

N E W J E R S E Y

Voter Rights Handbook

*Know your rights as a **Voter**
Voter knowledge is the best weapon
against Voter **Fraud***

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**be
powerful.
be Heard.**



A Message from The Attorney General

Dear Fellow Citizen,



Peter C. Harvey
New Jersey
Attorney General

Participating in elections is one of the greatest privileges we enjoy as Americans. At election time, people from all walks of life come together to elect our leaders from the local to the national level. If you are a United States citizen, at least 18 years of age and are registered to vote in accordance with New Jersey law, you have the right to vote and to have your voice heard.

Free and fair elections are essential to keeping our democracy strong. This interest is protected, in part, by having voters who know their rights and responsibilities. The purpose of this handbook, therefore, is provide you with the information you need as a valuable participant in New Jersey's election process. The handbook describes the registration and voting procedures, and available resources if you require any assistance or further information. There are also tips to assure that your right to vote is protected against undue interference. Keeping democracy alive and well depends upon an informed and empowered electorate.

Every vote counts. Every vote is priceless. Every election matters. "Be Powerful, Be Heard". Vote, New Jersey.

Peter C. Harvey

Attorney General of New Jersey

Quick Fact

Democracy is about Freedom. Voting is Free.

*It costs no money to register to vote and no money to vote.
No one can pay you to register to vote or to vote.*

New Jersey's Voting Requirements

You can vote if you are:

- ✗ a U.S. citizen.
- ✗ at least 18 years of age by election day.
- ✗ a New Jersey resident at least 30 days before the election.
- ✗ not in jail, on probation or parole because of a felony conviction.
- ✗ registered to vote at least 29 days before the election.

Quick Fact

Special Note for Ex-Felons:

In New Jersey, ex-felons can register to vote. Any person who is no longer in prison, or has completed his or her term of probation or parole can register to vote. That is the law.

Quick Tip

Voter Registration Forms are available at your Municipal Clerk's Office, any Motor Vehicle Commission Agency, from your County Commissioner of Registration or online at www.NJElections.org

Completing your Voter Registration Application:

- ✗ Complete the two check-off boxes at the top of the form.
- ✗ Print your full name: first and last, and a middle initial if you have one.
- ✗ Enter your birth date.
- ✗ Print clearly so the form can be read. If it can't be read, it will be rejected.
- ✗ Sign the application.
- ✗ If assistance in completing the form is given, the name and address of the assistor must be put on the form.

Submitting your Voter Registration Application:

- ✗ Your Voter Registration Application must go to your County Commissioner of Registration. It is postage paid so it does not cost anything to mail it.
- ✗ You can also drop it off at the Commissioner's office or your Municipal Clerk's Office.
- ✗ It must be received by a voter registration agency by the 29th day before the election.

Quick Tip

Do not let anyone make you sign a blank or incomplete Voter Registration Application.

Do not let anyone take your Voter Registration Application from you without your permission.

Identification (ID) Requirements

If you register to vote by mail for the first time in your county, you will have to provide some form of identification.

If you register by mail, you will be asked by your County Commissioner of Registration to provide your driver's license number or the last four numbers of your social security number. Don't worry, these numbers are kept confidential and are not given to anyone.

If you do not have a driver's license number or a social security number, you can give a copy of a photo ID or a copy of a document that has your name and address on it. Here are some examples:

A current and valid photo ID, such as:

- ✗ NJ driver's license
- ✗ US passport
- ✗ military or other government ID
- ✗ student or job ID
- ✗ store membership ID, like a Sam's Club or Costco card

or any document with your name and address:

- ✗ bank statement
- ✗ car registration
- ✗ government check or document
- ✗ rent receipt
- ✗ utility bill
- ✗ any other official document

Quick Fact

If you **walk in** your Voter Registration Application to your Municipal Clerk or County Commissioner of Registration, you will not have to provide identification.

Quick Tip

If you registered by mail after July 1, 2003 and did not provide ID before voting for the first time, you will have to show ID in order to vote in the voting machine at the polling place. If you do not show ID, you will have to vote by provisional ballot

How Will I Know Where to Vote?

As a registered voter, you will be sent a **sample ballot** before every election. The sample ballot will tell you where your polling place is.

If you don't get a sample ballot a few days before an election, call your County Clerk's office. Visit www.NJElections.org to find your County Clerk's Office.

You can also get polling place information from your Municipal Clerk or Board of Election office.

Quick Tip

Visit www.NJElections.org to find your County Election Offices and contact information as well as other important dates and information.

Voting Rights in the Polling Place

You can vote in the voting machine if:

- ✗ your complete voter registration information is in the poll book.
- ✗ you currently live in the election district or you moved to another county after the close of registration. Thereafter, you must register in your new county.

Assistance in the Voting Machine

You can get assistance in the voting machine **ONLY** if you are blind, physically disabled or illiterate.

You get to choose who will assist you. If you come alone to the polling place, two board workers will be glad to assist you. **Remember, the choice is yours.**

When Might I be Asked for Identification (ID) at the Polling Place?

You can only be asked to provide ID at the polling place if:

- ✗ you are a first time registrant by mail in your county after January 1, 2003 and you did not provide ID before going to vote in the polling place **or**
- ✗ you are being properly challenged.

Note: Only the board workers can ask you for ID.

Quick Fact

If the Voting Machine is not working, **DO NOT LEAVE the Polling Place.** A Board Worker will give you a **Paper Emergency Ballot.**

Voting by Paper Provisional Ballot

You **can not** vote in the voting machine and **must** vote by **Paper Provisional Ballot** if:

- ✗ your voter registration information is not complete in the poll book.
For example, if your signature is missing.
- ✗ you moved from your registered address to another one in the same county and you did not tell the County Commissioner of Registration in time before the election.
- ✗ you are a first-time registrant by mail in your county after January 1, 2003 and you did not provide ID to the county commissioner of registration before the election or you do not show it to the board workers in the polling place on the day of the election.

Completing the Provisional Ballot:

- ✗ Complete the provisional ballot affirmation statement that is on the provisional ballot envelope.
- ✗ Sign the statement. **If you don't, the ballot will not be counted.**
- ✗ Place the voted ballot into the envelope and **seal it.**
- ✗ Do not detach the affirmation statement. Keep it on the envelope.
- ✗ After you give your provisional ballot to a board worker, you must be given a piece of paper that will tell you how you can find out if your ballot was counted by the Board of Election.

Quick Fact

You will have up until the close of business the second day after the election to get ID to the county commissioner of registration. If you don't, the ballot will not be counted.

Quick Tip

For more information or help
call **1-877-NJ-VOTER** or visit www.NJElections.org

Challengers in the Polling Place — Do's and Don'ts:

Challengers Can:

- ✗ **only** challenge a voter's right to vote if the challenger believes the voter is not qualified to vote (example: the challenger has information that the voter has moved away and should not be voting at that polling place.)

Note: *The challenger must sign an affidavit when challenging a voter.*

Challengers Can Not:

- ✗ challenge a voter because of the voter's race, ethnic origin, expected manner of voting, or because the voter lives in a particular ward, housing complex, or section of a town.
- ✗ sit with the board workers.
- ✗ go to the voting machine during the voting hours.
- ✗ touch any election materials.
- ✗ challenge a voter directly.
- ✗ harass or intimidate any voter or cause a disturbance in the polling place.
- ✗ wear any campaign badges, shirts or insignia whatsoever.

Quick Tip

If you are challenged and not allowed to vote, the board workers must tell you that you can go to court on election day to seek permission to vote.

Electioneering on Election Day at the Polls is a Prohibited Activity

There can be **no electioneering** of any kind within the area 100 feet from the outside entrance to the polling place up to and including the polling room.

There can be **no campaign signs or other campaign material** in this area.

- ✗ No voter can be solicited by anyone within this area.
- ✗ There can be no loitering in this area.
- ✗ Exit polling by the media, however, is allowed.

Absentee Voting in New Jersey

If you **can not** get to the polls on Election Day you may be able to get an **Absentee Ballot**.

An Absentee Ballot is available to a voter for any of these reasons:

- ✗ expect to be out of the State
- ✗ nature and hours of work
- ✗ religious observance
- ✗ attendance at college
- ✗ sick / illness
- ✗ permanently or temporarily disabled

You can not get an Absentee Ballot because:

- ✗ you just do not want to go to the polls on an Election Day.

Absentee Ballot **Application Process**

To get an absentee ballot, you must fill out an application. You can get an absentee ballot application from the Municipal Clerk's office or the County Clerk's office. You can also visit www.NJElections.org to download an application.

Make sure you properly fill out the Application:

- ✗ Check off the reason you are requesting an Absentee Ballot.
- ✗ *If you do not check off a reason **the application will be rejected.***
- ✗ Print your name and address.
- ✗ **You must Sign the Application.**
- ✗ *A Power of Attorney signature on behalf of a voter is not acceptable.*
- ✗ *If You do not sign the application, **it will be rejected.***

The Absentee Ballot Application must go to your County Clerk's Office.

You can mail it to your County Clerk up until 7 days before the election. After that day, you must walk the application into the County Clerk's Office.

Authorized Messenger Application Process

Only if you are sick or confined, you can ask someone to be your Authorized Messenger to go to the County Clerk's office to get your ballot.

- ✗ At the bottom of the application, **you must write the name of the person you choose** as your Authorized Messenger.
- ✗ No one can be your Authorized Messenger without your permission.

- ✗ The Authorized Messenger must be a family member (that includes any adult who is living in the same household as you) or another registered voter of your county.
- ✗ **You must sign the bottom of the application under the name of the Authorized Messenger.**
- ✗ Once your Authorized Messenger gets your Absentee Ballot from the County Clerk, the messenger must bring it to you.
 - ✗ **No one can vote your ballot but you.**
 - ✗ **Do not allow anyone to take your unvoted ballot from you.**

Quick Tip

If anyone tries to take your ballot from you, contact your County Commissioner of Registration. If anyone tries to interfere with your right to vote, contact your County Prosecutor. Or call 1-877-NJVoter (1-877-658-6837)

Voting your Absentee Ballot

- ✗ You have the right to vote your Absentee Ballot in private.
- ✗ You have the right to decide for yourself how you will vote.
- ✗ No one has the right to tell you how to vote.
- ✗ No one can demand you tell them how you voted.

You must complete your ballot without help from someone else except:

- ✗ a family member can always help you.
- ✗ someone who is not a family member can help you, but **only** if you are a sick and incapacitated voter.
- ✗ whoever provides you assistance with your ballot, **must** fill out the **assistant** portion of the Absentee Ballot Certificate. The Certificate is attached to the small envelope you get with the Absentee Ballot.
- ✗ a candidate can **never** help you with your Absentee Ballot.

Quick Fact

No one can electioneer or campaign while assisting you with your absentee ballot. It is against the Law.

Make Sure Your **Absentee Ballot** will be Counted

- ✗ **Sign your name** on the certificate **or your ballot will not be counted.**
- ✗ If someone assists you in completing your ballot, the **assistor must sign** the certificate. **If this is not done, your ballot will not be counted.**
- ✗ If you are voting for the first time in a primary election, make sure you **write in your party** on the absentee ballot certificate.
- ✗ Don't vote for more candidates than allowed on the ballot. This is called an **overvote**. **If you overvote, the votes for that office will not be counted.**
- ✗ Put your voted ballot inside the small envelope and **seal it.**
- ✗ Do not detach the certificate. Leave it on the small envelope.
- ✗ Put the small envelope inside the larger envelope that is addressed to the Board of Election and **seal it.**
- ✗ **If both envelopes are NOT sealed, the ballot will not be counted.**
- ✗ Your ballot must get to the Board office no later than the close of the polls on election day. That is usually 8 p.m. on election night (9 p.m. for school elections).
- ✗ **If the ballot does not get to the Board office by that time, it will not be counted.**

Quick Tip

For more information or help call **1-877-NJ-VOTER** or visit www.NJElections.org

Delivery of an Absentee Ballot

- ✗ You may ask someone to deliver your ballot to the Board of Election Office or to drop it in a mailbox if you can not get it to the Board Office yourself. This person is called the **bearer** of your ballot.
- ✗ You choose who the bearer of your ballot will be.
- ✗ **No one can be the bearer of your ballot without your approval.**
- ✗ The bearer can not take the ballot from you unless he or she first fills out, **in front of you**, the “bearer portion” on the envelope addressed to the Board of Election. **If this is not done, the ballot will not be counted.**

Glossary of Voting Terms

Authorized Messenger –

a person who obtains an absentee ballot for a sick or confined voter. The authorized messenger must be a family member (includes any adult living in the same household as the voter) or a registered voter of the same county as the voter.

Bearer –

the person who delivers an absentee ballot to the county board of election.

Challenger –

A person who is appointed by a candidate or political party to observe the voting process in the polling place or the counting of absentee or provisional ballots at the board of election office. A challenger is allowed to challenge a voter whom the challenger believes is not entitled to vote.

Electioneering –

campaigning in support of a candidate, political party or public question. Some examples of electioneering include the display of campaign signs, buttons or other election material. It also includes any other action to influence voter choice.

Provisional Ballot –

a paper ballot that is subject to verification by the county commissioner of registration before being counted. This ballot is given to a voter in a polling place whose registration information is not in the poll book or is incomplete. It is also given to a voter who moves within the county and does not provide notice to the county commissioner of registration. It also is given to a voter who did not provide required identification in order to vote in the voting machine.