

# **KNOW YOUR RIGHTS** **VOTING GUIDE FOR TGNCNB PEOPLE**

*What you need to know to register and vote before, on, and after November 3, 2020.*

 Lambda Legal



# ***Voting is a fundamental and essential component of participating in the US democracy.***

*But throughout our nation's history, systemic erosion of voting rights has been used to erase the voices of minority populations. For many people across the country, having identification documents that do not match one's gender or expression coupled with hostile voter ID policies create barriers to accessing the polls. It is critical that TGNCNB (transgender, gender-nonconforming, and nonbinary) voices are heard in this – and every – election.*

***Here's what you need to know.***



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## **ABOUT LAMBDA LEGAL**

*Founded in 1973, Lambda Legal is the oldest and largest national legal organization whose mission is to achieve full recognition of the civil rights of lesbians, gay men, bisexuals, transgender people and everyone living with HIV through impact litigation, education and public policy work.*

# ***REGISTERING TO VOTE***

# REGISTERING TO VOTE

*Before we talk about voting, we need to talk about registering. Registering to vote can be done in person, by mail, or even on a smartphone or computer in under five minutes.*

- 1. You **MUST** be registered before you can vote.*
- 2. Many states require you to register up to 30 days before Election Day. That means that the 2020 Election could be decided on October 3, 2020 if enough people fail to register in time.*
- 3. To check your state's voter registration requirements: Visit [nass.org/can-i-vote/register-to-vote](https://nass.org/can-i-vote/register-to-vote).*
- 4. If you are unsure if you are registered to vote: Visit [headcount.org](https://headcount.org) to check your status and ensure you are registered with the correct name and address.*
- 5. If you are not registered to vote and need to: Visit [headcount.org](https://headcount.org) and register no later than October 3, 2020.*
- 6. To check your state's deadline to register: Visit [vote.org/voter-registration-deadlines](https://vote.org/voter-registration-deadlines).*
- 7. To check if your state allows you to vote by mail and to sign up to do so: Visit [usa.gov/absentee-voting](https://usa.gov/absentee-voting). If you have permanently moved to another state from the state in which you last voted, you must register to vote in your new state.*



***ON ELECTION  
DAY***

# **ELECTION DAY CHECKLIST**

*Print this checklist and bring it with you!*

- Your Voter registration card (this will be sent to you by mail prior to the election regardless of whether you have previously registered or just registered this year).*
- A utility bill showing the address where you are registered.*
- Your ID, if you have one.*
- A pen, if your state does not use electronic voting.*
- The National Election Protection Hotline phone number (866-OUR-VOTE / 866-687-8683).*
- Snacks and water.*
- A charged phone.*
- A list of who and what you want to vote for (or against).*
- A comfortable outfit and shoes. If you do not use a mobility device or are not able to bring your own seating, and depending on where you are, you may be standing for a while.*
- This checklist.*



## **ON ELECTION DAY**

### ***If you are formerly incarcerated.***

*Most states allow formerly incarcerated people to vote following the completion of their sentences. However, the reinstatement of voting rights is handled very differently from state to state. In some states, what you were convicted of will also factor into whether your state will reinstate your voting rights.*

*This guide provides an overview of when your voting rights will be restored and if they are restored automatically or if you will have to request that your right to vote be restored:*

*[ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx](https://ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx).*

### ***If you are homeless.***

*You don't need a home to vote. Almost all states allow people who are experiencing homelessness to register to vote. Each state has different requirements for establishing an address, so we recommend taking a look at this manual for information on what is required in your state: [nationalhomeless.org/wp-content/uploads/2018/08/2018-Manual\\_for-web.pdf](https://nationalhomeless.org/wp-content/uploads/2018/08/2018-Manual_for-web.pdf).*

### ***If the name and/or gender marker on your driver's license or state-issued ID doesn't match what you look like.***

*Vote. There is no requirement that your physical presentation must match the stereotypes associated with a "male" or "female" name or gender marker.*

*Do ensure that your name and address on your voter registration card/record is the same as the name and address on your ID before it is time to vote.*



# I Voted

*If your DL/State ID has a different name or address than your voter registration card/record, you may wish to bring your court-ordered name change or other documentation with you. However, depending on your state, you may have difficulty with voting. See more below about what to do if you are told that you are not allowed to vote.*

***If you are harassed by poll workers about your ID.***

*Look for a volunteer attorney or poll observer.*

*Call the National Election Protection Hotline at 866-OUR-VOTE (866-687-8683).*

***If you are turned away from your polling place.***

*Look for a volunteer attorney or poll observer for assistance.*

*Call the National Election Protection Hotline at 866-OUR-VOTE (866-687-8683).*

*If you are unable to connect with these folks and are still being told you cannot vote, request a “provisional ballot” and the follow-up instructions. You are usually required to return to the election officials in the days following the election to prove your identity for your provisional ballot to be counted.*

***Provisional ballots.***

*Provisional ballots ensure that voters are not excluded from the voting process due to an administrative error. When there is a question about a voter’s eligibility – the potential voter’s name is not on the voter rolls, a required identification document isn’t available or other issues – the election official is required to offer the voter a provisional ballot instead of a regular ballot. You are usually required to return to the election officials in the days following the election in order to prove your identity for your provisional ballot to be counted.*

# ***UPDATING IDENTIFICATION DOCUMENTS***

## UPDATING IDENTIFICATION DOCUMENTS

**If you need assistance with changing your name or gender marker on your identity documents before you register.**

*First, make sure you have enough time before the election to have your identity documents updated. This will help to ensure you do not have difficulty voting due to your IDs not matching your voter registration card. Right now, some courts and other government offices are still not open for regular business due to COVID-19. You should check with your local court or government office before going.*

*If your ID documents are updated, but you need to change your name on your voter registration card/record, you will likely need to fill out a voter registration form to inform your state of your new name and to receive a new voter registration card. You can find out specifically how to do this in your state here: [usa.gov/change-voter-registration](https://www.usa.gov/change-voter-registration). This site also allows you to look up your state's election office website to obtain more information or to call the office.*

*There are many resources to assist with name changes and gender marker corrections. The ID Documents Center by the National Center for Transgender Equality has comprehensive information for each US state and territory: [transequality.org/documents](https://transequality.org/documents).*

*If you have trouble getting your ID to match your voter registration card and need assistance, contact Lambda Legal's Help Desk: [lambdalegal.org/help](https://lambdalegal.org/help).*



# **OTHER RESOURCES**

**#VotingWhileTrans, from the  
National Center for Transgender  
Equality Action Fund**  
[transformthevote.org/voting](http://transformthevote.org/voting)

**Vote with Pride, from GLAAD**  
[glaad.org/action](http://glaad.org/action)

**Know Your Rights: Voter  
Intimidation from ACLU**  
[aclu.org/sites/default/  
files/field\\_pdf\\_file/kyr-  
voterintimidation-v03.pdf](http://aclu.org/sites/default/files/field_pdf_file/kyr-voterintimidation-v03.pdf)

**For legal help, contact Lambda  
Legal's Help Desk:**  
[lambdalegal.org/help](http://lambdalegal.org/help)

 **Lambda Legal**

