Disclaimer: This guide is designed for informational purposes only. It is not legal advice and is not intended to create an attorney-client relationship. The Election Protection Coalition does not warrant any information contained in this guide, nor does the Coalition suggest that the information in this guide should be used as a basis to pursue legal advice or decision-making.

Note: This FAQ is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, contact your hotline captain or command center for assistance. Please make sure to record all of the voter’s contact information should follow-up be necessary.

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1. Am I registered to vote?

Voters can determine whether they are registered to vote by checking the New Jersey Division of Elections’ website and clicking on the “Am I Registered” tab: (https://voter.njsvrs.com/PublicAccess/servlet/com.saber.publicaccess.control.PublicAccessNavigationServlet?USERPROCESS=PublicSearch). Alternatively, they can call 1-877-NJ-VOTER.

2. Where do I vote?

For the November 3, 2020 General Election: Voters can determine their proper polling place by checking the New Jersey Division of Elections’ website and searching for their address: (https://voter.svrs.nj.gov/polling-place-search). If a voter has recently moved and has not updated their voter registration, refer to Question #6.

3. When do the polls open and close?


The polls must be open from 6:00 a.m. to 8:00 p.m. Eastern Time on both Primary Election Day and General Election Day. Any voter who is in line by 8:00 p.m. is entitled to cast a ballot.

4. When is/was the voter registration deadline?

The registration deadline is 21 days before Election Day. The registration deadline for the July 7, 2020 Presidential Primary is June 16, 2020. For the November 3, 2020 General election, that is October 13th. Registration forms must be either postmarked or delivered by that date.

5. Can I vote without providing identification?

New Jersey voters can vote without showing identification, with only one exception: a first-time voter who registered by mail and did not provide an accurate driver’s license number, non-driver ID number, the last four digits of a Social Security number, or acceptable identification at that time must present ID at the polling place on election day. Acceptable identification includes either a current and valid photo ID (e.g., New Jersey driver’s license, student or job ID card, store membership card, U.S. passport, military ID), or any current document with the voter’s name and address such as a bank statement, pay check, rent receipt, sample ballot, utility bill, government check, car registration, or non-photo driver’s license.

Voters who cannot do so will be asked to vote by provisional ballot instead of by machine. After casting a provisional ballot, the first-time voter must provide proper ID to the county commissioner of registration by the close of business on the second day after the election in order for the provisional ballot to be counted. A first-time voter should be encouraged to go and get acceptable identification if possible and NOT cast a provisional ballot. A provisional ballot should be used only as a last resort.

6. I have moved and I didn’t update my voter registration, can I vote?

The answer to this question depends on where and when the voter moved. Refer to the table below.

<table>
<thead>
<tr>
<th>Moved within the same district</th>
<th>Moved to a different district but within the same county</th>
<th>Moved to a different county</th>
</tr>
</thead>
<tbody>
<tr>
<td>The voter may cast a regular ballot upon completing a written affirmation at the polling place.</td>
<td>The voter may vote by provisional ballot in the district to which they have moved upon completing a written affirmation at the polling place.</td>
<td>If, on or before the 31st day prior to the election, a voter has moved into the county from another county or state and has not registered to vote, they are ineligible to vote. However, if within 30 days of the election, the voter has moved to the county from another county in New Jersey, they are ineligible to vote in the new county but may be...</td>
</tr>
</tbody>
</table>
7. What should I do if there are equipment problems at my district?

Voters should immediately notify poll workers if the voting equipment breaks down. Each voter should be offered an emergency paper ballot. If the polling place runs out of emergency paper ballots, the district board member in charge should call the appropriate authority for additional emergency paper ballots. Tell the voter to make sure they are given an emergency paper ballot and NOT a provisional ballot.

8. I am a registered voter who is not on the rolls in the district where I currently am. Can I vote where I am?

A poll worker at the polling place should double check the district list. New Jersey poll workers have lists only for their own election districts; they do not have master lists. If the voter does not appear on the district list, they should ask the poll worker to check the “street list” to see if the voter’s address falls within a different election district in the county. Hotline volunteers may also verify that the voter is in the correct district or redirect the voter to the correct district. (See Questions #1 and #2.)

If the poll worker says the voter is not eligible to vote, a voter who thinks they are eligible may vote by provisional ballot after completing the affirmation statement. However, a provisional ballot will not be counted unless it is later determined that the voter is eligible to vote. If the provisional ballot is cast in a district where the voter is not registered, only the votes for those offices and questions for which the voter is qualified will be counted. If the poll worker tells a voter that they cannot vote on the machine, the voter has the right to know the reason. Because a provisional ballot may not be counted, the voter should consider going to the Superior Court for an order permitting them to vote if the voter believes that they are – or should have been – duly registered.

9. My name isn’t showing up on the list of registered voters – could it have been removed?

Names can be removed from the list of registered voters only for the following reasons: 1) the voter confirmed in writing that the voter moved out of state; 2) the voter failed to respond to a mailed confirmation notice from the relevant elections official and then did not vote or attempt to vote in two consecutive federal general elections following that failure to respond; 3) the voter was registered in another county at the same time; 4) the voter was convicted of a felony; or 5) the voter died.

Any voter whose name was removed from the voter registration list on the basis of a determination of ineligibility who subsequently becomes eligible to vote must re-register in order to have their name restored to the statewide voter registration system.

Note that you can take steps to help to determine why a voter’s name is not appearing on the list of registered voters:
- Check the voter’s registration status using the registration lookup tool to make sure they are registered to vote and at the right polling place. (See Question #1.)

- Has the voter moved recently? Could they be registered at an old address? Check that address in the registration lookup tool. (See Questions #1 and #6.)

- Has the voter changed their name recently, or could they be registered under a different name? Check that name (and any variations of the voter’s name, especially for hyphenated names, which sometimes trip up databases) in the registration lookup tool. (See Question #1.)

- When/where did the voter register to vote? Was that before the deadline?

10. I have a criminal conviction. Can I vote?

Only convictions for felonies (also called “indictable offenses” in New Jersey) result in loss of the right to vote and only while the person is incarcerated.23 Once a person with a felony conviction has completed their period of incarceration, the person must complete a new voter registration form and mail or hand-deliver it 21 days before the election.24

Pretrial detainees who have not yet been convicted and persons with misdemeanor convictions (also called a “disorderly persons offense” in New Jersey) are not disqualified from voting. Like all other qualified voters, those serving jail time in pretrial detention or on misdemeanor convictions may apply for and cast a mail-in ballot. (See Question #16.)

11. I have been offered a provisional ballot. What should I do?

For the November 3, 2020 General election: Remind the voter to complete the written affirmation on the provisional ballot completely.

Inquire why the voter was offered a provisional ballot. Was it for one of the following reasons?:

- The voter voted by mail-in ballot in the 2016 general election. If this is the case, the voter should have automatically received a mail-in ballot, unless the voter declined to vote by mail after receiving a notice from the county clerk.25 If such a voter did not submit a mail-in ballot or did not receive a mail-in ballot, the voter may vote by provisional ballot after completing an affirmation statement.26

- The voter applied for a mail-in ballot but either did not receive or did not complete and transmit it. If this is the case, the voter may vote by provisional ballot after completing an affirmation statement.27

- The voter currently resides in the same county but in a different election district from the one listed in their voter registration (e.g., the voter did not update their voter registration). If this is the case, the voter may vote by provisional ballot after completing an affirmation statement.28

- The voter’s registration information is missing from the register. If this is the case, the voter may vote by provisional ballot after completing an affirmation statement.29

Because this ballot may not be counted, however, the voter should consider going to court for an order permitting them to vote if the voter believes that they are, or should be, duly registered.30
The person is a first-time voter who registered by mail, did not provide an accurate driver’s license number, non-driver ID number, the last four digits of a Social Security number, or valid identification at the time, and cannot provide such identification at the polling place. If this is the case, the voter may cast a provisional ballot but will need to present acceptable identification to their commissioner of registration by no later than the close of business the second day following the election. A first-time voter should be encouraged to go and get acceptable identification if possible and NOT cast a provisional ballot.

If the voter casts a provisional ballot, remind them to ask the poll worker if any additional steps will be needed to make sure the ballot is counted.

12. I am a college student. Can I register to vote where I go to school?

New Jersey college students may register to vote so long as they meet the generally applicable standards (i.e., they are at least 17 years old (though they cannot vote until they turn 18), a U.S. citizen, a resident in the district in which they intend to vote, a resident of the state or county for 30 days before the election, and are not otherwise disqualified from voting). This is true regardless of whether the college student intends to reside permanently in New Jersey.

13. I am physically disabled and need assistance. Will my polling place be accessible?

All polling places in New Jersey should be accessible to voters with disabilities. If there is an accessibility issue at a particular polling location, voters with disabilities can contact their county election officials for a referral to a nearby accessible location with a common ballot.

The electronic voting machines that most New Jersey counties use can be re-positioned so that voters seated in wheelchairs can use them. For those who are visually impaired, the machines have an audio function available upon request. Also, if a voter is blind, disabled, or cannot read the ballot, the voter may have someone of their choice assist them in the voting booth, or two members of the county board of elections of opposite political affiliations may help the voter.

14. I am blind, physically disabled, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?

Yes. Anyone who has a physical disability or cannot read or write is entitled to have a person of their choice, other than the voter’s employer, an agent of the employer, or an officer or agent of the voter’s union, mark the voter’s choices or assist the voter in marking their choices on the ballot. In addition, assistance can be provided by two members of the county board of elections of opposite political affiliations.

15. I don’t know how to use the voting equipment. Can I get help?

Instructions on the proper operation of the voting machine booths must be posted and/or made available at the polling place. A person who needs assistance because he or she is disabled or is unable to read or write may designate someone of their own choice to provide such assistance. Two members of the county board of elections of opposite political affiliations may also provide assistance.
Note: While New Jersey law allows voters only two minutes in the voting booth, federal law prohibiting discrimination against voters with disabilities may override this restriction as applied to voters who need more time because of their disabilities.

16. Can I vote absentee or vote in person before election day?

For the November 3, 2020 General election: In New Jersey, any voter may choose to vote by mail-in ballot; no special reason is required. A voter may submit an application for a mail-in ballot to the county clerk by mail at least 7 days before the election or in-person at the county clerk’s office no later than 3:00 p.m. of the day before the election. A voter may opt to vote by mail-in ballot in a single election or in all future elections. A voter who voted by mail-in ballot in the 2016 general election, however, will automatically be furnished with a mail-in ballot in all future elections, unless the voter responded to a notice from the county clerk and declined to receive mail-in ballots in all future elections. A voter may stop receiving mail-in ballots by sending a request, in writing, to the county clerk.

To be counted, a mail-in ballot must be postmarked before or up to the date of the election and received within 48 hours of the close of the polls. Alternatively, a voter or an authorized bearer for the voter may deliver the mail-in ballot to the board of elections in the voter’s county by the close of the polls.

Early in-person voting is not explicitly allowed in New Jersey, but the law permits a voter to apply for and pick up a mail-in ballot at the county clerk’s office and then hand-deliver the ballot to the board of elections. In most counties, the clerk’s office is near the board, making this early voting option feasible.

17. What if I requested or automatically received a mail-in ballot but I want to vote in person on Election Day?

If a voter requested or automatically received a mail-in ballot but did not submit the mail-in ballot, they may vote in person by provisional ballot at the polling place in the voter’s election district on election day. If a voter requested or was scheduled to automatically receive a mail-in ballot but never received either the ballot or an explanation for not receiving it, they may vote in person by provisional ballot at the polling place in the voter’s election district on election day. Such voters may not vote by machine on Election Day.

18. Does my state have same-day registration? If so, what is the process?

No. New Jersey does not have same-day registration. The registration deadline is 21 days before election day. For the July 7 primary election, that is June 16. For the November 2020 general election, that is October 13th. Registration forms must be either postmarked or delivered by that date.

19. What rules apply to people campaigning or “hanging around” my polling place? Can people approach me?

New Jersey prohibits electioneering, otherwise trying to influence voters, or distributing materials within the polling place or within 100 feet of the entrance to the polling place.
20. Someone is formally challenging my right to vote. What do I do?

New Jersey law allows candidates and political party officials to appoint challengers.\textsuperscript{55} Challengers are authorized to challenge the right of a voter to cast a ballot.\textsuperscript{56} They have a right to be present while votes are counted and to challenge the qualification or rejection of any ballot.\textsuperscript{57} Only one challenger for any party, candidate, or political question may be present in the polls at a time, and all challengers must wear a badge identifying the person or party for which the challenger is acting.\textsuperscript{58} Challengers may not challenge votes on the basis of the voter’s race, color, national origin, or place of residence, except to challenge whether the voter lives in that particular election district at all.\textsuperscript{59} Challengers may not challenge voters directly, as only election officials may ask the voter questions.\textsuperscript{60}
12 N.J. Stat. Ann. § 19:53C-3(d) sets the time at 21 days before the election, but in Afran v. County of Somerset, 244 N.J Super. 229 (App. Div. 1990), the Appellate Division held that a voter cannot be disenfranchised because of the 30-day durational residency requirement for voting in the destination county. See N.J. Const., art. II, ¶ 3(a); N.J. Stat. Ann. § 19:31-5. Thus, the effective period is 30 days. A voter who moves from one county in the state to another within 30 days of the election can vote provisionally in the last district where the voter was registered; a voter who moves from one county to another within the state 31 days or more before the election and fails to register may not vote until duly registered at the new address. A voter who moves to New Jersey from out-of-state must register and reside at the new address for 30 days before the election in order to vote.
13 Supra note 12.
See generally https://www.ada.gov/regs2010/titleII_2010/title_ii_primer.html. This guide gives examples of the types of reasonable accommodations state and local governments should make for people with disabilities.