

**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 6:00 AM and the polling place is not open. What should I do?**

Immediately contact the local County Election Official. MO. REV. STAT. § 115.407 (2007). You can find contact information at <http://www.sos.mo.gov/elections/countyclerks.asp>.

If the polling place is open at 6:00 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.

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

Immediately contact the local County Election Official. MO. REV. STAT. § 115.407 (2007). You can find contact information at <http://www.sos.mo.gov/elections/countyclerks.asp>. Also alert a Commander.

**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 or by provisional ballot. MO. REV. STAT. § 115.265 (2007).

If you are volunteering at a call center and 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. You do not need to present a photo ID. You do need to provide one of the following pieces of identification:

- Identification issued by the state of Missouri, an agency of the state, or a local election authority of the state;
- Identification issued by the United States government or a United States government agency;
- Identification issued by an institution of higher education, including a university, college, or vocational and technical school, located within the state of Missouri;
- A copy of a current utility bill, bank statement, paycheck, government check or other government document that contains the name and address of the voter;
- Driver's license or state identification card issued by another state;
- If you do not possess any of these forms of identification you may still cast a ballot if two supervising election judges, one from each major political party, attest they know you.

MO. REV. STAT. § 115.427.1 (2007).

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

First, confirm that the voter is a qualified to vote (i.e., meets the age, criminal status and durational residency requirements found on page 2 of the manual), MO. REV. STAT. § 115.113 (2007), and that the voter registered in time to vote in this election. MO. REV. STAT. § 115.135 (2007). 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 or Board of Election Commissioners and confirm her or his registration. If the voter still is not on the rolls, let the voter know that he or she can vote provisionally. 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. MO. REV. STAT. § 115.430.5 (2007).

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

Voters in Missouri must show one of the following forms of ID or cast a provisional ballot:

- Identification issued by the state of Missouri, an agency of the state, or a local election authority of the state;
- Identification issued by the United States government or a United States government agency;
- Identification issued by an institution of higher education, including a university, college, or vocational and technical school, located within the state of Missouri;
- A copy of a current utility bill, bank statement, paycheck, government check or other government document that contains the name and address of the voter;
- Driver's license or state identification card issued by another state.

MO. REV. STAT. § 115.427.1 (2007).

If a poll worker is turning voters away if they don't have photo ID, immediately contact a Commander.

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

Provisional ballots are a LAST resort. Provisional ballots are only counted if election officials can later establish the voter's eligibility. MO. REV. STAT. § 115.430 (2007). In addition, provisional ballots must be cast at the correct polling place or a central polling place for the ballot to be counted. MO. REV. STAT. § 115.430.5 (2007). In most cases, it is better for the voter to go home to obtain proper ID, travel to the proper polling place, or verify eligibility to vote with the County Clerk or Board of Election Commissioners (see question 2 above) rather than vote using a provisional ballot.

## Where to Vote:

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

Voters can look up polling locations at <http://mcvr.mo.gov/PollingPlaceLookup/>. Voters may also call the local County Clerk or Board of Election Commissioners to determine their respective polling places.

### **2. I have moved within the same PRECINCT or COUNTY and have not updated my address for voter registration purposes. Where should I vote?**

The voter should go to the appropriate polling place for the precinct in which he or she currently lives. The voter will be able to update his or her address before an election judge at the polling place. MO. REV. STAT. § 115.165 (2007).

### **3. I have moved to a different county and I have not updated my address for voter registration purposes. Where should I vote?**

If the voter moved AFTER the last day authorized to register to vote, the voter should go to new polling location that corresponds to their new address or to the county board of elections. The voter will be required to register to vote in the new jurisdiction, but may then vote a ballot for president and vice president, United States senator, representative in Congress, statewide elected officials, and any statewide questions, propositions or amendments. MO. REV. STAT. § 115.165 (2007)

If the voter moved PRIOR to the last day authorized to register to vote, she or he will be ineligible to vote at this election. MO. REV. STAT. § 115.165 (2007)

## Assistance at the polls:

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

Missouri law requires that each polling place be accessible to physically disabled voters, but many are not. In cases where a voter is unable to enter a polling place, election judges are required to bring either a ballot and the equipment necessary to vote or an absentee ballot to a voter located within 200 feet of the polling place. MO. REV. STAT. § 115.436 (2007). If a voter reports that a polling place is not accessible to the disabled, contact 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 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 may be assisted by the election judges or by any person of the voter's choice other than a judge. If the voter asks for the assistance of election judges, two judges of different political parties will go to the voting booth and cast the vote as the voter directs. MO. REV. STAT. § 115.445 (2007). Election Protection volunteers can serve as assistants to disabled or language minority voters if asked to do so by the voter. However, no person, other than election judges and members of a voter's immediate families, may assist more than one voter at one election. If a poll worker refuses to allow a disabled or language minority voter to bring a person of their choice into the voting booth contact a Commander.

Missouri 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 25 feet from the entrance to the polling place; they can solicit you if they comply with this rule. MO. REV. STAT. § 115.637(18) (2007). If they are violating the 25-foot requirement, contact a Commander 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.

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

As long as you have NOT already submitted the absentee ballot, and are otherwise qualified, you should be allowed to vote in person by REGULAR ballot. MO. REV. STAT. § 115.297 (2007).

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

Alert a Commander immediately. MO. REV. STAT. § 115.111 (2007). An attorney may be dispatched to the polling place. If the voter agrees, put them on hold while you contact a Commander so that an attorney can be sent 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. Missouri law permits a convicted felon to vote if he or she was convicted of a felony other than one related to voting, and has fully completed his or her sentence (including being fully discharged from probation or parole). MO. REV. STAT. § 115.133 (2007).

### **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 his or her home. MO. REV. STAT. § 115.133 (2007). 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 he or she has fulfilled all of the registration requirements (age, criminal status, durational residency requirements), MO. REV. STAT. § 115.430 (2007), and that the student registered on time for this election. If so, contact a Commander to dispatch an attorney to the location and/or contact the appropriate election official.