
CHAPTER 8 ABSENT VOTER BALLOT ELECTION DAY PROCESSING

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PREPARING FOR ABSENT VOTER BALLOT PROCESSING: Absent voter ballots may be processed and counted by the board of election inspectors appointed to serve at the voter’s assigned precinct or by an absent voter counting board. An absent voter counting board is a precinct that may be established by the election commission of a city or township for the purpose of processing and counting absent voter ballots separately from precinct activity.

Absent Voter (AV) Counting Board (AVCB) Structure: A jurisdiction that uses AV counting boards must establish an AV counting board for each precinct. (Jurisdictions of 250 or more precincts are exempt.) Voters are sent precinct ballots but returned ballots are sent to the AV counting board for processing and tabulation instead of the precinct. (MCL 168.792a)

Because the AV counting boards are legally constituted precincts from a reporting standpoint they must report their results separately from the precinct. In addition combined totals of the precinct and the associated AV counting board must also be produced for the Canvass. The election results must be reported as follows:

- Precinct totals
- AV counting board totals
- Combined Precinct and AV counting board totals

Each AV counting board must use their own poll book, ballot container, and tabulator. In addition, each AVCB must produce individual precinct ballot summaries and Statement of Votes; whereas AV ballots processed in the precinct are processed and tabulated among Election Day precinct ballots and accounted for in the Election Day precinct poll book and Statement of Votes. Multiple AVCB's mirroring multiple Election Day precincts may utilize the same tabulator with an appropriately assigned ballot program, front and back pages of the Poll book, and ballot containers. If an AVCB chooses to use a single ballot container to secure multiple precinct ballots, special care shall be taken to sort and bundle each precinct's ballots separately within the ballot container.

Duties of Local Election Commission: The decision to establish an AV counting board versus processing absent voter ballots in the precinct is the local election commission's responsibility. An AV counting board must be established for each precinct.

The election commission must appoint a minimum of three inspectors to each AVCB precinct. A single group of precinct inspectors may process multiple AVCB precincts. Appointments must be made under the same procedures established for the appointment of the precinct inspectors who will serve in the polls. The commission is also responsible for providing a suitable place where the counting board will meet to process and count ballots. Such locations must be sequestered from all other activity. More than one AV counting board may be located in the same building or room.

The commission is required to establish the time that the AV counting board inspectors must report for duty. The work of the AV counting board may begin as early as 7:00 a.m.; however, it is not permitted to close until 8:00 p.m.

Clerk's Duties: The clerk is responsible for providing the precinct and absent voter counting board with all necessary supplies to process AV ballots. In addition, election inspectors at an AV counting board should receive special instruction on tasks specific to working in an AVCB.

Special Oath Required for AV Counting Board: An inspector, a challenger, or any other person in attendance at any time after the processing of ballots has begun in an AVCB must take and sign the following oath:

"I (name of person taking oath) do solemnly swear (or affirm) that I shall not communicate in any way any information relative to the processing or tallying of votes that may come to me while in this counting place until after the polls are closed."

The oath for election inspectors can be found and completed in the AVCB Poll Book. All others should complete the oath on a separate sheet and be placed in the local clerk envelope.

AVCB Prohibition: A person in attendance after the counting (tabulation) has begun is not permitted to leave until the polls close at 8:00 p.m. A person who discloses an election result or in any manner characterizes how any ballots being counted have been voted before 8:00 p.m. is guilty of a felony. (MCL 168.792a(11))

As an *exception* to the above, a local election official who established the counting board, a deputy or employee of the local election official, or an employee of the State Bureau of Elections may enter and leave after the counting has begun but before the polls close. Such persons may enter a counting place only for the purpose of responding to an inquiry from an election inspector or a challenger, to provide instructions on the operation of the counting board, or to deliver absent voter ballots returned on Election Day.

Cell Phones: *Challengers and poll watchers may not be in possession of or have access to cell phones or other communication devices in an AVCB during the sequestration period. The enforcement of this policy is critical to the integrity of the election process.*

ABSENT VOTER BALLOT COUNTING PROCEDURES: The work performed by election inspectors processing AV ballots is divided into two separate tasks: 1) **processing** absent voter ballots and 2) **counting** or tabulating the vote.

Processing: All valid absent voter ballots received by the clerk prior to Election Day and their corresponding absent voter ballot applications are delivered to the AV counting board at the start time established by the election commission and the precinct at some point after the polls open. Absent voter ballot applications for ballots which have not been returned by voters or are not valid are retained by the clerk and are not delivered. The processing of absent voter ballots is divided into three steps as explained below.

While the processing steps may be tailored to meet administrative preferences, care must be taken to ensure that ballot secrecy is not compromised in any way.

Step 1 Materials: AV return envelopes, QVF/EMP AV List, and AV applications.

- Determine the legality of the ballot by checking the signature on the absentee ballot return envelope against the voter's absent voter ballot application and checking the ePollbook or QVF Precinct List to confirm that the voter has not voted in person at the election (these steps are optional for AVCBs).

- Verify that the clerk's record area of the return envelope was completed and that the return envelope was signed. If the clerk's record area of the return envelope is incomplete, return the unopened envelope and the corresponding absent voter ballot application to the clerk for immediate correction. If the return envelope was not signed by the voter, return the unopened envelope and corresponding absent voter ballot application to the clerk for review. A ballot returned to the clerk that does not bear the voter's signature will be resubmitted to the counting board if the clerk is able to obtain the missing signature prior to 8:00 p.m. Make note of all ballots returned to the Clerk for accounting purposes at the end of the night. *Note: It is not necessary to return the envelope and corresponding absent voter ballot application to the clerk if the date is missing in the voter signature area of the return envelope; if such omission is found, continue processing.*
- If the clerk's record area of the return envelope was completed and the return envelope was signed and dated, open the return envelope and continuing processing.
- Highlight or place a check by the voter's name on the QVF/EMP Absent Voter (AV) List or ePollbook (precinct only) to indicate that a return envelope was received by the board for processing. It's important to note precinct inspectors may record AV activity by using the QVF/EMP AV List or the ePollbook. If using the QVF/EMP AV List, precinct inspectors must add the number of absent voters to the number of precinct voters to calculate the total number of voters in the precinct. That number must match the number of ballots tabulated at the end of the night.

Step 2 Materials: Opened return envelope, QVF/EMP AV List, and/or (e)Poll Book.

- Check the return envelope to determine if the voter received assistance in voting the ballot. If a notation indicating that assistance was provided appears on the envelope, record the assistance in the *Remarks* page of the (e)Poll Book. The note should include the name of the voter and the name of the individual who provided the assistance.
- Without exposing any votes, verify that the number on the ballot stub agrees with the ballot number recorded for the voter on the AV list or return envelope. If a ballot was not returned by the voter (the return envelope or secrecy envelope is empty), note the missing ballot on the *Remarks* page of the Poll Book. In making this notation, **do not** include the name of the voter involved.

If the ballot was returned in a secrecy envelope, the ballot and secrecy envelope may be removed from the return envelope to make the comparison. If the ballot was not returned in a secrecy

envelope, first verify that the ballot was folded by the voter so that the votes are concealed before removing the ballot from the return envelope to make the comparison. If the ballot does not require a secrecy envelope but is not folded so that votes are concealed, properly refold the ballot. If the ballot must be placed in a secrecy envelope or refolded, care must be taken to avoid exposing any votes cast on the ballot.

If the ballot numbers do *not* agree or the ballot stub is missing, and no explanation for the discrepancy can be found (e.g., voters residing in the same household have switched their ballots), the ballot must be processed as a *Challenged* ballot. If the ballot numbers agree, continue processing.

- Set the return envelope aside for later return to the clerk.

MAINTAINING BALLOT SECRECY: To ensure the secrecy of all votes cast, it is recommended that the processing of several return envelopes for each precinct be delayed until after 8:00 p.m. This will allow a ballot that is received by the clerk just prior to 8:00 p.m. to be intermingled by the precinct or counting board with other ballots during processing and counting. This will, in effect, preserve the secrecy of the last ballot delivered for processing and counting.

Step 3 Materials: Secrecy envelope with ballot enclosed or ballot folded with votes concealed.

- Remove the numbered ballot stub. Once removed from the ballot the stub may be discarded or retained for audit purposes at the discretion of the precinct or counting board. Secure the ballot for counting. *Do not remove the voted ballot from the secrecy envelope or unfold the ballot at this time.*

BALLOTS RECEIVED AFTER PROCESSING BEGINS: All valid absent voter ballots received by the clerk through 8:00 p.m. on Election Day must be delivered to the precinct or counting board with the corresponding absent voter ballot applications immediately upon receipt. It is the responsibility of the counting board to record the date of return on the QVF/EMP AV List or process in the ePollbook (precinct only) for each additional absent voter ballot received by the clerk and delivered to the board on Election Day.

NOTE: Consider sorting the QVF/EMP AV List by “Show Returned Ballots First” to help identify ballots returned on Election Day easier.

Counting: The counting or tabulation of votes cast on absent voter ballots is explained below.

Materials: Tabulator and secrecy envelopes with ballot enclosed or ballots folded with votes concealed.

- Remove anonymous ballots from secrecy envelopes and tabulate in multiples.
- Each ballot rejected by the tabulator must be *visually inspected* by an election inspector to *verify the reason* for the rejection. If the rejection is due to a false read the ballot must be duplicated by two election inspectors who have expressed a preference for different political parties. Duplications may not be made until after 8 p.m. in the precinct (place the ballot requiring duplication in the auxiliary bin). At an AV counting board duplications can be completed throughout the day.

NOTE: The Bureau of Elections has developed a video training series that summarizes key election day management issues, including a video on Duplicating Ballots. These videos can be accessed at the Bureau of Elections web site at www.michigan.gov/elections; under “*Information for Election Administrators*”; *Election Day Management Training Videos*.

- *After 8:00 p.m., the close of the polls*, check with the clerk to confirm that no additional ballots will be delivered for processing. Once all ballots have been delivered, complete the processing of the return envelopes retained for processing and tabulate all remaining ballots.

CLOSING PROCEDURES:

Election inspectors processing absent voter ballots in the precinct should follow the regular closing procedures for a precinct. AV counting board inspectors should complete the following steps at closing:

- Once all ballots have been tabulated and all ballots requiring duplication have been duplicated and tabulated, compare the total number of ballots tabulated per the tabulator’s public counter to the total number of ballots delivered to the board for processing. *These totals must agree.*

If the total number of ballots tabulated and total number of ballots received for processing *do not agree*, attempt to identify the reason for the discrepancy. *Tip: Double check all return envelopes are empty, check the Remarks of the Poll Book for notes regarding return envelopes that may have been empty or returned to the Clerk, and compare the return envelopes with the QVF/EMP AV list. If after reviewing these items the reason for the discrepancy is not identified, make a physical count*

of the ballots that were tabulated. To complete this check, it is recommended that the ballots be counted into stacks of 25. If the number of ballots equals the number of voters, the ballots must be retabulated. Contact the clerk for instructions.

- If the total number of ballots tabulated and the total number of AV ballots delivered for processing agree (or the specific reason(s) for any discrepancies have been noted in the *Remarks* page of the Poll Book), the Statement of Votes may be prepared. Complete the Statement of Votes and Ballot Summary for each AVCB precinct as you would for any other precinct. A minimum of three copies will be needed.
- Complete the *Certificate of Election Inspectors* found in the Poll Book for each AVCB precinct. The following four questions must be answered:

The number of voters who were issued absentee ballots (according to this Poll Book) _____.

The number of absent voter ballot return envelopes received by the Board _____.

The number of *invalid* absent voter ballot return envelopes that the clerk did not deliver to Board (according to this Poll Book) _____.

The number of absent voters who did not return their absent voter ballot to the clerk (according to this Poll Book) _____.

- Complete all remaining Poll Book entries.
- Seal all ballots into an approved ballot container and record the seal number 1) in the Poll Book and/or on all three copies of the Statement of Votes and 2) on the Ballot Container Certificate. The sealing must be attested to by two election inspectors who have expressed a preference for different political parties. If ballots for more than one AV Counting Board precinct are being placed into the ballot container, be sure to sort and bundle each AV Counting Board precinct's ballots separately.

If a mistake is found at the receiving board and the container must be opened and resealed, the replacement seal number must be recorded on all documents listed above. Once the ballot container has been received by the receiving board, it may not be opened unless authorized by the County Board of Canvassers.

EMERGENCY AV REQUESTS: In emergency situations only, a voter may apply for an absent voter ballot as late as 4:00 p.m. on Election Day. If an emergency application is received by the clerk, the counting board must be instructed to make the necessary entries on the QVF/EMP AV List that would otherwise be completed by the clerk. Once the necessary entries are made, the application must be returned to the clerk to await the return of the ballot. If the requested ballot is voted and returned to the clerk by 8:00 p.m., the clerk records the date of the return on the corresponding application and delivers both the return envelope and completed application to the counting board; the counting board must then record the date of return on the QVF/EMP AV List.

ABSENT VOTERS APPEARING AT THE POLLS:

If a voter appears at the polls that has already been issued an absent voter ballot, the ePollbook or QVF precinct list will alert the election inspector. All of the information entered into the QVF or EMP ballot tracker transfers to the ePollbook and QVF Precinct List. The following action should be taken with those voters:

Absentee Ballot sent by clerk or av-s

This voter was sent an absentee ballot. Prior to being issued a ballot in the precinct on Election Day, the voter must surrender their previously issued absentee ballot or complete the *Affidavit of Absent Voter* (available on the Bureau of Election's website and in the Appendix of this manual). This action should be coordinated with the local clerk.

Absentee Ballot [00000025] sent by clerk--Voter must surrender ballot or submit affidavit.
VOTING STATUS: Did not vote in precinct.

Absentee Ballot sent/received by clerk or av-r

This voter was sent an absentee ballot and returned it to the Clerk. **DO NOT** issue this voter a ballot as they have already voted.

Absentee Ballot [00000028] sent/received by clerk--Do not issue ballot.
VOTING STATUS: Did not vote in precinct.