

The American Civil Liberties Union (ACLU) is a nationwide, nonprofit, nonpartisan organization with more than 500,000 members dedicated to defending the principles of liberty and equality embodied in the Constitution and our nation's civil rights laws. The New York Civil Liberties Union (NYCLU) is its New York State affiliate. The ACLU doesn't endorse or oppose any candidate or party, but we believe that no civil right is more important in our democracy than the right to vote.

This card is designed to help you protect your own right to vote. Keep it handy, and take it with you to the polls on Presidential Election Day.



## WHO CAN VOTE

### Can I vote in New York?

- You can vote in the Tuesday, November 4, Presidential election if you're registered to vote by Friday, October 10, 2008.
- You can register if you meet **all** of the following qualifications:
  - (1) you're a U.S. citizen;
  - (2) you'll be at least 18 on Election Day;
  - (3) you'll have been a resident of your city or county for at least 30 days on Election Day;
  - (4) you haven't been declared "mentally incompetent" by a court; and
  - (5) you're not currently incarcerated or on parole for a felony conviction.

### What if I'm a student?

- You can register to vote at whatever address you regard as your primary legal residence. This can be your school address or your home address.

### What if I've been convicted of a crime?

- If you were convicted of a misdemeanor or violation, you can still vote, but you have to vote by absentee ballot if you're still incarcerated.
- If you were convicted of a felony by a state or federal court, you can register and vote if you're not currently incarcerated or on parole.
- If you're on probation, you're still eligible to register and vote.

### What if I'm homeless?

- You have the right to vote. You don't need a home to register, but you do have to identify a place of residence (which can be a street corner, a park, a shelter, or any other place where you usually stay). You also have to identify a mailing address, but you can use the address of a local advocacy organization, shelter, outreach center, or anyone willing to accept mail for you.

## REGISTRATION

### How do I register?

- You can register to vote:
  - (1) **in person**, by filling out a voter registration form at your city or county board of elections;
  - (2) **by mail**, by filling out a mail-in voter registration form and mailing it to your city or county board of elections;
  - (3) **when you apply for services** at the Department of Motor Vehicles and state agencies, such as those that provide public assistance (such as Medicaid, WIC, and food stamps) or services to people with disabilities. You can also register at many other state offices and agencies, or on the web at <http://www.elections.state.ny.us/NVRA.html>

- You can get mail-in voter registration forms from your city or county board of elections, your local public library, many government offices, by calling 1-800-FOR-VOTE, or online at <http://www.elections.state.ny.us/Voting.html> or <http://www.vote.nyc.ny.us/register.html>.

### What's the registration deadline?

- If you mail it, your voter registration form must be postmarked by Friday, October 10, and received by your city or county board of elections by Wednesday, October 15. If it's delivered by hand, your voter registration form must be received by your city or county board of elections by Friday, October 10.
- If you're honorably discharged from the military or become a naturalized U.S. citizen after Friday, October 10, you can register in person at your county board of elections until Friday, October 24.

### What if I miss the deadline?

- You won't be able to vote in the Tuesday, November 4 election, but you can register to vote in future elections.

### What if I've moved or changed my name?

- You have to re-register every time you move to a new county or change your name.
- If you changed your name or moved within the same county, but didn't notify your board of elections, you can still vote on Election Day at the polling place for your new address. N.Y. Elec. Law §

8-302. If you moved within the same election district, you'll be able to vote on the machine. If you moved to a new election district, you'll only be able to vote by affidavit ballot or court order.

- If you moved to a new county before the deadline and didn't re-register, you won't be able to vote in the Tuesday, November 4 election.

- If you moved to a new county after the deadline, call your former board of elections to apply for a special Presidential ballot. You'll need to register in your new county to vote in the next election.

### How do I know if I'm registered?

- You can check your registration status online at <https://voterlookup.elections.state.ny.us/votersearch.aspx>, or by contacting your city or county board of elections.

## VOTING EARLY

### Can I vote before Election Day?

- Maybe. You can vote by absentee ballot before Election Day if you're registered to vote and you meet **any** of the following conditions:

- (1) you'll be out of the city or county where you live;
- (2) you're unable to go to the polls because you're ill, physically disabled, or in the hospital;
- (3) you're an inmate or a patient in a Veterans' Administration Hospital;
- (4) you're detained in jail awaiting grand jury action or trial; or
- (5) you're incarcerated after a conviction for a non-felony offense. N.Y. Elec. Law § 8-400

### How do I get an absentee ballot?

- To get an application for an absentee ballot, you can call or visit your city or county board of elections. You can also download an application form at <http://www.elections.state.ny.us/Voting.html> and <http://www.vote.nyc.ny.us/absentee.html>.

- Your completed application must be postmarked no later than Tuesday, October 28, or delivered by hand no later than Monday, November 3.

### What's the deadline for returning my absentee ballot?

- Your completed absentee ballot must be postmarked by Monday, November 3, and received by Tuesday, November 11, or delivered by hand no later than Tuesday, November 4.

## VOTING ON ELECTION DAY

### When is Election Day?

- Tuesday, November 4

### When are the polls open?

- Polls will be open from 6 a.m. to 9 p.m. You have the right to vote if you're in line or inside your polling place when the polls close. N.Y. Elec. Law §§ 8-100 and -104

■ NEW YORK STATE BOARD OF ELECTIONS:  
(800) FOR-VOTE

■ NEW YORK CITY BOARD OF ELECTIONS:  
(866) VOTE-NYC

■ U.S. DEPARTMENT OF JUSTICE:  
(800) 253-3931

■ ACLU VOTING RIGHTS PROJECT:  
(877) 523-2792  
<http://www.votingrights.org>

■ NEW YORK CIVIL LIBERTIES UNION:  
(212) 607-3300  
<http://www.nyclu.org/vote>

■ NEW YORK PUBLIC INTEREST RESEARCH GROUP:  
(212) 349-6460

■ ELECTION PROTECTION COALITION:  
(866) OUR-VOTE  
<http://www.866ourvote.org>



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NEW YORK, NY 10004-2400

*(continued on reverse)*

### Can I get time off from work to vote?

■ Maybe. If your work schedule would prevent you from voting in person while the polls are open, you have the right to take time off from work (up to two hours of which must be paid time off) in order to vote. You have to give your employer at least two, but no more than 10, working days' notice of your need to take time off, and your employer has the right to allow you time off only at the start or end of your shift. N.Y. Elec. Law § 3-110

### Where do I vote?

■ On Election Day, you have to vote at the polling place to which you're assigned.

■ You may get a card in the mail telling you where your polling place is. You can vote even if you don't get this card, and you don't need to bring it with you on Election Day.

■ If you don't have your card, you can call your county board of elections or look up your polling place online at <https://voterlookup.elections.state.ny.us/votersearch.aspx>. If you live in New York City, you can also contact the New York City Board of Elections at (866) VOTE-NYC or look up your polling place online at <http://gis.nyc.gov/vote/ps/index.htm>.

### Can I bring voting literature to the polls?

■ Yes. You can take written or printed election materials with you as long as they're for your own use in casting your ballot. Examples include a sample ballot, a voter guide, or this card. But you're not allowed to show or distribute these materials to anyone else within 100 feet of your polling place, and you may not be allowed to wear campaign clothing, stickers, or buttons in your polling place unless you cover them up.

### What if my polling place is not accessible?

■ If you find this out before Election Day, contact your city or county board of elections right away and ask for an accommodation. You have the right to an accessible polling place and an accessible voting machine. Or, if you prefer, apply for an absentee ballot.

■ Otherwise, bring one or more people to assist you. You have the right to have anyone you choose assist you as long as the person is not your employer, an agent of your employer, or an officer or agent of your labor union.

### Can I get a ballot in my native language?

■ Some counties in New York are required to provide language assistance in Spanish, Chinese and/or Korean. Contact your city or county board of elections before Election Day to find out what's available in your area. Poll workers in places where language assistance is required should offer this assistance to you. If they don't, tell a poll worker that you want assistance in one of these languages. You're entitled to a translation of all ballots and other election materials.

■ If assistance in your language isn't required where you vote, you have the right to bring an interpreter with you to the polls or to get assistance in your language from anyone you choose, including a poll worker, as long as the person is not your employer, an agent of your employer, or an officer or agent of your labor union.

### What if I need help in the voting booth?

■ If you need help because of a physical disability or because you can't read the ballot, tell a poll worker when you get to your polling place. You have the right to have anyone you choose assist you in the voting booth, including a poll worker, as long as the person

is not your employer, an agent of your employer, or an officer or agent of your labor union. N.Y. Elec. Law § 8-306

■ If you need instructions on how to use the voting equipment, ask a poll worker for help. Poll workers are required to help you as long as you ask before you close the voting booth. N.Y. Elec. Law § 8-306

## VOTER ID

### Do I have to show ID?

■ Probably not. Most voters won't need to show ID at all.

■ You need ID **only** if:

(1) you haven't voted in a federal election in your city or county;

(2) you registered to vote by mail after January 1, 2003; **and**

(3) you didn't provide a driver's license number, non-driver's license identification number, the last four digits of your Social Security number, or some other form of identification when you registered. N.Y. Elec. Law § 8-303. If you

registered to vote after July 1, 2005, you probably met the ID requirements when you registered.

### What are the accepted forms of ID?

■ Accepted forms of ID include a current and valid photo ID or a copy of a current utility bill, bank statement, government check, paycheck, or government document showing your name and address. N.Y. Elec. Law § 8-303

### What if I don't have any ID?

■ You can cast an affidavit ballot. N.Y. Elec. Law §§8-302 and 303

■ You also have the right to go to court to ask a judge for an order giving you the right to cast a regular ballot, but this is time-consuming.

## PROBLEMS AT THE POLLS

### What if I'm not on the voter list?

■ First, ask the poll worker to check the list again and to confirm that you're at the correct polling place for your address. If your name is still not found on the voting list, ask for an affidavit ballot. You have the right to vote by affidavit ballot if your name is not on the voter list. N.Y. Elec. Law §8-302 (3)(e)(ii).

■ You also have the right to go to court to ask a judge for an order giving you the right to cast a regular ballot, but this is time-consuming.

### What if I go to the wrong polling place?

■ Go to the right polling place. You can ask a poll worker to help you find the polling place where you're registered or contact your city or county board of elections.

■ If you can't figure out where you're registered, go to the polling place that you think is most likely to be the right one for your address and ask for an affidavit ballot. You have the right to cast an affidavit ballot even if you're not sure you're at the right polling place.

### What if someone challenges my right to vote?

■ Ask to take the challenge oaths. You have the right to cast a regular ballot if you complete the oaths required of you. N.Y. Elec. Law §8-504(7)

### What if someone tries to intimidate or harass me?

■ Tell a poll worker right away. If the poll worker is the problem, tell a poll watcher, call your county board of elections, call one of the election hotline

numbers listed at the end of this card, or make a complaint online at <http://www.votingrights.org>.

### What if I make a mistake on my ballot or the voting machine malfunctions?

■ Tell a poll worker before you cast your vote. If you spoil a paper ballot, you have the right to a replacement ballot as long as you catch your mistake before you cast your ballot. N.Y. Elec. Law §8-312. If your voting machine malfunctions, you can request a different machine.

### How do I make a complaint?

■ First, ask for the person in charge at your polling place. He or she can handle most routine complaints that arise on Election Day. Candidates, political parties, and nonprofit groups may also have poll watchers at your polling place who might be able to assist you. If any of those people ask you who you voted for, or if they can't resolve your complaint, call your city or county board of elections or the New York State Board of Elections.

## TIPS FOR AVOIDING PROBLEMS

■ Check your voter registration status at least 25 days before the election.

■ Vote before Election Day, using absentee voting, if you're eligible to do so.

■ If you plan to vote at the polls, locate your polling place at least 25 days before the election.

■ Vote early in the day to avoid the last-minute rush.

■ Bring some form of identification even if it's not required.

■ Read all instructions carefully.

■ Ask for help if you need it.

■ Take your time. You can take up to 5 minutes to cast your ballot. N.Y. Elec. Law §8-312

# 2008 NEW YORK VOTER EMPOWERMENT CARD



NEW YORK

