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**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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## REGISTERING TO VOTE

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### 1. STATUS: Am I registered to vote?

Voters can determine whether they are registered to vote in Delaware by visiting the State's Department of Elections website at <https://ivote.de.gov/VoterView> and entering their (a) First Name; (b) Last Name; (c) date of birth; and (d) Driver's License number or State ID Number. A voter may also contact the Delaware Department of Elections at 302-739-4277.

### 2. HOW: How do I register to vote? What if I don't have access to a computer and/or printer?

Individuals can register to vote using Delaware's Online Registration System which can be accessed online by visiting the State's Department of Elections website at <https://ivote.de.gov/VoterView/registrator/newregistrator>.

Individuals may also register to vote by mail. Individuals must print and complete the State of Delaware All-In-One Form to Register to Vote or Update Your Information, which can be found [here](#). Upon completion, the form can be mailed, emailed, or faxed with a copy of the individual's ID to the Department of Elections Office of their County. A Valid form of ID includes a Delaware Driver's License or State ID Card, or a copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter. If the Individual is unable to print the form, they will need to telephone the Department of Elections Office of their County and request that an application be mailed to them. Contact information for the Department of Elections Office of each County can be found at <https://elections.delaware.gov/locations.shtml>.

If an individual does not have access to a computer and/or printer, individuals can visit a mobile registration event. For information on scheduled mobile registration events, contact the State's Department of Elections at 302-739-4277, or the Department of Elections for each county. Contact information for the counties in Delaware can be found at <https://elections.delaware.gov/locations.shtml>.

Individuals may also register to vote at the following governmental offices:

- Any office of the State's Department of Elections. The locations of such office can be found at <https://elections.delaware.gov/locations.shtml>.
- At Division of Motor Vehicle offices when applying for, renewing, or updating a Driver's License or State ID Card.
- At State Service Centers (Department of Health and Social Services) when applying for services.
- At the Department of Labor: Division of Training and the Division of Vocational Rehabilitation.
- At WIC Program offices when applying for services or assistance.
- At Armed Forces Recruitment Offices when applying for services.
- At some Social Security offices.
- At the State Election Commissioner's Office.
- At institutions of higher education when you register for classes.

**3. IDENTIFICATION: What ID is required to register to vote?**

A Valid form of ID includes a Delaware Driver's License or State ID Card, or a copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter. The ID requirements for voting are provided in response to question 36.

**4. DEADLINES: When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?**

Individuals can register to vote at any time except after the fourth Saturday before a Primary or General Election through the day of the election.<sup>1</sup> In Delaware, for the Presidential primary on July 7, 2020, the deadline to register is Saturday, June 13, 2020. For the Gubernatorial Non-Presidential Primary on September 15, 2020, the deadline will be Saturday, August 22, 2020. *For the General Election on November 3, 2020, the deadline for voter registration will be Saturday, October 10, 2020.* Mail-in applications postmarked on or before the deadline will be considered on time. Applications taken by agencies on or before the deadline shall be considered on time.

Any updates to registration deadlines can be found on the Delaware Election Calendar which is updated/revised to reflect updated election dates pursuant to the Governor's modification of the State Emergency Declaration due to Covid-19. The 2020 Delaware Election Calendar can be found at <https://elections.delaware.gov/calendars.shtml>.

**5. SAME DAY: Does my state have Same Day Registration (i.e., I can register to vote the same day I vote)? If so, what is the process?**

No. Delaware does not have Same Day Registration.

**6. PERMANENT MOVE: I have moved permanently and I didn't update my voter registration, can I vote?**

Yes. A voter who moves within the state of Delaware can try to vote at the location where their name appears on the voter roll. However, if their vote is challenged on the basis that they are not a resident of that election district, they may vote at the polling place for their new residence or address.<sup>2</sup> Note that, for the 2020 General Election, you will receive an application for mail-in ballot at the address that appears on your voter registration record, which may not be the address at which you are currently residing.<sup>3</sup> It is always advisable to update your voter registration information as soon as possible after moving, which may be done at <https://ivote.de.gov/voterlogin.aspx>.

Voters who have moved to Delaware from a different state may register to vote in Delaware, as long as they provide proof that their present intent is to make Delaware their permanent home, or their home for the indefinite. There is no requirement that any eligible voter has already lived in Delaware for a particular duration of time prior to registration.<sup>4</sup>

**7. TEMPORARY MOVE: I have moved temporarily due to Covid-19 or some other reason. Where can I vote?**

Voters who are registered to vote in Delaware and who move elsewhere *within* the state temporarily may try to vote at the polling place where they are registered (see Question 6). Note that you will receive an application for mail-in ballot at the address that appears on your voter registration record, which may not be the address at which you are currently residing.

Regardless of where you have moved, if you are absent from the district in which you are registered to vote because you are abiding by CDC and DPH guidelines regarding social distancing, you may request an absentee ballot.<sup>5</sup>

**8. STUDENT: I am a college student. Can I register to vote where I go to school? What if I am taking classes remotely? Where can I vote?**

Yes, students from Delaware can register to vote at their school address, as long as they provide proof of the address at the school when registering to vote or updating their registration. A college student *from out-of-state* can register to vote in Delaware as long as they provide proof that their present intent is to make Delaware their permanent home or their home for the indefinite future.

In both circumstances, proof can include:

- A Delaware Driver's License in the applicant's name;
- A Delaware vehicle registration in the applicant's name and with his/her address at school;
- A current lease, utility bill, tuition bill, bank statement, paycheck stub, or credit card statement under the student's name and with his/her address at school; or
- A Delaware resident income tax return for the most recent year for which a filing is required.<sup>6</sup>

Students attending classes remotely *from* Delaware may register to vote at their school address as long as they can provide any of the forms of proof described above of their address at the school when registering to vote or updating their registration.

If a Delaware resident moves outside of Delaware to attend college, they may vote by absentee ballot.<sup>7</sup> However, they will not qualify to vote in Delaware if they intend to remain outside the state for an indefinite period of time.<sup>8</sup>

If a Delaware student who is registered to vote at their school address is attending classes remotely from *outside* Delaware, they may also vote by absentee ballot.<sup>9</sup>

**9. LIVING ABROAD: I am living abroad and/or am serving in the military. How can I register and/or vote?**

If you are living abroad or serving in the military, you can still register to vote, provided that you have not established a domicile or registered to vote in another state. If you have a permanent address in Delaware, you may register to vote using that address. If you do not, you may register to vote at the address of your last place of permanent residence in Delaware prior to joining the military or moving overseas.<sup>10</sup>

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If you are permanently living outside the United States, you must be registered to vote at the address of the office of the Department in the county in which you last resided before moving overseas. Note that you may only vote for federal offices.<sup>11</sup>

Once registered, persons serving in the military or living overseas are eligible to vote by absentee ballot.<sup>12</sup>

**10. CRIMINAL CONVICTION: I have a criminal conviction. Can I vote?**

A person who has been convicted of a felony is eligible to register or re-register to vote once the person has completed the entirety of their required sentence (including imprisonment, parole, work release, early release, supervised custody, and probation and community supervision).<sup>13</sup>

However, if a person has been convicted of a disqualifying felony (murder or manslaughter—but not vehicular homicide—sexual offenses, or crimes against public administration involving bribery or public corruption) and has not been pardoned, that person will not be eligible to register to vote.<sup>14</sup>

To determine whether a person is eligible to register to vote, call the Department of Elections at (302) 739-4277.

**11. INCARCERATED: I am currently in jail. Can I vote?**

Currently incarcerated persons are not eligible to vote in Delaware.<sup>15</sup>

**12. NOT ON ROLLS AT POLLING PLACE: I am at my polling place and am not on the voter registration roll. Can I vote where I am?**

Yes. A voter who moves within the state can try to vote at the location where their name appears on the voter roll. However, if their vote is challenged on the basis that they are not a resident of that election district, they may vote at the polling place for their new residence or address. If a voter believes that they are registered to vote in an election district, but the voter's eligibility to vote in that district cannot be determined while at the polling place, the voter may vote a provisional ballot. A voter voting a provisional ballot must show proof of identity and address to the election officers at the polling place and fully complete the provisional ballot affidavit with the voter's full name, complete address and date of birth, otherwise the provisional ballot will not be tallied.<sup>16</sup>

**13. THOUGHT WAS REGISTERED: My name isn't on the voter registration roll but I thought I was registered. Could it have been removed? What do I do?**

A voter's name can be removed from the list of registered voters by the State Board of Elections if the Board finds that there is a valid reason to believe a person is no longer a duly qualified voter in the election district in which that person is registered<sup>17</sup> or the Department of Elections determines that a registered voter has died.<sup>18</sup> A person may be removed from the voter rolls as unqualified if such person, for example, is under 18 years old, is not a resident of the State of Delaware, is adjudicated mentally incompetent, was convicted of a disqualifying felony or certain election-related crimes enumerated in the Delaware Constitution.<sup>19</sup>

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If a voter wants to appeal their registration status, the voter should call the State of Delaware's Department of Elections (302)-739-4277 and ask for assistance.

A person erroneously removed from the voting rolls may be restored to the voting rolls if the Department of Elections' county director in the applicable county finds that such removal was in error.<sup>20</sup>

Note that you can take steps to help to determine why a voter's name is not popping up on the list of registered voters:

- Check the voter's registration status using the registration lookup tool to make sure he/she is registered to vote and at the right 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 Question 1 and Question 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? (see Question 4)

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## HOW TO VOTE: EARLY VOTING

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### **14. AVAILABILITY: Is there early voting in my state (whether called early voting or in person absentee voting)? When is it?**

Delaware currently does not offer an early voting period. If you will be unable to vote on Election Day, you can request an absentee ballot by mail or by visiting your county election office. House Bill 38, signed by the Governor in June 2019, will allow registered voters to vote in-person at least 10 days before the election beginning January 1, 2022.

Delaware does offer the option to vote by mail-in ballot in the 2020 General Election,<sup>21</sup> which may be completed prior to election day.

### **15. ELIGIBILITY: Do I have to have a reason to vote early?**

Unfortunately, Delaware does not offer early voting at this time (see Question 14).

### **16. WHEN: When do the polls open/close during early voting?**

Unfortunately, Delaware does not offer early voting at this time (see Question 14).

### **17. WHERE: Where do I vote during early voting?**

Unfortunately, Delaware does not offer early voting at this time (see Question 14).

**18. IDENTIFICATION: What identification is required for early voting? Can I vote without providing identification?**

Unfortunately, Delaware does not offer early voting at this time (see Question 14).

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## HOW TO VOTE: ABSENTEE AND/OR VOTE BY MAIL

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**19. AUTOMATIC: Do I have to request an absentee ballot or will my state mail me one automatically? How do I request one?**

***Voting by Mail***

Due to COVID-19, all registered voters of the State of Delaware may cast their vote by mail.<sup>22</sup>

Voters desiring to vote by mail ballot may request a vote by mail ballot online at <https://ivote.de.gov/> and follow the instructions there to request a ballot.

Voters can also obtain an application to receive a vote by mail ballot from the Department of Elections Website at [https://elections.delaware.gov/pubs/pdfs/VoteByMail\\_ApplicationForm.pdf](https://elections.delaware.gov/pubs/pdfs/VoteByMail_ApplicationForm.pdf). Registered voters will also receive at their registered address, no later than 60 days before any election, an application to receive a vote by mail ballot.<sup>23</sup>

***Absentee Voting***

Voters desiring to vote by absentee ballot may request and complete an absentee ballot online at <https://ivote.de.gov/>.

Voters can also obtain an application to receive an absentee ballot from the Department of Elections Website at [https://elections.delaware.gov/pubs/pdfs/absentee\\_ballot\\_application.pdf](https://elections.delaware.gov/pubs/pdfs/absentee_ballot_application.pdf).

**20. APPLICATION DEADLINE: What is the deadline for requesting an absentee ballot?**

***Voting by Mail***

The last day vote by mail ballots will be mailed to registered voters is four (4) days before the election, which is the Friday before the election. Vote by mail applications must be received by the Department of Elections by this day.

***Voting by Absentee Vote***

Handwritten or electronically prepared applications for absentee ballots must be filed with the Department of Elections by no later than 12:00 noon on the day before Election Day.<sup>24</sup>

**21. APPLICATION RETURN: Where and/or how can I return my absentee ballot application? Can someone return it for me?**

Voters can complete and submit the application for a vote by mail ballot or absentee ballot online at <https://ivote.de.gov/>.

Voters may also email, fax, or mail the completed application for vote by mail or absentee voting to the Department of Elections' Office in the County where the voter lives.

**22. DIDN'T REQUEST IN TIME: What if I have not requested an absentee ballot by the deadline?**

If you miss the deadline to request an absentee ballot (see applicable deadlines in FAQ #24 above), you will not be able to vote absentee. Thus, it is advised that you request an absentee ballot well in advance of the deadline.

**23. ELIGIBILITY: Do I have to have a specific reason for requesting to vote by absentee ballot?**

Yes. In order to vote by absentee ballot, the voter must be registered to vote in Delaware and unable to go to his or her polling place on election day for one of the following reasons:<sup>25</sup>

- The voter is a U.S. Citizen in public service of the United States or Delaware, including in the armed forces, merchant marines, or American Red Cross (or is a spouse or dependent residing with or accompanying such person);
- Due to the nature of the voter's business or occupation (including the business of providing care to their parent, spouse, or child who is living at home and requires constant care due to illness, disability or injury);
- The voter is sick or physically disabled;
- The voter is absent from the election district while on vacation;
- The voter is unable to vote at a certain time or on a certain day due to their religious beliefs; or
- The voter is otherwise authorized by federal law, including the federal Uniformed and Overseas Citizens Absentee Voting Act, to vote by absentee ballot.

When applying for an absentee ballot, the voter must select the applicable reason for requesting an absentee ballot on the request form, which can be found here:

[https://elections.delaware.gov/pubs/pdfs/absentee\\_ballot\\_application.pdf](https://elections.delaware.gov/pubs/pdfs/absentee_ballot_application.pdf).

Members of the Uniformed Services, the Merchant Marine, the commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration, their eligible family members and other U.S. citizens residing outside of the U.S. (collectively referred to as "UOCAVA citizens") should use the Federal Post Card Application instead of the Delaware absentee ballot request form. Visit the Federal Voting Assistance Program's (FVAP's) Delaware page here: <https://www.fvap.gov/delaware>.

The Federal Write-in Absentee Ballot (FWAB) is a back-up ballot that can be used by voters who are UOCAVA citizens. You can use this FWAB whether you are located inside or outside the United States (including APO and FPO addresses), provided that you are away from your voting residence for service-related activities. For specific instructions, visit <https://www.fvap.gov/guide/chapter2/delaware>.

**24. STATUS OF APPLICATION AND/OR BALLOT: How can I check the status of my application and/or absentee ballot?**

Voters can check the status of their absentee ballot by:

- Searching Delaware’s online voter portal, linked here: <https://ivote.de.gov/VoterView> (NOTE: requires voter to enter first name, last name, DOB and drivers license or state ID number);
- Calling, e-mailing or faxing the Department’s office in the voter’s county (see a list of offices and contact information here: <https://elections.delaware.gov/locations.shtml>); or
- Visiting the Department’s office in the voter’s county (see the list of offices and contact information at the link above).<sup>26</sup>

**25. APPLICATION AND/OR BALLOT REJECTED: I learned my absentee ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?**

Unfortunately Delaware does not require election officials to contact a voter before rejecting your ballot due to issues like a missing signature.<sup>27</sup> Delaware also does not provide post-election notice and cure opportunity for defects on an absentee-ballot envelope, including signature mismatch or missing signatures.<sup>28</sup>

To minimize the risk of having your ballot rejected, is critical that you carefully read the ballot instructions, **sign** the ballot (see FAQ #26 below) and meet the submission deadlines summarized elsewhere in these FAQs. You can also check the status of your absentee ballot online (see FAQ #24 above).

**26. COMPLETING BALLOT: How do I complete the absentee ballot? Are there any identification requirements?**

Voters should do the following when completing an absentee ballot:

- Follow the instructions marked on the ballot as “INSTRUCTIONS FOR COMPLETING AND RETURNING AN ABSENTEE BALLOT.”<sup>29</sup>
- Fill in the ovals on the ballot with blue or black in. Do not use any other mark. Do not write on the ballot except to make your selections or correct a mistake.<sup>30</sup>
- Only vote for one candidate for each office (NOTE: you may vote for three candidates for Wilmington City Counsel-at-Large).<sup>31</sup>
- Once you have voted your ballot, place it in the postage-paid envelope provided, seal the it, read the oath and **sign and date** the ballot envelope.<sup>32</sup>

**27. LOST OR SPOILED: What if I lost my absentee ballot or it is spoiled or I received an incorrect one?**

If a ballot is lost or spoiled (e.g., the voter makes a mistake or it’s incorrect), then the voter has a right to receive a replacement ballot. The voter should contact the Department of Elections in their county: <https://elections.delaware.gov/locations.shtml>. Please be aware of the deadlines described in the response to Question 30. The voter also has the option to vote in person at his/her local polling place instead.

**28. NON-RECEIPT OF BALLOT: What if I requested an absentee ballot but have not received it? Can I do anything?**

If a voter does not receive their absentee ballot, the voter should contact the Department of Elections' office in their county. Alternatively, the voter may fill out and send in a Federal Write-in Absentee Ballot (FWAB).

The FWAB can be used to register to vote and to vote. If the voter is using the FWAB, they must meet the following Federal Election Deadlines:

- Registration:
  - By Mail: Postmarked by October 19, 2020.
  - By Email or Fax: Received by October 19, 2020.
- Ballot Request:
  - Request Mail Ballot: Received by October 30, 2020.
  - Request Email/Online or Fax Ballot: Received by 12 PM ET, November 2, 2020.
- Ballot Return
  - Received by 8 PM ET, November 3, 2020.

In addition, if the voter does not receive their absentee ballot prior to Election Day, they can visit their local polling station on Election Day. They should notify a poll worker upon arrival, and the poll worker will be able to check their voting status. If their completed absentee ballot was never returned to the Department of Elections, then they will be able to vote in person.

**29. IN PERSON OPTION: What if I requested an absentee ballot but I want to vote in person on Election Day?**

If prior to Election Day, the voter should contact the Elections office in their county and request to cancel their absentee ballot. When they arrive at their polling place to vote in person, the voter should let the poll worker know they requested an absentee ballot. The poll worker should be able to look the voter up in the pollbook and check their voting status. If the voter did not return the absentee ballot that was requested, a poll worker will contact the Department to cancel the absentee ballot and the voter will be permitted to vote in person. If the absentee ballot was already returned to the Department of Elections and is being prepared to be counted, the voter will not be permitted to vote in person.

**30. BALLOT DEADLINES: What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?**

The deadline to submit an application to request an absentee ballot in person is noon on Monday, November 2, 2020.

The deadline to submit an application to request an absentee ballot via mail is Friday, October 30, 2020. This is to ensure the ballot has enough time to reach the voter.

Completed absentee ballots must be returned to the Department of Elections by 8pm on Election Day which is Tuesday, November 3, 2020. This means, if you are mailing in the absentee ballot to the Department, it needs to be completed and mailed prior to Election Day, with enough time to arrive at the Department of Elections. The State of Delaware has not given an official deadline for when the ballots must be postmarked, so it is recommended that you mail in your absentee ballot as early as possible.

**31. BALLOT DROP OFF LOCATIONS: What are the locations for dropping off a completed ballot (instead of mailing it)?**

Ballots can be dropped off at the local county elections office. Secure ballot boxes will be provided. A list of locations is provided below. Please note that ballots may not be dropped off at polling places.

Office	Address	Hours
Carvel State Office Building - Suite 400	<a href="#">(820 N. French St, Ste 400, Wilmington, DE 19801)</a>	Monday - Friday (8:00AM - 4:30PM)
Carvel State Office Building - Lobby (9th & French Sts. entrance)	<a href="#">(820 N. French St, Ste 400, Wilmington, DE 19801)</a>	Monday - Friday (7:00AM - 5:00PM)
New Castle County Office Warehouse & Training Center - box is located at south (far) end of building	<a href="#">(220 Lisa Dr, New Castle, DE 19720)</a>	Monday - Friday (8:00AM - 4:30PM)
Kent County	<a href="#">(100 Enterprise Place, Suite 5, Dover DE 19904)</a>	Monday - Friday (8:00AM - 4:30PM)
Sussex County	<a href="#">(119 N. Race St, Georgetown DE 19947)</a>	Monday - Friday (8:00AM - 4:30PM)
Sussex County - Secure Drop Slot (located in door adjacent to parking lot on Race St.)	<a href="#">(119 N. Race St, Georgetown DE 19947)</a>	24-hours

**32. ASSISTANCE DROPPING OFF: Can someone drop off my completed ballot for me?**

Yes. A voter may have someone else return their voted ballot to the Department's office in the voter's county.

**33. IN PERSON ABSENTEE: Where do I vote in-person absentee?**

A registered voter can vote at the Department's office in their county:

- Between 8:30AM and 4PM on normal business days;
- Before 12 noon the day before the election; or
- During extended hours as posted for the Department's office on their county's web site.

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## HOW TO VOTE: ELECTION DAY

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### 34. HOURS: When do the polls open and close on Election Day? What if the polls are closing but I'm in line?

**\*Note to hotline volunteer:** If you learn that a polling place prohibits those who were in line by the time the polls closed from voting, advise voters to stay at the polling location and contact your hotline captain immediately.

The polls must be open from 7:00 a.m. to 8:00 p.m. Eastern Time on Election Day.<sup>33</sup> At 7:30 p.m. an officer of the election shall announce that the polls will close in thirty minutes. Any voter that is in line at the polls by 8:00 p.m. must be permitted to vote a regular ballot.<sup>34</sup>

### 35. POLLING LOCATION: Where do I vote on Election Day?

You can determine a voter's proper polling place by checking the state's polling place locator website (<https://ivote.de.gov/voterlogin.aspx>).<sup>35</sup> If a voter has moved recently and has not updated their voter registration, refer to [Questions #6 and 7](#).

**\*Note to hotline volunteer:** Due to the COVID-19 Pandemic, many polling places have been moved or consolidated. Voters should be advised to check the polling place listed on the Voter Notification Card they received from the local election authority a few days before the election.

### 36. IDENTIFICATION: What identification is required to vote on Election Day? Can I vote without providing identification?

Photo identification is not required to vote on Election Day, though poll workers will ask voters to provide proof of identity. If a voter does not or is not able to show photo identification, the voter must fill out an affidavit of affirmation before being the voter is allowed to vote.<sup>36</sup>

Forms of identification that may be used include:<sup>37</sup>

- Delaware Driver's License or State ID
- U.S. Passport
- Signed Polling Place or Social Security Card
- Signed credit card with photo
- A similar document that identifies the person by photo or signature

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## POLLING PLACE ISSUES

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### **37. POLLING PLACE NOT OPEN: The polling place is not open. What do I do?**

**\*Note to hotline volunteer:** If you learn of a polling place not opening on time or is closed, notify your hotline captain immediately.

See [Question 35](#) for answer if voter needs to double check whether they are at their proper polling place. The voter (or the hotline volunteer on their behalf) should then call the Department of Elections at (302) 577-3464.

### **38. LONG LINES: There are long lines at the polling place. What do I do? What if the polls are closing while I'm in line?**

See [Question 34](#) for answer if voter is in line when polls are closing. The voter (or the hotline volunteer on their behalf) should then call the Delaware Department of Elections at (302) 577-3464. There are not otherwise specific procedures in place for the voter to follow to report long lines at polling places.

**\*Note to hotline volunteer:** If you learn of long lines, notify your hotline captain immediately.

### **39. EQUIPMENT FAILURE: What should I do if there are equipment problems at my precinct?**

Voters should immediately notify the election officers if the voting machine becomes inoperative in whole or in part while the polls are open. The Department of Elections maintains extra voting machines in the case of a break down, and they must take reasonable steps to rapidly deliver new machines to the polling place.

**\*Note to field volunteer:** If you learn of equipment not working properly at a polling place, notify the command center, which will notify a voting machine expert. **\*Note to hotline volunteer:** If you learn of equipment not working properly at a polling place, notify your hotline captain immediately.

### **40. NO PPE/COVID: What if my polling place is not enforcing COVID-19 precautions or has run out of supplies?**

The State of Delaware does not have any specific instructions on how to address COVID-19 precaution concerns at the polling place.

### **41. EQUIPMENT ASSISTANCE: I don't know how to use the voting equipment. Can I get help?**

Yes. Any Election officer may provide instruction or information for a voter through use of one of the sample ballots posted in the voting room.

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Whenever a voter requests further instructions in the manner of voting or the operation of the voting machine after having entered the voting machine booth, two election officers of opposite political parties shall jointly give such instructions. In doing so, the officers shall take care not to assist the voter in any manner that might influence the voter's vote. After giving instructions, both officers must retire before the voter begins to register their vote.

**42. PHYSICAL DISABILITY: I have a physical disability and need assistance. Will my polling place be accessible?**

Yes. All polling places must be accessible. Voters who need assistance can inform the Election Officers at the polls. Voters with special needs may also bring someone with them to help in the voting process. Voting machines can be lowered to accommodate voter needs. Note that those with physical disabilities may be exempt from certain COVID-19 precautions.

**43. READING/LANGUAGE ASSISTANCE: I am blind, have a physical disability, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?**

Yes. Any voter who needs assistance voting is entitled to have some 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. Voters may also request that two poll workers (from different political parties) help them operate the voting machine. Materials distributed by the Delaware Department of Elections in 2019 stated that Universal Voting Console ("UVC") devices—which are headsets and handheld devices that assist visually impaired voters and voters with literacy issues—are available at all polling places in the State. Note that those with disabilities may be exempt from certain COVID-19 precautions.

**44. CURBSIDE VOTING: When can I request curbside voting?**

If the polling place is inaccessible and in violation of the Americans with Disabilities Act ("ADA"), the polling location must provide people with disabilities an alternate way to vote. This includes curbside voting where voters use a portable machine to cast their ballots.

**45. CAMPAIGNING: What rules apply to people campaigning or "hanging around" my polling place? Can people approach me?**

People campaigning around a polling place are not permitted inside the building or within 50 feet of any entrance to the building used by voters. People who are otherwise authorized to be inside the building or inside the 50-foot exclusion zone (such as election officials and persons who work at a polling location, such as a school) are also not permitted to "electioneer." "Electioneering" includes political discussion of issues, candidates or partisan topics, the wearing of any button, banner or other object referring to issues, candidates or partisan topics, the display, distribution or other handling of literature or any writing or drawing referring to issues, candidates or partisan topics, the deliberate projection of sound referring to issues, candidates or partisan topics from loudspeakers or otherwise into the polling place or the area within 50 feet of the entrance to the building in which the voting room is located.<sup>38</sup>

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Media and people conducting exit polls are also not permitted inside the building, but may be within the 50-foot exclusion zone, but may not talk to people who have not yet voted. Outside of the exclusion zone, a voter may be approached.<sup>39</sup>

**46. CHALLENGES: Someone is formally challenging my vote. What do I do?**

When checking in at a polling place, a voter can be challenged as to their identity or as to their residency by an election official or a challenger officially appointed by a political party.<sup>40</sup> The voter should request that the challenge be voted on and decided upon by the inspector of the election and two judges of the election. A majority vote of the inspector of the election and two judges of the election determines a voter's eligibility. If a challenge is not decided in a voter's favor and the voter is not permitted to vote a regular ballot, the voter shall be offered a provisional ballot.<sup>41</sup> If a challenge is decided in a voter's favor, a voter shall be permitted to vote.<sup>42</sup>

**47. POLICE/MILITARY PRESENCE: There are police/members of the military at the polling place. Is this okay? What do I do?**

This might be okay provided they are not inhibiting a voter's ability to vote, campaigning, or intimidating voters. Nevertheless, voters should alert the poll workers and vote as they normally would.

In general, a police officer who is on duty at a polling place shall obey the order of a poll worker for that polling place. A police officer is permitted to make an arrest under an order of a poll worker. A police officer who is on duty at a polling place shall protect a challenger or watcher in the discharge of the duties of the challenger or watcher.

**48. PROVISIONAL BALLOT: I have been offered a provisional ballot. What should I do?**

A provisional ballot is a ballot of last resort. Poll workers will offer a voter a provisional ballot if they are unable to verify that the voter is eligible to vote in the Election District where the voter is attempting to vote or if the voter's eligibility to vote is challenged and the vote is refused.<sup>43</sup> In addition, if a court orders a polling place to be kept open beyond normal time for closing, any voters arriving to vote after the normal closing time will be required to vote by provisional ballot.<sup>44</sup>

A person voting by provisional ballot must present proof of identity and address to the poll workers. The type of identification shown will be annotated on the provisional ballot envelope. If the person voting by provisional ballot does not show proof of identity or address, the person will be permitted to complete their vote by provisional ballot and the fact that the person did not present proof of identity and/or address will be annotated on the provisional ballot envelope.<sup>45</sup>

A provisional ballot will **not** be tallied if:

- The voter is not registered to vote in Delaware;
- The voter is voting in the wrong Election District; or
- The affidavit required to accompany the provisional ballot is incomplete (e.g., is missing any name, address, date of birth information).<sup>46</sup>

Voters casting a vote by provisional ballot are able to determine whether or not the provisional ballot was counted, and if it was not counted, the reason or reasons why it was not counted, by visiting <https://ivote.de.gov/provotestat.aspx>.

**\*Note to hotline volunteer:** If you learn of police/members of the military at the polling place, notify your hotline captain immediately.

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## QUESTIONS

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**49. Who should I contact if I have questions about any of the above?**

*Delaware Department of Elections*

<https://elections.delaware.gov/locations.shtml>

Phone: (302) 856-5367

Fax: (302) 856-5082

Email (General Info): [votesc@delaware.gov](mailto:votesc@delaware.gov)

Email (Absentee Voting): [absenteesc@delaware.gov](mailto:absenteesc@delaware.gov)

Email (Vote By Mail): [votebymailsc@delaware.gov](mailto:votebymailsc@delaware.gov)

*Office of the State Election Commissioner*

State Election Commissioner: Anthony J. Albence

905 S. Governors Ave Ste 170

Phone: (302) 739-4277

Fax: (302) 739-6794

Email (General Info): [coe\\_vote@delaware.gov](mailto:coe_vote@delaware.gov)

*New Castle County Office*

Phone: (302) 577-3464

Fax: (302) 577-6545

*Kent County Office*

Phone: (302) 739-4498

Fax: (302) 739-4515

*Sussex County Office*

Phone: (302) 856-5367

Fax: (302) 856-5082

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- <sup>1</sup> 15 Del. C. § 2036
- <sup>2</sup> 15 Del. C. § 4941
- <sup>3</sup> 15 Del. C. § 4941.
- <sup>4</sup> 15 Del. C. § 4941(1).
- <sup>5</sup> 15 Del. C. § 5502; Sixth Modification of the Declaration of a State of Emergency (2019 DE C20-06), Section A.5 (Mar. 24, 2020).
- <sup>6</sup> Del Dep’t of Elections: New Castle County Office, Frequently Asked Questions: Questions by college students, available at: <https://electionsncc.delaware.gov/faqs/faqcoll.shtml>.
- <sup>7</sup> Del Dep’t of Elections: New Castle County Office, Frequently Asked Questions: Questions by college students, available at: <https://electionsncc.delaware.gov/faqs/faqcoll.shtml>.
- <sup>8</sup> 15 Del. C. § 4941(1)
- <sup>9</sup> Sixth Modification of the Declaration of a State of Emergency (2019 DE C20-06), Section A.5 (Mar. 24, 2020).
- <sup>10</sup> 15 Del. C. § 1901
- <sup>11</sup> 15 Del. C. § 1901
- <sup>12</sup> 15 Del. C. § 5502
- <sup>13</sup> 15 Del. C. §§ 6101–6104.
- <sup>14</sup> Del. C. § 6102, Del. Const. Article V, § 2
- <sup>15</sup> Del. C. § 6102; Del. Const. Article V, § 2.
- <sup>16</sup> 15 Del. C. § 4948
- <sup>17</sup> 15 Del. C. § 1702.
- <sup>18</sup> 15 Del. C. § 1705.
- <sup>19</sup> 15 Del. C. §§ 1701–1707.
- <sup>20</sup> 15 Del. C. §§ 1704(i), 2014(g).
- <sup>21</sup> 15 Del. C. § 5602
- <sup>22</sup> 15 Del. C. § 5602.
- <sup>23</sup> 15 Del. C. § 5603.
- <sup>24</sup> 15 Del. C. § 5503.
- <sup>25</sup> 15 Del. C. §§ 5502, 5503
- <sup>26</sup> <https://elections.delaware.gov/services/voter/absentee/citizen.shtml>
- <sup>27</sup> <https://www.washingtonpost.com/elections/2020/how-to-vote/delaware/>
- <sup>28</sup> <https://www.brennancenter.org/our-work/research-reports/protecting-election-2020-covid-19-toolkit-delaware-activists>
- <sup>29</sup> 15 Del. C. §§ 5506
- <sup>30</sup> <https://elections.delaware.gov/services/voter/absentee/citizen.shtml>
- <sup>31</sup> <https://elections.delaware.gov/services/voter/absentee/citizen.shtml>
- <sup>32</sup> <https://elections.delaware.gov/services/voter/absentee/citizen.shtml>;  
<https://elections.delaware.gov/services/voter/absentee/index.shtml>
- <sup>33</sup> 15 Del. C. §§ 4931, 4947; <https://elections.delaware.gov/information/faq/voting.shtml> (“When can I vote?”).
- <sup>34</sup> 15 Del. C. § 4947.
- <sup>35</sup> <https://elections.delaware.gov/information/faq/voting.shtml> (“Where do I vote?”).
- <sup>36</sup> <https://elections.delaware.gov/information/faq/voting.shtml> (“Do I have to show ID to vote?”).
- <sup>37</sup> 15 Del. C. § 4937; <https://elections.delaware.gov/information/faq/voting.shtml> (“Do I have to show ID to vote?”).
- <sup>38</sup> 15 Del. C. § 4942.
- <sup>39</sup> 15 Del. C. § 4933.
- <sup>40</sup> 15 Del. C. §§ 4936, 4934.
- <sup>41</sup> 15 Del. C. § 4936.
- <sup>42</sup> 15 Del. C. §§ 4937, 4948.
- <sup>43</sup> 15 Del. C. §§ 4936, 4948
- <sup>44</sup> 15 Del. C. § 4948.
- <sup>45</sup> 15 Del. C. § 4948(c).
- <sup>46</sup> 15 Del. C. § 4948(h)(5), (7).