



# **Managing Your Election Day Polling Place: Election Inspectors' Procedure Manual**

October 2024

Dear Election Inspector,

Thank you for working as an election inspector on Election Day. We commend you for your spirit of service to your community and appreciate your willingness to take on this important task.

You are part of a team of dedicated individuals who are working diligently to ensure that every vote is counted accurately, that procedures are fairly and impartially followed, and that voters can cast their ballots with confidence. Your knowledge and skills will be tested on Election Day, but your hard work and training have prepared you to perform at your best.

This guide is designed as a quick reference for operating your polling place in compliance with state and federal election laws. It has been updated to reflect new rights and procedures required by Proposal 2022-2 and newly enacted statutes. You will notice some blank spaces on some of the pages in this guide. As new procedures continue to be implemented, these spaces have been included to allow for the inclusion of additional material.

If questions remain after reviewing this material, please address your questions first to local officials using the contact information below.

Clerk Name: \_\_\_\_\_

Office / Cell Phone: \_\_\_\_\_

Authorized Deputy: \_\_\_\_\_

Office / Cell Phone: \_\_\_\_\_

Other Contact Information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



As you know from your training, Michigan elections are conducted under a rigorous check-and-balance system where polling places and absent voter counting boards are operated by bipartisan teams of election inspectors. Under our system, individuals always work together on everything from assisting voters to sealing ballot containers and reporting results; these tasks are completed by (at least) two election inspectors who affiliate with different political parties. Michigan uses paper ballots, vote tabulation software and electronic poll books (ePollbooks) that are not connected to the Internet on Election Day, tamper-evident ballot container seals, redundant result-reporting to different government agencies, a 14-day post-election canvass period for manually reviewing and verifying individual precinct results at the county level, recounts, and post-election audits. These features and more work to safeguard our elections.

On Election Day, we hope that voters will leave your polling place satisfied with their experience, confident that their vote counts, and with a deeper appreciation of your attention to detail and long hours of hard work. We couldn't do it without you.

Sincerely,

Michigan Department of State

Bureau of Elections



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## **I. Opening the polls / maintaining order/ closing the polls**

At least 3 election inspectors must be at the polling place throughout Election Day, and a majority of the precinct board of election inspectors must be there at all times during the election (for example, if the board has 6 inspectors, at least 4 must always be on duty). An election inspector can leave the polling place as long as there are enough election inspectors remaining on duty, and their absence does not disrupt the orderly operation of the polling place.

As you administer the polls throughout the day, it is important to employ a “check and balance” procedure to protect the integrity of the election and eliminate any appearance of impropriety. The following duties must be performed by 2 election inspectors who have expressed preferences for different political parties:

- Assisting voters who request instruction after entering a voting station.
- Opening any electronic tabulating equipment during the day to resolve issues or remove ballots (if necessary).
- Sealing electronic voting devices or any other election materials.
- After polls close, sealing ballot containers and transporting and delivering sealed ballot containers and sealed documents.

Note: Ballot container seals must be applied by 1 precinct inspector who has expressed a preference for the Democratic Party and 1 whose preference is the Republican Party. Additionally, the transport and delivery of all sealed materials after polls close must be performed by 1 Democratic Party and 1 Republican Party precinct inspector. All other tasks listed here may be performed by precinct inspectors who affiliate with any combination of two political parties, including minor parties.

### **Preparation for opening the polls**

The following tasks must be completed prior to the opening of the polls:

- Take and sign the Constitutional Oath of Office and complete the Election Inspector’s Preparation Certificate in the Pollbook (or on a form provided by the clerk).



- Display all the following:
  - A United States flag inside or outside of the polling place.
  - Sample ballots in places where voters can review them prior to voting.
  - “Vote Here,” directional and barrier-free signage.
- Post only the following official election materials provided by the clerk and remove any outdated signage from your supplies:
  - “Election Day Voter Information” poster, 2 copies.
  - Proposal language posters (if applicable).
- Check all forms and supplies against the list furnished by the clerk. Contact the clerk if any of the supplies are missing.
- Prepare the ePollbook for proper operation. (Refer to the instructions provided by your clerk and contact the clerk immediately if there are problems.)
- Prepare the tabulator for proper operation and compare the tabulator serial number and tabulator memory seal number with Clerk’s Preparation Certificate in the Pollbook. (Refer to the instructions provided by your clerk and contact the clerk immediately if there are problems.)
- Set up the voter assist terminal (VAT) and privacy screens, compare the VAT serial number and memory seal number with the Clerks’ Preparation Certificate in the Pollbook and ensure the VAT is ready to use. (Refer to the instructions provided by your clerk.)
- Set up and arrange the polling place, ensuring:
  - Voter privacy in the voting stations, including any seated voting stations. Ensure at least one voting station is available at seated height. Be mindful of voter foot traffic and exterior windows when arranging the room.
  - Workstations are arranged to process voters in an orderly manner.
  - A public area for poll watchers is clearly marked and distinguishable from the voting area; the public area must provide ample space to observe the election without disrupting the voting process.



- A ten-foot privacy perimeter around the tabulator.
- Outside of the building where the polling place is located, measure and identify the 100-foot line where individuals who wish to solicit voters outside of the polls may conduct their activities. (For additional information, refer to the “Campaigning at Polls/Exit Pollsters” section.)
  
- Outside of the building where the polling place is located, ensure that either:
  - The main entrances to the building and the polling place are fully accessible to the elderly and disabled, or
  - If the accessible entrance to either the building or the polling place is different from the main entrance, ensure that the separate entrance is clearly marked as an accessible entrance. If the accessible entrance is not clearly visible from the main entrance, ensure there is a sign providing clear direction to the accessible entrance.

## **Establishing polling place “greeters”**

If there are a sufficient number of election inspectors available, you should consider assigning some election inspectors as polling place “greeters” that can communicate with and assist voters while they are approaching the polling place or in line. These greeters can assist with the following functions:

- Ensuring voters are at the correct polling place or precinct.
- Ensuring voters have already registered to vote (and if not, directing them to the clerk’s office).
- Helping voters with disabilities or others needing assistance in voting.
- Ensuring proper enforcement of regulations outside the polling place.
- Answering questions and other functions as necessary.





## Maintaining order in the polls

Michigan election law authorizes the precinct board to “maintain peace, regularity and order at the polling place.” Precinct inspectors possess this authority because voters have a right to vote a secret ballot in a secure, orderly environment free of distractions. Following Proposal 2022-2, the state Constitution expressly prohibits people from engaging in harassing, threatening, or intimidating conduct, or using any means to interfere with the fundamental right to vote.

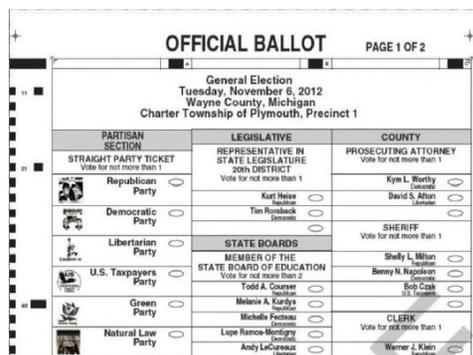
## Use of cameras, mobile devices, television and recording equipment in the polls

To ensure that all voters have an opportunity to exercise their right to vote in private without undue distractions or discomfort, the following must be observed:

- Voters may use mobile devices while waiting in line at the processing table if not disruptive to the voting process.
- **Voters who have entered a voting station to vote may take a photo of their own ballot only, while they are within the voting booth.**
  - Voters are prohibited from taking “selfies” of themselves, either in the voting booth or anywhere within the area where people are voting.
  - Voters are prohibited from taking any other type of photograph within the area where people are voting.
  - Voters may not share images of a voted ballot within 100 feet from the polling place.



## ALLOWED



## PROHIBITED



- **Challengers and poll watchers are prohibited from taking photos or recording** in the polling place during the hours the polls are open for voting. (Note, however, that challengers and poll watchers may use other applications on mobile devices if not disruptive or intrusive.)
- **Broadcast stations and news reporters are permitted to briefly take photos or record from the public area** of the polling room only.
- News reporters, photographers and videographers can't use cameras in the voting area.
  - If the public area of the polling room is too small to allow recording without disrupting the voting process, the camera must be put in the entryway to the polling room. Ensure that recording does not restrict voters from entering or exiting the polling room.
  - Reporters must not interview voters inside the polling place.
  - The precinct chairperson must supervise the recording process to ensure that ballot secrecy is fully protected, and no voters are inconvenienced by recording.
- **Television watching is prohibited** in the polling room during voting hours.



## Actions to take if problems occur

If a voter, challenger, or poll watcher is disruptive or refuses to observe all applicable standards of conduct, warn the individual that they will be ejected from the polls if problems persist. If problems continue, eject the individual from the polling place. If the individual refuses to leave, contact the clerk and if necessary, local law enforcement for assistance. Be sure to document the incident and any remedial actions taken in the Remarks section of the physical pollbook. Remember that if an individual appears to be disruptive, it may be because of a mental health condition or disability. Precinct inspectors should remain calm and provide reasonable accommodations as necessary to ensure voting access.

## Closing the polls

The polling place must remain open for voting until 8:00 p.m. At 8:00 p.m., the precinct chairperson must publicly announce the closing of the polls by declaring, "The polls are now closed." **Every voter standing in line at 8:00 p.m. must be permitted to vote, and a precinct inspector should advise those in line that they may stay in line and vote.** At Election Day Vote Centers or clerk satellite office locations where both voter registration and voting take place, this includes eligible voters who are standing in line to *register* to vote.

The public is permitted to observe the closing procedure. Access doors to the polling place must remain unlocked until the closing procedure is concluded.

After the closing procedure is complete and precinct inspectors have obtained the vote totals, the results must be made available to any interested person who may be present in the polling place by posting one copy of the totals tape.

Persons observing the closing of the polls must not enter the processing area and must conduct themselves in an orderly manner. The precinct board's authority to maintain order continues through the closing procedure, and if necessary, precinct inspectors may eject unruly observers to complete the precinct's records without disruption or distraction.

## Final closing procedures

After all voters are processed and have voted, verify:



- All ballots (except provisional envelope ballots) have been tabulated, including absent voter ballots or ballots requiring duplication (if applicable), and ballots that may have been placed in the auxiliary bin due to an emergency.
- Generate at least 3 totals tapes.
- The number of ballots tabulated plus the number of provisional envelope ballots equals the number of voters according to the List of Voters. If these numbers do not match, ensure that a written explanation is provided in the Remarks section of the ePollbook to explain the reason for the discrepancy.
- All valid write-in votes have been tallied in the Pollbook.
- All *Provisional Ballot Forms* are properly recorded and sealed in the Provisional Ballot Storage Envelope.
- The *Ballot Summary Report* is completed, and any discrepancies are recorded in the Remarks section of the ePollbook.
- The *Election Inspectors Completion Certificate* in the Pollbook is complete, including the signatures of all election inspectors present at the close of polls.
- Totals tapes are attached to each copy of the *Statement of Votes* and signed by all election inspectors present at the close of polls.
- All used and unused ballots, VAT ballots, spoiled and original ballot envelopes (but not the provisional ballot storage envelope) are sealed in an approved container, and the seal number is correctly recorded on the *Ballot Container Certificate* and on the Election Inspector Certificate of the Pollbook by 1 precinct inspector who affiliates with the Democratic Party and 1 precinct inspector who affiliates with the Republican Party.
- Three copies of the *Statement of Votes* and Pollbook have been placed in the appropriate envelopes or prepared in a sealed envelope for compilation at the Receiving Board.
- The tabulator memory device, if removed, is properly sealed into an approved transfer container, and the seal number is correctly recorded in the Pollbook.



- The ePollbook flash drive is placed in an envelope under red paper seal or into an approved transfer container under approved seal.
- Materials are transported and delivered to the Receiving Board by 1 precinct inspector who affiliates with the Democratic Party and 1 precinct inspector who affiliates with the Republican Party.

## **Procedure for reconciling a discrepancy**

If the total number of ballots tabulated and total number of voters who were issued a ballot (according to the List of Voters) do not agree, attempt to identify the reason for the discrepancy.

Review the Remarks section of the ePollbook for any discrepancies among the number of ballots counted, the number of names on the List of Voters, the number of Applications to Vote, and the number of ballots tabulated as indicated on the totals tape.

If absent voter ballots were processed in the precinct, verify that all absent voter ballots were removed from their envelopes and secrecy sleeves and tabulated by inspecting all the Absent Voter Ballot Return Envelopes and secrecy sleeves. Confirm that the names of all absent voters are included in the ePollbook or AV Addendum List. Check whether all ballots requiring duplication were removed from the auxiliary bin, duplicated and tabulated.

Verify that all missing voters were added to the "Unlisted" tab of the ePollbook and appear on the List of Voters.

Determine whether any provisional envelope ballots were issued. The number of ballots tabulated will be one less than the number of voters listed on the List of Voters for each envelope ballot issued. For example: 500 voters in the ePollbook, 499 ballots tabulated, 1 envelope ballot.

Compare the number of Applications to Vote to the number of voters on the List of Voters. Next, review the applications one by one and compare them to the names of voters listed on the List of Voters. Manually count the total number of ballots tabulated, including any ballots removed from the main and write-in bins, into stacks of 25. The count should be carried out by teams of two election inspectors, with one inspector placing the ballots into the piles while the second inspector visually verifies the count.

Document all steps taken to reconcile the discrepancy in the Remarks section of the ePollbook.



## II. Processing voters

**The instructions in this section apply to voters who are already registered to vote in the precinct and require no special processing.**

Procedures for voters whose records are marked with status flags or who have recently moved are addressed in the "Voters with Status Flags/Voters Who Have Moved" section. Instructions for processing voters who were sent an absent voter ballot are provided in the "Voters with Status Flags" section, as well as *Absent Voters in the Polls*. Instructions for individuals who wish to register to vote on Election Day or whose names are not in the ePollbook are provided in the "Missing Registration/Provisional Ballots" section.

There are five basic steps that must be followed when issuing ballots: (1) identifying the voter; (2) recording the voter in the ePollbook; (3) offering instruction; (4) issuing a ballot; and (5) verifying ballot number and instructing the voter to insert ballot into tabulator.

### Step 1: Identifying the voter

- A. Ask the voter to print and sign their name, current residential address, and day and month of birth on the Application to Vote.
- B. Compare the day and month of birth and address on the Application to Vote with the voter's birthdate and address in the ePollbook. (Note: The year of birth is not required.)

#### Application to Vote – Poll List

*Picture identification requirement: All Michigan voters must show a Michigan driver's license, a Michigan personal identification card or some other acceptable form of picture identification before voting. A voter who is unable to show picture identification can vote after signing an affidavit attesting that he/she is not in possession of picture identification.*

Date of Election \_\_\_\_\_ Precinct \_\_\_\_\_

ELECTION INSPECTOR COMPLETES	PRINT NAME: _____
<input type="checkbox"/> AFFIDAVIT ON REVERSE COMPLETED	DATE OF BIRTH: _____
ELEC. INSP. INITIAL	RESIDENCE ADDRESS: _____
BALLOT STYLE	I certify that I am a United States citizen and a registered and qualified elector in this precinct, and hereby make application to vote at this election.
BALLOT NO.	SIGN HERE  X _____
VOTER NO.	SIGNATURE OF VOTER



C. Ask the voter to show acceptable photo ID. Be sure to ask all voters for photo ID, including voters you personally know, because all voters must be treated equally. **Note: voters without photo ID may still vote a regular ballot by signing an affidavit.**

**Acceptable photo ID**

**Note:** The **address** on the ID does **not** need to match the voter registration address.

Voters can satisfy the ID requirement with the following forms of identification:

- Michigan driver’s license or personal ID card (may be expired)
- Current driver's license or personal ID card from another state
- Current federal, state, or local government issued photo ID - including US passport and military ID
- Current photo ID from an educational institution
- Current tribal photo ID

**Voters unable to show acceptable photo ID may vote a regular ballot by signing an affidavit:**

Every voter who states that they do not have acceptable photo ID or did not bring acceptable photo ID may vote a **regular** ballot by signing an *Affidavit of Voter Not in Possession of Picture ID*, located on the reverse side of the Application to Vote, before voting. Ensure that the precinct inspector completes the section “To be completed by Election Inspector” and checks box on front side of Application to Vote “Affidavit on Reverse Completed.”

**AFFIDAVIT OF VOTER NOT IN POSSESSION OF PICTURE IDENTIFICATION**

I, \_\_\_\_\_ hereby affirm that I am  
(Print Name)

not in possession of a driver’s license, a state-issued personal identification card or any other acceptable form of picture identification and wish to vote.

By signing this affidavit, I swear/affirm that the statements made above are true.

SIGNATURE OF VOTER: X \_\_\_\_\_

Penalty: Making a false statement in this affidavit is perjury, punishable by a fine up to \$1,000.00 or imprisonment for up to 5 years, or both.

**To be completed by Election Inspector**

Sworn and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_,

I certify that the elector named above has completed the above affidavit in my presence.

X \_\_\_\_\_  
Signature of Election Inspector



D. If the voter provides acceptable photo ID, check the photo and name to verify the voter's identity. Confirm that the name on the ID matches the name on the Application to Vote, keeping in mind that commonly used abbreviated names are acceptable (i.e., Bill for William or Kathy for Kathryn). An initial for the voter's first name is also acceptable. The address does not need to match.

**Important notes:**

- A voter not in possession of photo ID who refuses to sign the *Affidavit of Voter Not in Possession of Photo ID* cannot vote and should be referred to the clerk. The procedure is the same as that used for voters who refuse to complete an Application to Vote: No ballot is issued, and the voter is not eligible for a provisional ballot.
  - A voter who claims to have photo ID but refuses to show it cannot vote and should be referred to the clerk. The voter does not have the option of signing the *Affidavit of Voter Not in Possession of Photo ID* as the affidavit is for voters who can truthfully state that they are not in possession of photo ID. The voter is not eligible for a provisional ballot.
  - The voter's current address does not need to appear on the photo ID. Photo ID is only used to verify the voter's identity.
  - A voter cannot be challenged simply because they are not in possession of acceptable photo ID, provided the voter signs the *Affidavit of Voter Not in Possession of Photo ID*. A voter who is unable to show acceptable photo ID can be challenged only if there is "good reason to believe" that the person is not qualified to vote in the precinct, independent of the voter's inability to provide acceptable photo ID. Refer to the section on "Challengers/ Types of Challenges/Poll Watchers" for further information.
- E. Check the ePollbook to determine if the voter's record includes a status flag indicating they need to fix a registration issue or satisfy the federal ID requirement, voted early or that they were sent and/or returned an absent voter ballot. Refer to the section on "Voters with Status Flags/Voters Who Have Moved" for further instructions.
- F. After the voter has been identified and has resolved any status flags, the election inspector in charge of processing voters initials the Application to Vote.



### **Important notes:**

- If the name on the *Application to Vote* does not match the name in the ePollbook, determine the reason. The difference may be attributable to a spelling correction, court order, marriage, or other circumstance. A voter whose name has changed must complete and sign the *Application to Vote* with the name used at the time of registration.
- If the voter shows an acceptable photo ID and questions over the voter's identity remain, refer to "Special Procedure if Photo ID Leaves Voter's Identity in Question" in this section.
- If the voter has a status flag, or if the address on the *Application to Vote* does not match the address in the ePollbook, refer to the section on "Voters with Status Flags/Voters Who Have Moved."
- If the voter's registration cannot be found in the ePollbook, refer to the section on "Missing Registration/Election Day Registration/Provisional Ballots."

### **Special procedure if photo ID leaves the voter's identity in question:**

First, consider the age of the photo and any explanation the voter may offer (weight gain or loss, hairstyle or facial hair alterations, different eyeglass frames, etc.). If questions over the voter's identity remain, ask to view other acceptable forms of photo ID that the voter may be carrying.

If doubt persists, contact the clerk. Refer to the *Provisional Ballot Form* and in the area of the form that is designated "Other Envelope Ballot Reasons," record the voter's name, voter number, and mark the "Elector produced photo ID to satisfy the Michigan voter identification requirement ..." box. Next, give the voter a copy of the *Notice to Voters Unable to Satisfy State and/or Federal Identification Requirement*.

## **Step 2: Recording the voter in the ePollbook**

Once you determine that the voter is qualified to vote, process the voter in the ePollbook and enter the ballot number issued to the voter. (Refer to the *Electronic Pollbook User's Manual*.) In addition, record the ballot number and voter number next to the voter's name on the *Application to Vote*.



## Step 3: Offering instruction

Offer instructions to each voter on the voting process. **Never attempt to influence the voter's choices.**

**Always offer to give instruction on all aspects of the voting process** including instruction on the procedure for casting a write-in vote. You may limit your instruction to the procedure for casting a write-in vote if requested by the voter; otherwise, instruction on all aspects of the voting process must be offered to avoid any appearance that the precinct board is promoting write-in candidates.

If a voter requests information about any write-in candidates, advise the voter to contact the clerk. **Do not display the names of write-in candidates** inside the polling place or provide the names of write-in candidates while processing voters.

**Warn that votes cannot be cast for more candidates than the number stated in the office heading.** For example, if the ballot states, "Vote for not more than 1," do not vote for more than one candidate for the office; if the ballot states, "Vote for not more than 2," vote for up to two candidates for that office.

**In a partisan primary, remind voters that they must vote for candidates under a single party heading.** Voters cannot "split their ticket" in a partisan primary (but split ticket voting is permitted in general elections), they must choose a party in the voting booth and vote only for candidates of that party.

If the voter asks for additional instruction after entering the voting station, two election inspectors who have expressed a preference for different political parties must approach the voting station to provide the requested instruction. After instructing the voter, leave the voting station to allow the voter to vote in private. **Note:** A voter who is blind, disabled or unable to read or write may be assisted with their ballot by any person of the voter's choice, other than the voter's employer or agent of that employer or an officer or agent of a union to which the voter belongs. If the voter requests assistance in marking the ballot, refer to the section on "Assisting Voters."

## Step 4: Issuing a ballot

Double-check that the appropriate ballot style as indicated in the voter's record in the ePollbook was issued.



Give the voter the ballot, ballot secrecy sleeve, and their completed Application to Vote. Direct the voter to the next available voting station to vote the ballot.

## **Step 5: Verifying ballot number and instructing the voter to insert ballot into tabulator**

Maintain a ten-foot privacy perimeter around the tabulator. The precinct inspector who monitors the tabulator must be in a position at least 10 feet away from the tabulator to protect ballot secrecy and voter privacy.

**Verify ballot number:** After marking their ballot, the voter must insert the ballot into the ballot secrecy sleeve with only the numbered ballot stub exposed, if there is a ballot stub,<sup>1</sup> and present the ballot and the *Application to Vote* to an election inspector for verification. Ensure that the voted ballot remains inside the sleeve showing only the numbered stub during the verification step. If necessary, instruct the voter to insert the ballot into the secrecy sleeve. Verify that the number on the stub of the voter's ballot, if there is a ballot stub, matches the ballot number recorded on the *Application to Vote*.

**Instruct voter to insert ballot into tabulator:** If the numbers match, tear off the stub, spindle the Application to Vote, and instruct the voter to feed the ballot into the tabulator. Retain or dispose of stubs as directed by the clerk.

If the ballot is rejected by the tabulator, refer to the section on "Tabulator Rejected Ballots/Spoiled Ballots/Exposed Ballots."

**Special procedure if voter is issued a provisional envelope ballot:** A provisional envelope ballot is not inserted into the tabulator. After completing the "Verify Ballot Number" procedure, instruct the voter to place the voted ballot inside the *Provisional Ballot Form* envelope, seal the envelope, and return the sealed envelope to the election inspector. The election inspector places the *Provisional Ballot Form* envelope inside the *Provisional Ballot Storage Envelope* for delivery to the clerk. Do not place the *Provisional Ballot Storage Envelope* in the ballot container. **Note: Do not put provisional affidavit ballots into sealed envelopes. Provisional affidavit ballots are inserted into the tabulator.**

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<sup>1</sup> Ballots produced by a Voter Assist Terminal, or an on-demand ballot printing system ("ballot on demand") system, might not have numbered stubs.



**Protecting the secrecy of the ballot:** Only minor children and those persons who are duly authorized to provide voting assistance may be present in the voting station when the voter marks their ballot.

For more information, refer to the section on “Assisting Voters.”

**Important notes:**

- If the number on the ballot stub does not match the number of the ballot issued to the voter, verify with the election inspector that the number was accurately recorded, then if necessary, question the voter and enter the facts in the Remarks section of the ePollbook. If the voter cannot give a satisfactory answer, contact the clerk for instruction.
- If the ballot stub for a ballot that should have a ballot stub is missing and cannot be accounted for, reject the ballot. Enter a notation in the Remarks section of the ePollbook and contact the clerk for further instruction.
- A voter is prohibited from leaving the polling place with their Application to Vote, ballot or ballot stub. If a voter attempts to leave the polls with any of these materials, instruct the voter to return them. If the voter refuses to comply, record the facts in the Remarks section of the ePollbook and contact the clerk.

If a voter deliberately shows any person in the polling place how they voted or deliberately abandons their ballot, reject the ballot or make a remark in the ePollbook, refer to the “Tabulator rejected ballots/spoiled ballots/exposed ballots” section.



# III. Campaigning at the polls/exit pollsters

## Campaigning at the polls

Michigan law prohibits a person from posting, displaying, or distributing inside a polling place or any hallway used by voters to enter or exit a polling place, or within 100 feet of an entrance to a building in which a polling place is located, “any material that directly or indirectly makes reference to an election, a candidate, or a ballot question.” Note, while this restriction applies to candidates and ballot proposals appearing on the ballot, it does not apply to official election materials that are required by law to be posted, displayed, or distributed in a polling place on Election Day.

Within 100 feet of an entrance to a polling place, the following activities are prohibited:

- Displaying “pro and con” information or “vote for/against” materials regarding the candidates or proposals that appear on the ballot. School gear that does not say “vote for/against” is allowable.
- Approaching voters to verbally encourage them to vote for or against any person or question on the ballot.
- Distributing any type of campaign literature or write-in information.
- Displaying campaign signs, posters, or bumper stickers.
- Collecting petition signatures.
- Requesting donations, selling tickets or engaging in similar activities.

Election inspectors must direct voters entering the polls to remove or cover up campaign buttons, hats, or clothing that refers to a candidate, campaign slogan, or political party or interest group on this election’s ballot. Instruct voters to conceal campaign literature or other campaign materials brought into the polling room. A voter may discreetly refer to their own personal notes, campaign literature or “slate cards” when voting, but the materials must not be left behind in the voting station. Election inspectors must periodically check each voting station for campaign literature or materials left by voters and discard any that is found.

A voter may park a vehicle displaying campaign signs or bumper stickers within 100 feet of the polling place during the time they are voting. In any



other circumstance, vehicles with campaign signs or bumper stickers must be parked at least 100 feet from any entrance to the building in which the polling place is located.

Candidates appearing on the ballot cannot remain in the polling place after voting and are subject to the 100-foot restriction.

## **Exit pollsters**

“Exit pollsters” are persons employed to survey voters **after** they have voted. While Michigan law does not specifically regulate exit polling, the Bureau of Elections recommends that exit pollsters do all of the following:

1. Remain at least 20 feet away from the exterior building entrance or exit in which the polling place is located.
2. Refrain from entering the building in which the polling place is located.
3. Refrain from questioning any person entering the building in which the polling place is located.

**All exit polling must be conducted discreetly** to ensure that voters who have not yet entered the polling place to vote are not influenced by what they hear during another voter’s exit polling interview.

## **Handling violations**

If a person persists in violating any of these restrictions on Election Day, contact the clerk or, if necessary, a local law enforcement agency.



# IV. Challengers and poll watchers/ types of challenges

## Challengers and poll watchers

In Michigan, political parties and other qualified organizations may appoint challengers to observe the electoral process. Challengers serve an important and constructive role in ensuring that elections are conducted in an open, fair, and orderly manner. Detailed instructions on the obligations and rights of challengers, and the obligations and rights of election inspectors interacting with challengers, can be found in Bureau of Election publication *The Appointment, Rights, and Duties of Election Challengers and Poll Watchers*.

## Election inspectors' duty to direct challengers; challenger's obligation to follow election inspector's directions

Above all, challengers present at an Election Day polling place must follow directions issued by the election inspectors working at the precinct or polling place. Election inspectors have a duty to maintain order and facilitate the peaceful conduct of elections. In fulfilling that duty, election inspectors may issue directions to challengers on topics that include (but are not limited to) the following:

- Directing challengers on how to conduct themselves in accordance with the instructions laid out in *The Appointment, Rights, and Duties of Election Challengers and Poll Watchers*.
- Directing challengers on where to sit, stand, or otherwise be physically present in the precinct or polling place.
- Directing challengers to cease any behavior prohibited by *The Appointment, Rights, and Duties of Election Challengers and Poll Watchers*.
- Directing challengers to cease any behavior that intimidates voters or disrupts the voting process.
- Directing challengers who repeatedly violate the instructions laid out in *The Appointment, Rights, and Duties of Election Challengers and Poll*



*Watchers*, or who repeatedly ignore directions from election inspectors, to leave the precinct or polling place, or requesting that the local clerk or local law enforcement remove the challenger from the precinct or polling place.

If a challenger believes that an election inspector is issuing directions that conflict with the instructions laid out in *The Appointment, Rights, and Duties of Election Challengers and Poll Watchers*, or is issuing directions that are otherwise inappropriate, the challenger should discuss the directions with the challenger liaison. If the challenger is still dissatisfied after discussing with the challenger liaison, the challenger should contact the local clerk.

### **Challenger liaison**

One election inspector at each precinct should be designated the challenger liaison. If no election inspector has been designated, the challenger liaison is the precinct chairperson. The precinct chairperson or the challenger liaison can designate other election inspectors at their precinct to serve as challenger liaisons or designees of the challenger liaison at any time, and multiple challenger liaisons can serve at a single precinct at the same time. The challenger liaison is responsible for all of the following:

- Introducing themselves to challengers and identifying themselves as the challenger liaison when a challenger arrives at the precinct or polling place.
- Checking that challengers possess proper physical or digital credentials that identify the challenger, identify the organization appointing the challenger, and which are signed by the chairman or presiding officer of that organization.
- Answering challenger questions, so long as those questions do not interfere with the challenger liaison's duties as an election inspector and do not interfere with voters or the voting process.
- Receiving each challenge as it is made, and determining if the challenge is impermissible, rejected, or accepted, as described below.
- Recording rejected or accepted challenges in both the ePollbook and physical pollbook.
- Informing challengers of both the rights of challengers and restrictions on challenger behavior.



- Ensuring the peace and order of the precinct and polling place, including by warning challengers of unacceptable behavior and, if necessary, ejecting disruptive challengers.

## **Arrival and number of challengers at an in-person precinct on Election Day**

When a challenger arrives at a precinct on Election Day, the challenger must introduce themselves to the challenger liaison. The challenger must show the challenger liaison a valid credential listing the challenger's name, the organization that appointed the challenger, and the date of the election at which the challenger is serving. The credential must also be signed by the chairman or presiding officer of the organization appointing the challenger. The credential may be physical or digital. The challenger does not enjoy any of the rights of a challenger until the challenger introduces themselves to the challenger liaison. The challenger's name, the organization that the challenger represents, and the time of the challenger's arrival should be noted in the pollbook.

**While present at the precinct, the challenger may communicate only with the challenger liaison or the challenger liaison's designee, unless the challenger liaison gives the challenger permission to communicate with other election inspectors.**

Only two challengers from any single organization may be present at a precinct conducting in-person voting on Election Day. If two challengers from the same organization are present, both challengers enjoy the rights afforded to challengers, except that at any given time only one of the two challengers can be designated to make challenges. The challengers must make known to the challenger liaison which of the two challengers is designated to make challenges. The challengers may agree to change which challenger is designated to make challenges at any time, but the challengers must inform the challenger liaison of that change. If more than two challengers from any single organization are present at the precinct on Election Day, the extra challengers may act as poll watchers (refer to the "Poll watchers" section of this document). Extra challengers acting as poll watchers have none of the rights of a challenger; extra challengers acting as poll watchers must abide by the duties and obligations placed on poll watchers.

A polling place may contain multiple precincts. In those cases, each organization fielding challengers is permitted to have two challengers



present at each precinct within the polling place. A challenger may serve at multiple precincts, but in no circumstance can more than two challengers representing the same organization serve at a single precinct at the same time. A challenger must introduce themselves and show their credential to the challenger liaison at each precinct in the polling place at which they wish to serve.

## Making challenges

Properly credentialed challengers may challenge either a voter's eligibility to cast a ballot or the way in which election inspectors carry out certain processes. The specifics of both kinds of challenge, and the duties of election inspectors when those challenges are made, are explained below. Generally, challenges fall into three categories:

- **Impermissible challenges:** An impermissible challenge is a challenge made to something other than a voter's eligibility or an election process, a challenge made without a sufficient basis, or a challenge made for a prohibited reason. An impermissible challenge is not recorded in the pollbook, and repeated impermissible challenges may result in a challenger's removal from the precinct or polling place.
- **Rejected challenges:** A rejected challenge is a challenge that is permissible but which is not accepted. Whether a challenge is rejected or accepted is a context-specific determination that depends on the type of challenge being made, as explained below. If a challenge is permissible but rejected, the election inspector must record in the pollbook the challenger's name, the time of the challenge, the substance of the challenge, and the reason the challenge was rejected.
- **Accepted challenges:** An accepted challenge is a challenge that that is determined to be correct. If a challenge is accepted, the election inspector must record in the pollbook the challenger's name, the time of the challenge, the substance of the challenge, and the actions taken by the election inspectors in response to the challenge.

Challenges may not be made in a way that disrupts the voting process.

## Challenges to a voter's eligibility

A challenger may challenge a voter's eligibility to cast a ballot if the challenger has a good reason to believe that the person is not a registered



voter. There are only four permissible reasons to challenge a person's registration status:

1. The person is not registered to vote.
2. The person is less than 18 years of age on Election Day.
3. The person is not a United States citizen.
4. The person has not lived in the city or township in which they are attempting to vote for 30 or more days prior to the election.

The challenger must cite one of the four permissible reasons that the challenger believes that the person is not registered to vote, and the challenger must explain the reason that the challenger holds that belief. If the challenger does not cite to one of the four permitted reasons to challenge a person's registration, or provides an improper reason for challenging the person's eligibility to vote, the challenge is impermissible and need not be recorded. **Improper reasons for challenging a person's eligibility to vote include, but are not limited to:** the voter's race or ethnic background; the voter's sexual orientation or gender identity; the voter's physical or mental disability; the voter's inability to read, write, or speak English; the voter's need for assistance with the voting process; the voter's manner of dress; the voter's support for or opposition to a candidate, political party, or ballot question; the appearance or the challenger's impression of any of the preceding traits; or any other characteristic or appearance of a characteristic that is not relevant to a person's qualification to cast a ballot.

If the challenger cites one of the four permissible reasons to challenge a person's registration status, but cannot provide or refuses to provide support for that challenge, the challenge is impermissible.

**A voter's eligibility to vote cannot be challenged on the grounds that the voter is not in possession of photo identification so long as the voter signs an Affidavit of Voter Not In Possession of Picture ID.**

**A challenger may challenge a voter's eligibility only by making the challenge to the challenger liaison or the challenger liaison's designee. The challenger must make the challenge in a discreet manner not intended to embarrass the challenged voter, intimidate other voters, or otherwise disrupt the election process.**



If a permissible challenge is made to a person's eligibility to vote, the challenge must be handled using the following process:

1. The voter is sworn in by the precinct chairperson or another election inspector using the following oath:  
"I swear (or affirm) that I will truly answer all questions put to me concerning my qualifications as a voter."
2. The election inspector who administered the oath asks the voter to confirm that they meet the criteria to be eligible to cast a ballot. The election inspector may ask the voter only the questions necessary to confirm that they meet the criteria disputed by the challenger; the election inspector may not ask the voter any other questions.
3. If, after questioning under oath, the voter confirms they are eligible to vote, the challenge is rejected and the voter is permitted to vote a challenged ballot. A challenged ballot is prepared by writing the voter's ballot number on the ballot, then covering the number with tape or a slip of paper. **The voter then completes the ballot and casts the ballot by feeding the ballot into the tabulator in the same manner as an unchallenged voter.**
4. If the voter does not confirm they are eligible to vote after questioning under oath, the challenge is accepted and the voter is not allowed to cast a ballot. If the voter refuses to take the oath or to answer questions designed to verify the voter's eligibility, the challenge is accepted and the voter cannot cast a ballot.

The election inspector should take the challenged voter aside to administer the oath and ask the required questions. Election inspectors should administer the oath and ask the required questions in a manner that does not humiliate, degrade, or embarrass the challenged voter. The oath and questioning process should be carried out in a manner that does not unduly delay the challenged voter.

Permissible challenges to a voter's eligibility are recorded in both the ePollbook and the physical pollbook. When a voter's eligibility is permissibly challenged, the election inspector selects "Challenged Voter" in the ePollbook, which automatically creates a notation of the challenge and the challenge's outcome. In addition, the election inspector should also record the challenge on the "Challenged Voters" page of the physical pollbook. A challenger cannot appeal a determination that a challenged voter is eligible



to vote on Election Day. Outstanding challenges to a voter's eligibility after Election Day may be adjudicated through the judicial process.

## Challenges to absent voters in the polls

A voter who requested an absent voter ballot may vote in person so long as their local clerk has not received their absent voter ballot by the time they attempt to vote in person. In some situations, these voters may be subject to challenge as an absent voter in the polling place. **A voter is subject to challenge as an absent voter in the polling place only if the pollbook indicates that an absent voter ballot was sent to the voter and only if the voter does not surrender or vote the absent voter ballot at the polling place on Election Day.** (Following Proposal 2022-2, a voter may tabulate their absent voter ballot at an early voting site or Election Day polling place. These individuals are not subject to challenge.)

A voter who received an absent voter ballot but who surrenders that absent voter ballot to election inspectors at the polling place on Election Day may vote a regular ballot. **Such a voter is not subject to challenge as an absent voter in the polling place and a challenge on those grounds is impermissible.**

A voter for whom the pollbook indicates an absent voter ballot was sent may not have received the ballot, may have lost or destroyed the ballot, or may have mailed the ballot back to the clerk so close to Election Day that the ballot may not arrive in time to be counted. **In these situations, the election inspector must always call the local clerk to verify that the voter's absent voter ballot has not been returned to the clerk.** Once the clerk verifies to the election inspector that the absent voter ballot was not returned to the clerk, the voter must sign an affidavit of lost or destroyed absent voter ballot stating that the voter did not successfully return the ballot. Absent a challenger issuing a challenge against that voter, the voter is then permitted to cast a regular ballot.

A voter for whom the pollbook indicates an absent voter ballot was mailed may be challenged as an absent voter in the polling place even after the clerk verifies the absent voter ballot has not been returned and after the voter signs the affidavit stating that the voter did not return the ballot; if such a voter is challenged, that voter is permitted to cast a challenged ballot. **So long as the clerk confirms that they have not received the voter's absent voter ballot, the voter is permitted to vote in the polling place on Election Day.** A challenged ballot is prepared by writing



the voter's ballot number on the ballot, then covering the number with tape or a slip of paper. The voter then completes the ballot and casts the ballot by feeding the ballot into the tabulator in the same manner as an unchallenged voter.

## Challenges to an election process

A challenger may challenge a voting process, including the way that election inspectors are operating a polling place or processing absent voter ballots at an absent voter ballot processing facility. **A challenge to an election process must state the specific element or elements of the process that the challenger believes are being improperly performed and the basis for the challenger's belief.**

A challenge to an election process is impermissible and should not be recorded by the election inspectors if the challenger cannot identify a specific element or element of the process whose performance the challenger believes improper. A challenge to an election process is also impermissible if the challenger cannot adequately explain why the election process is being performed in a manner prohibited by state law. An explanation for a challenge to an election process must include an explanation of the proper performance of the element or elements in question but need not take the form of a direct citation to statute or election administration materials.

A permissible challenge to an election process will be rejected if the challenger liaison determines that the specific element or elements of the election process being challenged are being carried out in accordance with state law. A challenger liaison's determination that a challenge to an election process is rejected may be appealed using the process laid out at the end of this document.

A permissible challenge to an election process will be accepted if the challenger liaison determines that the challenger is correct and that the specific element or elements of the election process being challenged are not being carried out in accordance with state law. The challenger liaison shall inform the relevant election inspectors how to properly carry out the process and take any other remedial action necessary to correct the error. A permissible challenge to an election process should be recorded in both the remarks section of the ePollbook and on the "Challenged Procedures" section of the physical pollbook.

If a challenger wishes to challenge recurring elements of the election process, the challenger must make a **blanket challenge**. The blanket



challenge shall be treated as a challenge to each occurrence of the process but need only be made and recorded in the pollbook once. A challenger may only challenge recurring processes through a blanket challenge; a challenger may not challenge every occurrence of a recurring process in lieu of making a blanket challenge.

## **The rights of challengers at an Election Day polling place.**

A challenger who has made themselves known to the challenger liaison and who is in possession of a valid credential has the following rights:

- Be present in the polling place.
- Make challenges to the challenger liaison or the challenger liaison's designee as provided in these instructions.
- Be treated with respect by election inspectors.
- Be provided with reasonable assistance in performing their duties as a challenger.
- Inspect applications to vote, registration lists, and other printed materials used to conduct elections, so long as the challenger does not touch or handle any of those materials and so long as the inspection does not impede the voting process.
- Observe election inspectors' preparation of voting equipment at the polling place before the opening of the polls on Election Day, and observe election inspectors' handling of voting equipment after the close of polls on Election Day, so long as the challenger does not touch or handle any of that equipment and so long as the inspection does not impede the election inspectors in completion of their duties.
- Observe the election process from a reasonable distance, so long as election inspectors have sufficient room to perform their duties and voters are not impeded in any way.
- Use electronic devices, so long as the device is not disruptive and so long as the devices is not used to make video or audio recordings of the polling place.
- Observe election-related activities at a polling place on Election Day at any time the polling place is open to the public, including prior to the opening of polls or after the closing of polls.



- Take notes about the election process.
- Notify the challenger liaison of perceived violations of election laws by third parties, including electioneering within 100 feet of the precinct, improper handling of a ballot by a voter, or other issues.
- Remain in the precinct after the close of polls or the end of tabulation and until the election inspectors complete their duties.
- Stand behind the processing table and close enough to view the pollbook as ballots are issued to voters and the voters' names are entered into the pollbook, so long as the challenger does not touch or handle the pollbook or otherwise interfere with the work of the election inspectors.

## **Restrictions on challengers at an Election Day polling place**

Challengers may not do any of the following:

- Speak with or interact in any way with voters.
- Threaten or intimidate voters, or attempt to threaten or intimidate voters at any stage of the voting process.
- Make repeated impermissible challenges.
- Make a challenge indiscriminately or without good cause, or for the purpose of harassing, delaying, or annoying voters, election inspectors, or any other person.
- Physically touch or interact with ballots, absent voter ballot envelopes, ePollbooks, or any other election materials.
- Stand so close to the pollbook or other materials that the challenger's proximity to those materials interferes with the election inspectors' ability to perform their duties.
- Use any device to make video or audio recordings.
- Provide or offer to provide assistance to voters.
- Wear any clothing or other apparel identifying the organization which the challenger represents.



- Wear clothing or other apparel expressly advocating for or against the election of a candidate or advocating the passage or defeat of a ballot measure.
- Set up a table or other furniture in the polling place.
- Take any actions to disrupt with or interfere with voting, ballot tabulation, or any other election process.

## Warning and ejecting challengers

If a challenger takes a prohibited action or fails to follow a direction given by an election inspector serving at the location at which the challenger is present, the challenger will be warned of their prohibited action and of their responsibility to adhere to the instructions in this manual and to directions issued by election inspectors. The warning and the reason that the warning was issued should be noted in the pollbook. The warning requirement is waived if the prohibited action is so egregious that the challenger is immediately ejected.

A challenger who repeatedly takes prohibited actions or fails to follow any of the instructions or directions set out in *The Appointment, Rights, and Duties of Election Challengers or Poll Watchers* or issued by an election inspector may be ejected by any election inspector. A challenger who acts in a manner that disrupts the peace or order of the polling place, who acts to delay the work of any election inspector, or who threatens or intimidates a voter, election inspector, or election staff, may also be ejected by any election inspector. The ejection should be noted in the pollbook. If the challenger refuses to leave after being informed of their ejection by an election inspector, the election inspector may request law enforcement remove the challenger from the polling place.

## Challenger appeal of challenger liaison or election inspector determinations

A challenger may appeal a decision by the challenger liaison or any other election inspector relating to the validity of a challenge, to a challenger's conduct, or to a challenger's ejection to the local clerk. At the request of a challenger, the challenger liaison must provide the contact information of the local clerk. **The appeal must be made outside of the hearing of voters.** If the challenger is appealing their ejection, the appeal must be made after the challenger has left the polling place. If the local clerk rejects the



challenger's ejection as improper, the clerk shall inform the challenger liaison and the challenger shall be allowed to reenter into the polling place. The challenger may appeal the decision of the local clerk to the Bureau of Elections.

## **Poll watchers**

The law has been interpreted to permit members of the public who are not credentialed challengers to observe elections. Members of the public wishing to observe elections, often referred to as poll watchers, do not enjoy the same rights as credentialed challengers. A person does not need to be registered to vote in Michigan to serve as a poll watcher in this state, but a candidate for elective office being voted on in the election cannot serve as a poll watcher. There is no particular number of poll watchers that must be admitted to any election-related location, but poll watchers must be permitted to observe the electoral process so long as the total number of poll watchers does not cause the process to be disrupted.

## **Rights of poll watchers**

Poll watchers are allowed to be present in a polling place. Clerks or challenger liaisons must designate a Public Viewing Area from which poll watchers can observe the electoral process. The Public Viewing Area must be placed in a location that does not interfere in any way with the work of election inspectors present in the location. If the location is a polling place, the Public Viewing Area must be situated so that the presence of poll watchers does not interfere with voters participating in the voting process. If the Public Viewing Area for a particular election location is full and cannot accommodate more poll watchers, and if the Public Viewing Area cannot be enlarged without disrupting election processes, the clerk or challenger liaison may deny entry to additional poll watchers.

A poll watcher may request that the challenger liaison allow the poll worker to view the pollbook, but the challenger liaison may decline that request. A poll watcher may never handle the pollbook or other election equipment or materials.

## **Restrictions on poll watchers**

Poll watchers are subject to all of the restrictions as credentialed challengers. In addition, poll watchers cannot issue challenges, leave the



designated Public Viewing Area, or stand behind election inspectors as voters are processed.

## **Ejection of poll watchers**

A poll watcher who repeatedly fails to follow any of these instructions may be ejected by any election inspector. A poll watcher who acts in a manner that disrupts the peace or order of the polling place, who acts to delay the work of any election inspector, or who threatens or intimidates a voter, election inspector, or election staff, may be ejected by any election inspector. If the poll watcher refuses to leave after being informed of their ejection by an election inspector, the election inspector may request that law enforcement remove the poll watcher from the polling place.



## V. Assisting voters

Election inspectors should maintain a “customer service” approach, especially with regard to voters who may need assistance in casting their ballot. Voters may face obstacles in casting ballots because of disability, limited ability to read or write English, or other factors that may not be immediately apparent.

Voters may receive assistance from election inspectors or another person chosen by the voter, as long as the person rendering assistance is not the voter’s employer or an agent of the employer, or an officer or agent of a labor union to which the voter belongs.

Advise voters who indicate that they will need help casting their ballot that a voter assist terminal (VAT) is available in the polling place that can be used to vote independently without assistance. A voter requesting assistance can vote in a regular voting station or by using the VAT, according to their preference. If the voter prefers to vote with assistance, proceed as explained in the “Assistance procedure” section of this document.

### Assistance procedure

Whenever a voter receives help with voting, a record must be entered in the Remarks section of the ePollbook. The record must include the name of the assisted voter and the person or persons who gave the assistance.

**When a voter asks the precinct board for voting assistance, they do not need to provide a reason for the request.**

- Under state law, when a voter asks the precinct board for voting assistance, a reason for the needed assistance does not have to be stated. When a voter asks the precinct board for voting assistance, **two** inspectors who have expressed a preference for different political parties must assist.
- Under federal law, a voter who is blind, who has a disability or who is unable to read or write may be assisted with their ballot by any person of the voter’s choice, other than the voter’s employer or agent of that employer or an officer or agent of a union to which the voter belongs.

**Alternatively, a voter may be assisted by a person of the voter’s choice**, as long as the person rendering assistance does not represent the



voter's employer or labor union. If a voter wishes to receive voting assistance from another person:

1. Ask, "Are you requesting assistance with voting by reason of blindness, disability, or inability to read or write?" A "yes" or "no" answer is sufficient.
2. Ask the person rendering assistance, "Are you the voter's employer or an agent of the employer, or are you an officer or agent of a labor union to which the voter belongs?" If the answer to this question is "no," the voter may be assisted by the person.

The person assisting the voter may be of any age. If the person who accompanied the voter to the polls is not eligible to assist, two election inspectors who have expressed a preference for different political parties must assist the voter.

## **Curbside voting**

If a voter is unable to enter the polling location and asks the precinct board for voting assistance, help must be provided by two inspectors who expressed a preference for different political parties. The inspectors must take the ballot and secrecy sleeve to the voter in their vehicle in the parking lot and return to the polling place to deposit the ballot into the tabulator.

Remember that the voter must comply with all regular processing procedures, including completion of the *Application to Vote*, registration verification, and presenting acceptable photo ID or signing the *Affidavit of Voter Not in Possession of Photo ID*.



# Disability etiquette tips

 <p><b>Physical Disabilities</b></p> <ol style="list-style-type: none"> <li>1. Do not push a person's wheelchair or grab the arm of someone walking with difficulty without asking if you can assist.</li> <li>2. Personal space includes a person's wheelchair, crutches, or other mobility aid. Never move someone's crutches, walker, cane, or other mobility aid without permission.</li> <li>3. When speaking with someone using a wheelchair for more than a few minutes, try to find a seat for yourself.</li> </ol>	 <p><b>Assisting Senior Citizens &amp; Voters with Disabilities</b></p> <ol style="list-style-type: none"> <li>1. State and federal law permits voters with disabilities to be accompanied and assisted by another person in the voting booth.</li> <li>2. Remember that all voters deserve courteous attention in exercising their right as citizens to vote.</li> <li>3. Be considerate of the extra time that might take for a person with a disability or an older adult to get things done.</li> <li>4. Always ask if the person would like assistance and accept the idea that they may decline.</li> <li>5. Speak directly to the person who has a disability rather than just to a companion who may be accompanying them.</li> <li>6. A good habit is to act kindly and considerate towards everyone; do not make assumptions about what a person can or cannot do. You can't know someone's situation by just looking at them.</li> <li>7. Provide a guiding device such as a ruler or a signature guide for signing forms.</li> <li>8. Animals that assist people with disabilities must be admitted into the building. Never pet or otherwise distract a guide dog unless the owner has given permission.</li> <li>9. Offer voters with canes or walkers a chair.</li> </ol>	 <p><b>Cognitive Disabilities</b></p> <ol style="list-style-type: none"> <li>1. Listen and pay attention to a person who has difficulty speaking.</li> <li>2. Speak calmly, slowly, and directly to a person who may need you to repeat instructions due to short-term memory deficits. Try using different wording and allow time to be understood.</li> <li>3. Provide information gradually. Some people may experience "sensory overload" and become disorientated or confused if there is too much to absorb at once.</li> </ol>
 <p><b>Hearing Disabilities</b></p> <ol style="list-style-type: none"> <li>1. Listen and pay attention to a person who has difficulty speaking.</li> <li>2. Speak calmly, slowly, and directly to a hard-of-hearing person. Your facial expressions, gestures, and body movements will help the person understand. Don't shout or speak in the person's ear. Someone who needs you to speak louder will ask. If full understanding is doubtful, try writing a note.</li> <li>3. Pre-printed signs or a notepad should be available to assist communication with deaf or hard-of-hearing voters.</li> </ol>	 <p><b>Visual Disabilities</b></p> <ol style="list-style-type: none"> <li>1. Greet a person who is visually impaired by letting the person know who and where you are. If a new person approaches, introduce them.</li> <li>2. When offering walking assistance, allow the person to take your arm and tell them if you are approaching steps or incline or are turning right or left. Use clock cues ("The door is at two o'clock.")</li> <li>3. Alert people who are blind or visually impaired to posted information.</li> </ol>	



# VI. Tabulator rejected ballots/spoiled ballots/exposed Ballots

## Ballots rejected by the tabulator

On occasion, a voter may encounter difficulty when attempting to insert the ballot into the tabulator. The secrecy of the ballot might be violated if the election inspector who is assigned to monitor the tabulator fails to observe the "10-foot rule," which requires election inspectors to remain at least 10 feet away from the tabulator whenever it is in use. Remember, it is improper for an election inspector to view a voter's marked ballot if the identity of the voter is known.

Instructions and options offered to a voter whose ballot is rejected by the tabulator must be accurate and consistent. The following script is designed to be read to any voter who experiences the rejection of their ballot due to a voting error.

**Step 1: An election inspector reads one of the following statements** to a voter whose ballot has been rejected by the tabulator due to a voting error:

- **Overvoted statement – If the voter has "overvoted" one or more offices or proposals on the ballot, read the following statement:**

"The tabulator rejected your ballot because it is improperly marked. According to the tabulator, you have cast more votes for an office or proposal than allowed. If you wish to correct this error, we will be happy to provide you with a replacement ballot. If you do not wish to correct this error, your ballot may be accepted as presented, but please be aware that any invalid marks on your ballot will not be counted. That means your vote will not count for the office or proposal you overvoted."

- **Crossover statement – If the voter has voted under more than one political party's heading in a partisan primary, read the following statement:**

"The tabulator rejected your ballot because it is improperly marked. According to the tabulator, you have cast votes for candidates of more than one political party. If you wish to correct this error, we will be



happy to provide you with a replacement ballot. If you do not wish to correct this error, your ballot may be accepted as presented, but please be aware that any invalid marks on your ballot will not be counted. That means your votes will not count in either partisan primary.”

- **Ambiguous mark statement – If the voter has not made complete marks, read the following statement:**

“The tabulator rejected your ballot because it does not fully detect all the votes on the ballot. According to the tabulator, you did not fully darken the target area for every contest on the ballot. If you wish to re-mark your ballot, you may return to the voting station and fill in the target areas completely and instructions on the voting process will be provided upon request. If you do not wish to re-mark your ballot, your ballot may be accepted as presented, but please be aware that any invalid marks on your ballot will not be counted. That means that your votes for some office(s) will not count.”

- **Blank ballot statement – If the voter has not recorded any votes and is attempting to cast a “blank” ballot, read the following statement:**

“The tabulator rejected your ballot because it appears that you did not mark any votes. If you wish to re-mark your ballot, you may return to the voting station and instructions on the voting process will be provided upon request. If you do not wish to re-mark your ballot, your ballot may be accepted as presented, but please be aware that no votes will count.”

**Step 2: If the voter declines the opportunity to correct the error and requests that their ballot be accepted as presented,** the election inspector should re-emphasize that one or more votes will not be counted and offer the voter a second opportunity to obtain a replacement ballot.

- In the case of an overvoted ballot, ballot containing crossover votes, or ballot containing ambiguous marks, read this statement to the voter: “If your ballot is accepted as presented, any invalid marks will not be counted. Are you certain that you do not want a replacement ballot?”
- In the case of a blank ballot, read this statement to the voter: “If your ballot is accepted as presented, no votes will be counted. Are you certain that you do not want to return to the voting station?”



## Spoiled ballots

A voter who spoils their ballot may obtain a replacement ballot under the following procedure:

1. Direct the voter to return to the check-in station and surrender the spoiled ballot.
2. Record the original ballot as spoiled in the ePollbook.
3. Draw a line through the original ballot number recorded on the *Application to Vote*, if there is a numbered stub, and note that the ballot was "Spoiled."
4. Record the new ballot number, if there is a numbered stub, in the ePollbook and on the voter's *Application to Vote*.
5. Issue the voter a new ballot and direct the voter to the next available voting station.
6. Maintaining voter privacy, write the word "Spoiled" on the original ballot, remove the stub, if there is a stub, and place the original ballot in the envelope labeled "Spoiled Ballots."
7. After the close of polls, verify the total number of spoiled ballots and seal the spoiled ballot envelope with a red paper seal before sealing inside the ballot container.

## Exposed ballots

If a voter intentionally exposes their voted ballot by showing anyone in the polling place how they voted or by intentionally abandoning their ballot by leaving the polling place before tabulating, the voter's ballot is void and must be rejected. **Do not** permit the voter to vote again in the election.

Note: There is **no violation** if a minor child accompanying a voter in the voting station observes a voted ballot (refer to the section on "Processing voters"), or if a voter takes a photograph of their own ballot inside the voting station (refer to the section on "Opening the polls/maintaining order").

Reject the ballot using the following procedure:

1. Instruct the voter to surrender the exposed ballot.



2. Write the words, "Rejected for Exposure," on the ballot. Do not give the voter another ballot to replace the rejected one.
3. Record the ballot as rejected in the voter's record in the ePollbook.
4. Enter a complete description of the event in the Remarks section of the ePollbook.
5. Put the rejected ballot in the envelope labeled "Rejected."
6. Write the reason for the rejection on the outside of the labeled envelope. (If you were not supplied with an envelope reserved for this purpose, create your own.)
7. After the polls close, seal the rejected ballot envelope in the ballot container.

## **Voters with status flags/voters who have moved**

### *Voters with status flags*

Some voters will have status flags that need to be resolved prior to issuing a ballot, usually due to incomplete or outdated voter registration information. For example, the voter may have neglected to sign the registration application or answer the citizenship question, or the clerk may have received information indicating that the voter may have moved. Status flags include codes indicating that an absent voter ballot was already issued to the voter; a formal challenge regarding the voter's age, citizenship or residency has been made; the voter has not satisfied the federal ID requirement; or the voter needs to verify their address, citizenship, signature, or date of birth.

In the ePollbook, the status flag appears as a red question mark next to the voter's name; refer to the election inspector action window at the bottom of the Voter Details screen to identify the unresolved issue.



Code	Description	Election Inspector Procedure
Absent voter ballot sent by clerk	The voter was issued an absent voter ballot, but it has not been recorded as received by the clerk.	(1) Ask the voter if they have that ballot and would like to tabulate it [if so, refer to the publication <i>Absent Voters in the Polls</i> ], (2) Ask the voter to surrender the ballot, or (3) Contact the clerk to verify that the voted ballot has not been returned and require voter to complete the Affidavit of Lost or Destroyed Absent Voter Ballot ( <b>do not</b> issue ballot without confirmation). If (2) or (3) apply, issue a ballot under the regular procedure. (After issuing a ballot, place the surrendered ballot or Affidavit of Lost or Destroyed Absent Voter Ballot in the local clerk's envelope.)
Absent voter ballot sent/received by clerk	The voter was issued an absent voter ballot and has already returned it to the clerk.	<b>Do not</b> issue the voter a ballot because they have already voted.
Voted Early	Voter voted before election day at early voting site	<b>Do not</b> issue the voter a ballot because they have already voted.
Election inspector action required: voter challenged for ___ (age, citizenship or residency)	The voter must complete the challenge process before voting.	Seek assistance from the precinct chairperson in administering the challenge process; upon completion, issue a specially prepared challenged ballot. Use the Challenged ballot button to enter the voter's ballot number into the ePollbook.
Election inspector action required: voter must meet the federal ID requirement	The voter must show acceptable photo ID or current paycheck, government check, utility bill, bank statement, or government document listing name and address.	Refer to "Federal ID Requirement" below.
Election inspector action required: have voter verify citizenship	The voter did not provide an answer to the citizenship question at the time of registration.	Instruct the voter to complete a Voter Registration Application and mark the citizenship box. If the voter marks "yes", issue a ballot under the regular procedure. If the voter marks "no," do not issue a ballot. (After issuing a ballot, place the Voter Registration Application in the local clerk's envelope.)
Election inspector action required: have voter sign a Voter Registration Form	The voter did not sign the original Voter Registration Application.	Instruct the voter to complete and sign the Voter Registration Application, then issue a ballot under the regular procedure. (After issuing a ballot, place the Voter Registration Application in the local clerk's envelope.)
Election inspector action required: have voter verify date of birth	The voter did not provide a complete date of birth at the time of registration.	Ask the voter to verbally confirm the voter's date of birth. If the date of birth is different than what is listed in the ePollbook make a note to the local clerk with the correct date of birth and place in the local clerk's envelope.

**Federal ID requirement.** This requirement is in addition to Michigan's photo ID requirement and applies to voters who have never voted in Michigan and registered to vote by mail, through a voter registration drive, or online (because online voter registration requires a Michigan driver's license or personal ID, online registrants will all satisfy the requirement). If the voter does not satisfy the federal ID requirement at the time of



registration, they must comply before voting. (Note: The federal ID requirement does not apply if the voter is disabled.)

Voters who are required to satisfy the federal ID requirement are flagged in the ePollbook with a red question mark. Before being issued a ballot, the voter must present one of the following documents: 1) an acceptable picture ID, or 2) a current paycheck, government check, utility bill, bank statement, or other government document which lists the voter's name and address.

- **If the voter provides acceptable photo ID**, both the federal ID requirement and Michigan's photo ID requirement are satisfied, and the voter is eligible to vote.
- **If the voter provides a current paycheck, government check, utility bill, bank statement or a government document which lists the voter's name and address**, only the federal ID requirement is satisfied. To comply with Michigan's photo ID requirement, the voter must sign the *Affidavit of Voter Not in Possession of Photo ID* before voting. Once the federal ID and Michigan requirements are met, the voter is eligible to vote.
- **If the voter does not possess acceptable photo ID and is unable to produce a current paycheck, government check, utility bill, bank statement or a government document which lists their name and address**, they are eligible to vote a provisional envelope ballot.

Instruct the voter to sign the *Affidavit of Voter Not in Possession of Photo ID* before voting and refer to the *Provisional Ballot Form*. In the area of the form that is designated "Other Envelope Ballot Reasons," record the voter's name and voter number, and mark the "Elector subject to federal ID requirement unable to produce an acceptable form of ID" box. Give the voter a copy of the *Notice to Voters Unable to Satisfy State and/or Federal Identification Requirement* document and prepare the provisional envelope ballot.

### *Voters who have moved*

If the residential address entered by the voter on the Application to Vote differs from the address in the ePollbook, determine whether the voter's new/current address is located within the same city or township, or in a different city or township.



**A. Voter moved within same city or township.** A voter who moves from one precinct to another precinct within the same city or township but does not report the change of address prior to Election Day, can vote one last time in the precinct where registered.

1. Instruct the voter to complete an *Election Day Change of Address Form*.
2. Ask the voter to provide acceptable photo ID or sign the *Affidavit of Voter Not in Possession of Photo ID*.
3. Initial the *Application to Vote* and issue a ballot.
4. After polls close, place the *Election Day Change of Address Form* in the local clerk's envelope.

**B. Voter moved to a different city or township.** A voter who moves from one city or township to another city or township but does not report the change of address prior to Election Day, can vote one last time in the precinct where registered **only if the move was made within 60 days of the election.**

1. Instruct the voter to complete an *Election Day Change of Address/Authorization to Transfer Voter Registration Form*.
2. Ask the voter to provide acceptable picture ID or sign the *Affidavit of Voter Not in Possession of Picture ID*.
3. Initial the *Application to Vote* and issue a ballot.
4. After polls close, place the *Authorization to Transfer Voter Registration Form* in the local clerk's envelope. (The clerk updates the voter's history and sends the form to the voter's new city or township clerk to update the voter's registration.)

Election Day Change of Address/Authorization to Transfer Voter Registration for use by voters that are listed in the ePollbook with an address change

Michigan driver license/state personal ID #			
□-□□□□-□□□□-□□□□-□□□□			
<input type="checkbox"/> I do not have a Michigan driver license/state personal ID # or it is not in my possession			
address change			
<input type="checkbox"/> I have moved within the same city or township, please update my record.			
<input type="checkbox"/> I have moved to a new city or township within the last 60 days, please forward this form to the new clerk.			
personal information *required information			
last name*	first*	middle	suffix
□□□□-□□□□□□□□			
date of birth*			
new address - house number & street name*		apt/lot #	city* zip
( )			
phone		email	
authorization			
By signing below, I authorize the transfer of my voter registration record to the new address listed above. I understand that this address may be in a new jurisdiction and that I will receive a new voter registration card confirming the transaction.			
X			
signature		date	

**NOTE:** Voters who moved outside of the jurisdiction more than 60 days prior to the election should be directed to their new clerk to register on Election Day.

**Election Inspector:** Place this form in the Local Clerk Envelope.

Note: If the voter moved to a different city or township **more than 60 days before the election**, ask the voter whether they are willing to travel to the

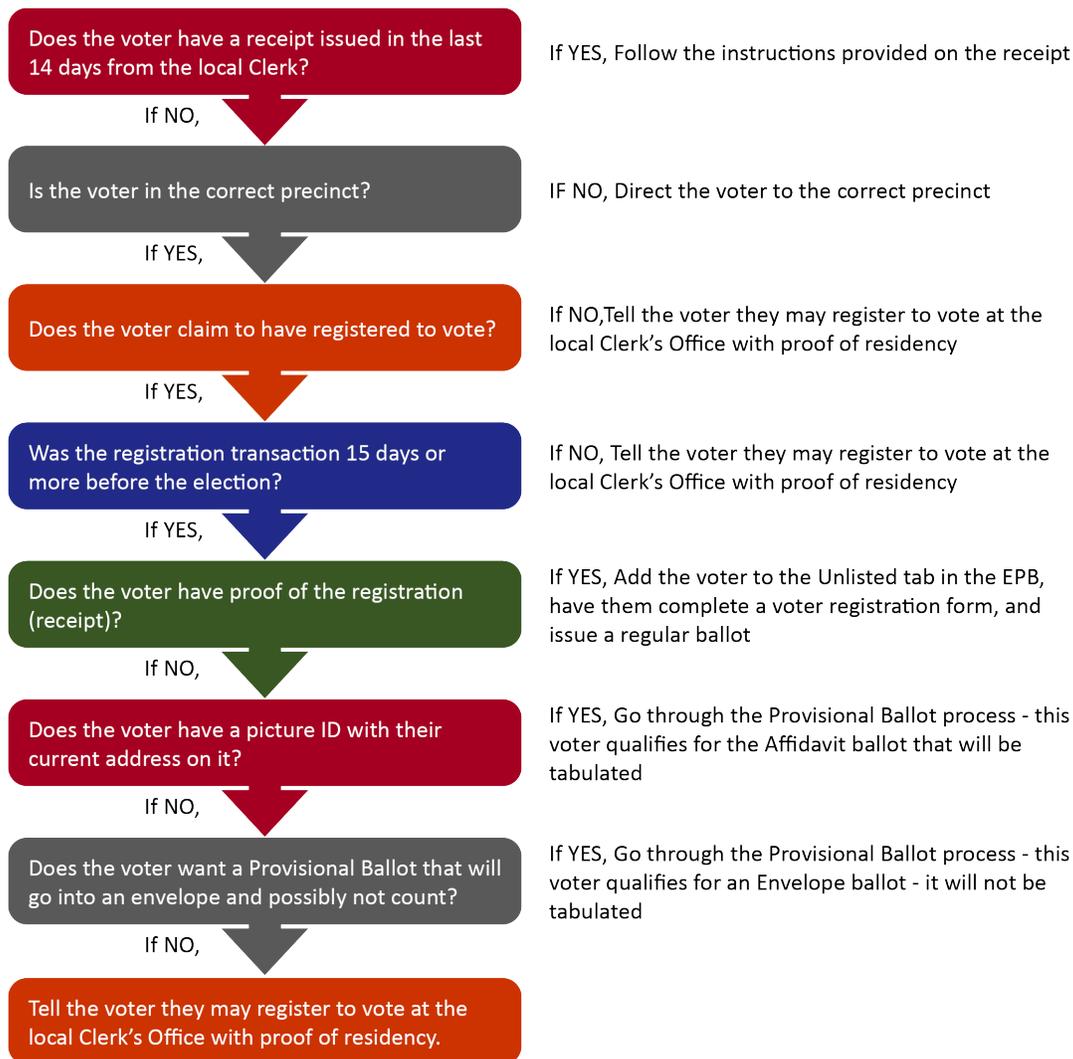


clerk's office to register and vote today. Inform the voter that they must provide proof of residency in the new city or township of residence. Once registered, the voter is eligible to immediately obtain a ballot and vote.

## **VII. Missing registration/Election Day registration/provisional ballots**

On occasion, a voter who completes the Application to Vote may not be listed in the ePollbook. This could occur if the person is not registered to vote or if an error occurred during the registration process. **Do not turn the voter away.** Instead, use the chart on the following page to determine which of the following options may enable the person to vote. **Because voters may register on Election Day at the city or township clerk's office, it is important to help voters understand their options if they do not appear in the ePollbook.** Depending on the situation, the best option may be go to the correct precinct, register to vote at the clerk's office, or cast a ballot in the current precinct. Contact the local clerk if you have questions.





## Provisional ballots

Complete the *Provisional Ballot Form* to determine which type of provisional ballot to offer the voter. Follow the instructions carefully, paying particular attention to the type of provisional ballot that should

Ask the voter for picture ID and proof of their current address. Then answer these questions:

1. Did the local clerk confirm the voter is not registered in another precinct in the jurisdiction?  Yes  No
2. Did the voter provide an approved picture ID that confirms his or her address in the precinct?  Yes  No
3. ***Were all answers above Yes?***  Yes  No



be issued – an “affidavit ballot” or “envelope ballot.”

- An **Affidavit** ballot is deposited in the tabulator and counted like any other ballot. It is used when the election inspector answers “yes” to Question 3 on the *Provisional Ballot Form*.
- An **Envelope** ballot is not deposited in the tabulator, and instead is delivered to the clerk’s office for further review after polls close. It is used when the election inspector answers “no” to Question 3 on the *Provisional Ballot Form*.

election inspector – issuing a ballot – determining the correct type

If you answered **YES** to Question 3, issue an **Affidavit** ballot:

Enter ID type and #: \_\_\_\_\_

Prepare the ballot as Challenged by writing and concealing the ballot number on the ballot

Enter voter and issue the ballot in the [e]Pollbook as an Affidavit ballot

Complete the election inspector record below

Give voter the Notice to Voter

Allow voter to mark the ballot & put their ballot in the tabulator

Place this empty envelope in the Provisional Ballot Storage Envelope

If you answered **NO** to Question 3, issue an **Envelope** ballot:

Enter ID type and #: \_\_\_\_\_ or  Not provided

Enter residency proof (current utility bill, bank statement, paycheck, or any other government document): \_\_\_\_\_ or  Not provided

Prepare the ballot as Challenged by writing and concealing the ballot number on the ballot

Enter voter and issue the ballot in the [e]Pollbook as an Envelope ballot

Complete the election inspector record below

Give voter the Notice to Voter

Instruct voter to place the ballot in the secrecy sleeve and then this envelope after voting, the ballot must NOT be put in to the tabulator today and must be returned to an election inspector

Allow voter to mark the ballot & seal the ballot inside this envelope

Place this envelope in the Provisional Ballot Storage Envelope

**Important Note:** if it is determined that the voter would vote an envelope ballot and the voter has proof of residency, the voter should be directed to the local clerk’s office to register to vote. If the voter refuses, continue to issue an envelope ballot.

When completing the *Provisional Ballot Form*, attention to detail is critical. If necessary, ask the precinct chairperson or clerk for assistance. Remember, a provisional ballot should be offered only if the voter is unwilling to travel to the clerk’s office or correct precinct, and is unable to produce a voter registration receipt.

A. **Affidavit ballot procedure.** If after completing the *Provisional Ballot Form* it is determined that an Affidavit ballot should be issued and can be tabulated in the precinct, proceed as follows:

1. Write the ballot number, if there is a numbered stub, in pencil on the upper left-hand corner of the ballot, being sure to avoid any barcodes or timing marks (**not** on the ballot stub).
2. Conceal this number with a small piece of white paper taped over the number.
3. Enter the voter and ballot number, if there is a numbered stub, in the ePollbook and record it as an Affidavit ballot.



4. Give the voter a copy of the *Notice to Voters Who Do Not Appear on the Precinct's Registration List*.
5. Issue the ballot and instruct the voter to mark the ballot, then **deposit it in the tabulator**.
6. Place the *Provisional Ballot Form* in the *Provisional Ballot Storage Envelope*.

B. **Envelope ballot procedure.** If after completing the *Provisional Ballot Form* it is determined that an Envelope ballot should be issued and returned to the clerk for further review, proceed as follows:

1. Write the ballot number, if there is a numbered stub, in pencil on the upper left-hand corner of the ballot, being sure to avoid any barcodes or timing marks (**not** on the ballot stub).
2. Conceal this number with a small piece of white paper taped over the number.
3. Enter the voter and ballot number, if there is a numbered stub, in the ePollbook and record it as an Envelope ballot.
4. When issuing the ballot, explain to the voter that the voted ballot **cannot be deposited in the tabulator**. Additionally, if the voter is attempting to vote in the wrong precinct and declines to travel to the correct precinct to vote, tell the voter that **the provisional ballot will not count if it is confirmed that the person voted in the wrong precinct**.
5. Give the voter a copy of the *Notice to Voters Who Do Not Appear on the Precinct's Registration List*.
6. Issue the ballot and instruct the voter to mark the ballot, place it inside the *Provisional Ballot Form* envelope and return it to an election inspector.
7. Place the *Provisional Ballot Form* envelope containing the voted ballot inside the *Provisional Ballot Storage Envelope* for delivery to the local clerk after polls close.



## VIII. Processing absent voter ballots in the polling place

The following procedures apply only if absent voter (AV) ballots have been forwarded to your polling place for processing. AV ballots may be processed throughout the day as time permits. This section does not apply for voters who wish to tabulate their own AV ballots in the polling place. For instructions on that procedure, refer to “Voters with Status Flags” section, as well as the separate publication *Absent Voters in the Polls*.

### Step 1: Confirm whether the ballot can be tabulated

- A. Check the ePollbook or EV Voter Change Report provided by the clerk to confirm that the voter has not voted in person at the election.
- B. If the return envelope was not signed by the voter, **promptly** return the unopened Absent Voter Ballot Return Envelope to the clerk. An absent voter ballot without the voter’s signature can be resubmitted for processing if the clerk is able to obtain the voter’s signature within 3 days after Election Day. **For this reason, you must return the unopened envelope as soon as possible to give the clerk time to contact the voter.**

Note: **Do not** return the *Absent Voter Ballot Return Envelope* to the clerk if the voter’s date of signing is omitted.

- C. Ensure the voter’s name is on the AV List of Voters or add the voter to the ePollbook List of Voters by selecting “Clerk Delivered AV” to indicate that the absent voter ballot was received by the precinct board for processing.
- D. If it is determined that the ballot should not be counted for any reason (including the voter’s death), **a majority of the precinct board must concur**. Do not open the *Absent Voter Ballot Return Envelope*. Check the Rejected box and record the reason on the envelope. Make a record of the board’s action in the Remarks section of the ePollbook.

### Step 2: Open absent voter ballot return envelope

- A. Check the *Absent Voter Ballot Return Envelope* to determine whether the voter received assistance in voting the ballot. If the envelope



indicates that assistance was provided, make a notation in the Remarks section of the ePollbook.

- B. Without exposing any votes, verify that the number on the ballot stub agrees with the ballot number recorded on the *Absent Voter Ballot Return Envelope*. 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 numbers agree, proceed to “Step 3: Remove ballot stub and tabulate multiple ballots.”

If a ballot was not returned by the voter (i.e., the return envelope was empty), note the missing ballot on the Remarks page of the ePollbook.

If the ballot numbers do not agree or the ballot stub is missing and no explanation for the discrepancy can be found (i.e., voters residing in the same household switched their ballots), the ballot must be prepared as a challenged ballot.

- C. To ensure the secrecy of all votes cast, it is recommended that the processing of several *Absent Voter Ballot Return Envelopes* be delayed until after 8:00 p.m., which will allow a ballot that is received by the clerk just prior to 8:00 p.m. to be intermingled with other ballots during processing and counting. This preserves the secrecy of the last ballot delivered for processing and counting. **Note, however, that you should not include any ballot return envelopes that are missing signatures in the group of envelopes delayed until 8:00 p.m.** These must be returned to the clerk promptly.

### **Step 3: Remove ballot stub and tabulate multiple ballots**

- A. Tear off the numbered ballot stub and retain or dispose of the stub as directed by the clerk.
- B. Remove multiple ballots from their secrecy sleeves and place them all together into one secrecy sleeve until ready for tabulation.
- C. Tabulate absent voter ballots in multiples to preserve ballot secrecy.
- D. If an absent voter ballot is rejected by the tabulator, it must be examined by an election inspector to determine the reason for rejection (overvote, crossover vote, ambiguous mark, stray mark, etc.). If the ballot was rejected because of a false read or a voter



correction, place the ballot in the auxiliary bin for duplication after polls close (refer to the “Duplication procedure” section).

## Duplication procedure

Some absent voter ballots may need to be duplicated by election inspectors, such as those that:

- Cannot be scanned by the tabulator due to the voter’s use of an improper ballot marking tool.
- Contain corrections, overvotes, stray marks or invalid write-in votes (“false reads”).
- Contain false “crossover” votes in a partisan primary.
- Are electronically-generated MOVE ballots or Federal Write-In Absentee Ballots (FWAB).

**Duplication cannot begin until polls close.** Count the absent voter ballots that must be duplicated, including any that were deposited in the auxiliary bin, then gather an equal number of unused ballots of the corresponding ballot style. At the top of the first ballot to be duplicated, write “Orig 1,” and at the top of the first replacement ballot, write “Dup 1.” Follow the same numbering system for the remaining ballots which must be duplicated (i.e., “Orig 2” corresponds to “Dup 2,” etc.).

Two election inspectors who have expressed different political party preferences must duplicate ballots using a reader-checker process: One election inspector reads the valid marks from the original ballot as the second election inspector records the marks on the duplicate ballot. When duplicating ballots, any stray mark, correction or invalid write-in votes must be eliminated to ensure proper tabulation of all valid votes.

After the ballot has been duplicated, compare the original and replacement ballots to ensure that all valid marks were accurately reproduced. If a mistake occurs during duplication, note the error on the replacement ballot and place it in the *Original Ballots Envelope*. Obtain a new unused ballot from your supplies, number it, and begin the reader-checker process again.

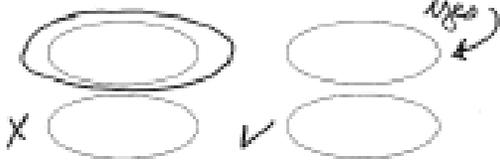
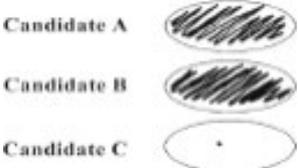
Next, deposit only the duplicated ballots (Dup 1, Dup 2, etc.) into the tabulator. Place all original ballots (Orig 1, Orig 2, etc.), including electronic MOVE ballots and FWABs, inside the *Original Ballots Envelope*.



# Ballot marking validity standards

For a ballot mark to be considered valid, both of the following standards must be met:

- There must be a mark within the “target area.”
- The mark must be consistent with all the other marks on the ballot.

<p><b>Valid markings:</b> Each of these examples represents a <u>valid</u> vote because a mark has been made within the target area.</p> 	<p><b>Invalid markings:</b> Each of these examples represents an <u>invalid</u> vote because a mark was not made within the target area.</p> 
<p><b>Corrections:</b> A correction that causes a false tabulator read does not count as a valid vote; the tabulator recognizes these marks as (false) overvotes. In the following examples, votes count for the top positions only.</p> 	<p><b>Stray Marks:</b> A stray mark made within a target area is not a valid vote. To determine whether a stray mark exists, compare it to other marks appearing on the ballot. In the following examples, votes count for the top two positions only.</p> 



# IX. Write-in candidates

## Providing information

When processing voters, always offer to give instruction on all aspects of the voting process, including the procedure for casting write-in votes. If a voter asks to receive instruction only on the write-in procedure, you may limit your instruction to write-ins; otherwise, you must offer instruction on all aspects of the voting process to avoid any appearance that the precinct board is promoting write-in candidates.

If a voter asks for information about the write-in candidates who are seeking the offices on the ballot, advise the voter to contact the clerk. **Do not display the names of write-in candidates inside the polling place** or provide the names of write-in candidates while assisting voters.

## Declaration of Intent requirement

An individual who wishes to seek nomination or election to a federal, state, county, city, township, village or school office with write-in votes is required to file a Declaration of Intent with the appropriate election official by 4:00 p.m. on the second Friday preceding the election, except that a different deadline applies to precinct delegates. (Refer to "Declaration of intent requirement for precinct delegate positions only" in this section.) The local clerk is responsible for notifying the precinct board of any write-in candidates who filed a *Declaration of Intent* prior to the election.

## Declaration of Intent requirement for precinct delegate positions only (Note for the even-year August primary)

An individual who seeks a precinct delegate position with write-in votes must file a *Declaration of Intent* with the county clerk by 4:00 p.m. on the Friday immediately preceding the August primary. The city or township clerk is responsible for notifying the precinct board of any precinct delegate write-in candidates who filed a *Declaration of Intent* prior to the August primary. The *Declaration of Intent* waiver for deceased or disqualified candidates does not apply to precinct delegate positions.



### Important notes

- A write-in vote cast for an individual who did not file a Declaration of Intent **does not count**.
- A write-in vote cast for an individual who filed a Declaration of Intent does not count unless the office for which the write-in vote was cast corresponds to the office identified on the *Declaration of Intent*.
- In a partisan primary, a write-in vote cast for an individual who filed a *Declaration of Intent* does not count unless the office and political party correspond.
- In the event of the death or disqualification of a candidate whose name appears on the ballot occurring after 4:00 p.m. on the second Friday preceding the election, the *Declaration of Intent* requirement is **waived**. If the waiver applies, all write-in votes cast for the office must be counted, including any write-in votes cast for candidates who did not file a Declaration of Intent.

Additionally, write-in candidates for precinct delegate positions may file a Declaration of Intent in the precinct on the date of the August primary any time prior to the close of the polls. (Individuals seeking precinct delegate positions with write-in votes are the only persons permitted to file a Declaration of Intent with the precinct board on Election Day.) If an individual interested in seeking a precinct delegate position with write-in votes asks for a Declaration of Intent form on Election Day, provide the requested form or if forms were not included with your supplies, advise the person to contact the city or township clerk. NOTE: A precinct inspector may witness the signature on the *Declaration of Intent* form in lieu of a notary on Election Day.

A write-in vote cast for a precinct delegate candidate who has not filed a *Declaration of Intent* does not count. Further, write-in votes cast for a precinct delegate candidate who filed a *Declaration of Intent* do not count unless the write-in vote was cast under the political party column identified on the *Declaration of Intent*.

### Validity standards for write-in votes

All the following are required for a valid write-in vote:

- A mark is made within the target area that corresponds with the write-in position.



- The mark is consistent with all other marks on the ballot.
- A person's name is written under the correct office (and correct political party in a partisan primary).
- The named person is a declared write-in candidate.

## **Recording and totaling write-in votes**

Election inspectors must record and total all write-in votes exactly as written after the close of polls, replicating the candidate's name with any name variations or misspellings appearing on ballots, the office for which the vote was cast (and in a partisan primary, the political party). Election inspectors completing this process are creating a record for the Board of Canvassers to use when certifying votes for official write-in candidates.

If the name of a write-in candidate is recorded by the voter under an office or political party that differs from that listed on the *Declaration of Intent*, the write-in vote is invalid and not recorded by election inspectors.

