



SCHELDROP BLADES

What Iowans Need to Know (Before the Vote on Nov 8)

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The outcome of the 2016 election is likely to have a direct impact on your life. In addition to voting for the next president of the United States, voters will be casting ballots for members of Congress, as well as state and local leaders.

While Iowa's voting laws haven't substantially changed in recent years, a quick refresher prior to November 8, 2016, may be in order! Here's what you need to know:

Quick Tips

- Election Day is Tuesday, November 8, 2016. The polls open at 7:00 a.m. and close at 9:00 p.m.; however, you **will** be allowed to vote if you are in line to vote when the clock strikes 9:00 p.m.
- Verify your voter registration status and verify your polling place prior to the election
- Even if it's not required, bring some form of identification
- Take your time and read all instructions carefully, and ask for help if needed!
- If you can't make it to the polls, vote before Election Day using absentee voting by mail or in person
- Leave the phone in the car or at home; cell phones and selfies are not allowed in the voting booth.

Registration

In order to participate in the November 8, 2016, election, Iowa residents must be registered to vote. Iowans have several options in this regard.

1. The deadline to pre-register to vote is 10 days before the General Election, which falls on Saturday, October 29, 2016. County auditors' offices will open from 8:00 am until at least 5:00 pm on the day registration closes. You may also register while applying for services such as a motor vehicle license or public assistance, or you may register online with a valid driver's license or non-operator ID card. (Register now at <https://mymvd.iowadot.gov/voterregistration>.)
2. A registration form submitted by mail to the designated county auditor's office must be postmarked no later than 15 days before the General Election (October 24th) – and will be accepted even if the registration form is received after the deadline – or be received no later than 5:00 p.m. on the day registration closes (October 29th), even if the registration form is postmarked after October 24, 2016.
3. A voter can register to vote in person at your designation polling place on Election Day.

You can register and vote in Iowa if you meet all of the following qualifications:

- You are a U.S. citizen.
- You are an Iowa resident.
- You are at least 17 1/2 years old (you must be 18 years old by Election Day).
- You've given up your right to vote in any other place.
- You haven't been declared by a court to be mentally incompetent to vote.
- You haven't been convicted of a felony.

(Iowa remains just one of three states that impose lifetime voting bans on people with felonies, even after they have completed their criminal sentences. This means more than 50,000 Iowans will not be able to vote on Tuesday, November 8th.)

To find out if you are registered, simply check <https://sos.iowa.gov/> or call your county auditor!

Voting as a Student

Students attending college in Iowa may register at their school address. Students may also choose to register or remain registered at a permanent address in Iowa or outside the state. In this case, students may need to vote by absentee ballot.

Voting Before Election Day

Any registered voter can vote before Election Day by casting an absentee ballot by mail or in person at your county auditor's office September 29th through November 7th for the 2016 election. Absentee ballots can be obtained through the Secretary of State's website, by stopping by your county auditor's office, or by calling the Secretary of State's Office at 515-281-5204. Applications for absentee ballots must be received by your auditor by 5:00 p.m. on Friday, November 4, 2016.

To be counted, your absentee ballot must be *postmarked* no later than Monday, Nov. 7 and received in the county auditor's office no later than noon on Monday, Nov. 14.

Where to Vote

Iowa residents **MUST** vote at their assigned polling location. An individual's assigned polling place will be listed on the voter registration acknowledgement card that you should receive in the mail shortly after you register. If you do not have your registration card, simply call your county auditor's office or visit <https://sos.iowa.gov>.

Under Iowa law, polling places must be accessible to persons with disabilities. If you find out before Election Day that your polling place is not accessible, contact your county auditor or the Secretary of State and ask for an accommodation. If you cannot enter the polling place because of a disability, you can send someone into the polling place on your behalf to request curbside voting on Election Day.

The government does not provide rides to the polls on Election Day, but many candidates and political parties do provide this service. Also, be on the lookout for any promotions from Uber, as they have been known to offer free rides on certain days.

Identification

Iowa **does not** currently have a law requiring identification to vote; however, there are some circumstances in which voting officials may ask a voter to show proof of identity and residence using any number of documents. The most common reason for a poll worker to make this request is if you register to vote at the polls on Election Day.

First off, you should always bring identification with you to your designated polling place, regardless of any assurances someone tells you. However, you should bring identification if:

- You registered to vote by mail after January 1, 2003, and have never voted in a Primary or General Election in your county;
- Your name doesn't appear on the election register as an active voter;
- You're registering to vote in person on Election Day;
- You have moved from where you are registered to vote;
- Your right to vote is challenged; or
- Poll workers don't know you and ask for identification

Acceptable forms of ID include a driver's license, non-operator ID card, U.S. Passport, U.S. Military identification card, or a student ID from an Iowa high school, college, or university. To prove address, individuals may present a residential lease, property tax statement, utility bill, cell phone bill, bank statement, or paycheck.

What if I don't have any ID?

Another voter who is registered to vote in your precinct may vouch for your identity and residence by taking a written oath in the presence of the precinct official.

Provisional Ballots

If you do not have someone to vouch for you, you can cast a provisional ballot. All voters are entitled to a provisional ballot, ***even if you are not in the pollbook***. After Election Day, election officials must investigate whether you're qualified and registered to vote; and if so, they must count your provisional ballot.

You will be given a form that tells you the reason why you are casting a provisional ballot. If the reason is that you did not have the proper identification, you will be provided a list of acceptable identification that you may either bring to your polling place before the polls close at 9:00 p.m. on Election Day, or bring to your county auditor's office by the deadline listed on the form given to you.

Time Off from Work

If your work schedule doesn't give you three consecutive hours off from work while the polls are open, you have the right to take time off from work in order to vote; however, you must give your employer written notice prior to November 8, 2016. Note: your employer has the right to specify which hours you get to take off for purposes of voting. Your employer may not penalize you, or deduct from your regular wages on account of the absence.

Voter Intimidation

Federal law provides that "**no person ... shall intimidate, threaten, coerce ... any other person for the purpose of interfering with the right of [that] person to vote or to vote as he may choose.**" While voter intimidation is rare, it is important to know how to handle such a scenario if the situation presents itself.

You can report intimidation to:

- The Election Protection Hotline: 1-866-OUR-VOTE or 1-888-VE-Y-VOTA (en Español)
- The U.S. Department of Justice Voting Rights Hotline: 800-253-3931; TTY line 877-267-8971
- Local and state officials, including poll workers; your county clerk, elections commissioner, elections supervisor; or your state board of elections

Selfies

If you vote, but don't take a selfie... Did you really vote?

Please keep in mind you are not allowed to take a selfie while voting. In 21 states and Washington, D.C., it is legal to take a photograph in the voting booth. It is explicitly illegal in 16 states, and violators can be fined or given jail time. According to the Iowa Code, phones are prohibited in the voting booth. Selfie addicts should note that photos of absentee ballots are allowed.

Language Barriers

Election materials in Iowa are generally available in English only, but you have the right to bring an interpreter to the polls or to get assistance in your language from anyone you choose, including poll workers, as long as the person is not your employer, an agent or representative of your employer, or an agent or representative of your labor union.

Prior Convictions

As previously mentioned, Iowa is one of three states that continue to impose lifetime voting bans on individuals with felonies on their record. If you were convicted of a simple, serious, or aggravated misdemeanor, you can still vote; however, you will likely have to vote by absentee ballot if you're still in jail.

If you were convicted of a felony, you can only vote if:

1. You have completed your sentence (including any incarceration, on probation, parole, and/or supervised release); **AND**
2. Have had your rights restored by the state.

If you completed your felony sentence before July 4, 2005, your rights have been restored. You can vote.

If you completed your felony sentence after July 4, 2005, but before January 14, 2011, your right to vote was probably automatically restored – but if you never received notice in the mail after you completed your sentence, you should check with the Office of the Governor at 515-281-5211. The Governor's Office maintains a list of people whose right to vote was restored.

If you completed your felony sentence after January 14, 2011, you cannot vote until the Governor restores your right to vote.

Voting rights may be restored by application to the Governor's Office after completion of the sentence, any required probation, parole, or supervised release, and all court costs, fees, and restitution has been paid.

The Governor's Office is responsible for the restoration of voting rights. For more information, call the Governor's Office at 515-281-5211.

Content provided by Attorney Michael J. Lunn of Scheldrup Blades Law Firm. This information has been provided as a free public service and in encouragement to get everyone, regardless of affiliation, to the polls and have their vote count this November 8th. If you have questions, please consult your Secretary of State.

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