

## FOR IMMEDIATE RELEASE

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### **In Huge Win for Alabamians, Eleventh Circuit Allows All State Probate Judges to Establish Curbside Voting for July 14 Run-off**

ATLANTA – Today, the Eleventh Circuit Court of Appeals delivered a huge win for Alabama voters who are at risk of contracting COVID-19. The Circuit Court [denied](#) the defendants' emergency motion to stay a lower court decision in *People First of Alabama v. Merrill*. This decision allows the district court's injunction to remain in effect for the July 14 run-off. That order permits **any county probate judge in Alabama** to establish procedures and protocol for curbside voting without interference by Secretary of State John Merrill. Further, in three counties – Jefferson, Lee, and Mobile – voters may bypass witness, notary, and photo ID requirements for absentee ballots.

Under the Court's order, voters in Jefferson, Mobile, and Lee Counties may bypass the witness/notary requirement by including a statement — signed by the voter under penalty of perjury — with their absentee ballot that they suffer from a medical condition (like asthma, diabetes, hypertension, autoimmune diseases, etc.) that the Centers for Disease Control and Prevention (CDC) has identified as placing them at a substantially higher risk of developing a severe case or dying of COVID-19.

To bypass the photo ID requirement, voters in Jefferson, Mobile, and Lee Counties can submit a similar affidavit with their application for an absentee ballot stating they are age 65 or older OR have a disability. Voters with a disability include people with an underlying medical condition that the CDC has identified as high-risk for COVID-19.

The following statements are from the groups representing the plaintiff organizations and named individuals:

“This is an important win for Alabama voters at-risk for COVID-19,” said **Caren Short, senior staff attorney for the Southern Poverty Law Center**. “As cases continue to surge across the state — disproportionately impacting Black Alabamians — it is critical that those most at-risk from COVID-19 can vote safely.”

“The 11th Circuit's decision means hundreds of thousands of Alabama voters will be able to safely exercise their constitutional right to vote,” said **NAACP Legal Defense and Educational Fund, Inc., Senior Counsel Natasha Merle**. “The witness signature and photo ID requirements were obstacles that would have unnecessarily exposed people to COVID-19. We also hope to see local officials offering curbside voting in July and beyond. Today, on the seventh anniversary of the *Shelby County v. Holder* decision, the 11th Circuit ruling makes major strides toward a safe, accessible, and fair election.”

“As the 11<sup>th</sup> Circuit Court of Appeals noted, ‘Forcing a high-risk voter to choose between risking her health or life or abandoning her right to vote’ violates the ADA because it unduly restricts a person with a disability to equal access and enjoyment to the right to vote, which is a hallmark of any democracy,” said **Bill Van Der Pol, Senior Trial Counsel for the Alabama Disabilities Advocacy Program.**