



# VOTING FAQS

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# 1. How can I cast my vote in Delaware?

- There are three options for voting in Delaware:
  - **Early Voting:** Voting in person prior to Election Day is offered in Delaware for at least ten days before Primary, General, and Special Elections, with the last day the Sunday before Election Day.
  - **Election Day Voting:** You may vote in person at your assigned Polling Place on Election Day.
  - **Absentee Voting:** If you are unable to vote in person, you may choose to vote by absentee ballot before Election Day for one of the reasons listed on the absentee ballot application. See Absentee Voting FAQs for more information.

## 2. When can I vote in person?

- **Early Voting:** Delaware will offer Early Voting for at least 10 days prior to Primary, General, and Special Elections at designated Early Voting Sites in each county. Early Voting will be available up to and including the Sunday before Election Day. Times and locations to be announced.
- **Election Day:** Polling Places are open from 7 a.m. to 8 p.m. for General, Primary and Special elections.

### **3. Where do I vote in person?**

- **Early Voting:** Voting locations called Early Voting Sites will be open for voting for at least 10 days prior to the Primary and General Elections. Delaware voters may choose to vote at any Early Voting Site within the county in which they reside.
- **Election Day:** Your Polling Place Card shows your assigned polling place. You can check your record at <https://ivote.de.gov> to find out where you vote, or you may contact your County Elections office.

## 4. How are election results transmitted and reported?

- Results are collected from machines into dedicated USB sticks and physically transported to State facilities across Delaware. At these State facilities the USB sticks are read, and results are transmitted through dedicated elections network (non-internet connected) to a centralized repository. Results are consolidated and formatted then saved to a separate external media (USB stick). A report of the unofficial election results is published to our website at <https://elections.delaware.gov>.

## 5. How are election results certified in Delaware?

- General Election results are certified by the Superior Court of each County acting as the Board of Canvass. They manually count/tabulate votes and declare them as official.

## 6. How does the Department prevent someone from voting twice; in-person and by absentee ballot in the same election?

- When a voter's absentee ballot has been received and accepted by the Department, the data on the pollbooks is updated to indicate the person has already voted. If a person who has already voted by absentee ballot shows up to the polling place to vote in person, they will not be permitted to vote as they have already voted.
- If a voter has been sent an absentee ballot, the pollbook displays that a ballot has been sent out. When Elections confirms the absentee ballot has not been received and accepted by the Department, the absentee ballot is cancelled, and the voter may vote in-person at the Polling Place.
- Voting more than once, or even attempting to vote more than once, is voter fraud in Delaware, per Title 15, *Del. C. § 5128* and will be prosecuted. The penalties for fraudulent voting, "fined not less than \$50 or more than \$200, or imprisoned not less than 30 days or more than 2 years, or both."

## 7. Does Delaware require photo ID to vote in State and Federal Elections?

- When you arrive at a polling place or early voting site in Delaware poll workers ask voters to show proof of identity. Delaware does not require a photo ID to vote in State and Federal Elections.
- Showing ID expedites the voter check-in process.
- Delaware does not have a defined list of acceptable forms of identification.
- If a voter does not show ID, is present in their correct polling place or at an early voting site and appears on the poll list, the voter must fill out a form, called an “Affirmation of Voter Identity” and are then permitted to vote.

## 8. Why do they say my name before I vote?

- Two reasons: (1) It is required by law. (2) So that everyone in the Polling Place knows who is voting in case someone wants to challenge your right to vote.

## 9. Why do they say my party before I vote in the Primary Election?

- Two reasons: (1) It is required by law. (2) So that everyone in the Polling Place knows who is voting in case someone wants to challenge your right to vote.

## 10. Can I take my children with me to vote?

- You may take children 17 years old and younger with you when voting.

## 11. Can I talk on my cell phone at the Polling Place?

- No, because the noise interferes with poll workers and distracts voters.

## 12. How long can I be in the voting booth?

- Three (3) minutes. If a poll worker thinks you are taking too long, he/she may ask if you need assistance.

## 13. Can I wear items about a candidate in the polling place?

- No, the Delaware Code forbids it.

## 14. Do you have or publish information about candidates and what they stand for?

- We have a list of candidates who have filed with the Department to run in an election on our website, <https://elections.delaware.gov> which includes candidate contact information. Elections is not permitted to publish any information on a candidate related to their positions on issues, etc. You may contact the candidate or reach out to other sources for that information.

## 15. How do I appeal my registration status?

- Contact your County Elections office by email, phone, or in-person.

## 16. What is a provisional ballot?

- A provisional ballot is a last chance ballot, mandated by Federal Law for use in Federal Elections. It is not a ballot of convenience. Poll workers will offer it to you if they cannot confirm that you are eligible to vote in their Election District. Poll Workers will attempt to send you to the correct Election District.
- Your provisional ballot will NOT count, if:  
You are at the wrong Election District, your affidavit is not complete, or you vote the wrong party's ballot in a Primary Election.

## 17. Do I have to talk to people handing out literature or taking exit polls?

- No.

## 18. Does Delaware offer Early Voting?

- Yes, Early Voting is available to Delaware voters in Primary, General, and Special Elections per Title 15, Chapter 54 of the Delaware Code.
- According to law early voting sites, called Vote Centers, are open in Delaware for ***at least a total of 10 days*** before these elections, with the last two days being the Saturday and Sunday immediately prior to Election Day.
- For elections with a Statewide Office on the ballot, at least one early voting site is designated in each county, with an additional early voting location in the City of Wilmington.
- At least 30 days before each election, early voting site locations and voting hours are announced by the State Election Commissioner.

**19. As a member of the public and a concerned Delaware citizen, am I allowed to watch what goes on in the Polling Place and challenge voters I don't think are eligible to vote?**

- Yes, the Title 15 of the Delaware Code provides for members of the public to act as challengers, but you must first be selected and authorized by a candidate on the ballot for Primary Elections and by a political party with candidates on the ballot for General Elections in order to serve in this position.
- Title 15 of the Delaware Code details who is permitted in the voting room of a Polling place and specifies what activities are allowed.
- In General Elections, pursuant to Section 4933(a)(4) here [Delaware Code Online](#), "one challenger from a political party with a candidate on the ballot" is allowed in the voting room. In Primary Elections, per Section 3164 here [Delaware Code Online](#) each candidate on the ballot may select one challenger per Polling Place, who will be allowed to challenge voters in the voting room.

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**20. As a member of the public and a concerned Delaware citizen, am I allowed to watch what goes on in the Polling Place and challenge voters I don't think are eligible to vote? (Continued from previous slide)**

- Section 4934 spells out what challengers may do according to law and the importance of their position. Please read this section in its entirety, here [Delaware Code Online](#).
- The Code bestows upon a challenger in the voting room per 4943(b) the sacred duty of "peace officer," possessing "the same powers preserving the peace as election officers and the challengers shall be protected in the discharge of their duty by election officers."
- Challengers "shall be permitted to observe the conduct of the election and all election records," per Section 4934(a).

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**21. As a member of the public and a concerned Delaware citizen, am I allowed to watch what goes on in the Polling Place and challenge voters I don't think are eligible to vote? (Continued from previous slide)**

- Title 15, Chapter 49 specifies what types of challenges are permitted to be made to voters in the voting room and that **any challenges will be decided upon by a majority vote by the Inspector and both Judges of the Polling Place immediately** to maintain the orderly flow of voters and the voting process.
- Per Chapter 49, a challenger may challenge a voter if they have a valid reason to believe the voter is not duly registered, the voter is not the person they say they are, the voter does not live at the address on the voter's registration record, or the voter was bribed into voting.
- If a challenger is purposely causing a "disturbance or obstruction" or acting to "unreasonably prolong any challenge or inquiry" as determined by the election officers, the challenger, upon majority vote by the Inspector and the two Judges may be formally "ejected" from the polling place per Section 4934(b).

**22. As a member of the public and a concerned Delaware citizen, am I allowed to attend the Board of Canvass which convenes in the Superior Court of each county two days after General Elections to certify the election?**

- The Delaware Department of Elections has no authority over the Board of Canvass or its operations, intentionally, as it is designed to be the independent canvass of the election results.
- Per Code, the Superior Court in each county sits as the Board of Canvass, so they convene the Board and oversee the process.
- Please contact the Office of the Prothonotary for the Superior Court of the county with your question.

**23. How are all the people that verify the machine tapes and counts, absentee counts, and other election materials, selected for the Board of Canvass?**

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- Please contact the Office of the Prothonotary for the Superior Court of the county with your question.

## **24. How do I volunteer to be one of the vote counters at the Board of Canvass?**

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- Per Code, the Superior Court in each county sits as the Board of Canvass, so they convene the Board and oversee the process.
- Please contact the Office of the Prothonotary for the Superior Court of the county with your question.

## **25. Can I or party representatives observe the counting and tabulation of early votes, absentee votes and the adjudication process?**

- Yes, these processes occur in public meetings. The Department posts notices of these open meetings on the Public Meeting Calendar.

26. I am looking at election results. What is an overvote and what is an undervote? Please explain.

- Overvote:

An overvote occurs when a voter makes more than the maximum number of choices allowed in an election.

(NOTE: This may only occur on an absentee ballot. An overvote is not possible on the voting machines used in polling places.)

- Undervote:

An undervote occurs when a voter makes fewer than the maximum number of choices allowed in an election. An undervote also occurs when a voter makes no choice in a single-choice election.