

# Voting-rights groups sue over new Ohio elections law

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COLUMBUS, Ohio — In a new federal lawsuit, voting-rights groups say that a recently passed Ohio law which makes it a felony for someone other than a postal worker or a close relative to handle someone's absentee ballot illegally discriminates against disabled people.

The ACLU of Ohio and the Ohio League of Women Voters want a federal judge to strike down the absentee ballot restriction, contained in House Bill 458, a sweeping elections law [signed by Gov. Mike DeWine in January](#) that made other changes like requiring voters to show a photo ID to vote in person.

The lawsuit was filed Tuesday with the Northern District of Ohio, court records show. It said there are disabled voters who lack nearby close relatives as defined by state law — these include parents, siblings, spouses, step-parents, uncles and aunts, while the law excludes cousins and grandchildren — and who also lack access to a mailbox or transportation to get to their polling place.

The lawsuit says the requirement violates the Voting Rights Act and makes it a crime for groups like the League of Women Voters to help voters who need assistance to vote.

"Ohioans with disabilities often rely on support from their communities to ensure their voices are heard in elections," Jen Miller, executive director for the League of Women Voters of Ohio, said in a statement. "To make it a crime to help your grandparent or neighbor exercise their right to vote is antithetical to democracy."

(Click [here](#) for a PDF of the lawsuit.)

A message has been left with Secretary of State Frank LaRose, a Republican who is the state's top elections official, and Attorney General Dave Yost, a Republican who is the state's top lawyer.

Republicans passed the restrictions in HB458 to reflect their concerns about "ballot harvesting" — the practice, which already was illegal in Ohio, of third-party groups

collecting completed ballots and transporting them to mailboxes or elections offices. Some states allow ballot harvesting while limiting the sort of groups allowed to handle ballots. The practice opens up the possibility for elections fraud, critics say.

But the lawsuit says the rules are an illegal hardship for Jennifer Kucera, a 54 year-old voter in Berea on whose behalf the voting-rights groups filed the lawsuit.

Kucera has muscular dystrophy, a disease that causes weakness and the loss of muscle mass and that makes her unable to drive. The lawsuit says that Kucera's apartment doesn't have its own mailbox — rather, her apartment complex has a mail area that requires her to travel across the parking lot to get there. Kucera also can't open her mailbox, since she can't use her keys, requiring help from a caregiver.

The apartment lacks an outgoing mailbox, which means Kucera generally must have a caregiver take mail she wants to send to the post office, the lawsuit says. But voting requires help from Kucera's 75-year-old mother, who lives in the area, but is 30 minutes away and has her own health issues that limit her mobility.

Kucera said she was able to vote, with the help of her mother, in the special election in August, but is concerned the same won't be true in 2024.

"Restrictions exclude Miss Kucera from participating in Ohio's absentee voting program on an equal basis with her peers who do not have disabilities and threaten to exclude her from voting entirely," the lawsuit says.