



## Federal Court Strikes Down Restrictions on Voters with Disabilities in Ohio

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COLUMBUS, Ohio – A federal court has [struck down](#) restrictions in Ohio’s House Bill 458 that made it a crime for all but a handful of family members to assist voters with disabilities in casting absentee ballots.

The American Civil Liberties Union, ACLU of Ohio, and law firm Covington & Burling had challenged the restrictions on behalf of the League of Women Voters of Ohio and individual voter Jennifer Kucera.

The groups successfully sought summary judgment in this case, [League of Women Voters of Ohio v. LaRose](#).

HB 458, which became effective in April 2023, made it a felony for anyone who is not an election official or mail carrier to possess or return the absentee ballot of a voter with a disability, unless the person assisting that voter falls within a list of statutorily enumerated relatives.

Many voters with disabilities who are unable to travel to their polling place are also unable to access their mailbox or a drop box. Not all of these voters have an “approved” relative to mail or drop off their ballot for them, let alone one who is willing and able to assist the voter. Yet HB 458 prohibited such voters with disabilities from turning to other trusted people in their lives to assist them, including their professional caregivers, their neighbors, and even their own grandchildren.

The court ruled late yesterday that Section 208 of the Voting Rights Act allows voters with disabilities to “select a person of their choice to assist them with voting,” including the return of the voter’s absentee ballot.

*The following is reaction to the ruling:*

**Freda Levenson, ACLU of Ohio legal director:** “This is a win for democracy. We are thrilled that the court ordered the state to stop denying Ohioans with disabilities the opportunity to cast their ballots via assistance from a trusted person of their choice. This is the correct reading of the Voting Rights Act and a validating decision for Ohio voters.”

**Megan Keenan, staff attorney with the ACLU’s Voting Rights Project:** “The Voting Rights Act contains a clear command: States must allow voters with disabilities to receive assistance from a person of the voter’s choice, not a person of the state’s choice. The district court’s decision confirms that Ohio cannot prevent voters with disabilities from exercising their right to choose their professional caregiver, grandchild, roommate, or another trusted person to help them vote.”

**Jen Miller, on behalf of plaintiff League of Women Voters of Ohio:** “We applaud the court for upholding the Voting Rights Act because grandkids, roommates, and other common-sense helpers should be able to assist their loved ones without fear of a felony sentence. Many Ohio voters with disabilities cannot easily travel to the one county dropbox while others may struggle to reach their mailbox or seal the ballot envelope. This is a victory for voters.”

**Caren Short, League of Women Voters of the United States, director of Legal & Research:** “Across the country, we are seeing anti-voter legislatures attack voters with disabilities and the people who seek to assist them with their ballots. We commend the court’s decision to stop this law that clearly violates the Voting Rights Act. The League will always fight to support voters and their access to vote and have their voice heard.”

**Suzan Charlton, special counsel at Covington & Burling:** “This order ensures that the federal Voting Rights Act continues to protect voters with disabilities from being disenfranchised by state laws that would make voter assistance a crime. Covington is proud to have played a part in this lawsuit.”

The ruling can be found online [here](#).

This press release can be found online [here](#).