2022 Indiana Election Day Handbook

Provided by the Indiana Secretary of State
and the Indiana Election Division
Revised December 2021

Indiana Election Division

J. Bradley King and Angela M. Nussmeyer
Co-Directors
302 West Washington Street, Room E-204
Indianapolis, IN 46204
Phone: 317.232.3939
Fax: 317.233.6793
www.in.gov/sos/elections

Indiana Secretary of State

The State House, Room 201
Indianapolis, IN 46204
Phone: 317.232.6531
Fax: 317.233.3283
constituent@sos.in.gov
www.sos.IN.gov

Help America Vote Act Office

Indiana Secretary of State's Office
200 West Washington Street, Room 201
Indianapolis, IN 46204
Phone: 317.234.8354
HAVAAdministrator@sos.IN.gov
www.in.gov/sos/elections/hava

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 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.

We have no doubt that 2022 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,

J. Bradley King
Co-Director, Indiana Election Division

Angela M. Nussmeyer
Co-Director, Indiana Election Division

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 2022 Election Cycle. Precinct election boards should keep this handbook with their precinct supplies so that it may be reused. This manual reflects Indiana law as of November 2021. Please check www.IN.gov/sos/elections for updates.

Important Contact Information

Hoosier Voter Hotline:	**866-IN-1-VOTE**
Indiana Election Division Hotline:	**800-622-4941**
Indiana Disability Rights Hotline:	**800-622-4845**

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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. Vote center counties may use different titles for the roles below, though the general duties outlined here are to be assigned to the teams working at these sites on Election Day.

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 sheriffs are precinct election officers, but not board members.

Duties of the Inspector

1. The inspector is entitled to **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 or Vote Center 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. Accompanied by the judge of the opposite political party, the inspector returns all election supplies to the county election board.

   NOTE: The county election board determines how voting systems and any electronic pollbooks will be delivered to and returned from the polling location.

The Judges

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

Duties of the Judges

1. A judge is entitled to **ask voters to provide photo ID**. (**Note:** One of the precinct election officers nominated by the Democratic Party and one of the precinct election officers nominated by the Republican Party is entitled to ask the voter to provide photo ID.)
2. When requested, **judges may assist voters** with disabilities or voters unable to read or write 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.

   NOTE: The county election board determines how voting systems and any electronic pollbooks will be delivered to and returned from the polling location.

The Poll Clerks and Assistant Poll Clerks

1. The primary function of poll clerks is **record keeping and ballot control**.
2. Poll clerks assist voters in the process of signing the poll list.
3. Poll clerks may record who has signed a poll list and make the record available to a watcher or poll book holder upon request. However, the poll clerk must ensure that a voter is not delayed as a result of preparing this record or providing this information.

Duties of the Poll Clerks and Assistants

1. A poll clerk is entitled to ask voters to provide photo ID. (**Note:** One of the precinct election officers nominated by the Democratic Party and one of the precinct election officers nominated by the Republican Party is entitled to ask the voter to provide photo ID.)
2. Poll clerks shall **ask voters to provide or update their voter identification number** if the poll list flags the voter's record for this request. However, a voter is not required to provide this information to the poll clerk.
3. In some cases, poll clerks will ask voters to present additional documentation to verify the voter's residency when required. (See Chapter Four on Additional Documentation Requirements.)
4. Poll clerks must **initial each ballot** (and secrecy envelope for counties using optical scan ballot cards) before giving the ballot to the voter.
5. 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.
6. 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. An election sheriff is entitled to ask voters to provide photo ID. (**Note:** One of the precinct election officers nominated by the Democratic Party and one of the precinct election officers nominated by the Republican Party is entitled to ask the voter to provide photo ID.)
2. An election sheriff should regularly check the polling place to make sure that no unauthorized literature or other prohibited items are visible to a voter in the polling place or within the chute. A display of political preference or party allegiance including any pictures, photographs, or other likeness of any currently elected federal, state, county, or local official visible to the voter is prohibited by state law. It is not necessary to remove an item if covering it will conceal the likeness.
3. The sheriffs should contact law enforcement upon direction from the inspector, judge, or poll clerk if a breach of the peace (riotous, forceful, unlawful proceedings, including fighting or tumultuous conduct) 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 designated by the county election board. If no separate election sheriffs have been appointed for your polling place, or a vacancy exists in the sheriff position, then the judge of the applicable party acts as sheriff. (or the officer designated by the county vote center plan).

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. A Watcher, Challenger, and Poll Book Holder are not entitled to request or handle a voter's photo ID.

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, state 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. However, if **both** the county chairman and state chairman of a political party appoint watchers, then, up to two watchers of that party may be present in each precinct.

- 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 or state 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 for federal or statewide office).
  - 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 watcher to produce their credentials at any time.
- Each political party or independent candidate for federal or statewide office (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, but is entitled to the vote total and to accompany inspectors and judges returning election materials. If a watcher objects concerning an alleged violation of election law, the watcher shall report the violation to the inspector, county election board, or prosecuting attorney. The watcher may not object to a judge or poll clerk without the prior consent of the inspector.
- Watchers may NOT handle election supplies and may NOT try to influence voters.
- Watchers may periodically receive a record of who has voted from a poll clerk, provided that voting is not delayed.

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.
- Poll book holders may periodically receive a record of who has voted from a poll clerk, provided that voting is not delayed.

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.
- 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. However, a county chairman or vice-chairman who is a candidate for nomination or election to office may not enter the polls, except to vote in his or her own precinct.
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; and
3. An elected official (other than the Secretary of State, as explained in the previous section).
4. An individual who is not a U.S. citizen (unless the individual is a minor child accompanying a parent who is a voter, is an individual designated to assist a voter who is disabled or who cannot read or write English, or who has been granted an exemption from this requirement by the Secretary of State).

- 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.

Staffing at Vote Centers

While every poll location will have someone performing the duties of each of these positions (judges, sheriffs, etc.), counties that utilize vote centers may not use the same titles for each position. Individual counties determine the titles and responsibilities for positions within the vote center. However, each vote center must have individuals assuming the responsibilities of the precinct election board (inspectors and two judges) to address issues that would ordinarily come before the precinct election board.

Electioneering

State law defines "electioneering" as making a verbal statement or displaying a written statement indicating support or opposition to any candidate, political party, or public question appearing on the ballot. "Electioneering" includes wearing or displaying an article of clothing, sign, button, or placard that states the name of any political party or includes the name, picture, photograph, or other likeness of any currently elected federal, state, county, or local official or the support for the approval or defeat of a public question.

A person who commits electioneering within the polls or the chute commits a Class A misdemeanor. (The chute is discussed on page 6.)

"Electioneering" does not include any materials a voter may bring with them into the voting booth to assist them with voting. While a poll worker may ask that a voter remove or cover-up the "electioneering" items, a voter who does not comply with the request does not lose their right to vote. The person should be offered a regular ballot, if otherwise qualified. However, poll workers may file a complaint with the county election board, which could result in a class A misdemeanor prosecution.

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" or "scratch list") 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.

Cell Phones and Other Electronic Devices

Voters may use cellular telephones and other electronic devices in the polls as long as electioneering or loud, disruptive conversations do not occur.

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. In addition, Indiana law permits poll clerks and judges to work half days. Individuals working for the first half of the voting day are permitted to leave the polls at the end of their shift (12:00 p.m. on Election Day).

Check-list for Preparing the Polling Place

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. (*PRE-1, Precinct or Vote Center Oath Book, steps one and two.*)
4. Arrange the polling place to make traffic flow as smooth as possible while keeping the poll book (electronic or printed), voting booths, voting equipment, and ballot boxes or tabulators 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. Except in a county using vote centers, 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 or Vote Center Oath Book, step three. Figure 2.1)*

Figure 2-.

STEP 3: CERTIFICATE OF BALLOT AGREEMENT
(IC 3-11-11-1.9; 3-11-13-27; 3-11-14-17)

INSTRUCTIONS: *If this precinct is located in a county using vote centers, SKIP THIS STEP and write "NA" on the signature lines below.*

In counties where vote centers are not used, 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.

6. Except in a county using vote centers, 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. In a vote center, a copy of all styles of ballots used in any county precinct must be available to a voter upon request.
7. Confirm ePollbook, if used in your county, is set-up and operating as directed by your county election board. (*PRE-1 Precinct or Vote Center Oath Book, step four.)* Any anomalies should be reported immediately to the county election board.
8. Precinct election officers must confirm the voting system has a "zero" vote tally when preparing the system for use by voters. Any anomalies should be reported immediately to the county election board.
9. Display at least one copy of the Voter's Bill of Rights in a visible, public place in the polling place (both English and Spanish versions).
10. Check that all balloting and canvassing materials are on hand in the quantities needed and in good condition for voting, including provisional balloting materials and blank voter registration application forms, including the VRG-4/12, to provide to certain voters (See Chapter Five on Fail-Safes and Chapter Seven on Provisional Ballots.)
    - If you are missing any forms or supplies, contact your county election board immediately.
11. Inspector should announce the polls are open at 6 a.m., local prevailing time, (and closed at 6 p.m., local prevailing time). (*PRE-1 Precinct or Vote Center Oath Book, step five.)*

Notes to Remember

- If an election officer does not show up or is disqualified, the highest-ranking member on the precinct election board of the same political party automatically fills the vacancy until the county election board appoints a replacement. The polls should open promptly at 6:00 AM even if an "acting" inspector is necessary for the time being.

- 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 an election officer (the inspector, one of the judges, poll clerks, assistant poll clerks, or the election sheriffs) before signing the poll list. **Only one of the election officers nominated by the Democratic Party and one of the election officers nominated by the Republican Party is entitled to ask the voter to provide photo ID.**

An ID used for voting purposes must meet ALL of these four 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. With one exception, 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 3, 2020**):
   - Military or veteran IDs with expiration dates of "INDEF" meet this requirement
   - The following IDs need NOT contain an expiration date, as long as they comply with the other requirements: IDs issued by the U.S. Department of Defense, the U.S. Department of Veterans Affairs (or Veterans Administration) a branch of the uniformed services, the Merchant Marines or the Indiana National Guard, or a Native American Indiana tribe or band recognized by the U.S. government.
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 or Veteran ID or US passport meets the state's photo ID requirements.

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.)

No voter should be turned away from the polls for failing to provide photo ID.

- 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.)
- 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 not later than noon, ten days after the election 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 (800) 692-6841, (317) 233-6000 or visit their website www.mybmv.com (www.IN.gov/bmv).

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 6:00 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 Real ID 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 your current name does not match your identity document due to a name change(s) (marriage, adoption, court ordered name change, etc.) you may need to provide additional government-issued documents to support any or all name changes.*

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.

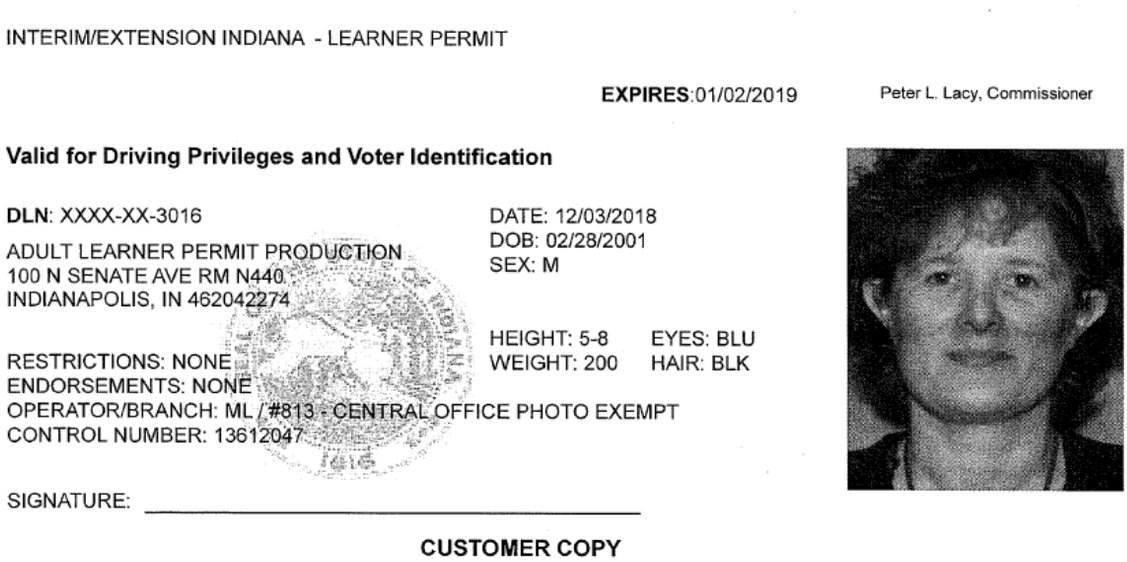
Interim Photo IDs

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 voting purposes until the next General Election.

All of these documents meet the requirements of Indiana law to be valid for voter identification purposes. An Indiana driver's license or Photo ID card that **does not** have a photo does not meet the requirements for voting.

Figure 3.1



INTERIM/EXTENSION INDIANA - LEARNER PERMIT

EXPIRES:01/02/2019 Peter L. Lacy, Commissioner

Valid for Driving Privileges and Voter Identification

DLN: XXXX-XX-3016

ADULT LEARNER PERMIT PRODUCTION
100 N SENATE AVE RM N440
INDIANAPOLIS, IN 462042274

DATE: 12/03/2018
DOB: 02/28/2001
SEX: M

HEIGHT: 5-8 EYES: BLU
WEIGHT: 200 HAIR: BLK

RESTRICTIONS: NONE
ENDORSEMENTS: NONE
OPERATOR/BRANCH: ML / #813 - CENTRAL OFFICE PHOTO EXEMPT
CONTROL NUMBER: 13612047

SIGNATURE: _____

CUSTOMER COPY

Chapter 4: Additional Documentation Requirements

General Information

- Some voters are required to present additional documentation to the county voter registration office that confirms 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 meets both of the following criteria:
  1. **Registered to vote for the first time; and**
     - In the **county** on or after **January 1, 2003** and before **January 1, 2006 OR**
     - In **Indiana** after **January 1, 2006 AND**
  2. **Submitted a voter registration form through the mail**.
     - **NOTE**: this would not include a voter who submitted an application at a license branch or other voter registration agency, or who submitted a voter registration form via hand-delivery to state or county voter registration officials.

Who is exempted from this requirement?

- 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 or at some other time before Election Day.
  3. A voter who submits their registration application by mail and includes the voter's Indiana driver's license number or the last four digit of their social security number which matches to an existing Indiana identification record.

Additional Documentation Procedure

- The precinct poll list will print "Proof of Residency" for voters who 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 look for this notation to determine if a voter is required to present additional residence documentation. If so, the poll clerk requests a document to fulfill the requirement from the voter. If no such "proof of residency" notation is on the poll list, the voter may proceed through the normal voting procedures.

What kinds of documents are acceptable to prove Indiana residency, if required?

- 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 for voter registration purposes if it fulfills the unique requirements for each.
     - For example, to fulfill the photo ID requirement the ID does NOT need to contain an address that matches the address on the poll list. However, the ID may be used to fulfill the residency confirmation requirement if the address on the ID matches the poll book. If not, then the voter would need to present another document to prove their residency.

Other Documents that meet the Additional Residence 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.

NOTE: *These documents may be presented as electronic communications (for example, using a smartphone, tablet computer, or in printed form).*

- 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 and has not signed the poll book, the voter may leave the polls and return before the polls closed on Election Day with the acceptable documentation and vote, if otherwise qualified. The voter may also choose to vote a provisional ballot and present the necessary documentation afterwards to the County Election Board, by 6:00 p.m. on Election Day.

- 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 6:00 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

- Except in counties using electronic poll books, 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 residence 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 his or her 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 (PRE-19) 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:

   a. **<u>does meet</u>** the requirements, the voter will be sent on to the poll clerks where his or her name will be located on the poll list. If the poll clerk determines that the voter's photo ID does not meet the requirements then the poll clerk shall challenge the voter. (See Chapter 6 Challenging the Voter)

   b. **<u>does NOT mee</u>**t these requirements, then they shall challenge the voter. (See Chapter Six on Challenging a Voter)

3. If voter's name IS on the poll list please skip ahead to the section entitled, "Issuing Ballots Continued" on page 19.

4. 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.

Before proceeding to Fail Safe Procedures, the poll worker should first assist the voter by helping the voter be certain that he or she is in the correct polling place. Sometimes a voter's name is not on the poll list because the voter has simply appeared at the wrong polling place and can be directed to the correct polling place based upon the voter's residence address. Contact the county election board or the state's hotline to assist the voter in finding their proper voting location.

If the inspector or one of the judges determines that the voter does not qualify to vote a regular ballot using any of the "Fail-Safe" procedures, then they shall challenge the voter. (See Chapter 6 on Challenging the Voter) Upon completion of the required documents, the voter is then issued a provisional ballot.

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 a 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, a **"Certificate of Error"** must be issued by the county voter registration office before precinct election officials allow the voter to cast a regular ballot.
- After confirming over the telephone that a "Certificate of Error" has been issued to the voter, precinct election officials may permit the voter to cast a regular ballot prior to the delivery of the Certificate of Error.

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.

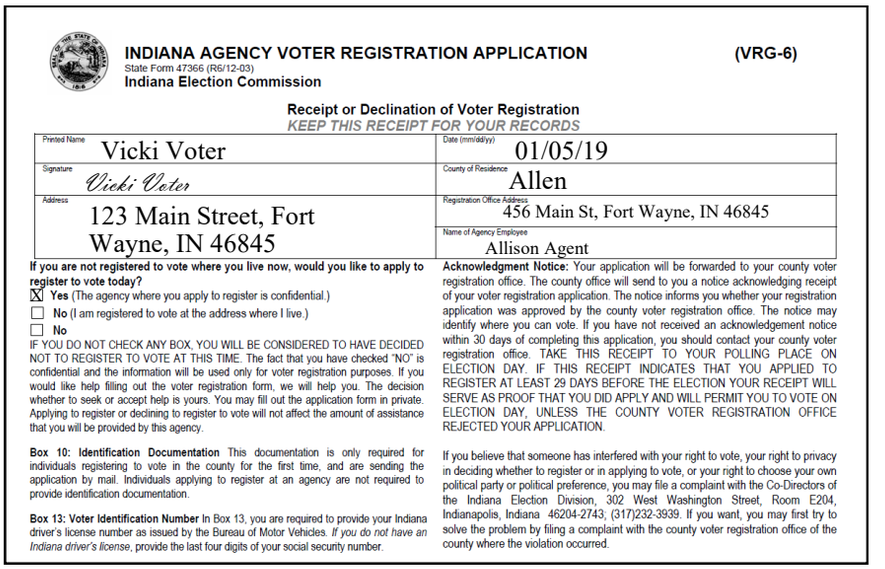
- This voter must be allowed to vote in the precinct if the voter is willing to sign a written statement (or make an oral affirmation) in the presence of the inspector or one of the judges that the voter continues to reside at the address formerly shown on the county's voter registration record. (If the voter makes an oral affirmation, the poll clerks must write down the information for the voter on the VRG-4/12 form 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 vote has a receipt of a voter registration application (VRG-6: Indiana Agency Voter Registration Application) indicating that he or she applied to register to vote, while the registration period was open. (See Figure 5.1.)

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, 2022, for the 2022 Primary Election and on or before October 11, 2022, for the 2022 General Election).

   - **If the date on the receipt is <u>before</u> 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 <u>after</u> the registration period deadline**, the voter is NOT eligible to vote a regular ballot.

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.



INDIANA AGENCY VOTER REGISTRATION APPLICATION **(VRG-6)**
State Form 47366 (R6/12-03)
Indiana Election Commission

Receipt or Declination of Voter Registration
KEEP THIS RECEIPT FOR YOUR RECORDS

Printed Name: Vicki Voter	Date (mm/dd/yy): 01/05/19
Signature: *Vicki Voter*	County of Residence: Allen
Address: 123 Main Street, Fort Wayne, IN 46845	Registration Office Address: 456 Main St, Fort Wayne, IN 46845
	Name of Agency Employee: Allison Agent

If you are not registered to vote where you live now, would you like to apply to register to vote today?
☒ **Yes** (The agency where you apply to register is confidential.)
☐ **No** (I am registered to vote at the address where I live.)
☐ **No**
IF YOU DO NOT CHECK ANY BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME. The fact that you have checked "NO" is confidential and the information will be used only for voter registration purposes. If you would like help filling out the voter registration form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private. Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.

Box 10: Identification Documentation This documentation is only required for individuals registering to vote in the county for the first time, and are sending the application by mail. Individuals applying to register at an agency are not required to provide identification documentation.

Box 13: Voter Identification Number In Box 13, you are required to provide your Indiana driver's license number as issued by the Bureau of Motor Vehicles. *If you do not have an Indiana driver's license*, provide the last four digits of your social security number.

Acknowledgment Notice: Your application will be forwarded to your county voter registration office. The county office will send to you a notice acknowledging receipt of your voter registration application. The notice informs you whether your registration application was approved by the county voter registration office. The notice may identify where you can vote. If you have not received an acknowledgement notice within 30 days of completing this application, you should contact your county voter registration office. TAKE THIS RECEIPT TO YOUR POLLING PLACE ON ELECTION DAY. IF THIS RECEIPT INDICATES THAT YOU APPLIED TO REGISTER AT LEAST 29 DAYS BEFORE THE ELECTION YOUR RECEIPT WILL SERVE AS PROOF THAT YOU DID APPLY AND WILL PERMIT YOU TO VOTE ON ELECTION DAY, UNLESS THE COUNTY VOTER REGISTRATION OFFICE REJECTED YOUR APPLICATION.

If you believe that someone has interfered with your right to vote, your right to privacy in deciding whether to register or in applying to vote, or your right to choose your own political party or political preference, you may file a complaint with the Co-Directors of the Indiana Election Division, 302 West Washington Street, Room E204, Indianapolis, Indiana 46204-2743; (317)232-3939. If you want, you may first try to solve the problem by filing a complaint with the county voter registration office of the county where the violation occurred.

Figure 5-1

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 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) 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.

5. 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 for 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.

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 state voter registration form (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. One of the election officials nominated by the Democratic Party and one of the precinct officials nominated by the Republican Party are entitled to ask the voter to provide photo ID.
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 (or be a military-issued ID, veterans ID or an ID issued by a Native American Indiana tribe or band recognized by the U.S. government without an expiration date), and either still be current or have expired sometime after the date of the most recent General Election (November 3, 2020).
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 residence 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. A poll worker must witness both sides. After completing the PRE-4 affidavit, the voter may sign the poll list. Both sides of the challenge form (PRE-4) are printed directly by the county on the PRO-2 security 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** (**PRE-4/PRO-2)** with the PRE-4 affidavit found on one side of the envelope that must be completed by the challenger and the voter. The voter casts and returns the provisional ballot, sealed in the PRO-2 envelope. The voter must complete the PRO-2 affidavit found on the other side of the envelope, which includes affixing the voter's signature. Poll workers must give the voter a **PRO-9 informational form** detailing his or her rights as a provisional voter and also verbally explain that the voter must provide identification to the county election board not later than noon (local prevailing time), Friday, May 13, 2022, for the Primary Election and noon (local prevailing time), Friday, November 18, 2022, for the General Election. **(End at Step 5)**

Issuing Ballots, Continued

5. After the voter's name has been located on the poll list, the poll clerk will check to see whether additional residence documentation is required to verify the residency of the voter (see Chapter 4, Additional Residence Documentation Requirements). Additionally, there may be a notation on the poll list for a voter to provide or update their voter registration number. While poll workers must ask for this information, the voter is not required to provide it.

6. 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 voter's address on the poll book does NOT have to be the same as 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. The flow chart on pages 21 (primary election) and 22 (general election) will illustrate the steps below.

- If the new address is **inside the same precinct**, the voter is allowed to vote if otherwise qualified. After the election, the voter's record will be updated by the county to reflect the new address within the precinct indicated by the voter.

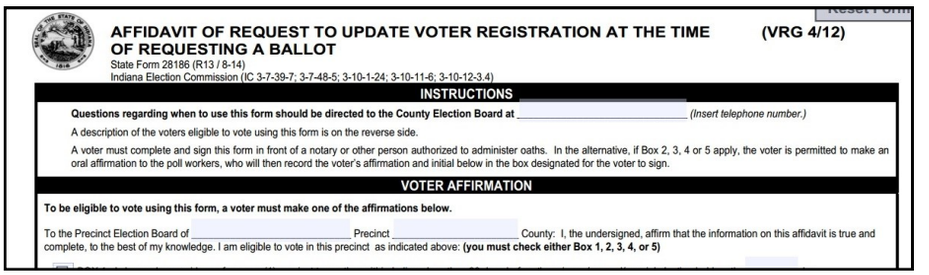
- If the address is **outside** the precinct, then the voter is not eligible to vote a regular ballot in your precinct unless the voter qualifies to use one of the following two procedures:

  A. **Request for transfer less than thirty (30) days before election:** If the voter moved *outside* of the precinct to any other precinct in Indiana less than thirty (30) 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 5.2)* 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, figure 5.2)* in the presence of the inspector or a precinct judge before the voter may proceed.

  - 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 or reduce the oral affirmation into writing on the poll book.

  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).



AFFIDAVIT OF REQUEST TO UPDATE VOTER REGISTRATION AT THE TIME OF REQUESTING A BALLOT **(VRG 4/12)**

State Form 28186 (R13 / 8-14)
Indiana Election Commission (IC 3-7-39-7; 3-7-48-5; 3-10-1-24; 3-10-11-6; 3-10-12-3.4)

INSTRUCTIONS

Questions regarding when to use this form should be directed to the County Election Board at _____ *(Insert telephone number.)*

A description of the voters eligible to vote using this form is on the reverse side.

A voter must complete and sign this form in front of a notary or other person authorized to administer oaths. In the alternative, if Box 2, 3, 4 or 5 apply, the voter is permitted to make an oral affirmation to the poll workers, who will then record the voter's affirmation and initial below in the box designated for the voter to sign.

VOTER AFFIRMATION

To be eligible to vote using this form, a voter must make one of the affirmations below.

To the Precinct Election Board of _____ Precinct _____ County: I, the undersigned, affirm that the information on this affidavit is true and complete, to the best of my knowledge. I am eligible to vote in this precinct as indicated above: **(you must check either Box 1, 2, 3, 4, or 5)**

Figure 5.2

Issuing Ballots, Continued

7. **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 documented in the poll book. Further, in primary elections, once a voter writes the voter's party on the poll list or the voter's primary party ballot choice is entered into an electronic poll book, the voter may not change the voter's primary party ballot choice.**

   - NOTE: A voter is allowed to vote for ONLY a public question placed on the ballot at the same time as the primary election WITHOUT requesting a political party ballot.

8. **Both poll clerks must place their initials on the back of each ballot** or ballot card (and on the ballot card secrecy envelope if used in your county) 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 some 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.**

9. 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.

Voter Changes with Electronic Pollbooks

- If a voter's name is different than that which appears on the electronic pollbook, the voter must sign an *"Affidavit of Request to Update Voter Registration" (VRG-4/12)* in the presence of the inspector or a precinct judge to indicate the name change before the voter may vote.

- If a voter has moved within the same precinct or has had his or her registration canceled by mistake, the voter must sign an *"Affidavit of Request to Update Voter Registration" (VRG-4/12)* in the presence of the inspector or a precinct judge to make this affirmation before the voter may proceed to vote.

Non-Public Question Ballots

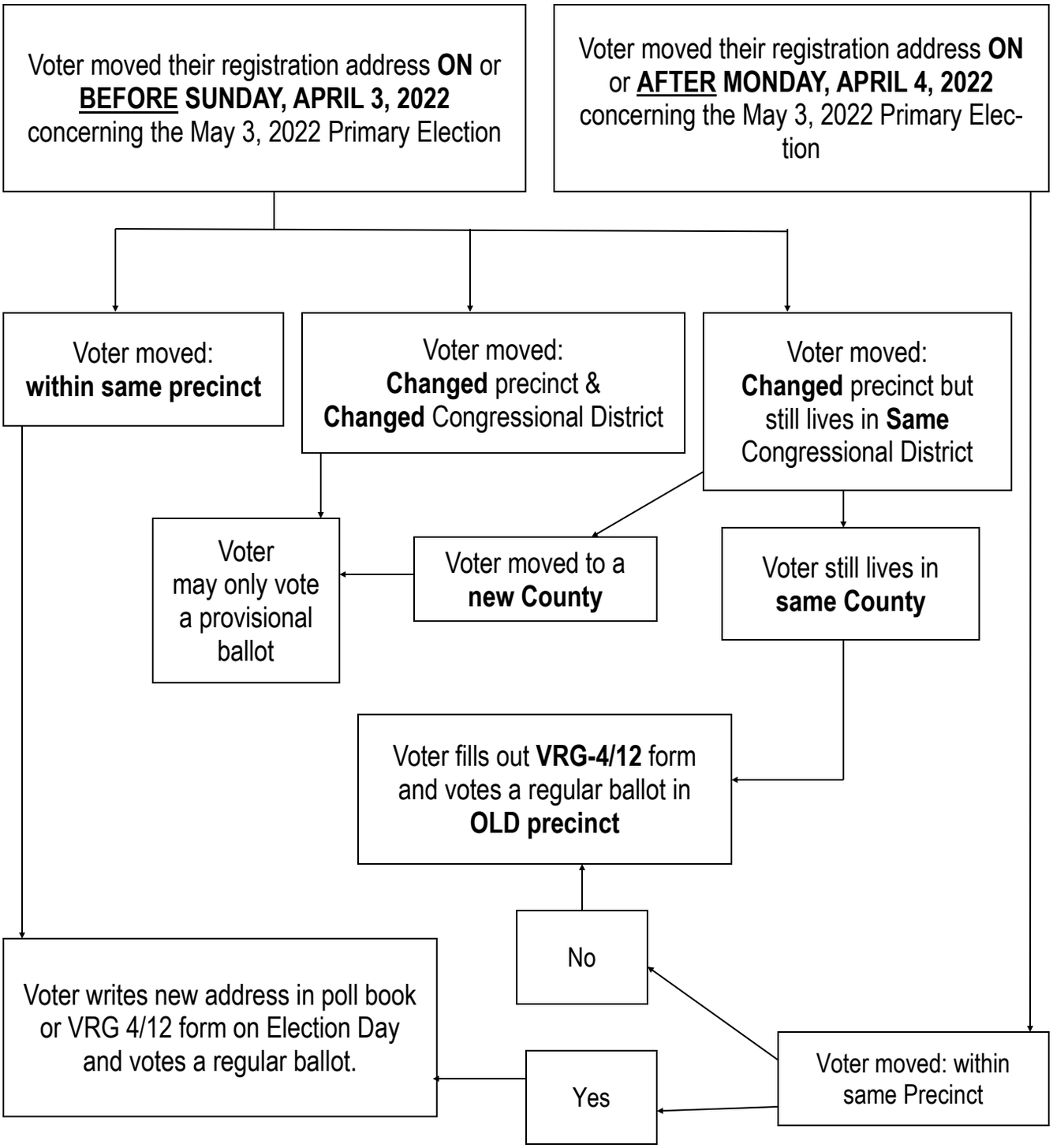
State law no longer permits an individual who has moved out of the school corporation boundaries within the final 30-days before a primary, municipal, special, or general election to vote on one of the following public questions certified by a school corporation to the county election board:

- A controlled project referendum under IC 6-1.1-20
- A school tax levy referendum under IC 20-46-1
- A school safety tax levy referendum under IC 20-46-9

However, the voter, if otherwise qualified, is entitled to vote on all races on the ballot. If a local public question related to a school corporation is on the ballot in a precinct, then the county election board must produce a ballot style that excludes the public question but lists all of the contests for elected or party offices. Please be certain to ask your county election board if such a ballot style is to be offered in the voter's precinct.

As noted above, in a primary election, a 17-year old voter may not vote on any public question, whether related to a school corporation or not. If a public question is on a ballot in the underage voter's precinct, then the county election board will have a special 17-year old ballot to manage this issue.

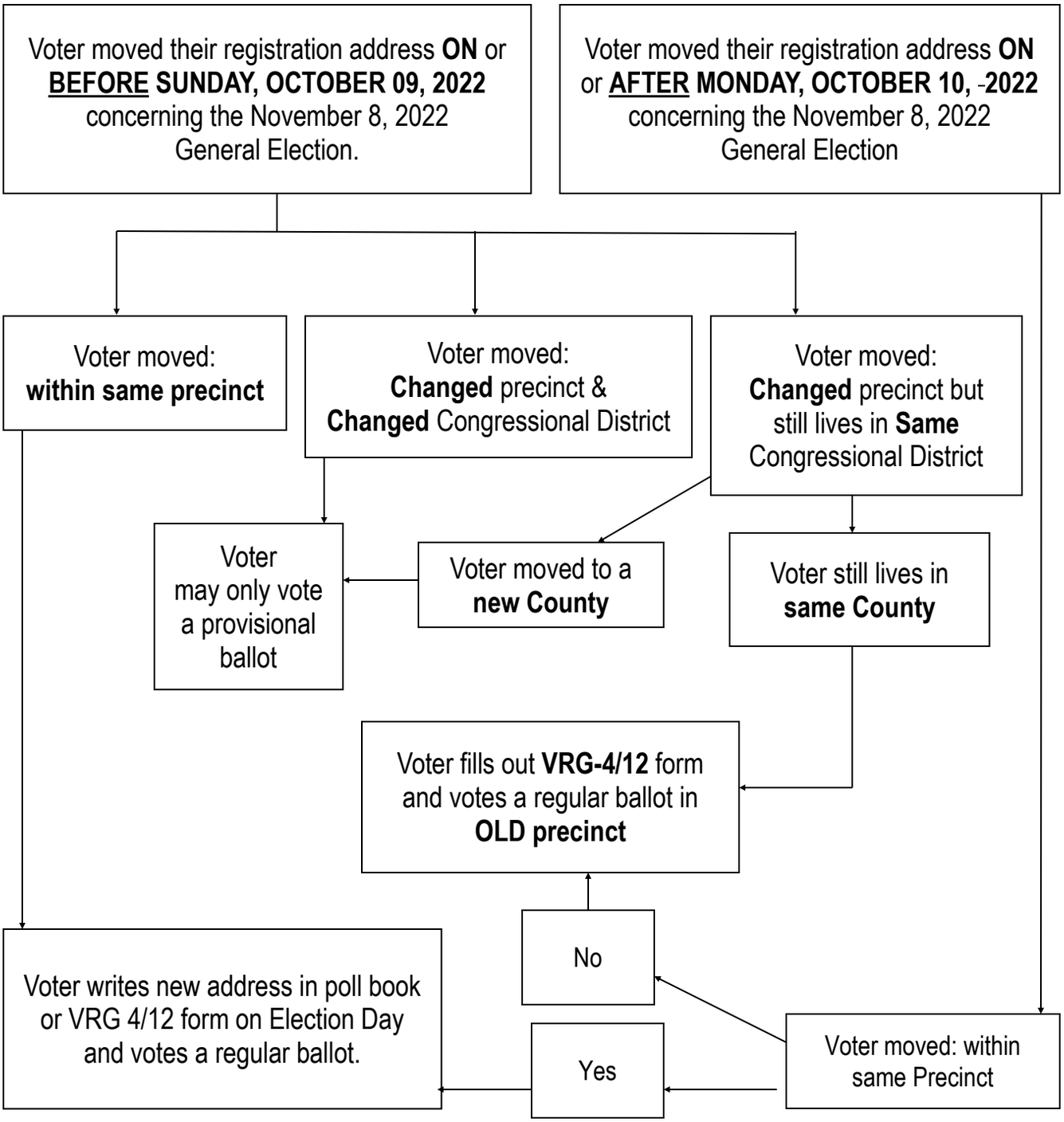
PRIMARY ELECTION (May 3, 2022)
Voter Moved WITHIN the State of Indiana



DISCLAIMER: In some circumstances a voter who moves may not be able to cast a vote for all candidates or on all public questions in their precinct of former residences. Please contact your county election board for additional guidance. If a voter moves out of state he or she is NOT eligible to go back to their old Indiana polling place one last time to vote in the primary election.

GENERAL ELECTION (November 8, 2022)

Voter Moved WITHIN the State of Indiana



DISCLAIMER: In some circumstances a voter who moves may not be able to cast a vote for all candidates or on all public questions in their precinct of former residences. Please contact your county election board for additional guidance. If a voter moves out of state , he or she is not eligible to go back to their old Indiana polling place one last time to vote in the general election.

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. However, in a county using a direct record electronic (DRE) voting system equipped with a voter verifiable paper audit trail (VVPAT) component, a person may only spoil their ballot once unless there is an error detected with the system. A person with a disability is not limited on the number of attempts to cast a DRE vote on a system with a VVPAT.
- For counties the use optical scan ballot cards, if a voter spoils, defaces, or marks their ballot erroneously, the voter has to give back the spoiled ballot card when they receive a new ballot card to mark. The precinct election board must keep and return all spoiled ballot cards together in the same or container provided by the county election board.
- *This applies to traditional hand-counted paper ballots.* 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 Fails to Complete Casting of Ballot

If a voter leaves the voting booth without an optical scan ballot card being cast, a poll worker can attempt to alert the voter to return to the booth. If the voters does not return to cast the ballot, both judges give the ballot to the inspector, who deposits the ballot into the tabulator. The inspector and judges complete the PRE-9 form.

If a voter leaves a booth without casting a ballot on an electronic voting system (DRE), a poll worker can attempt to alert the voter to return to the booth. If the voter does not return and cast the ballot, then both judges enter the booth and complete casting the voter's ballot. The inspector and both judges complete the PRE-9 form.

Keeping Record of Individuals Waiting to Vote During Election Day

Step 6 of the PRE-1 Precinct or Vote Center Oath Book asks that poll workers track the number of individuals waiting in line (that is, have not yet signed the poll list or ePollbook) when the polls open, at 12:30p.m. (prevailing local time), and when the polls close. The Inspector should sign off on this activity as part of the precinct election board's closing duties.

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 an independent 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 or unwilling 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 by November 8, 2022.
   - **NOTE:** Otherwise qualified 17-year olds who will be 18 or older by November 8, 2022, may vote in a primary election, but NOT on a public question voted on at the same time as the primary. If a public question will be voted on, and the inspector did not receive ballots for use by 17-year olds, contact the county election board immediately.
7. The voter's signature on the poll list does not match that on the registration record of the county.
8. In a primary election, 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. In most cases, this will be the PRE-4 (*figure 6.1*). NOTE: The PRE-4 affidavit is printed on the PRE-4/PRO-2 envelope, which is covered in Chapter 7 of this Manual in more detail.

   NOTE: In the May primary election, the PRE-6 challenge affidavit is used to challenge a person selecting a ballot (Democratic or Republican) that the voter is alleged not to affiliate. Only a voter of the precinct may challenge on this specific grounds. Please follow the instructions on the PRE-6 or contact the county election board for more information.

CHALLENGE AFFIDAVIT OF A VOTER BY A CHALLENGER OR MEMBER OF THE PRECINCT ELECTION BOARD / AFFIDAVIT OF A CHALLENGED VOTER **(PRE-4)**

State Form 42132 (R12 / 9-19)
Indiana Election Division (IC 3-11-8-21; 3-11-8-23.5)

Is this an absentee ballot? ☐ Yes ☐ No

INSTRUCTIONS: After the challenger completes this side of the form, the challenged voter may complete the second page of this form. If the challenged voter does so, 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.
NOTE: THIS FORM MUST BE PRINTED DIRECTLY ON THE PRO-2 PROVISIONAL BALLOT SECURITY ENVELOPE.

STATE OF INDIANA, COUNTY OF

GENERAL INFORMATION

I, the undersigned, believe that _____, now offering to vote, is not a legal voter in this precinct, for the following reason(s):
(Insert name of voter.)

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

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

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 _____/_____/_____ *(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 _____
5. that I have not voted and will not vote in any other precinct in this election.
6. that my present residence address is _____
   (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

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 6.2

3. **Contact your county election board if you have any questions.** Do not issue a provisional ballot to a challenged voter until proper affidavits have been signed and sworn to both the challenger and the challenged voter. Please review Chapter 7 for more details on provisional ballot voting.

4. A poll worker must witness both sides of the form, and would complete the notary section as state law permits a poll worker to perform notarial acts related to elections on Election Day only.

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, traditionally due to one of the situations explained in Chapter Six of this manual or election officers are notified that a judge has ordered an extension of voting hours at a specific polling location.

- **The precinct election board should first try to resolve a voter's eligibility issue by applying a fail-safe provision and helping voter determine if voter is in the correct precinct based upon voter's residence address.**

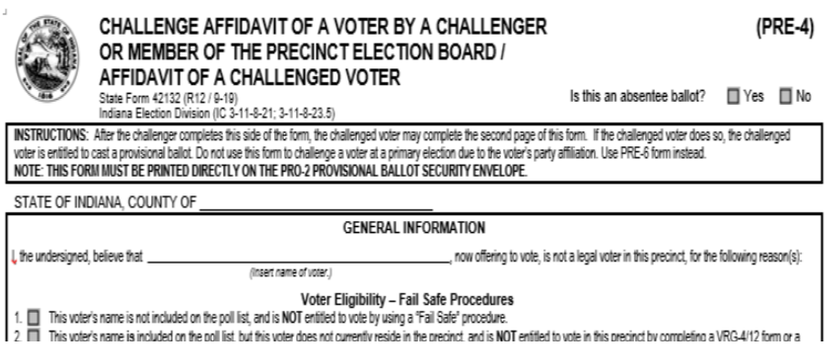
- However, if one of the fail-safe provisions does NOT apply, the voter should be offered the opportunity to cast a provisional ballot so that the county election board can resolve the voter eligibility issue after the polls have closed.

- 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

NOTE: The PRE-4 affidavit is printed on the PRO-2 envelope pursuant to state law. However, this chapter does not discuss the PRE-6 challenge affidavit, which is used in the primary election where a voter of the precinct may challenge another voter who is alleged not to be a member of the political party that the voter requested a ballot (that is, Democratic or Republican). Please contact the county election board for more information.

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.
   - For example, if the voter presents a photo ID which does not meet the "proof of identification" requirements, check box 3. (*figure 7.1)*.



CHALLENGE AFFIDAVIT OF A VOTER BY A CHALLENGER OR MEMBER OF THE PRECINCT ELECTION BOARD / AFFIDAVIT OF A CHALLENGED VOTER **(PRE-4)**

State Form 42132 (R12 / 9-19)
Indiana Election Division (IC 3-11-8-21; 3-11-8-23.5)

Is this an absentee ballot? ☐ Yes ☐ No

INSTRUCTIONS: After the challenger completes this side of the form, the challenged voter may complete the second page of this form. If the challenged voter does so, 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.
NOTE: THIS FORM MUST BE PRINTED DIRECTLY ON THE PRO-2 PROVISIONAL BALLOT SECURITY ENVELOPE.

STATE OF INDIANA, COUNTY OF _____

GENERAL INFORMATION

I, the undersigned, believe that _____, now offering to vote, is not a legal voter in this precinct, for the following reason(s):
(Insert name of voter.)

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

(*figure 7.1)*

2. The inspector determines that the PRE-4 has been properly completed by both the challenger and voter.

3. The inspector, judges, poll clerks, assistant poll clerks, or the election sheriff must complete the "Affirmation of Affidavit" on the challenger's portion and on the challenged voter's portion of the form. (Note: poll workers are permitted to perform notarial acts related to elections on Election Day pursuant to state law.)

4. The provisional ballot voter is required by law to sign the poll list or electronic pollbook.

5. Both poll clerks must initial the back of the provisional ballot before providing it to the voter along with a PRO-2 security envelope (that has the completed PRE-4 on the other side).

6. 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 can request 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 affidavit, including affixing their signature, found on the envelope and hands it to the inspector.

It's critical the voter and the challenger supply all the necessary information on the PRE-4 (affidavit) and the challenged voter signs the PRO-2 (security envelope) before the voter leaves. The county election board needs this information to determine whether or not a person's vote counts!

7. The PRO-2 envelope (with the PRE-4 printed on it) is placed into the provisional ballot storage envelope (PRO-4).

8. 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. Poll workers must also orally explain the voter's rights related to resolving their provisional ballot. **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.

9. After the polls close at 6:00 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 (sometimes used in small towns in a municipal election year) 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; 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 as they are needed. Do NOT pre-initial!

4. Check the ballots to make sure that none of the ballots are marked or torn.

Optical Scan & Direct Record Electronic (DRE) Voting Systems

1. Check to see that devices are sealed properly and verify the device serial numbers on your certification of inspection. If they are not, contact your county election board immediately. (NOTE: while not a voting system, the electronic pollbook seals should be noted in the PRE-1 Precinct or Vote Center Oath book and poll workers should attest the seal numbers are the same.)
2. Except for vote center counties, determine if the optical scan paper ballot card(s) or the names, numbers, and letters on the ballot label on each DRE or ballot marking device in hybrid systems are in agreement with the sample ballot(s).

3. 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.

If you are using optical scan ballot cards for an election, or during an emergency repair of a computerized voting system, make sure that ballot card package seals remain intact. The inspector will open the packages and give the poll clerks 50 each of the ballots. The poll clerks will then write or print their initials on the back of each ballot at the time the card is issued to the voter. Do NOT pre-initial! Also be sure the voter receives the proper precinct ballot style.

In addition, officials at polling places using a DRE voting system should make sure the voting system is set so that the voter only votes for candidates in one party during the May primary election. Some DRE systems will be equipped with a voter verified paper audit trail (VVPAT). Contact your county election board if you have questions regarding this feature.

For more information on the voting systems used in your county, please contact your county election board.

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 animals 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 or a ballot marking device with an optical scan 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:

- The voter has a disability (permanent or temporary) OR is unable to read or write the English language; AND
- The voter requests assistance **BEFORE entering the voting booth**.

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 a 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 Accessibility Grievance Procedure and Toll-Free Hotline

- A toll free grievance hotline exists for voters to express concerns about a polling place's accessibility limitations.

- The number is: 866-IN-1-VOTE (866-461-8683). HAVA staff will be on hand to answer calls on Election Day from **6:00 AM to 7:00 PM** and from **8:00 AM to 4:30 PM, Indianapolis time,** on regular business days. The Indiana Election Division may also be contacted at 1-800-622-4941.

- 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 Disability Rights
4701 North Keystone Avenue, #222
Indianapolis, IN 46205
(toll free) 800-622-4845
(voice) 317-722-5555
(tty) 800-838-1131

Chapter 10: Absentee Ballots

Processing Absentee Ballot Lists

The procedures below apply if a county uses paper-printed poll books. Different procedures will be used in counties with electronic poll books.

1. When the inspector obtains the poll list from the county election board before Election Day, the poll list will either be pre-marked to indicate individuals who have voted by absentee ballot or the inspector will receive a list of names of voters who cast an absentee ballot. On Election Day, the county election board may send the inspector a supplemental list of names of voters who voted absentee after the pre-marking of the poll list or the preparation of the first list of absentee voters delivered with the poll list. Any supplemental lists must be delivered not later than 3:00 p.m. (local time).

2. As part of preparing the polling place for voting, the inspector shall process the list of absentee voters delivered with the poll list by notifying any challenger or poll book holder present of an absentee voter's name and address on the list. Where the list indicates the voter has returned an absentee ballot to the county election board, the inspector shall then mark the poll list next to a voter's name, in the presence of the poll clerks, indicating that the voter has voted absentee. The poll clerks shall sign the statement at the bottom of the certified list of absentee voters indicating that the inspector marked the poll list as required.

   a. **Supplemental Lists.** If an absentee ballot courier delivers a supplemental list of absentee voters to the inspector on Election Day, the inspector should process the supplemental list in the same manner as described above.

   b. **Special Military.** If the inspector receives a "Uniform Services Registration Certificate" (ABS-11) from the county election board, the inspector should attach the ABS-11 to the back of the poll list. The ABS-11 certifies that a military voter voted in the clerk's office after the poll list was prepared, pursuant to a special procedure.

   c. **Absentee voter voted at the polls.** If while marking the poll list next to a voter's name to indicate that a voter has voted absentee the inspector determines that the voter has previously voted in person at the precinct on Election Day, then the inspector shall indicate on the list of absentee voters next to the voter's name that the voter has "voted in person at the precinct."

3. After the first list of absentee voters, and any supplemental lists, have been marked in the poll list as described above, the inspector shall place the lists of absentee voters, and any challenge affidavit (PRE-4) filed against an absentee voter, in the envelope provided by the county election board for that purpose. The poll clerks shall sign a statement on the envelope indicating that the inspector and poll clerks have processed the lists of absentee voters as required. The absentee ballot courier shall then return the envelope to the county election board so that the county can begin counting returned absentee ballots.

For counties using electronic pollbooks (ePollbooks) on Election Day, the absentee information will be included on the ePollbook the time the polls open. Additional absentee data may be pushed to the ePollbook after the polls open. Only the county election board member or representative may challenge absentee voters in counties using an ePollbook at the central location where absentee ballots are being processed.

Challenging an Absentee Ballot

- In a county that uses a paper poll list, it is possible to challenge an absentee ballot at the polling place in the same manner that a voter can be challenged in person (PRE-4/PRO-2). A challenged absentee ballot will be processed as a provisional ballot, and the voter's absentee application serves as the written response to the challenge. NOTE: the county election board member or representative has the responsibility to challenge absentee voters if an ePollbook is used by the county.
- At the central count location for absentee ballots, the challenged absentee ballot will be kept separate from the other absentee ballots. The county election board will determine whether this ballot will be counted.

Absentee Voters Voting in Person on Election Day

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 as having voted an absentee ballot, or information provided by the county election board indicates that the voter has returned an absentee ballot to the county election board, in general, the voter is not entitled to vote a regular ballot.

However, a voter may surrender their absentee ballot enclosed in the absentee envelope to Election Day precinct officials to vote in-person. The Inspector writes "CANCELLED" on the absentee ballot and places it in the bag with the other defective ballots. The voter then presents ID, signs the poll list, and receives a regular ballot if otherwise qualified. (NOTE: In a primary election, the political party the voter requested on their absentee application must be the same ballot the person receives as a replacement ballot on Election Day. The absentee envelope label will have the voter's party choice as selected on the application printed on it in the primary election only.)

If the absentee voter wishes to vote without surrendering the voter's absentee ballot, the voter must be offered the opportunity to vote a provisional ballot. If that occurs, the step-by-step instructions in Chapter 7 should be followed. The inspector or judge should check box 8 ("other") on the PRE-4 form and in the space provided, write: "County records show voter has returned an absentee ballot."

If an absentee voter's ballot has been rejected by the absentee ballot counters at the central count location, the voter has a right to vote in person on Election Day. The absentee ballot counters or county election board shall issue a certificate (ABS-21) to a voter whose ballot has been rejected, if the voter appears in person before the board not later than 5:00 p.m. on Election Day, and the voter may present the certificate at the polls, if the voter would like to cast a ballot on Election Day.

If a voter has requested but not received an absentee ballot, the voter may vote if the voter executes an affidavit (PRE-5) affirming that the voter has not received an absentee ballot. The voter would then present their photo ID, sign the poll list, and receive a regular ballot if otherwise qualified.

Missing or Mismatched Absentee Voter Signatures

State law now requires the county election board to notify an absentee voter if the signature on the absentee application does not correspond to the signature on the absentee envelope or similar affidavit. Notice is mailed to the voter along with an ABS-18A or ABS-18B affidavit. The voter is permitted to return the ABS-18A or ABS-18B document to poll workers before the polls closed on Election Day. The county election board will provide instructions on how to return these materials after the polls close.

NOTE: In counties that use Vote Centers, the duties of Inspector and Judge may be performed by poll workers with different titles. These titles and duties will be determined by individual county's Vote Center plan.

Chapter 11: Military and Overseas Voters

Special Procedures

Military voters and their family members and overseas voters may vote absentee later than other voters and can return the voted ballots by email or fax in some cases. Additionally, the voter registration deadline may be extended for certain military voters, their spouses, and dependents.

- **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 it to the paper poll list or returned with other precinct election documents, if an electronic pollbook is used.

- **Absentee Application Process:** Military and overseas voters may apply to vote absentee by email, fax, or U.S. mail.

- **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.

If a military voter comes to your polling location, is not registered to vote, and he or she believes they are entitled to register and vote under these special procedures, contact the county election board immediately. The voter will need to go to the county voter registration office to complete registration paperwork, including an ABS-11 form, and vote an absentee ballot at their office. The deadline for a county to authorize such a procedures is noon (prevailing local time) on Election Day.

To learn more about military and overseas voting procedures, please consult the *Indiana Military and Overseas Voters' Guidebook* published by the Indiana Secretary of State and the Election Division.

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 (or other individual designated by the circuit court clerk) documents the names of the persons waiting to vote, stamps the hand of each voter in line, or stands immediately behind the last voter who may vote. These voters must be permitted to vote a regular ballot, if otherwise qualified. NOTE: If the hours of the polling location or vote center are extended due to a court order, please review Chapter 7 for provisional balloting requirements.
- After the voting is completed, the inspector, with the help of the judges and poll clerks, must 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 all Election Day optical scan ballot cards are scanned and tabulated at a central location, which is not a common practice).
  4. Make sure that only authorized, credentialed 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 Procedures

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 or in a vote center county, 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. Except in Marion County, this requirement to separate ballots by precinct applies to vote center counties and non-vote center counties alike.

1. The inspector obtains the paper poll lists from the poll clerks. **The inspector and poll clerks should sign all copies of poll lists**. Assistant poll clerks are not required to sign these lists. NOTE: These procedures will vary where an electronic poll list is used.
2. All provisional ballots are **kept separate from all other ballots and unopened** until they are returned to the county election board for processing.
3. After separating the ballots by precinct, the inspector will count the number of ballot cards (or hand-counted paper ballots, if 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.

In precincts where electronic voting systems are used, after the paper vote total printouts have been obtained by the inspector and the judge of the opposite party shall record the number of votes cast on all electronic voting systems located within the precinct/vote center on State Form PRE-16. The inspector and judge shall also record on the PRE-16 the number of voters who received a ballot by signing in at the polls and determine if there is a difference between the two numbers. If there is a difference between the two numbers, the inspector and judge shall use the PRE-16 to report the discrepancy to the county election board, including any reasons for the discrepancy, if known. The inspector and judge shall return the completed PRE-16 to the county election board.

4. The inspector obtains the printout of all votes cast by precinct on the electronic or optical scan voting system. The inspector must then announce that the printout is available for inspection by watchers or other authorized persons in the polls. A copy of the printout must be provided to each member of the precinct election board and a member of the news media.

5. In a general election (and if applicable, a special election), the precinct election board should review the totals tape generated by the voting system to identify if any write-in votes have been cast. Please see "Counting Write-In Votes" later in this chapter for more information; however, your county election board will be the best resource to learn how this information is captured by the voting system used in your county.

Rules for Manually Counting Votes at the Election Day Polling Place

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.

Below are the counting rules found in IC 3-12-1, generally, for the precinct election board to follow:

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 non-partisan offices.**

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 <u>more than one person</u> can be elected, and a voter votes a straight party ticket and then votes for **individual candidates in a different party for that office, or votes for independent candidates 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.**

    NOTE: **A straight party selection no longer applies in at-large contests.** Instead, the voter must make individual selections for each candidate they choose to support, up to the maximum of candidates that can be selected. *(con't on next page)*

For example, town council (at-large) is on the ballot some towns in 2022. In this example, "at-large" means the election district is the entire township, and up to three individuals may be selected to serve. Poll workers must ignore the straight party selection, if used by the voter, in the town council (at-large) races, and review the individual marks on the ballot in the at-large race to tally the vote, if required.

4. If there is an office to which more than one person can be elected, and a voter votes straight party ticket and then votes for the individual candidates in a different party or independent candidates **and** votes for individual candidates of the same party as the voter's straight party ticket vote, then:
    - The individual candidate votes for a candidate in a different party or an independent candidate **shall be counted**;
    - The individual votes for individual candidates of the same party as the voter's straight party ticket vote **may not be counted**; AND
    - The straight party ticket 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.**

5. 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 on a public question and non-partisan races 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 2020, some voters cast write-in votes for Biden or Trump 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.

Counting Write-In Votes, continued

- A voter who casts a write-in vote **must make a voting mark** (an "X" or "√" on a hand-counted paper ballot or a shaded-in circle, oval, or square, or a connected arrow on an optical scan ballot card.) 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 Counties 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. The Inspector and just will complete the CEB-1B form. 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.
9. The county election board determines how voting systems and any electronic pollbooks are to be returned.

Procedures for Counties using Direct Record Electronic Voting System

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

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. Following the closing of the polls, the inspector shall announce total votes cast on all voting systems within the precinct. If this number differs from the number of voters shown to have received a ballot, the inspector and judge of the opposite political party will report the discrepancy in writing to the county election board. If the difference between votes cast and ballots received is equal to or greater than a certain "threshold number," the county election board or Secretary of State may order an audit. Poll workers must complete the PRE-16 form and return it with their election materials.
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. The Inspector and just will complete the CEB-1B form. 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.
8. The county election board determines how voting systems and any electronic pollbooks are to be returned.

Procedures for Counties 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.
8. The county election board determines how any electronic pollbooks are to be returned.

The inspector and judge of the opposite party return these ballots and materials to the county election board immediately upon tabulation of votes. **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.** (IC 3-6-6-28; IC 3-12-2-7)