



Disability and Abuse Project

2100 Sawtelle, Suite 204, Los Angeles, CA 90025
(310) 473-6768 • www.disabilityandabuse.org

Statement of Nora J. Baladerian, Ph.D. *Psychological Effect of Voter Disqualification*

I have been working in the field of disability and abuse for several decades. In addition to conducting trainings of law enforcement, social workers, and mental health professionals, and in addition to advocating for the rights of people with disabilities, I have a clinical practice in which I provide therapy to victims of abuse and neglect.

The State of California prosecutes people who abuse seniors and dependent adults with disabilities. The state also prosecutes people who care for those with disabilities when the care providers are suspected of neglect. This is rightfully so. People with disabilities are vulnerable to abuse and neglect. They usually cannot defend themselves and often cannot even report abuse or neglect.

I have been working with attorney Thomas F. Coleman, through Spectrum Institute, in trying to stop the State of California from violating the federal voting rights of people with disabilities who are caught up in conservatorship proceedings. I have seen the psychological harm that is done to individuals when their voting rights are taken away. I have also seen how people with disabilities are uplifted when their voting rights are respected.

In my opinion, Superior Court judges who have taken away the voting rights of people with disabilities – in violation of federal voting rights laws – have been guilty of institutional abuse. Based on the advocacy of Spectrum Institute and other disability rights organizations, the Legislature enacted SB 589 last year. It went into effect on January 1, 2016. That law prohibits further institutional abuse because it prohibits judges from disqualifying people with disabilities from voting if the individual can express a desire to vote. So, going forward, the issue of institutional abuse has been legally solved in terms of voting rights violations.

The problem of institutional neglect continues. There are 30,000 or more seniors and people with disabilities who remain disqualified from voting in California. They were stripped of their right to vote over the past 10 years or more by judges during conservatorship proceedings. SB 589 requires a judge to restore the voting rights of seniors and people with disabilities if the judge learns that a person can and has expressed a desire to vote. There is where the institutional neglect comes in. The courts have not notified conservatees about SB 589. The courts have not reached out to those they are supposed to protect. The courts are being neglectful in not affirmatively protecting the right to vote of seniors and people with disabilities – people over whom they have power and control. This institutional neglect must end.

We are asking the United States Department of Justice to demand that the Judicial Branch in California notifies conservatees – within the next two weeks – of their ability to have voting rights restored if they communicate four words to the court: “I want to vote.”