Poll Managers

Election Day Activities

2015 ECAM Convention

Presented by:

Mississippi Secretary of State's Office

Elections Division

DELBERT HOSEMANN
Secretary of State

Poll Managers

Prior to Election Day, the Election Commission should have:

- Selected all poll managers and alternates;
- Assigned each poll manager to a precinct;
- Assigned each poll manager his/her duties (initializing manager, bailiff, R&R Manager, voting machines);
- Trained all poll managers, alternate poll managers and resolution board members; and
- Trained certain poll managers in the use of the voting machines.

Voting Machines

Prior to Election Day, the Election Commission should have:

- Demonstrated the use of the voting machines throughout the county;
- Tested and inspected the voting machines at least three (3) days prior to Election Day;
- Sealed and secured the voting machines after testing; and
- Delivered the voting machines to the precincts.

Receiving & Returning Manager

Election Commission schedules a time prior to the election for the Receiving and Returning Manager to pick up the election material.

- Election Commission/Circuit Clerk's Office should have the ballot boxes and supply boxes packed and ready for pick up.

Setting up the Precinct

6:00 A.M. – 7:00 A.M.

Open Voting Devices

- Specific poll managers are responsible for opening the voting machines.
  - At least two (2) poll managers should be assigned to this duty and familiar with the machines.
- Follow opening procedures for the machines.
  - Immediately alert Election Central if you have problems.
- Print and post Zero Tapes.
  - 1 zero tape posted on the wall; 1 zero tape placed inside the memory card transport bag.

Opening Ballot and Supply Boxes

Unpack ballot box and supply box. Check for:

- Paper ballots;
- Sealed absentee ballots, applications and absentee voter list;
- Affidavit envelopes and voter information slips;
- Pollbook;
- Receipt book;
- Posters and signs; and,
- Any other supplies or materials you may need (pens, tape, office supplies, etc.).

Ballot Box/Bag

After verifying the absentee envelopes with applications for your precinct are enclosed, post the absentee voter list on the wall in the precinct and place the sealed absentee ballot envelopes with applications back in the ballot box/bag. **Replace the SEAL.**

- All voted ballots must be kept in the sealed ballot box/bag until the polling place closes.
  - Absentee, affidavit, emergency and curbside ballots.

Voter Information Signs

State and Federal Law require a Voters' Rights/ Voters' Information Poster be displayed in every precinct. You must ensure the required information is posted in the precinct:

- Sample ballot
- Hours the polling place will be open
- Instructions for affidavit voters
- Instructions for unverified mail-in registrants who are first-time voters

Voter Information Signs (cont.)

- General information on voting rights under federal and state laws
- General information on prohibitions of fraud and misrepresentation
- List of absentee voters
- Zero tapes
- TSX (or voting device) voting instructions
- List of acceptable forms of photo identification

Sign Oath

Poll managers are required to sign an oath prior to performing their duties. The oath is usually signed in the receipt book.

- Miss. Code Ann. § 23-15-237: The managers and clerks shall be sworn by some officer present competent to administer oaths, or each may be sworn by one of the others, faithfully to perform their duties at the election according to law, and not to attempt to guide, aid, direct or influence any voter in the exercise of his right to vote, except as expressly allowed by law.

Poll Watchers and Candidate Representatives

- Each candidate on the ballot shall have the right to be present at the polling place, or to have a representative at the polling place.
- Political parties with a candidate on the ballot may have two (2) representatives present at the polling place in general or special elections only.
- Poll watchers and candidate representatives may be present at the public counting of the ballots

Processing Voters

7:00 A.M. – 7:00 P.M.

The Voting Process

- Check for voter's name in the pollbook.
- Verify the voter is in the correct precinct.
- Ask voter to present an acceptable form of photo ID.
- Verify the picture on the presented photo ID fairly depicts the voter.
- Verify the name on the presented photo ID is substantially similar to the voter's name as it appears in the pollbook.
- Write "VOTED" in the pollbook beside the voter's name.
- The voter signs his/her name in the receipt book and casts his/her ballot.

Voter's Name NOT in Pollbook

- Check under maiden name or married name(s);
- Check for hyphenated names;
- Check for misspellings or unusual spellings of the voter's name;
- Check to see if the voter is listed under his first name instead of last name;
- Ask for the voter's address to confirm the voter is in correct precinct; or
- Find out when and where voter registered to vote.

Voter's Name NOT in Pollbook

- If the voter is not in the correct precinct, direct the voter to the proper precinct.
  - Why? An affidavit ballot cast by a voter in the wrong precinct will not be counted.
- If the voter is in the correct precinct, he/she is entitled to cast an affidavit ballot.
- If the voter is not registered to vote, he/she is entitled to cast an affidavit ballot but it will not be counted.

AFFIDAVIT BALLOT

1. VOTER INFORMATION
(to be completed by voter)

Printed Name of Voter — Maiden Name, if applicable

Date of Birth — *MS Driver's License # — Daytime Phone #

New (Current Street Address - NO P.O. Box) — City & Zip Code

Old (Previous Street Address - NO P.O. Box) — City & Zip Code

Current Mailing Address — City & Zip Code

Did you recently register to vote in this county? ____ Yes ____ No

** If you do not have a Mississippi Driver's License, then provide the last 4 digits of your Social Security number.*

AFFIDAVIT OF VOTER
(Check only ONE box below)

This day, I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

☐ I am not registered to vote because I have been illegally denied registration; ***OR,***

I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:

☐ I have moved recently from the old street address (provided above) to the new address (provided above); ***OR,***

☐ I have not moved recently, but my name is not on the pollbook; ***OR,***

☐ I did not present acceptable photo ID; ***OR,***

☐ I have a religious objection to being photographed; ***OR,***

☐ I do not otherwise qualify under state or federal law to cast a regular election day ballot.

X
Signature of Voter — Date

X
Signature of Poll Manager *(Poll Manager: Be sure to complete Poll Manager Information on other side of this envelope.)*

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above.
- Be sure you have signed this affidavit envelope.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted and, if it was not counted, the reason it was not counted.

2. POLL MANAGER
(Must sign on the other side of envelope)

Election: ☐ **Primary** ☐ **General** ☐ **Special**

_____, 20_____ County of _____
(Month, Date)

Reason for Affidavit Ballot

☐ Voter's name not on pollbook
☐ Voter did not present ID
☐ Voter's name on inactive list

Date of Election: _____

Ballot issued from: _____
(Month, Date)

Comments:

3. FOR OFFICE USE ONLY
(For Election Commission or Party Executive Committee)

Registered in Precinct: _____
(Name of Precinct)

Voted in Precinct: _____
(Name of Precinct)

Mark all that apply

☐ Not registered and no evidence of registration
☐ Registered but name not on pollbook
☐ Registered too late
☐ Moved within county/municipality
☐ Moved outside county/municipality
☐ Inactive or purged voter
☐ No acceptable photo ID
  ☐ *Voter presented photo ID within 5 business days after casting ballot.*
  ☐ *Voter did not present photo ID within 5 business days after casting ballot.*
  ☐ *Voter completed affidavit of religious objection within 5 business days after casting ballot.*
  ☐ *Voter did not complete affidavit of religious objection within 5 business days after casting ballot.*

Final Action Taken on Affidavit Ballot:

☐ **ACCEPTED**
☐ **REJECTED**

Follow-Up Action Taken:

☐ Address changed/updated in SEMS
☐ Voter returned to active status in SEMS
☐ Information forwarded to county/municipality
☐ Mail-in voter registration sent to voter
☐ Information provided to voter, as requested

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Acceptable Photo ID

If the voter is able to present:

- *An acceptable form of photo identification*
- *Which fairly depicts the voter, and*
- *The name on the presented photo ID is substantially similar to the voter's name as it appears in the pollbook,*

THEN the voter is entitled to cast a ballot on the voting machine.

Acceptable Photo ID

If the voter is UNABLE to:

- *Present an acceptable form of photo ID, or*
- *The photo on the presented ID does not fairly depict the voter, or*
- *The name on the presented ID is not substantially similar to the voter's name as it appears in the pollbook,*

THEN, the voter is entitled to vote by affidavit ballot.

Acceptable Photo ID

Means a current and valid:

- Driver's license;
- Photo ID card issued by any branch, department, agency, or entity of the State of Mississippi;
- United States passport;
- Employee photo ID card issued by any branch, department, agency, or entity of the U.S. government;
- License to carry a pistol or revolver;
- Tribal photo ID card;
- Student ID card, issued by any accredited college, university or community or junior college in the State of Mississippi;
- Mississippi Voter ID card;
- Any photo ID issued by any branch, department, agency, or entity of the U.S. government or any state government, such as a driver's license issued by a state other than Mississippi.

Acceptable Photo ID

- ***Current*** means the photo ID has no expiration date or was issued no more than ten (10) years prior to the date the ID is presented at the polling place.

- ***Valid*** means the photo ID does not appear to be a forgery or fake.

Penalty for NOT Asking for Photo ID

- Any poll manager who fails to ask or require a voter to present an acceptable form of photo ID before casting a regular ballot shall be prosecuted for corrupt conduct.
- **Miss. Code Ann. § 97-13-19:** Penalty for corrupt conduct is imprisonment in the penitentiary for a term not exceeding two years.
- **Miss. Code Ann. § 23-15-269:** Penalty for refusing or knowingly failing to perform any duty required by him by the election laws shall be fined not less that $25.00 nor more than $100.00 or imprisoned in the county jail not less than 10 days nor more than 90 days, or both.

AFFIDAVIT BALLOT

1. VOTER INFORMATION

(to be completed by voter)

Printed Name of Voter — Maiden Name, if applicable

Date of Birth — *MS Driver's License # — Daytime Phone #

New (Current Street Address - NO P.O. Box) — City & Zip Code

Old (Previous Street Address - NO P.O. Box) — City & Zip Code

Current Mailing Address — City & Zip Code

Did you recently register to vote in this county? ____ Yes ____ No

** If you do not have a Mississippi Driver's License, then provide the last 4 digits of your Social Security number.*

AFFIDAVIT OF VOTER

(Check only ONE box below)

This day, I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

☐ I am not registered to vote because I have been illegally denied registration; ***OR,***

I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:

☐ I have moved recently from the old street address (provided above) to the new address (provided above); ***OR,***

☐ I have not moved recently, but my name is not on the pollbook; ***OR,***

☐ I did not present acceptable photo ID; ***OR,***

☐ I have a religious objection to being photographed; ***OR,***

☐ I do not otherwise qualify under state or federal law to cast a regular election day ballot.

X _____

Signature of Voter — Date

X _____

Signature of Poll Manager *(Poll Manager: Be sure to complete Poll Manager Information on other side of this envelope.)*

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above.
- Be sure you have signed this affidavit envelope.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted and, if it was not counted, the reason it was not counted.

2. POLL MANAGER

(Must sign on the other side of envelope)

Election: ☐ **Primary** ☐ **General** ☐ **Special**

_____, 20_____ County of _____

(Month, Date)

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☐ Voter's name not on pollbook
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Comments:

3. FOR OFFICE USE ONLY

(For Election Commission or Party Executive Committee)

Registered in Precinct: _____

(Name of Precinct)

Voted in Precinct: _____

(Name of Precinct)

Mark all that apply

☐ Not registered and no evidence of registration
☐ Registered but name not on pollbook
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☐ Moved within county/municipality
☐ Moved outside county/municipality
☐ Inactive or purged voter
☐ No acceptable photo ID
  - ☐ *Voter presented photo ID within 5 business days after casting ballot.*
  - ☐ *Voter did not present photo ID within 5 business days after casting ballot.*
  - ☐ *Voter completed affidavit of religious objection within 5 business days after casting ballot.*
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Affidavit Ballots

- Voters who cast an affidavit ballot sign a separate receipt book.
- “VOTED” is written beside the affidavit voter’s name in pollbook.
- Provide all voters who cast an affidavit ballot with written information on how to ascertain whether the voter’s ballot was counted and what to do if the voter cast an affidavit ballot because of an inability to present an acceptable form of photo ID.

INSTRUCTIONS FOR VOTERS
WHO CAST AFFIDAVIT BALLOTS

You have cast an affidavit ballot because:

- You are not registered to vote because you may have been illegally denied registration; or
- You are eligible to vote in this election; you are a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:
- You have moved recently from an old street address, as provided on your affidavit ballot envelope, to a new address, also provided on your affidavit ballot envelope; or
- You have not moved recently, but your name is not on the pollbook; or
- You did not present photo ID; or
- You have a religious objection to being photographed; or
- You do not otherwise qualify under state or federal law to cast a regular Election Day ballot.

If you cast an affidavit ballot because you did not present photo ID, your affidavit ballot will be counted if you present acceptable photo ID in the Circuit Clerk's Office within the next five (5) business days. If you do not present acceptable photo ID in the Circuit Clerk's Office within the next five (5) business days, your affidavit ballot will not be counted.

If you cast an affidavit ballot because you did not present photo ID based upon a religious object to being photographed, your affidavit ballot will be counted if you complete an Affidavit of Religious Objection in the Circuit Clerk's Office within the next five (5) business days. If you do not complete an Affidavit of Religious Objection in the Circuit Clerk's Office within the next five (5) business days, your affidavit ballot will not be counted.

Under federal and state law, you are entitled to discover the disposition of your affidavit ballot. Please contact your party executive committee (in primary elections), your election commission (in general and special elections) or your Circuit Clerk to determine whether your affidavit ballot was counted and, if not, then why. Please do not telephone the contact until ten (10) days from today.

CONTACT:
TELEPHONE NUMBER:

- All voters who vote by an affidavit ballot must receive instructions.
- Instructions should include contact information for the Election Commissioners (Executive Committee for Primary Elections) and/or Circuit Clerk.
- Federal and State requirement.

Voting Rules

- A voter may not occupy a voting booth already occupied by another voter.
- The voter may remain in a voting booth no longer than ten (10) minutes if no voters are waiting in line, and no longer than five (5) minutes if other voters are waiting in line.

Voter Assistance

A voter, who affirmatively states he/she is blind, disabled, or unable to read or write, may request and receive assistance in marking his/her ballot from any person of the voter's own choosing.

- Any person may assist the voter, except his/her employer, representative of the employer, or a representative of any union in which the voter is a member.

Voter Instruction

- In case any voter, after entering the voting machine, shall ask for further instruction concerning the manner of voting, two (2) election officers may, if necessary, enter the booth and give him such instructions.
- No manager or person assisting a voter shall, in any manner request, suggest, or seek to persuade or induce any voter to vote any particular ticket, issue or candidate.
- After giving instructions and before the voter casts his vote, the officers or person assisting him shall leave, and the voter shall then register his vote in secret as he may desire.

Curbside Voting

- A poll manager is authorized by law to allow a physically disabled voter to vote curbside.
- If the managers, in exercising sound discretion, determine the voter has arrived at the polling place in a motor vehicle but is unable to enter the polling place by reason of his/her physical disability, two (2) or more managers take the pollbook, the receipt book and a ballot or voting device to the vehicle.
- The poll managers determine whether the voter is a qualified voter and follow the voting process.
- If qualified, the voter marks his/her ballot in secret, folds the ballot and returns the same to the poll manager.
- The curbside ballot is placed by the poll manager directly into the sealed ballot box. The ballot is NOT placed in an affidavit ballot envelope.

Curbside Voting

- Miss. Code Ann. § 23-15-541(2)(b):
  - If the ballot provided to the voter is a paper ballot, the initializing manager shall initial the ballot, and the disabled elector shall fold the voted ballot or place it in a ballot sleeve. The initializing manager shall without delay place the ballot in the ballot box/bag.

Curbside Voting

- Miss. Code Ann. § 23-15-541(2)(c):
  - If, while a voter is voting by curbside, there are less than three (3) managers present within the polling place, all voting at the polls STOPS until the managers conducting the curbside voting procedures return. The remaining poll manager(s) shall ensure the security of the ballot box/bag, the voting devices, and any ballots and election materials.

Emergency Ballots

If there is a power outage or voting machine failure, paper ballots are used until the issue is resolved.

- Immediately notify Election Central.
- Follow the voting process.
- Deposit all voted ballots immediately into the SEALED ballot box/bag.
  - Do not place voted emergency ballots in an affidavit ballot envelope.
  - DO NOT ENTER THESE VOTES IN THE TSX.
- Counted at Election Central after election.

Spoiled Ballots

A voter who mistakenly marks a paper ballot is entitled to receive up to three (3) total ballots.

- If a voter makes a mistake and asks for another ballot, write “Spoiled” across the face of the first ballot and place it in the spoiled ballot envelope.

Challenged Ballots

Who can challenge a voter?

- A candidate on the ballot;
- A candidate's representative/poll watcher;
- A political party's official poll watcher;
- Any qualified voter in that precinct; or
- Any poll manager in the polling place.

Challenged Ballots (cont.)

What are the reasons for a challenge?

- He/she is not a registered voter in the precinct;
- He/she is not the registered voter under whose name he/she has applied to vote;
- He/she has already voted in the election;
- He/she doesn't live in the precinct where he/she is registered;
- He/she has illegally registered to vote;
- He/she has taken his/her ballot from the polling place;
- He/she has cast an absentee ballot but is ineligible to do so; or
- He/she is otherwise disqualified by law.

Challenged Ballots (cont.)

Action I: If the poll managers unanimously determine challenge is FRIVOLOUS, DISREGARD challenge and the voter casts his vote on the voting machine.

- *If the voter is casting an affidavit, emergency, or curbside ballot, the voter is provided a paper ballot and the voted ballot is placed in the sealed ballot box.*

Challenged Ballots (cont.)

Action II: If the poll managers determine the challenge is VALID or WELL TAKEN, the voter is issued a paper ballot and the ballot is immediately REJECTED.

- *Write "Rejected" on the back of the ballot;*
- *Write the name of the voter on the back of the ballot;*
- *Place the ballot in strong envelope marked for rejected ballots; and*
- *When all rejected ballots have been cast and placed in strong envelope marked for rejected ballots, the envelope is sealed and returned to the sealed ballot box/bag.*

Challenged Ballots (cont.)

Action III: If the poll managers are unable to make a unanimous decision, the voter is issued a paper ballot.

- *Write "Challenged" on the back of the ballot; and*
- *Place the ballot in a strong envelope marked for challenged ballots.*
  - *At the close of the polls and after all the unchallenged ballots have been counted, tallied and totaled, the challenged ballots are separately counted, tallied and totaled, with a separate return made of the challenged ballots.*

Prohibitions at the Polls

- **150-Foot Rule**

  It is unlawful for any candidate for elective office, or any representative of a candidate, to post or distribute cards, posters, or other campaign literature within 150 feet of any entrance to a building in which an election is being conducted.

- **Private Property**

  If a polling place is within 150 feet of private property, the owner of the private property may post or distribute campaign literature on his/her property. Polling places that are held on private property are leased to the county for the day of the election, wherein the 150-Foot rule applies.

Prohibitions at the Polls (cont.)

- **30-Foot Rule**

  No loitering is allowed within 30 feet of a polling place. The Bailiff is to keep the area clear of all persons except voters waiting to vote, credentialed poll watchers/candidates, and election officials.

- **Disturbances**

  If anyone becomes unruly or abusive, the Bailiff should ask him/her to leave. If he/she will not leave, call a local law enforcement officer. All poll managers and persons in the voting place are to aid in keeping the peace. If law enforcement officers must handle the situation, they must leave the premise upon completion.

Prohibitions at the Polls (cont.)

- **No Liquor/Alcohol**

  All intoxicated or disorderly persons disturbing he peace by noise or violence in the polling place shall be arrested, jailed, or kept in custody. Such persons may be permitted, if they are a qualified voter, to vote while in custody.

- **Wearing Campaign Paraphernalia**

  Wearing t-shirts, buttons, stickers, etc., with a candidate's name or picture on it within 150 feet of any entrance to a polling place constitutes posting of campaign literature and is prohibited. It must be covered or removed before coming within 150 feet of any entrance to a polling place.

Prohibitions at the Polls (cont.)

- **Use of Sample Ballots**

  It is permissible for an individual voter to bring a sample ballot into the polling place for the voter's own use as a reminder of the candidate(s) for whom he/she intends to vote. A voter, however, cannot be permitted to use the sample ballot as campaign literature in attempting to influence other voters within the polling place.

- **Other Prohibitions**

  It is also unlawful for a candidate, or his/her authorized representative, to appear at any polling place armed or uniformed or displaying any badge or credentials except as may be issued by the managers of the precinct.

Helpful Tips

Supplies

- Constantly check supply levels or set a schedule to check supply levels:
  - Number of paper ballots;
  - Number of affidavit ballot envelopes (both yellow and white);
  - General supplies (pens, batteries, etc.).

Contact Information

- Make sure your poll managers have your contact information and you have theirs.
  - *Example: A poll manager used a SOS poll watcher to contact our office on 11/4/2014 because the poll manager could not get in touch with the county election commission*.
- Make sure you are accessible to the poll managers.

Ballots

- Be familiar with the offices/races on the ballot.
- Make sure you direct voters to the sample ballot posted in the precinct.
- If you are using paper ballots with races on both the front and back, the poll managers should advise voters that marking is required on both sides of the ballot or give the ballot to the voter turned upside down.

Multiple Ballot Styles

- **Split precincts:** Voters in the precinct vote different ballots based upon the voter's residential address.
- Make sure your poll managers are aware of multiple ballot styles in their precinct and know how to ensure each voter receives the correct ballot style.

OTHER HELPFUL TIPS?

DELBERT HOSEMANN
Secretary of State

Contact Information

Mississippi Secretary of State's Office

Elections Division

P.O. Box 136

Jackson, MS 39205

(601)576-2550

Elections Hotline (800)829-6786

www.sos.ms.gov

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