

Individuals Affected by Voting Rights Violations

Tens of Thousands in Guardianships and Conservatorships Have Been Denied the Right to Vote.



David Rector is a 66 year-old San Diego man who had voted throughout his adult life. In 2009, he acquired a medical condition known as “locked-in syndrome.” Although he was placed in a temporary conservatorship, David voted in 2010. When the conservatorship was made permanent in 2011, a judge ordered David disqualified from voting. His fiancée, Roz Alexander-Kasparik has enlisted the help of attorney Thomas Coleman to coach David on how to regain his right to vote.



When he was 19 years old, Stephen Lopate nearly lost his right to vote in a conservatorship proceeding. His mother asked Stephen’s court-appointed attorney if her autistic son could keep his right to vote. The attorney said voting was inconsistent with the concept of conservatorship. He initially recommended that Stephen be disqualified from voting, but after attorney Thomas Coleman intervened in 2014, the attorney backed down and Stephen retained his voting rights. Stephen will vote in the 2016 presidential election.



Gregory Demer, an autistic young man who lives in Los Angeles, had his right to vote taken away by a judge when he was 18. Neither his court-appointed attorney, the court investigator, or the judge in his conservatorship case inquired about Gregory’s desire to vote. The legal system made assumptions that he lacked the capacity to vote. In 2015, after attorney Thomas Coleman wrote an op-ed article exposing the case in the state’s legal newspaper, Los Angeles Superior Court Judge Daniel Murphy entered an order that same day restoring Gregory’s right to vote. Gregory will vote by absentee ballot in the November 2016 election and will be able to cast a ballot for the presidential candidate of his choice.



Clinton Gode has Down syndrome. When he was 18, his parents obtained an order making them his legal guardians. Under Arizona law, that automatically disqualified him from voting. Citing a new statute enacted in 2011, Clinton petitioned Mohave Superior Court Judge Lee Jantzen to reinstate his right to vote. During a hearing, Clinton was questioned extensively by the judge. He passed the “test” and was given the right to vote. Clinton voted in 2012. The Voting Rights Act of 1965 prohibits states from using literacy tests to screen potential voters.