

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 Clerk to report the problem. You can find information on County Clerks at <http://elections.utah.gov/countyclerks.html>.

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 (preferably) or by provisional ballots if there are no machines available.

2. It is 8:00 PM and my polling place is closed or closing and they will not let me vote.

A voter in line at 8:00 must be allowed to vote.

Immediately contact the County Clerk to report the problem. You can find information on County Clerks at <http://elections.utah.gov/countyclerks.html>.

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. 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 my identification with me. Can I vote?

Yes. Voters in Utah are not required to show identification to vote, with two exceptions. If the voter is a first-time voter who registered by mail and did not present acceptable identification at that time, the voter will need to show identification to obtain a regular ballot. If the election judge has reason to doubt the voter's identity, the voter may also be asked to provide identification. If the voter in either of these situations cannot provide that identification, he or she 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 polling place. 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, 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 the voter's registration. If the voter still is not on the rolls, let the voter know that he or she may vote by provisional ballot. This is a LAST resort, as provisional ballots are not automatically included in the final tally of votes cast.

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

Alert a Captain immediately. 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 he or she can vote by provisional ballot).

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

Provisional ballots are a LAST resort.

Any voter whose name is not listed on the official register at the polling place or whose eligibility is challenged or cannot be determined at the polls on Election Day may vote by provisional ballot. The voter will be allowed to enter the voting booth, mark his or her ballot, place the ballot in the provisional ballot envelope and complete the information printed on the envelope.

Provisional ballot envelopes include a Citizenship Affidavit, in which provisional ballot voters are required to swear and affirm that the information on the envelope is correct. If the poll worker determines that the voter signing the affirmation on the face of the provisional ballot envelope is a registered voter and legally qualified to vote the ballot that the voter voted, the poll worker will place the ballot with the absentee ballots to be counted. The provisional ballot envelope includes a unique number and a detachable part that the voter may use to determine whether his or her vote was counted, in accordance with the system established by each county.

Where to Vote:

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

You can look up polling place locations at <http://www.voterlink.utah.gov/Poll.htm>. You may also contact the State Elections Office at (801) 538-1041 or contact your County Clerk for a list of polling place locations.

2. I have moved within the SAME PRECINCT and have not updated my 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 upon affirming the change of address orally or in writing before the poll worker.

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 the new polling location that corresponds to his or her new address or to the county board of elections, complete and sign a Notice of Change of Address 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 new voter registration form and vote a provisional ballot.

Assistance at the polls:

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

State of Utah law requires that each polling place be accessible to physically disabled voters and that each polling place have at least one booth configured to accommodate disabled persons, but some may not. If a voter reports that a polling place is not accessible to the handicapped, alert a Captain immediately.

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 (except for the voter's employer, a co-worker, a candidate or an officer or member of the voter's union) into the voting booth, including a poll worker. 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, alert a Captain immediately.

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 150 feet from the entrance to the polling place; they may solicit you if they comply with this rule. If they are violating the 150-foot requirement, alert a Captain immediately.

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, he or she should be allowed to vote in person by REGULAR ballot.

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

Contact a Captain immediately. An attorney will be dispatched to the polling place. If the voter agrees, put them on hold while you call the Captain 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. Utah law permits convicted felons to re-register to vote so long as they are not currently serving a felony sentence of incarceration. This includes those who are on probation, on parole, or who have successfully completed the term of incarceration to which he or she was sentenced.

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