VOTE 2012!
Your Right. Your Voice.

A Guide to Voting for North Carolinians with Disabilities
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ABOUT THIS GUIDE

This handbook is about your right to vote. Voters with disabilities are a large part of North Carolina’s voting population and your vote is important for the community.

Disability Rights NC created this handbook, Vote 2012! Your Right. Your Voice: A Guide to Voting for North Carolinians with Disabilities, to encourage voters with disabilities to use your vote as your voice. Every year, Disability Rights NC receives a federal grant to make sure that individuals with disabilities have the opportunity to register and exercise their right to vote. We want everyone with a disability to take part in elections.

Voting is important. It was not too long ago in the United States that women and other groups of people were denied the right to vote. There are still countries in the world that do not give their people the right to vote.

Voting gives you the power to voice your opinion about who you think should make the decisions for your community. Voting also gives you the power to voice your opinion regarding important issues in your community.

Voting is easy. Like other things you learn that seem complicated at first, becoming an educated voter just takes some step.

This guide will explain:

- Requirements to Vote,
- How to Register to Vote,
- Different Methods of Voting,
- When and Where to Vote,
- How to Prepare for Voting,
- How You May Use Help to Vote,
- What to Do if You Have a Problem Voting, and
- Voting Laws.

This handbook will not tell you who to vote for, what choices to make, or with what political party you should affiliate. Disability Rights NC does not affiliate with any political party. This information is to help you learn about voting. If you have questions or do not understand something about voting, please contact Disability Rights North Carolina.

Your Vote is Your Voice, SPEAK UP & VOTE!
MY PLAN TO VOTE - CHECKLIST

1. I am eligible to vote.
   - I am a U.S. citizen.
   - I will be at least 18 years old before the next election.
   - I am not currently serving any part of a sentence for a felony.

2. I have registered to vote.
   - Yes, I showed my identification when I registered.
   - No, I did not show my identification when I registered. I need to bring my identification with me the first time I vote.

3. Party Affiliation
   - I have registered as a Republican or a Democrat. I can vote in my party’s primary election. The primary election is on Tuesday, May 8, 2012.
   - I have registered as unaffiliated. I can only vote in a party primary if that party allows unaffiliated voters for that election.

4. Candidates and Issues
   - I know how to learn about the candidates and the issues. I have a news source and people that I trust for information.

5. Where to Vote
   - I know where my polling place is located.
   - I have a plan for transportation to get to my polling place.
   - I cannot get to my polling place. I want to vote by mail.

6. Method to Vote
   - I know how to vote by absentee ballot through the mail.
     - I mailed a signed letter to my County Board of Elections to request a ballot; or I requested a ballot in person at my County Board of Elections.
     - I know when to send my ballot back to the County Board of Elections.
   - I want to vote early, before Election Day.
     - I know where the One-Stop polling place is in my county.
     - I have found a time to vote during the 17-day period that ends three days before an election.
   - I know how to vote at my polling place on Election Day.
     - I know how to wait in line and how to check-in and I know about curbside voting.
     - I have practiced voting.
     - I know my polling place is accessible to me. If it is not, I have requested that it be made accessible or to vote at a different polling place that is accessible to me.
   - I need help to fill out my ballot.
     - I will not bring an assistant with me. I will ask a poll worker for help.
     - I will bring an assistant with me. My assistant is a person who is legally allowed to help me. I will tell a poll worker that I need help to fill out my ballot.
     - I know what an assistant can do. An assistant can explain how to fill out my ballot, read the ballot to me, and mark the ballot with my choices.
     - I know what an assistant cannot do. An assistant cannot influence my vote or ask me to vote for a certain person. An assistant cannot tell anyone how I voted.
## IMPORTANT DATES

<table>
<thead>
<tr>
<th>Event</th>
<th>May Primary</th>
<th>General Election</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Day to Change Party Affiliation</td>
<td>Friday, April 13, 2012</td>
<td>not applicable in general election</td>
</tr>
<tr>
<td>Last Day to Submit Voter Registration Application</td>
<td>Friday, April 13, 2012</td>
<td>Friday, October 12, 2012</td>
</tr>
<tr>
<td>First Day of One-Stop Voting/ Same Day Registration</td>
<td>Thursday, April 19, 2012</td>
<td>Thursday, Oct. 18, 2012</td>
</tr>
<tr>
<td>Last Day to Request Absentee Ballots Without Excuse</td>
<td>Tuesday, May 1, 2012</td>
<td>Tuesday, October 30, 2012</td>
</tr>
<tr>
<td>Last Day of One-Stop Voting/ Same Day Registration</td>
<td>Saturday, May 5, 2012</td>
<td>Saturday, Nov. 3, 2012</td>
</tr>
<tr>
<td>Last Day to Submit Absentee Ballots</td>
<td>Monday, May 7, 2012</td>
<td>Monday, Nov. 5, 2012</td>
</tr>
<tr>
<td>Election Day</td>
<td>Tuesday, May 8, 2012</td>
<td>Tuesday, Nov. 6, 2012</td>
</tr>
</tbody>
</table>
**CAN I VOTE?**

**Voter Requirements**
Yes! Almost anyone can vote in North Carolina.

In North Carolina, you can register to vote if you are:

- a U.S. citizen;
- at least 18 years old by the time of the next general election; and
- living in the precinct where you want to vote for at least 30 days before the election.\[\text{iii}\]

Only a few things can take away your eligibility to register and vote:

- **If a court found you guilty of a felony and you are currently serving the terms of the sentence, you lose your right to vote.**\[\text{iv}\]
  - Example: if you are on probation because a court convicted you of a felony, you are not eligible to vote.
  - **However, once a convicted felon completes his or her sentence for punishment, he or she will again be eligible to register to vote.**\[\text{v}\]
    - Example: a judge finds a person guilty of a felony and sentences the person to one-year in prison, followed by one year of probation. Once the person serves the prison sentence, and after the person serves the year of probation, he or she will again be eligible to register to vote.
    - A misdemeanor conviction, or a pending felony charge, will not prevent a person from voting.

- **If you have had the right to vote specifically taken away during a legal proceeding, you lose your right to vote.**
  - In North Carolina, competency and guardianship hearings do not usually take away rights like the right to vote, enter into contracts, and marry.\[\text{vi}\]
  - The laws of North Carolina say a person should keep the right to vote, enter into contracts and marry whenever possible.\[\text{vii}\]
  - **Even if a judge appoints a legal guardian, you are still eligible to vote unless the Order of Appointment of a Legal Guardian specifically revokes your right to vote.**
    - If you have a legal guardian and are not sure if a judge revoked your right to vote, you can find this information in the Order of Appointment of a Legal Guardian. Your legal guardian should have this document, if you do not.
HOW CAN I REGISTER TO VOTE?

Registration Requirements
If you meet all the requirements necessary to be a voter, you are eligible to register to vote. All you have to do is fill out a North Carolina Voter Registration Application, submit it to your County Board of Election, and provide proof of residence. You must register to vote every time you move into a new precinct, ward, or election district.

- **North Carolina Voter Registration Application**
  Filling out a North Carolina Voter Registration Application is all it takes to register to vote. The Voter Registration Application asks basic personal information, such as your name, date of birth and address.

Once you register to vote, you will receive a Voter Card from your County Board of Elections in the mail.

If you have questions about filling out the Voter Registration Application, please ask someone at your local County Board of Elections or Disability Rights NC. If you do not fill out the registration application correctly, the County Board of Elections will not accept it and you will not be registered to vote.

- **Acceptable Forms of Identification to Register**
An election official will ask you for identification when you register to vote. If you register to vote by mail, you will need to show identification when you go vote for the first time only. If you have shown your identification once, upon registering to vote, you are not required to show it every time you vote.

**To register to vote, you are not required to have photo identification.** Your identification must show your name and current address. You only need one of the following forms of identification:

- North Carolina driver’s license
- Utility bill
- Paycheck or paycheck stub from your employer or a W-2 statement
- Bank statement or bank-issued credit card statement
- Student photo ID along with a document from the school showing the your name and current address
- Document with name and current address from local, state, or U.S. government agency such as:
  - Check, invoice, or letter
  - License to hunt, fish, own a gun
  - Automotive or vehicle registration
  - Public Housing or SSA document
  - Birth Certificate
  - Property or other tax bill
  - Passport
  - U.S. military ID
Where Do I Register to Vote?

- **Your local County Board of Elections**
- **Through the Mail**
  - You may ask your local County Board of Elections to send you a Voter Registration Application in the mail or you may get one at your local public library and other public places.
  - Fill out the card and mail it back as directed on the form.
  - You will have to show identification the first time you go vote if you register by mail.
- **Voter Registration Agencies**: These are programs or agencies that will help you register to vote.
  - Disability Rights North Carolina
  - Div. of Mental Health, Developmental Disabilities & Substance Abuse Services
  - Division of Employment Security
  - Work First Services for the Blind/ Vocational Rehabilitation
  - Food Stamps Women, Infants and Children
  - Medicaid
- At the Department of Motor Vehicles when applying for or renewing your driver’s license or State identification card.
- During the Early Voting Period: there is a 17-day period that ends three days before an election, called One-Stop Voting, when you may register and vote on the same day. The One-Stop Voting site is usually the local County Board of Elections office. Some counties have additional or alternative sites.

When Do I Register to Vote?

You must register to vote at least 25 days before an upcoming election.

If you do not register 25 days before an election, your only opportunity to register and vote for that election is during the One-Stop Voting period, which is the 17-day period that ends three days before an election day.

What if I Move or Change My Address?

You are required to notify the County Board of Elections if you change your address.

You must inform the County Board of Elections at least 25 days before the upcoming election in which you wish to vote without using a provision ballot.

You can notify the County Board of Elections by either filling out a new Voter Registration Application or by other written notice. Your written notice should be signed, and include your full name, former address, new address and the date you moved.
• **Unreported Move within the Same Precinct:** If you move within the same precinct, you are allowed to vote at the same voting place. You must first make an oral or written affirmation of your change of address before a precinct official at that voting place. You do not have to notify the County Board of the change of address before an election if you move within the same precinct. xxvi

• **Unreported Move to another Precinct, but in the Same County:** If you move to a different precinct within the same county more than 30 days before an election and fail to notify the County Board of Elections of the change of address, you are allowed to vote at the new precinct. If you prefer, you can vote at a central location chosen by the County Board of Elections. You must make a written affirmation of the new address. You may also vote with a provisional ballot. xxvii

### Common Questions Regarding Residency

• **Where is my residence?**
  Your residence is that place where your habitation is fixed and where, when you leave, you have the intention of returning. xxviii

• **What if I move, but only temporarily?**
  You do not lose your residency if you leave home and go into another state or county for only temporary purposes, with the intention of returning. xxxix

  You will not gain residency if you move to an area for temporary purposes without the intention of making that residence your permanent place of habitation. xxx

  For example, if you move to a hospital in a different county for 30 days, but have the intent of returning home once you are discharged from the hospital, you do not have to update your voter registration.

• **If I move, will I still be registered to vote?**
  If you move within North Carolina with the intention of making that new place your permanent residence, you lose your previous residency and will need to re-register to vote. xxxi

  Once you register to vote at your new residence, you lose your previous residence and cannot vote at your old polling place. xxxii

• **I am a student. Where do I vote?**
  A student may vote using his or her university address or may vote using his or her home/permanent residence address. If you are a student, to vote at your university address you must intend to make your home in the community where you are attending school and have no intent to return to your former home after graduation. xxvili You do not have to intend to stay in the college community beyond graduation. xxxiv
HOW CAN I VOTE?

Voting laws allow you to vote in a way that is most convenient for you. You can have someone help you vote, you can vote from your home or at your polling place, you can vote early or on Election Day. The choices are up to you!

Voting With Assistance
Using help to vote is very easy and quite common. You may have assistance for the whole process of voting: entering the voting booth, preparing the ballot and exiting the booth.xxxv

• Who Can Receive Assistance?
Any registered voter may have a near relative or poll official help him or her vote.xxxvi

You may use the aid of any person of your choice, even if he or she is not a near relative, if you are:

➢ a person with a physical disability,
➢ a person with a visual impairment,
➢ unable to read without assistance,
➢ unable to enter the voting booth without assistance, or
➢ unable to mark the ballot without assistance.xxxvii

• Who Can Provide Assistance?
A near relative is a spouse, brother, sister, parent, grandparent, child, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, stepparent, or stepchild.xxxviii A voter may also ask for assistance from the chief judge, one of the judges, or one of the assistants for the precinct.xxxix

An assistant cannot be your employer, an agent of your employer, or an agent of your union.xl

• How Can I Request Assistance?
When you get to the polling place, tell the chief judge that you will be using assistance and state the reason. After the chief judge of the polling site determines assistance is appropriate, the election official will ask you to identify the person who will be assisting you. xli A poll official may not force you to accept assistance from someone you do not choose.xlii
• **What Type of Assistance is Prohibited?**
The person assisting you may not:
- in any way try to persuade or induce you to cast a vote in a particular way;
- make or keep any notes of anything that occurs within the voting booth, or directly or indirectly reveal to anyone how you voted.

**Ways to Vote Early**
• **Absentee Voting**

Any registered voter can vote by mail by using an absentee ballot. You do not need a reason or excuse to vote by absentee ballot.

You, your near relative, or your legal guardian, may send a signed, written request for an absentee ballot to the County Board of Elections beginning 50 days prior to Election Day and received no later than the Tuesday prior to Election Day.

You, your near relative, or legal guardian, must sign the written request. It must include the voter’s name and address as they appear on the registration records and the address where you want the County Board of Elections to mail the ballot. If the request is by your near relative, it should include his or her address and relationship to you, the voter.

The County Board of Elections office must receive the voted ballot by 5:00 p.m. on the day before the election.

If you expect to be unable to go to the voting place to vote in person on Election Day because you are sick or because of some other physical disability, you or your near-relative or legal guardian may make an in-person written request for absentee ballots. The request for an absentee ballot must be made to your County Board of Elections after 5:00 p.m. on the Tuesday before the election, but not later than 5:00 p.m. on the day before the election. The County Board will give the requester the absentee ballot package that the requester is to submit to the County Board of Elections office by 5:00 p.m. the day before the election.

- **What Should My Written Request Say?**

You must request an Absentee Ballot in writing or by using a form generated by the County Board of Elections. The request for an absentee ballot cannot be a form letter; it must be entirely in your own handwriting, and you must sign it. If the voter cannot write the request due to disability or illiteracy, he or she may have assistance from a person of his or her choice. If your relative or legal guardian signs the request, provide his or her name, address, and relation to you in the letter.
Here is a sample letter:

I [insert name as you are registered] request an absentee ballot for the upcoming election.

My name and address are [name and address as they appears on your Voter Registration Card].

Please send my absentee ballot to [address to where you would like ballot sent].

Thank you -
[Your signature or that of your relative or guardian]
[Date]

- **One-Stop Voting**

One-Stop voting allows you to vote in-person during a 17-day period that ends three days before the Election Day. The County Board of Elections office serves as a One-Stop Voting Site during its normal business hours, and some counties will offer other sites and extended hours. This method of voting allows you to vote at a time more convenient to you, avoid the crowds of Election Day and lets you register and vote on the same day.

One-Stop Voting is only available during a 17-day period that ends three days BEFORE an election, NOT on Election Day!

- **Registering to Vote During One-Stop Voting**

One-stop voting is convenient because you can register to vote and vote in one location. In order to vote, you must fill out a Voter Registration form and an Absentee Voting Application. Voter registration requires filling out a Voter Registration Form and providing proof of residency by showing the election official an appropriate form of identification with your current name and current address. By registering at One-Stop, you may only vote at the One-Stop voting site where you registered, and not on Election Day.

If you are already registered to vote, you can update your voter record at a One-Stop Voting site. You must state your name and residence address, complete the application to vote absentee, and then vote. You may also update your address and change vital information in your existing voter registration record at the One-Stop site. However, you cannot change your party affiliation during the One-Stop Voting period of a partisan primary.
Curbside Voting

If you can get to the voting site, but getting inside the building or the voting booth without assistance is a problem due to age or disability, curbside voting is available at every voting site, including One-Stop sites.\textsuperscript{ix}

Curbside voting allows you to vote while inside your vehicle. Some sites have designated parking areas for curbside voting, but others do not. If there is no designated parking or there is a delay in service, you may need to send someone in or ask a person going into the polling place to let a poll worker know there is a request for curbside voting.

If your polling site does not have accessible, curbside voting, please contact Disability Rights North Carolina.

Election Day Voting At Polling Site

- Checking In

Once you enter the voting site through the appropriate entrance, a precinct official assigned to check you in will ask you to state your current name and residence address. You must respond with your name and current residence address. Before voting, you have to sign your name on the poll book, other voting record, or voter authorization document.\textsuperscript{x} If you are unable to sign, a precinct official can enter your name on the document before you vote.\textsuperscript{xi}

Only a person who registered to vote by mail and who is voting in person for the first time must present identification; however, this does not have to be photo identification.

- Voting

You have begun the act of voting once an election official gives you the official voting ballot.\textsuperscript{xii} Upon receiving the ballot, you must immediately go alone to one of the voting booths, unless you are using assistance.\textsuperscript{xiii} Once you are in the voting booth, you mark the ballot without any unnecessary delay.\textsuperscript{xiv} You must not leave the voting booth until you have finished marking your ballot.\textsuperscript{xv}

Husbands and wives may occupy the same voting booth if both wish to do so.\textsuperscript{xvi} Other than your husband, wife, or assistant, if a voter is already occupying a voting booth, you may not use it.\textsuperscript{xvii}

Although a big part of voting is the right to vote in secret. If a voter wants to make his or her ballot public, that voter may do so.\textsuperscript{xviii}
WHEN CAN I VOTE?

Voters can vote in advance of an election day by using an Absentee Ballot or by voting at a One-Stop Voting location.

Election days are usually on Tuesdays, but election days can sometimes occur on other days of the week. On an Election Day, polling sites are open from 6:30 a.m. to 7:30 p.m.

If you are in line when the polls close, election officials must allow you to vote. The polls are usually the busiest during early morning, lunch, and after 5 p.m. If you want to avoid crowds, you should try to go between 9 to 11 a.m. or 2 to 4 p.m.

Primary Elections

Primary elections are held when there is more than one candidate of the same political party for an elected office. This is an opportunity for you to nominate the candidate you would like to represent your political party in the General Election. Primary elections are usually the first Tuesday following the first Monday in May.

General Elections

General elections are held often. Some people believe that general elections are only held every four years, when voters elect the President of the United States. General elections are a time when an entire town, state or nation votes on their choice of candidates. General elections are held so voters can choose town council members, mayors, governors, state representatives, U.S. representatives, and the President of the United States. General elections are usually the first Tuesday following the first Monday in November.

<table>
<thead>
<tr>
<th>First Day Absentee Ballots Available</th>
<th>May Primary</th>
<th>General Election</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Monday, March 19, 2012</strong></td>
<td><strong>Friday, September 7, 2012</strong></td>
<td></td>
</tr>
<tr>
<td>First Day of One-Stop Voting</td>
<td><strong>Thursday, April 19, 2012</strong></td>
<td><strong>Thursday, Oct. 18, 2012</strong></td>
</tr>
<tr>
<td>Last Day of One-Stop Voting</td>
<td><strong>Saturday, May 5, 2012</strong></td>
<td><strong>Saturday, Nov. 3, 2012</strong></td>
</tr>
<tr>
<td>Last Day to Submit Absentee Ballots</td>
<td><strong>Monday, May 7, 2012</strong></td>
<td><strong>Monday, Nov. 5, 2012</strong></td>
</tr>
<tr>
<td>(received by 5 p.m.)</td>
<td><strong>Tuesday, May 8, 2012</strong></td>
<td><strong>Tuesday, Nov. 6, 2012</strong></td>
</tr>
<tr>
<td>Election Day</td>
<td><strong>Tuesday, May 8, 2012</strong></td>
<td><strong>Tuesday, Nov. 6, 2012</strong></td>
</tr>
</tbody>
</table>
WHERE CAN I VOTE?

Where you vote depends on how you vote. If you want to vote by mail using an absentee ballot, you do not have to go anywhere. If you want to vote in-person at a polling site, you can vote either during One-Stop voting or on Election Day.

One-Stop Voting
The One-Stop Voting site is generally at the County Board of Elections office during normal office hours. Some counties offer additional One-Stop voting sites and extended hours. Check with your local County Board Elections to find out where you can vote early.

Election Day Voting
Your polling site is determined by where you live and should be close to your home. Polling sites are often schools, fire stations, and churches. Close to Election Day, you can usually spot a polling site because of the campaign signs nearby. The entryway and accessible parking should be clearly marked.

You can find out where your polling site is by:

- looking on your voter card,
- calling your local County Board of Elections, or
- going to the State Board of Elections website. The State website allows you to check your registration, find your polling site, and even get directions.

The State Board of Elections website provides links to pictures of voting sites so you can get an idea of the parking, pathway, and general area of the voting enclosure.

Although polling sites are supposed to be accessible, some are more accessible than others. If there is an accessibility problem and not merely an issue of convenience, you can make a request before Election Day for the County Board of Elections to assign you to a more accessible polling place. Call Disability Rights North Carolina if you encounter an inaccessible polling place.

Satellite Voting
Your County Board of Elections may create a plan that lets voters vote at a site in their precinct other than the precinct’s regular voting place. The State Board of Elections must approve such a plan.
DO I NEED IDENTIFICATION TO VOTE?

No, identification is not required to vote. Identification is only required to register to vote, and it does not need to be photo identification.

You are only required to show identification when you register to vote. If you register to vote by mail, a poll worker will ask to see identification the first time you check-in to vote.

Acceptable Forms of Identification When Registering to Vote:

- NC driver’s license with current address
- A utility bill with name and current address
- A document with name and current address from a local, state, or U.S. government agency, such as a:
  - Birth certificate
  - Passport
  - U.S. military ID
  - Property or other tax bill
  - Public housing or SSA document
  - Check, invoice, or letter from a government agency
  - Automotive or vehicle registration
  - Certified documentation of naturalization
- A student photo ID along with a document from the school showing the student’s name and current address
- A paycheck or paycheck stub from an employer or a W-2 statement
- A bank statement or bank-issued credit card statement

If a person does not supply an appropriate form of identification for proof of residence, the Board of Elections cannot fully process the registration application until the person provides the required information.

Identification is only required to register to vote, and it does not need to be photo identification.
VOTERS WITH DISABILITIES

Physical Access to Polling Sites
The physical accessibility of the polling site and inside the voting enclosure is legally required, but more importantly it is significant because it is how you get to where you can vote.

County Boards of Elections must ensure that when staff is setting up a site for voting, they do not decrease the site’s accessibility. The Help America Vote Act (HAVA) created grants for County Boards of Elections to ensure that voting is accessible — there is no excuse for voting not to be accessible. You can contact the State Board of Elections for more information about whether your county has applied for a HAVA grant.

If you find that your polling site is inaccessible, you can request, in advance, to have your polling site assignment moved from an inaccessible polling site to an accessible one.

If you believe that your polling site is inaccessible, contact Disability Rights North Carolina for someone to visit the site and provide recommendations for how to ensure the site’s accessibility.

People who work at polling sites can do some things to ensure accessibility for voters with disabilities:

- Use the accessibility checklist created by the Department of Justice for voting sites.
- Review the list of “The Do’s & Don’ts of Polling Place Set up” on Disability Rights NC’s website;
- Think about how they are placing signs, directions, curbside voting, etc. Polling sites must keep pathways clear and wide, placing signs in an appropriate manner, and setting up curbside voting so as not to decrease accessibility in any way.
- Avoid designating areas for curbside voting that would cause vehicles to block pathways, entrances, etc. or otherwise make it more difficult for a person using a mobility device or who may need more room to maneuver to get to the polling site.
- Be aware of how traffic is flowing and that stopped cars may create visibility dangers if a person with a visual impairment is trying to get to the building or pathway.
- Set up curbside voting so that a person can trigger the alarm simply by running over an alarm or bell with their car, or would be able to reach the bell from inside his or her vehicle.
Curbside voting should NOT be considered a substitute for full accessibility for a polling place. Your program of voting should meet accessibility requirements without considering curbside voting, voter assistance, absentee voting, etc.  

Effective Communication

Local governments and places of public accommodations must ensure that communications with individuals with disabilities are as effective as communications with others. A polling site must provide appropriate auxiliary aids to you when necessary to ensure effective communication. A local board of election may not charge you for the use of an auxiliary aid.

Some examples of auxiliary aids include, but are not limited to, qualified interpreters, assistive listening headsets, television captioning and decoders, telecommunications devices for deaf persons (TDD), videotext displays, readers, taped texts, Brailled materials, and large print materials.

Alternate Accessible Formats & Voting Equipment

All election-related materials, such as registration forms, public notices, non-partisan election guides, and ballots should be available in accessible formats. Some accessible formats include, but are not limited to, changing text print contrast, Braille, and audiocassette tape recordings.

North Carolina currently uses two different types of accessible voting equipment. Counties use either a Direct Record Electronic voting system, such as the iVotronic, or a combination of paper ballots and an Optical Scan voting system, such as the AutoMark.

Direct Record Electronic voting machines can enlarge the print so a voter can see it easier, read the ballot, and vote by a simple touch of the screen. These machines have various types of assistive technology and their use is encouraged because they allow you to vote privately and independently in most cases.

If you are blind or not using the visual aspects of the machine, a poll worker should assist you in turning off the screen to allow your vote to be as private as possible.
Accommodations
Polling sites must reasonably modify policies, practices, or procedures to avoid discriminating against people with disabilities. These changes are called “reasonable modifications” or “accommodations.”

Some examples of a reasonable modification at a polling site on Election Day would be:
- A sign or instruction sheet printed in large print, stating that poll workers will ask voters their name and current residence address, will help people who have difficulty hearing.
- If a person has difficulty speaking, a reasonable modification to the requirement of stating their current name and residence address would be to accept a written note or some form of identification or paperwork that states the voter’s information.

Service Animals
By state and federal law, service animals are allowed to go almost everywhere their handler goes. The same applies to polling sites.

Poll site workers may ask a person with a service animal two questions:
1. whether the service animal is required because of a disability, and
2. what work or task has the animal been trained to perform?

“Staff cannot ask about the person’s disability, require medical documentation, require a special identification card or training documentation for the [animal], or ask that the [animal] demonstrate its ability to perform the work or tasks.”

You should be prepared to describe how your service animal helps you and how the animal has been trained.

WHAT CAN I EXPECT FROM POLLING SITE STAFF?

Poll site workers are there to help conduct elections fairly and impartially, as well as enforce peace and good order. Elections are a very important part of our political process. There are many rules and procedures that poll site workers must follow to protect the voting rights of citizens and ensure fairness of an election.

Workers at the polling sites are trained to:
- Respect all voters and treat you as an independent, adult citizen;
• Use language that puts you, not your disability first;
• Offer assistance, but wait for a response before beginning to assist you;
• Not insist or be offended if you say “no” to an offer of assistance; and
• Speak directly to you and not to your companion(s).

If you have a vision disability, polling site workers are trained to:

• Speak to you as they approach and identify themselves;
• Offer assistance in navigating, but to ask and wait for permission before attempting to lead;
• Not touch or distract a service animal without asking for and receiving permission; and
• Be descriptive when giving directions, including any steps or turns along the way.

If you have a hearing disability, polling site workers are trained to:

• Look directly at you and speak clearly using short, simple sentences;
• Keep their hands away from their mouth and avoid chewing gum;
• If they need to gain your attention before speaking, to tap you gently on the shoulder or arm; and
• If an interpreter is present, speak directly to you and not the interpreter.

If you have a speech disability, voting site workers are trained to:

• Be patient and allow additional time for communicating;
• Focus on what you are saying and listen actively;
• Ask yes/no and short answer questions;
• Avoid speaking for you and not attempt to finish your sentences;
• If they don’t understand, do not pretend to understand but instead ask you to repeat; and
• If needed, ask you if it would be okay to write down the communication.

If you use a mobility device, voting site workers are trained to:

• Offer assistance if you have difficulty when opening a door;
• Put themselves at eye level if possible and necessary;
• Ask before attempting to help you;
• Not hang, lean on, or touch the device; and
• Not touch you on the head or shoulder.

WHAT IF SOMETHING GOES WRONG WHILE I’M VOTING?

In North Carolina, almost everyone 18 and older is entitled to vote and there are procedures to protect this right. It is not likely that anything will go wrong while you are
voting. If there is a problem while you are voting, there is a way to address the problem.

**Incomplete & Spoiled Ballots**

While you are voting, you might accidentally mark the wrong box or spill something on your ballot. This would result in a spoiled ballot.

Just because you do not vote in every race does not mean that you have a spoiled ballot. **You do not have to cast a vote in every race to have the rest of your votes counted.**

If you spoil or damage a ballot, you may obtain another ballot by returning the spoiled or damaged ballot to the chief judge or other designated official.

An election official will not give you a replacement ballot until you have returned the spoiled or damaged ballot. A voter may not receive more than three replacement ballots. Voters must return improperly marked, official ballots or paper records of individual, voted ballots to precinct officials, who must mark the ballot as spoiled. The chief judge must deposit each spoiled or damaged ballot in the container provided for that purpose.

**Provisional Ballots**

If a problem arises when you check-in to vote and you do not appear on the voting roster, the voting official must allow you to vote using a provisional ballot.

When there are questions regarding your residence and your proper voting site, election laws allow the use of provisional ballots until election officials can verify your residence.

- **Who can use a provisional ballot?**
  - A voter who is eligible to vote, and
  - claims to be a registered voter in the precinct, but
  - whose name does not appear on the official list of eligible registered voters for that precinct.

If your name does not appear on the voter roster, and you are otherwise eligible to vote, an election official must notify you that you may cast a provisional ballot in the election.

- **What does a provisional ballot look like?**
  A provisional ballot is “…an official ballot that is voted and then placed in an envelope that contains an affidavit signed by the voter certifying identity and eligibility to vote.”
The only item that should identify you is the affidavit you signed and the envelope in which the affidavit and ballot are placed. The provisional ballot must not be marked in a way to make it identifiable.  

**Procedure for Voting with a Provisional Ballot**

After an election official notifies you that you may cast a provisional ballot, you write a statement, or “affirmation,” before the election official at the voting place.

You must write in the statement that you are:
- a registered voter in the jurisdiction in which you are attempting to vote, and
- eligible to vote in that election.

You must then place the ballot and affidavit into a sealed envelope. Election officials at the voting site must ensure the cast provisional official ballot and written information are placed in a secure location.

At the time you cast a provisional ballot, the election official must provide you with written information regarding provisional ballot voting. County Boards of Elections should make this information available in accessible formats when necessary.

The election official should tell you how to check on the result of your provisional ballot. You can find out whether and to what extent the County Board of Election counted your ballot, and, if it was not counted, the reason it was not counted.

**Complaints**

There are ways to file complaints about accessibility, voting sites, and the voting process if you have difficulty voting or a poll worker treats you improperly.

You have the right to vote. You have the right to complain if someone tries to stop you from voting or treats you unfairly.

**If someone tries to stop you from voting or you have other difficulties, you may complain formally or informally by contacting the State Board of Elections or Disability Rights North Carolina.**

The more information you can provide in your complaint, the better. If possible:

1. make a note of your location,
2. what you were trying to do,
3. the problem you encountered, and
4. the names of people involved.
Even if you cannot provide all this information, it is important that you still call to report the problem.

On Election Day, you can also call the Election Protection Hotline at 1-866-Our-Vote (1-866-687-8683). Election Protection is a nationwide telephone hotline program that has attorneys ready to help you solve your problem with voting immediately.

**HOW CAN I PREPARE FOR VOTING?**

Voting is simply a choice. It is an important choice, but it is still just a choice. We all make choices every day. You choose what you want to watch on TV, eat for lunch, and do with your free time.

If you can make choices about what you like or do not like, you can vote. Choosing how to vote is the same thing. You pick a candidate who wants the same things you do or has ideas you like. Like many people, you may also pick a candidate based on who you do not like. This means that you would choose one candidate because you disagree with the other candidate so much. How and why you vote is not important. The only thing that is important is that you go vote!

- **What if I Do Not Understand What the Candidates Say or the Issues?**

  Not very many people fully understand everything a candidate says, every part of a campaign, or everything about an issue. You can find out about candidates by watching TV, searching online, reading the internet, or attending political events. Some of this information can be hard to understand, but you can usually find information that makes it easier to understand. Some information will be linked with a political party, while other information will be non-partisan. For example, the North Carolina Center for Voter Education provides non-partisan information about candidates for state elections.

  You do not have to know everything about a candidate or issue to be able to tell if you agree with them.

  Information regarding the candidates and issues is easier to find the closer time gets to an election. Local newspapers often provide lists of candidates that have short answers to questions and topics that allow you to compare the different candidates’ answers. Usually you can also find charts that compare candidate opinions on certain general topics such as the economy, jobs, healthcare, and transportation.
Another way people decide how to vote is by talking with other people. Communicating with people you trust will help you understand the different candidates and issues. It may take some effort to find information that is useful for you, but voting is an important right and you should spend some time and energy on it.

**You Can Vote the Way You Want: It is YOUR Choice!**

Voting is a personal choice for everyone. Your choice is a private, independent decision. Although you should if you have enough information, you do not have to vote on every office and issue that is on the ballot. A County Board of Elections will count a ballot even if there is only one selection on it.

After you get inside your polling site, no one can tell you which candidate to pick. If you have someone help you vote, that person is not allowed to influence your voting decisions or tell anyone how you voted.

**It is a good idea to have your choices written down in advance so you will remember your selections.** There are usually lots of signs and people close to the polling place asking you to vote their way. Having a way to remember your choices helps make sure you vote based on your research, and not on the words of the people and signs outside.

Getting involved early is also a good way to have an impact on elected officials. Primary elections, where a political party selects the candidate to represent them in the general election, often have lower voter turnout in our state. By increasing voter turnout voters with disabilities can increase the impact of their votes. An increased impact on an election generally means that the candidate elected will pay more attention to that voting bloc’s issues and needs.

**Sample Ballots**

Sample ballots are available at local County Boards of Elections and online. Sample ballots are helpful to use to prepare to vote. You can review all the races and issues that will be voted on and make your decisions in advance.

Often, there will be members of partisan, political parties handing out suggested ballots to voters as they approach the voting location. These people want you to vote for the candidates that they support. The ballots they hand out will show clearly the candidates running as a member of that political party, e.g. Republican or Democratic. If you identify with a political party, these suggested ballots can be helpful. However, you do not have to vote for all the candidates running in your party.
WAYS TO GET INVOLVED

Grassroots Advocacy
Local civic groups often engage voters to help spread the word about an issue that the group feels strongly about. Grassroots advocacy includes participating in activities like:

- contacting your elected official about a bill that is up for a vote;
- organizing meet & greets with candidates running for political office;
- writing letters to local newspapers on an important issue;
- signing petitions; and
- attending political rallies.

Involvement in Political Campaigns
Participating in political campaigns will not only connect you more directly with your community and issues facing your community, it will help political candidates know more about issues that are important to you.

There are various ways to become involved in a campaign, including:

- contact your party or favorite candidate for volunteer opportunities;
- wearing a candidate’s campaign button or putting a sign in your yard;
- making phone calls to encourage other people to vote; and
- organizing political rallies.

Working as a Poll Worker
Many local County Boards of Elections have trouble finding enough people to work as poll workers on the day of an election. This is a great way for a voter to get involved in the political process at the same time as earning a little bit of money.

Voters with disabilities are particularly aware of how a polling site can be set up to be inaccessible. If a person with a disability works as a poll worker, he or she can educate other poll workers on accessibility issues to ensure that a polling site is adhering to the law.

Running for Political Office
There is no better way to get involved in the political process than running for political office. Voters have chosen people with disabilities to serve as elected officials, including President Franklin D. Roosevelt, Senator Bob Dole, N.Y. Gov. David Paterson, and N.C. Court of Appeal Chief Judge Fred Hedrick.
WHICH LAWS GOVERN MY RIGHT TO VOTE?

Various state and federal laws govern your right to vote. Generally, local Boards of Elections manage, plan, and conduct elections in accordance with state laws. However, there are several federal laws that protect the voting rights of people with disabilities.

Voting Rights Act of 1965

The Voting Rights Act of 1965 (VRA) is best known for putting into effect the 15th Amendment of the U.S. Constitution, which provides a permanent guarantee that no person is denied the right to vote because of his or her race.

However, the VRA also protects a voter’s right to an assistant of his or her choice if he or she requires assistance because of a disability to vote. North Carolina statutes comply with this federal law, with the limitation that the assistant cannot be a person’s employer or an agent of the person’s employer or union.

Voting Accessibility for the Elderly and Handicapped Act of 1984

This Act requires polling places to be physically accessible to people with disabilities for federal elections. The Voting Accessibility for the Elderly and Handicapped Act of 1984 requires that states make registration and voting aids available for voters with disabilities and elderly voters.

The Americans with Disabilities Act of 1990

The ADA prohibits discrimination against qualified people with disabilities. It says a person with disabilities must have access to programs and services run by state and local governments. Voting is a program of a state and local government. County Boards of Elections offices must be accessible.

The ADA requires reasonable accommodations and prohibits criteria that screen out people with disabilities. Reasonable accommodations are important because they allow a person with disabilities to be treated differently than others, but only to allow his or her participation.

This does not mean you automatically treat someone differently because he or she has a disability. What it does mean is that if a person with a disability needs to do something differently than the set standard to accommodate his or her disability, within reason, he or she may do so, in order to benefit equally from the services.
A person with a disability usually has a preferred method of accommodation and it is generally most effective to let the person assert what method that is. A County Board of Elections must provide a reasonable accommodation unless it would create an undue burden or fundamental alteration of the program.

For example, if a person is non-verbal, a reasonable accommodation may be to allow the voter to write on a notepad his or her desire to vote and give the poll worker the required information in writing, instead of verbally. However, not all people who are non-verbal use writing to communicate, and another reasonable accommodation would be accepting a voter’s identification as the voter expressing his or her desire to vote by providing the poll worker with his or her name and address in that way.

**Help America Vote Act 2002**

The Help America Vote Act (HAVA) entitles people who are elderly or have disabilities to more protections and inclusion in voting. The Act requires each polling site to have at least one accessible voting system that provides the same opportunity for access and participation as for other voters. HAVA requires that people be able to vote both privately and independently. HAVA also established an administrative procedure for complaints to be filed formally about things HAVA covers, such as accessibility.

The Act also authorized payments to be made to state and local governments to make polling places, including the path of travel, entrances, exits, and voting areas, accessible. County Boards of Elections should make such changes so that voters with disabilities have the same opportunity for access and participation, including privacy and independence, as other voters. Outreach programs and training to election officials, poll workers, and volunteers about promoting access in elections is also part of this funding.

HAVA also created a federal agency, the U.S. Election Assistance Commission (EAC), as a place to go for information on election administration. The EAC is an independent bipartisan commission that develops guidance for local Boards of Elections to meet HAVA requirements. EAC adopts voluntary voting system guidelines, accredites testing labs, certifies voting systems, audits the use of HAVA funds, and maintains the national mail voter registration form.

**National Voter Registration Act**

The National Voter Registration Act is also known as the “Motor Voter Act” because it requires that you be asked whether you are registered to vote and if not, if you would
like to register, whenever you obtain a driver’s license or apply for services from a variety of government agencies.\textsuperscript{cxvi}

The National Voter Registration Act requires states to offer voter registration and registration assistance at all offices that provide public assistance and all offices that provide state-funded programs primarily engaged in providing services to persons with disabilities. These state offices include:

› Disability Rights North Carolina
› Mental Health, Developmental Disabilities and Substance Abuse Services
› Division of Employment Security
› Work First  › Services for the Blind/Vocational Rehabilitation
› Food Stamps  › Women, Infants and Children
› Medicaid

The above-listed agencies must provided each applicant for its services, applicant for renewal of services, or recipient who notifies of a change of address with a voter registration form, as well as assistance in completing the form and forwarding the completed application to a local county board of election.

\textbf{State Laws}

North Carolina laws generally codify federal requirements and make them applicable to all elections, not just federal ones. In most cases, our state has not created additional laws or restrictions regarding voting. Generally, you can find most North Carolina election laws in Chapter 163 of the North Carolina General Statutes.

\textbf{VOTING RESOURCES}

\textbf{Election Protection Hotline}

Election Protection is a nationwide telephone hotline program that has attorneys ready to help you solve your problem with voting immediately. Call 1-866-Our-Vote (1-866-687-8683) on Election Day if you encounter a problem.

\textbf{North Carolina Board of Elections}

Mailing Address: PO Box 27255, Raleigh, NC 27611-7255
Physical Address: 441 North Harrington St, Raleigh, NC 27603
Phone: (919) 733-7173 or (866) 522-4723
Fax: (919) 715-0135
Website - \texttt{http://www.ncsbe.gov/}
**U.S. Election Assistance Commission**

U.S. Election Assistance Commission  
1201 New York Avenue, N.W., Suite 300  
Washington, DC 20005  
Phone: (866) 747-1471(toll free) or (202) 566-3100  
Fax: (202) 566-3127  
Website: [http://www.eac.gov/](http://www.eac.gov/)

**Department of Justice, Disability Rights Section**

U.S. Department of Justice  
Civil Rights Division Disability Rights Section - NYA  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530  
Phone: 800-514-0301  
Fax: (202) 307-1197  
Website: [http://www.ada.gov/](http://www.ada.gov/)

**U.S. Access Board**

1331 F Street, NW, Suite 1000  
Washington, DC 20004-1111  
Phone (voice): (202) 272-0080 toll free: (800) 872-2253  
Phone (TTY): (202) 272-0082 toll free: (800) 993-2822  
Fax: (202) 272-0081  
Website: [http://www.access-board.gov/index.htm](http://www.access-board.gov/index.htm)
ABOUT DISABILITY RIGHTS NORTH CAROLINA

Disability Rights North Carolina is the protection and advocacy organization (P&A) for North Carolina. We work to improve the lives of people with disabilities by protecting their legal rights. DRNC does this in several different ways:

- Public Awareness Training
- Community Outreach
- Providing Information and Referral Services
- Investigating Incidents of Abuse and Neglect
- Representing Clients with Disabilities

How Does DRNC Help Protect the Voting Rights of Individuals with Disabilities?

The Help America Vote Act (HAVA) authorized funding for protection and advocacy system “to ensure full participation in the [entire] electoral process for individuals with disabilities, including registering to vote, casting a vote, and accessing polling places.”

Using this funding, Disability Rights North Carolina engages in the following actions to promote and protect the voting right of individuals with disabilities:

- Community Outreach
- Talking to groups about registration, different ways they can vote, voting site accessibility, help during voting, and answer questions
- Providing information to consumers
- Encouraging voter registration
- Making sure people with disabilities living in facilities are aware of their rights and are registered to vote
- Representing individuals with disabilities who have been denied their right to vote.

References:


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\textsuperscript{ix} N.C. Gen. Stat. § 163-82.6 (2009).
\textsuperscript{x} N.C. Gen. Stat. §§ 163-82.3 - 163-82.6 (2009).
\textsuperscript{xii} N.C. Gen. Stat. § 163-82.6A(b) (2009).
\textsuperscript{xv} N.C. Gen. Stat. § 13-1).
\textsuperscript{xx} N.C. Gen. Stat. § 163-82.6(c) (2009).
\textsuperscript{lI} N.C. Gen. Stat. § 163-57.8(b) (2001).
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\textsuperscript{lv} N.C. Gen. Stat. § 163-57.8(c) (2001).
28 C.F.R. § 35.160(a)(1); 28 C.F.R. § 36.303(c) (Sept. 15, 2010).
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