

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 Auditor to report the problem. You can find information on County Election Offices at <http://www.sdsos.gov/electionsvoteregistration/auditorcontactinformation.shtm>.

If the polling place is open at 7:00 a.m. but the voting machines have not arrived, contact the County Auditor immediately. Voters should be permitted to vote by paper ballots (preferably) or by provisional ballots if there are no machines available.

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

Immediately contact the County Auditor to report the problem. You can find information on County Election Offices at <http://www.sdsos.gov/electionsvoteregistration/auditorcontactinformation.shtm>.

3. There are equipment problems at my precinct and I cannot vote.

Encourage the voter to ask to vote by a back-up paper ballot or by provisional 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. Information can be found at www.eff.org.

Identification and Provisional Ballots:

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

Yes. If you do not have a valid personal identification card to prove your identity, you have the right to vote by signing an affidavit instead.

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

As long as you are a qualified voter (i.e., meet the age, criminal status and durational residency requirements) and registered in time to vote in this election, you may vote.

If your name does not appear on the precinct registration list, you may present an acknowledgement notice and must be permitted to vote if it is found that your name was erroneously omitted from the registration list.

If you are denied the ability to vote and you maintain that you are currently registered to vote in that precinct, you may cast a provisional ballot.

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

Alert a Commander immediately to report the problem. An attorney will be dispatched to the polling place. The voter should be allowed to vote after signing an affidavit as to the voter's identity.

Where to Vote:

1. Where do I vote?

www.vote411.org provides a polling place lookup. Voters may also contact their County Auditors to determine where their polling place is located.

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

If you have moved to a new residence within the same county, you have the right to vote at the poll where you are still registered after completing an affirmation of your new address.

3. I moved from one county to another county and I have not reregistered to vote. Where do I go to vote?

If you have moved to a new residence within South Dakota, you have the right to vote at the poll where you are still registered after completing an affirmation of your new address.

Assistance at the polls:

1. I am a physically disabled voter. Will my polling place be accessible?

South Dakota law requires each polling place to be accessible to disabled voters. If polling place is not handicap accessible, alert a Commander so an attorney can get in touch with the responsible election official to report the problem immediately.

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

Yes. Voters may request assistance for any of the reasons stated above and may obtain assistance from election officials or from any person they select.

If a poll worker refuses to allow a voter to bring a person of their choice into the voting booth, a Commander should be alerted immediately by the volunteer.

3. I am a Native American and require assistance in registering and/or voting. Where may I obtain assistance?

The Voting Rights Act Amendment of 1975 requires that certain counties in South Dakota provide election assistance to any Native American by providing a person proficient in both the local Sioux dialect and English language in all precincts of the county. Following is a list of the counties covered by

the provisions of the Voting Rights Act Amendments, and the languages for which interpreters must be made available:

Bennett County	--	American Indian (Sioux)
Codington County	--	American Indian (Sioux)
Day County	--	American Indian (Sioux)
Dewey County	--	American Indian (Sioux)
Grant County	--	American Indian (Sioux)
Gregory County	--	American Indian (Sioux)
Haakon County	--	American Indian (Sioux)
Jackson County	--	American Indian (Sioux)
Lyman County	--	American Indian (Sioux)
Marshall County	--	American Indian (Sioux)
Meade County	--	American Indian (Sioux), American Indian (Cheyenne)
Mellette County	--	American Indian (Sioux)
Roberts County	--	American Indian (Sioux)
Shannon County	--	American Indian (Sioux)
Stanley County	--	American Indian (Sioux)
Todd County	--	American Indian (Sioux)
Tripp County	--	American Indian (Sioux)
Ziebach County	--	American Indian (Sioux)

Miscellaneous Issues:

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

No person may, in any polling place or within a building in which a polling place is located or within 100 feet from any entrance of any polling place, maintain an office or communications center or public address system, or display campaign posters, signs or other campaign materials, or any other similar means to solicit any votes for or against any person or political party or position on a question submitted. No person may engage in any practice that interferes with the voter's free access to the polls or disrupts the administration of the polling place. No person may conduct, on the day of an election, any exit poll or public opinion poll with voters within 100 feet of a polling place.

If any person is violating the foregoing restrictions, alert a Commander immediately.

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

If you want to vote in person at the polls on Election Day and have NOT returned the absentee ballot, you can vote by REGULAR ballot.

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?

Yes. If you have been convicted of a felony, you have the right to vote after fully completing your sentence of imprisonment (either served or suspended), and re-registering to vote.

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

Yes. College students can register and vote where they go to school, provided they meet the state's residency requirements. Students must be held to the SAME eligibility requirements as any other voter in the jurisdiction.

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.