These concerns include:

¹ What is the difference between an AMENDMENT, a PROPOSITION, and why are some ballot initiatives letters and others numbers? An Amendment means the initiative would change the Constitution of the state of Colorado. A proposition is an initiative that, if passed, would change state laws. A ballot initiative is a letter if it comes from the General assembly and it is a number if it comes from the people through the signature gathering process.

- 1) This complex amendment is in the constitution—if there is a glitch or problem, it will not be feasible for an advocacy group to solve it with a legislative bill, and instead will require a new referendum. Passing a constitutional amendment costs millions and is extremely time consuming.
- 2) The governance of this program will be by an elected 21 member board. This board will set their own rules, and they are not subject to recall. Only people capable of raising enough money will get elected to this board. Likely special interests such as the pharmaceutical, hospital and nursing home associations will elect their people to this board. People with disabilities do not have the resources to compete.
- 3) The governing board has no mandate to include people with disabilities or even consider and protect their interests. If we felt our interests were being overlooked, we would no longer be able to go to the legislature or the Governor's office to get it solved.
- 4) The amendment guarantees that only that all federally required Medicaid services will be provided. Colorado provides services that go beyond the federal minimum. If the costs are too high the board will have the power to cut benefits or prices down to the federal minimum. Medicaid would be folded into this system but may not be full Medicaid as we know it. We currently have some innovative programs within the Medicaid system such as the Community First Choice, Care Coordination Models, etc. The new Board would have the power to unilaterally decide if these programs would continue.
- 5) There is no guarantee that the same delivery methods available in Medicaid would be continued through Colorado Care. For example, the Colorado Care Board could decide to offer personal care and home health care but not using consumer direction. Similarly, there is nothing that would stop this board from reducing the quality of wheelchairs or other medical equipment by requiring competitive bidding or through bulk ordering.
- 6) There is NO specific guarantee about continued provision of long term services and supports. The list of benefits does not specifically address these services currently available for clients on Medicaid waiver programs.
- 7) People must live in Colorado for one year before being eligible—for decades people from other states have come to Colorado because of our great disability community. This would make moving to Colorado impossible for

people with disabilities who would be unable to cover their costs of health care for a whole year. (On the other hand, people with money but who know they will need expensive health care might move here, wait a year, and then let Colorado pay for their expensive procedure).

- 8) This initiative does not include Medicare or Veteran's Health Care. However, people on Medicare or VA care will still have to pay premiums, some while still supporting this new program with payroll cuts. Medicare clients may not be able to find doctors because doctors will have to only deal with the Colorado Cares system so may not want to do the extra administrative work to deal with Medicare.
- 9) There are various reports making differing claims about the financial feasibility of the program. If there is not enough money the board would be able to vote to cut benefits, and it seems likely that costly benefits to people with significant disabilities would be early on the chopping block.

Amendment 70 -NEUTRAL: This would raise the minimum wage from the current rate of \$8.31 per hour to \$12 per hour gradually by 2020.

Why is this a disability issue? PWD are the poorest demographic in the country and many of those lucky enough to have a job are working at the lower end the pay spectrum. Moreover, there are immediate implications to disability benefits and programs upon which PWD rely.

CCDC is NEUTRAL on this amendment. We see potential benefits and pitfalls to this initiative. We believe current minimum wage, and even \$12 per hour, is not adequate to make a living, which weighs in favor of the initiative. Still, we are concerned that this increased minimum wage might have negative impacts on people with disabilities

- a) People on benefit programs including food stamps, SSI, public housing, child care and TANF will simply have to reduce their hours to keep benefits, therefore not improving their situations. So that people with disabilities may continue to and be encouraged to work, benefit limitations must be increased if minimum wage is increased.
- b) This does not come with increased funding and some parts of the Medicaid service system may not be able to easily absorb this increase without other

policy changes. While we believe it is reprehensible to pay direct care staff less than \$12 or even \$15 an hour, some providers in the Developmental Disability system or unskilled personal care providers do not get enough money from the Medicaid rates to go much above minimum wage. We fear that without additional funds this could create dangerously low staffing rates.

- c) It is important to note that people with disabilities are still being paid LESS than minimum wage in some situations. There are programs that require people with disabilities get paid no more than half the minimum wage and often the people in these programs are paid far less. This practice must be abolished.

Our neutrality is solely out of concern that these serious issues that affect people with disabilities have not been addressed. CCDC certainly believes all Coloradoans should be paid at least \$12 an hour.

Amendment 72 NEUTRAL This will amend existing constitutional language to increase taxes on cigarettes and other tobacco products. The money will be spent on medical research, tobacco prevention, veterans' health services, youth behavioral health services and other health programs.

Is this a disability issue? Sort of—many of the people that smoke cigarettes are lower income and often people with mental illness smoke because there is something in cigarettes that reduces symptoms of some mental illnesses. This is a regressive tax. However, we also know people with mental illness die 25 years earlier than others and providing support to veterans', tobacco prevention, and youth behavioral care are good things. Hopefully research would include understanding what in cigarettes is so helpful to people with serious mental illness and that specific element can be captured and provided in a pill form that does not impair the lungs. Proponents also say increasing the cost will reduce use of tobacco—if that happens the money generated from this tax will *decrease* and, therefore, work to defund the services mentioned above. Opponents say this initiative will disproportionately affect lower income people and lock spending into the constitution regardless of the need for funding in other areas.

CCDC has NO position on this amendment.

Proposition 106 - OPPOSE: Access to Medical Aid in Dying—also known as physician assisted suicide. This would amend the Colorado law to give mentally competent, terminally ill patients the right to access “MAID” Medical Aid in Dying medications. There are protections and penalties for abuse of the protections process.

Is this a disability issue? YES: While terminal illness is not a disability issue, too often disability is confused with terminal illness.

CCDC OPPOSES this proposal because **given current cultural bias against people with disabilities, there is no way to avoid discrimination in implementation.**

- **Concern about Coercion:** Because it is not always easy to get pain management or long term services and supports, and because the medical establishment does not understand how one can have a great life with a serious disability, it would be easy for people with disabilities to be pressured to end their lives, particularly if there were financial concerns or someone was concerned about “burdening” one’s family. Moreover, the data from other states shows that many people get prescriptions to take and just “keep” them. Many people with disabilities feel beholden to caregivers and could be pressured to take the medication once they went through the trouble of obtaining the medication. Some people may even be pressured first to get the medications, then to use the medication. Once this “alternative” is available other options such as home and community based services, hospice, and other less permanent solutions.
- **Concern about inequality between different disability groups:** Anyone with a cognitive, psychiatric or communication disability could be stopped from receiving this ‘Assistance.’ If this is a ‘right’ then these individuals must be included!
- What about someone with cancer and clinical depression? Would this make Assisted Suicide inaccessible to those that claim to need and/or want it the most? There is no easy answer, hence our need to oppose this legislation. Finally, the requirement to self-administer makes it inaccessible to many of the people that say they want this, for example someone with advanced ALS.

- **Concern about Availability:** If Assisted Suicide is made available to anyone, it would be very easy to roll down the slippery slope [as has occurred] of convincing people to take this assistance when that might not be the actual wish of the individual. People get the medication and then self-administer. Would someone with a challenging disability feel pressured to follow through once the prescription was obtained?

CCDC strongly believes people must have control over their bodies and choices. We believe people should be able to stop treatment if they are not benefiting and are strong advocates of hospice care for people. This is not about eliminating choice and not even about the philosophical question of physician assisted suicide.

- **REMEMBER:** It is crucial that people who are suicidal are never shamed or made to feel bad about themselves. This is a very personal journey and judging people is always a bad idea. Anyone feeling suicidal should always be given full support, empathy and care.

While we oppose this proposal we understand that there are some people in the disability community that do support Prop 106. CCDC is taking the position on broad societal issues and based on our two and a half decades of experience with how the health care system views disability which is quite different than a personal choice perspective.

Proposition 107 -SUPPORT: This would change the Colorado law to establish a Presidential Primary instead of the current caucus system. Unaffiliated voters could vote in a primary. Colorado would become a “winner take all” state meaning that whichever candidate wins the primary would have the vote of all delegates at the conventions.

Why is this a disability issue? This initiative affects all people, but there are disability-specific issues raised by the caucus process.

CCDC SUPPORTS this proposition because the caucus process remains very inaccessible to many people with disabilities. While there have been improvements in the caucus system (for example they are no longer held in private homes) they are not accessible for people who cannot:

- Navigate through large crowds

- Hear
- Speak loudly
- Stand in long lines
- Find transportation in the evening with uncertain end time
- Think and react quickly
- Follow verbal information that is presented quickly

While some caucus access issues could be accommodated –for example provision of more interpreters – the caucus process would need a substantial infusion of resources to be truly accessible to people with all types of disabilities, which is unlikely to occur. Currently the parties pay for their own caucuses. Under this initiative, primaries would be publically financed. Voting in a primary would be done via a mail-in ballot or at a voting center where there are accessible machines. This would give everyone an equal say including those that need more time to process information, those without evening transportation, and those with communication-related disabilities.

The main advantage of the caucus process was the ability to discuss issues with neighbors and influence the party platform. However, this does not happen anymore. The party platforms are really created by the party platform committees and people with disabilities could have more to say by becoming involved in their party and attending the platform committee meetings.

Ballot initiatives that are not disability issues:

The following ballot initiatives are important, but do not have a specific disability component. Therefore CCDC is not taking a position but, as a service to our members, will explain in plain language what they mean and, in some cases, provide a brief recitation of both sides of the issue:

Proposition 108

This will create open primary elections for all non-presidential elections. Unaffiliated voters could vote in the primary and would receive combined ballot with candidates from every party. The ballots would not count if they choose candidates from more than one party.

Is this a disability issue? NO—CCDC has no position on this proposition.

Amendment 71 will amend the state constitution to make it more difficult to amend in the future. A new amendment to the constitution would require 55% of the popular vote and existing provisions could be repealed or amended with 50% of the vote. However, to get anything on the ballot one would need to get signatures from 2% of all registered voters in each of the 35 senate districts.

Proponents say that we need to make it harder to change our constitution and that people should start by changing statutes—which is possible under Colorado law through the proposition process. Some opponents say that we should not “raise the bar” to changing the constitution until we can fix the stranglehold of TABOR, Amendment 23 and Gallagher, which limit legislative authority on fiscal matters. Other opponents say that it is good that citizens can amend the constitution and we should not make it harder.

Is this a disability issue? No- CCDC has no position on this amendment.

Amendment T will amend the state constitution to remove language that currently allows for slavery and involuntary servitude to be used as punishment for the conviction of a crime.

Is this a disability issue? NO. While CCDC obviously thinks slavery is wrong, this is not a disability specific amendment.

Amendment U will amend the state constitution to eliminate property taxes for individuals and business that use government owned property for a private benefit that has a market value of \$600 or less.

Is this a disability issue? NO CCDC has no position on this proposal