Public Libraries as Voting Sites and Voter Registration Agencies

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July 2018
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Public Libraries as Voting Sites

SECTION ONE
Serving as a Voting Site

- A public, tax supported building like a public library may be enlisted to serve as polling place on Election Day
  - During early voting period and/or
  - On Election Day
Early Voting Locations

- Mandatory Sites
  - Supervisor of Elections’ main or branch office

- Optional sites
  - City hall, public library, fairgrounds, civic center, courthouse, county commission building, stadium, convention center, government owned senior center, or a government owned community center

- Requirements for optional sites:
  - Geographically located to provide voters equal opportunity to vote
  - Selected at least 30 days in advance of election day
When is Early Voting

- For federal and state elections
  - Mandatory days: 8 days (10\textsuperscript{th} through the 3\textsuperscript{rd} day before election)
  - Optional days that Supervisor may add: 15\textsuperscript{th}, 14\textsuperscript{th}, 13\textsuperscript{th}, 12\textsuperscript{th}, 11\textsuperscript{th} day or 2\textsuperscript{nd} day (Sunday) before election
  - Hours: $8 \leq X \geq 12$ per day

- For county, municipal, and special district elections
  - Optional (if held separately from an election in which there is a federal or state race)
  - If provided, discretion to choose hours
How to Serve as a Voting Site

- Contact Supervisor of Elections unless you have been contacted

- Execute contract or agreement
  - Purpose:
    - Facilitates communication
    - Minimizes misunderstanding
    - Establishes good working relationship from the start
  - Terms:
    - Respective duties of the SOE staff and library
    - Staffing
    - Security
    - Dates and times of operation
    - Reimbursement, if any, for costs beyond regular operations
How to Operate Concurrently

- Limit or exclude library services (including cleaning services) from the polling room during voting hours, or for the entire length of early voting, depending on the room’s regular function (i.e. access to a book drop)

- Do not schedule meetings, events, or other gatherings during the early voting period, otherwise continue regular operations and hours during early voting

- Be aware that voters waiting in line when the site closes are still allowed to cast a ballot
What do Election Workers do

- Control access to polling rooms to only authorized persons
  - Voters
  - Voter’s caregivers (if assistance is required by the voter)
  - Someone in the care of a voter
  - Poll watchers
  - Poll workers
  - SOE staff
  - Law enforcement and emergency service personnel (with SOE permission)
What do Election Workers do (continued)

- Mark boundaries for no solicitation zone within 100 foot of entrance to polling room entrance (§ 102.031, Fla. Stat.)
- Maintain cleaning of polling room in library
- Maintain order in the polling room in library
How is the Site Secured

- Locks to early voting rooms
  - Supervisors replace locks to early voting rooms with own locks before election
  - Library restores locks after election with own locks

- Access
  - Poll workers, clerks, and elections officials are the only persons with key access to early voting room

- Unlocking/locking library facility
  - Library’s staff responsibility
## What is Timeline and Activities for Elections’ Office to Prepare

<table>
<thead>
<tr>
<th>Timeframe</th>
<th>Activity Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-12 months</td>
<td>Notify County Manager, Public Service Administrator, and Library Director, of facility use, dates, and times</td>
</tr>
<tr>
<td>1-2 months</td>
<td>Notify individual library contacts of election phone line activation and testing. Give reminders of dates and times</td>
</tr>
<tr>
<td>1 week</td>
<td>Notify individual library contacts of equipment delivery and changing of locks</td>
</tr>
<tr>
<td>3-4 days</td>
<td>Direct locksmith to change locks on doors to early voting rooms and coordinate delivery of equipment</td>
</tr>
<tr>
<td>1-2 days</td>
<td>Coordinate access to polling rooms for limited room setup with library staff, as applicable</td>
</tr>
<tr>
<td>During EV period</td>
<td>Discuss any challenges or issues that arise during EV</td>
</tr>
<tr>
<td>Post-election</td>
<td>Retrieve equipment from site and restores locks</td>
</tr>
</tbody>
</table>
For Election Day

- Similar to serving as an early voting site
- Similar procedures, duties, and steps
- Polling place hours are 7 pm to 7 pm (local time)
  - Polling place set-up - no later than 6 am (local time)
  - Polling place breakdown - may extend several hours into evening
- For further information, contact your local SOE
  - dos.elections.myflorida.com/supervisors
Public Libraries as Voter Registration Agencies (VRAs)

SECTION TWO

- Became in 1993:
- Introduced national procedures for voter registration including allowing voters to register:
  - By mail
  - At the same as getting driver licenses or renewals (known as “Motor Voter” part of the law)
  - At the same time as receives services from governmental or public offices/agencies designated by law as Voter Registration Agencies (VRAs)
Types of VRAs

Offices that provide public assistance

• Department of Health’s Special Supplemental Food Program for Women, Infants, and Children
• Department of Children and Families:
  • Supplemental Nutrition Assistance Program
  • Medicaid/Kidcare Medicaid Program
  • Temporary Cash Assistance Program

Offices that provide state funded programs for persons with disabilities

• Agency for Persons with Disabilities
• Department of Veteran’s Affairs
• Department of Education:
  • Division of Blind Services
  • Division of Vocational Rehabilitation
• Department of Financial Services – Division of Workers’ Compensation
• Disability offices at public colleges and universities
Types of VRAs (continued)

<table>
<thead>
<tr>
<th>Armed Forces Recruitment Offices</th>
<th>Centers for Independent Living</th>
<th>Public Libraries</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Army</td>
<td>• Umbrella organization-Florida Association of Centers for Independent Living</td>
<td>• Operate under slightly different rules than other VRAs</td>
</tr>
<tr>
<td>• Navy</td>
<td>• Federally mandated under s. 725, 1973 Rehabilitation Act</td>
<td>• Includes county libraries and municipal libraries</td>
</tr>
<tr>
<td>• Marines</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Coast Guard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• National Guard</td>
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</tr>
</tbody>
</table>

Public Libraries
- Operate under slightly different rules than other VRAs
- Includes county libraries and municipal libraries
Public Library as a VRA

- Library established under state law or regulation that serves a community, district or region, and provides at least the following:
  - An organized collection of printed or other library materials, or a combination thereof
  - A paid staff
  - An established schedule during which staff services are available to the public
  - Has the facilities necessary to support collections, staff and schedules
  - Is supported in whole, or in part, with public funds

(Includes county and municipal libraries --Does not include academic libraries)
Duties of a Public Library as a VRA

SECTION THREE
Duties - Federal and/or State

- Designate a NVRA coordinator who:
  - Identifies agency staff whose duties involve offering new or renewal of agency services, or address updates for services
  - Provides training to staff on voter registration responsibilities
  - Notify the Division of Elections at any time there is a change in coordinator and contact information
Duties - Federal and/or State (cont’d)

- Offer voter registration opportunities in conjunction with other core agency services
- Accept all applications delivered by mail or provided in person
- Forward all applications (complete and incomplete) to your county supervisor of election within five calendar days
Duties - Federal and/or State (cont’d)

- Report quarterly on voter registration activities
- If your library has entered into an agreement to act as a satellite office for social services (i.e. Access Florida), additional duties may apply.
  - Contact Division of Elections for more information

Legal references:

- Federal Law - National Voter Registration Act
- Rule - 1S-2.048, Florida Administrative Code
When to Offer Voter Registration Services

- Each time client applies for core services
- Each time client updates address information
- Each time client reapplies for core services

Offer opportunity to register or update registration
Amount of Help and Access

- Offer same degree of help to complete voter registration application as you provide for completing your agency’s applications, renewals, or update process for core services.

- Offer same avenues of access to voter registration application as you provide for your agency’s application, renewal, or update process. May include:
  - Online system
  - In person
  - By mail
  - Over the phone
  - Home site visit
Activity Reporting

- For each public library in county, record number of applications collected and forwarded to local SOE
- Email reports quarterly to DOE
  - VRA.Reporting@DOS.MyFlorida.com
  - No specific form required
  - Branch library reports to its regional office, which will send reports to DOE

<table>
<thead>
<tr>
<th>QUARTER</th>
<th>COVERAGE PERIOD</th>
<th>REPORT DUE DATE</th>
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<tbody>
<tr>
<td>1(^{ST}) Quarter</td>
<td>January 1 – March 31</td>
<td>April 15</td>
</tr>
<tr>
<td>2(^{ND}) Quarter</td>
<td>April 1 – June 30</td>
<td>July 15</td>
</tr>
<tr>
<td>3(^{RD}) Quarter</td>
<td>July 1 – September 30</td>
<td>October 15</td>
</tr>
<tr>
<td>4(^{TH}) Quarter</td>
<td>October 1 – December 31</td>
<td>January 15</td>
</tr>
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How to Assist Voter Applicant

SECTION FOUR
Applicant Choice

To be a Voter

• Right to register or update registration lies with the voter
• Proceed with intake of voter’s information and processing of voter registration application

Not to be a Voter

• Right to refuse before or during application process
  • Verbally
  • By not signing oath
• Stop intake
To Whom Do I Offer Services?

- Anyone who is 18 or older
  - Assuming otherwise eligible
- Special Applicants:
  - Pre-registrants
  - High-risk professionals
  - Victims of domestic violence and stalking
Special Class of Applicants: Pre-registrants (§ 97.041(1)(b), F.S)

- 16 and 17 year olds can pre-register:
  - Same registration process as new registered voter
  - Cannot vote until he or she turns 18 by that election
  
  *Pre-registrant status will change to active registered voter status once person turns 18 or will be 18 by election day in upcoming election*

- Legal right belongs **solely** to the pre-registrant:
  - Parental or guardian approval is not required
  - No parent or guardian can sign for the pre-registrant
Special Class of Applicants: High Risk Professionals
(§ 119.071, F.S)

- Same registration process as any other voter but have right to have information protected after he or she registers

- Who are they?
  - Law enforcement, correction officers, judges, quasi-judicial officers, state and U.S. attorneys, guardians ad litem, child abuse investigators, firefighters, human resource personnel, and others and includes spouses and children, etc.
Special Class of Applicants: High Risk Professionals
(§ 119.071, F.S)

- What information is protected?
  - Personal identification/location information (address, birthdate, phone number)
  - Spouses’ and children’s names
  - Duty to redact protected information from public access

- When does protection apply?
  - After written request submitted
  - In each agency holding the information in its records
  - Applies retroactively to all records already in government
  - Department of State Form DOS-119 available on website: dos.myflorida.com/media/696331/dos119-public-records-exemption-form.pdf
Special Class of Applicants: High Risk Professionals
(continued) (§ 119.071, F.S)

- How will protection occur?
  - For voter registration records, a “protected flag” is placed on the record in the statewide and local voter registration system so information is not released in future public records requests.

*Customer must still provide true address for registration for proper assignment of precinct and ballot*
Special Class of Applicants: Domestic Violence and Stalking Victims

- If person self-identifies as Florida Attorney General’s Address Confidentiality Program (ACP) participant and/or

- If person provides 723 Truman Avenue, Tallahassee address which is an ACP protected general address or PO Box 6298, 7327, or 7297, Tallahassee as mailing address

  - Do not intake voter registration

  ✓ Special law and process apply for participants (§§ 741.401-.465, F.S.)
  ✓ Refer the customer to county SOE for further information and assistance in registering or updating registration record
Voter Registration Options

• Direct applicant to computer with a link to registertovoteflorida.gov to submit electronically with confirmation receipt or to prepopulate statewide voter registration application for printing

• Offer paper application and assist at the same time you provide agency core services

• If the application to receive agency services is processed over the phone, offer to mail the person a voter registration application
DOS Online Voter Registration System (OVR)
Available to any eligible voter at anytime from anywhere

English and Spanish
Paper Applications

- Statewide voter registration application form
- In English and Spanish
- Options:
  - Printed from online voter registration system
  - Downloadable form available online
  - Hardcopy completed in person by hand
  - Delivered in person or by mail
Other Acceptable Paper Applications Forms

NATIONAL MAIL-IN APPLICATION FORM

FEDERAL POST-CARD APPLICATION FORM
Application
Fields - Required

- Name (First, Last, Middle)
- Date of Birth (MM/DD/YYYY)
- Address (legal residence)
- Checkbox relating to U.S. citizen status
- Checkbox relating to felony conviction and restored right to vote
- Checkbox relating to a court order of mental incapacity and restored right to vote
- Personal Identifying Number (FL DL, /FL State ID or SSN4 or if none issued, check “NONE”)
- Signature (original, by applicant only, may sign with “X” if physical disability)
Application Fields - Optional

- Phone number
- Former name
- Former residential address
- Mailing address
- Gender
- Race/ethnicity
- State or country of birth
- Political party affiliation
- Email address and option to receive sample ballot by email, if available
- Military/overseas/dependent
- Political Party Affiliation
Why Are Optional Fields Still Important?

- Political party selection
  - Determines whether eligible to vote in primary election races
- Former name
  - Identifies prior registration record with other name
- Former out-of-state address
  - Helps notify other states to cancel registration in prior state
Why Are Optional Fields Still Important?

- **Request for assistance at polls**
  - Enables voter to get help at the polls without having to fill out another oath for help

- **Contact information**
  - Allows SOEs to contact voter about registration or ballot issue

- **Want to be a poll worker**
  - Provides SOEs with pool of potential temp staff for election cycles
Political Party Affiliation

- Florida is a Closed-Primary State:
  - Party designation affects right to vote in party races in primary election
  - Voters registered with one party cannot vote for candidates of another party in a primary
  - Voters with No Party Affiliation cannot vote party races in a primary
  - But all voters, regardless of affiliation or no affiliation, can vote on any issue, and nonpartisan race, or any race in which a partisan candidate will face no opposition in the general election
Political Party Affiliation (continued)

- Voter’s options:
  - Major parties
    - Florida Democratic Party
    - Republican Party of Florida
  - Minor parties
  - No party affiliation (NPA)

- Parties periodically disband and new parties form
  - Always refer first to the most current political party list available online
  - dos.myflorida.com/elections/candidates-committees/political-parties
How to Assist

- Assist as you would for any other core library service whether applicant applies online or by paper
- Encourage person to read all instructions
- If applicant asks for help:
  - You can help write/type information in, but the applicant must sign
  - You are not responsible for an applicant’s choice to leave a required or optional field blank but if you notice blank field, bring to his or her attention
  - You are not responsible for know whether applicant is eligible to register
Application Processing

- If electronically submitted online ([ww.registertovoteFlorida.gov](http://ww.registertovoteFlorida.gov)):
  - No further action

- If printed (from [ww.registertovoteFlorida.gov](http://ww.registertovoteFlorida.gov) or online):
  - Review application for blank fields before the person leaves
  - Stamp date of receipt on application

- If received by mail:
  - Keep envelope with application regardless of clear or no postmark

- If dropped off in-person or completed at your agency:
  - Review application for blank fields before the person leaves
  - Stamp date of receipt on application

Transmit all received paper applications (and postmarked envelopes) to local county SOE office within 5 calendar days.
Voter’s Initial Registration Date

- Determined by the Supervisor of Elections’ office based on:
  - Date of electronic submission online,
  - Date stamped as hand-delivered to voter registration agency
  - Date of receipt as hand-delivered by Supervisor’s office, or
  - Postmark date on mailed envelope
  - If no postmark or postmark is unclear, the date received is the registration date unless received within five days after registration deadline, then registration deadline becomes registration date
Non-Compliance

SECTION FIVE
Undue Voter Influence § 97.058 (8), F.S.

- **Do not** say or do anything that discourages someone from registering to vote.
- **Do not** reveal any person’s registration information for any purpose other than administration of voter registration.
- **Do not** influence or try to influence someone to pick a particular political party.
- **Do not** display any political party affiliation or party allegiance.
- **Do not** make any statement or take any action which leads applicant to believe decision to register or not register will impact availability of services.
Non-Compliance with NVRA - Action

- Any person who alleges violation of voter registration or removal process under NVRA or Florida Election Code can file a complaint against DOS, SOE, DHSMV / Tax Collector, or a Voter Registration Agency.

- NVRA complaint filed with the Department of State:
  - dos.myflorida.com/elections/forms-publications/forms/complaint-forms/
Non-Compliance with NVRA - Remedy

- Award of attorney fees and other sanctions
- Declaratory and injunctive relief by U.S. Attorney General/Department of Justice
- Criminal penalty for knowing and willful violations
- Maximum 5-year prison for intentional threats, intimidation, or undue influence as to a person’s ability to register or to vote, or for fraud in voter registration application process
Key Dates and Contact Information

SECTION SIX
Election Dates for 2018 Primary and General Election

Voter Registration Deadlines (29 days before election)

- Primary Election: July 30, 2018
- General Election: October 9, 2018

Election Dates

- Primary Election: August 28, 2018
- General Election: November 6, 2018

Check with your County SOE for dates regarding local and municipal elections held year-round
Stock Paper (English and Spanish) Voter Registration Applications

- Download/print from Division of Elections’ website and copy them at your office
  - dos.myflorida.com/media/693757/dsde39.pdf
  - dos.myflorida.com/media/693758/dsde39_spa.pdf

- Order forms from the Division of Elections
  - Email Katrina Ferguson, Voter Applications Coordinator:
    - Katrina.Ferguson@DOS.MyFlorida.com

- Order must include:
  - Name of the person receiving the shipment
  - Mailing address (cannot be a post office box)
  - Contact telephone number
  - Number of English and Spanish applications needed

- Obtain forms from local County SOE
Contact Information

Division of Elections

• Katrina Ferguson, Statewide Training NVRA Coordinator
  • 850-245-6237
  • Katrina.Ferguson@DOS.MyFlorida.com
  • dos.myflorida.com/elections/for-voters/voter-registration/national-voter-registration-act

Local County SOE

• Supervisor of Elections
• Contact information online at Division of Elections’ website
• dos.myflorida.com/elections/contacts/supervisor-of-elections
For more information, visit us online at:

dos.myflorida.com/elections/