

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 11:00 AM (or whatever earlier time has been established locally for polls to open) and the polling place is not open.**

Immediately contact the Town or City Elections Office to report the problem. You can find information regarding Town or City Election Offices at <http://www.sos.nh.gov/clerks.htm>

If the polling place is scheduled to open at 7:00 a.m. but the voting machines have not arrived, contact the Town or City Elections Office to report the problem 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. It is 7:00 PM (or whatever later time has been established locally for polls to close) and my precinct is closed or closing and they will not let me vote.**

Immediately contact the Town or City Elections Office to report the problem. You can find information regarding Town or City Election Offices at <http://www.sos.nh.gov/clerks.htm>.

- 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 (preferably) or by provisional ballot. Provisional ballots are a LAST resort.

Identification and Provisional Ballots:

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

Yes. Under the N.H. Bill of Rights, voters have the right to vote without producing photo identification. In addition, a properly registered voter need not present any other form of identification when obtaining a ballot at the polls. The voter need only state his or her name and address. Even if a voter's registration is challenged, the voter only needs to sign an affidavit stating that he or she is the claimed registered voter.

However, photo identification or other forms of documentation may be required in order to establish a voter's identity when registering to vote. If the voter is a first-time voter who registered by mail and did not present acceptable identification at that time, the voter may vote by provisional ballot. If possible, a voter should be encouraged to go and get an ID and NOT to cast a provisional ballot.

2. I am a registered voter who is not on the voter roll at my precinct. Can I vote?

Yes, provided that:

- (1) the voter is qualified to vote (i.e., meets the age, citizenship, criminal status and residency requirements found on page 5 of the manual);
- (2) the voter registered in time to vote in this election (the N.H. Bill of Rights permits an eligible voter to register at the correct polling place on election day and to vote in that election); and
- (3) the voter is at the correct polling place (use the online poll locator tool to check this).

If the voter has registered on time, is eligible and is in the correct polling place, the voter should ask a poll worker to call his or her local supervisor to check or confirm the voter's registration. If the voter still is not on the rolls, the voter can vote by provisional ballot. This is a LAST resort as provisional ballots will only be counted if the local supervisor of the voter's checklist can later verify the voter's registration status before the election is certified.

If the voter has not registered on time, but is qualified to vote, he or she has the right, under the N.H. Bill of Rights, to register at the polling place on election day, and to vote in the current election. If the voter is waiting to register at the polling place at the time scheduled for the polls to close, the voter is still entitled to vote once the registration is completed.

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

Under the N.H. Bill of Rights, voters have the right to vote without producing photo identification. Contact a Commander immediately to report the problem. An attorney will be dispatched to the polling place. Voters should be encouraged to go back inside the polling place and demand the right to vote by a REGULAR ballot (unless the voter is a first time voter who registered to vote by mail and has not previously provided adequate documentation of identity, in which case they can vote by provisional ballot).

4. I have been offered a provisional ballot. What should I do?

Provisional ballots are a LAST resort because they will only be counted if it is later verified that the voter was entitled to vote.

County election officials will examine the provisional ballots within seven (7) days after an election to determine whether the individual voting that ballot was entitled to vote at the election district in the election.

Where to Vote:

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

You can look up your polling location at www.sos.nh.gov//polling.htm.

2. I have moved within the same PRECINCT and have not updated by address for voter registration purposes. Where should I vote?

If a voter has moved within the same precinct, the voter should go to the appropriate polling place for that precinct (use the online poll locator tool to check this). If the voter registration list still lists the voter's old address, the voter will be asked to update their registration. If the updated address is within the precinct, the voter must be permitted to vote.

3. I have moved to a different precinct, city, town, ward or unincorporated place and I have not updated my address for voter registration purposes. Where should I vote?

The voter should go to the new polling location that corresponds to his or her new address or to the local supervisor of the checklist of registered voters, complete and sign a Notice of Change of Address and vote by provisional ballot. Under the N.H. Bill of Rights, a voter that has moved within the State of New Hampshire has the right to vote by registering at his or her new polling place on election day.

Assistance at the polls:

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

New Hampshire law requires that each polling place be easily accessible to physically disabled voters. If a polling place is not accessible, contact a responsible election official to report the problem immediately.

2. I am blind, physically disabled or cannot read English and require assistance at the polls in order to vote. Can I get assistance at the polls?

A voter requiring assistance at the polls for any of the reasons stated above can:

- (1) take a person of their choice into the voting booth (unless that person is the voter's employer, an agent of the voter's employer, or an officer or agent to the voter's union); or
- (2) ask one or both of the inspectors of election at the polling place to accompany and assist the voter in the voting booth.

New Hampshire is not covered by the language minority provisions of the Voting Rights Act of 1965. However, the local superintendent of elections may appoint persons fluent in a non-English language to serve as interpreters to assist voters based on indications of need.

Miscellaneous Issues:

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

Candidates and their representatives are prohibited from distributing, posting or displaying campaign materials, signage, etc. within the building where the polls are located. They are also prohibited from performing any electioneering activities designed to influence a voter's vote on any question or office within a corridor ten feet wide and extending a distance from the entrance of the polling location (as determined by the local election moderator). The prohibition against electioneering also applies to all election officers and public employees, regardless of location. If candidates or their representatives, or election officers or public employees, are violating these requirements, contact a the supervising election officials to report the problem.

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 by regular ballot. Even if the absentee ballot has been submitted, but has not yet been processed by election officials, the voter may be allowed to cast a regular ballot which will override the unprocessed absentee ballot.

3. What do I do if there are people at the polls trying to intimidate voters?

Contact an election official immediately. If no action is taken, contact Whitney Norton at (202) 662-8352.

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

Yes. The N.H. Bill of Rights permits convicted felons to vote if their sentence has been discharged or where the election occurs while execution of the sentence is suspended. This includes those who are on probation, on parole, or who have completed a felony sentence of incarceration in the past. However, convicted felons must re-register in order to cast their votes. This may be done either in advance of the election or at the polling place on election day if adequate identification and evidence of voter qualifications is furnished.

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 "domicile," meaning it is the place where the student, more than any other place, has established a physical presence and manifests an intent to maintain a single continuous presence for domestic, social and civil purposes relevant to participating in democratic self government. College students generally are allowed to vote using either the domicile they establish at college or the one they had before entering college. 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, citizenship, criminal status, residency requirements) and that they have registered on time for this election. If so, contact the appropriate election official to check or confirm the voter's registration. As a LAST resort the student should vote by provisional ballot.