

Frequently Asked Questions

MASSACHUSETTS – General Election 2022

Last Updated: October 4, 2022

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.

REGISTERING TO VOTE ELECTION DAY **EARLY VOTE**

VOTE BY MAIL

ABSENTEE

POLLING PLACE ISSUES ACCESSIBILIT
Y
/ASSISTANCE

QUESTIONS

Table of Contents

REGISTERING TO VOTE

- 1. **ELIGIBILITY:** Can I register to vote?
- 2. **PRIMARY ELECTION:** Can I vote in the primary election? Do I have to be a member of a party to vote in its primary?
- 3. **STATUS:** Am I registered to vote?
- 4. **HOW:** How do I register to vote? Can I register online? Do I need a printer? Can I register to vote in person?
- 5. **IDENTIFICATION:** What ID is required to register to vote?
- 6. **DEADLINES:** When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?
- 7. **SAME DAY:** Does my state have Same Day Registration? If so, what is the process?
- 8. **PERMANENT MOVE:** I have moved permanently and I didn't update my voter registration, can I vote?
- 9. **TEMPORARY MOVE:** I have moved temporarily. How can I vote?

- 10. **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?
- 11. **LIVING ABROAD:** I am living abroad and/or serving in the military. How can I register and/or vote?
- 12. **CRIMINAL CONVICTION:** I have a criminal conviction. Can I register to vote?
- 13. **INCARCERATED:** I am currently incarcerated. Can I register to vote?

HOW TO VOTE: ELECTION DAY

- 14. **HOURS:** When do the polls open/close on Election Day?
- 15. **POLLING LOCATION:** Where do I vote on Election Day?
- 16. **CLOSING:** What if the polls close when I am already in line?
- 17. **IDENTIFICATION:** What identification is required to vote?
- 18. **NO IDENTIFICATION:** Can I vote without providing identification?
- 19. **NOT ON ROLLS AT MY POLLING PLACE:** I am at my polling place but am not showing up on the voter registration roll. Can I vote where I am?
- 20. **PROVISIONAL BALLOT:** If I don't have an ID, can I request a provisional ballot? My name is not on the rolls at my polling place, can I request a provisional ballot?

HOW TO VOTE: EARLY VOTING (in some states called "in-person absentee")

- 21. **AVAILABILITY:** Is there early voting in my state (whether called early voting or in person absentee voting)?
- 22. **ELIGIBILITY:** Do I have to have a reason to vote early?
- 23. WHEN: When does early voting begin/end?
- 24. WHERE: Where do I vote during early voting?
- 25. **IDENTIFICATION:** What identification is required for early voting? What if I don't have an ID?

HOW TO VOTE: VOTE BY MAIL

- 26. **AUTOMATIC MAIL BALLOT:** Will I automatically be sent a ballot in the mail?
- 27. **ELIGIBILITY:** Do I need a specific reason to vote by mail?
- 28. **APPLICATION DEADLINE:** What is the deadline for requesting an mail-in ballot?
- 29. **APPLICATION RETURN:** How do I submit my mail-in ballot application? Can someone return it for me? Does it have to be postmarked by a specific date?
- 30. **IDENTIFICATION:** Are there identification requirements when I return my absentee ballot application and/or ballot?
- 31. **RECEIVING MAIL BALLOT:** Does the ballot have to be sent to my home, or can I have it sent somewhere else? What if I don't have a home address or my address is a PO Box?
- 32. **MISSED THE APPLICATION DEADLINE:** What if I have not requested a mail-in ballot by the deadline?
- 33. **STATUS OF APPLICATION AND/OR BALLOT:** How can I check the status of my application and/or ballot?
- 34. **APPLICATION OR BALLOT REJECTED:** I learned my mail-in ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?
- 35. **COMPLETING BALLOT:** How do I complete the mail-in ballot?

- 36. **ASSISTANCE COMPLETING BALLOT:** Can someone assist me in filling out my ballot?
- 37. **DEADLINE TO RETURN BALLOT:** What is the deadline for the ballot to be received? Does it have to be postmarked by a specific date? Can I drop it off in person?
- 38. **BALLOT DROP OF LOCATIONS:** What are the locations for dropping off a ballot (instead of mailing it)?
- 39. **ASSISTANCE DROPPING OFF BALLOT:** Can someone else drop off my completed ballot for me?
- 40. **LOST OR SPOILED BALLOT:** What if I lost my mail-in ballot, made a mistake on it (spoiled it), or I received an incorrect ballot?
- 41. **NON-RECEIPT OF BALLOT:** What if I requested a mail-in ballot but have not received it? What are my options for voting?
- 42. **IN PERSON OPTION:** What if I requested or received a mail-in ballot but I want to vote in person on Election Day?

HOW TO VOTE: ABSENTEE

- 43. **ELIGIBILITY:** Am I eligible to request an absentee ballot?
- 44. **APPLICATION DEADLINE:** What is the deadline for requesting an absentee ballot?
- 45. **IDENTIFICATION:** Are there any identification requirements?
- 46. **EMERGENCY:** Is there an emergency absentee ballot? If so, am I eligible?
- 47. **APPLICATION RETURN:** Where and how can I return my absentee ballot application? Can someone return it for me?
- 48. **STATUS OF APPLICATION AND/OR BALLOT:** How can I check the status of my absentee ballot application and/or absentee ballot return?
- 49. **APPLICATION OR BALLOT REJECTED:** I learned my absentee ballot application and/or ballot was rejected. How can I confirm this and what can I do to fix any errors or get another one?
- 50. **COMPLETING BALLOT:** How do I complete the absentee ballot?
- 51. ASSISTANCE COMPLETING BALLOT: Can someone assist me filling out the ballot?
- 52. **BALLOT DEADLINES:** What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?
- 53. BALLOT DROP OF LOCATIONS: Where can I drop off a ballot (instead of mailing it)?
- 54. ASSISTANCE DROPPING OFF: Can someone else drop off my completed ballot for me?
- 55. **LOST OR SPOILED:** What if I lost my absentee ballot or it is spoiled or I received an incorrect one?
- 56. **NON-RECEIPT OF BALLOT:** What if I requested an absentee ballot but have not received it?
- 57. **IN PERSON OPTION:** What if I requested an absentee ballot but I want to vote in person on Election Day?
- 58. IN PERSON ABSENTEE: Where do I vote in-person absentee? When can I do this?

POLLING PLACE ISSUES

- 59. **POLLING PLACE NOT OPEN:** The polling place is not open. What should I do?
- 60. **LONG LINES:** There are long lines at the polling place. What should I do? What if the polls are closing while I'm in line?
- 61. **EQUIPMENT FAILURE:** What should I do if there are equipment problems at my precinct?

- 62. **EQUIPMENT ASSISTANCE:** I don't know how to use the voting equipment. Can I get help?
- 63. **PHYSICAL DISABILITY:** I have a physical disability and need assistance. Is my polling place ADA compliant? Does my voting location have an accessible voting system?
- 64. **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?
- 65. **CAMPAIGNING:** What rules apply to people campaigning or "hanging around" my polling place? Can people approach me?
- 66. **CHALLENGE:** Someone is formally challenging my vote. What should I do?
- 67. **POLICE/MILITARY PRESENCE:** There are police/members of the military at the polling place. Is this okay? What should I do?
- 68. **THOUGHT WAS REGISTERED:** My name isn't on the voter registration roll but I thought I was registered. What should I do?
- 69. **PROVISIONAL BALLOT:** I have been offered a provisional ballot. What should I do?

ACCESSIBILITY/ASSISTANCE

- 70. **LANGUAGE ACCESS:** I am not an English speaker. What language resources are available? Can I bring someone in the booth to help me understand the ballot?
- 71. **CURBSIDE VOTING:** Is curbside voting available? How do I request it?
- 72. **VOTER GUIDE:** Can I bring a voting guide or reference notes with me into the voting booth?

QUESTIONS

73. **QUESTIONS:** Who should I contact if I have questions about any of the above?

REGISTERING TO VOTE

1. **ELIGIBILITY:** Can I register to vote?

You may register to vote in Massachusetts if you are:

- A citizen of the United States
- A resident of the State of Massachusetts
- At least 16 years of age (but you must be at least 18 years old on Election Day to vote)
- Not currently incarcerated for a felony conviction or disqualified by law because of corrupt practices in respect to elections.¹
- 2. **PRIMARY ELECTION:** Can I vote in the primary election? Do I have to be a member of a party to vote in its primary?

¹ Mass. Gen. Laws ch. 51, § 1

Members of political parties may vote only in their own party's primary elections. Unenrolled voters (commonly referred to as "Independents") and members of political designations or minor parties may vote in the party primary of their choice. Choosing to vote in a particular party's primary does NOT enroll you as a member of that party.

3. **STATUS:** Am I registered to vote?

Voters can determine whether they are registered to vote by checking the Massachusetts Secretary of State <u>website</u> or by calling 1-866-462-VOTE (8683).

4. **HOW:** How do I register to vote? Can I register online? Do I need a printer? Can I register to vote in person?

Massachusetts residents may register online, in-person, or by mail.

Online:

To register to vote online, a voter must have a signature on file with the Registry of Motor Vehicles. If a voter currently has a Massachusetts driver's license or state ID card, the voter may use the online voter registration application to register, update their address, or change their party affiliation. Voter registration forms submitted online must be submitted by midnight on the date of the voter registration deadline, October 29, 2022. Please see https://www.sec.state.ma.us/ovr/ for the online registration application.

Registering by Mail:

If a voter does not qualify to register to vote online, or if they would prefer to register by mail, the voter may download the voter registration form from the website of the Secretary of the Commonwealth. Forms are available in English, Spanish, Chinese, Khmer, Creole, Haitian Creole, Portuguese, Russian, and Vietnamese languages.

The voter may also request a form by contacting the Elections and Voting Division in the Secretary of the Commonwealth's Office (1-800-462-8683).

The form must be completed, signed, and delivered to the voter's <u>local election official</u>. Voter registration forms submitted by mail must be postmarked no later than the voter registration deadline, October 29, 2022 for the 2022 General Election.

Registering In-person:

If a voter would like to register in-person, the voter may do so at any <u>local election office</u>, as well as the <u>Elections Division of the Secretary of the Commonwealth's office</u>. Voter registration is also available at the Registry of Motor Vehicles and at certain public assistance agencies. Voter registration forms completed in-person are valid as of the day that they are signed. The voter registration deadline is October 29, 2022.

Automatic Voter Registration:

A person who is a **U.S. citizen applying for or renewing a driver's license or state ID** at the Registry of Motor Vehicles (RMV) or applying for health insurance through MassHealth or the Commonwealth Health Connector, will be automatically registered to vote, unless they opt out of registering.

If a citizen opts out of registering to vote, or if their citizenship has not been confirmed by the RMV, MassHealth, or the Health Connector, they will not be registered to vote. If they do not opt out and their citizenship is confirmed, their name, address, and date of birth will be sent to their local election official to be added to the voter list and they will receive mailed confirmation of their registration within 2-3 weeks.

A citizen who was naturalized after the last day to register to vote, may register to vote in person at their local election office until 4 p.m. on the day before the election, November 7, 2022. They should bring documentation to show that their naturalization ceremony occurred after the voter registration deadline.

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

A voter must have a Massachusetts driver's license or state ID card to use the online voter registration application to register, update their address, or change their party affiliation.

When registering by mail, a voter is required to provide either their driver's license number or the last four digits of their social security number. If the voter does not provide this information, or if the voter does provide the information and it cannot be verified, the voter will be required to provide identification at the polling place. Examples of <u>acceptable identification</u> include:

- Current and valid photo identification such as a driver's license;
- State-issued ID card;
- Recent utility bill;
- Rent receipt;
- Lease:
- Copy of a voter registration affidavit;
- Bank statement;
- Government check;
- Paycheck; or
- Other government document.

The identification must include the voter's name and the address at which the voter is registered to vote.²

A voter may be asked to show identification when they check-in at the polling place if:

- They are voting for the first time in Massachusetts in a federal election;
- The name of the voter has been placed on the inactive voters list established under Chap. 51, § 37A:
- The voter must cast provisional or challenged ballot; or
- The poll worker has a reasonable suspicion that leads them to request identification.
- 6. **DEADLINES:** When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?

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² Mass. Gen. Laws ch. 54, § 76B(b)(2).

The voter registration deadline is October 29, 2022. Voter registration forms submitted online must be submitted by midnight on October 29, 2022, forms submitted in person must be received in the <u>local election office</u> by 5:00 p.m. on October 29, and forms submitted by mail must be postmarked by October 29.³

7. **SAME DAY:** Does my state have Same Day Registration? If so, what is the process?

Massachusetts does not have Same Day Registration.

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

Voters must update their voter registration every time they move. Voters should update their address by submitting a new voter registration form if the voter registration deadline hasn't yet passed. If there isn't time to update the voter's address, and the voter has moved within the past 6 months, the voter may vote at their old polling location for general, not local elections. A voter can locate their polling place here. The voter may also vote by mail-in or absentee ballot.

9. **TEMPORARY MOVE:** I have moved temporarily. How can I vote?

A voter who has moved temporarily must vote at their permanent address. They may vote at the polling place for their permanent address, by mail-in ballot, or by absentee ballot.

10. **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, college students who meet the registration requirements may register to vote where they go to school. It is sufficient to establish residency by moving to a school in Massachusetts with the present intent to make that residence their principal home without the intent to return to the student's former home after graduation. All colleges must make available an affidavit of voter registration forms at all locations where students register for classes.

If a college student takes classes remotely, they may still vote in the town/county where they have their principal residence and where they intend to stay and live.

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

Military and other overseas citizens may use the absentee or vote-by-mail processes. They may also use the special provisions for members of the U.S. Armed Forces and merchant marine, and the commissioned corps of the Public Health Service and National Oceanic and Atmospheric Administration, along with family members of all these groups, and other citizens who reside outside the United States (together these groups are called UOCAVA voters).

Registering and Requesting an Absentee Ballot

UOCAVA voters can use the <u>Federal Post Card Application</u> (FPCA) to register to vote and to request an absentee ballot.

Receiving an Absentee Ballot

UOCAVA voters may receive their blank absentee ballots by U.S. Mail or electronic transmission. To request election transmission of the blank ballot, UOCAVA voters must mark the appropriate box and

³ Mass. Gen. Laws ch. 51, § 26.

provide an email address on the <u>State of Massachusetts</u> "UOCAVA Application for Absentee Ballot" or on the FPCA <u>webpage</u>. Ballots must be returned via U.S. Mail, commercial carrier, or by hand delivery.

Federal Write-In Absentee Ballot

The Federal Write-in Absentee Ballot (FWAB) is a back-up ballot that can be used by UOCAVA voters. A member of the military can use this FWAB whether they are located inside or outside the United States (including APO and FPO addresses), provided that they are away from their voting residence for service-related activities. The voter must apply for a regular ballot early enough for their local election officials to receive the request at least 5 days before the election. If the voter does not receive their regular ballot in time, they may use the FWAB. The FWAB must be received by the voter's local voting officials in Massachusetts no later than noon on Election Day. For specific instructions, visit the FVAP's Massachusetts-specific FWAB page.

12. CRIMINAL CONVICTION: I have a criminal conviction. Can I register to vote?

A voter who is not incarcerated for a felony conviction may register to vote. A person previously incarcerated for a felony must re-register after they have completed their sentence before they can vote.

13. **INCARCERATED:** I am currently incarcerated. Can I register to vote?

A person who is incarcerated may register to vote if they are not incarcerated for a felony. Such a person may request a mail-in voter registration form from the facility in which they are incarcerated. A person is incarcerated, but not for a felony, may also apply for an absentee ballot as a "specially qualified voter".⁴

HOW TO VOTE: ELECTION DAY

14. **HOURS:** When do the polls open/close on Election Day?

On Election Day, November 8, 2022, polling places may open as early as 5:45 a.m. but are required to be open by 7:00 a.m. Polls must remain open until 8:00 p.m.⁵ Voters should check with their local election officials to confirm the opening time of the polls. Contact information for local elections officials may be found here.

If you are in line at your polling place when the polls close at 8 p.m., you have the right to vote and must be given five minutes to complete your ballot.

*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.

15. **POLLING LOCATION:** Where do I vote on Election Day?

⁵ Mass. Gen. Laws ch. 54, § 64.

⁴ Mass. Gen. Laws ch. 51, § 1.

Voters may determine their polling location using this <u>website</u>. Voters may also call the Elections Division at 1-800-462- VOTE (8683) for help finding their polling place.

16. **CLOSING:** What if the polls close when I am already in line?

If you are in line at your polling place when the polls close at 8 p.m., you have the right to vote and must be given five minutes to complete your ballot.

*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.

17. **IDENTIFICATION:** What identification is required to vote?

If a voter is voting for the first time in Massachusetts in a federal election, is considered an inactive voter, is casting a provisional or challenged ballot, or a poll worker has a "reasonable suspicion" that leads them to request identification, they may be asked to provide ID at the polls. A voter is also required to show an ID if they are voting for the first time after registering by mail and did not include a copy of their ID with their mailed in registration form.

Acceptable identification includes:

- Current and valid photo identification such as a driver's license;
- State-issued ID card:
- Recent utility bill;
- Rent receipt;
- Lease;
- Copy of a voter registration affidavit;
- Current utility bill;
- Bank statement;
- Government check;
- Paycheck; or
- Other government document.

The identification must include the voter's name and the address at which the voter is registered to vote.⁶

If a voter is unable to provide appropriate identification when they check-in, they may cast a provisional ballot and return later with identification. If the voter does not return with acceptable identification by close of polls, their ballot will not be counted.

You may also be asked to show identification if a voter is on the list of inactive voters or if a poll worker has reasonable cause to request it. If the voter is not able to present identification in the above-listed situations, the voter *must* still be permitted to vote; however, their ballot must be challenged. This means that the voter's name and address, the name and address of the challenger, and the reason for the challenge must be written on the ballot. The ballot will be cast normally and will only be re-examined in the case of a recount, court order, or audit.

18. **NO IDENTIFICATION:** Can I vote without providing identification?

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⁶ Mass. Gen. Laws ch. 54, § 76B(b)(2).

If a voter is unable to provide appropriate identification in the above-listed situations, they may cast a provisional ballot and return later with identification. If the voter does not return with acceptable identification by close of polls, their ballot will not be counted.

19. **NOT ON ROLLS AT MY POLLING PLACE:** I am at my polling place but am not showing up on the voter registration roll. Can I vote where I am?

If a voter is not found on the rolls of the polling place where the voter is attempting to vote—and the voter's name is not on the inactive voter list, which is kept separately—the poll workers should make sure that the voter is: (1) registered to vote by using the <u>online registration look-up</u>:; and, (2) at the correct polling place by using the <u>online poll locator</u>.

If the voter's registration and/or polling place is unable to be verified, the voter may still cast a provisional ballot and may be asked to provide acceptable ID.⁷

Massachusetts has an **inactive voters list** that is comprised of registered voters who failed to respond to a communication from their municipality regarding its annual census of residents also known as the annual street list. Residents who fail to respond to the annual street list will be placed on the inactive voters list and will receive a message from their municipality asking that they confirm that they still reside at the address at which they are registered. Residents who fail to respond to the request for confirmation of their place of residence will remain on the inactive voters list. These residents may vote, but at the polling place they will be asked to confirm that they reside at the address at which they are registered. They will also be asked to produce identification. Acceptable identification includes:

- Current and valid photo identification such as a driver's license;
- State-issued ID card;
- Recent utility bill;
- Rent receipt;
- Lease;
- Copy of a voter registration affidavit;
- Current utility bill;
- Bank statement;
- Government check;
- Paycheck; or
- Other government document.

The identification must include the voter's name and the address at which the voter is registered to vote.⁸

Residents on the inactive voters list who fail to vote in two consecutive biennial state elections will be removed from the voting list.⁹

20. **PROVISIONAL BALLOT:** If I don't have an ID, can I request a provisional ballot? My name is not on the rolls at my polling place, can I request a provisional ballot?

⁸ Mass. Gen. Laws ch. 54, § 76B(b)(2).

⁷ Mass. Gen. Laws ch. 51, § 1F.

⁹ Mass. Gen. Laws ch. 51, §§ 37, 37A.

Yes, a voter who does not have appropriate ID when requested or whose name is not on the rolls at their polling place may have an opportunity to vote by provisional ballot. 10 Voters who are not on the list where they believe they are registered to vote, or find that they are listed incorrectly, have the right to cast a provisional ballot. However, voting by provisional ballot should be a last resort.

A voter who believes that they are registered but who is not on the voter registration roll should make sure that they are in the correct polling place, and if they are in a polling place with more than one precinct, that they are in the correct line. Voters can confirm their polling place here or with their local election official.

If the voter is at the correct precinct for their address and their name is not on the list, they should ask a poll worker to contact a local election official to see if they can confirm the voter's registration. The local election official should also check to see if the voter is registered at a different address. A voter may also check their registration information here.

If a voter is unable to provide acceptable identification when they go to vote, they may cast a provisional ballot. The provisional ballot will be counted if they return with identification to the polling place or the office of their local election official by close of polls. If they do not return with identification by the time polls are closed, their provisional ballot cannot be counted. Acceptable identification includes:

- Current and valid photo identification such as a driver's license;
- State-issued ID card:
- Recent utility bill;
- Rent receipt:
- Lease;
- Copy of a voter registration affidavit;
- Current utility bill;
- Bank statement:
- Government check;
- Paycheck; or
- Other government document.

The identification must include the voter's name and the address at which the voter is registered to vote 11

HOW TO VOTE: EARLY VOTING

(in some states called "in-person absentee")

21. AVAILABILITY: Is there early voting in my state (whether called early voting or in person absentee voting)?

Yes, there are two ways to vote early in Massachusetts, in person or by mail. 12

¹⁰ Mass. Gen. Laws ch. 54, § 76C.

¹¹ Mass. Gen. Laws ch. 5, § 76B(b)(2).

¹² Mass. Gen. Laws ch. 54, § 25B.

22. ELIGIBILITY: Do I have to have a reason to vote early?

A voter does not need a reason to vote early in Massachusetts. 13

23. WHEN: When does early voting begin/end?

The early voting period for the November 8, 2022, elections is October 22 through November 4, 2022. Each city and town chooses their own in-person early voting locations and sets their own schedule for voting. Information on the in-person early voting locations and schedules must be publicly available on or before October 17, 2022.

24. WHERE: Where do I vote during early voting?

Each city and town chooses their own in-person early voting locations and sets their own schedule for voting. All cities and towns are required to offer weekend early voting hours but early voting may not be available on every day of the early voting period. A voter should check with their city or town to determine when and where in-person early voting is available. Information on the in-person early voting locations and schedules must be publicly available on or before October 17, 2022. Voters can find contact information for their local election officials here.

25. **IDENTIFICATION:** What identification is required for early voting? What if I don't have an ID?

Identification is not generally required when voting in Massachusetts unless a voter is voting for the first time in a federal election, is considered an inactive voter, or is casting a provisional or challenged ballot. A voter is also required to show an ID if they are voting for the first time after registering by mail and did not include a copy of their ID with their mailed in registration form.

Acceptable identification includes:

- Current and valid photo identification such as a driver's license:
- State-issued ID card;
- Recent utility bill:
- Rent receipt;
- Lease:
- Copy of a voter registration affidavit;
- Bank statement:
- Government check;
- Pavcheck; or
- Other government document.

The identification must include the voter's name and the address at which the voter is registered to vote 14

If a voter is unable to provide acceptable identification when they go to vote, they may cast a provisional ballot. The provisional ballot will be counted if they return with identification to the polling place or the

¹³ Mass. Gen. Laws ch. 54, § 25B(a).

¹⁴ Mass. Gen. Laws ch. 54, § 76B(b)(2).

office of their local election official by close of polls. If they do not return with identification by the time polls are closed, their provisional ballot cannot be counted.

HOW TO VOTE: VOTE BY MAIL

26. AUTOMATIC MAIL BALLOT: Will I automatically be sent a ballot in the mail?

No, a voter will not automatically be sent a mail-in ballot. However, for certain elections, including all regular and primary elections where a federal office is on the ballot, the Secretary of State will mail all persons who are registered to vote not less than 60 days before the election, an application for an early voting ballot. The application will allow the voter to apply for an early voting ballot for all eligible remaining elections in the calendar year.

27. **ELIGIBILITY:** Do I need a specific reason to vote by mail?

A voter does not need a reason to vote by mail in Massachusetts. 16

28. **APPLICATION DEADLINE:** What is the deadline for requesting a mail-in ballot?

A request for a mail-in ballot must be received by the local election office by **5 p.m. on Tuesday**, **November 1, 2022**. However, as the U.S. Postal Service recommends allowing up to 7 days for mail delivery, voters should apply for their mail-in ballot 2-3 weeks before election day to ensure that it can be returned in time to be counted.

29. **APPLICATION RETURN:** How do I submit my mail-in ballot application? Can someone return it for me? Does it have to be postmarked by a specific date?

A voter may apply for a Vote by Mail ballot using any form of written communication, including online, by mail, by email, or by fax.¹⁷ A family member may apply on behalf of a qualified voter using the same methods.¹⁸

Online: Registered voters may submit their Vote by Mail application online through the <u>Mail-in Ballot Application System</u>.

Mail: Registered voters will receive a Vote by Mail application in the mail. These applications are pre-addressed to your local election office and postage prepaid. A voter may apply to Vote by Mail by completing the application and returning it to their local election office.

Mail, email, fax: The Vote by Mail application can also be downloaded or printed from The Secretary of the Commonwealth's website:

¹⁵ Mass. Gen. Laws ch. 54, § 25B(7)(i).

¹⁶ Mass. Gen. Laws ch. 54, § 25B(a).

¹⁷ Mass. Gen. Laws ch. 54, § 25B(a)(2).

¹⁸ Mass. Gen. Laws ch. 54, § 25B(a)(3).

- Official Vote by Mail Application
- Solicitud para votar por correo de 2022
- 2022 年郵寄投票申請表
- Đơn Đăng Ký Bỏ Phiếu Qua Đường Bưu Điện Năm 2022
- ៣ក្សបំបោះឆ្នោតតាមសំបុត្រឆ្នាំ2022

The Vote by Mail application may also be obtained by calling 1-800-462-VOTE (8363). Further, a voter may submit any written request with their signature. The voter can simply write a signed letter to their local election office to apply for a ballot. Applications not submitted through the online Mail-in Ballot Application System can be submitted to the voter's local election office by mail, email or fax, but they must include a signature that can be compared to the voter's hand-written signature. Electronic signatures, scanned applications, and photos of applications are acceptable. Only a voter who requires accommodations due to physical disability may submit an application with a typed signature.

Deadline: Applications for Vote by Mail ballots must be received by **November 1, 2022.**

30. **IDENTIFICATION:** Are there identification requirements when I return my mail-in ballot application and/or ballot?

No, there are no identification requirements associated with returning Vote by Mail ballot application and/or ballot.

31. **RECEIVING MAIL BALLOT:** Does the ballot have to be sent to my home, or can I have it sent somewhere else? What if I don't have a home address or my address is a PO Box?

The ballot does not need to be mailed to the voter's home. It will be mailed to whatever address the voter specifies, including a post office box.

32. **MISSED THE APPLICATION DEADLINE:** What if I have not requested a mail-in ballot by the deadline?

A voter who has been admitted to a healthcare facility after November 1, 2022, may use the absentee ballot application to designate someone of their choice to obtain a ballot on their behalf. The person designated will need to bring a <u>signed absentee ballot application</u>¹⁹ to the <u>local election office</u> for the residence of the voter, pick up the absentee ballot, bring it to the voter, and return it by the close of polls on Election Day. Emergency ballots may be requested up until the close of polls.

33. **STATUS OF APPLICATION AND/OR BALLOT:** How can I check the status of my application and/or mail-in ballot?

Voters may check the status of their mail-in ballot application and ballot here.

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

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¹⁹ Absentee Ballot Applications are available in Chinese, English, Khmer, Spanish, and Vietnamese

If a voter is notified that the affidavit on the envelope containing their mail-in ballot has been improperly executed or is incomplete, they should also be provided with an opportunity to correct any errors

If a voter learns that their ballot application or ballot has been rejected they should reach out to their <u>local election office</u> for guidance on how to fix any errors. The deadline for applying for a mail-in ballot is **5 p.m. on November 1, 2022.**

Voters may use the <u>Track My Ballot tool</u> to check the status of their ballot. The tracker will show the date the ballot was mailed, the date it was returned, and whether the ballot was accepted or rejected.

35. **COMPLETING BALLOT:** How do I complete the mail-in ballot?

Voters should carefully read the instructions enclosed in the vote by mail package. In addition to the instructions, the package will include a ballot, a smaller ballot envelope, and a larger return envelope.

Voters should mark the ballot, preferably with black ink, in accordance with the instructions on the ballot. Candidates and questions may be listed on both sides of the page. A voter who needs assistance in completing the ballot because of a disability or an inability to read the ballot may choose any person to help them.

Once the voter has completed filling out their ballot, they should place it in the smaller ballot envelope and seal the envelope. The voter will then need to sign the ballot envelope and print their name and address below their signature if that information has not been preprinted on the envelope. If the voter cannot sign their name they will need to choose someone to sign their name on the ballot envelope for them. That person will need to sign their own name on the bottom half of the envelope.

Once the ballot envelope has been properly completed and signed, it should be placed in the white envelope and that envelope should be sealed.

36. **ASSISTANCE COMPLETING BALLOT:** Can someone assist me in filling out my ballot?

An early voter who is unable to mark their ballot or execute the affidavit on the envelope due to blindness, physical disability, or inability to read or to read English, may get assistance from a person of their choice. The person providing the assistance must add their name in the appropriate space on the affidavit envelope.²⁰

37. **DEADLINE TO RETURN BALLOT:** What is the deadline for the ballot to be received? Does it have to be postmarked by a specific date? Can I drop it off in person?

For the November 8, 2022, election, ballots returned in person or by drop box must be delivered by **8 p.m. on Election Day**. Voters may

- Hand-deliver their ballot to their local election office; or
- Drop the ballot off at an <u>early voting location</u> during early voting hours; or
- Use a ballot drop box provided by their city or town.²¹

²¹ Mass. Gen. Laws ch. 54, § 25B(a)(13).

²⁰ 950 Mass. Reg. 47.10(3).

Mail-in ballots may not be returned to the polling place on election day.

Return by Mail: Ballots returned by mail from inside the United States must reach the voter's local election office by 5 p.m. on November 12, 2022, to be counted. Mailed ballots received after 8 p.m. on Election Day can only be counted if they are postmarked by Election Day.²²

Ballots returned from outside the United States must reach the voter's local election office by 5 p.m. on November 18, 2022, to be counted. Mailed ballots received after 8 p.m. on Election Day can only be counted if they are postmarked by Election Day. The postmark for mailed ballots received after 5 p.m. on November 12, 2022, must clearly show that they were postmarked outside of the United States.

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

Voters may drop off a mail-in ballot at an <u>early voting location</u> during early voting hours or use a <u>ballot</u> <u>drop box</u> provided by their city or town.

39. ASSISTANCE DROPPING OFF BALLOT: Can someone else drop off my completed ballot for me?

Yes. Early voting ballots received by mail may be returned by the voter or by a family member²³ by

- Hand-delivery to the voter's <u>local election office</u>;
- Dropping the ballot off at an <u>early voting location</u> during early voting hours;
- Using a ballot drop box provided by the voter's city or town;
- By mail.24

40. **LOST OR SPOILED BALLOT:** What if I lost my mail-in ballot, made a mistake on it (spoiled it), or I received an incorrect ballot?

A voter who spoils their early voting ballot may obtain up to two replacements, provided that the voter includes the spoiled ballot with the request for a replacement ballot and the request is received by the local election official by 5:00 p.m. on November 3, 2022.²⁵

41. **NON-RECEIPT OF BALLOT:** What if I requested a mail-in ballot but have not received it? What are my options for voting?

A voter who does not receive a requested early voting ballot should contact their <u>local election office</u>. These voters may be able to receive a replacement early voting ballot. They may also be able to vote in person on Election Day.

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²² Mass. Gen. Laws ch. 54, § 25B(a)(13).

²³ A "family member" is "a spouse or person residing in the same household, in-laws, father, mother, sister or brother of the whole or half blood, son, daughter, adopting parent or adopted child, stepparent or stepchild, uncle, aunt, niece, nephew, grandparent or grandchild." Chap. 50, § 1.

²⁴ Mass. Gen. Laws ch. 54, § 25B(a)(13).

²⁵ Mass. Gen. Laws ch. 54, Secs. 25B(a)(12), 81.

42. **IN PERSON OPTION:** What if I requested or received a mail-in ballot but I want to vote in person on Election Day?

A voter who requests an early voting ballot by mail may vote in person either at an early voting location or at the polls on Election Day so long as the voter's ballot has not been accepted by the Voter's local election office. Voters may <u>track their ballot status</u> to determine if their early voting ballot has been accepted.

HOW TO VOTE: ABSENTEE

43. ELIGIBILITY: Am I eligible to request an absentee ballot?

To qualify for an **absentee ballot**, a voter must:

- Be away from their city/town on Election Day; or
- Have a disability that keeps them from voting at their polling place; or
- Have a religious belief that prevents them from voting at their polling place on Election Day.²⁶

A "specially qualified voter" is a person who is eligible to register as a voter and

- Currently lives outside the United States and whose last domicile in the United States was Massachusetts; or
- Who currently lives in Massachusetts and who is:
 - o Away from their home and in the active service of the armed forces or in the merchant marine of the United States, or a spouse or dependent of such person;
 - o Absent from the commonwealth; or
 - o Confined in a correctional facility or a jail, except if by reason of a felony conviction.²⁷

A specially qualified voter is also eligible to apply for an absentee ballot. 28

Absentee voters use the same ballots as early voters and generally have the same deadlines for returning their ballots. Most voters who qualify for an absentee ballot can choose instead to apply for an early Vote by Mail ballot. However, there are times that an absentee ballot application is preferable. These include when the voter is:

- A qualified voter living overseas;
- A qualified voter on active military duty;
- A qualified voter who is incarcerated for a crime other than a felony conviction; or

²⁶ Mass. Gen. Laws ch. 54, § 86.

²⁷ Mass. Gen. Laws ch. 50, § 1

²⁸ Mass. Gen. Laws ch. 54, § 86.

• A voter requesting an emergency absentee ballot due to hospitalization.

A family member²⁹ of a voter qualified to receive an absentee ballot may apply for an absentee ballot on behalf of the voter.³⁰

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

An application for an absentee ballot to be sent to the voter by mail must be received by the local elections official by **5 p.m. on November 1, 2022**. An application for an absentee ballot to be voted in person must be received by local election officials by **noon on November 7, 2022**. 31

45. **IDENTIFICATION:** Are there any identification requirements?

No, there are no identification requirements associated with requesting or returning an absentee ballot.

46. **EMERGENCY:** Is there an emergency absentee ballot? If so, am I eligible?

There is an emergency absentee ballot exception for applications from voters who have been admitted to a health care facility after noon on November 1, 2022.³² Applications made by or on behalf of these voters may be made up until the time that the polls close.

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

A voter may apply for an absentee ballot using any form of written communication, including by mail, by email, or by fax. An application may also be dropped off in person with the local election official.³³ A family member³⁴ may apply on behalf of a qualified voter using the same methods.³⁵

Mail, email, fax: The application for an absentee ballot can be downloaded or printed from The Secretary of the Commonwealth's <u>website</u> in various languages:

- Official Absentee Ballot Application
- Peticion de Voto en Ausencia
- 缺席選票申請
- Đơn Đăng Ký Bỏ Phiếu Vắng Mặt
- ៣ក្យសុំ សន្លឹកឆ្នោត សម្រាប់ អ្នក បោះឆ្នោត អវត្តមាន.

An application may also be obtained by calling 1-800-462-VOTE (8363). In addition, a voter may submit any written request, such as a letter, with their signature to their <u>local election office</u> to apply for an absentee ballot. Applications can be submitted to the voter's <u>local election office</u> by mail, email or

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²⁹ A "family member" is "a spouse or person residing in the same household, in-laws, father, mother, sister or brother of the whole or half blood, son, daughter, adopting parent or adopted child, stepparent or stepchild, uncle, aunt, niece, nephew, grandparent or grandchild." Chap. 50, § 1.

³⁰ Mass. Gen. Laws ch. 54, § 89.

³¹ Mass. Gen. Laws ch. 54, § 89.

³² Mass. Gen. Laws ch. 54, § 89.

³³ Mass. Gen. Laws ch. 54, § 89.

³⁴ A "family member" is "a spouse or person residing in the same household, in-laws, father, mother, sister or brother of the whole or half blood, son, daughter, adopting parent or adopted child, stepparent or stepchild, uncle, aunt, niece, nephew, grandparent or grandchild." MASS. GEN. LAWS ch. 50, § 1.

³⁵ Mass. Gen. Laws ch. 54, § 89.

fax, but they must include a signature that can be compared to the voter's hand-written signature. Electronic signatures, scanned applications, and photos of applications are acceptable. Only a voter who requires accommodations due to physical disability may submit an application with a typed signature.

In person: An application for an absentee ballot may be delivered in person to the <u>local election office</u>. A voter who delivers their application for an absentee ballot in person may also request to vote their absentee ballot in person during the same visit.³⁶

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

Voters may check the status of their absentee ballot application and ballots here.

49. **APPLICATION OR BALLOT REJECTED:** I learned my absentee ballot application and/or ballot was rejected. How can I confirm this and what can I do to fix any errors or get another one?

If a voter is notified that the affidavit on the envelope containing their absentee ballot has been improperly executed or is incomplete, they should also be provided with an opportunity to correct any errors

If a voter learns that their ballot application or ballot has been rejected they should reach out to their <u>local election office</u> for guidance on how to fix any errors. The deadline for applying for an absentee ballot is **5 p.m. on November 1, 2022.**

Voters may use the <u>Track My Ballot tool</u> to check the status of their ballot. The tracker will show the date the ballot was mailed, the date it was returned, and whether the ballot was accepted or rejected.

50. **COMPLETING BALLOT:** How do I complete the absentee ballot?

Voters should carefully read the instructions enclosed in the absentee ballot package. In addition to the instructions, the package will include a ballot, a smaller ballot envelope, and a larger return envelope.

Voters should mark the ballot, preferably with black ink, in accordance with the instructions on the ballot. Candidates and questions may be listed on both sides of the page. A voter who needs assistance in completing the ballot because of a disability or an inability to read the ballot may choose any person to help them.

Once the voter has completed filling out their ballot, they should place it in the smaller ballot envelope and seal the envelope. The voter will then need to sign the ballot envelope and print their name and address below their signature if that information has not been preprinted on the envelope. If the voter cannot sign their name they will need to choose someone to sign their name on the ballot envelope for them. That person will need to sign their own name on the bottom half of the envelope.

Once the ballot envelope has been properly completed and signed, it should be placed in the white envelope and that envelope should be sealed.

51. ASSISTANCE COMPLETING BALLOT: Can someone assist me filling out the ballot?

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³⁶ Mass. Gen. Laws ch 54, § 91.

A voter who is unable to mark their absentee ballot or execute the affidavit on the envelope due to blindness, physical disability, or inability to read or to read English, may get assistance from a person of their choice. The person providing the assistance must add their name in the appropriate space on the affidavit envelope.³⁷

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

For the November 8, 2022, election, ballots returned in person or by drop box must be delivered by **8 p.m. on Election Day**. Voters may

- Hand-deliver their ballot to their local election office; or
- Use a <u>ballot drop box</u> provided by their city or town.³⁸

Absentee ballots may not be returned to the polling place on Election Day.

Ballots returned by mail must reach the voter's local election office by 5 p.m. on November 12, 2022, to be counted. Mailed ballots received after 8 p.m. on Election Day can only be counted if they are postmarked by Election Day.³⁹

53. BALLOT DROP OF LOCATIONS: Where can I drop off a ballot (instead of mailing it)?

Voters may drop off an absentee ballot at a ballot drop box provided by their city or town.

54. ASSISTANCE DROPPING OFF: Can someone else drop off my completed ballot for me?

Yes. absent voting ballots received by mail may be returned by a family member⁴⁰ of the voter by hand-delivery to the voter's <u>local election office</u>.⁴¹

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

A voter who spoils their early voting ballot may obtain up to two replacements, provided that the voter includes the spoiled ballot with the request for a replacement ballot and the request is received by the local election official by 5:00 p.m. on November 3, 2022.⁴²

³⁷ Mass. Gen. Laws ch. 54, § 98.

³⁸ Mass. Gen. Laws ch. 54, § 92(a).

³⁹ Mass. Gen. Laws ch. 54, § 93.

⁴⁰ A "family member" is "a spouse or person residing in the same household, in-laws, father, mother, sister or brother of the whole or half blood, son, daughter, adopting parent or adopted child, stepparent or stepchild, uncle, aunt, niece, nephew, grandparent or grandchild." Chap. 50, § 1.

⁴¹ Mass. Gen. Laws ch. 54, § 92(a).

⁴² Mass. Gen. Laws ch. 54, Secs. 81, 89.

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

A voter who does not receive a requested early voting ballot should contact their <u>local election office</u>. These voters may be able to receive a replacement early voting ballot. They may also be able to vote in person on Election Day.

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

A voter who requests an early voting ballot by mail may vote in person either at an early voting location or at the polls on Election Day may do so as long as the voter's ballot has not been accepted by the Voter's local election office. Voters may <u>track their ballot status</u> to determine if their early voting ballot has been accepted.

58. IN PERSON ABSENTEE: Where do I vote in-person absentee? When can I do this?

A voter may submit their application for an absentee ballot in person at their <u>local election office</u> and request that their ballot be delivered at the office.⁴³ If the ballot is delivered in person at the local election office the voter must vote the ballot and return it to the clerk before leaving the office.⁴⁴

POLLING PLACE ISSUES

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

If a voter arrives at a polling place at a time that they believe it should be open and it is not open (all polling places must be open between 7:00 a.m. and 8:00 p.m., and some may open as early as 5:45 a.m. on Election Day) the voter should confirm that they are at the correct location (either through the Secretary of the Commonwealth's <u>website</u> or by contacting their <u>local election office</u>). If they are at the correct location, and the polling place should be open, the voter should report the matter to their local election officials.

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

If a voter encounters long lines at the polling place, they should try to determine if there are delays caused by equipment failure, personnel shortages, or inadequate training, or whether the delays are caused by the number of people trying to vote. Particularly if the delays are caused by equipment or personnel problems, the voter may contact the Election Protection Hotline at 1-866-OUR-VOTE (687-8683), their <u>local election official</u> or the Office of the Secretary of the Commonwealth at 1-800-462-VOTE (8683).

If the polls close while the voter is in line, the voter must be permitted to vote.

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⁴³ Mass. Gen. Laws ch. 54, § 91B(a).

⁴⁴ Mass. Gen. Laws ch. 54, § 92(a).

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

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

Voters should immediately notify the election officers if the voting equipment breaks down while the polls are open.

If you are a hotline volunteer or a field volunteer and the voting equipment is not working properly, notify your hotline captain or command center, which should notify the custodian of voting machines or the election officials. If the problem cannot be fixed in a timely manner and another machine is not available, the hotline volunteer or field volunteer should encourage the voter to vote by official paper ballot, and if not available, absentee ballot, and, as a last recourse, provisional ballot.

*Note to hotline volunteer: If you learn of equipment not working properly at a polling place, notify your hotline captain immediately.

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

Yes, an election officer may answer questions and instruct the voter on proper use of the voting equipment using the demonstration model provided outside the voting booth.⁴⁵

63. **PHYSICAL DISABILITY:** I have a physical disability and need assistance. Is my polling place ADA compliant? Does my voting location have an accessible voting system?

Yes, Massachusetts law requires that each polling place be accessible to voters with physical disabilities.

There should be at least one accessible marking unit in every polling place in Massachusetts. The AutoMARK Voter Assist Terminals are marking devices that use audio cue capacity for visually impaired voters. The AutoMark also has a feature that will greatly magnify the ballot or display a high-contrast version of the ballot for voters that have limited visual impairment. The AutoMark can also produce an oral report to the voter as the choices selected prior to the voter printing the ballot. Additional information on the AutoMARK system may be found in the video.

A voter can choose someone to assist them with entering the polling location, checking in, entering the voting booth, preparing the ballot, exiting the voting booth, and checking out. Voters with physical disabilities can also vote by absentee ballot, either by mail or in the office of the city or town clerk or election commission. However, current Massachusetts law does not allow for "curbside voting" outside of the polling place on Election Day.

64. **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, a voter who states to the presiding officer that they are unable to prepare their ballot or register their vote upon a voting machine due to blindness, other physical disability, inability to read, or inability to read in the English language can be assisted by any person the voter designates. Alternatively, a voter can request that two election officers, each of a different political party, accompany them into the voting booth to assist them in casting a ballot. In addition, the state secretary must provide forms in additional languages as it deems necessary or as required by law.

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⁴⁵ 950 Mass. Code Regs. § 54.04(9)(a).

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

Voters have the right to wait to vote (and to vote) without anyone electioneering or trying to influence their vote in any other way within 150 feet from the building entrance door to a polling place.⁴⁶

66. **CHALLENGE:** Someone is formally challenging my vote. What should I do?

When your ballot is challenged, your name and address, the name and address of the challenger, and the reason for the challenge must be written on your ballot. Your ballot will be cast normally and will only be re-examined in the case of a recount, court order, or audit.

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

Interfering or intimidating voters at polling locations is illegal. Massachusetts state law prohibits intimidation of voters and interference with elections officers by anyone, including law enforcement officers and private citizens.

However, Massachusetts law does require local police officers to be stationed at polling places to assist local election officials.⁴⁷ They are generally barred from entering the immediate voting area, unless requested to assist the chief election official at the polling place.

Federal law specifically bans the military or other armed federal officers from being present at polling places.

A voter who feels intimidated at their polling place or who believes that their right to vote has been violated in any way, should call 1-866-OUR-VOTE or the Election Protection Command Center. The voter can also contact their <u>local election official</u>.

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

68. **THOUGHT WAS REGISTERED:** My name isn't on the voter registration roll but I thought I was registered. What should I do?

A voter who believes that they are registered but who is not on the voter registration roll should make sure that they are in the correct polling place, and if they are in a polling place with more than one precinct, that they are in the correct line. Voters can confirm their polling place here or with their local election official.

⁴⁷ Mass. Gen. Laws ch. 54, § 72.

⁴⁶ Mass. Gen. Laws ch. 54, § 65.

*Note to Election Protection Volunteers: this tool should only be used by the voter.

If the voter's registration status cannot be confirmed, they can choose to vote a provisional ballot. If the voter chooses to vote a provisional ballot, they will be asked to complete a provisional ballot affirmation upon which they may provide information about where and when they registered. The voter will also be asked to provide identification. Acceptable identification must include the voter's name and the address at which they are registered to vote. Examples of acceptable identification include a: driver's license, state-issued ID card, recent utility bill, rent receipt, lease, a copy of a voter registration affidavit, or any other printed identification which contains the voter's name and address.

If the voter is unable to provide acceptable identification, they may still be permitted to vote a provisional ballot but they must return to the polling place before it closes with acceptable identification or the ballot will not be counted.

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

The voter should determine why they were offered a provisional ballot. It should be either because:

- The voter's registration status cannot be verified at the polling place; or
- The voter is required to provide an acceptable ID but is unable to do so. 48

A voter who believes that they are registered but who is not on the voter registration roll should make sure that they are in the correct polling place, and if they are in a polling place with more than one precinct, that they are in the correct line. Voters can confirm their polling place here or with their local election official.

If the voter is at the correct precinct for their address and their name is not on the list, they should ask a poll worker to contact a local election official to see if they can confirm the voter's registration. The local election official should also check to see if the voter is registered at a different address. A voter may also check their registration information <a href="https://example.com/here/beta/figures-to-separate-registration-regi

Casting a provisional ballot should be a last resort. Voters who are not on the list where they believe they are registered to vote, or find that they are listed incorrectly, have the right to cast a provisional ballot.

To do so, a voter must execute a provisional ballot affirmation stating that: (1) they are a registered voter in the jurisdiction and (2) reside in the geographical boundaries of the precinct. Provisional ballots are kept separately from other ballots until the voter's eligibility can be determined. Provisional voters wishing to determine the disposition of their ballot may contact the Elections Division at 1-800-462-VOTE (1-800-462-8683).

ACCESSIBILITY/ASSISTANCE

⁴⁸Mass. Gen. Laws ch 54, § 76C.

70. **LANGUAGE ACCESS:** I am not an English speaker. What language resources are available? Can I bring someone in the booth to help me understand the ballot?

Yes, a voter who states to the presiding officer that they are unable to prepare their ballot or register their vote upon a voting machine due to blindness, other physical disability, inability to read, or inability to read in the English language can be assisted by any person the voter designates. Alternatively, a voter can request that two election officers, each of a different political party, accompany them into the voting booth to assist them in casting a ballot. In addition, the state secretary must provide forms in additional languages as it deems necessary or as required by law.

71. **CURBSIDE VOTING:** Is curbside voting available? How do I request it?

Massachusetts law does not allow for "curbside voting" outside of the polling place on Election Day.

72. **VOTER GUIDE:** Can I bring a voting guide or reference notes with me into the voting booth?

Yes, a voter may bring a voting guide or reference notes into the voting booth.

QUESTIONS

73. **QUESTIONS:** Who should I contact if I have questions about any of the above?

Contact the Election Protection Hotline toll-free at 1-866-OUR-VOTE (867-8683).

Contact the Secretary of the Commonwealth, Elections Division as follows:

Toll-Free: 1-800-462-VOTE (8683)

617-727-2828 Fax: 617-742-3238

Email: elections@sec.state.ma.us

https://www.sec.state.ma.us/ele/eleidx.htm

For deaf, hard of hearing, or speech-impaired at TTY: 617-878-3889.

You can also contact your local election official.