

VOTING WHILE CONFINED IN A STATE PSYCHIATRIC HOSPITAL

Can I vote if I am confined in a state psychiatric hospital?

Yes. If you are eligible to vote, you do not lose your right to vote because you are confined in a state psychiatric facility, such as the Colorado Mental Health Institute. The hospital must also help you register to vote and obtain a ballot.

To be eligible to vote, you must be a U.S. Citizen who is at least 18 years old and has lived in Colorado for at least 22 days on election day. To register or check your registration status online, you can visit <https://www.govotecolorado.gov/>.

Facility staff can't deny your right to vote or question your capacity to vote, even if you have a guardian. Only an authorized court is allowed to make these decisions. If a court order does not limit your right to vote, you can vote the same as any other eligible voter in Colorado.

Facility staff can't make it difficult for you to vote or in any way interfere with your voting rights (below).

Can I vote if I have a guardian?

Yes. If a court order does not limit your right to vote, you can vote the same as any other eligible voter in Colorado. This means that you have the right to independently and privately cast your ballot, even if you have a guardian.

What are my voting rights if I live in a state psychiatric hospital?

You have the same voting rights as any other eligible voter in Colorado, unless a **court** has limited your right to vote.

- You have the right to get information about the voting process and options in a manner that is accessible to you, including alternate formats. The voting process includes registering to vote, updating your address, getting acceptable identification, understanding your choices when voting, and casting your ballot by mail, in-person, or electronically.
- You have the right to choose how you vote. In Colorado, you may vote by mail, in-person, or electronically if you have a disability. The facility must help you vote in the manner you choose and may not limit your options unless the conditions of your commitment do so. For example, if you choose to vote in-person, the facility must help you get to the polling location. If the conditions of commitment prohibit you from leaving the facility, the facility staff must allow you vote by mail or electronically.
- You have the right to reasonable accommodations to help you vote. If you request help for any step of the voting process, the facility must provide reasonable accommodations that

allow you to vote. Reasonable accommodations may include helping you register to vote, getting to the polling location, using the voting equipment, and understanding and marking your ballot. If you did not bring anyone with you, you have the right to help from a poll worker.

If you live in a state behavioral health facility, the facility must help you register and vote. If the facility does not have a mailbox, you have the right to help from the County Clerk's office to receive and deliver your mail-in ballot.

- You have the right to get help with the voting process from someone you choose. The person you choose may be a friend, family member, caregiver, facility staff, another resident, poll worker, or other person you would like to help you. The person you choose can't be your employer or union rep.
- You have the right to vote independently and privately. If you chose someone to help you vote, they must honor your choices and may not substitute their own choices for yours or make assumptions about your choices. This means that you do not have to vote for the same person that your friend, family member, or caregiver voted for, and they cannot vote for you. You have the right to vote for the person or issue *you choose*.

What steps can I take to protect my right to vote if I (or someone I care about) live in a residential facility?

- Register to vote. Information on how to register to vote is available on [Go Vote Colorado](#). If you need help registering to vote, ask facility staff or someone you choose for help.
- Make sure that your address is current, if you are registered to vote. You can update your address at [Go Vote Colorado](#). If you need help updating your address, ask facility staff or someone you choose for help.
- Have a plan for how you will vote. If you need help deciding how you should vote, ask facility staff or the person you chose to help you.
- If you have a disability, you may now vote electronically. If you are blind, have a visual impairment, reading disability, or physical impairment that prevents you from being able to read, mark, or hold a ballot in the same way as someone without such an impairment, you can vote and return your ballot electronically. If your disability does not impact your ability to read and mark the ballot, you may still vote electronically but you will have to print out your completed ballot and return it through the mail or place it in a drop-box. Information about voting electronically is available from the [Colorado Secretary of State's website](#).
- If you believe that your right to vote has been violated, you can file an [election complaint](#) with the Secretary of State's office at 1700 Broadway, Suite 550, Denver, CO 80290. If you need help filling out the complaint, please call Disability Law Colorado at 303-722-0300.