

Monroe County Board of Elections

Ballot Essentials

September 3, 2010



PETER M. QUINN
COMMISSIONER

THOMAS F. FERRARESE
COMMISSIONER

DOUGLAS E. FRENCH
DEPUTY

COLLEEN ANDERSON
DEPUTY

For Inspector Information

Peter Elder (753-1523)
Republican County Coordinator
pelder@monroecounty.gov

If no answer, call John Fernandes at 753-1534

Linda Cummings (753-1555)
City Democratic Election Inspector Coordinator
LCummings@monroecounty.gov

Abigail Rowe (753-1539)
Towns Democratic Election Inspector Coordinator
ARowe@monroecounty.gov

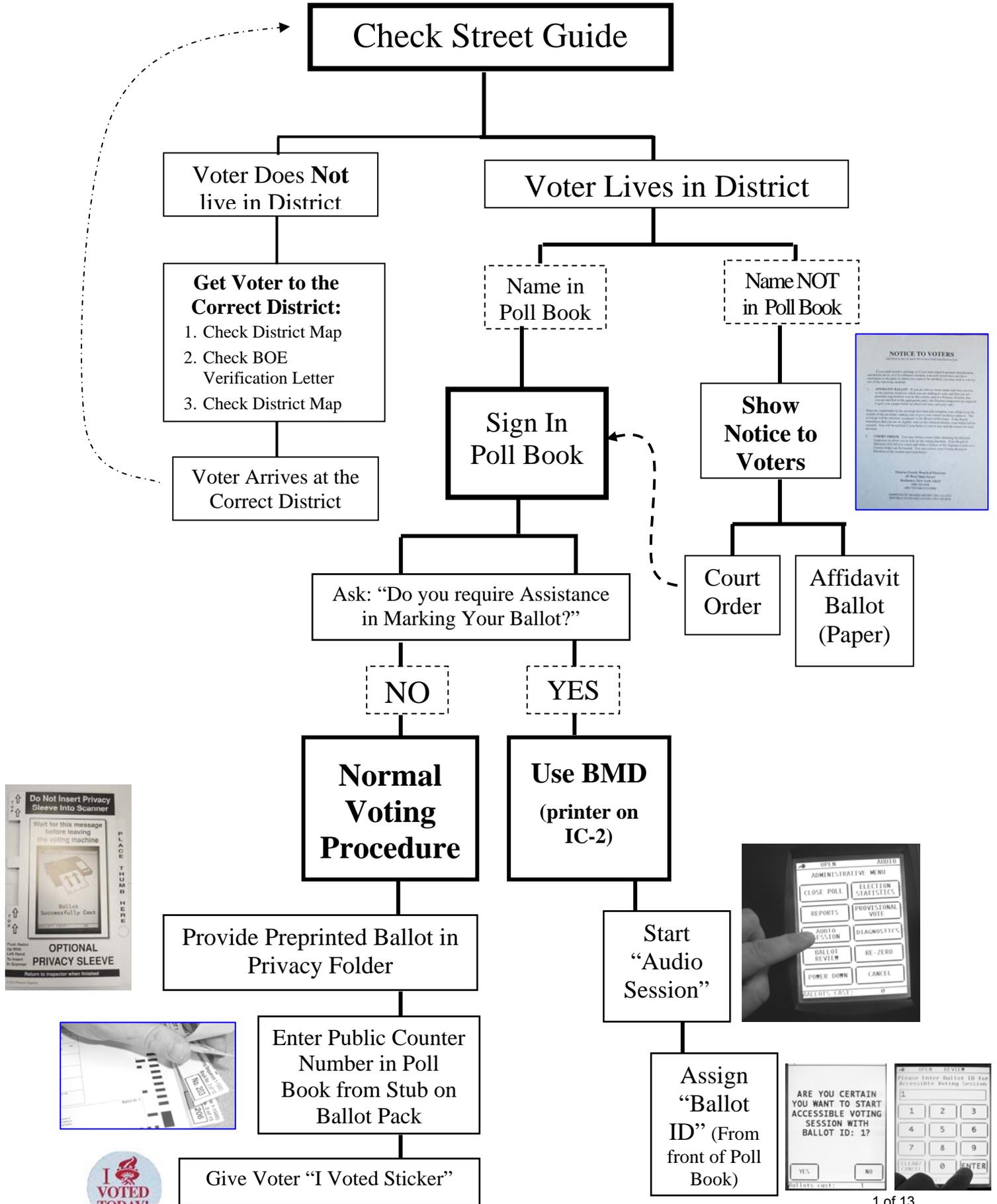
Monroe County Board of Elections

39 West Main Street,
Rochester, NY 14614
www.monroecounty.gov

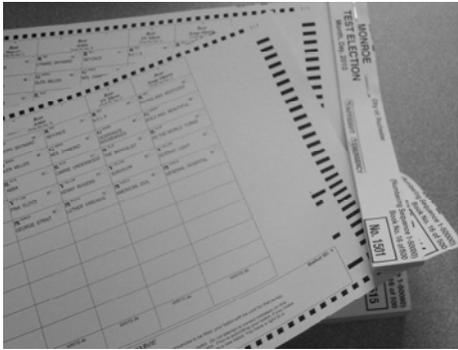
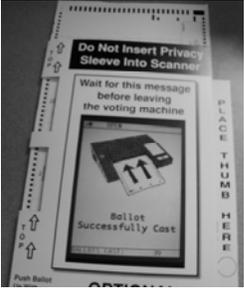
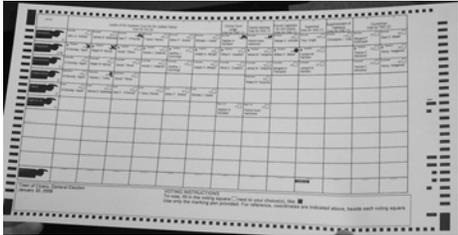
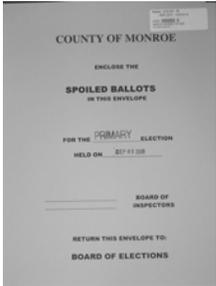
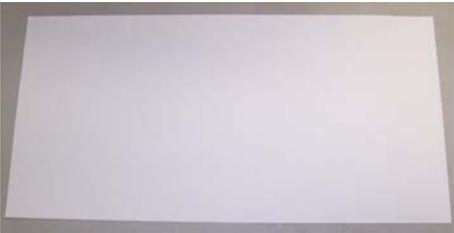
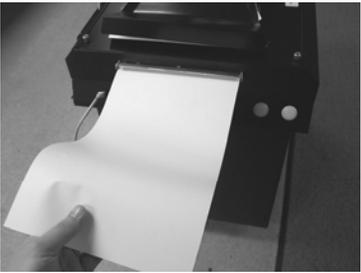
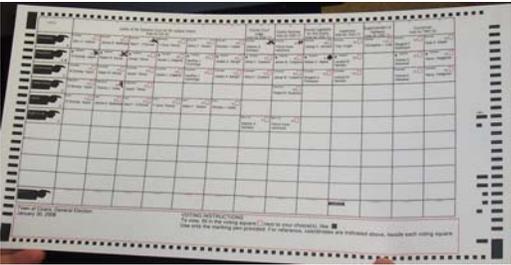
Election Day Contact Numbers

BEFORE POLLS OPEN		AFTER POLLS OPEN	
Machine Problems	753-1522 753-1512	Machine Problems	753-1522 753-1512
Missing Both Inspectors From Same Party	753-1523 753-1539	Supplies not needed immediately	753-1501
(call by 5:45am for General Election or 11:45am for Primary Election)		Missing One Inspector from Either Party	753-1523 753-1539
Missing Critical Supplies Needed to Get Your Polling Site Open and Operating	753-1555	Voter Questions	753-1550
		Call-In District (selected ED)	753-1543

Normal Check-In Flow Chart



Types of Ballots (Summary)

	<p><u>Pre-Printed Ballot</u></p> <p>The ballot detached from the ballot packet, placed in a privacy folder, and given to the voter that does not require assistance marking their ballots</p>	
	<p><u>Cast Ballot</u></p> <p>A printed deposited into the ballot box through the scanner.</p>	
	<p><u>Spoiled Ballot</u></p> <p>(NOTE: Envelope) – A printed ballot rejected by the voter.</p>	
	<p><u>Blank Paper Ballot</u></p> <p>The ballot detached from the blank paper ballot packet and placed in the BMD (printer) side of the IC-2. Given to the voter that do require assistance marking their ballots</p>	
	<p><u>Printed Ballot</u></p> <p>The ballot produced by the voter interaction with the ATI (audio-tactile interface). NOTE: comes out of the printer in privacy sleeve.</p>	

Spoiled Ballot

Purpose

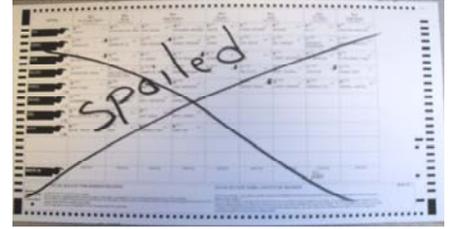
If a ballot is torn, damaged, or the voter has overvoted any race on a ballot, the voter may choose to spoil their ballot.

Procedure

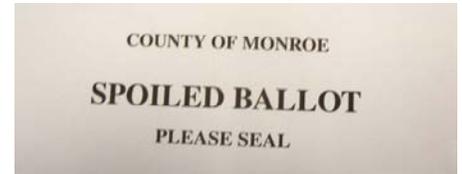
1. The inspector must not examine a voter's ballot.
2. Inspectors must confirm that the voter wishes to spoil their ballot.
3. The inspectors must direct the voter to place a large "X" across the ballot and write "spoiled".
4. The inspectors must present the voter with the small Spoiled Ballot Envelope and instruct the voter to fold and place the spoiled ballot inside the envelope.
5. The inspectors must place the small Spoiled Ballot Envelopes inside the larger Spoiled Ballot Return Envelope.
6. The inspector must note the appropriate number on the outside of the Spoiled Ballot Return Envelope to indicate how many ballots are in the envelope.
7. The inspector must direct the voter to return to the back of the line at the voter's appropriate district table (see "Checking in the Voter")

Notes

1. The inspector must adjust the poll book public counter number entry for each ballot issued to a voter. The voter must spoil their ballot, not the inspector.
2. Inspectors should never examine a voter's ballot.
3. The voter is allowed to spoil a ballot **three** times.
4. If the voter can not or will not spoil their ballot, it becomes an Unscannable Emergency Ballot.



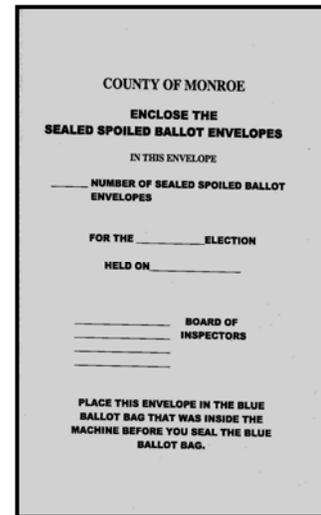
How a voter spoils their ballot



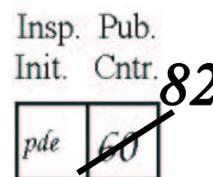
Spoiled Ballot Envelope



Voter Placing the Spoiled Ballot into the Spoiled Ballot Envelope



Spoiled Ballot Return Envelope

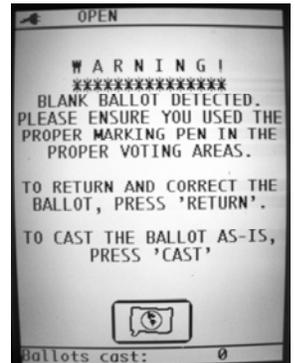


How to adjust the public counter number entry if a spoiled ballot is given.

Blank Ballot

Explanation A blank pre-printed ballot warning occurs when the SCANNER does not detect any markings after the ballot has been inserted in the scanner. The operator screen will display a message that reads:

“WARNING! BLANK BALLOT DETECTED. PLEASE ENSURE YOU USED THE PROPER MARKING PEN IN THE PROPER VOTING AREAS. TO RETURN AND CORRECT THE BALLOT, PRESS ‘RETURN’. TO CAST THE BALLOT AS-IS, PRESS ‘CAST’.”



A voter may intentionally wish to cast a blank ballot, but most likely the voter made an error while marking his/her ballot and inadvertently did not make any selections.

Procedure The voter is offered the option to:

1. Have the ballot returned to them for correction, or
2. To have the SCANNER accept the ballot ‘as-is’.



- Notes**
1. After the ballot is cast, the voter cannot receive a new ballot.
 2. If the voter wants the ballot returned, press the red **Return** button.

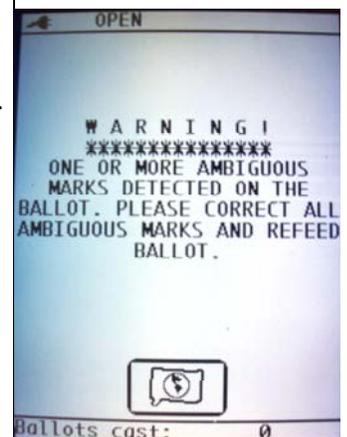
Misread/Ambiguous Marks

Explanation A misread or ambiguous mark warning indicates that the SCANNER has not recognized all of the features on the ballot, or that certain essential ballot identification markings cannot be found. This usually occurs for one of the following reasons:

1. The ballot is physically damaged (torn or folded),
2. There are stray markings made on the ballot that obstruct important identifiers along the sides or the bottom of the ballot, or
3. The ballot was inserted into the machine incorrectly.

The operator screen will display a message that reads:

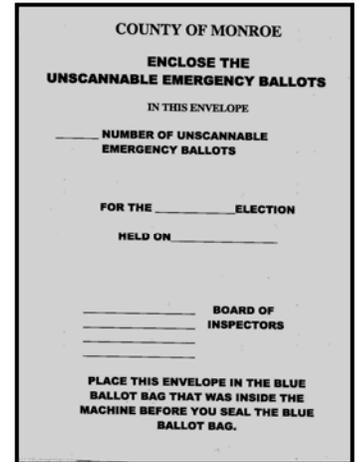
“WARNING! PAPER INSERTED WAS MISREAD AND COULD NOT BE VERIFIED AS A VALID BALLOT. PLEASE VERIFY BALLOT AND REFEED.”



Procedure

In this warning case, the machine will **automatically return** the ballot. Explain to the voter that the ballot was not counted by the voting machine and needs to be re-inserted.

1. Re-insert the ballot into a scanner.
2. If the ballot is rejected by every scanner, the voter may SPOIL the ballot or it may be placed into the **Unscannable Emergency Ballot Envelope**.
3. If the voter chooses to spoil the ballot and get a new one, make sure that voter understands how to properly mark the ballot.

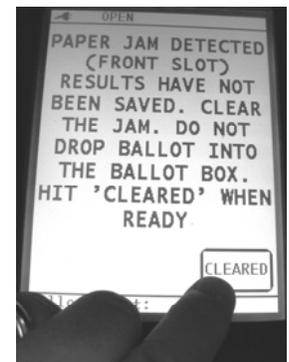


Ballot Jams

Explanation

If there is a ballot/paper jam, the operator screen will display a message that says:

“PAPER JAM DETECTED. PLEASE CLEAR ANY PAPER FROM THE DEVICE AND PRESS THE ‘CLEARED’ BUTTON



Procedure

1. Ask the voter to remain at the station until the problem is resolved.
2. Do not look at the markings on the ballot at any time.
3. If any part of the ballot is protruding through the entry slot, pull the ballot out and return it to the voter.
4. If the ballot is not damaged, it can be re-inserted into the scanner.
5. If the ballot is damaged, a new ballot may need to be marked (*see Spoiled Ballot*).
6. If, after re-inserting the ballot, the voting machine still detects a paper jam, the operator screen will display a message that reads “TURN OFF MACHINE AND CLEAR JAM.”
7. **DO NOT TURN OFF THE MACHINE. CALL THE BOARD OF ELECTIONS IMMEDIATELY.**
8. Re-insert the ballot into another scanner.
9. If no scanner will accept the ballot, the voter has the option of spoiling their ballot or, with inspector assistance, place into the Unscannable Emergency Ballot envelope.

NOTICE TO VOTERS

If a person's current address is in your district, but his or her poll record is not in the book, her or she may vote by **Affidavit Ballot** or **Court Order**. Give the person "*Notice to Voters*" form which explains each option.

NOTICE TO VOTERS

SECTION 8-302.3A and 8-303 of New York State Election Law

If your poll record is missing, or if you were asked to present identification and did not do so, or if in a Primary election, your poll record does not show enrollment in the party in which you claim to be enrolled, you may seek to vote by one of the following methods:

1. **AFFIDAVIT BALLOT:** If you are able to swear under oath that you live in the election district in which you are seeking to vote, and that you are presently registered to vote in this county, and in a Primary election, that you are enrolled in the appropriate party, the Election Inspectors are required to give you a paper ballot on which you may cast your vote.

Place the voted ballot in the envelope provided and complete your affidavit on the outside of the envelope, making sure to give your correct residence address. The envelope will be returned, unopened, to the Board of Elections. If the Board determines that you are an eligible voter in this election district, your ballot will be counted. You will be notified if your ballot is cast or not, and the reason for such decision.

2. **COURT ORDER:** You may obtain a court order directing the Election Inspectors to allow you to vote on the voting machine. Your Board of Elections will tell you where and when a Justice of the Supreme Court or a County Judge can be located. You can contact your County Board of Elections at the number provided below:

Monroe County Board of Elections
39 West Main Street
Rochester, New York 14614
(585) 753-1550
(585) 753-1544 TTY/TDD

DEMOCRATIC HEADQUARTERS (585) 232-2410
REPUBLICAN HEADQUARTERS (585) 546-8040

AFFIDAVIT BALLOTS

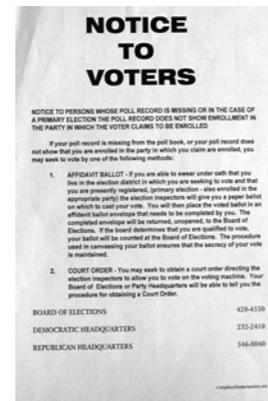
Purpose

Affidavit Ballots should be used when:

1. A voter's name is not in the poll book and the voter claims to be a registered voter in the election district.
2. A person is already registered in Monroe County in another district but has recently moved into a different district.
3. A voter claims to be enrolled in a political party other than the party indicated on the poll record (only applies in a Primary Election).
4. A Voter is unable to provide identification when such identification is required (ID REQUIRED in the poll book) and asked for.

Procedure

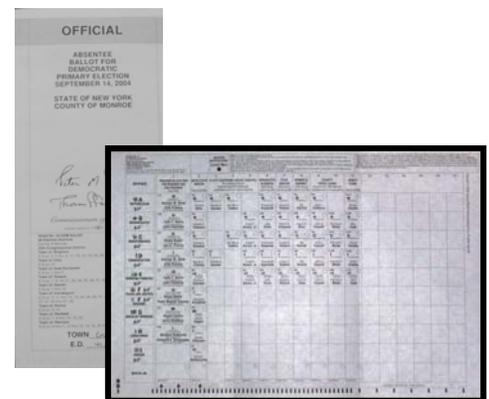
1. Make sure the voter has seen the **NOTICE TO VOTERS** and has made the choice to use an Affidavit Ballot.
2. Ask the voter "Do you require assistance in marking your ballot?"
3. If the voter says "no", follow "Ordinary Affidavit Ballot Procedure." If the voter says "yes", follow "Affidavit Ballot Procedure for the IC-2 (BMD)."



Ordinary Affidavit Ballot Procedures (IC-1)

Procedure

1. Provide the voter with a paper ballot. Instructions are on the ballot.
2. Instruct the voter to privately vote on the ballot.
3. The voter must seal the ballot in the affidavit envelope.
4. The voter must date, sign and completely fill out the affidavit envelope and the attached registration form (a picture of the envelope appears on a following page).
5. **An inspector must date, sign, completely fill out the affidavit envelope, and seal the envelope properly.**
6. Enter the voter's name and address in Section IV of the **Challenge Report**.



**Ordinary Affidavit Ballot
Procedures
(IC-1) continued**

7. The inspector places the SEALED ballot envelope in the large “Affidavit Return” envelope for return to the Board of Elections.
8. *All voted affidavit envelopes are returned unopened to the Board of Elections where they will be counted electronically.*

Affidavit Ballot Procedures for the IC-2 (BMD)

Procedure

1. If the voter requires assistance in marking their ballot, an inspector should escort the voter to the IC-2(BMD).
2. Voters will follow the normal procedure for marking their ballot. See “Introducing the Voter to the BMD.”
3. The voter will print their ballot. **However, the ballot MAY NOT be deposited into the scanner side of the IC-2(BMD).**
4. Have the voter review (or the inspectors may review with them) their ballot selections.
5. When the voter is satisfied with their ballot, they, or if assistance is needed, the inspectors, should place it in an affidavit envelope (**the ballot must NOT be cast in the ballot box**).
6. Assist the voter in completing the envelope, if necessary (assistance given must be recorded on Section III of the Challenge Report).
7. Follow “Ordinary Affidavit Ballot Procedures” for filling out and securing the affidavit ballot envelope.

	Affidavit - Print Name	Affidavit - Print Address
1		
2		
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10		
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14		
15		
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17		
18		
19		
20		

Challenge Report

COUNTY OF MONROE

**ENCLOSE THE
SEALED VOTED AFFIDAVIT ENVELOPES**

IN THIS ENVELOPE

NUMBER OF SEALED VOTED AFFIDAVIT
ENVELOPES _____

FOR THE _____ ELECTION

HELD ON _____

BOARD OF
INSPECTORS

PLACE THIS ENVELOPE IN THE BLUE
BALLOT BAG THAT WAS INSIDE THE
MACHINE BEFORE YOU SEAL THE BLUE
BALLOT BAG.

**Affidavit Return
Envelope**

Notes

Affidavit Ballots - Summary

- ◆ The voter must live in the correct district.
- ◆ The voter must vote in the district they presently live in – never the one they used to live in.
- ◆ The voter must sign the envelope.
- ◆ The ballot must be sealed in the correct envelope.
- ◆ The inspector must sign the envelope.
- ◆ The affidavit envelope must be placed in the return envelope and placed with the other ballots.

AFFIDAVIT BALLOT ENVELOPE

INSTRUCTIONS: YOU MUST READ THE REVERSE SIDE OF THIS ENVELOPE BEFORE PROCEEDING.

I affirm that I am a duly registered voter, the address in such election district from which I am registered, I remain a duly qualified voter in such district, and that my registration poll record appears to be misplaced or that my name and/or signature was omitted from the computer generated registration list or that I have moved within the county since last registered, the address from which I previously registered and the address at which I currently reside is true, or at a primary election, the party in which I am enrolled was incorrect.

1 Are you a U.S. citizen? Yes <input type="checkbox"/> No <input type="checkbox"/>		2 I will be 18 years old on or before election day Yes <input type="checkbox"/> No <input type="checkbox"/>		For Board use only!	
3 Last Name		3 First Name		3 Middle Initial	
4 Address Where You Live (do not give P.O. address)		4 Apt. No.		4 City/Town/Village	
5 Address Where You Get Your Mail (if different from above)		5 P.O. box, star etc., etc.		5 Post Office	
6 Date of Birth		7 Sex (circle) M F		8 Home Tel. Number (optional)	
10 The last year you voted		9 Your Address was (give house number, street, and city)		9 ID Number - Check the applicable box and provide your number	
10 In county/state		Under the name (if different from your name now)		<input type="checkbox"/> New York Driver's License Number <input type="checkbox"/> Last four digits of your Social Security number <input type="checkbox"/> I do not have a New York driver's license number or Social Security number	
11 Choose a Party - Check one box only			12 AFFIDAVIT: I swear or affirm that		
<input type="checkbox"/> REPUBLICAN PARTY <input type="checkbox"/> DEMOCRATIC PARTY <input type="checkbox"/> INDEPENDENCE PARTY <input type="checkbox"/> CONSERVATIVE PARTY <input type="checkbox"/> WORKING FAMILIES PARTY <input type="checkbox"/> OTHER (write in) <input type="checkbox"/> I DO NOT WISH TO ENROLL IN A PARTY			Please note: In order to vote in a primary election, you must be enrolled in one of these parties. • I am a citizen of the United States. • I will have lived in the county, city, or village for at least 30 days before the election. • I meet all requirements to register to vote in New York State. • This is my signature or mark on the line below. • The above information is true, I understand that if it is not true I can be convicted and fined up to \$5,000 and/or jailed for up to four years.		
			Signature or mark: _____ Date: _____		

Voter must supply their New York State Driver's License Number or the last four digits of their social security number

Voter must sign the form

MUST COMPLETE BOTH SIDES

This side resembles a Registration Form. Make sure the voter fills it out completely and signs it.

MUST COMPLETE BOTH SIDES

AFFIDAVIT OATH

Voter must check one box in PART A, and MUST complete PART B.

I, _____, hereby swear or affirm that:

PRINT NAME HERE

PART A - Select one: you must check one of these 4 boxes, and fill in appropriate blanks:

- I have been informed by the inspectors that my registration record is not available to them; however, I have duly registered to vote in this election district from the address given, and I remain a duly qualified voter in this district.
- I have moved within _____ since my last registration, and my previous address was: _____
- I am enrolled in the _____ Party (REQUIRED IN PRIMARY ELECTIONS ONLY).
- I was required to present identification when I voted today, but did not do so.

PART B - Must be completed by all affidavit ballot voters:

- I reside at _____
- DATE OF BIRTH _____
- I understand that any false statement made in this affidavit is perjury and is punishable according to law.

DATE: _____ VOTER SIGNATURE: _____

Sworn to before me this _____ day of _____, 20____

INSPECTOR SIGNATURE: _____

COUNTY OF: _____
 CITY/TOWN _____ LEG/WARD# _____ ED# _____ AD# _____

This Section For Board of Elections Use Only:

Research Indicates:

- Not Registered
- Registered Too Late
- Wrong ED
- Address Change
- Voter ID # _____
- Inactive
- Enrollment Match
- Cancelled
- Misc: _____

Remarks: _____

COUNT: Yes No

Researcher Initials: _____

Commissioners' Ruling

COUNT: Yes No

Commissioners' Initials: _____

Voter should check one of these boxes and supply information as needed

Voter MUST sign here

One of the inspectors MUST sign here

Fill this area out completely

IMPORTANT

By law, all ballot envelopes must be signed by the voter and an inspector or they will not be counted.

COURT ORDERS

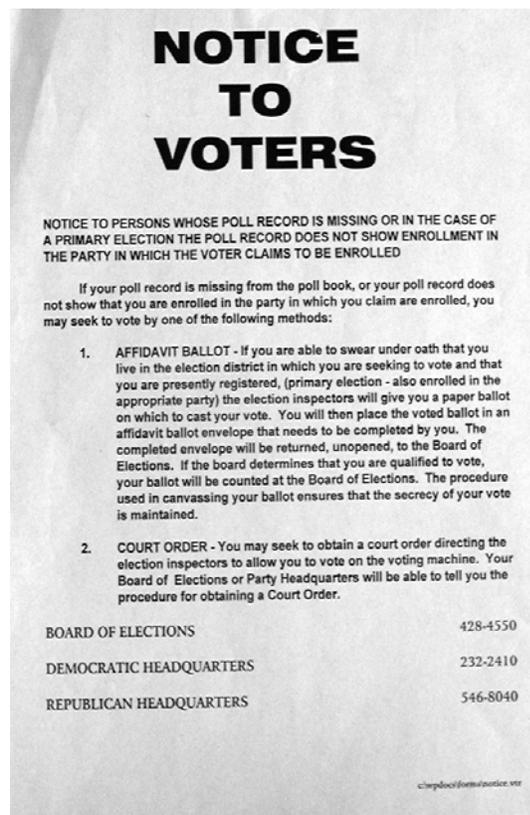
Purpose

Court orders are used when a voter's name does not appear in the poll book, the voters claims to reside in the district, and the voter wants to vote on the IC-1 (Scanner) or IC-2 (BMD).

- ◆ A voter might check-in with the inspectors and learn that their name is not in the poll book and then seek to get a Court order or the voter may already know their name is not likely in the poll book and seek to get a Court Order.
- ◆ Both political parties' phone numbers are listed on the **Notice to Voters**. Each party maintains attorneys on election day to assist voters with the preparation of a Court Order.
- ◆ A voter must fill out these papers, which are taken before a Supreme Court Judge. The Judge will examine the papers and if all is in order, sign the papers allowing the voter to vote on the machine.
- ◆ The voter must then take these papers back to their correct election district and present them to the inspectors.

Procedure

1. Make sure the voter has seen the **NOTICE TO VOTERS** or has presented the inspectors with the Court Order.
2. Ask the voter **“Do you require assistance in marking your ballot?”**
3. If the voter says **“no”**, follow the **“Ordinary Court Order Procedures.”** If the voter says **“yes”**, follow the **“Court Order Procedure for the IC-2 (BMD).”**



Court Order Procedure IC-1 (Scanner Only)

- 1) The inspector takes the Court Order from the voter.
- 2) The inspectors MUST then allow the voter to vote on the IC-1 (see normal Check-in Procedure). Tear off a ballot from the ballot packet and give it to the voter.
- 3) The Inspector should write the public counter number given to the voter on the upper right hand corner of the Court Order.
- 4) Inspectors must place the Court Order in the Court Order Return Envelope.
- 5) The inspectors must note the voter's name, address and Public Counter Number on Section IV of the Challenge Report.
- 6) In a Primary Election, the court order must specify the party in which the person is allowed to vote.

At an Ex Parte Term of the Supreme Court of the State of New York, held in the County of Monroe, at Rochester, New York on the ___ day of ___, 1996

PRESENT: HONORABLE SUPREME COURT JUSTICE _____

STATE OF NEW YORK)
COUNTY OF MONROE)
SUPREME COURT) SS.:

IN THE MATTER OF THE APPLICATION OF _____
Petitioner,

vs. _____ ORDER

"MARY JONES", "JANE DOE", "SUSAN SMITH", and "CATHY BROWN", those names being fictitious, the true names of the defendants being unknown to the Petitioner, the persons intended being the Inspectors of Election in and for the _____ election district of the _____ Legislative District of the Town/ City of _____ County of Monroe, and constituting the Board of Inspectors of Election of said election district, and the BOARD OF ELECTIONS OF MONROE COUNTY,

Respondents.

For an Order pursuant to §16-108 of the New York State Election Law permitting the Petitioner to vote.

Upon reading the annexed Petition of _____ Petitioner, sworn to this _____ day of _____, 1996, and it

4

Court Order Procedures for the IC-2 (BMD & Scanner)

- 7) The inspector takes the Court Order from the voter.
- 8) The inspectors must then allow the voter to vote using the IC-2 (BMD) (see checking in the BMD Voter).
- 9) Inspectors must place the Court Order in the Court Order Return Envelope.
- 10) The inspectors must note the voter's name, address and Public Counter Number on Section IV of the Challenge Report.
- 11) In a Primary Election, the court order must specify the party in which the person is allowed to vote.

COUNTY OF MONROE

ENCLOSE THE COURT ORDERS

IN THIS ENVELOPE

_____ NUMBER OF COURT ORDERS

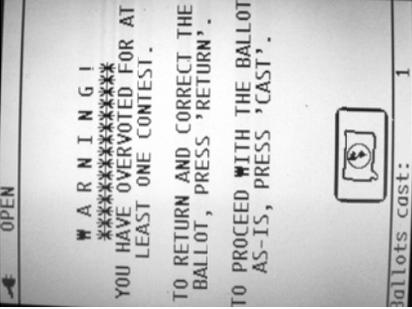
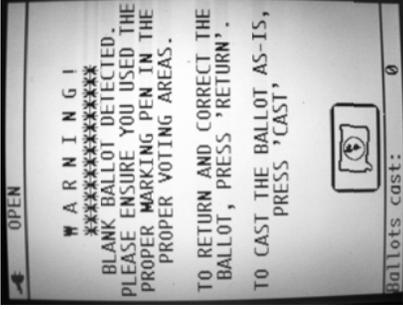
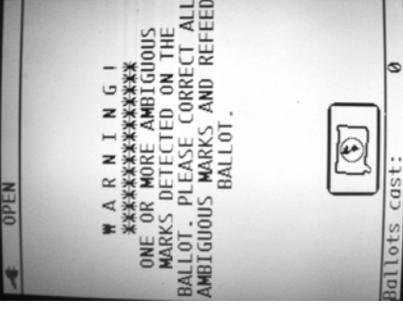
FOR THE _____ ELECTION

HELD ON _____

_____ BOARD OF INSPECTORS

PLACE THIS ENVELOPE IN THE BLUE BALLOT BAG THAT WAS INSIDE THE MACHINE BEFORE YOU SEAL THE BLUE BALLOT BAG.

Ballot Problems Summary

	<u>Overvote</u>	<u>Blank Ballot</u>	<u>Ambiguous mark</u>	<u>Ballot Jam</u>	<u>Undervote</u>
Display					
Why does it occur?	Voter votes for too many candidates in a particular race	Voter deposits the ballot into the scanner without marking it	The ballot contains incomplete marks, stray marks or is damaged	The ballot become lodged in the scanner or the voter tries to insert the privacy folder	The voter does not vote for one or more races
Scanner Action	Must Press Cast or Return	Must Press Cast or Return	Immediately Returns the Ballot	Message to remove Jam and Press Clear	Casts Ballot
Can be Cast?	Yes	Yes	No	Yes	Yes
Can be Spoiled?	Yes	Voter should Mark the Ballot	Yes	Yes	No
Can become Unscannable Emergency?	Yes	N/A	Yes	No	No