

WHO CAN VOTE

You are eligible to vote in West Virginia if you are...

- A resident of West Virginia and the county in which you register.
- A U.S. Citizen.
- At least 17 years old, and 18 before the next General Election.
- Not currently under conviction for a felony, including probation or parole, or a court ruling of mental incompetence. Voting rights are restored when the term of conviction ends.

What if I'm a student?

You may register at either your home address or your school address, whichever you consider considers your primary residence.

What if I've been convicted of a crime?

- If you were convicted of a misdemeanor, you **can** vote, even if you are in jail
- If you were convicted of a felony:
 - You **can** vote if you have finished your sentence.
 - You **cannot** vote if you are on parole.
 - You **cannot** vote if you are on probation.
 - You **cannot** vote if you are in prison.
- If you are charged with a crime, but not convicted you **can** vote.

What if I'm homeless?

In the a person has no permanent residence address but who nevertheless resides and remains regularly within the county, the address of a shelter, assistance center or family member with whom he or she has regular contact can be used to establish a voting residence.

What if I've moved or changed my name?

If you are moving within your county, or change your name, you can update your registration in one of these ways:

- At your County Clerks office, or other voter registration locations.
- By mail, using the regular mail in voter registration application.
- At your polling place, if you have not changed precincts.
- At your new polling place if you have moved to a new precinct. This will require you to vote a provisional ballot since your registration would not be available to check.

If you move to another county in West Virginia, you must register in that county.

How do I know if I'm registered?

If you are unsure if you are registered to vote you can check online: <https://apps.sos.wv.gov/elections/voter/index.aspx> or call your local county clerks' office.

REGISTRATION

How do I register?

- **In Person:** You may register in person at the office of the Secretary of State. Be sure to bring proof of physical address (driver's license; utility bill; bank statement; paycheck; or other government document).
- **By Mail:** You may request an application from your County Clerk, the Secretary of State, or by downloading the mail in application form. Return completed voter registration forms to your County Clerk's office.

What's the registration deadline?

The deadline to register to vote is 21 days before the election, October 16th, 2012.

What if I miss the deadline?

If you miss the deadline, you are unable to vote on November 6th, but you can register to vote in future elections.

VOTING EARLY

Can I vote before Election Day?

Yes. Any registered voter can vote before Election Day by casting an absentee ballot or casting a ballot in person at an early voting center.

What's early voting?

Early voting allows any registered voter to vote in person at an early voting centers beginning in late September. Contact your county clerk's office for the location and hours of an early voting center near you.

How do I get an absentee ballot?

You may request an absentee ballot by phone, fax, or e-mail or download the form online through West Virginia Secretary of State's Office website.

What's the deadline for returning my absentee ballot?

The completed form must be returned to your local county clerks' office no later than the 6th day before election.

VOTING ON ELECTION DAY

When is Election Day?

The 2012 General Election is Tuesday November 6th, 2012.

When are the polls open?

Polls will be open from 6:30 AM to 7:30 PM statewide. You have the right to vote if you're in line or inside your polling place when the polls close.

Can I get time off from work to vote?

Yes. You can request up to 3 hours off from your employer, without taking leave or a deduction of pay, if you do not have at least 3 hours before or after work that you can go to the polls to vote. This request must be made in writing and be given to your employer at least 3 days prior to election day. If you have time before or after work to go to the polls to vote, this provision does not apply to you.

Where do I vote?

Once registered to vote, you will be assigned a polling place based on the residence you listed. To determine your polling location, check your voter registration card or call your local county clerks' office.

What if I am disabled and my polling place is not accessible?

Each polling location throughout the state is to be equipped with at least one polling booth accessible to persons with disabilities. If this is not the case, a reasonable accommodation must be made, such as voting by absentee ballot from your car.

Can I get a ballot in my native language?

Election materials in West Virginia are available in English only, but you have the right to bring a translator with you to the polls or to get assistance in your language from anyone you choose, including a poll worker, as long as the person is not your employer, an agent of your employer, or an officer or agent of your labor union.

What if I need help in the voting booth?

If you need help because of a physical disability or because you can't read the ballot, tell a poll worker when you get to your polling place. You have the right to vote on an accessible voting machine. You also have the right to have anyone you choose assist you in the voting booth, including a poll worker, as long as the person is not your employer, an agent of your employer, or an officer or agent of your labor union.

VOTER ID

Do I have to show ID?

Probably not. You only need ID if this is your first election since registering to vote by mail.

What are the accepted forms of ID?

Any current and valid photo ID; or a copy of a current document with your updated name and address the first time you vote are accepted.

What if I don't have any ID?

If you forget to bring ID but are registered to vote, you can still vote by provisional ballot whose process is explained below.

What is a provisional ballot?

A provisional ballot is used to record your vote when there is an unresolved question about your eligibility.

Will my provisional ballot be counted?

Your provisional ballot will only be counted if election officials determine after the election that you were eligible to vote.

PROBLEMS AT THE POLLS

What if I'm not on the voter list?

- First, ask a poll worker to check the list again and to confirm that you're at the right polling place.
- If you're at the right polling place, but your name isn't on the voter list, ask for a provisional ballot. You have the right to cast a provisional ballot, even if your name is not on the voter list, as long as you're willing to swear that you believe you are registered to vote.

What if I go to the wrong polling place?

- Go to the right polling place. You can ask a poll worker to help you find the polling place where you are registered. You can also call your county clerks' office or look up your polling place online on the Secretary of State's office.
- If you can't figure out where you're registered, go to the polling place you think is most likely to be the right one and ask for a provisional ballot. You have the right to cast a provisional ballot even if you're not sure you are at the right polling place.

What if someone challenges my right to vote?

If someone challenges your vote, ask to cast a provisional ballot. If the county commission finds that when counting provisional ballots, that the challenge is unfounded, then if otherwise valid, the vote shall be counted and tallied together with the regular ballots cast in the election. You can check the status of your provisional ballot online through the Secretary of State's Office.

What if someone tries to intimidate or harass me?

Tell a poll worker right away. If the poll worker is the problem, tell a poll watcher, call the Secretary of State's office, or call one of the election hotline numbers listed at the end of this card.

What if I make a mistake on my ballot or the voting machine malfunctions?

Tell a poll worker before you cast your vote. You have the right to a replacement ballot as long as you catch your mistake before casting your ballot.

How do I make a complaint?

First, ask for an election supervisor at your polling place. He or she can handle most routine complaints that arise on Election Day. Candidates, political parties, and nonprofit groups may also have poll watchers at your polling place who might be able to assist you. If any of those people ask you who you vote for, or if they can't resolve your complaint call West Virginia Secretary of State Natalie Tennant's office.

Secretary of State's Office:

(866) 767-8683
www.sos.wv.gov

ACLU Voter Protection Hotline:

(877) 523-2792

West Virginia ACLU Office:

(304) 345-9246

Election Protection:

866-OUR-VOTE (687-8683)

US Department of Justice:

(800) 253-3931



www.aclu.org/letmevote



KNOW YOUR VOTING RIGHTS:

WEST VIRGINIA

This card is designed to help protect your right to vote. Keep it handy, and take it with you to the polls on Election Day.

QUICK TIPS FOR VOTERS

- Check your voter registration status.
- Locate your polling place and note the hours of operation.
- Consider voting early or absentee if possible. If you plan to vote at the polls, go early in the day to avoid the last-minute rush.
- Check to see if identification is required to vote.
- Read all instructions carefully.
- Take your time.
- Ask for help if you need it.

The American Civil Liberties Union (ACLU) is a nationwide, nonprofit, nonpartisan organization with more than 500,000 members dedicated to defending the principles of liberty and equality embodied in the Constitution and our nation's civil rights laws. The ACLU does not endorse or oppose any candidate or party, but we believe that no civil right is more important in our democracy than the right to vote.



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