

People with Dementia Have the Right to Vote

A new guide reveals the do's and don'ts of helping people with dementia vote

With older adults being more likely to vote than any other age group and [dementia](#) affecting older adults more than any other age group, questions about dementia and voting naturally arise! Can people with dementia vote?

Like most things related to voting, there's concern and controversy. Everything from personal opinions from caregivers, like: "This Is So Wrong! My mom doesn't know who I am or who other family members are and you want her to vote for someone she doesn't know?" Or, psychiatrists in 2005, who attempted to create a Doe Voting Capacity Standard, which required more reasoning and rationale than the average voter would be required to have to demonstrate, which can lead to voter suppression.

With so many questions and concerns, it helps to have a set of guidelines and standards.

The [American Bar Association's Commission on Law and Aging](#) and the [Penn Memory Center](#) recently put together a guide on helping people with cognitive impairment to vote. They explain that a medical diagnosis, like Alzheimer's Disease, does not disqualify someone from voting, rather, that we must ask if people wish to vote and if they do, are entitled to assistance if needed. They explain:

"Capacity to vote is much like the capacity to ride a bicycle, which can be determined accurately only by allowing the individual to mount a bike and start pedaling. If capacity is lacking, the task just won't be completed."

How is a person's capacity to vote determined?

Voting capacity is determined by each state, and while some states have laws forbidding people who have been assigned a legal guardian to vote, many states do not impose voting capacity standards. Federal law, however, entitles voters with disabilities to vote and to receive assistance with voting if and when needed.

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Who can help a person with dementia vote?

A poll worker, friend, family member, [caregiver](#), assisted living facility worker, or almost anyone else, save an employer or union officer (if the voter is a member of a union).

What can you do to help?

If you are assisting a person with dementia with voting, knowing these communication skills will increase the chances of having a successful voting experience:

1. **Listen carefully to what the person is saying (verbally and non-verbally).** Depending on the stage of dementia, some conversations may take longer than others. Really make an effort to listen and be patient.
2. **Speak clearly and respectfully.** Use your regular tone of voice. Studies show when we use "baby talk" or "elder speak", the person with dementia behaves differently. Speak clearly and slowly. Also, consider shortening your sentences. It's harder to process longer sentences. The clearer and simpler you're questions, the easier they'll be to understand.
3. **Get the person's [attention](#) *Before you communicate with them.*** Eye contact and gentle touch can help to ground and orient a person with dementia. Getting the person's attention before asking them to vote will help them to demonstrate their true ability to vote.
4. **Have the conversation about voting during the person's *Best time of day.*** People with dementia times of the day when they are at their best, just like you and I do. Try to have a conversation about voting during their most optimal time of day.
5. **Make sure you understand what the person is saying.** If you don't understand, ask them to point or gesture.

Do's and Don'ts of Dementia and Voting

[The Bazelon Center for Mental Health Law](#) and [the National Disability Rights Network](#) offer a guide when it comes to assisting people with diminished capacity to vote. They explain that voters may have assistance if needed. For example:

- Read the ballot in a way that the voter can understand
- Never express your opinion
- You may not withhold information or give inaccurate information
- Don't pressure the person to vote on every item. If the person tires or wishes not to vote on all of the items on the ballot that is fine. Everyone has the right to choose whether or not they vote on each contest.

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A common question that arises for caregivers is: "if my spouse has voted Republican for the past 50 years, and I'm confident that she would vote Republican now, can I select this candidate for her?" The answer is no. However, if the wife was given an option and verbally (or non-verbally with a gesture) selected the Republican candidate, then the helper can assist in marking the ballot.

To learn more about voting and if you need assistance, you can call Election Protection at 1-866-Our-Vote (1-866-687-8683)

Bottom line: People with dementia have the right to vote and are entitled to assistance.

Learn more about dementia and voting in this [Psychology of Aging Podcast](#), where I interview a national expert, Jennifer Mathis, Director of Policy and Legal Advocacy of [The Bazelon Center for Mental Health Law](#)