



Exercise your RIGHT TO VOTE.

Your vote is equal to every other vote.

Someone on the ballot will be elected to the government – have your say in who it is.

** VOTE on NOVEMBER 4 **

NEW YORK VOTERS' BILL OF RIGHTS

The law protects your right to vote. This page lists your voting rights and the laws that safeguard them.

If you think your rights have been violated, CONTACT US before Election Day at voter.hotline@nydlc.org or on Election Day at [1-877-US4-OBAMA](tel:1-877-US4-OBAMA) for live voter protection help. You can bring this paper into the voting booth.

YOU HAVE THE RIGHT TO VOTE...

- If you have registered by **October 10, 2008** (by mail) or **October 11, 2008** (in person) to vote on November 4.

To check your **REGISTRATION STATUS**, find your **POLLING PLACE LOCATION**, or for further information, contact your county Board of Elections, or the NY State Board of Elections at [1-800-FOR-VOTE](tel:1-800-FOR-VOTE) or www.elections.state.ny.us.

• WHEN DO I VOTE?

Election Day is **Tuesday, November 4, 2008**; polls are open from **6am until 9pm**. If you are **on line to vote by 9pm**, even outside the polling place, **YOU HAVE THE RIGHT TO VOTE**. N.Y. Elec. Law § 8-100(2).

• WHERE DO I VOTE?

You should receive a card from the Board of Elections that tells you where your polling place is. You can also check your polling place location at: [1-800-FOR-VOTE](tel:1-800-FOR-VOTE) or www.elections.state.ny.us.

• NO ID NEEDED...

... EXCEPT **some** FIRST-TIME VOTERS

You do NOT need to show identification to vote – just sign your name in the Voter Registration Book. N.Y. Elec. Law § 8-304(1); Help America Vote Act (HAVA) § 303(b).

**** If it says "ID required" next to your name in the Voter Registration Book, you must show ID. If this is your first time voting, BRING ID just in case.**

(If you are a first time voter in your county and registered by mail, **YOU HAVE THE RIGHT TO VOTE** on the voting machine upon presenting either a current and valid photo ID, current utility bill or copy, bank statement, government check, paycheck, or document from a government entity indicating your name and address. If you did not provide identification when you registered and can not provide it the first time you vote, **YOU HAVE THE RIGHT TO VOTE** at the polling place by affidavit (paper) ballot. N.Y. Elec. Law §8-304(1); HAVA §303(b).)

• CHALLENGES TO VOTER ELIGIBILITY

If your eligibility to vote is lawfully challenged at the polling place, you may take the applicable oath indicating that you are qualified to vote, and then must be allowed to vote **on the voting machine**. N.Y. Elec. Law §§ 8-502, 8-504.

• NAME NOT IN THE BOOK? OTHER PROBLEMS? GET A PAPER BALLOT.

If you *believe* you are registered to vote, but your name is not in the Voter Registration Book, **YOU HAVE THE RIGHT TO VOTE** using an affidavit (paper) ballot. N.Y. Elec. Law § 8-302(3)(e)(ii).

If there is *wrong information* in your listing, or there is any other problem, **YOU HAVE THE RIGHT TO VOTE** using an affidavit (paper) ballot.

If the *voting machine is broken*, **YOU HAVE THE RIGHT TO VOTE** using an emergency (paper) ballot. N.Y. Elec. Law §7-120.

If you *make a mistake* or there is any other problem with the paper ballot, **YOU HAVE THE RIGHT** to request and receive up to two replacement ballots. N.Y. Elec. Law § 8-312(1), 8-316.

Under any of these circumstances, VOTE, either on the machine or by paper ballot, before you leave the polling place.

• MOVED?

If you have *moved within the same election district*, **YOU HAVE THE RIGHT TO VOTE** in that election district *on a voting machine*. N.Y. Elec. Law § 8-302(3)(b). If you have moved *within your county* (or within the 5 boroughs of New York City), but have *not re-registered*, **YOU HAVE THE RIGHT TO VOTE** at the polling place for your *new* address, by *affidavit (paper) ballot*.

• NAME CHANGED?

If you have changed your name since you registered to vote, **YOU HAVE THE RIGHT TO VOTE** under your *original name*. You must sign the Voter Registration Book with the name you registered under, and then your new name. N.Y. Elec. Law § 8-302(3)(c).

• FELONY CONVICTION?

If you are now or have ever been incarcerated, **YOU HAVE THE RIGHT TO VOTE, UNLESS** you are CURRENTLY either **incarcerated** for a **FELONY** or on **parole** for a **FELONY**. When your felony incarceration or parole is finished, your right to vote is *automatically* restored, but you **MUST RE-REGISTER TO VOTE**. N.Y. Elec. Law § 5-106(2)-(4).

• TIME OFF FROM WORK TO VOTE

YOU HAVE THE RIGHT to take time off from work to vote. If the polls are not open for **FOUR** consecutive hours before or after work, you can take off from work (*up to two hours paid*) to have this much time. You must notify your employer between 2 and 10 days before Election Day. N.Y. Elec. Law § 3-110.

Continued on back

- **NON-ENGLISH SPEAKER?**

YOU HAVE THE RIGHT TO VOTE using non-English (such as Spanish, Chinese and Korean) ballots, instructions and other election materials in certain counties. 28 C.F.R. §55.3-55.4 (2) (b); Voting Rights Act §4(f)(4), 203(c).

- **STUDENT?**

If you are a *student in New York State* and eligible to vote, and you are from another state, **YOU HAVE THE RIGHT** to register and vote in NY if you currently intend to remain at your school address for the time being and to make it your principal home. If you lived in NY and *moved elsewhere to attend school*, **YOU HAVE THE RIGHT** to keep your NY voting residency (i.e., at your parents' address) and come home to vote OR vote absentee.

- **DISABLED?**

YOU HAVE THE RIGHT to be assisted in voting if you can not read, can not see, or can not enter the voting booth or operate the machine due to a physical disability. You may be assisted by a person of your choice, *other than* your employer (or an agent of your employer) or officer or agent of your union. You may also be assisted by two (2) election officials of different political parties. N.Y. Elec. Law § 8-306(1)-(5), Voting Rights Act § 208.

YOU also HAVE THE RIGHT to vote on an **accessible ballot marking device**, available at every polling place. ANY voter can vote using the ballot marking device. NYS Board of Elections, Approved Procedures, 2008.

- **CHILDREN**

If you bring children under 16 to the polling place, **YOU HAVE THE RIGHT** to bring them with you *into the voting booth*. N.Y. Elec. Law § 8-106(3), 8-300(2).

- **ABSENTEE BALLOTS**

YOU HAVE THE RIGHT TO VOTE with an absentee ballot *ONLY* if, on Election Day, you will be unable to vote at your polling site due to illness, disability, detention, or unavoidable absence from your county. For an application, contact your county Board of Elections or see: www.elections.state.ny.us/Voting.html#AbsenteeVoting.

**BE PREPARED TO EXERCISE YOUR
RIGHT TO VOTE. Don't Get Shut Out...**

**IF YOU ARE REGISTERED TO VOTE, YOU HAVE THE RIGHT TO
VOTE ON ELECTION DAY.**

**There are NO QUESTIONS,
NO CONDITIONS, NO CHANGES.**

IMMIGRANTS:

If you are a *naturalized citizen* and *registered to vote*, **YOU HAVE THE RIGHT TO VOTE**. **DO NOT BELIEVE** any person, paper, or phone call that says you can be deported or penalized in any way if you are an immigrant and you vote.

OWE MONEY:

Even if you owe money, such as child support, parking tickets, rent, utilities, or *anything else*, **YOU HAVE THE RIGHT TO VOTE**. **DO NOT BELIEVE** any person, paper, or phone call that threatens you with arrest or other problems if you owe money and vote. NO election official should ask you about money.

ELECTION DAY IS ONLY ON NOVEMBER 4, 2008:

EVERY VOTER from every neighborhood, every political party, and every other group, *votes on Election Day, November 4, 2008*, at their assigned polling place. (If you do not know your polling place, CHECK WITH THE **BOARD OF ELECTIONS BEFORE ELECTION DAY**.)

DO NOT BELIEVE any person, paper, or phone call that tells you Election Day, or your polling place, has been changed for any reason, *unless it is an official card mailed from your local Board of Elections notifying you of a change in your polling place location*.

ARRESTS OR CONVICTIONS:

If *YOU* are *CURRENTLY incarcerated* or *on parole* for a *felony conviction*, *YOU* can *NOT* register or vote.

EVERY OTHER eligible citizen CAN register and vote. Your family's, friends' and neighbors' circumstances do NOT affect your right to vote. **DO NOT BELIEVE** any person, paper, or phone call that threatens you with arrest or other problems, or tells you not to vote, for any other reason.

WEARING CAMPAIGN GEAR WHEN YOU VOTE:

DO NOT wear campaign t-shirts, hats, buttons or other gear to the polls when you vote. If you do wear such gear, and a poll worker asks you to remove it, REMOVE IT, or cover it, and **VOTE**. As long as you comply, you do NOT lose your right to vote and can NOT be asked to leave without voting.

DO NOT BELIEVE any person, paper, or phone call that threatens you with arrest, losing your right to vote, or other penalties if you wear or bring campaign items to the polls.

FORECLOSURE:

YOU HAVE THE RIGHT TO VOTE if your home is in foreclosure. If you still live in that home, vote in that district. If you are staying temporarily somewhere else, you can still vote at your old polling place, with your old address, because you have not established a new permanent residence. If you are challenged at the polls, ask to affirm your residence or ask for an affidavit (paper) ballot, and **VOTE**.

DO NOT BELIEVE any person, paper, or phone call that threatens you with any penalty for voting if your home is in foreclosure.

PROBLEMS? CONTACT US!

before Election Day at

voter.hotline@nydlc.org

on Election Day at

1-877-US4-OBAMA

for live Voter Protection Team

New York Democratic Lawyers Council (NYDLC) – www.nydlc.org

The NYDLC is a project of the New York State Democratic Party and a chapter of the National Democratic Lawyers Council.

We are a coalition of lawyers and others dedicated to fostering universal participation and trust in the electoral process by ensuring that:

- *All eligible persons can easily register to vote,*
- *All registered voters are able to vote simply, fairly, and without intimidation, and*
- *All votes are counted and all voting systems are open and reliable.*