

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 6:30 a.m. and the polling place is not open.

Where available, contact the Legal Command Center in the voter's area immediately so that a mobile field attorney can go to the precinct. An attorney will contact the county election officials to report the problem.

If the polling place is open at 6:30 a.m. but the voting machines have not arrived, call headquarters immediately. Voters should be permitted to vote by back-up paper ballots or by provisional ballots.

Where there is no Legal Command Center, call the Board of Elections office for that county. If there is an on-call attorney in that jurisdiction, advise the attorney of the problem.

2. It is 7:30 p.m. and my precinct is closed or closing and they will not let me vote.

Contact the Legal Command Center so that a mobile field attorney can be assigned to go to the precinct immediately. An attorney will contact the county election officials to report the problem.

Where there is no Legal Command Center, call the Board of Elections office for that county. If there is an on-call attorney in that jurisdiction, advise the attorney of the problem.

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 or by provisional ballot. Call the Legal Command Center immediately so that an attorney can go to the precinct to check on the problem. An attorney will also contact the county election officials to report the problem.

Where there is no Legal Command Center, call the Board of Elections office for that county. If there is an on-call attorney in that jurisdiction, advise the attorney of the problem.

Identification and Provisional Ballots:

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

Yes. The voter may cast a provisional ballot and provide the last 4 digits of their social security number, provide an affirmation, or go to the Board of Elections within 10 days to provide identification, the last

four digits of their social security number, or an affirmation. See section VI of the manual. If possible, a voter should be encouraged to go and get identification and NOT cast a provisional ballot.

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

Confirm that the voter is qualified to vote (i.e., meets the age, criminal status and durational residency requirements found in the manual) and that the voter registered in time to vote in this election. Next, using the online poll locator tool, make sure the voter is at the correct polling place.

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

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

Call the Legal Command Center immediately to report the problem. An attorney will be dispatched to the polling place. Encourage the voter to go back inside the polling place and demand the right to vote by a REGULAR ballot if they have another form of acceptable identification or by provisional ballot. See section VI of the manual.

Where there is no Legal Command Center, call the Board of Elections office for that county. If there is an on-call attorney in that jurisdiction, advise the attorney of the problem.

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

Provisional ballots are a LAST resort. Have the pollworker confirm whether the voter is in the correct precinct for his or her current address and check his or her registration with the county.

There are instances where a provisional ballot is required and/or permitted (such as if the voter has moved, failed to respond to a Board of Elections notice, or lack certain identification). See section VI of the manual.

Whenever a provisional ballot is used, the voter must be given written information on how and where to follow up to see whether his or her ballot was counted and, if not, why not.

Where to Vote:

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

Voters may look up polling locations at <http://www.sos.state.oh.us/SOS/elections/voterInformation/whereToVote.aspx> or by calling the Hotline (1-866-OUR-VOTE; 1-866-687-8683).

2. I have moved within the same PRECINCT and have not updated by 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 or her registration. If the updated address is within the precinct, the voter must be permitted to vote a regular ballot.

3. I have moved to a different precinct within the same COUNTY and I have not updated my address for voter registration purposes. Where should I vote?

The voter should go to new polling location that corresponds to his or her new address or to the county Board of Elections, complete and sign a change of residence form and vote a provisional ballot.

4. I have moved from one county to another and have not updated my address for voter registration purposes. Where should I vote?

The voter should go to the Board of Elections office in the voter's NEW COUNTY, complete and sign a change of residence form and vote a provisional ballot.

Assistance at the polls:

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

Ohio law requires that each polling place be accessible to physically disabled voters, unless exempted from compliance by the Secretary of State. If a voter reports that a polling place is not accessible to the handicapped, call the Legal Command Center so an attorney can get in touch with the responsible election official to report the problem immediately. Where there is no Legal Command Center, call the election superintendent's office for that county. If there is an on-call attorney in that jurisdiction, advise the attorney of the problem.

Curbside voting is available to any voter with a disability who travels to his or her polling place but is unable to enter the polling place because the polling place is exempt from accessibility requirements. That voter may receive assistance in voting from two polling place officials of major political parties, either in the vehicle that conveyed the elector to the polling place, or at the door of the polling place.

2. I am blind; physically disabled or can not 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 take a person of their choice into the voting booth (except their employer, an officer or agent of their employer, or an officer or agent of their union). Election Protection volunteers can serve as assistants to disabled or language minority voters if asked to do so by the voter. If a poll worker refuses to allow a disabled or language minority voter to bring a person of their choice into the voting booth call the Legal Command Center or, where there is no Legal Command Center, call the election superintendent's office for that county. If there is an on-call attorney in that jurisdiction, advise the attorney of the problem.

Ohio is not covered by the language minority provisions of the Voting Rights Act of 1965. However, the county Board 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.

All poll monitors, including Election Protection volunteers, must stay at least 100 feet from the entrance to the polling place. So long as a solicitor complies with this rule, they may solicit a voter. If they are violating the 100-foot requirement, contact the Legal Command Center to report the problem, let them know the extent of the problem and work with them to assess if calling an election official is necessary.

Where there is no Legal Command Center, call the Board of Elections office for that county. If there is an on-call attorney in that jurisdiction, advise the attorney of the problem.

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

The voter may cast a provisional ballot. If they actually have cast their absentee ballot, the Board of Elections will first look to see whether the absentee ballot is valid and, if so, will count that. If there was a problem with the absentee ballot, the Board of Elections will look to the provisional ballot and apply the rules for counting such ballots.

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

Call the Legal Command Center immediately. An attorney will be dispatched to the polling place. If the voter agrees, put them on hold while you call the Legal Command Center so they can send an attorney to the location immediately. Then, gather as much information from the voter as possible. After hanging up with the caller, call back the Legal Command Center and fill the attorneys there in on the details. Also, alert the call center manager.

Where there is no Legal Command Center, call the election superintendent's office for that county. If there is an on-call attorney in that jurisdiction, advise the attorney of the problem. Again, be sure to alert the call center manager.

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

Yes. Ohio law permits convicted felons to vote so long as they are not currently serving a felony sentence of incarceration. Once a convicted felon is released from physical incarceration (probation, parole, or completion of sentence), they can re-register to vote and vote. One exception is that a new law effective September 30, 2008 has the effect of barring you from voting if you have entered a guilty plea, even if you are not yet in prison. If any question is raised concerning this law, you should contact an attorney.

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, criminal status, durational residency requirements) and that they have registered on time for this election. If so, contact the Legal Command Center to dispatch an attorney to the location and contact the appropriate election official. Where there is no Legal Command Center, call the election superintendent's office for that county. If there is an on-call attorney in that jurisdiction, advise the attorney of the problem.