2011 Indiana Election Day Handbook

Provided by the Indiana Secretary of State
and the Indiana Election Division
Revised October 2010

Introduction

Dear Precinct Election Boards,

Thank you for your service to the people of Indiana. Your work on Election Day is not just another job but one that ensures the survival of our democracy. All across the state, in more than 5,000 precincts, you are part of a massive effort involving dedicated inspectors, judges, poll clerks, assistant poll clerks, sheriffs, and other election personnel that is making this great experiment we call America possible.

I have no doubt that 2011 will be another great chapter in our electoral history. With your help, Hoosiers will once again make their voices heard. Thank you for your dedication to this great cause.

Sincerely,

Jeremy D. Burton
Help America Vote Act Outreach Manager

General Information

This handbook is designed to help Indiana's precinct election officials by providing basic information about Election Day procedures.

This manual is not designed to provide you with legal advice. If a complicated question of law or procedure arises, contact your county election board for assistance.

When using this manual, remember that three different types of voting systems are used in Indiana (traditional hand-counted paper ballots, optical scan ballot cards and computerized systems), therefore some information in this manual will not apply to every type of voting system.

This manual will be used in the primary and general elections in 2011. Precinct election boards should keep this handbook with their precinct supplies so that it may be reused.

This manual reflects Indiana law as of October 2010. This information is subject to change by the 2011 session of the Indiana General Assembly. Please check www.sos.in.gov/elections for updates.

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Chapter 1: People Working at the Polls

General Information

Precinct election officials include inspectors, judges, poll clerks, assistant poll clerks and sheriffs. These officials help to ensure a smooth and successful Election Day process.

The Inspector

1. The inspector acts as the "manager" of the precinct.
2. With the two judges, the inspector decides all matters that come before the precinct election board.
   - The precinct election board consists of the inspector and the two judges.
   - The poll clerks, assistant poll clerks and the sheriff are precinct election officials, but not board members.

Duties of the Inspector

1. The inspector shall **ask voters to provide photo ID.**
2. The inspector may challenge voters and accept voter challenges when a voter is not eligible to vote in the precinct.
3. The inspector **picks up election supplies** at least two days before the election. These supplies include ballots, poll lists and forms.
4. The inspector **administers the oath** to all poll workers. (PRE-1, *Precinct Oath Book*)
5. The inspector **announces the opening and closing** of the polling place.
6. The inspector provides for meals during Election Day (unless the county provides money for a meal allowance.)
7. The inspector is responsible for counting absentee ballots and comparing the signature on the envelope with the absentee ballot application.
8. Accompanied by the judge of the opposite political party, the inspector returns all election supplies to the county election board.

The Judges

There are two judges in each precinct—one from each party. The judges **assist the inspector in making decisions** on matters that come before the precinct election board.

Duties of the Judges

1. One of the judges shall **ask voters to provide photo ID** if the inspector has not already done so.
2. When requested, judges may **assist voters** with disabilities or voters unable to read or write the English language after completing the "Affidavit of Voter Assistance at the Polls" (PRE -3).
3. The judge of the opposite political party of the inspector must accompany the inspector in **returning election supplies** to the county election board.

Poll Clerks and Assistant Poll Clerks

1. Poll clerks ask voters to provide photo ID if the inspector or judge has not already done so.
2. The primary function of poll clerks is **record keeping and ballot control**.
3. Poll clerks assist voters in the process of signing the poll list.

Duties of the Poll Clerks and Assistants

1. Poll clerks shall **ask voters to provide or update their voter identification number.**
2. Poll clerks will ask voters to present additional documentation to verify the voter's residency when required. (See Chapter Four on Additional Documentation Requirements)
3. Poll clerks must **initial each ballot** (and secrecy envelope for counties using optical scan ballot cards) before giving the ballot to the voter.
4. In a primary election, poll clerks must be sure that the voter has been given the proper ballot and party identification card if the voter wishes to vote in a party's primary.
5. Assistant poll clerks provide assistance when needed, but are not required to sign the precinct's election returns or other certificates.

The Election Sheriffs

1. The sheriffs **maintain order** at the polling place.
2. The sheriffs direct voters through the chute to the proper check-point.

Duties of the Election Sheriffs

1. The sheriffs should regularly check the polling place to make sure that no unauthorized literature is in the polling place or within the chute.
2. The sheriffs should contact local police officials if a situation occurs where a voter or other person violates the law and may leave the polling place if necessary to do so. (**NOTE:** In some counties the position of Election Sheriff has been eliminated and the duties assumed by other poll workers.)
3. If no separate election sheriffs have been appointed for your polling place, and you are unclear regarding which poll worker has been assigned the duties of the election sheriff, contact the county election board.

Other Election Workers: Watchers, Challengers and Poll Book Holders

Certain individuals who are not precinct election officials have special privileges to observe the precinct election process: watchers, challengers and poll book holders.

Credentials

Proper credentials act as a means to identify other election workers on Election Day. These tags must include the individual's name, position (watcher, challenger or poll book holder), the name and position of the appointing authority (county chairman or county election board), and the party affiliation of the appointing authority if the appointing authority is a political party.

General Rules for Watchers

Watchers may be appointed by political parties, certain candidates, by the county election board in certain votes on public questions or by the media to monitor activities at the polling place. Media watchers represent local television stations, newspapers, news services and radio stations. Each political party or independent candidate may have only one watcher at each precinct at any time during Election Day.

- Watchers with proper credentials ARE allowed to enter, remain, leave and reenter the polling place as early as 5:30 a.m. and remain until the counting of the vote at the precinct (if any) is completed.
- Each different kind of watcher is required to have credentials signed by the appropriate appointing authority.
  - All **political party watchers** must carry credentials signed by the county chairman of the watcher's party.
  - All **candidate watchers** must carry credentials signed by the circuit court clerk (or in certain cases, by the chairman of a candidate's committee).
  - Watchers in **elections on public questions** must have their credentials signed by the chairman of the county election board.
  - All **media watchers** must carry credentials signed by the county election board. Media watchers monitoring precincts in more than one county must carry credentials issued by the Indiana Election Division.
- A member of a precinct election board may require the poll book holder to produce their credentials at any time.
- Each political party or independent candidate (or a county election board in certain elections on a public question) may appoint a watcher for each precinct.
- A watcher may NOT disrupt election procedures or interfere with election officials or voters.
- Watchers may NOT handle election supplies and may NOT try to influence voters.

General Rules for Poll Book Holders

- Poll book holders are appointed by political parties, certain candidates and by the county election board in certain elections on public questions, to monitor the qualifications of voters.
- Poll book holders with proper credentials ARE allowed to enter, remain, leave and reenter the polling place as early as 5:30 a.m. and remain throughout Election Day until the polls close.
- Each political party or independent candidate (or a county election board in certain elections on public questions) may appoint a poll book holder for each precinct.
- The county chairman of the political party or the independent candidate must issue credentials to each poll book holder.
- Each political party or independent candidate may have only one poll book holder at each precinct at any time during Election Day.

General Rules for Challengers

- Challengers are appointed by political parties, certain candidates and by the county election board in certain elections on public questions, to monitor the qualifications of voters.
- Under a new state law, challengers ARE allowed to enter, leave and return to the polling place during Election Day in the same manner as poll book holders.
- The county chairman of the political party or the independent candidate must issue credentials to each challenger. A member of a precinct election board may require the challenger to produce their credentials at any time.

- Each political party or independent candidate may have only one challenger at each precinct at any time during Election Day.
- The challenger may ask for the voter's name. The voter must immediately announce his or her full and true name to the challenger before proceeding to vote.

Who is Allowed in the Polling Place?

1. Voters casting ballots (and children under 18 years of age accompanying the voter)
2. Precinct election officials (inspector, judges, poll clerks, assistants and sheriffs)
3. Deputy election commissioners
4. Challengers, watchers, and poll book holders with credentials
5. An individual authorized to assist a voter in voting (See Chapter Nine on Accessibility).
6. A county election board member, acting on behalf of the board
7. A voting system mechanic, to repair a voting system, with credentials signed by each member of the county election board.
8. The county chairman or county vice-chairman of a political party with credentials signed by each member of the county election board.
9. The Secretary of State of Indiana, unless that person is a candidate for nomination or election to an office on the ballot that Election Day.

Who is Not Allowed in the Polling Place?

1. A precinct committeeman of a political party (unless the committeeman has challenger, poll book holder, or watcher credentials)
2. A party volunteer
3. An elected official (other than the Secretary of State, as explained above)

- These people are NOT authorized to be in the polling place or the chute simply as the result of their status as a committeeman, a volunteer or an elected official. However, if they are a voter of that precinct, they may be in the polls for the time permitted to cast their ballot.
- **NOTE:** Unauthorized persons must be told to leave the polls or the chute immediately.

Electioneering

State law defines "electioneering" as expressing support or opposition to any candidate or political party or expressing approval or disapproval of any public question in any manner that could reasonably be expected to convey support or opposition to another individual. **A person who commits electioneering within the polls or the chute commits a Class A misdemeanor.**

Partisan Activities at the Polls

Although "electioneering" as described above is prohibited, state law permits each poll clerk to keep a list of persons who have voted at the precinct (sometimes called a "wagon book") and to provide that list to a watcher or poll book holder. When noting or providing wagon book information, the poll clerk may not engage in electioneering and must not delay any voter who is waiting to vote or in the process of voting.

Chapter 2: Opening the Polls and General Information

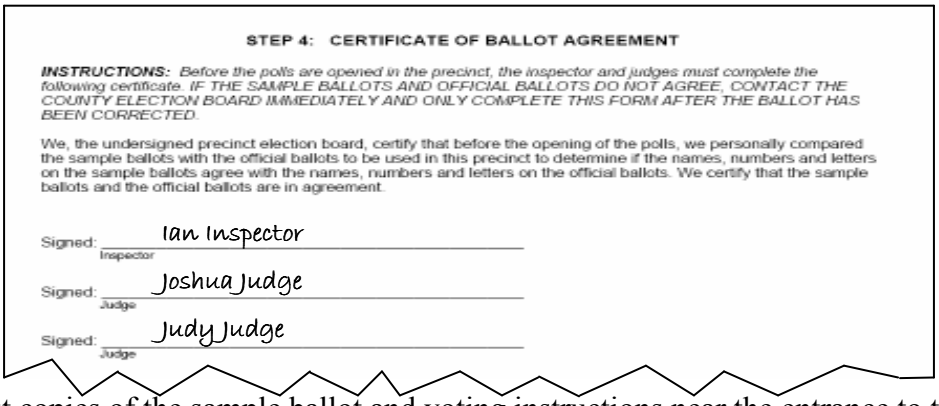
Polling Place Hours

- The polls must remain open continuously from 6:00 a.m. to 6:00 p.m. prevailing local time.
- Once open, **no precinct election official may leave the polling place** until after the canvass of votes has been taken, or if ballots are not counted in the precinct, until after all election supplies have been prepared for return to the county election board.
- **EXCEPTION**: An election sheriff (or the precinct election official performing the duties of an election sheriff) as explained previously.

Check-list for Preparing the Polling Place

Precinct election officials in all polling places should:

1. Arrive at the polling place before the polls open to prepare the area for Election Day according to the instruction of the county election board.
2. Designate a 50-foot chute for voters to line up to enter the polls. The chute begins at the entrance to the room where voting will take place.
   - In some polling places, a 50-foot chute is not possible. Ask your county election board how to proceed.
3. If the inspector has not yet taken the oath, the inspector administers oaths to the two judges, and one judge administers the oath to the inspector.
4. Arrange the polling place to make traffic flow as smooth as possible while keeping voting booths and ballot boxes in the same room with precinct election officials. When locating the voting system that will be available for voters with disabilities, make sure that the voter's pathway through the polling place is unobstructed and easy to navigate.
5. Compare the official ballots with the sample ballots to make sure that all names, ballot positions and offices are correct. Notify the county election board immediately if a discrepancy is discovered in the ballots. If no discrepancies are found, the inspector and judges must complete the *Certificate of Ballot Agreement*. (*PRE-1, Precinct Oath Book, step four. Figure 2-1)*



STEP 4: CERTIFICATE OF BALLOT AGREEMENT

INSTRUCTIONS: *Before the polls are opened in the precinct, the inspector and judges must complete the following certificate. IF THE SAMPLE BALLOTS AND OFFICIAL BALLOTS DO NOT AGREE, CONTACT THE COUNTY ELECTION BOARD IMMEDIATELY AND ONLY COMPLETE THIS FORM AFTER THE BALLOT HAS BEEN CORRECTED.*

We, the undersigned precinct election board, certify that before the opening of the polls, we personally compared the sample ballots with the official ballots to be used in this precinct to determine if the names, numbers and letters on the sample ballots agree with the names, numbers and letters on the official ballots. We certify that the sample ballots and the official ballots are in agreement.

Signed: Ian Inspector
Inspector

Signed: Joshua Judge
Judge

Signed: Judy Judge
Judge

Figure 2-1

6. Post copies of the sample ballot and voting instructions near the entrance to the polls and by each voting booth in plain view of all voters.

7. Display at least one copy of the Voter's Bill of Rights in a public place in the polling place (both English and Spanish versions).
8. Check that all balloting and canvassing materials are on hand in the quantities needed and in good condition for voting, including blank voter registration application forms to provide to certain voters (See Chapter Four on Fail-Safes).
    - If you are missing any forms or supplies, contact your county election board immediately.

Notes to Remember

- If a precinct election officer does not show up or is disqualified, the highest-ranking member on the precinct election board of the same political party fills the vacancy until the county election board appoints a replacement.
- Under state law, the inspector is required to have received training regarding Election Day procedures, including making polling places and voting systems accessible to elderly voters and voters with disabilities. The county election board may also require other poll workers to receive this training. If necessary, contact the county election board regarding emergency training for individuals serving in these positions.
- Watchers, poll book holders and challengers with credentials are permitted to access the polling place beginning at 5:30 a.m.

Chapter 3: Photo ID

General Information

- Each voter must provide government-issued photo ID to a member of the Precinct Election Board (the inspector or one of the judges) before signing the poll list.
- The ID must fit the following criteria:
  1. The voter's ID **displays the voter's photo.**
  2. The voter's **name on the ID must conform** to the name on the voter registration record.
     - Conform does not mean match identically. For example, people not only use their given first name or common nicknames for their first name but also substitute their middle name for their given first name. People also commonly substitute an initial for their given first or middle name. Below are examples of names that would conform to "Robert John Crew":
       - Robert John Crew
       - Robert J. Crew
       - Robert Crew
       - R. John Crew
       - R. J. Crew
       - Bob John Crew
       - Bob J. Crew
       - Bob Crew
       - John Crew
       - J. Crew
  3. The voter's ID must **contain an expiration date** and either still be current or have expired sometime after the date of the most recent General Election (November 2, 2010)
     - Including Military ID's with expiration dates of "INDEF"
  4. The voter's ID must be **issued by the State of Indiana or the U.S. government.**
- In most cases, an Indiana driver's license, Indiana photo ID card, Military ID or US passport is sufficient.
- **NOTE**: The address on the voter's photo ID does NOT need to match the address on the voter registration record. However, certain "first time" voters who registered by mail will be required to provide additional documentation that DOES match their address on the voter registration record (See Chapter Four on Additional Documentation Requirements).
- If the voter is **unable or unwilling to present a photo ID** that meets these requirements, the voter may cast a provisional ballot (See Chapter Seven on Provisional Ballots).
- **No voter should be turned away from the polls for failing to provide photo ID.**
- If the voter is unable to obtain an ID, because the voter is indigent or has a religious objection to being photographed, the voter may claim this exemption from the ID requirement by appearing in person before county election board and affirming under penalties of perjury that the exemption applies (See Chapter Seven on Provisional Ballots).
- If the voter is registered to vote and resides in the state-licensed facility where the precinct's polling place is located, the voter is exempt from this ID requirement.
- If the voter does not already have a valid photo ID, the voter can obtain an Indiana photo ID card **free of charge** from any Bureau of Motor Vehicles license branch. For more information, please contact the BMV at (317) 233-6000 or visit their website www.mybmv.com.

- **NOTE:** All BMV locations that normally issue driver's licenses and ID Cards will have extended hours on Election Day from 6:00 AM to 7:00 PM and the day before Election Day from 8:30 AM to 8:00 PM.

Photo ID Document Requirements at the BMV

If voters have questions about how to obtain a free photo ID from the BMV, the following is an abbreviated list of requirements.

A new issuance of a SecureID Card requires the applicant to present:

- One (1) original document to establish identity*
- One (1) original document to establish lawful status*
- Two (2) original documents with the applicant's name and Indiana residential address
- One (1) original document with the applicant's name and Social Security number

*More than one document may be required if the applicant's current legal name is different from the name on his/her birth certificate or lawful status document. The applicant must show legal proof of the name change (showing a link to all name changes) with an original marriage license, divorce decree or court order.

Establishing Identity (one required)

- Original or certified copy of a birth certificate or Certification of Report of Birth DS-1350
- U.S. Certificate of Naturalization/Citizenship
- Unexpired U.S. Passport or Passport Card

Establishing Lawful Status (one required)

- Original or certified copy of a birth certificate or Certification of Report of Birth DS-1350
- U.S. Certificate of Naturalization/Citizenship
- Unexpired U.S. Passport or Passport Card

Proof of Indiana Residency (two required)

- U.S. Postal Service change of address confirmation
- An Indiana voter registration card
- Utility company, credit card, or hospital bill issued within 60 days of application
- Bank statement or bank transaction receipt dated within 60 days of application

Social Security number (one required)

- Social Security Card
- W-2 Form
- SSA—1099 Form
- Pay stub containing the applicant's name and Social Security number

NOTE: These are NOT comprehensive listings of all that would qualify for each type of required documentation. Additionally, these requirements apply to state Secure ID cards and not to Non-SecureID cards or to driver's licenses.

Interim Photo IDs

Because of new documentation guidelines that became effective in 2010, some voters may be issued interim driver's licenses or identification documents from the Indiana Bureau of Motor Vehicles until their permanent IDs are made available (See Figure 3.1 below for an example of an interim Photo ID).

An interim driver's license or identification card will have the same information and photograph as a permanent license or identification card. The interim documents are valid for 14 days while the permanent card is being produced at a central location and mailed to the customer.

Some voters will also have an Indiana Driver's License or Identification Card with the words "Not valid for Federal identification" printed on the front of the cards.

All of these documents meet the requirements of Indiana law to be valid for voter identification purposes.

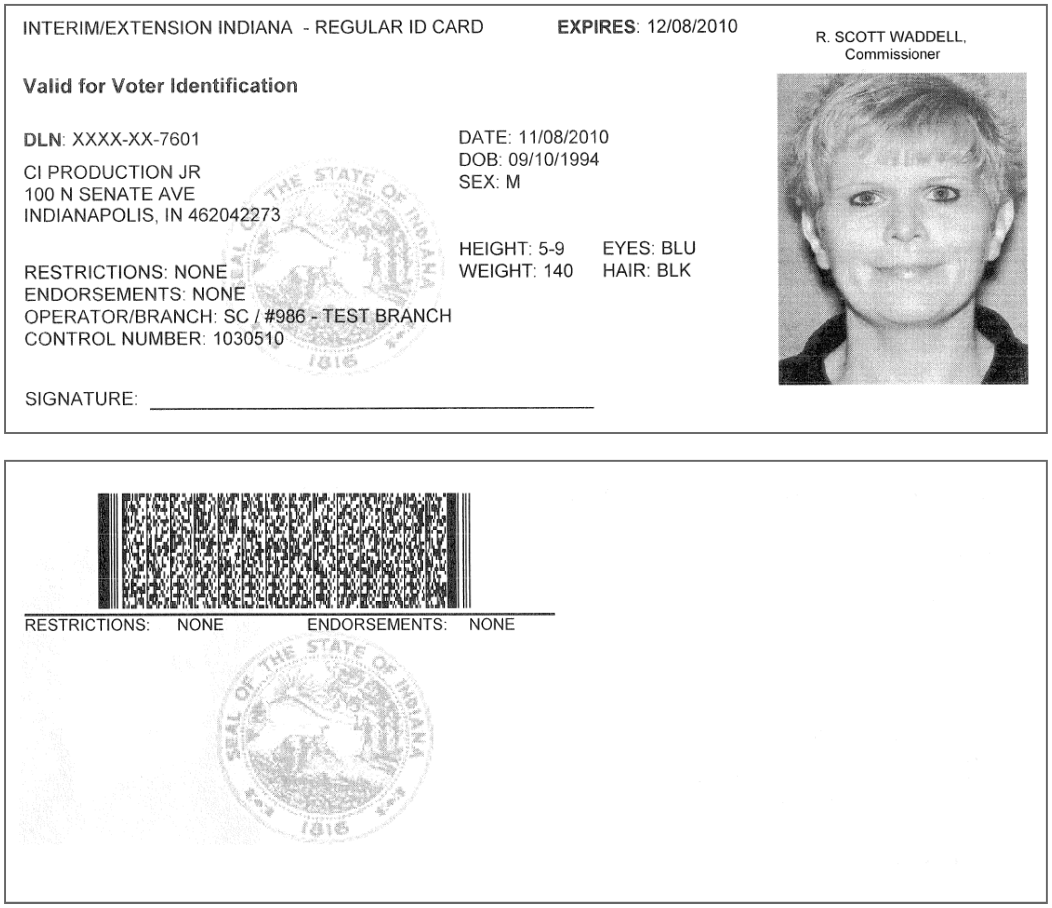


Figure 3.1

Chapter 4: Additional Documentation Requirements

General Information

- Some voters are required to present additional documentation to the county voter registration office that confirm the residence address of the voter. **NOTE: This is in addition to the photo ID "proof of identity" requirement.**

Who is affected by this requirement?

- This requirement only applies to a voter who:
    1. **Registered to vote for the first time.**
        - In the **county** on or after **January 1, 2003** and before **January 1, 2006 OR**
        - In **Indiana** after **January 1, 2006 AND**
    2. **Submitted an application to vote by mail**.
        - **NOTE**: this would not include a voter who submitted an application at a license branch or other voter registration agency.
- Even within this group of voters, some are exempt from this requirement:
    1. Military and overseas voters
    2. A voter who presented this documentation to the county voter registration office with their registration application
- These voters were notified of this requirement when the county received the voter's registration application and also if the voter applied for an absentee ballot.

Additional Documentation Procedure

- The precinct poll list will indicate which voters are required to present this additional documentation. If your poll list does not appear to do so, contact the county election board immediately.
- **The poll clerk checks the poll list** to determine if a voter is required to present documentation. If so, the poll clerk requests a document to fulfill the requirement from the voter. If not, the voter may proceed through the normal voting procedures.

What kinds of documents are acceptable?

- The voter may present any of the following types of documents to the poll clerk to meet the additional documentation requirement:
    1. **Indiana Driver's License or Indiana State Identification Card**, with the voter's current name and address.
        - **NOTE:** An Indiana Driver's License or Indiana State Identification Card may meet both the photo ID requirement and the additional documentation requirement if it fulfills the unique requirements for each.
        - For example, to fulfill the photo ID requirement the document does NOT need to contain an address that matches the address on the poll list, but must meet the other requirements. However, to meet the additional documentation requirement, the voter need only present a document that contains a matching name and current address to the poll list.

Other Documents that meet the Additional Documentation Requirement

2. **Any other current and valid photo ID** that contains the voter's current name and address
3. A **current utility bill**, with the voter's current name and address
4. A **bank statement**, with the voter's current name and address
5. A **government check** with voter's current name and address
6. A **paycheck** with voter's current name and address
7. Any **other government document** that shows voter's current name and address

- Upon receiving the documentation from the voter, the poll clerk shall take the following steps:
  1. Determines which type of document has been presented, according to the categories listed above.
  2. Determines if the document is current and has the voter's current name and address.
  3. If the document is acceptable under Step 2, the poll clerk writes the correct document code listed below, on the poll list at an appropriate spot by the voter's name.

Type of Documents	Document Code
Indiana Driver's License or Bureau of Motor Vehicles ID Card	**DL**
Current and Valid Photo ID	**PH**
Current Utility Bill	**UB**
Bank Statement	**BK**
Government Check	**GV**
Paycheck	**PY**
Other Government Document	**GD**

  4. After completing these steps, the poll clerk returns the document to the voter.
  5. After completing this process, the voter is given a regular official ballot, unless there is some other question regarding the voter's eligibility to vote (See Chapter Seven on Provisional Ballots).
- **NOTE**: If the voter does NOT have an acceptable document to present, the voter may leave the polls and return before the polls closed on Election Day with the acceptable documentation and vote, if otherwise qualified.
  - If the voter has already signed the poll list, or for any other reason will not or cannot present a document that meets this requirement before the polls close, the voter is allowed to vote using a provisional ballot (See Chapter Seven on Provisional Ballots).
  - The poll clerk is required to advise the voter that the provisional ballot can be counted only IF the voter files a copy of an acceptable document with the county voter registration office no later than the closing of polls at 6 p.m. on Election Day. It may also be possible to FAX a copy of a document to the county voter registration office for filing if that office has the ability to receive the FAX.

More Information

- Poll lists are printed prior to Election Day, allowing for the possibility of voters presenting the required documentation to the county election board after the poll list has been printed. As a result, there may be some voters identified on the poll list as required to provide documents who have already met this requirement before the polls open on Election Day. If this is the case in your precinct, the county election board will provide a certificate to the inspector along with the poll list and other supplies.
- If possible, the poll clerks should use this document to mark the poll list before the polls open to indicate which of these voters should NOT be asked to present additional documentation, based on the information provided in the certificate.
- The county election board will visit post offices on Election Day to pick up and process mail that might contain copies of additional documents provided by these voters. If additional documents from these voters are received in the mail on Election Day, the county election board will attempt to contact the precinct to provide you with this information.
- If you have questions regarding how to apply the additional documentation requirement, contact the county election board.

Chapter 5: The Voting Process and Fail Safes

Issuing Ballots

1. Upon entering the polling place, each voter must give the voter's name and photo ID to the inspector, a poll clerk or one of the judges **before signing the poll list!**
   - If a voter signs the poll list first, by mistake, but does not have a document that meets the photo ID requirements, the voter will NOT be allowed to leave and return later on Election Day to present this document. Instead, the voter must cast a provisional ballot (See Chapter Seven on Provisional Ballots).
   - **EXCEPTION:** If a voter who is a member of the military or public safety officer signs the voter's name and either:
     (1) writes the voter's address; or
     (2) checks the "Address Unchanged" box;

     on the poll list and then leaves the polls without casting a ballot or after casting a provisional ballot, the voter may reenter the polls to cast a ballot at the election. This voter must notify a precinct election officer that the voter is leaving the polls to respond to an emergency as a member of the military or public safety officer.

     A poll clerk or assistant poll clerk shall make a notation on the poll list with the voter's name indicating that the voter has left the polls for this purpose and the time the voter left the polls. If the voter returns to the polls, the voter shall be permitted to vote if the voter executes an affidavit stating all of the following:
     (1) The name of the voter.
     (2) That the voter is a member of the military or public safety officer.
     (3) The military or public safety position the voter holds.
     (4) That after the voter signed the poll list, but before the voter voted, the voter was called to respond to an emergency.
     (5) A brief description of the emergency to which the voter responded.
     (6) The time at which the voter returned to the polls.
2. If the inspector, a poll clerk or one of the judges determines that the voter's photo ID document meets the requirements, the voter will be sent on to the poll clerks where his or her name will be located on the poll list.
3. If voter's name IS on the poll list please skip ahead to the section entitled, "Issuing Ballots Continued."
4. If the inspector or one of the judges determines that the document does not meet these requirements, then they shall challenge the voter. (See Chapter Six on Challenging a Voter).
5. If a person's name CANNOT be located on the poll list, please refer to the "Fail-Safe" section of this handbook (below) to decide which (if any) of the procedures would entitle the person to vote in the precinct.

No one should ever be turned away from the polls. No matter what, they can always cast a provisional ballot!

Fail-Safe Procedures for Voters not on the poll list

- If the voter fits into one of the following three situations he or she is eligible to vote by regular ballot. If these fail-safe procedures do not apply, the voter may cast a provisional ballot.

Situation #1: If a voter's name has been left off the poll list by mistake and a poll worker is able to confirm with the County Clerk or Voter Registration Office that the voter is in fact registered to vote in the precinct.

- When a voter's name does not appear on the poll list through an error by the county, the precinct election officials must first obtain a **"Certificate of Error"** from the county voter registration office before allowing the voter to cast a ballot.
- Most counties allow a voter to vote after confirming over the telephone that a "Certificate of Error" will be issued to the voter and do not require delivery of the certificate to the polling place.

Situation #2: If a voter's name is NOT on the poll list but the county voter registration records show that the voter was formerly registered in the precinct and was since canceled.

- This voter must be allowed to vote in the precinct if the voter is willing to sign a written statement (or make an oral affirmation) in the presence of the inspector or one of the judges that the voter continues to reside at the address formerly shown on the county's voter registration record. (If the voter makes an oral affirmation, the poll clerks must write down the information for the voter and initial the statement.)
- After the affirmation procedure is complete, this voter must be allowed to vote in the precinct. The county election board will be notified immediately so the error can be corrected in the other precincts where the voter's name may be included incorrectly on the poll list.

Situation #3: If a voter's name is NOT on the poll list, but on Election Day the voter has a receipt of a voter registration application (VRG-6: Indiana Agency Voter Registration Application) indicating that he or she applied to register at a state agency, while the registration period was still open.

1. If the person produces the agency registration receipt and wishes to vote, **Check the date on the receipt** to determine if the voter applied BEFORE the registration period closed (On or before April 4, 2011 for the 2011 Primary Election and on or before October 11, 2011 for the 2011 Municipal Election).
   - **If the date on the receipt is before the end of the registration period**, contact the county election board immediately to determine if the county voter registration records provide any information about this person's application.
   - **If the date on the receipt is after the registration period deadline**, the voter is NOT eligible to vote.
2. If the county records show that this person's registration application **has been APPROVED,** the voter is entitled to vote at the precinct and has been left off the poll list. You may use the "Certificate of Error" procedure described above and permit this person to vote a regular ballot.
3. **If the county records show that this person's registration application has been REJECTED**, inform the person and advise them to contact the county election board to resolve this problem.

4. If the county voter registration office has **NO INFORMATION** regarding this person's voter registration application, and if this person is willing to sign the poll list for the precinct in effect swearing under the penalties of perjury that the person is a qualified voter of the precinct, the person must be allowed to vote.
   - In this case, the voter should not be challenged or issued a provisional ballot if there are no other questions concerning the voter's eligibility to vote.
   - However, since the original registration documents concerning this voter cannot be located, the voter is given a blank voter registration application form to complete. The inspector and judges attach the completed form to the poll list, and return the form to the county for processing so that a Certificate of Error would not be necessary for this voter at the next election.
5. **If there is NO DATE on the receipt indicating that the voter applied before the end of the registration period**, the voter may cast a provisional ballot (See Chapter 7 on Provisional Ballots). The challenger should document on the Challenged Voter's Affidavit (PRE-4; front) that there was no date on the receipt presented by the voter, so the county election board will have this information available in determining whether to count the provisional ballot.

- **NOTE: If the voter is allowed to vote, because the county election board confirms that the voter's application was APPROVED,** or, because the county voter registration office **has no information regarding this person's voter registration application,** or, because the voter complied with the procedures when **NO DATE is listed on the receipt,** state law (IC 3-7-48-7) requires that the inspector and judges add a note to the poll list documenting any information on the receipt concerning the agency or agency employee who accepted the voter's application. Ask the county election board for instructions regarding the content of this note on the poll list. The voter may vote after completing a blank registration application and providing the completed form to the precinct election board.
- **NOTE:** If the inspector did not receive blank copies of the VRG-7 form for the use of voters, contact the county election board immediately.
- **If the voter insists on voting,** despite the application rejection, the voter can vote by provisional ballot (See Chapter 7 on Provisional Ballots). The challenger should document the rejected application on the challenge form (PRE-4).

How to Administer the Photo ID Requirement at the Polls

STEP 1: The voter enters the polling place. **(Proceed to Step 2)**

STEP 2: The inspector, a poll clerk or one of the judges asks for photo ID, *BEFORE* permitting the voter to sign the poll book. Acceptable photo ID must meet *ALL* of the following requirements:

1. The voter's ID displays the voter's photo.
2. The voter's name on the ID must conform to the name on the voter registration record. Conform does not mean match identically.
3. The voter's ID must contain an expiration date, and either still be current or have expired sometime after the date of the most recent General Election (November 2, 2010).
4. The voter's ID must be issued by the State of Indiana or the U.S. government.

(Proceed to Step 3)

STEP 3: If the voter **presents an acceptable photo ID, the voter goes to where the poll clerks are stationed.**

•A poll clerk verifies with the voter that the address in the poll book is correct. (This address does not need to match the address printed on the voter's photo ID.)

•A poll clerk asks each voter to provide or update their "voter identification number" and verifies that additional documentation is not required for the voter to proceed.

•Unless there is a challenge made to the voter for some other reason, the voter will sign the poll book and the poll clerks will give the voter an **official ballot**.

(End at Step 3)

STEP 3: If the voter is **unable or unwilling to present photo ID**, the inspector or one of the judges shall **challenge the voter**.

(Proceed to Step 4)

STEP 3: If the inspector or judge determines that **the photo ID presented by the voter does not meet all of the requirements listed in STEP 2**, the inspector or judge shall **challenge the voter**.

(Proceed to Step 4)

STEP 4: The inspector or judge completes a **Challenged Voter's Affidavit** (**PRE-4**). The voter fills out the bottom section (or the back) of the challenge form. After completing the PRE-4 affidavit, the voter may sign the poll list. In some counties, both sides of the challenge form (PRE-4) may be printed directly on the PRO-2 envelope. **(Proceed to STEP 5)**

STEP 5: The poll clerk then gives the voter a provisional ballot initialed by both poll clerks and a **security envelope** (**PRO-2)**. The voter casts and returns the provisional ballot, sealed in the PRO-2 envelope. The voter is then given a **PRO-9 informational form** detailing his or her rights as a provisional voter and explaining that the voter must provide identification to the county election board no later than noon on May 13, 2011 for the Primary and November 18, 2011 for the Municipal Election. **(End at Step 5)**

Issuing Ballots, Continued

1. After the voter's name has been located on the poll list, the poll clerk will check to see whether additional documentation is required to verify the residency of the voter and ask the voter to provide or update their voter registration number.
2. The voter must then sign the poll list and write the voter's current address on the poll list or confirm that the address listed on the poll list is unchanged.
   - **The address does NOT have to be the same as on their photo ID.**
   - However, if the voter writes a **different address** on the poll list than the one already listed, check to see if the new address is located inside or outside of the precinct. If the new address is **inside the same precinct**, the voter is allowed to vote if otherwise qualified. The voter's record will be updated by the county to reflect the new address within the precinct indicated by the voter.
   - If the address is **outside** the precinct, then the voter is not eligible to vote a regular ballot in your precinct unless the voter qualifies to use one of the following two procedures:
     A. **Request for transfer within thirty (30) days of election:** If the voter moved *outside* of the precinct to any other precinct in Indiana during the final thirty (30)

AFFIDAVIT OF REQUEST FOR TRANSFER OF VOTER REGISTRATION **(VRG-4/12)**
State Form 28186 (R11/7-06)
Indiana Election Commission (IC 3-10-11-6; 3-10-12-3.4)

INSTRUCTIONS

1. This form is used only for a voter who:
   A. is a resident of Indiana, and has changed residence before the election to a new precinct In Indiana;
   B. was a qualified and registered voter in the precinct of former residence;
   C. is otherwise qualified to vote, but is not registered in the precinct where the voter now resides; and
   D. Appears:
      (i) in person at the County Voter Registration Office at the county of former residence no later than 4:00 p.m. Monday before the election; or
      (ii) on election day before the inspector of the precinct where the voter formerly resided to request transfer to the current precinct of residence.
2. The voter must complete this affidavit and sign it in the presence of a person authorized to administer oaths if Box 1 below applies. The voter must complete this affidavit and sign it in the presence of a person authorized to administer oaths OR make an oral affirmation if Box 2 applies.
3. If this form is executed in the County Voter Registration Office, the registration official must provide a copy of this form to the voter. On election day, the voter must submit this copy to the precinct election board before the voter will be permitted to vote. The voter must appear to vote in the precinct where the voter was formerly registered and resided 31 days before election day.
4. This form may also be executed when an application for an absentee ballot is filed with the county election board of the county where the voter formerly resided.
5. This form may also be executed before the inspector of the precinct of the person's former residence, if the application and statement are executed on the day of the election.
6. This form may not be used in an election held only within a city or town when the voter has moved: (A) outside the city or town; or (B) into the city or town from a precinct outside the city or town within 30 days before election day.
7. If you provide us with your telephone number, we will call you if there is a problem in processing this form.

VOTER'S NAME, DATE OF BIRTH, VOTER IDENTIFICATION NUMBER AND TELEPHONE NUMBER

Last Name	First Name	Middle Name
Methusaleh	*Mary*	*M.*

Date of Birth *(mm/dd/yy)*	Voter Identification Number *(Indiana issued driver's license number, OR if voter does not possess driver's license, provide last 4 digits of social security number)*	Telephone Number *(optional)*
01 / 01 / 86	*000-00-0000*	*(555) 555-5555*

Are you a citizen of the United States of America? ☒ Yes ☐ No
Will you be at least 18 years of age on or before election day? ☒ Yes ☐ No

VOTER'S PREVIOUS NAME *(If voter's name has changed, complete this section with the voter's name before the voter changed it.)*

Last Name	First Name	Middle Name

Figure 5-1

days before the election, the voter must produce or sign before the inspector an *"Affidavit of Request for Transfer of Registration" (VRG-4/12. figure 5-1)* before the voter may proceed to vote. **NOTE:** If the inspector did not receive blank copies of the VRG-4/12 form for the use of voters, contact the county election board immediately.

B. **Request for transfer within the same county and same congressional district:** If the voter moved outside the precinct to another precinct that is still in the county and is also in the same congressional district, regardless of *when* the voter moved, the voter must sign an *"Affidavit of Request for Transfer of Registration" (VRG-4/12)* in the presence of the inspector or a precinct judge before the voter may proceed to vote.
   - The voter may also make an "oral affirmation" of this information in the presence of the precinct election board. If this happens, the poll clerks must complete the VRG-4/12 form for the voter and initial the form in the indicated places.
   - If the voter insists on voting, despite failing to qualify for one of the "Fail-Safe" procedures, the voter can vote using the provisional ballot procedures.
   - The challenger should document the voter's failure to qualify for these procedures on the challenge form (Form PRE-4).

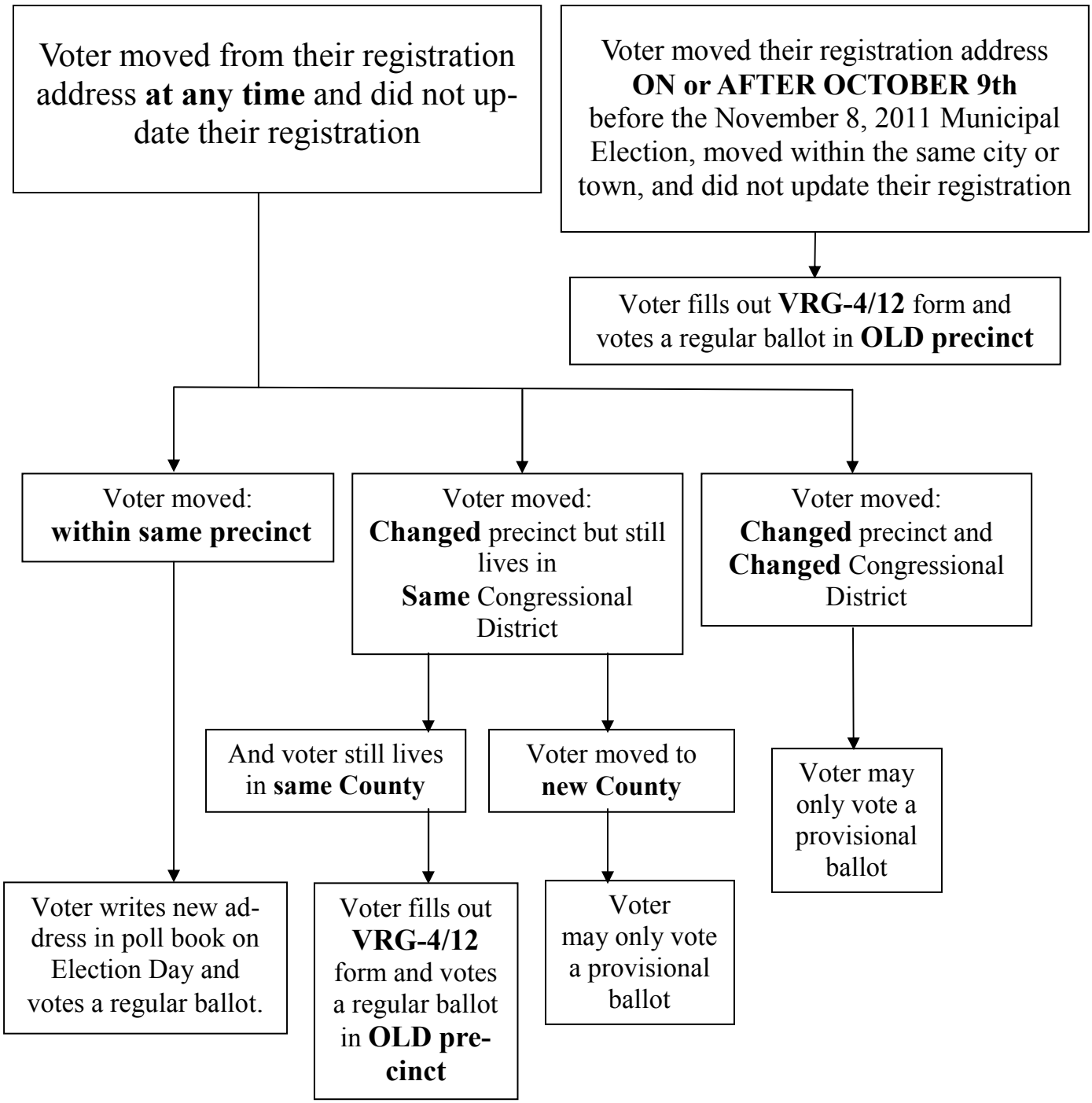
3. In primary elections, the voter must announce the party for which the voter intends to vote. The primary ballots for each party will be different colors or easily distinguished from each other in some other way. Be sure that each voter is given the correct party ballot. **The voter's party choice must be written on the poll list**.
   - NOTE: A voter is allowed to vote for ONLY school board offices or on a public question placed on the ballot at the same time as the primary election WITHOUT requesting a political party ballot.
4. **Both poll clerks must place their initials on the back of each ballot** or ballot card (and on the ballot card secrecy envelope) in the clerk's own handwriting or printing at the time of issuing the ballot. After the voter has signed the poll list, the poll clerks will issue each voter a ballot and mark the poll list to indicate that the voter has voted at the election. (In counties using an optical scan ballot card voting system, a secrecy envelope is issued with the ballot card). **Do NOT give a voter a ballot until a voting booth is available.**
5. The optical scan ballot card will either be fed by the voter into a tabulating machine at the precinct, or if the ballot cards are taken to a central location for counting by the county, the optical scan ballot cards will be deposited in a ballot box. Before depositing ballots into the ballot box, the ballot must be folded so that only the poll clerks' initials can be seen.

Spoiled Ballots

- If a voter accidentally spoils, mutilates or defaces a ballot, the voter is entitled to ask for another ballot from the poll clerks.
- The spoiled ballot is to be marked **void** by the precinct election board in the presence of the voter. The poll clerks will make a notation of each voided ballot on the poll list. Each voided ballot must be placed in a special envelope.
- **Do not put voided ballots in the ballot box**.

Voter Moved WITHIN the State of Indiana

In 2011, the VRG-4/12 can only be used when a voter moves WITHIN the same City or Town.



NOTE: If a voter moves out of state he or she is NOT eligible to vote in Indiana in 2011.

Chapter 6: Challenging A Voter

General Information

- Procedures exist to challenge a voter who may not be eligible to vote in a precinct.
- **Challenge procedures must be used with caution.**
- It is against the law for a person who is not eligible to vote in the precinct to attempt to cast a ballot or for a precinct election official to knowingly fail to challenge an ineligible person. It is also against the law for a precinct election official to challenge a voter that the official knows is in fact eligible to vote.

Who may Challenge a Voter?

1. A **member of the precinct election board** (the inspector or either judge).
2. A **poll clerk** (but only if the clerk does so based on a **questionable signature by the voter on the poll list**)
3. A challenger appointed by a candidate, or a political party, with the proper credentials.
4. During a primary election, a voter who is a member of the political party whose ballot is being requested by the voter

Situations in which a Challenge Should be Issued

1. If the voter is unable to present photo ID that meets the photo ID requirements
2. If the **voter's name does not appear on the poll list** (the voter is not registered to vote in the precinct) unless the voter qualifies to vote using one of the "Fail-Safes" explained in Chapter Five of this manual
3. The voter's name appears on the poll list, but the **voter does not currently reside in the precinct,** unless the voter qualifies to vote using one of the "Fail-Safes" explained in Chapter Five of this manual.
4. The poll list indicates that the voter is also required to present additional documentation, but is not able to do so (See Chapter Four on Additional Documentation).
5. The voter is not a U.S. citizen.
6. The voter will not be 18 years of age or older at the municipal election.
   - **NOTE:** Otherwise qualified 17 year olds may vote in a primary election, but NOT for a school board office, political party office (such as precinct committeeman or state convention delegate) or on a public question voted on at the same time as the primary.
7. The voter's signature on the poll list does not match that on the registration record of the county.
8. In a primary, the voter is not affiliated with the party whose ballot the voter is requesting.
   - **EXCEPTION:** A voter challenged in a primary due to party affiliation is NOT issued a provisional ballot. If the challenged voter is willing to complete and sign the challenged voter's affidavit (PRE-6), then **the voter is issued the regular ballot of that party, which is NOT kept separate from the undisputed ballots cast in the precinct.**

Challenge Procedures

1. The person challenging the voter must complete an affidavit stating the specific reasons for the challenge (PRE-4; front. *figure 6-1*).

CHALLENGE AFFIDAVIT OF A VOTER BY A CHALLENGER OR MEMBER OF THE PRECINCT ELECTION BOARD/ **(PRE-4)**
State Form 42132 (R10/11-09)
Indiana Election Commission (IC 3-11-8-21; 3-11-8-23.5)

INSTRUCTIONS: After the challenger completes this side of the form, the challenged voter may complete the reverse side of this form. If the challenged voter completes the reverse side of this form, the challenged voter is entitled to cast a provisional ballot. Do not use this form to challenge a voter at a primary election due to the voter's party affiliation. Use PRE-6 form instead.

STATE OF INDIANA, COUNTY OF ***Allen***

GENERAL INFORMATION

I, the undersigned, believe that ***Vicki Voter***,
(insert name of voter)

now offering to vote, is not a legal voter in this precinct, for the following reason(s):

Voter Eligibility – Fail Safe Procedures

1. ☐ This voter's name is not included on the poll list, and is **NOT** entitled to vote by using a "Fail Safe" procedure.
2. ☐ This voter's name **is** included on the poll list, but this voter does not currently reside in the precinct, and is **NOT** entitled to vote in this precinct by completing a VRG-4/12 form or a VRG-15 form, or other "Fail Safe" procedure.

Voter Identification

3. ☒ This voter was unable or declined to present proof of identification when required by law to do so.
4. ☐ This voter is identified on the poll list as required to present an additional document that confirms the voter's identity and current residence address, but has not done so.

Voter Eligibility - General Requirements

5. ☐ This voter is not a U.S. citizen.
6. ☐ This voter will not be 18 years of age or older at the general election.
7. ☐ This voter's signature on the poll list does not match the signature on the voter's registration record.
8. ☐ Other _____
(insert specific reason for challenging voter)

I obtained the information from ***Charlie Challenger***
(insert name of person(s) supplying information for challenge)

CHALLENGER AFFIRMATION

I swear *(or affirm)* that the foregoing statements are true, to the best of my knowledge and belief, and understand that making a false statement on this affidavit is punishable under the penalties of perjury.

figure 6-1

2. The challenged voter must complete an affidavit affirming that the voter is legally qualified to vote in the precinct (PRE-4; bottom or reverse. *figure 6-2*) under the penalties of perjury.

AFFIDAVIT OF A CHALLENGED VOTER

INSTRUCTIONS: When completed, attach this form to the voter's provisional ballot secrecy envelope (PRO-2), and put this form in the Provisional ballot outer envelope (PRO-4).

STATE OF INDIANA, COUNTY OF _____

GENERAL INFORMATION

I, the undersigned, state the following:

1. that I am a citizen of the United States.
2. that my date of birth is ***01*** / ***01*** / ***86*** *(mm/dd/yy)* to the best of my information and belief.
3. that I have been a bona fide resident of this precinct for thirty (30) days immediately before this election or I am qualified to vote in this precinct under IC 3-10-10, IC 3-10-11, or IC 3-10-12.
4. that I am generally known by the name in which I desire to vote, which is ***Vicki Voter***
5. that I have not voted and will not vote in any other precinct in this election.
6. that my present residence address is ***123 Main Street, Fort Wayne, IN 46845***
   (and, if applicable, my residence address thirty (30) days before this election was at:
   _____)
   I moved to my residence address in this precinct on the following date: _____/_____/_____ *(mm/dd/yy)*
7. that, if applicable, if I was challenged under boxes 3 or 4 on the *Affidavit of a Voter By a Challenger* portion of this form, I did present proof of identification or additional documentation that complied with IC 3-5-2-40.5 or IC 3-7-33-4.5.

CHALLENGED VOTER AFFIRMATION

figure 6-2

NOTE: Counties may print both the front and back of the PRE-4 challenge affidavit on the PRO-2 envelope for the convenience of voters and poll workers and to ensure that the PRE-4 remains attached to this envelope.

Chapter 7: Provisional Ballots

General Information

- Provisional voting is a way for a voter to cast a ballot at the polls on Election Day when they are challenged because of one of the situations explained in Chapter Six of this manual.
- **The precinct election board should first try to resolve a voter's eligibility issue by applying a fail-safe provision.**
- However, if one of the fail-safe provisions does NOT apply, the voter should be offered the opportunity to cast a provisional ballot so that the county election board can resolve the voter eligibility issue after the polls have closed.
- Provisional ballots must resemble the ballots provided to other voters at the election, however, there are some differences.
  1. A provisional ballot will state that it is a provisional ballot.
  2. A provisional ballot will have the circuit court clerk's seal and signature printed on the ballot, much the same as an absentee ballot.

Provisional Ballot Step-by-Step Instructions

1. The provisional ballot process begins when the challenger and the voter complete the Challenged Voter's Affidavit (PRE-4) on which the challenger indicates **why the voter is being challenged**. The form will have pre-written reasons that should cover the most common situations for issuing the provisional ballot. Simply check the appropriate box and sign the front of the form.
   - If the voter does not have photo ID which meets the "proof of identification" requirements, check "Other" box and in the following space, indicate "No Photo ID" or "Insufficient Photo ID." *(figure 7-1)*

(figure 7-1)

CHALLENGE AFFIDAVIT OF A VOTER BY A CHALLENGER OR MEMBER OF THE PRECINCT ELECTION BOARD/ **(PRE-4)**
State Form 42132 (R10/11-09)
Indiana Election Commission (IC 3-11-8-21; 3-11-8-23.5)

INSTRUCTIONS: After the challenger completes this side of the form, the challenged voter may complete the reverse side of this form. If the challenged voter completes the reverse side of this form, the challenged voter is entitled to cast a provisional ballot. Do not use this form to challenge a voter at a primary election due to the voter's party affiliation. Use PRE-6 form instead.

STATE OF INDIANA, COUNTY OF ___*Allen*___

GENERAL INFORMATION

I, the undersigned, believe that ___*Vicki Voter*___
(Insert name of voter)

now offering to vote, is not a legal voter in this precinct, for the following reason(s):

Voter Eligibility – Fail Safe Procedures

1. ☐ This voter's name is not included on the poll list, and is **NOT** entitled to vote by using a "Fail Safe" procedure.
2. ☐ This voter's name **is** included on the poll list, but this voter does not currently reside in the precinct, and is **NOT** entitled to vote in this precinct by completing a VRG-4/12 form or a VRG-15 form, or other "Fail Safe" procedure.

Voter Identification

3. ☒ This voter was unable or declined to present proof of identification when required by law to do so.
4. ☐ This voter is identified on the poll list as required to present an additional document that confirms the voter's identity and current residence address, but has not done so.

Voter Eligibility - General Requirements

5. ☐ This voter is not a U.S. citizen.
6. ☐ This voter will not be 18 years of age or older at the general election.
7. ☐ This voter's signature on the poll list does not match the signature on the voter's registration record.
8. ☐ Other ___
(Insert specific reason for challenging voter)

I obtained the information from ___*Charlie Challenger*___
(Insert name of person(s) supplying information for challenge)

CHALLENGER AFFIRMATION

I swear *(or affirm)* that the foregoing statements are true, to the best of my knowledge and belief, and understand that making a false statement on this affidavit is punishable under the penalties of perjury.

2. The inspector determines that the PRE-4 has been properly completed by both challenger and voter.
3. The voter signs the poll list and confirms the voter's residence address information on the poll list.
4. Both poll clerks must initial the back of the provisional ballot before providing it to the voter (with a PRO-2 security envelope).
5. The voter marks the provisional ballot in secret and seals the provisional ballot inside the PRO-2 envelope.
   - If a voter spoils the provisional ballot, the voter requests a replacement ballot. The inspector receives the spoiled ballot, marks the ballot as "VOID", and places the ballot inside the PRO-6 envelope with any other spoiled provisional ballots. The voter is then given another properly initialed provisional ballot.
6. The voter then completes the PRO-2 envelope and hands it to the inspector.
7. If the Challenged Voter's Affidavit (PRE-4) is printed as a separate document, the inspector must fasten it to the OUTSIDE of the PRO-2 envelope.
   - **The PRE-4 form should never be placed inside the PRO-2 envelope with the ballot or be separated from the PRO-2 envelope after the PRO-2 envelope is returned by the voter.**
8. The PRO-2 envelope (with the PRE-4 attached) is placed into the provisional ballot storage envelope (PRO-4) .
9. The inspector hands the instructions to provisional voters form (PRO-9) to the voter, which contains county contact information and explains provisional ballot follow-up information.
   - **EXCEPTION:** If a court order has extended the hours that the polls are open, a voter who arrives at the polls during the extended hours is NOT required to sign the Challenged Voter's Affidavit (PRE-4) to receive a provisional ballot.
   - If this occurs, provide the voter with the provisional ballot that has been initialed by the poll clerks and a secrecy envelope (PRO-2). The voter should be directed to fill out the voter information portion of the form on the outside of the secrecy envelope. This type of provisional ballot will be sealed in the PRO-2 envelope, and then returned to the county election board in the special PRO-5 envelope.
10. After the polls close at 6 pm, the inspector, judges, and clerks must fill out the information required on the outside of the PRO-4 and PRO-6 envelopes, sign and seal them before transporting the supplies back to the county election board.
    - **NOTE:** When returning the election materials to the county election board, please let the election board staff know if any voter in the precinct has cast a provisional ballot.

Chapter 8: Voting Systems

Traditional Hand Counted Paper Ballot Voting

If you are using traditional hand-counted paper ballots for an election or using paper ballots during an emergency repair of the voting system, the following instructions apply to your polling place.

1. Check each voting booth to see that it has a pencil or pen, depending on which writing implement the county election board has decided to supply, is adequately lighted, offers privacy, and contains no unauthorized materials.
2. Make sure that ballot boxes are empty, correctly marked or identified and properly locked. The inspector should keep one key, and the judge of the opposite political party should keep the other.
3. Make sure paper ballot package seals remain intact. The inspector will open the packages and give the poll clerks 25 each of the state and local ballots. The poll clerks will then write or print their initials on the back of each ballot.
4. Check the ballots to make sure that none of the ballots are marked or torn.

Optical Scan Ballot Card Voting

If you are using optical scan ballot cards for an election, or during an emergency repair of a computerized voting system, the following instructions apply to your polling place.

1. Check to see that devices are sealed properly, and verify the device serial numbers on your certification of inspection.
2. Make sure that ballot card package seals remain intact. The inspector will open the packages and give the poll clerks 50 each of the state and local ballots. The poll clerks will then write or print their initials on the back of each ballot.

Direct Record Electronic (DRE) / Touch Screen Voting Systems

Officials at polling places using "all electronic" voting systems should:

1. Determine if the names, numbers and letters on the ballot label on each DRE are in agreement with the sample ballot.
2. Determine that the system records that zero (0) votes have been cast for each candidate and on each public question and assure that the system is otherwise in perfect order. The precinct election board should then certify that the official ballots and the sample ballots are in agreement, the system records zero (0) votes cast, and the system appears to be in perfect order.
3. See that all voting systems are in proper running order and prepared for voting.
4. For primaries, make sure the voting system is set so that the voter only votes for candidates in one party.

- **NOTE:** Remember that voters are allowed to vote for ONLY school board candidates or on referenda elections held at the same time as the primary. Unless paper ballots are being used to vote in these elections, make certain the voting system will permit voters to vote for "school board only" and only on referenda if the voter wishes to do so.
- For more information on the voting systems used in your county, please contact your county election board. Additionally, the Voting Systems Training Video, covering all new voting systems in use in the state, is available at *http://www.in.gov/sos/elections/2652.htm* and at local libraries statewide.

Chapter 9: Accessibility

General Information

The Help America Vote Act (HAVA) is a federal law that requires each polling place to be accessible to elderly voters and voters with disabilities. Before Election Day, the persons recommending where polling places should be located take care to designate polling places that meet accessibility standards, and county election administrators have also purchased voting systems that meet these accessibility standards.

Your Duties

As a poll worker, you must understand the accessibility features of the equipment in your polling place in order to protect the rights of voters with disabilities. All voters have the right to vote privately and independently. **No voter may be denied the right to vote because of any mental, physical or sensory limitation.**

Election Day Accessibility Guidelines

1. Be considerate of the extra time a voter with a disability may need.
2. Be aware that voters may request to be accompanied and receive assistance by another person in the voting booth.
3. Speak directly to the voter who has a disability rather than to a companion who may be accompanying the voter.
4. Speak calmly, slowly and directly to a voter with a hearing impairment. If full understanding is doubtful, write a note to the voter.
5. Ask before offering assistance to a voter and wait for your offer to be accepted. Then listen or ask for instructions before assisting.
6. Greet a person who is visually impaired by letting the person know who and where you are. Provide a guiding device such as a ruler or a card for signing forms. When offering walking assistance, allow the person to take your arm and tell the person if you are approaching steps or an incline.
7. Be aware that dogs assisting people with disabilities must be admitted to all buildings.
8. Have chairs available for voters who are unable to stand for long periods of time.

Voting Area Guidelines

- Each polling place must have at least one voting system equipped for individuals with disabilities, such as a direct record electronic voting system.
- The accessible voting area must be on an accessible route and have adequate maneuvering space for voters who use wheelchairs or other mobility aids. Allow approximately five square feet for a wheelchair to navigate behind and around the machine.
- Blinds on windows behind check-in staff should be closed so voters who read lips can communicate with workers.
- Tables should have a clear knee space of at least 27 inches.

Assisting Voters with Disabilities

A voter may be assisted in the voting booth ONLY IF:

1. The voter has a disability (permanent or temporary) or is unable to read or write the English language; AND
2. The voter, **before entering the voting booth,** requests assistance.

The following individuals may assist a voter, if requested to do so:

1. The voter may designate anyone to assist them, including a relative, or friend. However, a voter may NOT designate the voter's employer, an officer of the voter's union or a union representative.
2. If the voter requests assistance, but does not designate someone else to help them, BOTH judges must accompany the voter into the voting booth to assist the voter.
   - A person providing assistance to a voter (including the judges) **must complete the Affidavit of Voter Assistance at the Polls (PRE-3) BEFORE** entering the voting booth to assist a voter.

Accessible Voting Systems; "Curbside voting"

- Precinct election officials may not leave the polling place with election materials to permit a voter to vote in the street or from an automobile. **The voter MUST enter the polling place to cast a ballot.**
- **"Curbside voting" is not allowed in Indiana.**
- Accessible voting systems are designed to meet the needs of voters with physical and sensory impairments. Please review instructions for operation of the accessible system(s) in your polling place.

HAVA Fraud and Accessibility Grievance Procedure and Toll-Free Hotline

- A toll free grievance hotline now exists for voters to express concerns about a polling place's accessibility limitations or concerns about fraudulent activities on Election Day.
- The number is: 866-IN-1-VOTE (886-461-8683). HAVA staff will be on hand to answer calls from **6:00 AM to 7:00 PM** and from **8:00 AM to 4:30 PM, Indianapolis time,** on regular business days.
- The grievance form is available on the Secretary of State's web site, www.in.gov/sos/elections/hava and must be written, signed and notarized.
- Voters with disabilities needing assistance regarding accessibility issues may also contact Indiana Protection and Advocacy Services (IPAS) at:
   - 4701 N. Keystone Ave. #222
     Indianapolis IN 46205
     (toll free) 800-622-4845
     (voice) 317-722-5555
     (tty) 800-838-1131

Chapter 10: Absentee Ballots

Counting Absentee Ballots

Counties can choose to use one of these two ways of counting absentee ballots:

1. Some counties have voted to use a procedure authorized by state law to have absentee ballots counted at a central location rather than at their precincts.
2. Other counties count absentee ballots at the polls.

Step-by-Step Guide to the Absentee Ballot Process

1. Make sure that the ballots are from the voters of that precinct by removing the list of voters who have cast absentee ballots from the outer carrier envelope and checking a few names against the poll list.
2. Sign a receipt for the absentee ballots that are delivered from the county election board.
3. Remove all other materials from the outer carrier envelope in which the ballots were delivered.
   - Check each ballot envelope to make sure that the envelope is **complete, signed and dated**. Compare the signature on the absentee ballot envelopes with the signatures on the absentee ballot applications. State law does not require that the voter's signature on the absentee ballot envelope be notarized.
   - If the ballot envelope was completed by an individual who holds a power of attorney for the voter, the name of the attorney must be indicated on the envelope and a copy of the power of attorney attached to the absentee ballot application.
4. Check the poll list to make sure that the absentee voter is a registered and qualified voter of the precinct. When checking the poll list, make certain that the voter has not already voted in person at the polls in this election.
5. Announce the absentee voter's name. The poll clerks will make a notation on the poll list that the voter has voted absentee.
6. Open each ballot envelope, remove the ballot(s) without unfolding or defacing the ballot(s). Check each ballot for the signature and seal of the circuit court clerk and the initials of the members of the absentee voter board or county election board.
7. Place the ballot in the ballot box.

Counting Absentee Ballots Before the Polls Close

A precinct election board may count absentee ballots before the polls have closed, but is not required to do so. If these ballots are counted before the polls close, the precinct election board may not give any information concerning the results to any other person. It is a **Class D felony** to violate this law.

Rejecting an Absentee Ballot

The inspector shall reject an absentee ballot if:

1. The voter has already voted in person.
2. The voter is not a legally qualified voter of the precinct.
3. The voter died before Election Day. Proof must be given (such as a death certificate) before rejecting a ballot based on this ground.
4. There is no voter's signature on the ballot envelope, or if a copy of the voter's signature has been provided to the precinct election board, and the signature on the ballot envelope does not correspond with the signature on the ballot application.
   - **NOTE**: In some cases, the voter may have been disabled or injured after signing the original voter registration card. If a voter's signature on the envelope is a mark, "X," for example, that has been witnessed by the members of an absentee board, the inspector may rely on the bipartisan witnesses to the voter's signature in determining whether to accept or reject the absentee ballot under this provision.
5. The ballot envelope is open or has been resealed.
6. The absentee ballot affidavit is insufficient or the ballot has not been endorsed with the initials of the two absentee voter board members, the two appointed county election board members, or the two representatives appointed by the county election board members.
7. The ballot envelope contains more than one (1) ballot of the same kind for the same offices or public questions.
8. In a primary, if the voter has not previously voted, the voter has failed to execute the proper declaration relative to the voter's age and qualifications or to designate the political party with which the voter intends to affiliate.
   - **NOTE**: This does not apply if a voter is voting ONLY for school board offices or on public questions on the ballot at the same time as the primary.

- If an absentee ballot is rejected, the ballot shall not be accepted or counted. On the back of the ballot, without unfolding or disclosing it, the inspector must write the word "REJECTED" and state the specific reasons for rejecting the ballots.
- All rejected absentee ballots shall be enclosed and securely sealed in an envelope on which the inspector shall write: "DEFECTIVE ABSENTEE BALLOTS" with the precinct name and date.
- The inspector and judge of the opposite party must return these ballots with the other ballots after the polls close.

Challenging an Absentee Ballot

- It is also possible to challenge an absentee ballot in the same manner that a voter can be challenged in person (See Form PRE-4). A challenged absentee ballot will be processed as a provisional ballot. The absentee ballot secrecy envelope must be marked as a provisional ballot.
- The challenged absentee ballot will be kept separate from the other absentee ballots processed by the precinct election board, and returned unopened to the county election board. The county election board will then determine whether this ballot will be counted.
- **DO NOT put defective absentee ballots or provisional ballots in the ballot box!**

Voting in Person and Absentee Ballots

- If a voter appears at the polling place on Election Day to vote, but the voter's name has already been marked on the poll list by the precinct judges as receiving an absentee ballot, the voter may NOT vote in person.
- If the absentee voter's ballot has been returned, but the voter's name has NOT yet been marked on the poll list by the precinct judges, the voter may have the ballots opened in the voter's presence and then deposited in the ballot box or the voter may vote in person.
- If the voter chooses to vote in person, the inspector will mark the envelope: "UNOPENED BECAUSE VOTER APPEARED AND VOTED IN PERSON." The envelope should then be placed in the bag with other defective ballots.
- If the absentee voter has not mailed the absentee ballot back to the county election board, the voter may vote in person. However, the voter must return the absentee ballot to the inspector. The ballot shall be marked "CANCELLED" and placed in the bag with the other defective ballots.

Chapter 11: Military and Overseas Voters

Special Procedures

Military and overseas voters and their family members may now vote absentee later than other voters and can return the voted ballots by email or fax in some cases. This requires the use of some special procedures if absentee ballots from these voters are sent to your precinct to be processed.

1. **Extended Voter Registration:** A military voter and the voter's spouse and dependents, under certain circumstances, can register to vote at the county voter registration office through noon on Election Day. The clerk will then prepare a written certification that the voter has voted under this law, and attach this certification (ABS-11) to the voter's absentee ballot envelope (ABS-10). This ballot, envelope and certification will then be delivered to your precinct for processing. After processing the ballot, the circuit court clerk's certification must be attached to your poll list.
2. **Absentee Application Process:** Military and overseas voters may apply to vote absentee by email, fax, or U.S. mail.
3. **Absentee Balloting Process:** If a military or overseas voter's application is approved, the county sends the voter an absentee ballot. A military or overseas voter may request that the absentee ballot be sent by email, fax, or U.S. mail. The military or overseas voter may then return the absentee ballot by email, fax, or U.S. mail.
4. **Inspector's Processing of Absentee Ballot:** When processing an absentee ballot sent by email or fax, the inspector must compare the signature on the absentee application (ABS-15) with the signature on the affidavit (ABS-9) that the military or overseas voter returned. If the signature of the voter is questioned or disputed, these absentee ballots are processed in the same way as questioned or disputed absentee ballots from other voters.

Chapter 12: Closing the Polls

General Information

- The inspector announces the close of the polls at 6:00 p.m. local prevailing time.
- The inspector documents the names of the persons waiting in the chute. Otherwise qualified voters in the chute must be permitted to vote.
- After the voting is completed, the inspector, with the help of the judges and poll clerks, should complete the following tasks:
  1. Lock all voting systems and disassemble any voting equipment to prevent further voting.
  2. Take down the chute.
  3. Prepare to canvass the votes cast in the precinct (except in a county where optical scan ballot cards are tabulated at a central location).
  4. Make sure that only authorized personnel are in the polling place. Unauthorized persons must leave the polling place during canvassing (See Chapter One on People Working at the Polls).

Canvassing (Counting) Votes

- **NOTE:** The procedures used for canvassing vary somewhat based on the type of ballot that is cast in the precinct.
- If more than one precinct is using the same polling place, canvassing may not begin until all voters have left the polling place.
- **A separate canvass must be prepared for EACH precinct** and administered by each precinct election board so that the votes in each precinct are separately documented.

Procedures:

1. The inspector obtains the poll lists from the poll clerks.
2. **The inspector and poll clerks should sign all copies of poll lists**. Assistant poll clerks are not required to sign these lists.
3. All provisional ballots, whether cast at the polling place, or as a challenged absentee ballot, are **kept separate from all other ballots and unopened** until they are returned to the county election board for processing.
4. The inspector will count the number of paper ballots (or ballot cards, where used) in each ballot box. The number of ballots found in a ballot box must agree with the total number of voters recorded as having cast ballots on the poll lists.
   - If a discrepancy is found, it should be reported in writing with the reason, if known.
   - If the number of ballots in any ballot box is greater than the number of recorded voters, place all ballots face up and check for and remove all blank or mutilated ballots. Remove any ballots marked “VOID,” “SPOILED,” “REJECTED” or “CANCELLED” and place these ballots in the defective ballot envelope.
5. A member of the precinct election board (or election official directing the tabulation in a county using ballot cards) may protest the counting of any ballot or any part of a ballot. The election official must write on the back of each protested ballot “COUNTED” or “NOT COUNTED.” The poll clerks must then sign each protested ballot.

6. All mutilated and unvoted ballots shall be counted, placed in separate bags and sealed with the number of unvoted ballots marked on the outside.
7. In elections where traditional hand counted paper ballots are used, tally the votes cast for each candidate, beginning with federal or state candidates, and record the totals on duplicate tally forms (called "Australian" tally sheets.) The original and duplicate forms must be in agreement before the results can be announced by the precinct election board. This certificate will be given to the inspector, together with one of the lists of voters and one of the tally sheets.
8. In precincts using optical scan ballot card voting systems, place all ballot cards in the secrecy envelopes in the transfer case and lock the case for transfer to the central counting location. A ballot card may not be removed from a secrecy envelope containing a write-in vote.
   - **NOTE:** Special procedures may apply to ballot card systems that provide for counting ballots at the precincts instead of a central counting location.
9. In precincts using **computerized voting systems**, the inspector obtains the printout of all votes cast. The inspector must then announce that the printout is available for inspection by watchers or other authorized persons in the polls. The inspector and judge of the opposite party return these ballots and materials to the county election board immediately upon tabulation of votes. State law (Indiana Code 3-6-6-28 and 3-12-2-7) provides that the inspector and judge of the opposite party are NOT entitled to be paid for their Election Day work if the inspector and judge do not return election materials to the county election board.

Rules for Manually Counting Votes at the Polling Place

1. The primary factor in determining the validity of any vote is **the intent of the voter**. If the intent of the voter can be ascertained, the vote should be counted.
2. If the voter writes the voter's name, initials, a number or a symbol on the ballot with the intent of identifying the voter who cast the ballot, the entire ballot is void and must be rejected.
3. If the voter marks more voting squares on the ballot for an office than there are candidates to be elected or nominated, **void the votes cast for that particular office only**.
4. If the voter marks more than one straight party ticket, the whole ballot is void **except** for any vote cast on a **public question** or for a **school board candidate.**

Straight Party Ticket Voting Questions

If the voter marks a straight party ticket and ALSO casts votes for individual candidates of one or more parties, consult the guidelines below taken from Indiana Code 3-12-1-7.

1. If a voter votes a straight party ticket and also votes for one or more individual candidates who are **all of the same political party as the straight ticket vote**, the straight ticket vote **shall be counted** and the individual candidate votes **may NOT be counted.**
2. If a voter votes a straight party ticket and also votes for one or more individual candidates who are **of a different political party as the straight ticket vote**, please see below:
    - If a voter has voted a straight party ticket for the candidates of one political party in a race where only one person may be elected to that office and also voted for **one individual candidate who is of a different political party than the straight ticket vote,** then:
        - The individual candidate vote for that office **shall be counted;**
        - The straight party ticket vote for that office **may NOT be counted;** AND
        - The straight party ticket votes for other offices on the ballot **shall be counted.**
    - If a voter has voted a straight party ticket for the candidates of one political party in a race where only one person may be elected to that office and also voted for **more than one individual candidate who is of a different political party than the straight ticket vote, then:**
        - The individual candidate votes for that office **may NOT be counted;**
        - The straight party ticket vote for that office **may NOT be counted;** AND
        - The straight party ticket votes for other offices on the **ballot shall be counted.**
3. If there is an office to which more than one person can be elected, and a voter votes a straight party ticket and then votes both for **individual candidates in the same political party as the straight ticket vote and in a different party for that office, or votes for only individuals in a different party for that office,** then:
    - The individual candidate votes **shall be counted;** AND
    - The straight ticket votes for that office **may NOT be counted IF the total number of individual candidate votes and straight party ticket votes IS GREATER than the number of persons to be elected to the office.**
    - However, if the number of individual candidate votes for that office exceeds the number of openings for that office, **none of the votes concerning that office may be counted.**
4. If a voter votes a straight party ticket for more than one political party, **the whole ballot is void with regard to all candidates nominated by a political party or designated as independent candidates on the ballot**.
    - However, the voter's vote for a school board candidate or on a public question shall be counted if otherwise valid under this chapter.

Counting Write-In Votes

- **Only votes cast for a declared write-in candidate may be counted and canvassed.** The circuit court clerk is required to provide each precinct with a list of all declared write-in candidates. **Contact your county election board if a write-in vote is cast in your precinct, and you do not have the list of declared write-in candidates.**
  - **EXCEPTION:** If a write-in vote is cast for a candidate who IS on the ballot **for the same office**, then the write-in vote is counted. For example, in 2008, some voters cast write-in votes for Obama or McCain for President instead of marking the printed ballot. Since those candidates were on the ballot for that office, the write-in votes should be counted when the voter did not vote for those candidates.
- A write-in vote cast in the space provided on the ballot is not a distinguishing mark that would invalidate the ballot. A write-in vote cast in a place other than the space provided for write-in voting is not counted.
- A write-in vote is valid only if it is printed in ink or lead pencil. The use of stickers, labels, or rubber stamps is not a valid write-in vote.
- An abbreviation, misspelling, or other minor variation in the form of a name (including writing, instead of "printing" the name) does not invalidate the write-in vote. The write-in vote is valid if the intent of the voter can be ascertained.
- A voter who casts a write-in vote **must make a voting mark** (an "X" or "√") in the square or circle before the space where the write-in candidate's name will be written.
- Write-in votes must be tallied on separate tally sheets, unless the write-in votes cast for each declared write-in candidate are printed out on the voting system's certificate of vote totals.

Securing and Returning Election Materials
Procedures for precincts using Traditional Hand Counted Paper Ballots

After the canvass is complete, election officials should follow these procedures.

1. Seal all counted ballots in a bag or envelope. During a primary election, separate bags or envelopes will be provided for the ballots of each party.
2. Seal all challenged, uncounted and spoiled ballots in the appropriate bags or envelopes. Keep provisional ballots in a separate bag or envelope. (PRO-4 for voted provisional ballots and PRO-6 for spoiled provisional ballots)
3. Place all unused ballots in a separate bag or envelope.
4. Write the number of ballots contained in each bag or envelope on the outside.
5. Check each tally sheet to make sure the sheet is completely filled out and properly signed.
6. Seal all tally sheets, poll lists, oaths and other election affidavits in the appropriate envelopes provided.
7. The inspector and judge of the opposite party must return all election materials (ballots, poll lists and affidavits) to the designated location or to the county election board's office immediately upon tabulation of votes. State law (Indiana Code 3-6-6-28 and 3-12-2-7) provides that the inspector and judge of the opposite party are NOT entitled to be paid for their Election Day work if the inspector and judge do not return election materials to the county election board.

Procedures for precincts using Optical Scan Ballot Cards

After the canvass is complete, election officials should follow these procedures.

1. Seal all counted ballots in a bag or envelope. During a primary election, separate bags or envelopes will be provided for the ballots of each party.
2. Seal all challenged, uncounted and spoiled ballots in the appropriate bags or envelopes. Keep provisional ballots in a separate bag or envelope. (PRO-4 for voted provisional ballots and PRO-6 for spoiled provisional ballots)
3. Place all unused ballots in a separate bag or envelope.
4. Write the number of ballots contained within on the outside of each bag or envelope.
5. Check each certificate of vote printout to make sure the certification is completely filled out and properly signed.
6. Seal all tally sheets, poll lists, oaths and other election affidavits in the appropriate envelopes provided.
7. The inspector places all ballot cards in a transfer case. The transfer case must be sealed with the metal or plastic seal provided. The serial number of the transfer case seal must be recorded on the ballot report.
8. The inspector and judge of the opposite party must return all election materials (ballots, poll lists and affidavits) to the designated location or to the county election board's office immediately upon tabulation of votes. State law (Indiana Code 3-6-6-28 and 3-12-2-7) provides that the inspector and judge of the opposite party are NOT entitled to be paid for their Election Day work if the inspector and judge do not return election materials to the county election board.

Procedures for precincts using Direct Record Electronic

After the machines have been tabulated, election officials should follow these procedures if paper ballots were used in any way, including absentee ballots and provisional ballots.

1. Seal all challenged, uncounted and spoiled ballots in the appropriate bags or envelopes. Keep provisional ballots in a separate bag or envelope (PRO-4 for voted provisional ballots and PRO-6 for spoiled provisional ballots).
2. Place all unused ballots in a separate bag or envelope.
3. Write the number of ballots contained within on the outside of each bag or envelope.
4. Check each certificate of vote printout to make sure the certification is completely filled out and properly signed.
5. Seal all tally sheets, poll lists, oaths and other election affidavits in the appropriate envelopes provided.
6. The inspector and judge of the opposite party must return all election materials (ballots, poll lists and affidavits) to the designated location or to the county election board's office immediately upon tabulation of votes. State law (Indiana Code 3-6-6-28 and 3-12-2-7) provides that the inspector and judge of the opposite party are NOT entitled to be paid for their Election Day work if the inspector and judge do not return election materials to the county election board.

Help America Vote Act Office

Jeremy D. Burton
HAVA Outreach Manager
Indiana Secretary of State's Office
302 West Washington Street, Room E-111
Indianapolis, IN 46204
Phone: 317.232.6685
Fax: 317.233.3675
jburton@sos.in.gov
www.in.gov/sos/elections/hava

Indiana Election Division

J. Bradley King and Pamela Potesta
Co-Directors
302 West Washington Street, Room E204
Indianapolis, IN 46204
Phone: 317.232.3939
Fax: 317.233.6793
www.in.gov/sos/elections

Indiana Secretary of State

201 State House
Indianapolis, IN 46204
Phone: 317.232.6532
Fax: 317.233.3283
constituent@sos.in.gov
www.sos.IN.gov