



2020 VOTER RIGHTS

N Y L P I

JUSTICE THROUGH
COMMUNITY POWER

ABOUT NYLPI

For more than 40 years, NYLPI has been a leading civil rights advocate, representing and partnering with New Yorkers opposing marginalization on the basis of race, immigration status, poverty, neighborhood pollution, and disabilities. NYLPI pioneered the practice of community lawyering in the five boroughs of New York City. These communities shape our priorities, and their struggles for justice demand innovative solutions. Our interdisciplinary teams of advocates use every tool available – community organizing, impact litigation and individual representation, policy advocacy, media, pro bono partnerships, and public education – to solve seemingly intractable problems, develop leaders, and build collective power to achieve justice. We strive to create equal access to health care, achieve equality of opportunity and self-determination for people with disabilities, ensure immigrant opportunity, strengthen local nonprofits, and secure environmental justice for communities of color and communities with low incomes. To learn more about NYLPI, visit nylpi.org.

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THE 2020 GENERAL ELECTION IN NEW YORK

KNOW YOUR RIGHTS, FIGHT VOTER INTIMIDATION, AND RESIST VOTER SUPPRESSION

Voting is a key to making change. In 2020 the COVID-19 pandemic and attempts at voter suppression have complicated voting. You have many options to cast your vote and to contribute to choosing our elected leaders at every level. New York Lawyers for the Public Interest, a community-driven civil rights organization advancing justice for New Yorkers, provides this guide addressing New Yorkers' voting rights.

The first section of our guide covers voting rights — including your right to cast your ballot by mail (“absentee”), via official drop-box, or in person (on an early voting day, or on Election Day, November 3, 2020).

Our guide includes information on voting if you have a disability, if you are experiencing homelessness, if you require literacy or language assistance, if you have experienced domestic or intimate partner violence, or if you have a record of a criminal conviction.

We also share information on combating voter intimidation and resisting voter suppression, and we include alerts about typical misinformation.

Throughout, and at the end of the guide, we list voting rights resources. Please contact New York Lawyers for the Public Interest at (212) 244-4664 if you have questions about our guide. For more information about New York Lawyers for the Public Interest, visit nylpi.org. **And make sure to vote!**

“Democracy is not a spectator sport.” –Marian Wright Edelman

VOTING ABSENTEE (BY MAIL)

DEADLINES

- The deadline to apply for an “absentee ballot” for the 2020 General Election by mail, online, email, or fax is October 27, 2020.
- The deadline to apply for an absentee ballot in-person is November 2.

ALL NEW YORKERS CAN VOTE ABSENTEE IN THE GENERAL ELECTION ON NOVEMBER 3, 2020

- When you apply for an absentee ballot, you choose a reason for voting absentee. Risk of contracting or spreading COVID-19 is a valid reason for any New Yorker to vote absentee in this election.

REQUESTING YOUR BALLOT

- To apply for your absentee ballot online, go to <https://absenteeballot.elections.ny.gov> or <https://vote.nyc/page/absentee-voting>.
- To apply for your absentee ballot (online or by mail, phone, or in person), you need to know where you are registered.
- You can verify the address where you are registered to vote at <https://voterlookup.elections.ny.gov>.
- Visit <https://vote.nyc/page/absentee-voting> to use a fillable PDF of the absentee ballot application in English, Spanish, Chinese, Korean and Bengali. Submit the completed PDF application to the Board of Elections by emailing the document to AccessibleBallot@boe.nyc (See “*Languages Other Than English*,” below, for additional information on language access rights.)

COMPLETING YOUR BALLOT

1. Fill out both sides using a ballpoint pen with dark ink (black or blue).
2. Put the ballot in the security envelope. Ensure that the “security envelope” lists your name correctly. If it does not, contact the Board of Elections. (Due to a vendor error, about 100,000 Brooklyn voters got absentee ballot envelopes with the wrong names on them. All

affected voters should automatically be mailed corrected absentee ballots. Use the envelope that correctly lists your name. The Board of Elections says that if you have already sent in a ballot with the wrong name, you should fill out and send in the replacement with the correct name. The ballot contained in the envelope printed with your correct name, matching the signature on the outside of the security envelope, is the one that will be counted.)

3. Seal the security envelope.
4. Sign your name at the red “X.”
5. Write the date you sign the security envelope on the line below your signature.
6. Place the sealed security envelope in the mailing envelope, with your name and bar code on the security envelope bar code showing through the mailing envelope’s clear window.

DELIVERING YOUR BALLOT

- You may deliver your ballot to the locked and chained official drop box at any early voting site in the county where you are registered, or to your election day poll site, or to your county Board of Elections. (In New York City, check the website [vote.nyc.gov](https://www.vote.nyc.gov).)
- If you’re mailing your ballot, send it IMMEDIATELY your ballot must be mailed by November 3, 2020, and received by November 10, 2020 — and the postal service has been slowed.

A NOTE ABOUT STAMPS, IF YOU’RE MAILING YOUR BALLOT

Ballots are different lengths in different boroughs, because there are different numbers of people running for a variety of offices. That means our ballots have different weights and may have different postage

requirements. The envelopes say “stamp,” but a single 55-cent or “forever” stamp may not be enough, based on the ballot’s weight. **However, the United States Post Office’s written policy is to deliver all ballots we place in the mail, even if they have low or no postage** — and the Board of Elections may have to pay the difference.

TRACKING YOUR ABSENTEE BALLOT ONLINE

New this year, you can track your ballot online at <https://nycabsentee.com/tracking>.

EARLY IN-PERSON VOTING

- From Saturday October 24 through Sunday November 1, New Yorkers can participate in early voting.
- Your early voting location may be different from your regular polling site, and the hours vary. To find out where you can vote early and the hours when the early voting site is open, call the NYC Board of Elections at 1-866-VOTE-NYC or visit <https://www.vote.nyc/page/early-voting-information> or <https://www.ny.gov/early-voting-and-absentee-voting-mail-or-dropbox#county-boards> and click on your county.

“The vote is precious. It is the most powerful non-violent tool we have in a democratic society, and we must use it.”

– John Lewis

- You can deliver your completed absentee ballot at a “contactless” drop box at any early voting site in your borough, or at the Board of Elections office in your borough. Official drop boxes are locked and chained in place at each site.

VOTING ON ELECTION DAY (NOVEMBER 3, 2020)

Poll hours: On November 3, 2020, General Election Day, poll sites will be open 6 AM to 9 PM.

Find your site: Before Election Day locate your polling place online or by contacting your local Board of Elections. New York City voters can find their polling place by calling (866) VOTE-NYC, checking <https://findmypollsite.vote.nyc/>, or by emailing vote@boe.nyc.ny.us and providing your complete home address and a request for your poll location. (Ideally, vote in the district where you registered or previously voted — but if you’ve moved, you can vote in the district where you now live by using an affidavit or provisional paper ballot.)

TIPS FOR VOTING IN PERSON

Mask up! Wear a mask to protect your family, friends and neighbors. NYC was the center of the global coronavirus pandemic, and we all

need to take good public health measures to help everyone stay safe.

ID? Registered voters do NOT need to show ID to vote — unless they did not provide identification with their registration. If you have not provided ID before Election Day, bring your ID, and you can vote by affidavit ballot, but not by using the poll site scanner. (If you have already provided ID, you shouldn't have to show ID again — but bringing some probably isn't a bad idea. You can report later if your ID is demanded. We include resources for reporting at the end of this guide.)

Problems? If your name does not appear on the computerized polling list, or you are told that you are not eligible to vote, ask for an affidavit ballot or provisional paper ballot. If you are challenged in any way, you should still vote. Ask for an affidavit ballot or provisional paper ballot. (Afterwards the Board of Elections will check its records, and your vote will be counted if you are eligible to vote. If not, you should receive a notice that you are not eligible, along with a registration application for future elections.)

Work conflict? If your work schedule prevents you from voting in person while the polls are open, you have the right to take up to two hours of paid time off if the time is required in order for you to vote. Voters must tell their employers that they need time off to vote at least two days before the election. See details here: <https://www.elections.ny.gov/NYSBOE/elections/TimeOffToVoteFAQ.pdf>

Stay in line! If you are in the polling place by 9PM, the site must allow you to vote — so do not get out of line. Insist on voting; report if you're denied the right to vote. (See resources listed at the end of this guide.)

“Not voting is not a protest. It is a surrender.” – Keith Ellison

SPECIAL CIRCUMSTANCES

Moved within New York? Voters who move within NY should notify the local board of elections by submitting an updated registration form, or by updating their registrations online at MyDMV or <https://dmv.ny.gov/mydmv/mydmv-0>. Voters who did not notify the board of elections of the change can still vote on Election Day at the polling place for their new address using an affidavit ballot. A 2019 state law allows any voter registered in New York who moves within the state to vote the whole ballot in their new district, using an affidavit ballot.

Moved outside New York? You can vote for president even if you moved from New York to another state near the registration deadline. Even if you are not eligible to vote in a local election district, you can vote in the presidential election by special presidential ballot. To get one, contact the [County Board of Elections](#) where you were registered to vote in New York.

VOTERS WITH DISABILITIES

- Polling places in New York are required to be accessible unless they have been granted an exemption. If your polling place is not accessible, contact the local board of elections to ask for an accommodation or an absentee ballot application.
- People with disabilities can vote with the assistance of a person of their choice (except for their employer, an agent of their employer, or an officer or agent of a labor union). If you do not select a specific person, you will be assisted by two election inspectors, each from a different party.

- A Ballot Marking Device should be available at each borough office and every poll site. Voters with disabilities (for example, low vision, blindness, or mobility impairments) can use the Ballot Marking Device to mark their ballot.
- If your disability is permanent, you may request on your absentee ballot application that an absentee ballot be mailed to you automatically for each election — without having to submit a new absentee ballot application.
- If you are eligible for an absentee ballot and have a disability that keeps you from being able to mark an absentee ballot (for example, a visual impairment or mobility limitation), you can request an accessible absentee ballot that can be marked using home technology.

Apply for your accessible absentee ballot at <https://nycabsentee.com/accessibility>. You can use a typed or electronic signature for your application – you do not need to sign. You can also submit your completed application to the Board of Elections via fax, U.S. Postal Service mail, or by bringing it to the Board of Elections office in your borough. Contact information is listed at <https://vote.nyc/page/contact-us>. (As is the case for all absentee ballot applications, your application must be received by the Board of Elections no later than Oct 27, 2020.)

- Your accessible ballot will be emailed to you. You should receive an email from the email address AccessibleBallot@boe.nyc with a link to the secure online ballot portal.
 - Use your home adaptive technology (for example, screen reader or sip-and-puff) to access your electronic web-based ballot and make your choices.
 - Print your ballot. Your ballot cannot be emailed back to the Board of Elections. You may use any printer paper you have available: standard or legal sizes are acceptable.
 - Your computer or tablet can be used to download the packet,

which includes your ballot, foldable envelope templates and instructions.

- You should also be mailed a postage-paid return envelope and “oath envelope” you can use to return your ballot.
 - Your emailed ballot packet includes foldable envelope templates and instructions, which you can download, print, and assemble. (If you use the foldable templates, you need to add postage.)
 - Your ballot goes inside the oath envelope, and the oath envelope goes inside the return envelope.
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- Remember to sign the oath envelope. You must sign in ink. You may sign anywhere on the envelope.
 - If you return your ballot by mail, the return envelope must be postmarked by November 3, 2020, and received by November 10, 2020.
 - If you are registered in a location where paper ballots are available in languages other than English (Spanish, Chinese, Korean and Bengali, in some locations) accessible absentee ballots are available in the same languages. (See also, “Languages Other Than English,” below.)
 - For more information, contact Americans with Disability Act Coordinator Ariel Merkel at AMerkel@boe.nyc

ACCIDENT OR SUDDEN ILLNESS ON ELECTION DAY

- On Election Day, if you are unable to appear due to an accident or sudden illness, you may send a representative with an authorized letter to the Board of Elections to pick up an application and absentee ballot for you. Your representative must return the application and ballot to the Board of Elections by 9 PM on Election Day.

POLITICAL PARTY AFFILIATION

You don't have to be enrolled in a political party to vote in the general election. Primary elections may be "closed" — but any registered voter can vote in the general election.

VOTERS EXPERIENCING HOMELESSNESS

- You can register to vote by identifying a place of residence (a street corner, a park, a shelter or any other place where you usually stay), and
- Identifying a mailing address (a local advocacy organization, shelter, outreach center or anyone willing to accept mail for you).

“Someone struggled for your right to vote. Use it.” – Susan B. Anthony

VOTERS WHO HAVE A CRIMINAL CONVICTION OR ARE CURRENTLY ON PAROLE

- You may be able to vote if you have finished a felony sentence, your rights have been reinstated, and you are eligible to register and vote in this year's election.
- Some people on parole can vote, and some cannot. If you are unsure, you can check your status online at vote.nyc. To find out if you've received a conditional pardon that allows you to vote, look up your name using the Parolee Lookup section of the Department of Corrections and Community Supervision website (<https://publicapps.doccs.ny.gov/ParoleeLookup/default>), or check with your parole officer.
- Individuals with a record of a misdemeanor or a violation are entitled

to vote, even if still incarcerated for a misdemeanor. Incarcerated voters must vote by absentee ballot.

VOTERS IN THE MILITARY OR OVERSEAS

People in the military and civilian citizens living overseas can register and vote by absentee ballot and may receive and submit completed forms by mail, fax, or email.

LITERACY ASSISTANCE

Voters who cannot read sufficiently to navigate the ballot may be assisted by any person they choose (except their union representative or employer), or by an inspector from each political party.

LANGUAGES OTHER THAN ENGLISH

People whose first language is not English can vote in their native language in certain counties. Some New York counties require polling sites to provide Spanish, Chinese, Korean or Bengali ballots. Contact your local Board of Elections prior to Election Day to learn what is available in your area.

If your area does not permit you to vote in your native language, you have the right to bring an interpreter with you to the polls. The interpreter can be any person who is not your employer or union representative.

The absentee voting page of the website <https://vote.nyc/page/absentee-voting> contains a fillable PDF of the absentee ballot application in English, Spanish, Chinese, Korean and Bengali. You can

submit the completed PDF application to the Board of Elections by emailing the document to AccessibleBallot@boe.nyc

DOMESTIC VIOLENCE OR INTIMATE PARTNER VIOLENCE

If you are a survivor of domestic violence or intimate partner violence you can contact your local Board of Elections to request an accommodation that allows you to get a special ballot and avoid your regular polling place. You can also have your voter registration record kept private by obtaining a court order in the county where you are registered. This means that your voter registration information will be maintained separately from other voter records, and will not be available for public inspection.

YOUNG PEOPLE — GET READY TO VOTE!

New York State law now allows 16- and 17-year-old citizens to pre-register to vote. If you are 16 or 17, you can fill out voter registration applications online or in person at a Board of Elections office or the Department of Motor Vehicles. You will be automatically registered to vote when you turn 18.

VOTER INTIMIDATION: WHAT IS IT? WHAT CAN YOU DO?

Voter intimidation is using threats, coercion or attempts to intimidate for the purpose of interfering with another person's right to vote or to vote for the person of their choosing. Voter intimidation is a crime. Someone intimidating voters can be sentenced to up to one year in prison and a fine of up to \$1,000.

“Elections belong to the people.” – Abraham Lincoln

INTIMIDATION TACTICS MAY INCLUDE

- Physically blocking polling places
- Using threatening language in or near a polling place
- Yelling at people or calling people names while they are in line to vote
- Disrupting or interrogating voters
- Looking over people's shoulders while they are voting
- Questioning voters about political choices, citizenship status or criminal record
- Displaying false or misleading signage
- Spreading false information about voting requirements and procedures

If you experience voter intimidation — or you see other people being intimidated — you can call for immediate help.

- First, notify a poll worker of the intimidation tactic you observed. Talk to the election supervisor or call the New York State Board of Elections (<https://www.elections.ny.gov/Contact.html>) to report the intimidating activity.
- You can report intimidation to the Election Protection Hotline of the Lawyers’ Committee for Civil Rights Under Law: (866) OUR-VOTE or (888) VE-Y-VOTA (in Spanish).
- The New York Attorney General offers voter protection resources:
 - Election Hotline: (800) 771-7755
 - Voters who experience discrimination or other barriers to registration and voting can contact the Civil Rights Bureau of the New York State Attorney General’s Office (<https://ag.ny.gov/civil-rights/voting-rights>) at (212) 416-8250
 - Email: civil.rights@ag.ny.gov
- U.S. Department of Justice voting rights hotline: (800) 253-3931

POLL WATCHERS

- Poll watching in the interest of ensuring a fair election is a permitted activity, but it can be misused to intimidate voters.
- Poll watchers must be registered voters in the state, county, or district they are monitoring.
- Official partisan poll watchers are appointed and receive training. They are required to bring their certification paperwork with them.
- Unofficial, unappointed poll watchers are not permitted inside the polling place.
- New York State law provides for three poll watchers per election district at any one time from each candidate, political committee or independent body. Only one of these watchers may be within the “guard rail” (the portion of the poll site containing the table used by election inspectors and Board of Elections equipment, including the Privacy Booths, Ballot Marking Device, and Scanners and any areas

used by voters within the poll site to move between such locations).

- Poll watchers may challenge individual voters on the basis of signature authenticity, residence, multiple voting, qualification to vote, or electioneering.
- Poll watchers are required to raise any challenges with election inspectors — not directly to the individual.

VOTER SUPPRESSION

Voter suppression investigations from the last U.S. presidential election and in the run-up to the upcoming 2020 election show efforts to discourage people from voting have focused on people of color – and are particularly focusing on Black people.

RACIST ATTEMPTS TO SUPPRESS VOTES USING SOCIAL MEDIA

Myriad U.S. voter suppression efforts directed at people of color are being documented and fought right now. In addition, recent key reports show how foreign powers are attempting to interfere with voting, particularly by African Americans.

The Russian government’s interference in the 2016 U.S. elections singled out African Americans, according to a new Senate Intelligence Committee report:

- Using Facebook pages, Instagram content and Twitter posts, Russian information operatives directed by the Kremlin had an “overwhelming operational emphasis on race ... no single group of Americans was targeted ... more than African Americans.”

- The report shows over 66 percent of that content contained a term related to race.
- Using ads with location-targeting “principally aimed at African-Americans in key metropolitan areas,” the Russian information operations focused on pages like Blacktivist, which garnered 11.2 million engagements with Facebook users.
- The study also concluded that the Russian operatives sought to focus on socially divisive issues like race to pit Americans against one another. According to Senate Intelligence Committee Chairman Richard Burr, “By flooding social media with false reports, conspiracy theories, and trolls, and by exploiting existing divisions, Russia is trying to breed distrust of our democratic institutions and our fellow Americans.”

According to Lauren Underwood, chair of the congressional Subcommittee on Cybersecurity, Infrastructure Protection, and Innovation

- As the bipartisan Senate Select Committee on Intelligence noted in 2018, “no single group of Americans was targeted...more than African Americans.”
- The Kremlin “appears to be outsourcing some disinformation operations to “troll farms” in Ghana and Nigeria in the hopes that African nationals will be able to more convincingly speak to American audiences about racial division in the U.S.
- Content generated by these troll farms reportedly uses “a mixture of sentiments to cultivate followers and manipulate U.S. narratives about race, racial tensions and police conduct” specifically crafted to encourage distrust in Black communities.
- “Social media platforms like Facebook, Instagram, and WhatsApp may continue to be used to spread disinformation targeting Black voters, or to otherwise suppress, intimidate, and interfere with Black voter turnout in 2020. The 2016 election was a watershed moment for social media companies, as platforms were hijacked by malicious actors aiming to silence Black voters and sow racial division. Investigations revealed a sophisticated Russian plot to flood the

social media accounts of American voters with inflammatory, divisive content that was—most often—designed to prey on racial tensions and dampen enthusiasm among Black voters.”

COMMON MISINFORMATION

MISLEADING TEXT MESSAGES, EMAILS AND PHONE CALLS

- False information circulated on social media telling voters they can cast their ballots by text message, email or over the internet.
- Except for certain limited overseas absentee voters, New York does not allow ballot submission over the internet, and no state offers a vote-by-text option.
- If you are on a campaign or party committee’s voter list, you may receive legitimate text messages on Tuesday encouraging you to vote, offering you a ride to the polls, or telling you where your polling place is.
- Beware of any text messages, emails, photos or calls that tell you that voting hours or locations have changed, that new forms of voter ID are required, that your voter registration is not valid, or that voting machines are not working.

VOTING MACHINE MALFUNCTION RUMORS

Reports of broken, rigged or technically compromised voting machines are common on Election Day. You may even see videos of

malfunctioning voting machines going viral on social media. Unless you have rock-solid evidence that the claims are true, be skeptical.

MISLEADING PHOTOS AND VIDEOS

The 2016 election gave rise to an influx of doctored and mislabeled photos, and this year's Election Day could be a repeat. Voters could be shown photos of long lines at polling places to discourage them from voting, or manipulated videos of malfunctioning voting machines.

TIPS FOR CHECKING MISINFORMATION

- Whenever possible, rely on official government websites for voting-related information. Look for .gov at the end of the website address.
- Before sharing a viral story on Election Day, check a fact-checking website like Snopes.com or FactCheck.org, to see if a suspicious story is true or has been debunked. If it is a photo, try doing a search using a website like [TinEye.com](https://www.tineye.com) to see if the photo is old or mislabeled, or if it has been manipulated.
- If you do find misinformation online that has the potential to mislead voters, you can take it directly to social media platforms through their reporting tools, the New York State Attorney General's office, or the media.

KEY VOTING RIGHTS CONTACTS

- Report problems on-site to poll workers, and consider reporting to the media.
- New York City Board of Elections: (866) VOTE-NYC
- New York Attorney General voter protection resources:
 - Election Hotline: (800) 771-7755
 - Voters who experience discrimination or other barriers to registration and voting can contact the Civil Rights Bureau of the New York State Attorney General’s Office online at <https://ag.ny.gov/civil-rights/voting-rights>, by calling (212) 416-8250 or by emailing civilrights@ag.ny.gov
- Election Protection Hotline of Lawyers’ Committee for Civil Rights Under Law: (866) OUR-VOTE or (866) VE-Y-VOTA (in Spanish)
- U.S. Department of Justice voting rights hotline: (800) 253-3931

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