KNOW YOUR RIGHTS

IF A POLL WORKER SAYS "YOU ALREADY VOTED"

Don't panic. Don't leave without asking for help.

1. **Ask for the poll manager.** Say:
   "I have not voted in this election. Please check the record and contact the county election office to resolve this."
2. **Ask what the record shows.** Is it an absentee ballot marked received, an in-person check-in, or something else? Ask the manager to note the issue and explain the next step.
3. **Ask whether you can still cast a ballot.** If your eligibility can't be resolved at the polling place, ask the manager and county election office whether a provisional or challenged ballot is available. **A "already voted" flag does not, by itself, guarantee a particular ballot procedure.** Georgia's provisional-ballot statute covers specified situations; ask officials to apply it to your circumstances. (O.C.G.A. § 21-2-418)
4. **Make a contemporaneous record.** Write down the time, polling place, what you were told, and the names or descriptions of the people you spoke with. Ask for the county office's name and the incident or reference number, if one is created.
5. **Phone or photos?** Don't use your cellphone or record inside the polling place while voting is underway. Ask staff to contact the county office for you, or ask how to make a call without risking your ability to vote. Reentry to the enclosed voting area after leaving is generally restricted. (O.C.G.A. § 21-2-413(c), (e))
6. **Suspect intentional fraud or need outside help?** Report the facts to the county election office. You may also contact local law enforcement from outside the polling place; call 911 for an immediate emergency. For state-level reporting information, see the State Election Board of Georgia. Or, call 678-340-5261 for the State Election Board Anonymous Election Complaints office.

Stick to what you know: being told "already voted" is a reason to request an explanation and report the incident—it does not, by itself, prove someone used your identity. For more detailed instructions, see below.

How to file a complaint if they say you already voted.

1. Can You Call Law Enforcement on the Spot?

- **Inside the Room:** Because O.C.G.A. § 21-2-413(e) bans cell phone use inside the voting room, you should not make a phone call while standing in the enclosed space. Doing so

could lead a poll manager to ask you to step outside or cite you for a polling-place disruption.

- **Stepping Outside to Call:** If you step out of the voting enclosure or outside the building, you have the legal right as a citizen to call local law enforcement (police or sheriff) to report suspected criminal impersonation, identity theft, or fraudulent voting (O.C.G.A. § 21-2-562).
- **Practical Reality with Law Enforcement:** Under O.C.G.A. § 21-2-413(h), the chief poll manager is legally responsible for maintaining order inside the polling place. When local police or sheriff's deputies arrive at a polling place, their role is to preserve the peace. They do not have access to the state's voter registration database (PollPad / ElectioNet) and cannot overrule poll workers on whether you receive a standard ballot. They can, however, take an official incident or informational report detailing your claim that someone may have unlawfully used your name/identity to vote.

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2. Immediate Procedural Steps: Don't Walk Away Without Exercising Your Rights

Before leaving the polling place or focusing solely on law enforcement, you must trigger the statutory election procedures designed to protect your vote:

1. **Ask for the Chief Poll Manager Immediately:**
   Clerical or check-in errors happen frequently (e.g., checking in "John Smith Jr." instead of "John Smith Sr.," or a clerk scanning the wrong line). Demand that the chief manager look into the system log, verify the exact check-in time, and confirm whether an absentee ballot was returned in your name.
2. **If They Claim an Absentee Ballot Was Returned:**
   If records indicate you requested an absentee ballot, you have the right under Georgia law to surrender/cancel that absentee ballot or execute an affidavit stating you never received, completed, or authorized that absentee ballot.
3. **Demand a Provisional Ballot (O.C.G.A. § 21-2-418):**
   Under federal law (the Help America Vote Act - HAVA) and O.C.G.A. § 21-2-418, if a voter maintains they are eligible and registered, poll officers **cannot simply turn them away**. You are entitled to execute a provisional ballot voting certificate swearing under oath that you are eligible and have not previously voted in this election.
4. **Demand Written Tracking Information:**
   Under O.C.G.A. § 21-2-418(f), the poll officer **must** give you written information explaining how to access the free tracking system (via website or toll-free number) to see whether your provisional ballot was verified and counted, and if not, the exact reason why.

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3. How to Document a Contemporary Paper Trail

To build an airtight record for county registrars, the State Election Board (SEB), law enforcement, or future legal challenges, compile the following evidence:

- **Official Sworn Documents (Your Primary Legal Record):**
  - **The Provisional Ballot Certificate & Envelope:** Complete this carefully. It requires you to swear or affirm under penalty of law that you did not vote previously.
  - **Challenge / Incident Form:** Ask the poll manager to complete a contemporary incident log or write a note on the precinct roster. Note the poll manager's name and badge/ID.
- **Contemporaneous Written Notes (Pen & Paper):**
  Write down immediately (while memories are fresh):
  - Date, exact time of entry and check-in attempt.
  - Precinct name, county, and PollPad/station number where the clerk checked you in.
  - Name or description of the clerk and manager you spoke with.
  - Exactly what was said (e.g., "The clerk stated an in-person ballot was cast at 9:14 AM today," or "They stated an absentee ballot was accepted on Oct 24th").
- **Official Police Incident Report:**
  If you call local police or the sheriff outside the polling place, request that the responding officer write an **incident report** documenting that you appeared in person with valid photo ID alleging someone fraudulently used your identity to vote. Obtain the **officer's name, badge number, and report/CAD incident number**.
- **Immediate Escalation and Notice:**
  - **County Board of Registrars:** Go or call directly to the main county elections office immediately. By law, county registrars have up to three days after the election to research and adjudicate provisional ballots.
  - **Georgia State Election Board:** File a formal complaint online or call the State Election Board Anonymous Complaint line 678-340-5261. The State Election Board maintains an investigations division specifically tasked with probing illegal voting and double-voting allegations.
  - **Nonpartisan Election Protection Hotlines:** Call 866-OUR-VOTE (866-687-8683) to have nonpartisan legal observers log the issue into their centralized tracking database.