



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, REGISTER (in person or postmarked) by OCTOBER 10 ****

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, tell an election monitor or show this paper to poll worker on Election Day, or contact us before Election Day at voter.hotline@nydlc.org. You can bring this paper into the voting booth.

YOU HAVE THE RIGHT TO VOTE...

- If you REGISTER by October 10, 2008 to vote on November 4. Mail registration must be postmarked by October 10th.

You can register to vote IF:

- You are a United States citizen
- You have lived at your present address for at least 30 days before the election
- You are NOT in jail or on parole for a felony
- You will be at least 18 years old by November 4th, 2008
- You do not claim the right to vote elsewhere

If you have not voted in several years, confirm your registration status.

If you are not sure if you are properly registered, register again with your correct, current information.

TO REGISTER, check your STATUS, find your POLLING PLACE LOCATION, or for further information on registration, contact your local 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).)

• 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 someone challenges your right to vote, or 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 (2) 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).

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- **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 cannot read, cannot see, or cannot 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 §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.

PROBLEMS? CONTACT US!

voter.hotline@nydlc.org

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.