ELECTION DAY OPERATIONS

2014 ECAM Orientation

Presented By:
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Overview

- Election Day Preparation
- Election Day
- Closing the Polls, After Polls Close, and Day After Election
- Affidavit Ballots, Absentee Ballots, and Resolution Board

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Election Day Preparation

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Election Preparation

- Pre-Election Day Duties:
  - Conduct Voter Roll Maintenance
  - Qualify Candidates
  - Appoint and Train Poll Managers and Resolution Board
  - Print Ballots
    - To be printed and made available for absentee voting at least 45 days before the election.
  - Voting Devices
    - Ensure working order and complete Logic and Accuracy (L&A) testing on each machine at least 3 days prior to the election.
    - Deliver machines to each precinct.
  - Prepare Ballot Boxes
    - Usually, the Election Commissioners work with the Circuit Clerk to ensure all needed supplies are included in the ballot box, along with absentee ballots received by the Circuit Clerk by the statutory deadline.

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Election Day

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Morning of Election – Before Polls Open

- Check in with precincts to ensure polls open on time (7:00 AM) and properly.
  - Poll managers begin opening voting machines at 6:00 AM.
  - Ensure poll managers are following opening instructions:
    - The right machine is in the right location by checking serial number
    - Unlock machine
    - Unseal the tape and insert memory card
    - Reseal machine and record seal numbers
    - Print zero tapes and secure printer (if using the avpm)
    - Post one (1) zero tape on the wall of the precinct and place one (1) zero tape inside the memory card transport bag to return to election central
- Address any problems before polls open

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Election Day

- "Election Central" is at the Courthouse.
- Election Commissioners should work out a schedule prior to the election so that at least one commissioner is at the Courthouse at all times on election day.
- Poll managers and voters often will call the Courthouse to report problems and ask questions. Someone responsible and competent should be there to assist.
- When commissioners are not at the Courthouse, commissioners are visiting precincts in their districts to ensure operations are running smoothly or to resolve issues reported by the public.

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Election Central

- County may employ "troubleshooters" who man the phone and field questions. They may contact county techs in the field to follow-up on problems reported with the voting machines or may contact the election commissioners to direct them to trouble spots.
- In a county election, the Circuit Clerk, as Registrar, may answer questions regarding voter registration.
  - Why is the voter's name not on the poll book?
  - Is the voter is in the wrong precinct?

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Election Helplines

- SEMS Helpdesk: (877) 357-7367
- SOS's Election Hotline: (800) 829-6786
- SOS Elections Division: (601)576-2550
- ES&S: (601) 922-2476

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Visiting Precincts

Assess the precinct:

Make sure all required information is posted.

- Zero Tape(s)
- Sample Ballot
- Instructions on how to cast an affidavit/provisional ballot
- Instructions for mail-in registrants who are unverified, first-time voters
- General information on voting rights under federal and state law
- General information on prohibitions of fraud and misrepresentation
- List of Absentee Voters
- TSX voting instructions (if applicable)

Ensure campaign material is not within 150 feet of any entrance of the the precinct.

Ensure voting machines are positioned to protect the voters' privacy.

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Poll Managers

- As an Election Commissioner, you should know the duties of the poll managers. Make certain all duties are performed well and in a courteous manner.
- If there is a problem, assess the situation. Realize the severity of the situation and take appropriate action.
- Election Commissioners appoint and train the poll managers so Election Commissioners can take appropriate action to address any situation.

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Voting Procedures

- Election Commissioners must be familiar with proper voting procedures.
  - It is the Election Commissioners' duty to train poll managers.
  - It is the Election Commissioners' duty to observe procedure on Election Day.
  - If a precinct is reported for not following proper procedure, Election Commissions are charged with the duty to address and resolve the situation.
  - Some procedures may vary by county because of different voting machines.

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Closing the Polls, After Polls Close & Day after Election

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Closing the Polls

- Poll Managers:
  - Close the polls at 7:00 PM
    - Any voter in line at the precinct at 7:00 PM is entitled to vote
    - Do not lock the doors of the precinct – closing procedures are open to the public
  - Process absentee ballots (*See* Poll Manager's Guide for further details)
  - Follow closing procedures for applicable voting machine in your county
  - Print and post results tapes
    - One (1) copy is posted on the precinct wall and one (1) copy is placed in the memory card transport bag to go back to election central
  - Complete and sign all necessary forms
  - Lock and seal the machines, ballot boxes, and supply boxes
    - Record seal numbers
  - Return ballot box, supply box, memory card transport bag, and necessary supplies to election central

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After the Polls Close

- Election Commissioners:
  - Receive election returns from returning poll managers of each precinct at election central.
  - Or, supervise election count if using OMR.
  - Receive ballot boxes, supply boxes and other records.
  - Ensure all reports are complete.
  - Check to ensure boxes are sealed and store boxes properly.

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Day After Election

- Election Commissioners:
  - Canvass returns
    - Open precinct boxes
    - Check for any affidavit ballots
    - Determine validity of affidavit ballots
  - Certify results of election
    - Prepare recapitulation sheets
  - Certify payroll for poll workers

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Affidavit Ballots

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Affidavit Ballots Are Used When:

- A voter's name does not appear on the pollbook.
  - Voter has moved within the city, district or county but did not update his registration with the Municipal Clerk, Circuit Clerk or Election Commission
  - Voter was purged from SEMS
  - Voter was denied registration

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Affidavit Ballots Are Used When (cont.):

- A voter does not have an acceptable form of photo ID, or states he has a religious objection to being photographed.
- Two (2) poll managers (incl. the bailiff) are unable to determine if the photo on the presented ID "fairly depicts" the voter.

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Affidavits Ballots Are Used When (cont.):

- Two (2) poll managers (incl. the bailiff) are unable to determine if the name on the presented ID is "substantially similar" to the voter's name as it appears on the pollbook..
- A voter is a first-time, unverified mail-in registrant, who does not have a HAVA form of ID.

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Acceptable Photo ID Includes:

A current and valid:

1) A Driver's license,

2) An ID card, including an employee ID card, containing a photograph of the voter, issued by a branch, department, agency or entity of the State of Mississippi,

3) A United States passport,

4) An employee ID card containing a photograph of the voter issued by any branch, department, agency or entity of the United States government,

5) A license containing a photograph of the voter to carry a pistol or revolver,

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Acceptable Photo ID Includes (cont.):

6) A tribal identification card containing a photograph of the voter,
7) A United States military ID card containing a photograph of the voter,
8) A Student ID card, containing a photograph of the voter, issued by an accredited college, university or community or junior college in the State of Mississippi,
9) A Mississippi Voter ID Card, and
10) A photo ID issued by any branch, department, agency or entity of the United States government or any state government, such as a driver's license issued by a state other than Mississippi.

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Affidavit Ballot Envelope Must Include:

- Voter's complete name;
- Voter's current residence and mailing address, previous residence and mailing address and telephone numbers;
- Reason why the voter believes he is casting an affidavit ballot;
- Signature of the affiant;
- Signature of one of the poll managers.

Reference: Miss. Code Ann. § 23-15-573

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Separate Receipt Book

- A voter who votes by an affidavit/provisional ballot must sign a separate receipt book designated specifically for affidavit/provisional voters.

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Affidavit Ballot Checklist
Voter's Name Not in the Poll Book

If a voter appears at the polling place and the voter's name is not on the pollbook:

1. The poll managers must determine if the voter is in the correct precinct by referring to the master list of county voters, by contacting the circuit clerk or election commissioners, or by asking the voter his residence address.

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Affidavit Ballot Checklist
Voter's Name Not in the Pollbook (cont.)

2. If the voter should vote in another precinct, direct the voter to the proper precinct.
   - Why? If a voter casts a ballot at a precinct other than the precinct of his residence, the entire ballot must be rejected.
3. If the poll managers confirm the voter is in the correct precinct, the voter is entitled to vote by affidavit ballot.

Reference: Miss. Code Ann. § 23-15-573

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Affidavit Ballot Checklist
Voter's Name Not in the Pollbook (cont.)

4. The voter and poll manager complete the appropriate sections of the affidavit ballot envelope.
   - The poll manager checks the type of election, the name of the county or municipality, the reason for using an affidavit ballot, and prints the name of the precinct and date of the election.
   - The voter provides as much of the identifying information as possible and checks the appropriate box under "Affidavit of Voter".
   - The voter signs the envelope.
   - The poll manager signs the envelope.
     - DO NOT FORGET TO SIGN!

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Affidavit Ballot Checklist (cont.)

5. The poll manager provides a blank, paper ballot to the voter.
6. The voter is provided a suitable place where he can mark the ballot in secret.
7. The voted ballot is folded by the voter and handed to the poll manager who places it in the affidavit ballot envelope.
8. The affidavit ballot envelope is then sealed and placed in the ballot box.

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Affidavit Ballot Checklist Photo ID

1. When a voter appears to vote at a precinct, the poll manager must require the voter to present an acceptable form of photo ID.
2. If the voter is unable to present an acceptable form of photo ID, he is entitled to vote by an affidavit ballot.

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Affidavit Ballot Checklist Photo ID (cont.)

3. If the voter presents an acceptable photo ID, the poll manager must verify if the photograph on the ID fairly depicts the voter.
4. If the poll manager determines the voter is not the person depicted in the presented photo ID, or if the poll manager is unable to make that determination, the poll manager must confer with the Bailiff.

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Affidavit Ballot Checklist
Photo ID (cont.)

5. If the Bailiff determines the voter is not the person depicted in the presented photo ID, or is also unable to make that determination, the voter is entitled to vote by an affidavit ballot.
6. If the Bailiff determines the voter is the person depicted in the presented photo ID, the voter is entitled to vote a "regular" ballot if the name on the presented photo ID is "substantially similar" to the voter's name as it appears on the pollbook.

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Affidavit Ballot Checklist
Photo ID (cont.)

7. If the poll manager determines the name on the presented photo ID is not substantially similar to the voter's name as it appears on the pollbook, or the poll manager is unable to make that determination, the poll manager must confer with the Bailiff.
8. If the Bailiff determines the name on the presented photo ID is not substantially similar to the voter's name as it appears on the pollbook, or the Bailiff is unable to make that determination, the voter is entitled to vote by affidavit ballot.
9. If the Bailiff determines the name on the presented photo ID is substantially similar to the voter's name as it appears on the pollbook, the voter is entitled to vote a "regular" ballot.

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Affidavit Ballot Checklist
Photo ID (cont.)

10. The voter and poll manager complete the appropriate sections of the affidavit ballot envelope.

The poll manager checks the type of election, the name of the county or municipality, the reason for using an affidavit ballot, and prints the name of the precinct and date of the election.

- The voter provides as much of the identifying information as possible and checks the appropriate box under "Affidavit of Voter".
- The voter signs the envelope.
- The poll manager signs the envelope.
- DO NOT FORGET TO SIGN!

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Affidavit Ballot Checklist Photo ID (cont.)

11. The poll manager provides a blank, paper ballot to the voter.
12. The voter is provided a suitable place where he can mark the ballot in secret.
13. The voted ballot is folded by the voter and handed to the poll manager who places it in the affidavit ballot envelope.
14. The affidavit ballot envelope is then sealed and placed in the ballot box.

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FREE ACCESS SYSTEM

All affidavit voters must be provided with written information on how to ascertain whether his affidavit ballot was counted, and if not, why.

- HAVA requirement

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Absentee Ballots

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Eligibility

Only those voters who fall into certain statutorily approved categories in Mississippi are eligible to vote by absentee ballot.

a) Any qualified elector who is a bona fide student, teacher or administration at any college, university, junior college, high, junior high, or elementary grade school whose studies or employment at such institution necessitates his absence from the county of his voting residence on the date of any primary, general or special election, or the spouse and dependents of said student, teacher or administrator if such spouse or dependent maintain(s) a common domicile, outside of the county of his voting residence, with such student, teacher or administrator.

Reference: Miss. Code Ann. § 23-15-713

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Miss. Code Ann. § 23-15-713 (cont.)

b) Any qualified elector who is required to be away from his place of residence on any election day due to his employment as an employee of a member of the Mississippi congressional delegation and the spouse and dependents of such person if he or she shall be residing with such absentee voter away from the county of the spouse's voting residence.

c) Any qualified elector who is away from his county of residence on election day for any reason.

d) Any person who has a temporary or permanent physical disability and who, because of such disability, is unable to vote in person without substantial hardship to himself or others, or whose attendance at the voting place could reasonably cause danger to himself or others.

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Miss. Code Ann. § 23-15-713 (cont.)

e) The parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside of his county of residence more that fifty (50) miles away from his residence, if the parent, spouse or dependent will be with such person on election day.

f) Any person who is sixty-five (65) years of age or older.

g) Any member of the Mississippi congressional delegation absent from Mississippi on election day, and the spouse and dependents of such member of the congressional delegation.

h) Any qualified elector who will be unable to vote in person because he is required to be at work on election day during the times at which the polls will be open.

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UOCAVA Eligibility

Only those voters who fall into certain statutorily approved categories in Mississippi are eligible to vote by absentee ballot.

a)Any enlisted or commissioned members, male or female, of the US Army, Navy, air Force, or Marines, or any persons in any division of the armed services of the United States, who are citizens of Mississippi;

b)Any member of the Merchant Marine and the American Red Cross who is a citizen of Mississippi;

c)Any disabled war veteran who is a patient in any hospital and who is a citizen of Mississippi;

Reference: Miss. Code Ann. § 23-15-673

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UOCAVA Eligibility (Cont.)

d) Any civilian attached to and serving outside of the US with any branch of the Armed forces or with the Merchant Marine or American Red Cross, and who is a citizen of Mississippi;

e) Any citizen of Mississippi temporarily residing outside the territorial limits of the US and the District of Columbia;

f) Any citizen of Mississippi enrolled as a student at a US Military Academy.

The spouse and dependents of any absent voter as set out in paragraphs (a)-(f) of this section shall also be included in the meaning of absent voter and may register and vote as provided in this subarticle if also absent from their county and otherwise qualified to vote in Mississippi.

Reference: Miss. Code Ann. § 23-15-673

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Absentee Process

- Absentee Ballot Application:
  - Request and file an application pursuant to Miss. Code Ann. § 23-15-627 with the Circuit Clerk.
  - Application must include:
    - Type of ballot requested
    - Name and residence address of the voter
    - Reason the voter is eligible to vote by absentee
    - Location of election, the specific election
    - Legal consequences for false statement
    - Section for disabled electors to have application witnessed, or for all others to have notarized
    - Certificate of Delivery, only completed by anyone requesting application on behalf of another person
    - Must have seal of the circuit or municipal clerk and be initialized by the clerk or his deputy
- Once an application is received, the Clerk provides an absentee ballot to the voter either in person in Clerk's office or by mail if the voter is eligible to receive an absentee ballot by mail.

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Absentee Ballot Examination

- When polls close, the poll managers remove the absentee ballot envelopes from the ballot box.
- Announce name, address, and precinct on each envelope.
- Review the absentee application.
- Compare the signature on back of the absentee envelope with the signature on the application.
- If an affidavit was required, confirm it is sufficient.
- Confirm the absentee voter did not vote in person at the precinct on election day.

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Examination of Absentee Ballots (TSX)

- If everything is ok, mark the UNOPENED absentee ballot envelope as "ACCEPTED" and place in an "Accepted Absentee Ballot" strong envelope
- Enter the voter's name in the receipt book
- Mark "VOTED" next to the voter's name in the pollbook
- If everything is not ok, mark the UNOPENED absentee ballot envelope as "REJECTED" and place in a "Rejected Absentee Ballot" strong envelope
- All UNOPENED absentee ballot envelopes must be returned to the ballot box, sealed and delivered to the election commissioners at the central tabulation location.
- Election commissioners open the "ACCEPTED" absentee ballot envelopes, remove the ballots, and process the ballots through the central scanner. Election Commissioners do not "re-review" the absentee ballot envelopes.
- Add scanned totals to TSX totals for unofficial vote count.

Reference: Miss. Code Ann. § 23-15-639(2)

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Examination of Ballots (Non-DRE)

- If everything is ok, OPEN the absentee ballot envelope, and remove the ballot, without unfolding or examining the ballot.
- Deposit the ballot into the ballot box before counting any ballots.
- Enter the voter's name in the receipt book.
- Mark "VOTED" next to the voter's name in the pollbook.
- If precinct scanners are used, place all absentee ballots in the ballot box before any ballots are counted.
- Poll managers for each precinct shall immediately count the absentee ballots and add them to the votes cast in the voting machine or device.

Reference: Miss. Code Ann. § 23-15-639(1)

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Rejection of Absentee Ballots

Miss. Code Ann § 23-15-641

1) If an affidavit or the certificate of the officer before whom the affidavit is taken is required and such affidavit or certificate is found to be insufficient, or if it is found that the signatures do not correspond, or that the applicant is not a duly qualified elector in the precinct, or otherwise qualified to vote, or that the ballot envelope is open or has been opened and resealed, or the voter is not eligible to vote absentee or that the voter is present and has voted within the precinct where he represents himself to be a qualified elector, or otherwise qualified to vote, on the date of the election at such precinct, the previously cast vote shall not be allowed. Without opening the voter's envelope the commissioners of election, designated executive committee members or election managers, as appropriate, shall mark across its face "REJECTED", with the reason therefor.

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Miss. Code Ann § 23-15-641 (cont.)

2) If the ballot envelope contains more than one (1) ballot of any kind, the ballot shall not be counted but shall be marked "REJECTED", with the reason therefor. The voter's envelopes and affidavits, and the voter's envelope with its contents unopened, when such vote is rejected, shall be retained and preserved in the same manner as other ballots at the election. Such votes may be challenged in the same manner and for the same reasons that any other vote cast in such election may be challenged.
3) If an affidavit is required and the officials find that the affidavit is insufficient, or if the officials find the absentee voter is otherwise disqualified to vote, the envelope shall not be opened and a commissioner or executive committee member shall write across the face of the envelope "REJECTED" giving the reason therefor, and the registrar shall promptly notify the voter of such rejection.
4) The ballots marked "REJECTED" shall be placed in a separate envelope in the secure ballot transfer case and delivered to the officials in charge of conducting the election at the central tabulation point of the county.

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Resolution Board

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Purpose of Resolution Board

- The Resolution Board manually reviews all damaged, defective, blank, or over-voted ballots rejected by the tabulating equipment.
- The Board attempts to determine the intent of the voter and records the vote intended by the voter.

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Composition of Resolution Board

- Appointed by Election Commission
- Qualified electors of the county
- An odd number of not less than three (3) members
- Trained in the same manner as poll managers
- Resolution Board members cannot be:
  - Election Commissioners
  - Candidates on the ballot
  - Parents, siblings or children of candidates on ballot

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Manually Counting Ballots

- The Resolution Board manually counts ballots only when the ballots are:
  - Rejected by tabulating equipment because the ballots appear to be damaged, defective or for any other reason.
  - Rejected due to a malfunction in the tabulating equipment.
- The Resolution Board does not count:
  - Absentee Ballots
  - Challenged Ballots
  - Curbside Ballots
  - Affidavit Ballots
  - Emergency Ballots

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Procedure

- Ballots rejected by a voting machine must be deposited in a strong envelope marked "Resolution Board".
- The "Resolution Board" envelope is to be handled by the Election Commissioners or the officials in charge of the election. The envelope is delivered to the Resolution Board.
- The Resolution Board manually reviews the damaged or defective ballots to determine the intent of the voter and record that vote accordingly.

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Questions?

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