

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 hotline (1-866-OUR-VOTE, 1-866-687-8683) or the Command Center to report the problem. The Secretary of State Election Services Division telephone number is 602-542-8683.

If the polling place is open at 6:00 a.m. but the voting machines have not arrived, call a Commander 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. What should I do?

Immediately contact the hotline (1-866-OUR-VOTE, 1-866-687-8683) or the Command Center to report 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. If a caller reports problems with machines, immediately contact the hotline (1-866-OUR-VOTE, 1-866-687-8683). There will be an 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?

At the polls, all voters in Arizona must present identification bearing their name and current address (either one form of government issued photo identification or two pieces of non-photo identification). A registered voter who does not have the identification required to obtain a regular ballot may vote by using a conditional provisional ballot. For a conditional provisional ballot to be counted, the County Recorder's Office must receive proof of acceptable identification by 5:00 p.m. on the fifth (5th) business day after an election in which there are candidates for federal office (3 business days for any other election).

A list of acceptable identification can be found at http://www.azsos.gov/election/Prop_200/poll_identification.htm

Identification laws in Arizona have changed substantially since 2004. Many voters may be confused about the new rules. Voters who possess acceptable identification but did not bring it to the polls may either retrieve acceptable ID and return to the polls to vote a regular ballot or vote a conditional provisional ballot, which will be counted as explained above.

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

Yes. Confirm that the voter is a qualified to vote (i.e., meets the age, citizenship, "civil rights restored status," if convicted of treason or a felony, and durational residency requirements found on page 6 of the Manual) and that the voter registered in time to vote in this election. Next, using the online poll locator tool¹, make sure the voter is at the correct polling place.

The online poll locator tool can be accessed at http://www.azsos.gov/election/polling_places.htm.

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 Recorder's Office and confirm their registration. If the voter still is not on the rolls, let the voter know that he or she can vote by conditional provisional ballot. This is a LAST resort, as provisional ballots will only be counted if the County Recorder is able to verify the voter's registration status. If the voter has proof of his registered status (e.g., a voter registration form receipt or a voter registration card), the voter should be encouraged to go to the County Recorder's Office immediately after voting to resolve the issue.

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

A registered voter must be allowed to vote by conditional provisional ballot even if the voter does not bring an ID to the polling place. Contact a Commander immediately to report the problem.

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

Conditional provisional ballots are a LAST resort. If a conditional provisional ballot has been provided to a voter who does not present the required identification at a polling place, the conditional provisional ballot will not be processed and counted unless proof of identification is received by the County Recorder's Office by 5:00 p.m. on the fifth business day after a general election that includes an election for a federal office or 5:00 p.m. on the third business day after any other election.

Federal law requires that each person casting a provisional ballot must be given written instructions on how to contact a "free access system" to determine whether the voter's ballot was counted. In Arizona, the County Recorder must notify a voter whether her provisional ballot was counted by mail, a toll free number, Internet access or other similar method that will allow the voter to access information.

For Maricopa County, the status of a provisional ballot may be checked over the Internet by going to the County Recorder's website at <https://recorder.maricopa.gov/pbstatus/pbstatus.aspx>. In other counties, the voter should ask a poll worker to provide the "free access system" information for their county.

Where to Vote:

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

¹ Consider adding website on online poll locator tool.

You can look up polling locations at www.vote411.org. Also, polling locations often can be found on the County Recorder's website. For example, polling locations for Maricopa County can be found at <http://recorder.maricopa.gov/pollingplace05/pollingplace.aspx> and Pima County polling locations can be found at <http://www.recorder.pima.gov> under "Polling/Voter Info."

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

A registered voter who moves within the same county, either within the same precinct or to a new precinct, and who fails to notify the County Recorder before the election, may correct his or her registration address at the polling place with the new address. The voter must present a form of identification that has his or her full name and an address within the new precinct. The voter must also affirm the new residence address in writing and vote a provisional ballot.

A voter may also correct the residence address by making a written request for an early ballot and notifying the County Recorder of the address change. The written request must contain the following: (1) a request to change the voter registration record; (2) the voter's new residence address; (3) an affirmation that the information is true and correct; and (4) the voter's signature.

3. I have moved to a DIFFERENT COUNTY and have not updated my address for voter registration purposes. Where should I vote?

A registered voter who moves to another county within the 29-day period preceding an election is deemed to be a resident and registered in the county from which the voter moved until the day after the election. In other words, the voter should vote at his or her old precinct polling place in the county from which the voter moved.

Assistance at the polls:

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

Federal and Arizona law require that each polling place be accessible to physically disabled voters. In the event that no handicapped accessible polling place is available, the voter, by making an advance request, may vote by alternative means.

If a voter reports that a polling place is not accessible to the handicapped, 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 cannot read English and require assistance at the polls in order to vote. Can I get assistance at the polls?

Yes. Voters may seek assistance from a person of their own choosing or may ask for assistance from two election officials, one from each major party. Voters may request assistance either before or after entering the voting booth. Election Protection volunteers can serve as assistants to disabled or language minority voters if asked to do so by the voter.

Subject to limited exceptions, voting systems must be available for blind and visually-impaired voters that allow them to cast their votes and verify their selections on an equivalent basis with voting systems based on visual methods. A.R.S. § 16-442.01.

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.

Miscellaneous Issues:

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

In general, no person is allowed within 75 feet of a polling place except for persons who are at the polling place for purposes of voting, minors who accompany a voter, a person assisting a voter, election officials, appointed representatives from each political party on the ballot and challengers allowed by law. If anyone is violating the 75-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 early ballot but I want to vote in person on Election Day?

A voter who applied for, but did not vote, an early ballot may vote a provisional ballot at the polls on Election Day if the voter states that he has not voted and will not vote the early ballot or if he or she surrenders the early ballot to the precinct inspector.

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. In Arizona, voting rights for a first-time offender are automatically restored when the person completes probation or receives an absolute discharge from imprisonment and pays any fine or restitution imposed. When the person completes their sentence, the only thing he or she needs to do is to complete and submit a new registration form.

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

Per Attorney General Opinion 72-1 (R-18), college students are treated the same way as anyone else residing in Arizona. An unemancipated minor attending college in Arizona whose parents are non-residents of the State may register to vote in Arizona when he/she reaches the age of 18. Confirm that the voter is a qualified to vote (i.e., meets the age, citizenship, "civil rights restored status" if convicted of treason or a felony, and durational residency requirements found on page 16 of 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 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.