

2019 Best Practices Guide For

VOTER REGISTRATION AT DESIGNATED AGENCIES



WEST VIRGINIA SECRETARY OF STATE'S OFFICE
ELECTIONS DIVISION

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THE NATIONAL VOTER REGISTRATION ACT OF 1993 And ELECTION LAWS OF WEST VIRGINIA

The Mandate

The intent of these voter registration and election laws is to increase the opportunities for citizens to register to vote. In order to help these people register more easily, the national and state laws were designed to require many public agencies to provide registration application opportunities to their clients along with their regular agency services. These agencies are commonly referred to as Motor Voter Agencies.

When Does the Agency Employee Provide the Opportunity to Register to Vote?

At any contact with a client seeking an application for service or assistance, and with each renewal/recertification, or change of address - this includes in-person contact, online contact, mail contact and other forms of direct contact.

The law requires that the opportunity to apply for voter registration be provided with each application for service or assistance, and with each renewal/recertification, or change of address at agencies primarily engaged in providing services to persons with disabilities or which provide public assistance. If a client requests assistance with completing his or her voter registration application, the agency must provide the same assistance to the client as it would with completing its own agency forms.

The opportunity to register to vote must be provided to every person requesting an application for services or assistance, recertification, renewal or change of address related to such services or assistance. The person may be seeking an application for services or assistance, recertification, renewal or change of address related to such services or assistance for himself or herself or for a member of his or her immediate family. The form may be completed in the office or taken home and mailed in later to the appropriate county clerk or the Secretary of State's Office.

This Guide

This guide is provided by the Office of the Secretary of State and is meant to provide assistance with your efforts in voter registration activities. If you have other questions about voter registration or need supplies, please contact the Secretary of State's Office at 866-767-8683. Provided at the end of this guide is a list of county election officials with their phone numbers and addresses to help with questions about local voter information.

RESPONSIBILITIES OF THE AGENCY STATE SUPERVISOR

1. Appoint a current employee as **local coordinator** of voter registration services for each office.
2. Attend training provided by the Secretary of State's Office and train others within the agency.
3. Administer voter registration services in all programs within the jurisdiction.
4. Coordinate voter registration services with the Secretary of State.
5. Supervise the local coordinators regarding voter registration services.
6. Ensure all coordinators and staff have reviewed all training material and receive periodic updates.
7. Review complaints concerning voter registration activities by the staff.
8. Notify the Secretary of State within five days of any change of local coordinators.
9. Post all required notices as provided by the Secretary of State.

RESPONSIBILITIES OF THE LOCAL COORDINATOR

1. Coordinate voter registration services within the local office.
2. Ensure that the offer to register to vote is practiced by all employees.
3. Maintain adequate supply of declination forms, voter registration applications and related materials.
4. Train designated alternates to assume coordinator duties in case of absence.
5. Maintain and secure a voter registration 'date' hand stamp. Hand stamps are provided by the Secretary of State's Office.
6. Ensure that each application is stamped the day it is received in the agency office.
7. Forward completed voter registration applications to Secretary of State's Office within five (5) days of receipt.
8. Retain declination forms in the local office for 22 months in a secure location. It is recommended that the forms be filed by date in order to make it easier to clear the files as each group reaches the 22nd month. At the end of 22 months, those declinations must be destroyed.
9. Provide training for new employees.
10. Report and coordinate with the state supervisor.
11. Maintain the confidentiality of the applications, declinations, and applicants.

RESPONSIBILITIES OF THE AGENCY EMPLOYEE

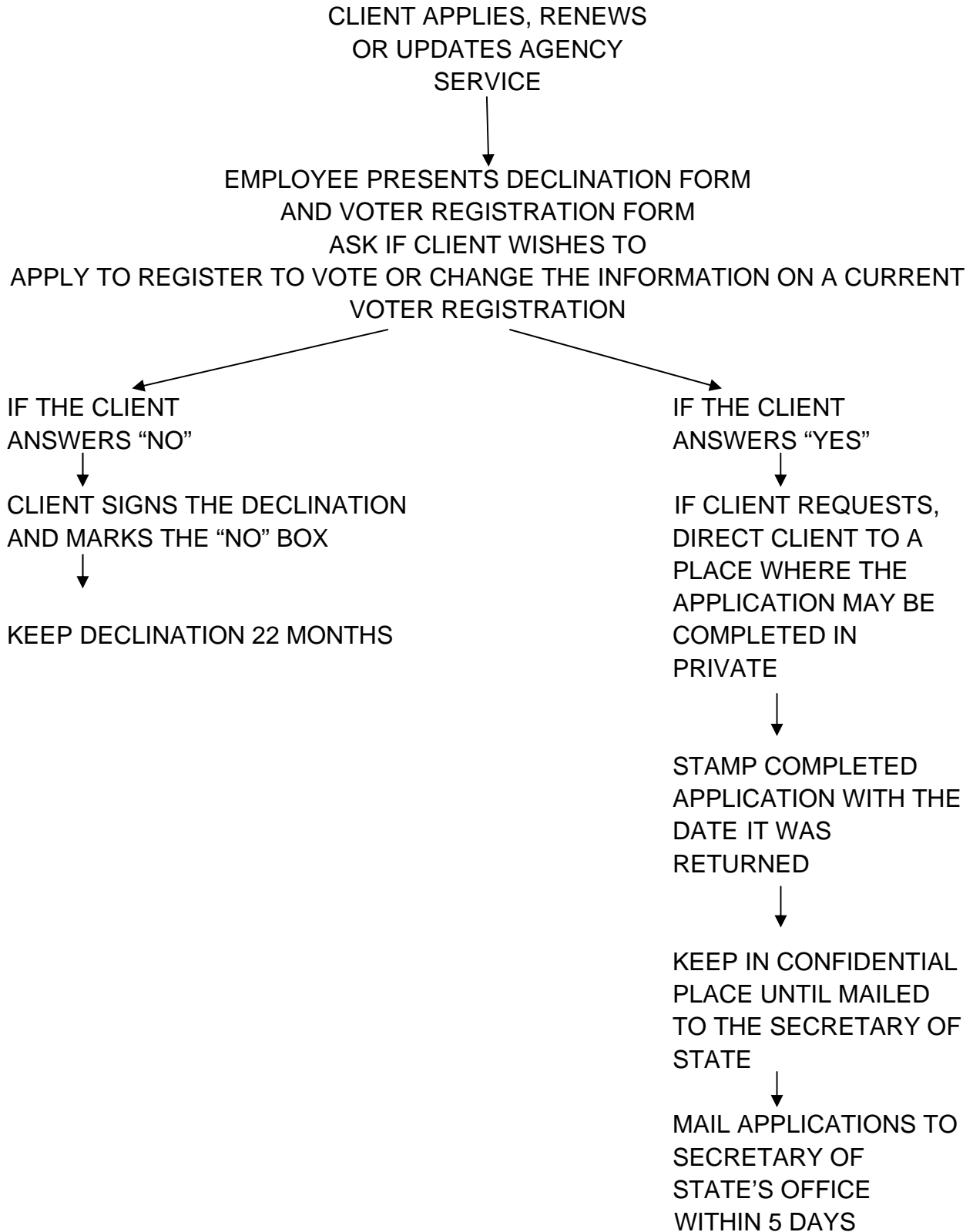
1. Provide a declination form and a voter registration application to every client seeking an application for new services or assistance, recertification, renewal or change of address form relating to such services or assistance. This is applicable to those seeking an application for services or assistance in-person, via telephone, via mail or online.
2. Assist clients with completing the voter registration application, if requested. Give the same degree of assistance as provided for the agency forms.
3. Accept completed voter registration applications and declination forms. These are to be given to the local coordinator of your office daily. **DO NOT KEEP THESE FORMS IN THE CLIENT'S FILE!**
4. Maintain the confidentiality of the applications, declinations, and applicants.
5. Ensure that no political party preferences are indicated to the client.
6. Allow client to make his/her own decision about registering or not registering to vote.
7. Refrain from making any statement that could be interpreted to mean that any action on the part of the client could affect the availability of services or benefits from your agency.
8. If requested, provide client no more than four (4) mail-in voter registration application forms for use by others at home. Please direct your client to the Secretary of State's Office if a larger quantity of forms is needed.
9. Receive appropriate training as required by state law from the local coordinator.

VOTER REGISTRATION PROCESS

Reminder: Follow these steps to ensure compliance with state and federal regulations

1. When a client applies for services, renews services, or updates records through your agency, a pink declination form (Voter Registration Agency Certification) and a voter registration application are to be provided along with the necessary agency forms for services.
2. The declination form **must** be signed, whether or not the client wants to register to vote or change the voter registration while in the office.
3. If a client does not want to register to vote or change the current voter registration information, the declination form **MUST** be completed and the client **MUST** sign the declination form. If the client refuses to sign the declination form, the date and the client's name must be entered on the form and a notation is to be made on the signature line that the client refused to sign. The declination forms are not to remain in the clients file. The client may still take the voter registration application with him or her upon leaving the agency office even though the declination form was not signed by the client. Mark the "Mail-in form given" box if the client takes the voter registration form.
4. If a client would like to register to vote or make a change to the current voter registration, but does not want to complete the application in the office, the client can take the voter registration application and complete it at home. **The client must sign the declination form.** The box below the signature line which states "Mail-In form given" is to be marked.
5. At the time the client returns the completed application and signed declination form, the date should be stamped on the application in the date received box to the right with the stamp provided by the Secretary of State's Office.
6. At the end of each week all completed voter registration applications are to be sent to the Secretary of State's Office in the pre-paid envelopes provided. (This is usually done by the local coordinator.) Remember to put the name of the agency on the outside of the envelope to ensure your agency receives credit for the applications received. Follow the procedures provided by the local coordinator of the office for storing and mailing the applications.

STEPS IN THE AGENCY VOTER REGISTRATION PROCESS



THE DECLINATION FORM

The agency employee **must** present the declination form and a voter registration application to the client. This declination form asks this specific question:

If you are not registered to vote where you live now, would you like to apply to register to vote here today?

There are blocks for the client to mark his or her answer: YES or NO

The following statement must appear in capitalized letters:

"IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME".

It also advises the client that:

Applying to register to vote or declining to register to vote will not affect the assistance or services that you will be provided by this agency. If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private.

And it promises confidentiality:

If you decline to register to vote, this fact will remain confidential. If you do register to vote, the office where your application was submitted will remain confidential and may be used only for voter registration purposes.

If the client refuses to sign the form, the form must have the date and the client's name written on it and the employee must make a notation that the client refused to sign the form.

The client is also advised that:

If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to vote or your right to choose your own political party or other political preference, you may file a complaint with:

**WV Secretary of State
Investigations Unit
Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770**

**Toll Free: 877-372-8398
or
304-558-6000**

The “*you may file a complaint with*” portion at the bottom of the form can be detached and kept by the client in order to have the contact information available.

***** PLEASE NOTE:**

The client has the right to file a complaint with the Secretary of State and/or bring a civil action if aggrieved by a violation of the National Voter Registration Act of 1993. If you have any questions about providing voter registration services to the clients please contact the Elections Division in the Secretary of State’s Office for answers.

The National Voter Registration Act of 1993 provides that the applicant must declare in writing whether or not he/she wants to register to vote. It is not sufficient to merely mark the Yes or No box on the form.

AN OVERVIEW OF THE INFORMATION REQUESTED ON THE VOTER REGISTRATION APPLICATION

The client must be informed that:

Assistance in completing the voter registration application can be provided if needed. The decision whether to seek or accept help is his/her choice. The application can be completed in private if desired.

Box #	Information
1	<p>THIS IS A: Check the box (new registration, party change or name/address change) that applies to the client's situation.</p>
2	<p>NAME: <i>Required</i> Legal name only. No nicknames are permitted.</p> <p>DATE OF BIRTH: <i>Required</i> Month, day and year of birth.</p> <p>GENDER: Client's gender. Check M for male or F for female.</p>
3	<p>DRIVER'S LICENSE # or STATE ISSUED ID#: <i>Required</i> Driver's license number or ID number issued by the West Virginia Department of Motor Vehicles (DMV). If client does not have a driver's license or ID number issued by the DMV the client needs to enter the last 4 digits of the social security number. If client does not have any of these numbers, enter the word "NONE".</p>
4	<p>ADDRESS WHERE YOU LIVE: <i>Required</i> Provide the physical residence address (PO Box information will not be accepted) include the name of the county where applicant resides.</p>
5	<p>ADDRESS WHERE YOU GET YOUR MAIL: Provide the mailing address if different from the residence address above. (PO Box information is accepted for the mailing address only).</p> <p>EMAIL: Providing an email address is optional and is for office use ONLY. This provides a faster means of contact if there is an issue which</p>

keeps the application from being processed at the county clerk's office.

TELEPHONE NUMBER:

Providing a telephone number is optional and is for office use ONLY. This provides a faster means of contact if there is an issue which keeps the application from being processed at the county clerk's office.

6

PARTY CHOICE:

If a party choice is not selected, the client will be registered as "unaffiliated". Some political parties may allow unaffiliated voters to cast a ballot in the party's primary election.

7

PREVIOUS REGISTRATION INFORMATION:

Name and address where client was last registered to vote, if applicable. If the client was registered in another state this information can be used to cancel the voter registration in that state.

8

POLL WORKER:

Check here if client would like to be contacted about serving as a poll worker in their county.

9

VOTER DECLARATION: *Required*

Carefully read each statement. If the statements are true, check the boxes, sign and date. **If the client is receiving assistance in completing the application the statements in this section must be read to the client, including the statement regarding perjury at the bottom of the application, before the client signs the form.**

** Knowingly providing false information is perjury, punishable on conviction by confinement in a penitentiary for not less than one year nor more than ten years.

FREQUENTLY ASKED QUESTIONS

CAN THE CLIENT TAKE HOME EXTRA APPLICATIONS FOR FAMILY?

Yes, but not to exceed four (4) applications. You may refer requests for additional voter registration applications to the Secretary of State's Office at 866-767-8683.

WHEN IS THE VOTER REGISTRATION SERVICE OFFERED?

The agency employee distributes the declination form and voter registration application with each request for an application for services or assistance, and with each renewal/recertification, or change of address related to such services or assistance.

WHAT DOES AN AGENCY DO WITH COMPLETED VOTER REGISTRATION APPLICATIONS?

The agency must forward the completed voter registration applications to the Secretary of State's Office. The completed applications are to be mailed in the pre-paid envelopes provided by the Secretary of State's Office. The agency's return address must be placed on outside of each envelope to ensure credit is given to the correct agency. Each application must be forwarded within 5 days of acceptance at the agency.

MANDATORY INFORMATION

The information in boxes 2, 3, 4, and 9 are mandatory and must be provided or the application will be considered incomplete. Please note that the information in boxes 1, 5, 6, 7, and 8 should also be provided so that the County Clerk can accurately process the voter registration application.

APPLICATION vs. REGISTRATION CARD

Agency employees should remind the applicants that they are completing an application for voter registration.....not a voter registration card. Inform the client that the application will be processed at the County Clerk's office. The client will receive a voter registration card after the application has been processed by the county clerk. It can take up to three weeks to process a voter registration application.

WILL THERE BE SOMEONE AT THE POLLING PLACE TO HELP?

Yes. The poll workers will demonstrate how to mark ballots and operate voting systems. Two poll workers of different political parties are able assist with marking the ballot if requested by the voter.

HOW OFTEN DO YOU NEED TO REGISTER?

Once. After a voter registration application has been processed, any time information on the registration changes, such as address or name, the voter registration needs to be updated with the current information.

WHAT IS THE DEADLINE TO REGISTER?

In order to vote in an election, the voter registration application must be received at least 21 days prior to the election.

ABOUT THE REGISTRATION APPLICATION

The top of the application has directions for those who wish to complete the form privately or at home. This guide is extra help for the agency employees who need more information to assist the client. In addition, you can always call the Secretary of State's Office at 866-767-8683 or contact the County Clerk's office.

ABSENTEE VOTING

Absentee information and ballots may be obtained from the County Clerk in the voter's county. If a person is unable to go to the polls during Early Voting or on Election Day, he/she should contact the Office of the Secretary of State or the County Clerk's office as soon as possible to learn the details.

ACCESSIBILITY AT POLLING PLACES

Most polling places are accessible for persons with disabilities; however, if a person with disabilities is assigned to one that is not accessible, the County Clerk upon request by the voter will reassign that voter to the nearest polling place which is accessible for persons with disabilities.

JURY DUTY

Many people will want to know if they will be called to jury duty if they register to vote. Juries are selected from several sources. Voter registration records are one of the sources used by the court.

****DO NOT SEND ANYONE TO THE COUNTY CLERK'S OFFICE TO OBTAIN A VOTER REGISTRATION CARD FOR THE PURPOSE OF OBTAINING A DRIVER'S LICENSE OR ANY OTHER TYPE OF LICENSING. A CURRENT AND VALID DRIVER'S LICENSE OR STATE ISSUED ID CARD IS REQUIRED TO BE PRESENTED WHEN REGISTERING IN PERSON IN ORDER TO RECEIVE A VOTER REGISTRATION CARD THAT SAME DAY.****

WHAT TO DO WITH COMPLETED VOTER REGISTRATION APPLICATIONS

- Date Stamp each completed application. Stamp the application in the area on the right edge marked "Date Received." If a date stamp is unavailable, the date can be handwritten. If you need a new date hand stamp, contact the Secretary of State's Office at 866-767-8683. Applications should NEVER be dated ahead of time. The agency name is NOT to be written or stamped on the voter registration application. The date stamp is essential in determining the registration date, especially when it is near the close of voter registration prior to an election.
- Mail completed applications to the Office of Secretary of State within five (5) days of receipt. It is recommended that they be mailed on the last work day of each week.
- Use the pre-paid envelopes provided by the Office of the Secretary of State to mail voter applications. ***Make sure the agency name and location is indicated on the top left corner of the envelope. Without this information, the agency may not get credit for completed voter registration applications.***
- If an application is returned unmarked, return it to the office stock to be used.

DO NOT INFLUENCE CLIENTS

A person who provides voter registration services shall NOT:

- Try to influence a client's choice of political preference or party allegiance.
- Show a client any political preference or party allegiance.
- Make any statement to a client or take any action which has the purpose or effect of leading the client to believe that a decision to register or not to register has a bearing on the availability of services or benefits from the agency.
- No information relating to a person's voter registration application or declination form may be connected with or referenced to any designated voter registration agency or used for any purpose other than voter registration.

COUNTY CLERKS DIRECTORY

County	County Clerk	Phone
Barbour	Connie Kaufman 26 N Main Street Philippi, WV 26416	304-457-2232
Berkeley	John W. Small Jr. 100 West King Street Martinsburg, WV 25401	304-264-1989
Boone	Roger Toney 200 State Street, Ste. 104 Madison, WV 25130	304-369-7330
Braxton	Sue Ann Rutherford 300 Main Street Sutton, WV 26601	304-765-2833
Brooke	Kim Barbetta 632 Main Street Wellsburg, WV 26070	304-737-3661
Cabell	Phyllis Smith 750 5 th Avenue Suite 108 Huntington, WV 25701	304-526-8625
Calhoun	Jean Simers PO Box 230 Grantsville, WV 26147	304-354-6725
Clay	Connie Workman PO Box 190 Clay, WV 25043	304-587-4259
Doddridge	Catee Slater 108 East Court Street Suite 1 West Union, WV 26456	304-873-2631
Fayette	Kelvin Holliday 100 Court Street Fayetteville, WV 25840	304-574-4225

County	County Clerk	Phone
Gilmer	Jean Butcher 10 Howard Street Glennville, WV 26351	304-462-7641
Grant	Bud Fisher 5 Highland Avenue Petersburg, WV 26847	304-257-4550
Greenbrier	Robin Loudermilk PO Box 506 Lewisburg, WV 24901	304-647-6602
Hampshire	Eric Strite 19 East Main Street PO Box 806 Romney, WV 26757	304-822-5112
Hancock	George Foley PO Box 367 New Cumberland, WV 26047	304-564-3311 Ext. 266
Hardy	Gregory Ely 204 Washington Street Room 111 Moorefield, WV 26836	304-530-0250
Harrison	Susan Thomas 301 West Main Street Clarksburg, WV 26301	304-624-8675
Jackson	Cheryl Bright 100 Court Street PO Box 800 Ripley, WV 25271	304-373-2250
Jefferson	Jacki Shadle 100 East Washington Street PO Box 208 Charles Town, WV 25414	304-728-3215

County	County Clerk	Phone
Kanawha	Vera McCormick 415 Quarrier Street Charleston, WV 25332	304-357-0130
Lewis	Cindy Rowan 110 Center Avenue Weston, WV 26452	304-269-8215
Lincoln	Direl Baker PO Box 497 Hamlin, WV 25523	304-824-7919 Ext 233
Logan	John Turner 300 Stratton Street Logan, WV 25601	304-792-8600
Marion	Janice Cosco PO Box 1267 Fairmont, WV 26555-1267	304-367-5445
Marshall	Jan Pest PO Box 459 Moundsville, WV 26041	304-845-1220
Mason	Diana Cromley 200 6 th Street Point Pleasant, WV 25550	304-675-1997
McDowell	Donald Hicks 90 Wyoming Street Suite 109 Welch, WV 24801	304-436-8544
Mercer	Verlin Moye 1501 West Main Street Suite 121 Princeton, WV 24740	304-487-8338
Mineral	Lauren Ellifritz 150 Armstrong Street Keyser, WV 26726	304-788-3924

County	County Clerk	Phone
Mingo	Judy Harvey 78 East Second Ave Room 125 Williamson, WV 25661	304-235-0330
Monongalia	Carye Blaney 243 High Street Morgantown, WV 26505	304-291-7230
Monroe	Donald Evans PO Box 350 Union, WV 24983	304-772-3096
Morgan	Kimberly Nickles 77 Fairfax Street Room 102 Berkeley Springs, WV 25411	304-258-8547
Nicholas	Bobby Painter 700 Main Street Suite 2 Summersville, WV 26651	304-872-7820
Ohio	Toni Chieffalo 1500 Chapline Street Wheeling, WV 26003	304- 234-3628
Pendleton	Elise M White PO Box 1167 Franklin, WV 26807	304-358-2505
Pleasants	Evelyn Davis 301 Court Lane Room 101 St. Marys, WV 26170	304-684-7637
Pocahontas	Melissa Bennett 900-C 10 th Avenue Marlinton, WV 24954	304-799-4549
Preston	Linda Huggins 106 West Main Street Suite 103 Kingwood, WV 26537	304-329-0070

County	County Clerk	Phone
Putnam	Brian Wood 12093 Winfield Road Suite 3 Winfield, WV 25213	304-586-0202
Raleigh	Danny Moore 215 Main Street Beckley, WV 25802	304-252-8681
Randolph	Brenda Wiseman 2 Randolph Avenue Elkins, WV 26241	304-636-0543
Ritchie	Tracie McDonald 115 East Main Street Room 201 Harrisville, WV 26362	304-643-2164 Ext. 221
Roane	Charles White Jr. 200 Main Street Spencer, WV 25276	304-927-2860
Summers	Mary Beth Merritt PO Box 97 Hinton, WV 25951	304-466-7104
Taylor	Georgianna Thompson 128 W Main Street, Annex 2 Grafton, WV 26354	304-265-1401
Tucker	Sherry Simmons 211 First Street Suite 204 Parsons, WV 26287	304-478-2414 Ext. 201
Tyler	Neil Archer PO Box 66 Middlebourne, WV 26149	304-758-2102
Upshur	Carol Smith 40 West Main Street Room 101 Buckhannon, WV 26201	304-472-1068

County	County Clerk	Phone
Wayne	Renick Booth PO Box 248 Wayne, WV 25570	304-272-6370
Webster	Eva R. Green 2 Court Square Webster Springs, WV 26288	304-847-2508
Wetzel	Carol Haught PO Box 156 New Martinsville, WV 26155	304-455-8224
Wirt	Marolyn Baldrige PO Box 53 Elizabeth, WV 26143	304-275-4271
Wood	Mark Rhodes 1 Court Square Parkersburg, WV 26101	304-424-1850
Wyoming	Jewell Aguilar PO Box 309 Pineville, WV 24874	304-732-8000 Ext. 242