

## **Rebecca Snyder Abstract**

Los Angeles County recently came under fire for alleged unlawful restriction of voting rights for people with intellectual and mental health disabilities under conservatorship, and is now the subject of a federal investigation. Recently, California passed a new law indicating that voting rights should be based on an individual's ability to communicate a desire to vote, rather than ability to complete a voter registration affidavit. Similar controversies are taking place in several other states, as issues of voting rights are brought increasingly into the public consciousness. This paper examines the intersections of Disability Studies, law, and political theory to investigate state legislation on mental capacity and voting rights, and also examines historical accounts and descriptions of disability in relation to political participation and equality. Through an analysis of political theory as well as state law and policy, this paper links the historical use of disability as a justification for inequality with current state voting laws that restrict citizenship for individuals with mental disabilities. The present analysis critiques current state practices of determining voting rights and provides alternatives for a more inclusive future.