



ANTHONY G. BROWN, MARYLAND ATTORNEY GENERAL

# PRESS RELEASE

FOR IMMEDIATE RELEASE

Media Contacts:  
[press@oag.state.md.us](mailto:press@oag.state.md.us)  
410-576-7009

## **Attorney General Brown Joins Coalition Opposing Law That Disenfranchises Voters with Disabilities** *Ohio Law Criminalizes Helping Others to Return Absentee Ballots in Most Circumstances*

**BALTIMORE, MD (May 29, 2024)** – Attorney General Anthony G. Brown has joined a coalition of seven attorneys general in filing a brief in *League of Women Voters of Ohio v. LaRose* opposing an Ohio law that makes it a crime to help others return absentee ballots in most situations. The law makes it a felony to return or possess another voter’s absentee ballot unless the person doing so is a postal worker or one of a narrow set of family members. There is no exception for voters with disabilities.

The coalition is supporting a challenge filed by a voting rights organization and an Ohio voter with a degenerative disease. The plaintiffs allege that these restrictions violate multiple legal protections, including the Americans with Disabilities Act, the Rehabilitation Act, and the Voting Rights Act. The coalition argues that the Ohio law should be struck down because it harms voters with disabilities, is out of step with most states and with federal law, and does nothing to increase election security.

“People with disabilities must be allowed to receive assistance from the person of their choice in requesting, completing, and returning their ballot,” **said Attorney General Brown**. “Laws that restrict voter assistance too narrowly are discriminatory, undermine voting rights protected under federal law, and unfairly burden an entire class of voters.”

In an [amicus brief](#), the coalition of attorneys general argues that the law:

- **Harms voters with disabilities:** By limiting who can return a voter’s ballot, Ohio’s law makes it more difficult for anyone to vote—but the law will affect voters with disabilities the most. Disabled individuals who do vote frequently report receiving help from individuals who no longer qualify to assist under Ohio’s law. In [a US Election Commission Survey](#), disabled voters who required assistance returning ballots in 2022 reported that 20.6% were helped by a friend or neighbor, 11.3% were helped by a non-family roommate, and 13.8% used another, unclassified person for assistance (this could

include home health aides or volunteers). Under Ohio’s law, all these voters would be disenfranchised.

- **Is out of step with nearly every other state:** Ohio’s law is one of the most inflexible absentee voting laws in the country. The law makes it a fourth-degree felony to return or possess another voter’s ballot unless they are a postal worker or an “authorized relative” of that voter—which is limited to a specific, narrow list of people. Many states allow any absentee voter to designate another adult of their choice to return their ballot, within certain other limits. For example, Texas and Iowa, which narrowly limit who can return absentee ballots, have carve-outs that provide more options for disabled voters. Maryland allows its voters to designate whomever they would like to assist in returning an absentee ballot, so long as the ballot assistant is over 18, not a candidate in the election, and properly designated in writing by the voter.
- **Creates obstacles to voting and does not improve election security:** Absentee voting—like all voting—is rarely fraudulent, and states have many options to protect election integrity without creating discriminatory obstacles to casting a ballot. Voter fraud does not occur more frequently in states that have fewer ballot-collection restrictions. And criminal and civil penalties already exist to deter and punish voter fraud.

In filing the brief, Attorney General Brown is joined by the attorneys general of Delaware, the District of Columbia, Illinois, Nevada, New Jersey, and New York.

###

<https://www.marylandattorneygeneral.gov/press/2024/052924b.pdf>