

Election Closing Procedures 2014 ECAM Convention

Presented By:
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Elections Division



DELBERT HOSEMANN
Secretary of State

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



Absentee Ballots



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Application for Absentee Ballot: Top of Application

- Registrar checks the type of ballot requested and may fill in the name of the voter, the voter's precinct and the voter's county (see highlighted fields).

Type ballot requested: (Choose one)

- Democratic Primary Republican Primary General Election Special Election
 Democratic Runoff Republican Runoff General Runoff Special Runoff



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OFFICIAL APPLICATION FOR ABSENTEE ELECTOR'S BALLOT

I, [REDACTED], duly qualified and registered in the [REDACTED] Precinct of the County of [REDACTED], and State of Mississippi, coming with the purview of the definition 'ABSENTEE ELECTOR' will be absent from the county of my residence on election day, or unable to vote in person because (Check appropriate reason):



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Application for Absentee Ballot: Reason for Voting by Absentee Ballot

The voter must check one (1) reason why he/she is unable to vote in person on Election Day.

- (PRESIDENTIAL APPLICANT ONLY): I am currently a resident of Mississippi or have moved therefrom within thirty (30) days of the coming presidential election.
- I am an enlisted or commissioned member, male or female, of any component of the United States Armed Forces and am a citizen of Mississippi, or a spouse or dependent of such a member.
- I am a member of the Merchant Marines or American Red Cross and am a citizen of Mississippi or a spouse or dependent of such a member.
- I am a disabled war veteran who is a patient in any hospital and am a citizen of Mississippi or a spouse or dependent of such a veteran.
- I am a civilian attached to and serving outside of the United States with any branch of the United States Armed Forces or with the Merchant Marines or American Red Cross, and am a citizen of Mississippi or dependent of such a civilian.
- I am a citizen of Mississippi temporarily residing outside the territorial limits of the United States and the District of Columbia.
- I am a student, teacher or administrator at a college, university, junior or community college, high, junior high, elementary or grade school whose studies or employment at such institution necessitates my absence from the county of my voting residence or a spouse or dependent of such a student, teacher or administrator who maintains a common domicile outside the city of my voting residence with such student, teacher or administrator.
- I will be outside the county on Election Day.
- I have a temporary or permanent physical disability.
- I am sixty-five (65) years of age or older.
- I am the parent, spouse or dependent of a person with a temporary or permanent physical disability, who is hospitalized outside his county of residence or more than fifty (50) miles away from his residence, and I will be with such a person on election day.
- I am a member of the congressional delegation, or a spouse or dependent of a member of the congressional delegation.
- I am required to be at work on election day during the times at which the polls will be open.

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Application for Absentee Ballot (cont.):

- The Registrar may fill in the county of the election (see highlighted field below) and the date/type of election.
- The Registrar must complete the address of voter, if the absentee ballot is to be mailed
- By signing the Application, the voter acknowledges the legal consequences for making a false statement.

I hereby make application for an official ballot, or ballots, to be voted by me at the election to be held in County,
for the _____ Election.

Mail "ABSENTEE ELECTOR'S BALLOT" to me at the following address: _____

(If eligible to vote by mail).

I realize that I can be fined up to Five Thousand Dollars (\$5,000.00) and sentenced up to five (5) years in the penitentiary for making a false statement in this application and for selling my vote and violating the Mississippi Absentee Voter Law.

Application for Absentee Ballot: Acknowledgement/ Witness

- The voter must sign the Absentee Ballot Application
- An official authorized to administer oaths, such as the Registrar or a Notary, must acknowledge the voter's signature
- A witness 18 years or older may witness if the Application is completed by a voter with a temporary or permanent disability

If you are temporarily or permanently disabled, you are not required to have this application notarized or signed by an official authorized to administer oaths for absentee balloting. You are required to sign this application in the proper place and have a person eighteen (18) years of age or older witness your signature and sign this application in the proper place.

DO NOT SIGN WITHOUT READING

IN THE WITNESS WHEREOF I have hereunto set my hand and seal this the _____ day of _____, 2____,

(Signature of Absentee Elector)

SWORN TO AND SUBSCRIBED before me this the _____ day of _____, 2_____.

(Official authorized to administer oaths for absentee balloting)

(Circuit Clerk)

(Deputy Clerk)

TO BE SIGNED BY A WITNESS FOR VOTERS TEMPORARILY OR PERMANENTLY DISABLED:

I HEREBY CERTIFY that this application for an absentee elector's ballot was signed by the above-named disabled elector In my presence and that I am at least eighteen (18) years of age, this the _____ day of _____, 2_____.

(Signature of Witness)

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Application for Absentee Ballot: Certificate of Delivery

- Lastly, and only when applicable, the Certificate of Delivery must be completed by anyone requesting an application on behalf of another.

CERTIFICATE OF DELIVERY

I hereby certify that _____ has requested that I, _____
(Print name of voter) (Print name of person delivering application)
deliver to the voter this absentee ballot application. _____
(Signature of person delivering application)

(Address of person delivering application)

Remember: Only the parent, child, spouse, sibling, legal guardian, or those empowered with a power of attorney for the voter may request an absentee ballot application on behalf of a voter.



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Processing Absentee Ballots

- Remove absentee envelopes from the ballot box.
- Announce out loud the name, address, and precinct of the absentee voter as shown on the envelope.
- Check the absentee ballot application for the registrar's original seal and initials (in the lower right hand corner).
 - A copy of an absentee ballot application or a Federal Post Card Application will be attached to the absentee ballot envelope of a UOCAVA voter, or a voter who is permanently disabled and automatically receives an absentee ballot each election.



Processing Absentee Ballots (cont.)

- Compare the signature of the voter as it appears on the application to the signature of the voter as it appears on the envelope.
- Ensure the signature of the voter and witness are across the flap of the envelope.
 - Remember: a UOCAVA voter who returns his/her absentee ballot by e-mail or fax will not sign an envelope.



Processing Absentee Ballots (cont.)

- Check the pollbook to make sure the voter did not vote in person.
 - If the voter voted in person in the precinct on Election Day, reject the absentee ballot.
- Give everyone present the opportunity to challenge each absentee ballot (poll watchers, other voters, poll workers). If a ballot is challenged, follow the procedures for a “challenge” laid out in the Poll Manager’s Guide.
- Mark the envelope as “Accepted” or “Rejected,” writing the reason for the rejection across the envelope.
- In DRE counties: The unopened absentee ballot envelopes are returned to the ballot box, sealed and delivered to central tabulation for counting. The voter’s name is entered into the receipt book, and “VOTED” is marked in the pollbook.

Reference: Miss. Code Ann. § 23-15-639



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Processing Absentee Ballots (cont.)

- In non-DRE counties: The “accepted” absentee ballot envelopes are opened at the precinct, and without being unfolded or permitted to be unfolded or examined, the ballots are removed from the envelope and deposited into the ballot box with the other ballots before counting any ballots. The voter’s name is entered in the receipt book and “VOTED” is marked in the pollbook.

Reference: Miss. Code Ann. § 23-15-639



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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 purged from SEMS
 - Voter denied registration



Affidavit Ballots Are Used When (cont.):

- A voter does not have an acceptable form of photo ID.
- A voter does not have an acceptable form of photo ID and states he/she has a religious objection to being photographed.
- The presented photo ID does not “fairly depict” the voter, OR two (2) poll managers (incl. the bailiff) are unable to make that determination.



Affidavit Ballots Are Used When (cont.):

- The name on the presented photo ID is not “substantially similar” to the voter’s name as it appears on the pollbook, OR two (2) poll managers (incl. the bailiff) are unable to make that determination.
- A voter is a first-time, unverified mail-in registrant, who does not have a HAVA ID.
 - Current utility bill
 - Current bank statement
 - Current government check or paycheck
 - Other government document that shows the name and address of the voter



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/she is casting an affidavit ballot;
- Signature of the affiant;
- Signature of one of the election managers.

Reference:

Miss. Code Ann. 23-15-573



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Affidavit Ballot Checklist: **Voter's Name Not in Pollbook**

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.



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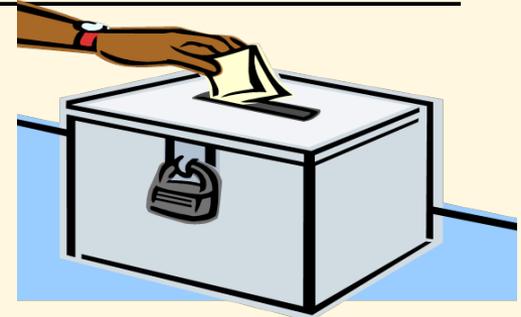
Affidavit Ballot Checklist (cont.)

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!**



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/she 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.



Affidavit Ballot Checklist

Photo ID

1. When a voter appears to vote at a precinct, the poll manager must require the voter to present Acceptable Photo ID.

Acceptable Photo ID means a current and valid:

- 1) Driver's license,
- 2) Photo ID card issued by a branch, department, agency or entity of the State of Mississippi,
- 3) United States passport,



Acceptable Photo ID (cont.)

- 4) Employee photo ID card issued by any branch, department, agency or entity of the United States government,
- 5) License to carry a pistol or revolver,
- 6) Tribal photo ID card,
- 7) United States military photo ID card,
- 8) Student photo ID card, issued by an accredited college, university or community or junior college in the State of Mississippi,
- 9) Mississippi Voter ID Card, and
- 10) Any 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.



Current and Valid

- Current means the photo ID has no expiration date at all, or was not issued more than ten (10) years prior to the date the photo ID is presented either in the precinct on Election Day or in the Circuit Clerk's Office during absentee voting.
- Valid means the presented photo ID does not appear to be a fake or forgery.



Affidavit Ballot Checklist

Photo ID (cont.)

2. If the voter is unable to present Acceptable Photo ID, he/she is entitled to vote by affidavit ballot.
3. If the voter presents an acceptable photo ID, the poll manager must next verify if the photograph on the ID fairly depicts the voter.



Affidavit Ballot Checklist

Photo ID (cont.)

- 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.



Affidavit Ballot Checklist

Photo ID (cont.)

4. 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.
5. 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.



Affidavit Ballot Checklist

Photo ID (cont.)

- 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
- If the poll manager is unable to make that determination, the poll manager must confer with the Bailiff.



Affidavit Ballot Checklist

Photo ID (cont.)

6. 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.
7. 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 cast his/her ballot.



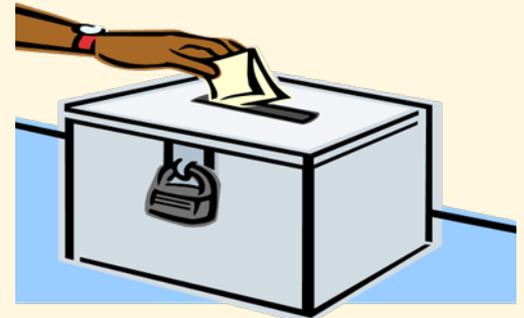
Affidavit Ballot Checklist (cont.)

8. 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!**



Affidavit Ballot Checklist (cont.)

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



Free Access System

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

- HAVA requirement
- County must have a free access system



Resolution Board



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Purpose of the Resolution Board

- Manually reviews all damaged, defective, blank or over-voted ballots rejected by the tabulating equipment.
- Determines the intent of the voter and records the vote intended by the voter.



Procedure

- Ballots rejected by a voting machine must be deposited in a strong and secure envelope marked “Resolution Board.”
- The “Resolution Board” envelope is to be handled solely by the Election Commissioners or the officials in charge of the election.
- The Election Commissioners, or the officials in charge, must then deliver the “Resolution Board” envelope to the Resolution Board.



Procedure (cont.)

- If the intent of the voter can be determined, the Resolution Board prepares a duplicate ballot to replace the damaged or defective ballot.
- The duplicate ballot can be processed through the tabulating equipment.



Preparing a Duplicate Ballot

To prepare a duplicate ballot:

- Make a copy of the original damaged or defective ballot, and
- Mark the first original as “Original #1” and the copy as “Duplicate #1”.
- Prepare subsequent originals and duplicates the same with sequential numbering.



Blank Ballots

- Blank ballots are ballots a voting machine rejects because it does not detect a vote on the ballot.
- The Resolution Board must examine a blank ballot to verify whether it is blank or marked with a “non-detectable” marking device.
- If marked with a “non-detectable” marking device, the Resolution Board prepares a duplicate ballot of the original ballot and then inserts it into the voting machine for counting.



Overvotes

- Overvotes are ballots that contain more votes for a particular race or measure than the voter is entitled to cast.
- All ballots rejected by voting machines containing overvotes must be inspected by the Resolution Board.
- If the voter's intent cannot be determined by the Resolution Board, the officials in charge of the election may use the voting machine to count the votes in the races which are unaffected by the over-vote.
- All other ballots which are overvoted are counted manually by the Resolution Board and the voter's intent shall be determined by following the provisions set forth in statute.



Evaluation Standards

1. An over-vote for any office or measure results in an invalid vote for that entire office or measure and the voter is deemed to have voted for none. An under-vote for a particular office or measure will be valid but no vote will be counted more than once.
2. If a voter casts more than one vote for the same candidate, the first vote is valid and the other votes for that candidate are invalid.



Evaluation Standards

4. For any ballot measure in which the words “for” or “against” are used, the Resolution Board shall count a vote where a voter marks the ballot by writing the words “for” or “against” so long as it is not written next to the space that is contrary to the preference.

5. For any ballot measure in which the words “yes” or “no” are used, the Resolution Board shall count a vote where a voter marks the ballot by writing the words “yes” or “no” so long as it is not written next to the space that is contrary to the preference.



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OMR Ballot Acceptable Marks

In reviewing a ballot on which a voter failed to fill in the circle, the Resolution Board shall count the vote it:

1. The voter marks the circle with an (X) or checkmark and the lines intersect within or on the line of the circle by the ballot measure or candidate.
2. The voter blackens the circle and the blackened portion extends beyond the boundaries of the circle.
3. The voter marks the ballot with an (X) or checkmark and the lines that form the mark intersect adjacent to the ballot measure or the name of the candidate.



OMR Ballot Acceptable Marks

4. The voter underlines the ballot measure or the name of a candidate.
5. The voter draws a line from the circle to a ballot measure or the name of a candidate.
6. The voter draws a circle around the ballot measure or the name of the candidate.
7. The voter draws a circle around the circle adjacent to the ballot measure or the name of the candidate.



Voting Equipment

- OMR and automatic tabulating equipment shall be programmed, calibrated, adjusted and set up to reject ballot cards that appear to be damaged or defective.
- Any switch, lever or feature on OMR or automatic tabulating equipment that enables or permits the equipment to override the rejection of damaged or defective ballots so that such ballots will not be reviewed by the resolution board shall not be utilized.



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Canvassing and Certifying the Election

Verify all ballot boxes received on election night have seal numbers which match the numbers on the form completed by the receiving and returning managers by using the written statement/affidavit in each ballot box. All ballot boxes must arrive sealed and secured.

Reference: Miss. Code Ann. § 23-15-595



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- Verify the receipt book is in the sealed ballot box.
- Be sure you receive the certified results from the receiving and returning managers. In a touch screen and precinct scanner election, the signed total tape would be considered the certification of the results.
- Complete the affidavit ballot process after tabulation.
- Make certain all signatures are on the separate receipt book kept for affidavit voters, and the ballot count matches the number of signatures.
- Do not discard any envelopes. Keep empty accepted envelopes and full rejected envelopes.

Reference: Miss. Code Ann. § 23-15-591 and § 23-15-573



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- Review absentee ballot envelopes and ensure the absentee voters' names are written in the receipt book, with AB written beside each name, and "VOTED" is written in the pollbook next to the voters' names.
- Make certain "accepted" or "rejected" was written on the absentee ballot envelopes at the precinct. Absentee ballot envelopes must be marked – envelopes should never be blank, even if assumed accepted.



- Compare the number on the Absentee Ballot Received Report Form (BP-003) printed by the Circuit Clerk out of SEMS to account for all absentee ballots.
- Remember: the absentee ballot list must be posted at the precinct upon the opening of the precinct at 7am.



- Keep the empty “accepted” absentee ballot envelopes, and the full “rejected” absentee ballot envelopes. Be sure the poll managers checked the BP-001 form under Ballot Statistics in SEMS to verify what was received.

Reference: Miss. Code Ann. § 23-15-639



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- Match the results report tapes to the number of votes cast on the touch screen machines or precinct scanners.
- Match the results report tapes to the Ballot Accounting Report Form 830.5, completed at the precinct by the poll managers.

Reference: Miss. Code Ann. § 23-15-591



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- Review all ballot accounting forms received by the receiving and returning managers which were completed at the precinct for your ballot count, then create a separate ballot accounting form for the whole county.
- Account for all ballots and lists which are noted on the ballot accounting form. It is this form which provides the numbers you need to reconcile.



- Verify the accuracy of the number of ballots provided on the written statement/affidavit completed and signed by the receiving and returning managers the day before the election.
- This number includes ballots taken to the precinct on Election Day. An affidavit should have been completed and signed by the receiving and returning managers to account for the transfer of ballots.



- Upload the results in SEMS and make sure to enter all results. Mark the winners in SEMS and close the election.
- Verify the results uploaded in SEMS coincide with all other results.

Reference: Miss. Code Ann. § 23-15-601



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- Make sure all ballot boxes are resealed and the number of the seal(s) are recorded.
- *Do not place the pollbook in the ballot box. The pollbook is subject to a public records request, while the receipt book is not.*

Reference: Miss. Code Ann. § 23-15-595



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- The recapitulation forms used to certify an election are required by state statute.
- Print out the Recapitulation Report from SEMS and verify the results.
- A minimum of three Election Commissioners must sign the form to certify the election results.

Reference: Miss. Code Ann. § 23-15-600



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Make Sure to Sign All Three Original Recapitulation Reports:

- Report for the Secretary of State's Office
- Report for the Election Commission
- Report for the Circuit Clerk's Office
- Mail the Certified Recapitulation form to the Mississippi Secretary of State's Office within 10 calendar days after the election.

Reference: Miss. Code Ann. § 23-15-601, 23-15-603



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Contact Information

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