

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. It is after the time to open, 8:00 A.M., but the polling place is not open.

Immediately contact the County Clerk to report the problem. You can find information at <http://www.idahovotes.gov/Clerk.htm>.

If the polling place is open at 7:00 a.m. but the voting machines have not arrived, call headquarters immediately. Voters should be permitted to vote by paper ballots if there are no machines available.

2. It is 8:00 P.M. and my precinct is closed or closing and they will not let me vote.

A voter who is in line at 8:00 p.m. shall be allowed to vote. Idaho Code Ann. § 34-1101. Immediately contact the County Clerk to report the problem. You can find information at <http://www.idahovotes.gov/Clerk.htm>

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

Encourage the voter to ask to vote by a back-up paper ballot. 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. I do not have any identification with me. Can I vote?

No, under a newly enacted voter id law, § 34-1113, all voters must present personal identification in order to vote. However, if an individual does not have identification they may submit a signed affidavit containing their name and address (which is available at their polling place) in order to vote. §34-1114.

2. I am a registered voter who is not in the poll book at my precinct. Can I vote?

The voter may re-register on Election Day by completing a registration card, making an oath, and providing proof of residence. § 34 - 408A.

3. Poll workers are turning voters away if they don't have photo ID.

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Under the new law all voters must present personal identification in order to vote. If an individual does not have identification they may submit a signed affidavit containing their name and address (which is available at their polling place) in order to vote. If the polling place does not provide an individual without identification an affidavit contact a Commander immediately to report the problem. An attorney will be dispatched to the polling place. Encourage the voter to go back inside the polling place, request an affidavit, and demand the right to vote. I have been offered a provisional ballot. What should I do?

The State of Idaho does not have provisional ballots. If an individual's right to vote is challenged the challenged individual is still able to vote, provided he or she declares themselves qualified to vote subscribes to the elector's oath. § 34 – 1111.

5. I changed my name after registering but before Election Day. Can I vote?

The voter should go to the polling place in the precinct where they live. The voter should then re-register by completing a registration card, making an oath, and providing proof of residence. The voter should then be given a ballot. § 34 – 408A.

Where to Vote:

I. Where do I vote (for voter's who have not moved)?

You can contact your County Clerk:
<http://www.idahovotes.gov/Clerk.htm>

Or you can look up polling locations at any of the following web sites:

www.vote411.org
<http://www.idahovotes.gov/yourpollingplace/>

You may also contact the county clerk's office or the Secretary of State at the numbers listed below:

Ada	287-6860	Cassia	878-5240	Lewis	937-2661
Adams	253-4561		374-5304	Lincoln	886-7641
Bannock	236-7334	Clark	476-5615	Madison	359-6219
Bear Lake	945-2212	Clearwater	879-2360		436-9511
Benewah	245-3212	Custer	587-2131	Minidoka	799-3020
Bingham	782-3164	Elmore	852-1090	Nez Perce	766-4116
	788-5505	Franklin	624-7332	Oneida	495-2421
Blaine	392-4431	Fremont	365-4561	Owyhee	642-6000
Boise	255-3631	Gem	934-4841	Payette	226-7611
Bonner	529-1363	Gooding	983-2751	Power	752-1264
	267-2242	Idaho	745-7756	Shoshone	354-8780
Bonneville	527-3021	Jefferson	644-2714	Teton	736-4004
Boundary	764-2242	Jerome	446-1030		382-7100
Butte	454-7563		883-2249	Twin Falls	414-2092
Camas	547-4324	Kootenai	756-2815	Valley	
Canyon		Latah		Washington	

Caribou	Lemhi	
Secretary of State		(208) 334-2300

2. I have moved within the SAME PRECINCT but I have not updated my address for voter registration purposes. Where should I vote?

The voter should go to the polling place in the precinct where they live. The voter should then re-register by completing a registration card, making an oath, and providing proof of residence. The voter should then be given a ballot. § 34 – 408A.

3. I have moved to a DIFFERENT PRECINCT in the SAME COUNTY, but I have not updated my address for voter registration purposes. Where should I vote?

The voter should go to the polling place in the precinct where they live. The voter should then re-register by completing a registration card, making an oath, and providing proof of residence. The voter should then be given a ballot. § 34 – 408A.

4. I have moved to a DIFFERENT COUNTY, but I have not updated my address for voter registration purposes. Where should I vote?

The voter should go to the polling place in the precinct where they live. The voter should then re-register by completing a registration card, making an oath, and providing proof of residence. The voter should then be given a ballot. § 34 – 408A.

If the move was within 30 days prior to the election, the voter may vote by absentee ballot. § 34 – 413.

Assistance at the polls:

1. I am handicapped and need assistance; will my polling place be accessible?

Idaho law requires each polling place to be accessible to physically disabled voters, but many are not. If the voter cannot enter a polling place because of a physical disability or other handicap, they may ask an election clerk to provide them with a ballot outside the polling place. The voter may then mark the ballot in the clerk’s presence, but in a secret manner, and submit it to the clerk. § 34 – 1108.

If a voter reports that a polling place is not accessible to the handicapped, contact a Commander immediately.

2. I require assistance to vote because I am blind, disabled, of advanced age, or unable to read and write. Can I get assistance at the polls?

A voter requiring assistance at the polls for any of the reasons stated above can take a person of their choice into the voting booth. Election Protection volunteers can serve as assistants to disabled or language minority voters if asked to do so by the voter. § 34 – 1108. If a poll worker refuses to

allow a disabled or language minority voter to bring a person of their choice into the voting booth, contact a Commander immediately.

3. May I request general assistance from election officials when voting?

Yes. If, after entering the voting booth, a voter asks for information regarding the operation of the voting machine or marking device, the poll workers present shall give him or her the necessary information. § 34 – 1108.

Miscellaneous Issues:

1. I have been approached by candidates or others at the polls.

All poll monitors, including Election Protection volunteers, must stay at least 100 feet from the entrance to the polling place; they can solicit you if they comply with this rule. If they are violating the 100-foot requirement, contact a Commander immediately. An attorney will be dispatched to the polling place. § 18 – 2318.

However, watchers and challengers may be admitted into polling places under the authorization of the County Clerk in response to written requests received five days prior to the election. Watchers are allowed to observe provided that they do not interfere with the orderly conduct of the election. If a watcher is causing a disturbance or interfering, contact a Commander immediately. An attorney will be dispatched to the polling place.

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

As long as the voter has NOT already submitted the absentee ballot, and is otherwise qualified, they should be allowed to vote in person.

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

Contact a Commander immediately. An attorney will be dispatched to the polling place. If the voter agrees, put them on hold while you call the Commander so they can send an attorney to the location immediately. Then, gather as much information from the voter as possible. Also, alert the call center manager.

4. I have a felony conviction. Can I vote?

Idaho permits convicted felons to vote upon final discharge, i.e., the completion of imprisonment, probation, or parole as the case may be. Idaho Const. art. 6 § 3.

5. I am a college student, can I vote where I go to school?

College students may register and vote where they go to school provided that they consider that location their voting residence. A voting residence is the residence the student claims as their home; the residence which qualifies them to vote on a particular ballot. 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 residency requirements). § 34 – 402.

If a properly registered student is turned away at the poll, contact a Commander to dispatch an attorney to the location and contact the appropriate election official.

6. Someone has challenged my right to vote. What should I do?

If a voter is challenged, Idaho law requires an election judge to declare the elector qualifications to the voter. If the voter qualifies, she may declare herself qualified. If the challenge is not withdrawn, the election judge will give the voter the elector's oath. If the voter subscribes to that oath, the voter should be given a ballot. § 34 – 1111.