

**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 7:00 AM and the polling place is not open.**

Immediately contact the County Election Commission to report the problem. You can find information on SC County Election Commissions at <http://www.state.sc.us/scsec/election.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 back-up paper ballots (preferably) or by provisional ballots.

**2. It is 7:00 PM and my precinct is closed or closing and they will not let me vote.**

Immediately contact the County Election Commission to report the problem. You can find information on SC County Election Commissions at <http://www.state.sc.us/scsec/election.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 or by provisional ballot. Each voting place where voting machines are used must have the following number of ballots available: a number of ballots not greater than 10% of the registered qualified voters at the voting place. 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?**

Yes. 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 cast a provisional ballot.

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

If an individual has proper identification, but his/her name does not appear on the registration book, a manager must call the county registration office to verify the voter's eligibility or the voter has the right

to vote by provisional ballot. The provisional vote will be counted if the election supervisors determine that he/she is eligible to vote.

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

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 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 a copy of their ID, in which case they can vote by provisional ballot).

If the voter cannot provide any of the approved forms of identification, the voter may still be eligible to cast a provisional ballot.

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

Provisional ballots are a LAST resort.

1. Provisional votes are kept separately and not counted but turned over by the managers to the Commissioners of the Election or other authority having supervision of the election.
2. At the meeting scheduled for Thursday following the election, the state officers having supervision of the election will hear all objections to these votes from any person who appears to offer evidence to sustain an objection made at the polls:
  - If the challenger appears and produces witnesses or evidence in support of the challenge, the authority in charge must proceed to hear and determine the question. The authority's decision is final.
  - If no one appears to sustain the objection or if the authority found that the challenge was unsubstantiated, the ballot is no longer provisional and is removed from the envelope, mingled, and counted and the totals will be added to the previously counted regular ballot totals

## **Where to Vote:**

### **1. Where do I vote (for voters who have not moved)?**

You can look up polling locations at [www.vote411.org](http://www.vote411.org). Precinct information for South Carolina can also be found at <http://www.state.sc.us/scsec/precinctsnew.html>.

### **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/her registration by making an oral or written affirmation of the address change. If the updated address is within the precinct, the voter must be permitted to vote.

**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?**

Voters have two options: (1) the voter may correct the voting records and vote provisional ballots containing only the races for federal, statewide, countywide, and municipal-wide offices at the voter's FORMER voting place once the voter has made an oral or written affirmation of the address change; or (2) the voter may correct the voting records and vote at the MAIN OFFICE of the County Board of Registration in his/her NEW COUNTY of residence once the voter has made an oral or written affirmation of the address change.

**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 notice of change of residence form and vote a provisional ballot. Upon casting the provisional ballot, the elector must also complete and sign an attestation that the elector has moved, has cast a provisional ballot, and will not attempt to vote at any other location.

### **Assistance at the polls:**

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

The county election commission in each county of South Carolina is encouraged to make every polling place barrier-free and shall provide at least one polling place, free of architectural barriers, which shall be known as the Countywide Barrier-Free Voting Precinct, for use by physically handicapped electors of the county. Such polling place may be within any existing polling place that now is barrier-free or that is made barrier-free. Any physically handicapped elector, regardless of his place of residence in the county, may vote in this polling place if he/she meets the requisite criteria. This requires a 30-day advanced written application and authorization by the county board.

Also note that a disabled elector who travels to that elector's polling place but who is unable to enter the polling place or cannot stand in line to vote may vote outside in the closest available parking area and vote in the car he/she arrived in. The voter must use a paper ballot if the polling place uses voting machines.

**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 who requires assistance because of blindness, disability, or inability to read or write must alert the managers of this fact. The chairman of the managers shall appoint one of the managers and any person of the voter's choice (with the exception of his/her employer, an agent of his/her employer, or any officer/agent of the voter's union) to assist the voter.

Instead of the above assistance, a voter may choose to have a member of his family assist him. If the voter is blind, he/she may choose any person to render assistance and a manager need not be present.

If a poll worker refuses to allow a disabled or language minority voter to bring a person of their choice into the voting booth, immediately contact a Commander to alert him or her to the problem. The

Commander may call the local County Board of Registration office, or the County Election Commission in the voter's area, or Election Protection at 1-866-OUR-VOTE.

While South Carolina is not required, based on the 2000 census and the Voting Rights Act of 1965, to provide alternative language accessibility to any jurisdiction in the State, the statewide voting system currently used in the State contains this feature.

## **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 200 feet from the entrance to the polling place; they can solicit you if they comply with this rule. If they are violating the 200-foot requirement, immediately alert a Commander to the problem. The Commander may contact the local County Board of Registration office or the County Election Commission in the voter's area or Election Protection at 1-866-OUR-VOTE to report the problem.

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

Individuals to whom an absentee ballot has been issued, whether the ballot has been cast or not, may NOT vote in person on Election Day UNLESS the voter can furnish to the officials of his resident precinct a certificate from the County Board of Voter Registration that his absentee ballot has been returned to the board unmarked.

### **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 will not be able to make it to the polls on Election Day. Will I still be able to vote?**

The following people may vote using an absentee ballot if they will not be in their county on Election Day:

1. members of the Armed Forces and the Merchant Marine of the United States, their spouses, and dependants residing with them;
2. persons serving with the American Red Cross or the United Service Organization (USO) attached to and serving with the Armed Forces of the United States;
3. government employees, their spouses, and dependents residing with him;
4. persons in employment;
5. overseas citizens;
6. electors with a death or funeral in the family within a three-day period before the election;
7. persons on vacation;
8. persons who will be serving as jurors in a state or federal court on Election Day;
9. students, their spouses, and dependents residing with them;
10. persons sixty-five years of age or older; and
11. persons attending to sick or physically disabled persons.

The following people may vote by absentee ballot regardless of their location:

1. physically disabled persons;
2. certified poll watchers, poll managers, county voter registration board members and staff, county election commission members and staff working on Election Day;
3. persons admitted to a hospital as an emergency patient on the day of the election or within a four-day period before the election;
4. persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county registration board; and
5. persons confined to jail or pre-facility pending disposition of arrest or trial.

A request for an application to vote by absentee ballot may be made to the county registration board, in person, by telephone, or by mail, at any time during the calendar year of the election. Completed applications must be returned to the county registration board in person or by mail before 5:00 p.m. on the fourth day before the election.

A member of the immediate family of a person who is admitted to a hospital as an emergency patient on the day of the election or within the four-day period before may obtain an application from the registration board on the day of an election, complete it, receive the ballot, personally deliver it to the voter, and personally carry it back to the Board of Registration.

#### **5. I have a felony conviction. Can I vote?**

Yes. South Carolina law permits convicted felons to vote so long as the voter has completed his/her sentence, including any period of parole or probation, and the voter has registered to vote since that time.

#### **6. I am a college student, can I vote where I go to school?**

Students may register to vote in the community where they attend college only if they establish they are a bona-fide resident of that community. In establishing such residency, it must be demonstrated the student intends to remain in the community permanently or indefinitely. 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.