Election Administration FAQs – Checking Election IQ

2016 Montana Clerk and Recorder and Election Administrator Convention

Montana Secretary of State Linda McCulloch
Elections and Government Services Division
August 2016

FAQ Topics

- Polling Place Scenarios
- Registration and Election Processes
- Voting Equipment, UOCAVA, Accessibility

Election Administration FAQs

Polling Place Scenarios

1. A voter shows up to vote at the polls and the register indicates an absentee has been issued. How should election judges handle this voter?

Election Administration FAQs

Polling Place Scenarios

1. The judges should issue a provisional ballot to the voter that can be resolved when it is determined that the absentee ballot was not returned.

Election Administration FAQs

Polling Place Scenarios

2. A voter takes another person into the voting booth with them. What should the election judge do?

Election Administration FAQs

Polling Place Scenarios

2. The law is clear that no more than one individual may occupy a voting station, however election judges may not have any way to know if the voter needs assistance in some way, including but not limited to assistance reading the ballot, and in order to preserve the privacy of the voter, elections judges should not try to police any instance in which a voter takes another person into the voting booth.

Election Administration FAQs

Polling Place Scenarios

3. Do we have to post a list of absentee voters at the polling place? Can we just provide such a list to the election judges?

Election Administration FAQs

Polling Place Scenarios

3. The law requires that a certificate containing a list of everyone issued an absentee ballot be posted at each polling place for each precinct. This is an important part of the transparency of the election process.

Election Administration FAQs

Polling Place Scenarios

4. A voter comes to the polling place to vote but does not have photo ID, how should this be handled?

Election Administration FAQs

Polling Place Scenarios

4. The voter can provide non-photo ID such as a utility bill, paycheck stub or other government document that shows the voter's name and current address OR can be provided with the Polling Place Elector ID Form if no other form of ID is available.

Election Administration FAQs

Polling Place Scenarios

5. The voter's address on the photo ID used at the polls does not match the address in the precinct register, what should the register judge do?

Election Administration FAQs

Polling Place Scenarios

5. When providing photo ID at the polls, it is not necessary to verify that the address on the ID matches the address in the precinct register. (The register judge should provide a VR form to the voter and request that they update their registration for the next election if their address has changed.)

Election Administration FAQs

Polling Place Scenarios

6. Election Judges have always put pencils in the voting booths, is this still OK?

Election Administration FAQs

Polling Place Scenarios

6. No – voting booths should be supplied with blue or black ink pens only. At one time pencils were used, but with the new tabulator technology, pens are the best option. Additionally, using pens instead of pencils is a more permanent mark in case ballots are opened for a recount or court challenge.

Election Administration FAQs

Polling Place Scenarios

7. A voter was marked as absentee in the precinct register, but the judges let the individual sign the register and vote a regular ballot anyway, and the ballot was deposited with other polling place ballots. When we processed registers, it was discovered that the absentee ballot had been voted and accepted.

Election Administration FAQs

Polling Place Scenarios

7. Although it happens rarely, this is one of the most critical errors made by election judges. It is important to train them on this issue, and to review with them if they make the error. Sometimes the voter has forgotten they voted absentee, sometimes it's confusion when there are multiple elections going on. If the judges don't let the voter know that they have an absentee ballot issued, they may have reason to think everything is fine when they vote at the polls. (You should turn the voting information over to your county attorney to investigate right away.)

Election Administration FAQs

Late Registration Scenarios

1. A voter shows up in person during the late registration period **but does not want nor receive a ballot –** is the voter a late registrant?

Election Administration FAQs

Late Registration Scenarios

1. No. Late registrants should always be issued an absentee ballot at the time of late registration. If they are not issued a ballot for the election, you can register them as an Active registrant with a vote eligible date of the day after the election, but do not make them a late registrant.

Election Administration FAQs

Late Registration Scenarios

2. A voter comes in to late register *after* **noon on the day before the election**. Is the voter a late registrant, even if they don't come back the next day for a ballot?

Election Administration FAQs

Late Registration Scenarios

2. No, the voter is not a late registrant unless and until they return to the late registration location on election day and are issued a ballot. Unless and until they do so, register them as Active with a vote eligible date of the day after election day.

Election Administration FAQs

Late Registration Scenarios

3. In what instances do we register **MVD registrants** as late registrants? If we receive their PDF registration form and it is signed after the close of regular registration, do we register them as a late registrant?

Election Administration FAQs

Late Registration Scenarios

3. Unless and until MVD registrants come into the office for late registration and receive a ballot, they are not late registrants. If their signed PDF registration form is dated after the close of regular registration, you can register them as Active with a vote eligible date of the day after election day.

Election Administration FAQs

Late Registration Scenarios

4. What are the **dates** that we need to enter for late registrants in MT Votes?

Election Administration FAQs

Late Registration Scenarios

4. For the Vote Eligible Date, always use the Sunday before the close of regular registration (this year, the date is October 9, 2016). For the County Registration Date, use whatever date that you are registering them. Do not use the Sunday vote eligible date for non late-registrants (unless they are provisional registrants who are late registering).

Election Administration FAQs

Provisionals

5. What is the difference between a provisional **registrant** and a provisional **ballot**?

Election Administration FAQs

Provisionals

5. People are registered as provisional if they fail to provide a verifiable DLN or partial SSN. People are issued a provisional ballot if their identity or eligibility to vote comes into question and is not resolved. (example: election day transfer registrants are given provisional ballots but ARE NOT provisionally registered)

Election Administration FAQs

Provisionals

6. Is the ballot sent to a provisional registrant automatically **treated as a provisional ballot**?

Election Administration FAQs

Provisionals

6. The ballots sent to provisional registrants do not need to be issued as provisional or treated as provisional unless, when you receive the ballot from the voter, the registrant still fails to provide a verifiable DLN or partial SSN.

Election Administration FAQs

Source of Registration

7. Why is it important to update the **source of registration**, even if we receive a duplicate voter registration?

Election Administration FAQs

Source of Registration

7. Interest groups are closely watching states' sources of registration, especially for MVD and public assistance agency voter registrations, to see if all agencies are sending them and counties are receiving them. If counties do not change the source of registration (even in the duplicate tab) then there is no way to prove that counties are receiving the VR applications.

Election Administration FAQs

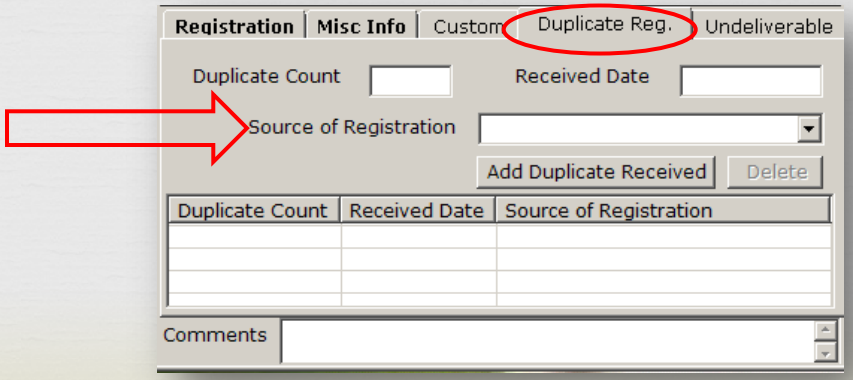
Source of Registration

8. How should we track the source of a **duplicate** voter registration?

Election Administration FAQs

Source of Registration

8. In Montana Votes, use the Duplicate Voter Registration tab. If you use the Duplicate Voter Registration tab, you do not need to change the source of voter registration in the Registration tab, but be sure to add it in the Duplicate Registration tab.



Election Administration FAQs

Source of Registration

9. What if in one set of MVD reports there are **multiple VR applications** for one voter, with only a small change between them (especially one that looks like a typographical change)?

Election Administration FAQs

Source of Registration

9. When you receive the MVD PDFs, and there are multiple PDFs for the same voter in the same extract, you should enter the PDF with the most recent date and time. MVD offices often correct errors the same day they are made, and generate a new application form each time they correct an error, so you do not have to enter each of them, especially if the only change is typographical.

Election Administration FAQs

Undeliverable Ballots

10. In a federal election, if we receive a ballot back undeliverable, do we send an **NVRA notice** right away and inactivate them during the even year if the notice is returned undeliverable, like in odd-year mail ballot elections?

Election Administration FAQs

Undeliverable Ballots

10. No – when you receive a federal election ballot back undeliverable, as a courtesy you can follow up with a forwardable notice, but you cannot inactivate the voter between the primary and general or during the even year. You must wait to conduct the NVRA process in the odd year (by sending two notices to the non-voter, and then inactivating if you do not receive any response)

Election Administration FAQs

Undeliverable Ballots

11. In a federal election, if we receive a ballot back undeliverable, and we investigate the reason for return, what if the voter tells us their new mailing address over the **phone**? What if it is also the voter's new residence address?

Election Administration FAQs

Undeliverable Ballots

11. You can mail a ballot to a voter based on their statement over the phone that they have a new mailing address, but do not update their mailing address in MT Votes (except in the "resend" field) unless and until you receive their signature envelope or other document on which they confirm their address.

However, even if the mailing address is also their new residence address, the ballot you send would still be based on their old residence address, not on their new residence address, unless they come into your office for late registration.

Election Administration FAQs

Undeliverable Ballots

12. Do we need to **receipt** in undeliverable ballots? Do we need to wait until all undeliverable ballots come back in order to **close** our election? Do we need to **reopen** our election if we receive an undeliverable ballot after we have already closed our election?

Election Administration FAQs

Undeliverable Ballots

12. You should receipt in your undeliverable ballots before you close your election, but you do not need to wait to close your election until you have received all undeliverable ballots. You should NOT reopen a closed election to receipt in undeliverable ballots, as this can cause serious problems.

Election Administration FAQs

Voting System Security

1. What is Chain-of Custody?

Election Administration FAQs

<u>Voting System Security</u>

1. Chronological documentation (i.e. paper trail) that shows control, transfer, and disposition of sensitive items. This provides voters/public with assurance that voting systems and ballots are being monitored and safeguarded from tampering.

Voting System Chain of Custody & Security Seal Log

Chain of Custody on front, Security Seal Log on the reverse side.

This form is for security and tracking voting/tabulating equipment including transport to the polls and back.

Part 1: (to be completed by election administrator)- Materials prepared at election office to be delivered to the polling place

County: _____ Precinct: _____ Polling Place: _____ Election Date: _____

AutoMARK Serial #	Flashcard Door Seal #	Side of Unit Seal #	Other:	Other:	
M100 /DS200 Serial #	Key/Printer Door Seal #	Media Access Seal #	Access Panel Seal #	Ballot Box Seal #	Other:
M650/DS850 Serial #	Media Drive Seal #	Access Door seal #	USB Door 2 #	USB Door 3 #	Power Door #

Verified by:

_____ _____

Election Administrator (Date/Time) and one other official

Part 2: (to be completed by chief election judge or polling place manager before the polls open)

AutoMARK Serial #	Flashcard Door Seal #	Side of Unit Seal #	Other:	Other:	
M100 /DS200 Serial #	Key/Printer Door Seal #	Media Access Seal #	Access Panel Seal #	Ballot Box Seal #	Other:
M650/DS850 Serial #	Media Drive Seal #	Access Door seal #	USB Door 2 #	USB Door 3 #	Power Door #

Before Polls Open – Seals verified by:

_____ _____

Polling Place Manager or Chief Election Judge (Date/Time) Election Judge

Ballots, Media, and Other Items Chain of Custody & Security Seal Log

Chain of Custody on front, Security Seal Log on the reverse side.

This is a sample of the form required for security and tracking purposes for ballots and media. Form accompanies ballots and/or media anytime they are accessed or transported, and is updated anytime a seal is removed/replaced. Counties must modify the form to fit their specific election day processes.

Part 1: Apply Initial Seals at election office. To be completed by election administrator.

County:_____ Precinct:_____ Polling Place: _____ Election Date: _____

Ballot Container Seal # (should match Seal # on Ballot Certification Report)		Media/Other Seal #	

The undersigned hereby verify that ballot containers and any media containers contain the seal number(s) listed above for transport to the polling place.

_____ _____

Election Administrator (Date/Time) and one other official (Date/Time)

Part 2: Verify seals from Part 1, remove, and replace as necessary. To be completed by chief election judge or polling place manager at polling place before the polls open.

Ballot Container Seal # (should match Seal # in Part 1)		Media/Other Seal # (should be same Seal # as Part 1)	

The undersigned hereby verify that the ballot containers and any media containers contain the seal number(s) listed above upon receipt at the polling place, and contain the seal number(s) of any seals removed and new seals applied

_____ _____

Polling Place Manager or Chief Election Judge (Date/Time) Election Judge (Date/Time)

Security Seal Log – Page 2 of Chain of Custody & Security Seal Log

Election: _____ Precinct: _____ Polling Place: _____

Removed Seal	Machine Type Machine Number	Machine Seal Location	Seal Number Removed/Placed	Reason Removed	Date	Initials
(place removed seal here)	☐ AutoMARK ☐ M100 ☐ M650 ☐ DS200 ☐ DS850	☐ Media Card ☐ Access Panel ☐ _____ ☐ _____	----------			
(place removed seal here)	☐ AutoMARK ☐ M100 ☐ M650 ☐ DS200 ☐ DS850	☐ Media Card ☐ Access Panel ☐ _____ ☐ _____	----------			
(place removed seal here)	☐ AutoMARK ☐ M100 ☐ M650 ☐ DS200 ☐ DS850	☐ Media Card ☐ Access Panel ☐ _____ ☐ _____	----------			
(place removed seal here)	☐ AutoMARK ☐ M100 ☐ M650 ☐ DS200 ☐ DS850	☐ Media Card ☐ Access Panel ☐ _____ ☐ _____	----------			
(place removed seal here)	☐ AutoMARK ☐ M100 ☐ M650 ☐ DS200 ☐ DS850	☐ Media Card ☐ Access Panel ☐ _____ ☐ _____	----------			
(place removed seal here)	☐ AutoMARK ☐ M100 ☐ M650 ☐ DS200 ☐ DS850	☐ Media Card ☐ Access Panel ☐ _____ ☐ _____	----------			

*This form must be retained for four years.

Election Administration FAQs

Voting System Security

2. Where should security seals be placed?

Election Administration FAQs

<u>Voting System Security</u>

2. Over media ports (when stored), case halves, access points (e.g. doors, latches, panels, and bins). Be sure NOT to place seals over ADA port on AutoMARKs

Election Administration FAQs

<u>Voting System Security</u>

3. How do we control access to voting systems?

Election Administration FAQs

<u>Voting System Security</u>

3. Ensuring storage locations remain locked at all times. Access to storage locations should be exclusively controlled by the Election Administrator. Access should be limited to programming, maintenance, or testing.

Election Administration FAQs

<u>Voting System Security</u>

4. Why do we control access to voting systems?

Election Administration FAQs

The Washington Post

PostEverything

By November, Russian hackers could target voting machines

If Russia really is responsible, there's no reason political interference would end with the DNC emails.

Election Administration FAQs

Voting System Testing

5. What is a test deck?

Election Administration FAQs

Voting System Testing

5. A collection of marked ballots that generates the predetermined outcome set forth by a ballot key in order to verify the efficacy of tabulator software. The number of ballots is based on the race with the most ballot positions and the number of ballot styles.

Election Administration FAQs

Voting System Testing

5. What is a ballot key?

Election Administration FAQs

<u>Voting System Testing</u>

5. A spreadsheet that contains the candidates and races for each ballot style that is used to create a test deck to verify tabulator results with a predetermined outcome.

Election Administration FAQs

Voting System Testing

5. On a ballot key, each candidate should have a different number of total votes. Do not mark 5 votes for Candidate A and 5 votes for Candidate B. This will not reveal any errors in the tabulation software.

Election Administration FAQs

Voting System Testing

6. Why do I need to use a test deck?

Election Administration FAQs

Voting System Testing

6. To determine if tabulators are reading each ballot position, that votes are counted accurately, that ballots are being sorted correctly, and ballot styles are being properly recognized.

Election Administration FAQs

Voting System Testing

7. Who creates the test deck?

Election Administration FAQs

<u>Voting System Testing</u>

7. Test decks should be created by the election office and ballots should be marked in the same way they will be marked by the voter. Do not use test decks provided by voting system vendor.

Election Administration FAQs

<u>Voting System Testing</u>

8. What is needed in order to create a test deck?

Election Administration FAQs

<u>Voting System Testing</u>

8. You will need ballots, election software, pens that will be used by voters, people to mark ballots, and **TIME**.

Election Administration FAQs

<u>Voting System Testing</u>

9. When do I build the test deck?

Election Administration FAQs

<u>Voting System Testing</u>

9. As soon as ballots are available. The sooner a problem is detected with the election software, the sooner the vendor can resolve the issue and replace defective media.

Election Administration FAQs

Voting System Testing

10. What needs to be contained in a test deck?

Election Administration FAQs

<u>Voting System Testing</u>

10. At least one over-voted ballot, one under-voted ballot, one blank ballot, a ballot that contains marginal marks, and any foreseen anomaly that might cause tabulator error (e.g. folds, etc.)

Election Administration FAQs

Voting System Testing

11. How many ballots do I need in a test deck?

Election Administration FAQs

Voting System Testing

11. The number of ballots depends upon the number of candidates in the largest race and the number of ballot styles/splits.

Election Administration FAQs

Voting System Testing

11. If there are 10 ballot styles and the largest race contains 4 ballot positions (3 candidates and a write-in), the test deck should contain at least 100 ballots.

Election Administration FAQs

UOCAVA

12. What is the MOVE Act?

Election Administration FAQs

UOCAVA

12. The Military and Overseas Voter Empowerment Act amended UOCAVA by providing greater protections for service members, their eligible family members, and overseas citizens.

Election Administration FAQs

UOCAVA

12. The MOVE Act requires states to send absentee ballots to UOCAVA voters at least 45 days before federal elections and allows UOCAVA voters to track receipt of their ballots (My Voter Page). This is why it's important that receipt of a UOCAVA ballot be entered into MT Votes immediately.

Election Administration FAQs

UOCAVA

13. Does an FPCA need to be signed?

Election Administration FAQs

UOCAVA

13. An FPCA that is transmitted electronically (i.e. via email) need only contain either the voter's last 4 of SSN or MT DL number. It does not need to be listed in the signature block. An FPCA that is mailed or faxed must contain the voter's signature.

Election Administration FAQs

UOCAVA

14. How should an FPCA be processed during late registration?

Election Administration FAQs

UOCAVA

14. UOCAVA voters cannot appear in person. An FPCA, or other form of voter registration, from a UOCAVA voter would be accepted and the voter would be entered as a late registrant.

Election Administration FAQs

<u>UOCAVA</u>

14. Update the Source of Registration in MT Votes to FPCA. Specify the method that the FPCA was received (e.g. FPCA-EAS, FPCA-Email, etc.).

Election Administration FAQs

UOCAVA

15. How do UOCAVA voters determine their voting residence address?

Election Administration FAQs

UOCAVA

15. The residence address for a UOCAVA voter is their, "…true, fixed address that [they] consider [their] permanent home and where [they] had a physical presence.

Election Administration FAQs

UOCAVA

15. This residence may remain valid even if the voter no longer owns property or has ties to the state, if the voter's intent to return is uncertain, or if the voter's previous address is no longer a recognized residential address.

Election Administration FAQs

UOCAVA

16. What is the process for a UOCAVA voter that changes counties?

Election Administration FAQs

UOCAVA

16. Pre-45 days, this is done as a county-to-county transfer in MT Votes. Post-45 days, it will be necessary to void the ballot sent from the original county, perform the county-to-county transfer in MT Votes, and issue a ballot from the new county. (Note: if the voter is using the EAS and indicates a new county of residence, call the SOS for assistance to make sure that the voter can be issued an EAS ballot from the correct county.)

Election Administration FAQs

UOCAVA

17. What are the responsibilities of an EA in the Electronic Absentee System (EAS)?

Election Administration FAQs

UOCAVA

17. Monitor county's voters that access and generate ballots, verify that ballots generated through the EAS are being received, reach out to voters as necessary and research address discrepancies.

Election Administration FAQs

UOCAVA

18. What if a UOCAVA ballot must be rejected?

Election Administration FAQs

<u>UOCAVA</u>

18. Contact SOS before rejecting a UOCAVA ballot **<u>FOR ANY REASON</u>**. Do this via email (soselections@mt.gov) so that there is documentation.

Election Administration FAQs

Voting Accessibility

19. What is a Designated Agent?

Election Administration FAQs

Voting Accessibility

19. Voters with a disability may chose to have another person designated as an agent to provide signature, deliver an absentee ballot, and provide assistance to the voter throughout the registration and voting process.

Election Administration FAQs

Voting Accessibility

20. What is Curbside Voting?

Election Administration FAQs

Voting Accessibility

20. A voter who is unable to enter a polling place may request to have a ballot delivered to them at their vehicle. Two election judges of different political parties can deliver the ballot. The voter will sign the oath form stating that they are unable to enter the polling place and then mark their ballot inside their vehicle.

Election Administration FAQs

Voting Accessibility

21. What is the Electronic Ballot Request System (EBRS)?

Election Administration FAQs

Voting Accessibility

21. A website that allows voters with disabilities to access an absentee ballot on their home computer. EBRS voters can also fill out a voter registration card using the system. The EBRS only allows voters to access and mark their ballot. EBRS voters cannot email their ballot.