

Poll Watchers Brief Guide to Voter Eligibility, Challenges, Electioneering and Provisional Ballots

As a poll watcher you may encounter these common problems facing voters:

See BALLOT ENTITLEMENT SHEET

Voter is not on the voter rolls:

The voter may **not** be at the correct precinct or polling place. The election judges should be able to direct the voter to the correct polling place. Call the party, campaign office, or voting organization, to verify the correct location.

Voter has moved:

The voter moved within the jurisdiction, but did not notify the election officials. He or she can vote in **federal races at the polling place for the voter's previous address.**

Provisional Ballots:

If there is no polling place that has the voter listed as registered, the voter can request a **provisional ballot**. ***The majority of provisional ballots are not counted—so every effort should be made to get the voter a regular ballot.***

Voter is listed but is challenged:

If the challenge is unwarranted for any reason, it should be contested. If the challenge is **won**, the voter may have a regular ballot. If it is **lost**, then the voter should have a Provisional Ballot.

Electioneering

Electioneering is not permitted within a polling place or within 100 feet of a polling place.

Election material—signs, buttons, pamphlets, cards, or other material is prohibited within this zone.

Electioneering also includes any verbal campaigning for candidates or for a political party.

This "campaign free zone" is to be marked with cones or flags.

The area is generally 100 feet from the entrance of the doorway to the poll room rather than the entrance of the building.

A polling place in a private business, a public or private school, or in a church may apply the campaign free zone to its entire property.

The law is to be "construed liberally in favor of people engaged in electioneering on all polling place property outside the campaign free zone...."

Campaigners are likely to win an electioneering issue, such as the temporary placement of a sign, or the handing out of campaign material so long as the campaigner is beyond the permitted zone 100 feet from the poll.

Local laws that contradict this are void (have no effect.) Illinois election code follows.

(10 ILCS 5/17-29) (from Ch. 46, par. 17-29) A person shall have the right to congregate and engage in electioneering on any polling place property while the polls are open beyond the campaign free zone, including but not limited to, the placement of temporary signs. This subsection shall be construed liberally in favor of persons engaging in electioneering on all polling place property beyond the campaign free zone for the time that the polls are open on an election day.

(c) The regulation of electioneering on polling place property on an election day, including but not limited to the placement of temporary signs, is an exclusive power and function of the State.



ILLINOIS VOTER INFORMATION

Polling Place Hours - 6 a.m. to 7 p.m.



Instructions for First Time Voters Who Registered by Mail

If you register by mail, you must vote in person the first time, either at the polling place, in-person absentee or early voting. Exception: UOCAVA and the Voting Accessibility for the Elderly and Handicapped Act (HAVA 303(b)(2)(c)).

If you registered to vote by mail after January 1, 2003, and you did not submit a copy of the required identification with the application for registration at that time, and you will be voting in a jurisdiction for the first time, then you will be required to submit a copy of one of the following:

- A current and valid photo identification
- Utility bill
- Bank statement
- Government check
- Paycheck
- Government document

If you use a photo id, and the photo ID has an address, it must match the registration address. If a photo id is not used, the document must show your name and address. It must be presented to the election officials before being permitted to vote. If you do not present a required form of identification, you may vote a Provisional Ballot.

Voting Rights

- ✓ Voters whose names do not appear on the poll list, or are unable to comply with the identification requirements for mail-in registrants, are entitled to vote by provisional ballot if they declare they are registered to vote in the jurisdiction and eligible to vote in the election.
- ✓ Voters who vote by provisional ballot are entitled to written information describing how they may learn, through a free access system, whether their provisional ballot was counted by election officials, and if it was not counted, why not.
- ✓ Voters who vote after the established time for polls to close due to a court order requiring the polls to remain open for extended hours will have to vote by provisional ballot (unless those voters were in line at the time polls closed).
- ✓ Voters whose voting status has been challenged by an election judge, a pollwatcher, or any legal voter and that challenge has been sustained by a majority of the election judges may vote provisionally.
- ✓ Voters who are registered to vote and who have moved within their election authority's jurisdiction more than 30 days before an election for federal office may vote in that election (for federal offices) under the failsafe procedures set forth in NVRA. Such voters must vote in the polling place for the residence from which the voter most recently registered even if they did not advise the election authority of the move.
- ✓ Voters who have submitted to the appropriate election authority (either in-person or by mail) their completed registration application by the close of registration as permitted by state law, and such registration application has been determined to be valid by the election authority, are entitled to be registered and vote in that election.
- ✓ Voters are entitled to notice of the disposition of their voter registration application.
- ✓ Voters who are otherwise qualified to vote may be entitled to register and vote absentee in an election for if they are in the military or are residing overseas.
- ✓ Voters in jurisdictions with a statutorily-specified minimum number of voters who speak a primary language other than English may be entitled to receive a written ballot or other election materials or assistance in a language other than English.

- ✓ Voters who require assistance in voting due to blindness, disability or inability to read or write may receive assistance from a person of the voter's choice other than the voter's employer or union (or agent thereof).
- ✓ Voters who are confined or detained in a jail or prison pending a trial are not disqualified from voting. Such confinement or detention is a specific reason for absentee voting.
- ✓ Jurisdictions must not apply standards or practices which deny or abridge the right to vote in violation of the U.S. or Illinois Constitution (denial on the bases of race, religion, gender, etc.).
- ✓ Jurisdictions must take steps to make the registration and voting process accessible to the elderly and to individuals with disabilities.
- ✓ Persons must not intimidate, threaten or coerce any other person for registering or voting; for urging or aiding persons in registering or voting; for purposes of interfering or influencing how a person chooses to vote; or for purposes of preventing a person from voting.
- ✓ Election officials must not unlawfully fail or refuse to permit a person to vote who is entitled to vote and must not refuse to tabulate, count and report such person's vote.
- ✓ Election officials must retain and preserve for 22 months after any election that includes a federal candidate all records and papers relating to registration and voting in that election.

Prohibited Acts of Fraud and Misrepresentation

- ✓ Persons must not make any false statement or falsely claim that they are citizens of the United States in order to register or vote in any Federal, State, or local election.
- ✓ Persons must not vote more than once in any election (note: this does not include voting a replacement ballot after a spoiled ballot was invalidated).
- ✓ Persons must not procure or submit materially false, fraudulent or fictitious voter registration applications in any election.
- ✓ Persons must not submit false information as to name, address or period of residence in a voting district for the purpose of establishing eligibility to register or vote in any election.
- ✓ Persons must not procure, cast or tabulate materially false, fraudulent or fictitious ballots in any election.
- ✓ Persons must not pay, offer to pay or accept payment for voting, registering to vote, withholding their vote, or voting for or against any candidate in any election.

Violation of Voting Rights

- ✓ If you have witnessed efforts to commit any kind of fraud or corruption in the voting process, you may report this to your local United States Attorney's Office, the nearest office of the Federal Bureau of Investigation, the Illinois State Board of Elections complaint hotline at 1-866-513-1121, the Illinois Attorney General's office or the office of your election authority.
- ✓ The administrative complaint procedure applies to alleged violations of Title III of the Help America Vote Act of 2002. Any alleged violation(s) of Title III that have occurred, is occurring, or is about to occur may be reported to the IL State Board of Elections. Alleged violations under Title III include, but are not limited to, voting systems standards, accessibility for those persons with disabilities, and voter registration.
- ✓ If you have witnessed actual or attempted acts of discrimination or intimidation in the voting process, you may report this to the Civil Rights Division of the United States Department of Justice at 1-800-253-3931.