

### **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 should I do if it is after 7:00 a.m. and the polling place is not open?**

The polls are open 7:00 a.m. to 7:00 p.m. on Election Day. If the polls are not open at 7 a.m., a voter should contact the Supervisor of Elections in the voter's county and immediately inform him or her that the polling location is not open on time. For updated names and contact information, see <http://election.dos.state.fl.us/SOE/FloridaSOE.pdf>.

#### **2. What if it is 7:00 p.m. and the polling place is closing?**

The polls are open 7:00 a.m. to 7:00 p.m. on Election Day. If a voter is in line by 7:00 p.m., that voter must be allowed to vote a regular ballot. A voter should immediately contact the Supervisor of Elections for that county and inform him or her about the problem. For updated names and contact information, see <http://election.dos.state.fl.us/SOE/FloridaSOE.pdf>.

#### **3. What if there are equipment problems at my precinct that prevent me from voting?**

Voters should immediately contact the Supervisor of Elections if the polls are not open between 7:00 a.m. and 7:00 p.m., including if machine problems result in closing a polling place during those times. If there are problems with individual machines, these should be raised immediately with precinct workers. If a caller reports problems with machines, immediately contact the Electronic Frontier Foundation representative at the call center to walk you through the appropriate steps to solve the machine problem.

### **Identification and Provisional Ballots:**

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

Yes. If you do not have the proper identification you will be required to vote a provisional ballot. Unlike other states, the provisional ballot should be counted if the voter is registered to vote and is at the correct polling place. A voter casting a provisional ballot has the right to present written evidence supporting his or her right to vote by no later than 5:00 p.m. on the second day following the election. However, if you voted a provisional ballot only because you did not bring photo identification to the polls, you do not have to present additional evidence of your eligibility to vote. The voter should also be given a number to call to verify that his/her ballot was counted and, if it was not, to call back on the

1-866-OUR-VOTE hotline. If the voter is on the voter roster and is a first-time voter who registered by mail and did not present acceptable identification at that time, the voter must provide photo identification on Election Day, otherwise, he or she may vote by provisional ballot.

## **2. Poll workers are turning away voters who do not have photo identification.**

If a voter is denied the right to vote because he or she does not have photo identification, please call the Election Protection hotline immediately at 1-866-OUR-VOTE. Note: If you do not have the proper identification you will be required to vote a provisional ballot. If the voter is on the voter roster and is a first-time voter who registered by mail and did not present acceptable identification at that time, the voter must provide photo identification on Election Day, otherwise, he or she may vote by provisional ballot.

## **3. I recently changed my name. Can I still vote?**

Yes. If a voter has changed his or her name, the voter has the right to vote after filling out a written affirmation confirming his or her old and new names.

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

A verification specialist stationed at the precinct will check to see if a voter is a registered voter by researching the voter's information on a database on site. Make sure the poll worker checks the full list of voters and not just the one for that precinct. If the poll worker says the voter are not eligible to vote but that voter thinks he or she is, that voter can use a provisional ballot. The provisional ballot lets the voter make choices just like regular voting. The big difference is that the voter's choices will not be counted unless it is later determined that the voter was eligible to vote and he or she voted in the right precinct. Note: The voter must be at the correct precinct in order for the provisional ballot to count. Hotline volunteers should also verify the voter is in the correct precinct. If the poll worker tells a voter that he or she cannot vote, the voter has the right to know the reason. If a voter is forced to vote a provisional ballot, remind the voter to verify that the ballot was counted.

## **5 What should I do if offered to vote by provisional ballot?**

Before a voter votes on a provisional ballot, MAKE SURE the voter is in the right precinct for his or her current address. Give the poll worker the voter's current address and ask whether he or she is in the right precinct. If a voter uses a provisional ballot in the wrong precinct, his or her vote will NOT count. Hotline volunteers should also verify the voter is in the correct precinct.

## **Where to Vote:**

### **1. Where do I vote? [For voters who have not recently moved.]**

A voter can look up polling locations at <http://www.vote411.org>. Contact the Supervisor of Elections for polling locations. For updated names and contact information for a particular county, see <http://election.dos.state.fl.us/SOE/FloridaSOE.pdf>.

2  
August 23, 2010

**2. I recently moved within the same precinct, and I have not updated my address for voter registration purposes. Where should I vote?**

If the voter has moved within the same precinct, the voter should go to the appropriate polling place for that precinct. If the voter registration list still lists the voter's old address, the voter will be asked to update his/her registration. If the updated address is within the precinct, the voter must be permitted to vote.

**3. 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 a voter moves his or her residence outside the voter's assigned precinct, he or she must vote in the precinct to which he or she has moved. If a voter moves, he or she must contact his or her county Supervisor of Elections office.

**4. 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 there is insufficient time before the Election to send an address change to the Supervisor of Elections a voter will be allowed to update his or her address at the polls on Election Day. The voter must vote in the precinct of his or her current legal residence. The voter should contact the Supervisor of Elections to find out where the precinct for his or her residence is located.

**Assistance at the polls:**

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

Yes, all polling places are wheelchair accessible and offer parking for persons with disabilities. There are also touch screen voting machines available at wheelchair accessible heights at each polling place. Additionally, every voting precinct and each office of the Supervisor of Elections will have one touch screen voting machine that has an audio capability which allows people with disabilities to vote with no assistance and in complete privacy. The voter uses earphones to listen to the candidates or issues on the audio ballot. Selections are made by using a portable, handheld control unit. For the visually impaired, handheld magnifiers are available in each precinct to enlarge the text of the ballot.

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

Yes, the precinct register must indicate that assistance has been requested or the voter may sign a Request for Assistance Form at the polling place. Assistance can be provided by two election officials or someone else of the persons own choice, other than his/her employer, an officer, or agent of his/her union. This request can be made when registering to vote, at the polling place by signing a Request for Assistance form or by notifying the Supervisor of Elections Office at the time the disability arises.

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

A person who is unable to read or write or who, because of a disability, needs assistance in voting, may designate someone of his or her own choice, other than an employer or an officer or agent of the person's union, to provide such assistance. Election officials may also provide assistance.

## **Miscellaneous Issues:**

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

No person, political committee, committee of continuous existence, or other group or organization may solicit voters within 100 feet of the entrance to any polling place, or polling room where the polling place is also a polling room, on the day of any election, except to conduct exit polling.

### **2. What if I requested an early ballot but I want to vote in person on Election Day?**

If a voter received his or her absentee ballot, he or she should return it, whether voted or not, to the poll workers on Election Day. The absentee ballot will be voided and the voter will be allowed to vote at the polls.

### **3. There are people at the polls trying to intimidate voters.**

The voter should tell a poll worker right away. If the poll worker is the problem, the voter should call the Supervisor of Elections, tell a different poll watcher, or call 1-866-OUR-VOTE (687-8683). Hotline volunteers should immediately contact a Commander.

### **4. I was convicted of a felony. Can I still vote?**

No, not unless a voter receives a pardon or restoration of civil rights from the Governor. The voter should contact the Office of Executive Clemency to obtain the required information to have his or her voting rights restored.

### **5. Can I vote if I was indicted or charged with a crime but not convicted?**

Yes. Only upon conviction of a felony shall a person's civil rights be suspended in Florida.

### **6. What if I make a mistake or "spoil" my paper ballot while voting?**

A voter has the right to receive up to two replacement ballots if he or she makes a mistake prior to the ballot being cast.