

Disclaimer:

This guide is designed for informational purposes only. It is not legal advice and is not intended to create an attorney-client relationship. The Election Protection Coalition does not warrant any information contained in this guide, nor does the Coalition suggest that the information in this guide should be used as a basis to pursue legal advice or decision making.

Questions Involving Access to the Ballot:

1. What do I do if it is after 7:00 a.m. and the polling place is not open?

Immediately contact the Board of Registrars or other election officials of your county to report the problem. You can find information on your election officials at <http://www.sos.state.al.us/vb/election/borjop1.aspx>.

If the polling place is open at 7:00 a.m. but the voting machines have not arrived, contact an election official immediately. Voters should be permitted to vote by paper ballots (preferably) or by provisional ballots if there are no machines available. Provisional ballots are a *last* resort.

2. What if it is after 7:00 p.m. and my polling place is closing?

Immediately contact an election official to report the problem. If you are a qualified voter waiting within the voting room to vote at 7:00 p.m., you must be allowed to vote. You can find information on your election officials at <http://www.sos.state.al.us/vb/election/borjop1.aspx>.

3. There are equipment problems at my precinct and I cannot vote. What should I do?

Ask to vote by a back-up paper ballot or by provisional ballot. If problems exist with the voting machines, the Electronic Frontier Foundation representative at Election Protection's call center can walk the poll worker through the appropriate steps to solve a voting machine irregularity.

Identification and Provisional Ballots:

1. Can I vote if I do not have any identification with me?

You must present a valid form of identification to be eligible to vote. Valid types of identification are listed in the 2008 Alabama Voter's Guide at <http://www.sos.alabama.gov/downloads/election/2008/2008vg.pdf>. If you do not have proper identification, you may vote by provisional ballot. You have until 5:00 p.m. on the Friday following the election to submit proper identification to the Board of Registrars. If proper identification is submitted by this deadline, your ballot will be counted.

2. Can I vote if I am a registered voter but not on the rolls at my precinct?

If your name does not appear on the list of registered voters for the polling place, the poll worker should contact the local Board of Registrars or Judge of Probate to determine if you are eligible to vote at that polling place. You can find information on your local Board of Registrars or Judge of Probate at <http://www.sos.state.al.us/vb/election/borjop1.aspx>. If the Board of Registrars or Judge of Probate is unable to verify your registration, you may vote by provisional ballot. The provisional ballot will be counted only if the county Board of Registrars is able to confirm, after the election, that you are a duly qualified elector of the county.

3. What if poll workers are turning away voters who do not have photo identification?

If you possess an acceptable identification (for list see 2008 Alabama Voter's Guide at <http://www.sos.alabama.gov/downloads/election/2008/2008vg.pdf>), even if it does not contain a photograph, you may vote. If you do not have proper identification, you may vote a provisional ballot. You have until 5:00 p.m. on the Friday following the election to submit proper identification to the Board of Registrars. If proper identification is submitted by this deadline, your ballot will be counted.

4. What should I do if offered to vote by provisional ballot?

Provisional ballots are a *last* resort. A provisional ballot is the same as any other ballot except you must sign an affidavit attesting to your eligibility to vote and the Board of Registrars must verify your identity and your eligibility to vote before it is counted. Provisional ballots are offered when (1) your name is not on the list of eligible voters for the polling place in which you are seeking to vote; (2) an inspector has knowledge that you are not entitled to vote at that precinct and challenges you; (3) you do not have proper identification; (4) a federal or state court order extends the time for closing the polls beyond that established by state law and you vote during the extended period of time; or (5) you did not receive a requested absentee ballot or you did not vote your absentee ballot.

Where to Vote:

1. Where do I vote?

The Board of Registrars sends a certificate of registration that includes the address of your polling place. If you have not received your card prior to the election, you should contact the local Board of Registrars for information on your polling place. You can look up polling locations at <http://www.vote411.org/pollingplacebystate.php>.

2. I recently moved to a different precinct in the same county, and I have not updated my address for voter registration purposes. Where should I vote?

If you have permanently moved to another precinct in the same county, you have the right to update your voter registration record at the polling place. If an election official receives verification by phone that you are entitled to vote at that precinct, or if you present a certification of verification from the Board of Registrars, you may cast a regular ballot. If this verification is not provided, you may vote by provisional ballot.

3. I recently moved to a new precinct in a new county, and I have not updated my address for voter registration purposes. Where should I vote?

If you have moved to another precinct in another county, you must register to vote in the new county within 10 days prior to the election. Voter registration does not automatically follow you from one county to another.

Assistance at the polls:

1. I am physically disabled and need assistance. Can I still vote?

Yes. Under Alabama law, polling places should be accessible to people with disabilities. At every polling place there should be voting equipment to accommodate voters with disabilities, including non-visual accessibility for the blind and visually impaired, in order that they may vote without assistance. If your specific disability is not accommodated, please alert a commander at your polling location, call Election Protection at 1-866-OUR-VOTE, or contact your county's Judge of Probate.

2. Can I get assistance at the polls if I cannot read English, am blind, or am otherwise disabled?

Yes. Any voter who wishes to have assistance is entitled to help. The voter may ask anyone (except his or her employer, an agent of the employer, or an officer or agent of the voter's union) to give that assistance. A poll worker may assist the voter at the request of the voter. A voter is not required to state a reason for requesting assistance.

3. The voting equipment confuses me. Can I get a little help?

Yes. You have the right to receive instruction on using the voting equipment before casting your vote, including information on how to correct a ballot before it is cast and counted. Poll workers are not allowed to tell you for whom to vote or to attempt to influence you in any way. You may remain in a voting privacy booth for four minutes and after this time may be asked by a poll worker if assistance is needed. If you do not want assistance, and there is a line of individuals waiting to vote, you will have one additional minute to vote and then may be asked to leave. If there is no line of individual waiting to vote, you may take as much time as necessary to finish voting. If you receive assistance, you may have no less than an additional five minutes to vote.

Miscellaneous Issues:

1. I have been approached by candidates or others at the polls. Is that allowed?

No. Under Alabama law, when you are within 30 feet from the door of the building in which the polls are located, you cannot be approached by candidates or other campaigners at the polls. If the polling place is located in a room within a building, the campaigning must not be closer than 30 feet to the entrance of the building.

2. I was convicted of a felony. Can I still vote?

In many instances, yes. If you have been convicted of a felony (other than for treason, impeachment, murder or various sexual offenses), have completed your sentence, including any period of probation and parole, and have paid all fines, court costs and restitution, you may apply to the Board of Pardons and Paroles for a Certificate of Eligibility to Register to Vote, or you may obtain a pardon that specifically restores the right to vote. If you have been convicted of a felony that does not involve "moral turpitude," you remain eligible to vote and do not need to apply

for a Certificate of Eligibility to Register to Vote or receive a pardon. For an explanation of crimes that involve moral turpitude, see <http://www.ago.alabama.gov/pdfopinions/2005-092.pdf>.

3. What if I make a mistake or “spoil” my paper ballot while voting?

Replacement ballots are available if you make a mistake in marking your ballot or if the ballot gets torn, mismarked, or otherwise damaged. You should take the original ballot to a poll worker and request a replacement ballot. The poll worker will issue a new ballot and place the original ballot in an envelope marked “spoiled ballots” for security purposes.

4. I am a college student; can I vote where I go to school?

Yes. Students must be held to the same eligibility requirements as any other voter in the jurisdiction. If a student has been turned away at the polls, ascertain if they have fulfilled all of the registration requirements (age, and citizenship and residency durational requirements) and that they have registered on time for this election. If so, alert a commander at your polling location to dispatch an attorney to the location and contact the appropriate election official or call Election Protection at 1-866-OUR-VOTE.

5. What if I have voting questions, concerns, or problems not addressed here?

If you have any additional questions, concerns, or problems not addressed here, you should always feel free to alert a commander at your polling location or call Election Protection at 1-866-OUR-VOTE.