

POLLWATCHER'S TOOLKIT



ILLINOIS BALLOT INTEGRITY PROJECT

Make Every Vote Count . . . Count Every Vote

635 Chicago Ave • Suite 127 • Evanston • IL • 60202

(800) 268-6117 • FAX: (866) 503-9288 • contact@ballot-integrity.org

www.ballot-integrity.org

Table of Contents

Introduction.....	i
How to use this toolkit.....	ii
How to organize a pollwatching effort (3 pages).....	iii
 VOTERS RIGHTS	
Illinois Voter Information.....	1
Illinois Voter Qualifications.....	2
 POLLWATCHERS RIGHTS & RESPONSIBILITIES	
Pollwatchers Brief Guide.....	3
Pollwatcher Checklist.....	5
Incident report.....	7
Affadavit	11
 STATE HANDOUTS—VOTING, BALLOTS	
Ballot Entitlement.....	13
Provisional Voting in Illinois.....	15
Voters Assistance on Election Day.....	17
Absentee Voting.....	19
 ILINOIS ELECTION CODE	
Illinois Election Law and Pollwatcher Rights.....	21

Introduction

This guide has been produced for Illinois voters, whose vote determine the direction of governance and on whom our democracy depends; and for the pollwatchers, whose presence in the polls protects voters' rights and makes more transparent the conduct of elections.

“Eternal vigilance is the price of liberty.” W endell Phillips, 1852

This document has been created by the **Illinois Ballot Integrity Project** and as such is primarily designed to be used to monitor Illinois elections. Parts of the **Pollwatcher's Toolkit** may be applicable in other jurisdictions.

Insofar as pertains to the original content herein, the Illinois Ballot Integrity Project hereby grants free license to copy or reproduce by mechanical or electronic means to any non-profit organization. Credit and attribution to IBIP would be appreciated.

Illinois Ballot Integrity Project

635 Chicago Avenue – Suite 127
Evanston IL 60202
(800) 268-6117 – FAX: (866) 503-9288
info@ballot-integrity.org
www.ballot-integrity.org

How to use this Pollwatcher Toolkit

This toolkit is divided into easy-to-use sections to help the pollwatcher monitor the election process.

Voters Rights

General information for voters, including qualifications to vote, voter's rights (and violations thereof), polling-place hours, and dealing with fraud and misrepresentation

Pollwatchers Rights—guides and checklists for the pollwatcher to better monitor the poll

Brief Guide to Pollwatching is an overview of the Illinois election code

Pollwatcher Checklist prepares the pollwatchers for election day

****Incident Report **** "a thorough checklist of problems that you might encounter at the polls like: machine malfunctions, change of poll location, registration, names of those who could not vote, and problems tabulating the vote. Spaces are included for the names and political designation of judges and other personnel at the polls, those who transport election materials, and are present during the drop off ballots and election materials, and the tabulation of the vote. Thoroughly document everything that you witness, and route the completed form to your organization

****Affidavit **** further documentation of problems or other occurrences during the election

State Handouts—brief explanations for rights, and entitlement

****Ballot Entitlement**** A great guide for voter eligibility, and the type of ballot issued to the voter, given when he or she registered or moved within the jurisdiction

Provisional Voting in Illinois—For voters whose names are not on the voter rolls or are challenged, this sheet explains the procedure to qualify and count a ballot

Voter Assistance on election day—Outlines voting rights for disabled voters

Absentee Ballot—Handout explains that qualified voters who may not be available on election day may vote absentee. Voter who do not wish to use a touchscreen during early voting may opt to use an absentee paper ballot

Illinois Election Code—Summary of election code for pollwatchers

This summary is especially helpful to assist the poll watchers to take immediate action if a procedure or election law is being violated at the poll.

If further assistance is required, the pollwatcher should seek the advice of his or her sponsoring organization

HOTLINE: 1 (866) OUR -VOTE
BLOG the VOTE: <http://ballot-integrity.org/blog>

****Please make several copies of these sheets if you are going to several polls on election day****

**PLEASE ROUTE THE INCIDENT REPORTS
to your organization by fax, at a central location on election night,
or mail to a designated address**

A GUIDE TO POLLWATCHING – HOW TO ORGANIZE

Voters need to know that their vote and the integrity of the electoral process is being protected during the election. Pollwatchers serve that purpose.

Organize the pollwatcher Effort—The last, vital and often overlooked step in a campaign effort that can make the difference in the fair and transparent administration of an election

Pollwatcher training—A coordinated, organized effort by an organization or political party for townships, cities, or counties. Townships are better suited for jurisdictions with a large population

ORGANIZE THE POLLWATCHING EFFORT

Poll locations, people

- Sign up with the election authority for poll watcher credentials if your organization is eligible—for early voting, election day, and during the tabulation of the vote after the polls close
- Purchase a stamp for designated signature of the organization chair, or candidate from an office supply store. (Necessary to stamp pollwatcher credentials)
- Obtain current list of poll locations, **poll ID**, address, and phone number from the election authority in the jurisdiction. Poll list should be in a usable format, like csv
- Create spreadsheet table of designated polls: **poll ID**, name of location, address, phone, links to maps, designated pollwatcher name, phone number
- Obtain through Freedom of Information Act (FOIA) requests, or public record requests, or pollwatcher reports, precincts that exhibited machine malfunction, high provisional ballot count, or other problems with past elections
- Create spreadsheet of problematic precincts—note if they are recurrent
- Get maps of precincts online or through election authority
- Create handouts for pollwatchers—summarize the state's election code for voters and pollwatchers rights. To be used at the polls as defense against any violation of those rights
- Create **affidavits** for pollwatchers and/or voters, to document any violation of election law or problems that occur at the poll
- Obtain handouts from the state regarding pollwatcher and voter rights, provisional ballots, ballot entitlement from the state. (Usually available at the Secretary of State website)
- Determine pollwatcher trainers, locations for training, message (Ideally one per township)
- Determine personnel for fielding questions at a headquarters when problems arise at the polls; if necessary lawyers should be on hand to go to precincts
- Fill in **Incident Report**—phone numbers and contact information for the organization or political party; location to route incident report to a centralized location, FAX number for completed incident report
- **Recruit pollwatchers**—Use emails and online resources, lists of current members of party or organization. Go to events during the year. Flyer shops, restaurants, libraries, train stations. Get permission where needed. Mail postcards, or make phone calls to those without emails. Place a community event ad in the newspaper for pollwatching. Make public service announcements on radio station.

The Election Assistance Commission (EAC) has outlined poll worker recruitment for Election Day however; the same method of recruitment can be used for pollwatchers.

http://www.eac.gov/voter/poll%20workers/election/quick-start-management-guides/docs/pollworkersqs.pdf/attachment_download/file

- Recruit personnel responsible for gathering the poll tapes and incident reports at a **centralized location**
- Use a designated **FAX number** to route incident reports. Enlist someone to replenish paper or take care of paper jams, or use an electronic fax to email account.
- **Yes, you can do this! Get helpers! Network with other organizations!**

POLLWATCHER TRAINING

Information to be given to pollwatchers at training

- Voters rights—from designated state election code—1pg.
- Pollwatcher rights—from designated state election code—2-5 pg.
- Pollwatcher checklist—1 pg
- Incident Reports—2 pg
- Affidavits—1 pg
- Make a poster of a **fully completed Incident Report**, including **poll ID**, the organization contacts and phone numbers, where to route the information, and any special instructions
- Make a poster of a **completed affidavit**
- Handouts from the designated state regarding voter eligibility, provisional voting, voter rights
- Pollwatcher sign-up sheet (input in an existing database or excel spreadsheet). Please make sure that those who sign up will best represent your organization
- Poll locations and/or designated number and maps available
- Pollwatcher credentials
- Binder for all handouts and name badge (please ask for small donation to cover cost). Use of both is an asset on election day
- If permitted, pollwatchers should bring a camera, video, audio at the poll on election day
- Pollwatchers can be assigned to problematic polls or those with recurrent problems
- May divide election day pollwatchers for early morning, day, closing, and tabulation room

Audio / visual tools during training

- Record an appeal by organization to ask for help in pollwatching
- Download speech to an MP3 player hooked up to a speaker or download video from website. This should be a powerful appeal.
- Powerpoint presentation—guidelines in the poll, poll etiquette, explanation of handouts, things to know and bring to the poll, who to contact if a problem arises, where to route the incident reports. Be creative.
- If possible, schedule early morning, day, at closing and tabulation room pollwatching
- Role-play situations that may occur in the poll if time allows. Have fun with this!
- Pass out index cards with situations that have occurred at the polls—ask the audience to look at a page in the toolkit to determine an answer. This helps familiarize them with how to use the toolkit

Guidelines to be followed in the poll

- Respect the election judge(s)—they are the authority in the poll
- Refer to the ***election code*** that is not being followed by judge or others
- Refrain from acrimony or confrontation if election judge(s) or personnel are so engaged
- Fill in the Incident Report—document ***all problems*** that occur in the poll regarding election machines, personnel, voters, or other situations at the poll that merit reporting—such as a fire alarm going off and all people having to leave the building with the election machines unattended, intimidation, etc.
- Fill in ***affidavit*** if the situation warrants documentation
- Call an authority from organization or party if problems occur that cannot be resolved
- Get a poll tape(s) from election machine(s) at conclusion of election day, when allowed
- Take pictures of the posted poll tapes from election machines; make sure all races are included in the picture

Pollwatchers needed

- Before, during, and after the polls close
- At drop off location after polls close, during tabulation, and/or transmission of the vote
- To take screen shots of the election results on the web, including exit polls
- During absentee vote processing, provisional ballots
- During the audit of the vote

Route the Incident Reports back to a designated drop-off or FAX

- Instructions where ***all*** the completed Incident Reports, affidavits, poll tapes, should go
- File poll tapes from machines, affidavits and Incident Reports into accordion file arranged by township. ***Those receiving materials should check if the reports and affidavits are complete.***
- Input race results and problematic precincts into a spreadsheet at a central location
- Get feedback from poll watchers how make the process better

Blog the Vote

- Document the ongoing problems at the polls for immediate input:
<http://ballot-integrity.org/blog>
- Blogged entries can assist in the event of a contested election or if an investigation is warranted for wrongdoing or fraud on election day
- Blog the Election at: <http://ballot-integrity.org/blog>

Call your designated contacts

National Voter Assistance 866-OUR-VOTE (866-687-8683)
Hotline 888-VOTE-TIP (888-868-3847)

Note: These guidelines have been generalized for organizations and political parties.

Pollwatchers working for a political party may be recruited for a get out the vote (GOTV) effort at the poll. They may obtain the names and phone numbers of individuals who have not yet voted from the party representative at the poll.



ILLINOIS VOTER INFORMATION

Polling Place Hours - 6 a.m. to 7 p.m.



Instructions for First Time Voters Who Registered by Mail

If you register by mail, you must vote in person the first time, either at the polling place, in-person absentee or early voting. Exception: UOCAVA and the Voting Accessibility for the Elderly and Handicapped Act (HAVA 303[b][2][c]).

If you registered to vote by mail after January 1, 2003, and you did not submit a copy of the required identification with the application for registration at that time, and you will be voting in a jurisdiction for the first time, then you will be required to submit a copy of one of the following:

- A current and valid photo identification
- Utility bill
- Bank statement
- Government check
- Paycheck
- Government document

If you use a photo id, and the photo ID has an address, it must match the registration address. If a photo id is not used, the document must show your name and address. It must be presented to the election officials before being permitted to vote. If you do not present a required form of identification, you may vote a Provisional Ballot.

Voting Rights

- ✓ Voters whose names do not appear on the poll list, or are unable to comply with the identification requirements for mail-in registrants, are entitled to vote by provisional ballot if they declare they are registered to vote in the jurisdiction and eligible to vote in the election.
- ✓ Voters who vote by provisional ballot are entitled to written information describing how they may learn, through a free access system, whether their provisional ballot was counted by election officials, and if it was not counted, why not.
- ✓ Voters who vote after the established time for polls to close due to a court order requiring the polls to remain open for extended hours will have to vote by provisional ballot (unless those voters were in line at the time polls closed).
- ✓ Voters whose voting status has been challenged by an election judge, a pollwatcher, or any legal voter and that challenge has been sustained by a majority of the election judges may vote provisionally.
- ✓ Voters who are registered to vote and who have moved within their election authority's jurisdiction more than 30 days before an election for federal office may vote in that election (for federal offices) under the failsafe procedures set forth in NVRA. Such voters must vote in the polling place for the residence from which the voter most recently registered even if they did not advise the election authority of the move.
- ✓ Voters who have submitted to the appropriate election authority (either in-person or by mail) their completed registration application by the close of registration as permitted by state law, and such registration application has been determined to be valid by the election authority, are entitled to be registered and vote in that election.
- ✓ Voters are entitled to notice of the disposition of their voter registration application.
- ✓ Voters who are otherwise qualified to vote may be entitled to register and vote absentee in an election for if they are in the military or are residing overseas.
- ✓ Voters in jurisdictions with a statutorily-specified minimum number of voters who speak a primary language other than English may be entitled to receive a written ballot or other election materials or assistance in a language other than English.

- ✓ Voters who require assistance in voting due to blindness, disability or inability to read or write may receive assistance from a person of the voter's choice other than the voter's employer or union (or agent thereof).
- ✓ Voters who are confined or detained in a jail or prison pending a trial are not disqualified from voting. Such confinement or detention is a specified reason for absentee voting.
- ✓ Jurisdictions must not apply standards or practices which deny or abridge the right to vote in violation of the U.S. or Illinois Constitution (denial on the bases of race, religion, gender, etc.).
- ✓ Jurisdictions must take steps to make the registration and voting process accessible to the elderly and to individuals with disabilities.
- ✓ Persons must not intimidate, threaten or coerce any other person for registering or voting; for urging or aiding persons in registering or voting; for purposes of interfering or influencing how a person chooses to vote; or for purposes of preventing a person from voting.
- ✓ Election officials must not unlawfully fail or refuse to permit a person to vote who is entitled to vote and must not refuse to tabulate, count and report such person's vote.
- ✓ Election officials must retain and preserve for 22 months after any election that includes a federal candidate all records and papers relating to registration and voting in that election.

Prohibited Acts of Fraud and Misrepresentation

- ✓ Persons must not make any false statement or falsely claim that they are citizens of the United States in order to register or vote in any Federal, State, or local election.
- ✓ Persons must not vote more than once in any election (note: this does not include voting a replacement ballot after a spoiled ballot was invalidated).
- ✓ Persons must not procure or submit materially false, fraudulent or fictitious voter registration applications in any election.
- ✓ Persons must not submit false information as to name, address or period of residence in a voting district for the purpose of establishing eligibility to register or vote in any election.
- ✓ Persons must not procure, cast or tabulate materially false, fraudulent or fictitious ballots in any election.
- ✓ Persons must not pay, offer to pay or accept payment for voting, registering to vote, withholding their vote, or voting for or against any candidate in any election.

Violation of Voting Rights

- ✓ If you have witnessed efforts to commit any kind of fraud or corruption in the voting process, you may report this to your local United States Attorney's Office, the nearest office of the Federal Bureau of Investigation, the Illinois State Board of Elections complaint hotline at 1-866-513-1121, the Illinois Attorney General's office or the office of your election authority.
- ✓ The administrative complaint procedure applies to alleged violations of Title III of the Help America Vote Act of 2002. Any alleged violation(s) of Title III that have occurred, is occurring, or is about to occur may be reported to the IL State Board of Elections. Alleged violations under Title III include, but are not limited to, voting systems standards, accessibility for those persons with disabilities, and voter registration.
- ✓ If you have witnessed actual or attempted acts of discrimination or intimidation in the voting process, you may report this to the Civil Rights Division of the United States Department of Justice at 1-800-253-3931.

Illinois Voter Qualifications

(10 ILCS 5/3) (from Ch. 46, par. 3-2) Permanent Abode

Sec.3-2 (a) A permanent abode is necessary to constitute a residence within the meaning of Section 3-1. No elector or spouse shall be deemed to have lost his or her residence in any precinct or election district in this State by reason of his or her absence on business of the United State, or of this State. Nothing in this Section shall be construed to prevent homeless individuals from registering to vote under the provisions of this Act.

(b) A homeless individual must have a mailing address in order to be eligible to register to vote. For purposes of this Act, a mailing address shall constitute a homeless individual's residence for voting purposes. A mailing address of a homeless individual may include, but is not limited to, a shelter, a day shelter, or a private residence.

Election authorities may by reasonable rules limit the place where voter registration of homeless individuals may be taken and the class of deputy registrars who may take the voter registration of homeless individuals.

(c) Nothing in this Act shall be construed to confer upon homeless individuals any additional privileges or benefits other than the right to register to vote and to be qualified to vote in an election under Articles 4, 5, and 6 of this Code. (Source: P.A. 87-1241)

(10 ILCS 5/3-3) (from Ch. 46, par 3-3) Discharged sailor or soldier Resident of nursing Home

Sec. 3-3 Every honorably discharged soldier or sailor who is an inmate of any soldiers' and sailors' home within the State of Illinois or any person who is a resident of a facility licensed or certified pursuant to the Nursing Home Care Act for 30 days or longer, and who is a citizen of the United States and has resided in this State in the election district 30 days next preceding any election shall be entitled to vote in the election in which any such home in which he is an inmate or resident is located, for all officers that now are or hereafter may be elected by the people, and upon all questions that may be submitted to the vote of the people: Provided, that he shall declare upon oath, that it was his bona fide intention at the time he entered said home to become a resident thereof.

(Source: P. A. 86-820.)

(10 ILCS 5/3-4) (from Ch. 46, par 3-4) Patient of hospital or mental institution

Sec. 3-4. No patient of any hospital or mental institution in this State, shall by virtue of his abode at such hospital or mental institution be deemed a resident or legal voter in the town, city, village, or election district, or precinct in which such hospital or mental institution may be situated; but every such person shall be deemed a resident of the town, city, village, or election district or precinct in which he resided next prior to becoming a patient of such hospital, or mental institution. However, the term "hospital" does not include skilled nursing facilities.

(Source: P. A. 79-123.)

(10 ILCS 5/3-5) (from Ch. 46, par. 3-5) Criminal conviction and confinement in penal institution

Sec. 3-5. No person who has been legally convicted, in this or another State or in any federal court, of any crime, and is serving a sentence of confinement in any penal institution, or who has been convicted under any section of this Act and is serving a sentence of confinement in any penal institution, shall vote, offer to vote, attempt to vote or be permitted to vote at any election until his release from confinement.

Confinement for purposes of this Section shall include any person convicted and imprisoned but granted a furlough as provided by Section 3-11-1 of the "Unified Code of Corrections", or admitted to a work release program as provided by Section 3-13-2 of the "Unified Code of Corrections". Confinement shall not include any person convicted and imprisoned but released on parole.

Confinement or detention in a jail pending acquittal or conviction of a crime is not a disqualification for voting. (Source: P.A. 94-637, eff. 1-1-06.)

Poll Watchers Brief Guide to Voter Eligibility, Challenges, Electioneering and Provisional Ballots

As a poll watcher you may encounter these common problems facing voters:

See—BALLOT ENTITLEMENT SHEET

Voter is not on the voter rolls:

The voter may **not** be at the correct precinct or polling place. The election judges should be able to direct the voter to the correct polling place. *Call the appropriate party, campaign office, or voting organization, to verify the correct location.*

Voter has moved

Depends **where** the voter has moved in the 30 days prior to election day. Refer to BALLOT ENTITLEMENT SHEET

Voter changed their name

If the voter still resides at the same address, then they can vote a full ballot

Voter is registered, not on voter rolls

VOTER MUST be allowed to vote a provisional ballot

See—PROVISIONAL BALLOT SHEET

Voter is offered a provisional ballot

If there is no polling place that has the voter listed as registered, the voter can request a **provisional ballot**.

In 2006, the majority of provisional ballots WERE NOT COUNTED Illinois **—so every effort should be made to get the voter a regular ballot.

Voter is listed on roll, but is challenged

If the challenge is *unwarranted for any reason, it should be contested*. If the challenge is **won**, the voter may have the correct ballot. If it is **lost**, then the voter should have a Provisional Ballot.

****Election Assistance Commission Report 2006**

KNOW ILLINOIS VOTER RIGHTS

Jurisdictions **MUST NOT** apply standards or practices which deny or abridge the right to vote in violation of the US or IL Constitution (*denial on the basis of race, religion, gender, etc.*)

ILLINOIS ELECTION JUDGES MAY NOT ASK VOTERS FOR PHOTO ID

Qualified, Illinois registered voters who are on the voter rolls and/or
have previously voted in the past two federal elections

DO NOT HAVE TO SHOW A PHOTO ID TO VOTE ON ELECTION DAY

An Election Judge may ask:

For voter's name: (10 ILCS 5/17) (from Ch. 46, par.17-9)

An election judge **may ask a voter's name** to verify voter eligibility; to determine the type of ballot needed—for polls with multiple precincts, for special elections, etc.

For current address: (10 ILCS 5/17) (from Ch. 46, par.17-9)

An election judge **may ask** a voter's current address, or nativity when looking up his or her name on the voter rolls or electronic pollbook

For two forms of identification** for a number of reasons, such as:

Voter's name is listed incorrectly, or is unable to be understood by judge
Address on voter application does not match the current address as stated by the voter
Precinct has changed locations
Voter's signature is not represented correctly
Electronic poll book is not working

*****A judge may ask a voter for any the following identification that displays current name and address:***
(10 ILCS 5/1A-16)

Voter registration card
Utility Bill, Bank Statement or Paycheck
Government Check or Government Document—United States or Illinois

EXCEPTIONS WHEN A PHOTO ID IS ALLOWED:

During Early Voting, and/or is a first time voter (10 ILCS 5/1A-16)
Registration by mail, first time voter (10 ILCS 5/1A-16)

NO ELECTIONEERING

Electioneering is NOT permitted within a polling place or within 100 feet of a polling place.

(10 ILCS 5/17-29) (from Ch. 46, par. 17-29)

Election material—signs, buttons, pamphlets, cards, or other material is *prohibited* within this zone.

****Electioneering** includes *any verbal campaigning* for candidates or for a political party.

**** Electioneering** may also include a judge pointing to a candidate's name when demonstrating how to mark a ballot (unless a disabled voter asks for assistance during voting)

****Electioneering** may also include the **name of a political party** not associated with a candidate being displayed on touchscreen voting machines or DREs

This "campaign free zone" is to be marked with cones or flags.

**The area is generally 100 feet from the entrance of the doorway to the poll room
rather than the entrance of the building.**

**A polling place in a private business, a public or private school, or in a church
may apply the campaign free zone to its entire property.**

The law is to be "construed liberally in favor of people engaged in electioneering on all polling place property outside the campaign free zone...."

Campaigners are likely to win an electioneering issue, such as the temporary placement of a sign, or the handing out of campaign material ***so long as the campaigner is beyond the permitted zone 100 feet from the poll.***

Local laws that contradict this are void (have no effect.)

VOTER CANNOT BE CHALLENGED **FOR REFUSAL TO SHOW SOCIAL SECURITY NUMBER**

(10 ILCS 5/4-22) (from Ch. 46, par. 4-22)

"An individual shall not be required to provide his social security number when applying for a ballot. He shall not be denied a ballot, nor shall his ballot be challenged, solely because of his refusal to provide his social security number."

BIAS OF ELECTION MACHINES

***~Election Judges should neither intimidate, nor harass voters into using a
touchscreen or DRE method of voting over the
Optical Scan paper ballot on Election Day~***

**ALL VOTERS ARE ENCOURAGED TO ASK FOR
A VOTER VERIFIED DURABLE PAPER BALLOT ON ELECTION DAY**

POLLWATCHER CHECKLIST

BE RESPECTFUL OF THE JUDGES AND KNOW ELECTION LAWS !

- ❑ **Pollwatch** if you are a registered voter in Illinois
- ❑ **Get Credentials** from a valid candidate, organization, political party, or ballot position within the jurisdiction
SEE CHART ON BACK
- ❑ Fill your info **on the Incident Report** before election day
- ❑ **Map** route(s) to poll locations, bring
- ❑ **Arrive** at poll as early as judges if possible
- ❑ **Sign in** upon arrival and in and out of the poll during the day and after election
- ❑ **Observe** the equipment and procedures before, during, and after the election
- ❑ **Record** names and affiliation of judges and all technicians and couriers
- ❑ **Document** name of other pollwatchers
- ❑ **Observe** the zero tape, serial number of machines, and memory cards
- ❑ **Observe if judge pushes use of touchscreen voting machine over optical scan machines**
- ❑ **Observe** voter application books, signatures (can go behind judge table)
- ❑ **Observe** that judges initialize ballots
- ❑ **Question** judges if there are unauthorized people in poll. Ask judges if they have pollwatcher credentials.
- ❑ **Authorized personnel**---election authorities, attorneys general, states attorney. A uniformed police officer has **NO** authority over the conduct of election **UNLESS** a criminal violation occurs.
- ❑ **Talk** to voters, judges if they engage you
- ❑ **Make every effort to enfranchise voters if they are eligible to vote**

SEE BALLOT ENTITLEMENT SHEET:

www.elections.il.gov/Downloads/ElectionInformation/PDF/BallotEntFeb2008.pdf -

- ❑ **Assist** a voter with voting *if they ask you*.
- ❑ Ensure that **assisted** voters and those that assist them fill out an affidavit. If assisted, **in poll booth** one judge from each party must oversee voting
- ❑ If the judges are not following election laws, please politely site the correct law- **SEE VOTERS' RIGHTS SHEET**
- ❑ Once sited, if the judges fail to remedy the legal error, then **call an authority** of election and / or party or organization
- ❑ **Record names of voters**—if they were harassed, disenfranchised, not informed of poll location / other incident / contest
- ❑ **Fill-in** checklist of machine failures
- ❑ **Fill-in** the election affidavit if needed
- ❑ **Contest a voter**—if they are **not** eligible, already voted, appear to be tampering with an election machine, do not have an affidavit when assisted, take a **VERY LONG** time to vote (especially if they have a cell phone and appear to be getting instruction!) Every effort must be made to allow time to vote, though Illinois law states 4 minutes maximum.

SEE ELIGIBLE VOTER SHEET

- ❑ Determine if voter card is available
- ❑ **Ask for a print out of the poll tapes of all election machines at the conclusion of the election.**
- ❑ **Take pictures of posted poll tapes results if poll tapes are not issued to you**
- ❑ **Record** bipartisan judges for the transfer of ballots to tabulation location
- ❑ **During Tabulation**—Illinois law states a **reasonable** number of pollwatchers, are allowed to pollwatch, but in DuPage one member from each political party may view tabulation.

A POLLWATCHER MAY OBSERVE:

- ❑ **Lottery procedures for party and candidate placement on the ballot**
- ❑ **At polls on election day or during early voting periods**
- ❑ **At nursing home, or assisted care when votes are cast**

A POLLWATCHER MAY OBSERVE:

- ❑ **Verification of registration of provisional voters after the election**
 - **During the tabulation of the vote**
 - **During absentee ballot counting**
- May need permission from a political party or organization

A POLLWATCHER MAY NOT:

- **Interfere** with the election
- **Touch** any election materials or supplies
- **Electioneer** within 100' of polls
- **Take** video or pictures **unless** allowed by the jurisdiction
- **Remain** at poll when asked to leave by a judge

PREPARATION FOR POLLWATCHING

Binder of materials:

Pollwatcher credentials
Voters/ pollwatcher rights
Incident report—several copies
Affidavits—several copies
Other handouts
Ballot Entitlement
Maps to poll

Coordinate with others

Polls to be monitored
Phone numbers of others to call

Food / Snack

For yourself, judges appreciate

Video / Audio

Cameras charged

NUMBER OF POLLWATCHERS ALLOWED IN POLLING PLACE

DURING ELECTIONS

APPOINTING AUTHORITY	Consolidated Primary General Primary	Consolidated General General Election
CANDIDATE	TWO (2)	TWO (2)
POLITICAL PARTY	ONE (1)	TWO (2)
QUALIFIED CIVIC ORGANIZATION	ONE (1)	ONE (1)
PROPOSERS AND OPPOSERS OF A BALLOT POSITION	ONE (1)	ONE (1)

Election Incident Reporting**Fax Completed form to :**

Pollwatcher		Date	
Phone Number		Township	
Email		Precincts	

Names of Voters UNABLE to VOTE A <i>REGULAR</i> BALLOT in Precinct	Provisional Ballot (PV) Federal Ballot (F)	Wrong Precinct (W)	Not On Voter Rolls (N) Challenged (C) Other (O)

Ballots			Registration Problem / Precinct Location / Challenged Voter			
# Provisional	# Spoiled	# Federal	# Change of Address	# Not on Voter Rolls	# Wrong Precinct	# Challenged Voters

Mail Completed Forms to:**Drop Off Poll Tapes and Incident Reports:****FAX completed forms to:**

Pollwatcher		Date	
Phone Number		Township	
Email		Precincts	

Please check all that apply below
****Indicate location of poll, time of incidents, details and if (and how) they were resolved**

Memory Card #	Memory Card #
Optical Scan Malfunction <input type="checkbox"/> Machine / materials held in overnight location <input type="checkbox"/> Seal of machine not intact <input type="checkbox"/> Starting or zeroing machine <input type="checkbox"/> Serial number does not match paperwork <input type="checkbox"/> Low battery / low memory <input type="checkbox"/> Ballots jamming / rejected <input type="checkbox"/> Memory card failure / memory card swap <input type="checkbox"/> Machine / tabulator malfunction / machine reset <input type="checkbox"/> Ballot indicator does not advance after taking a ballot <input type="checkbox"/> Poll tape results do not match poll book <input type="checkbox"/> Printer malfunction <input type="checkbox"/> Write-in ballots not counted <input type="checkbox"/> Memory card left at poll <input type="checkbox"/> Other	Touch Screen Malfunction <input type="checkbox"/> Machine setup night before / room unlocked <input type="checkbox"/> Memory card port unlocked <input type="checkbox"/> Starting or zeroing machine <input type="checkbox"/> Memory card failure / memory card swap / machine reset <input type="checkbox"/> Low battery / low Memory <input type="checkbox"/> Voter card failure <input type="checkbox"/> Candidate switching / pre-selection of candidate <input type="checkbox"/> Political Party shown on screen <input type="checkbox"/> Screen freezing / error message <input type="checkbox"/> Ballot printed up incorrectly <input type="checkbox"/> Screen fails to report that vote has been accepted <input type="checkbox"/> Accessibility functions not working <input type="checkbox"/> Printer malfunction <input type="checkbox"/> Other
Serial Number	Serial Number

****Indicate location of poll, time of incidents, details, and if they were resolved - Please complete a separate report for each poll**

Incident Reporting--Call 1-866-OUR-VOTE <http://ballot-integrity.org/blog>

Pollwatcher		Date	
Phone Number		Township	
Email		Precincts	

Please check all that apply below
*****Indicate location of poll, time of incidents, details and if (and how) they were resolved***

Supply Problems / Transport of Machines & Ballots

- ☐ Machine / materials held in overnight location
- ☐ Transport of machine, memory cards, ballots, etc.
- ☐ Not enough voting machines
- ☐ Wrong ballot / ran out of ballots
- ☐ No ender cards / No keys for machines
- ☐ Pens for marking ballots / Judge to Initial ballots
- ☐ Inadequate machine tape
- ☐ Wrong procedure followed at poll
- ☐ Paper work missing
- ☐ No signs / flags
- ☐ **Ballot boxes not sealed properly**
- ☐ No-bipartisan oversight during breakdown / transport
- ☐ Other

Personnel Problem

- ☐ Judge--Pushing touchscreens / requiring photo ID
- ☐ Judge--Intimidating voter
- ☐ Judge--Restricting oversight of pollwatcher
- ☐ Voter / Pollwatcher
- ☐ Other

Registration Problem

- ☐ Voter not on voting list / voter intimidation
- ☐ **No notice mailed for new poll location**
- ☐ Absentee / Provisional Ballot / Federal Ballot
- ☐ Other

Electronic Registration Problem

- ☐ Electronic pollbook-- failure / wrong date, time on machine
- ☐ Voter not in database
- ☐ Other

Electioneering or Impedient to Voting

- ☐ Signs
- ☐ Other

Drop off of Ballots / Tabulation of the vote

- ☐ Memory card / ballots boxes not secured, or sealed properly
- ☐ **Memory card left at poll**
- ☐ No Bipartisan oversight of materials / memory cards / ballots
- ☐ Pollwatchers not allowed in building /ask questions
- ☐ Tabulating area not accessible for viewing
- ☐ Problem uploading the votes / Transmission of vote
- ☐ Other

*****Indicate location, time of incidents, details, and if they were resolved - Please complete a separate report for each poll***

Fax Completed form to

Pollwatcher		Date	
Phone Number		Township	
Email		Precincts	

Democratic Judge(s) T=Technical

Republican Judge(s) T=Technical

T		T	

Field Representative (Election Authority / Vendor)	Technician, Couriers (Election Authority / Vendor)

****Indicate location, time of incidents, details, and if they were resolved - Please complete a separate report for each poll**

[illegible]

In the State of Illinois)
) SS
DuPage County)

AFFIDAVIT

I, the undersigned Affiant, do hereby state under penalty of perjury that I have personal knowledge of the matters stated herein and that if called to testify I would state the same.

1. My name is _____ . I reside at _____ in _____, Illinois.

2. I am (check one)
_____ a registered voter in Precinct _____; Township _____
_____ a pollwatcher with credentials on behalf of _____;
_____ an Election Judge for Precinct _____; Township _____
_____ other: _____

3. On _____, 2008 I was present outside / inside (circle on or both) the voting center for Precinct _____ in _____ Township located at _____ in _____, Illinois.

4. While at the above described-voting center, the following occurred (circle and fill out all that apply):

a. The voting center was not open for _____ minutes / hours, from approximately _____ .m. until _____ .m.

b. I was unable to vote because the voting center was not open and I could not wait for the following reason(s).

c. The Election Judge(s) would not allow me to vote because:

d. I witnessed someone outwardly supporting a candidate or political party within 100 feet of the voting center. Specifically, I witnessed the following:

e. I witnessed (fill in):

FURTHER AFFIANT SAYETH NOT

_____, 2008

VERIFICATION

Under penalties as provided by the law pursuant to Section 1-109 of Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and Correct, except at to matter therein stated to be information and believe and as to such matters the undersigned certifies as aforesaid that he/she verily believes the same to be true.

_____, 2008

In the State of Illinois)
)

Cook County)

AFFIDAVIT

I, the undersigned Affiant, do hereby state under penalty of perjury that I have personal knowledge of the matters stated herein and that if called to testify I would state the same.

1. May name is _____ . I reside at _____ in _____, Illinois.

2. I am (check one)
 _____ a registered voter in Precinct _____; Township _____
 _____ a pollwatcher with credentials on behalf of _____;
 _____ an Election Judge for Precinct _____; Township _____
 _____ other: _____

3. On _____, 2008 I was present outside / inside (circle on or both) the voting center for Precinct _____ in _____ Township located at _____ in _____, Illinois.

4. While at the above described-voting center, the following occurred (circle and fill out all that apply):

- a. The voting center was not open for _____ minutes / hours, from approximately _____ .m. until _____ .m.
- b. I was unable to vote because the voting center was not open and I could not wait for the following reason(s).
- c. The Election Judge(s) would not allow me to vote because:
- _____
- _____
- d. I witnessed someone outwardly supporting a candidate or political party within 100 feet of the voting center. Specifically, I witnessed the following:
- _____
- _____
- e. I witnessed (fill in):
- _____
- _____

FURTHER AFFIANT SAYETH NOT

_____, 2008

VERIFICATION

Under penalties as provided by the law pursuant to Section 1-109 of Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and Correct, except at to matter therein stated to be information and believe and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

, 2008

BALLOT ENTITLEMENT FOR THE GENERAL ELECTION – NOVEMBER 4, 2008

*** A GUIDE FOR ILLINOIS ELECTION JUDGES ***



**LAST DAY FOR REGULAR REGISTRATION IS OCTOBER 7, 2008
(LAST DAY FOR GRACE PERIOD REGISTRATION IS OCTOBER 21, 2008)**

REGISTRATION STATUS?	SPECIAL CIRCUMSTANCES?	REQUIRED FORMS?	ACTION?
(1) Registered Voter		Application	Can vote Full Ballot
(2) Registered Voter	Moved <u>more</u> than 30 days <i>within</i> the jurisdiction and did not transfer registration (Before October 5)	Application and an Address Correction Form for Fail Safe Voter	Can vote Federal Ballot ONLY in old polling place
(3) Registered Voter	Moved <u>more</u> than 30 days <i>out</i> of jurisdiction and did not transfer registration (Before October 5)	None	Cannot vote
(4) Registered Voter	Moved <u>within</u> 30 days outside the precinct, but still resides in the State, and did not transfer registration. (October 5 - November 3)	Application and Voter Affidavit	Can vote Full Ballot in old polling place
(5) Registered Voter	Moved during the 27-day period before the election in the same precinct. (October 8 - November 3)	Application and Voter Affidavit	Can vote Full Ballot
(6) Registered Voter	Changed name before the election, still resides <u>in</u> the same precinct, <u>is otherwise qualified</u> , and did not re-register.	Application and Voter Affidavit	Can vote Full Ballot
(7) Registered Voter	Changed name before the election, moved <u>outside</u> the precinct, and did not re-register. (Before October 8)	None	Cannot vote.
(8) Provisional Voter	Claims to be a registered voter (See list of four possible circumstances on back side of page)	Application Provisional Voter Affidavit Provisional Ballot Envelope Written instructions	Can vote full ballot provisionally.

PROVISIONAL VOTING

There are four possible circumstances in which this can happen:

- The person's name does not appear on the official list of eligible voters, whether a list of active or inactive voters, for the precinct in which the person seeks to vote;
- The person's voting status has been challenged by an election judge, a poll watcher, or any legal voter and that challenge has been sustained by a majority of the election judges;
- A federal or State court order extends the time for closing the polls beyond the time period established by State law and the person votes during the extended time period; or
- The voter registered to vote by mail and is required by law to present identification when voting either in person or by absentee ballot, but fails to do so.

WHAT IS PROVISIONAL VOTING?

Provisional voting was created to allow a voter, whose eligibility has been questioned, to vote on Election Day. "Provisional Ballots" must be kept in a separate, securable container until voter eligibility to vote is determined, by the election authority, AFTER Election Day.

WHEN DOES PROVISIONAL VOTING APPLY?

Provisional voting applies in four different circumstances:

- Election judges have NO record of the individual.
- A voter's voting status has been successfully challenged.
- A voter did not provide identification when registering by mail.
- A court order extends the time for closing the polls.

WHY DO WE HAVE PROVISIONAL VOTING?

- To ensure that all qualified voters are allowed to vote.
- To get a complete review of the voter's information.
- To correct any error made during the registration process.
- To update voter records.
- To register voters for future elections.

PROVISIONAL VOTING PROCEDURES:

- Voter fills out "Application to Vote."
- Voter fills out and signs the "Provisional Voter Affidavit."
- Election Judge signs the "Provisional Voter Affidavit" and marks the reason the voter is issued a provisional ballot. The original affidavit stays with the "Provisional Ballot Envelope," and the copy goes to the voter.
- The voter may present information that supports his/her claim to be a qualified voter. This information stays with the affidavit.
- The voter is issued a correct ballot and a "Provisional Ballot Envelope."
- If the ballot is spoiled, it must be surrendered to the judge, who will issue a new ballot.
- The voted ballot is sealed in the "Provisional Ballot Envelope".
- The "Provisional Ballot Envelope" is then returned to the election judges.
- The election judges will deposit it in a SEPARATE SECURABLE CONTAINER (other than the ballot box containing the regular ballots).
- After voting provisionally, the voter is told how to submit additional proof of registration to the election authority, and how, after the election, to determine if their ballot is counted.

WHAT HAPPENS TO THE "PROVISIONAL BALLOTS?"

- The "Provisional Voter" may submit additional information to the election authority.
- The additional information must be received by the election authority no later than the close of business on the Thursday following the election.
- The election authority has 14 days (after the election) to determine voter eligibility, and thus if the ballot should be counted.
- The "Provisional Ballots" will then be counted, or left sealed in the "Provisional Ballot Envelopes."
- The election authority will add the number of approved "Provisional Ballots" to the Election Day results.
- The "Provisional Voter" may find out if his/her ballot was counted, or if it was NOT counted, the reason that it was not counted.
- If the ballot is not counted, the "Provisional Voter Affidavit" will be used as a registration application and the voter will be sent a voters registration ID card.

HOW DOES A PERSON KNOW OF HIS/HER RIGHT TO VOTE PROVISIONALLY?

Every challenged voter must be informed of his/her right to vote provisionally. This notification must be provided by the election judges or by posted signs.

VOTER HIGHLIGHTS:

- Always contact the office of the election authority PRIOR to Election Day to verify your correct voting status. This will hopefully eliminate the need for a “Provisional Ballot” on Election Day.
- Each “Provisional Voter” will be given a copy of their “Provisional Voter Affidavit”.
- Each “Provisional Voter” will be given instructions on how and when to provide additional proof of registration to the election authority.
- Each “Provisional Voter” will be given instructions on how to determine (after the election) if their ballot was counted.
- If a “Provisional Ballot” is not counted, the envelope containing the ballot will NOT be opened.
- Each “Provisional Voter” will be able to find out WHY their rejected ballot was not counted.
- If a “Provisional Voter’s Ballot” is NOT counted, the “Provisional Voter Affidavit” will be used as a registration for future elections.

The State Board of Elections is to help bring about greater understanding and participation in the electoral process.

For more information on election laws and procedures, write or call the State Board of Elections



State Board of Elections
1020 South Spring Street
Springfield, Illinois 62704
217/782-4141
TDD 217/782-1518

100 West Randolph, Suite 14-100
Chicago, Illinois 60601
312/814-6440
TDD 312/814-6431

Printed by Authority of the State of Illinois

PROVISIONAL VOTING IN ILLINOIS

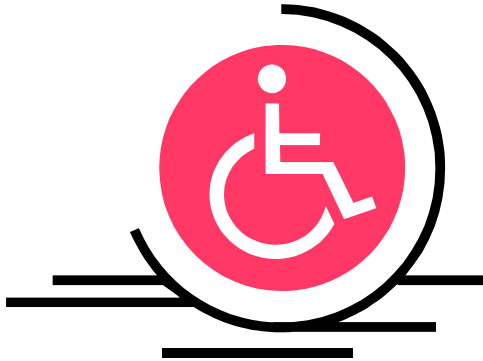
Rights and Limitations



IN ORDER TO ENSURE VOTERS' RIGHTS, THE "HELP AMERICA VOTE ACT" AND THE ILLINOIS ELECTION CODE PROVIDE FOR PROVISIONAL VOTING.

WHAT IS VOTER “ASSISTANCE”?

“Assistance” is the **actual casting of a vote** for a voter by a specified person in the **privacy** of the voting booth on Election Day. Those giving assistance must vote as directed by the voter.



WHO MAY BE GIVEN ASSISTANCE?

Only those voters who **genuinely** need assistance may be given assistance. Illinois law provides that the following persons may receive assistance:

- Physically **disabled** or blind voters;
- Those voters who cannot **read** or **write** the English language.

Of course, all voters needing assistance **must be registered to vote**. Intoxicated voters do not qualify as being disabled and may not be given assistance.

WHO CAN ACTUALLY GIVE THE ASSISTANCE?

Any voter who needs assistance in voting by reason of blindness, disability, or inability to read or write may be given assistance by a person of the voter's choice. However, the person giving the assistance cannot be an officer or agent of the voter's employer or union.

If the voter who needs assistance does not specify a particular person to assist him in voting, then the voter can be assisted by two election judges, one from each political party.

HOW IS THE ASSISTANCE GIVEN?

Assistance is always given in the privacy of the voting booth. Anyone giving assistance **must** cast the vote as directed by the voter and **must** not give anyone information as to how the vote was cast. The person giving assistance must not attempt to influence the voter in any way. **Anyone who knowingly threatens, forces, or pays a voter to vote a certain way is guilty of a Class 4 felony.**

IS AN AFFIDAVIT REQUIRED?

Yes. Assistance can only be given upon **the voter's request** and only after the voter completes the **appropriate affidavit**. In every instance of assistance, **both** the voter receiving the assistance and the person(s) giving the assistance **must sign** the affidavit. If disabled, the voter receiving the assistance and the person(s) giving the assistance must sign the affidavit. If disabled, the voter must complete the affidavit stating if the specific physical disability is temporary or permanent. Also, the voter's "Application for Ballot" must be marked by an Election Judge to show that the voter requested assistance.

WHAT IF A VOTER NEEDS INSTRUCTION?

"Instruction" is explaining to the voter how to use the voting equipment. "Assistance," however, is actually casting a vote for a voter as directed by the voter.

Any instruction that might be required should be given before the voter enters the booth. A specimen ballot, not the voter's official ballot, must be used during instruction. An affidavit is required for "assistance" but it is not required for "instruction".

WHAT ABOUT INACCESSIBLE POLLING PLACES?

Any handicapped or elderly voter who cannot enter a polling place due to the structural features of the building, may request to vote outside (near the entrance) of his/her polling place. Such requests must be made with the election authority (County Clerk or Board of Election Commissioners) **by the close of business** on the day **before** the election. The election authority will then notify the appropriate election judges of the names of those persons making such a request.

If notification is received by the election judges the voter completes the entire voting process (weather permitting) outside the polling place as follows: Two judges of opposite party affiliation deliver an application to the voter. The completed application is brought back into the polling place to the verification judges. After the signature and address are checked and it is determined that the individual is qualified to vote, a ballot and a portable voting booth or enclosure is provided to allow the voter to mark his ballot in complete secrecy. In no case can a ballot be delivered to a voter beyond **50 feet** of the entrance to the building in which the polling place is located. After the voter completes voting, the two election judges take the ballot (keeping it inside its envelope) back into the polling place for deposit into the ballot box.

The State Board of Elections is to help bring about greater understanding and participation in the electoral process.

For more information on election laws and procedures, write or call the State Board of Elections



State Board of Elections
1020 South Spring Street
Springfield, Illinois 62704
217/782-4141
TDD 217/782-1518

100 West Randolph, Suite 14-100
Chicago, Illinois 60601
312/814-6431
TDD 312/814-6431

Printed by Authority of the State of Illinois

www.elections.state.il.us

Voter Assistance on Election Day...



This Brochure answers some of the more common questions regarding the requirements for giving proper assistance to those who genuinely need such help on Election Day.

WHO MAY VOTE BY ABSENTEE BALLOT?

Registered voters expecting to be absent from their county of residence on Election Day;

Registered voters appointed to be judges of election in a precinct different from where they reside;

Registered voters unable to be present at the polls because of a physical incapacity;

Registered voters observing a religious holiday and unable to be present at the polls because of the tenets of their religion;

Registered voters who because of election duties in the office of a state's attorney, county clerk, a board of election commissioners or State Board of Elections will be unable to be present at the polls;

Registered voters who are serving as sequestered jurors on a state or federal jury only;

Registered or non-registered members of the United States Armed Forces while on active duty, and members of the Merchant Marines, as well as their spouses and dependents who expect to be absent from their county of residence on election day;

Registered or non-registered members of religious groups, welfare agencies as well as their spouses and dependents who are officially attached to or assisting members of the armed forces who expect to be absent from the county in which they reside on Election Day;

State and federal employees who had a voting residence in the precinct at the time they entered employment, but who now reside elsewhere due to state or federal employment;

A registered citizen temporarily residing overseas may vote by absentee ballot;

Any citizen residing outside of the country, not registered to vote but qualified to vote in a federal election, may vote by absentee ballot for federal offices only.

Confinement in jail pending acquittal or conviction of a crime is not a disqualification for voting. This is a specified reason for absentee voting.

ABSENTEE VOTING PROCEDURES

When can applications for absentee ballots be made? (Be certain to apply within the following time frames.)

By Mail	-	Not more than 40 days nor less than 5 days prior to the election
In Person	-	Not more than 40 days nor less than 1 day prior to the election.

Some voters, primarily those who are temporarily out of the country, may make application for an absentee ballot not less than 10 days prior to the election. Such request shall entitle the applicant to an absentee ballot for every election in one calendar year in which federal offices are filled. Contact your election authority EARLY for specific details if you plan to be out of the country. Absent members of the armed forces while on active duty may apply for an absentee ballot by fax machine.

NOTE: For hospitalized voters voting absentee, refer to "Health Care Facility Voting" brochure.

STEP 1

Obtain the proper application for absentee ballot, either by mail or in person, from your election authority (county clerk or board of election commissioners).

STEP 2

Upon receipt, complete the application. Make certain to include your name, home address, address where you want the ballot to be mailed, and be sure to sign the application. In primary elections you must state your party affiliation.

STEP 3

After completing the application, either mail it or deliver it yourself to your election authority. If you return the application in person or complete the application in the election authority's office, you may immediately vote your absentee ballot in the election authority's office. If you mail the application and it is properly completed, the election authority will mail your absentee ballot to you.

STEP 4

After receiving your ballot, VOTE THE BALLOT IN SECRET. Insert the ballot into the envelope provided, seal it, complete and sign the certification on the back and **PERSONALLY return it or mail it.** (The absentee voter may authorize, in writing, a spouse, parent, child, brother, sister, or licensed motor carrier, to deliver to the election authority the completed absentee ballot in sufficient time to be delivered to the polling place on Election Day.)

DID YOU KNOW?

Absentee voters have the same obligations as those who vote in the polling place on Election Day. They must complete an application and vote their absentee ballot in complete secrecy.

The affidavits on the application and the ballot envelope must be signed. These affidavits attest to the accuracy of the information provided on the application. The affidavit on the envelope attests to the fact that the voter is voting **his/her own** ballot **in secret**.

If the voter receives assistance in voting his/her absentee ballot, the name and address of the individual giving the assistance must be placed on the ballot certification envelope. Remember that a candidate is NOT allowed to assist an absentee voter unless the candidate is a spouse, parent, child, or sibling of the absentee voter.

IMPORTANT

Knowingly giving, lending, or promising to give or lend any money or other valuable consideration to any other person to influence another person to vote for or against any candidate or public question **is a Class 4 Felony**. It is a Class 3 Felony for any person to intimidate or unduly influence another person to cast an absentee ballot inconsistent with the voter's intent or to mark or tamper with an absentee ballot of another person.

Any unusual activity or irregularity associated with absentee voting procedures should be reported immediately to proper authorities.

The goal of the State Board of Elections is to help bring about a greater understanding and participation in the electoral process.

For more information on election laws and procedures, write or call the State Board of Elections.

State Board of Elections
1020 South Spring Street
Springfield, Illinois 62704
217/782-4141
TDD 217/782-1518

100 West Randolph, Suite 14-100
Chicago, Illinois 60601
312/814-6440
TDD 312/814-6431

Printed by Authority of the State of Illinois

www.elections.il.gov

ABSENTEE VOTING



Many registered voters in Illinois are unable to vote in person at the polling place on Election Day. This pamphlet provides general information regarding the correct procedures to follow in order to vote by absentee ballot.

Illinois Election Law - Pollwatchers Rights

Table of Contents:

Pollwatcher Rights and Responsibilities

Credentials—Pollwatchers must present their credentials to the election judge.....	1
Pollwatchers can stay in poll after election.....	1
No Electioneering.....	2
View Machines / ID Card / Zero of Machine	3
View election machines throughout the day.....	4
View poll books (paper and electronic) / Signatures	5
Point out an incorrect procedure or law that is not being followed by election judge.....	6
Challenge voter qualification.....	6
Voter cannot be challenged if they do not provide social security number.....	7
Oversee judge(s) challenge and/or contest challenge if warranted.....	8
No one can check vote totals during election day.....	9
Pollwatcher can view election machines before, during, and after the election day.....	10
Proponents / Opponents may be present at poll.....	11
Constitutional Convention (Con-Con)	12
Assist disabled voters if asked to or watch judges give assistance.....	13
Paper ballot used if voting machine malfunctions.....	14
In-precinct optical scan tabulation.....	15
Number of ballots agrees with number of voters	
Ballots initialed by judges / Defective ballots if not initialed	
Compare write-in votes	
Defective ballots—other	
Poll tape for pollwatcher / Posting poll tape	
Statement of ballots—spoiled, defective, duplicated	
Sealed Ballot Boxes / Judges signatures / Bipartisan team to return ballots	
Ballots cannot be accepted unless signed and sealed	
Time stamped receipt of boxes	
Central count tabulation.....	16
Tabulation of the vote / Pollwatchers / Computer log.....	17
Absentee ballot pollwatchers.....	18 & 19

Illinois Election Law and Pollwatchers Rights

1. (10 ILCS 5/7-34) (from Ch. 46, par. 7-34) CREDENTIALS

Pollwatchers must present their credentials to the Judges of Election upon entering the polling place. Pollwatcher credentials properly executed and signed shall be proof of the qualifications of the pollwatcher authorized thereby. Such credentials are retained by the Judges and returned to the Election Authority at the end of the day of election with the other election materials. Once a pollwatcher has surrendered a valid credential, **he/she may leave and reenter the polling place provided that such continuing action does not disrupt the conduct of the election.** **Pollwatchers may be substituted during the course of the day**, but established political parties, candidates, qualified civic organizations and proponents and opponents of a ballot proposition can have only as many pollwatchers at any given time as are authorized in this Article. A substitute must present his signed credential to the judges of election upon entering the polling place. Election authorities must provide a sufficient number of credentials to allow for substitution of pollwatchers.

(10 ILCS 5/17-23) (from Ch. 46, par. 17-23)

After the polls have closed, pollwatchers shall be allowed to remain until the canvass of votes is completed;

2. (10 ILCS 5/7-41) (from Ch. 46, par. 7-41) NO ELECTIONEERING WITHIN 100 FEET OF THE POLL

No person shall do any electioneering or soliciting of votes on primary day within any polling place or within one hundred feet of any polling place, or, at the option of a church or private school, on any of the property of that church or private school that is a polling place. Election officers shall place 2 or more cones, small United States national flags, or some other marker a distance of 100 horizontal feet from each entrance to the room used by voters to engage in voting, which shall be known as the polling room. If the polling room is located within a building that is a private business, a public or private school, or a church or other organization founded for the purpose of religious worship and the distance of 100 horizontal feet ends within the interior of the building, then the markers shall be placed outside of the building at each entrance used by voters to enter that building on the grounds adjacent to the thoroughfare or walkway. **If the polling room is located within a public or private building with 2 or more floors and the polling room is located on the ground floor, then the markers shall be placed 100 horizontal feet from each entrance to the polling room used by voters to engage in voting. If the polling room is located in a public or private building with 2 or more floors and the polling room is located on a floor above or below the ground floor, then the markers shall be placed a distance of 100 feet from the nearest elevator or staircase used by voters on the ground floor to access the floor where the polling room is located.** The area within where the markers are placed shall be known as a campaign free zone, and electioneering is prohibited pursuant to this subsection. Notwithstanding any other provision of this Section, a church or private school may choose to apply the campaign free zone to its entire property, and, if so, the markers shall be placed near the boundaries on the grounds adjacent to the thoroughfares or walkways leading to the entrances used by the voters. At or near the door of each polling place, the election judges shall place signage indicating the proper entrance to the polling place. In addition, the election judges shall ensure that a sign identifying the location of the polling place is placed on a nearby public roadway. The State Board of Elections shall establish guidelines for the placement of polling place signage.

The area on polling place property beyond the campaign free zone, whether publicly or privately owned, is a public forum for the time that the polls are open on an election day. At the request of election officers any publicly owned building must be made available for use as a polling place. A person shall have the right to congregate and engage in electioneering on any polling place property while the polls are open beyond the campaign free zone, including but not limited to, the placement of temporary signs. This subsection shall be construed liberally in favor of persons engaging in electioneering on all polling place property beyond the campaign free zone for the time that the polls are open on an election day.

(d) The regulation of electioneering on polling place property on an election day, including but not limited to the placement of temporary signs, is an exclusive power and function of the State. A home rule unit may not regulate electioneering and any ordinance or local law contrary to subsection (c) is declared void. This is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(Source: P.A. 95-699, eff. 11-9-07.)

3. (10 ILCS 5/24A-8) (from Ch. 46, par. 24A-8)
VIEW MACHINE ID CARD / ZEROING MACHINE

A precinct identification card provided by the election authority shall be entered into the automatic tabulating equipment to ensure that the **totals are all zeroes in the count column on the printing unit.** Pollwatchers as provided by law shall be permitted to closely observe the judges in these procedures and to periodically inspect the equipment when not in use by the voters to see that the ballot labels are in proper position and have not been marked upon or mutilated.

4. (10 ILCS 5/24-8) (from Ch. 46, par. 24-8)
VIEW ELECTION MACHINES

Pollwatchers as provided by law shall be permitted to carefully check the voting machine and its protective devices, and ballot labels and registering counters, before the polls may be declared open on election morning, and they shall be permitted to remain in the polling place at all times throughout the conduct of the election if desired, and after the close of the polls, to be present and check the protective devices and registering counters of each voting machine, and the official return sheets thereof.

5. (10 ILCS 5/17-9) (from Ch. 46, par. 17-9)
CAN VIEW POLL BOOKS

Sec. 17-9. Any person desiring to vote shall give his name and, if required to do so, his residence to the judges of election, one of whom shall thereupon announce the same in a loud and distinct tone of voice, clear, and audible; the judges of elections shall check *each application for ballot against the list of voters registered in that precinct to whom grace period, absentee, or early ballots have been issued for that election, which shall be provided by the election authority and which list shall be available for inspection by pollwatchers.*

6. (10 ILCS 5/17-23) (from Ch. 46, par. 17-23)
VIEW SIGNATURES / INCORRECT PROCEDURE

Pollwatchers shall be permitted to observe all proceedings and view all reasonably requested records relating to the conduct of the election, provided the secrecy of the ballot is not impinged, **and to station themselves in a position in the voting room as will enable them to observe the judges making the signature comparison between the voter application and the voter registration record card; provided, however, that such pollwatchers shall not be permitted to station themselves in such close proximity to the judges of election so as to interfere with the orderly conduct of the election** and shall not, in any event, be permitted **to handle election materials. Pollwatchers may challenge for cause the voting qualifications of a person offering to vote and may call to the attention of the judges of election any incorrect procedure or apparent violations of this Code.**

If a majority of the judges of election determine that the polling place has become too overcrowded with pollwatchers so as to interfere with the orderly conduct of the election, the judges shall, by lot, limit such pollwatchers to a reasonable number, except that each established or new political party shall be permitted to have at least one pollwatcher present.

7. (10 ILCS 5/4-22) (from Ch. 46, par. 4-22)
VOTER CANNOT BE CHALLENGED FOR REFUSAL TO PROVIDE SOCIAL SECURITY NUMBER

"An individual shall not be required to provide his social security number when applying for a ballot. He shall not be denied a ballot, nor shall his ballot be challenged, solely because of his refusal to provide his social security number."

8. (10 ILCS 5/18-5) (from Ch. 46, par. 18-5)
CHALLENGING A VOTER

Sec. 18-5. Any person desiring to vote and whose name is found upon the register of voters by the person having charge thereof, shall then be questioned by one of the judges as to his nativity, his term of residence at present address, precinct, State and United States, his age, whether naturalized and if so the date of naturalization papers and

court from which secured, and he shall be asked to state his residence when last previously registered and the date of the election for which he then registered. The judges of elections shall check each application for ballot against the list of voters registered in that precinct to whom grace period, absentee, and early ballots have been issued for that election, which shall be provided by the election authority and which list shall be available for inspection by pollwatchers. A voter applying to vote in the precinct on election day whose name appears on the list as having been issued a grace period, absentee, or early ballot shall not be permitted to vote in the precinct, except that a voter to whom an absentee ballot was issued may vote in the precinct if the voter submits to the election judges that absentee ballot for cancellation. If the voter is unable to submit the absentee ballot, it shall be sufficient for the voter to submit to the election judges (i) a portion of the absentee ballot if the absentee ballot was torn or mutilated or (ii) an affidavit executed before the election judges specifying that (A) the voter never received an absentee ballot or (B) the voter completed and returned an absentee ballot and was informed that the election authority did not receive that absentee ballot. If such person so registered shall be challenged as disqualified, the party challenging shall assign his reasons therefor, and thereupon one of the judges shall administer to him an oath to answer questions, and if he shall take the oath he shall then be questioned by the judge or judges touching such cause of challenge, and touching any other cause of disqualification. And he may also be questioned by the person challenging him in regard to his qualifications and identity. But if a majority of the judges are of the opinion that he is the person so registered and a qualified voter, his vote shall then be received accordingly. But if his vote be rejected by such judges, such person may afterward produce and deliver an affidavit to such judges, subscribed and sworn to by him before one of the judges, in which it shall be stated how long he has resided in such precinct, and state; that he is a citizen of the United States, and is a duly qualified voter in such precinct, and that he is the identical person so registered. In addition to such an affidavit, the person so challenged shall provide to the judges of election proof of residence by producing 2 forms of identification showing the person's current residence address, provided that such identification to the person at his current residence address and postmarked not earlier than 30 days prior to the date of the election, or the person shall procure a witness personally known to the judges of election, and resident in the precinct (or district), or who shall be proved by some legal voter of such precinct or district, known to the judges to be such, who shall take the oath following, viz:

I do solemnly swear (or affirm) that I am a resident of this election precinct (or district), and entitled to vote at this election, and that I have been a resident of this State for 30 days last past, and am well acquainted with

the person whose vote is now offered; that he is an actual and bona fide resident of this election precinct (or district), and has resided herein 30 days, and as I verily believe, in this State, 30 days next preceding this election.

The oath in each case may be administered by one of the judges of election, or by any officer, resident in the precinct or district, authorized by law to administer oaths. Also supported by an affidavit by a registered voter residing in such precinct, stating his own residence, and that he knows such person; and that he does reside at the place mentioned and has resided in such precinct and state for the length of time as stated by such person, which shall be subscribed and sworn to in the same way. Whereupon the vote of such person shall be received, and entered as other votes. But such judges, having charge of such registers, shall state in their respective books the facts in such case, and the affidavits, so delivered to the judges, shall be preserved and returned to the office of the commissioners of election. Blank affidavits of the character aforesaid shall be sent out to the judges of all the precincts, and the judges of election shall furnish the same on demand and administer the oaths without criticism. Such oaths, if administered by any other officer than such judge of election, shall not be received.

9.

(10 ILCS 5/24B-10.1)

NO PERSON MAY CHECK VOTE TOTALS THROUGHTOUT ELECTION DAY

Before the opening of the polls, and before the ballots are entered into the automatic tabulating equipment, the judges of election shall be sure that the totals are all zeros in the counting column. Ballots may then be counted by entering or scanning each ballot into the automatic tabulating equipment. ***Throughout the election day and before the closing of the polls, no person may check any vote totals for any candidate or proposition on the automatic tabulating equipment.*** Such automatic tabulating equipment shall be programmed so that no person may reset the equipment for refeeding of ballots unless provided a code from an authorized representative of the election authority. At the option of the election authority, the ballots may be fed into the Precinct Tabulation Optical Scan Technology equipment by the voters under the direct supervision of the judges of elections.

10.

(10 ILCS 5/24-8) (from Ch. 46, par. 24-8)
VIEW ELECTION MACHINES

Pollwatchers as provided by law **shall be permitted to carefully check the voting machine and its protective devices, and ballot labels and registering counters, before the polls may be declared open on election morning**, and they shall be permitted to remain in the polling place at all times throughout the conduct of the election if desired, and **after the close of the polls, to be present and check the protective devices and registering counters of each voting machine, and the official return sheets thereof.**

11.

(10 ILCS 5/7-34) (from Ch. 46, par. 7-34)
PROPOSERS AND OPPOSERS

Each organized group of proponents or opponents of a ballot proposition, which shall have registered the name and address of its organization or committee and the name and address of its chairman with the proper election authority at least 40 days before the primary election, shall be entitled to appoint one pollwatcher per precinct. The pollwatcher must be registered to vote in Illinois.

12.
**CONSTITUTIONAL CONVENTION
PROPOSITIONS**

15.(10 ILCS 5/24B-6)

**PUBLIC MEASURES
JUDICIAL RETENTION**

All propositions, including but not limited to propositions calling for a constitutional convention, constitutional amendment, judicial retention, and public measures to be voted upon shall be placed on separate portions of the ballot sheet or marking device by utilizing borders or grey screens. Candidates shall be listed on a separate portion of the ballot sheet or marking device by utilizing borders or grey screens.

13.

(10 ILCS 5/7-47.1) (from Ch. 46, par. 7-47.1)

**POLLWATCHERS CAN ASSIST DISABLED VOTER IF ASKED,
OBSERVE JUDGES HELP DISABLED VOTERS**

Any temporarily or permanently physically disabled voter who, because of structural features of the building in which the polling place is located, is unable to access or enter the polling place, may request that 2 judges of election of opposite party affiliation deliver a ballot to him or her at the point where he or she is unable to continue forward motion toward the polling place; but, in no case, shall a ballot be delivered to the voter beyond 50 feet of the entrance to the building in which the polling place is located. Such request shall be made to the election authority not later than the close of business at the election authority's office on the day before the election and on a form prescribed by the State Board of Elections. The election authority shall notify the judges of election for the appropriate precinct polling places of such requests.

Weather permitting, 2 judges of election shall deliver to the disabled voter the ballot which he or she is entitled to vote, a portable voting booth or other enclosure that will allow such voter to mark his or her ballot in secrecy, and a marking device.

(c) The voter must complete the entire voting process, including the application for ballot from which the judges of election shall compare the voter's signature with the signature on his or her registration record card in the precinct binder.

After the voter has marked his or her ballot and placed it in the ballot envelope (or folded it in the manner prescribed for paper ballots), the 2 judges of election shall return the ballot to the polling place and give it to the judge in charge of the ballot box who shall deposit it therein.

Pollwatchers as provided in Sections 7-34 and 17-23 of this Code shall be permitted to accompany the judges and observe the above procedure.

No assistance may be given to such voter in marking his or her ballot, unless the voter requests assistance and completes the affidavit required by Section 17-14 of this Code. (Source: P.A. 84-808.)

14.

**10 ILCS 5/24-11) (from Ch. 46, par. 24-11
PAPER BALLOT ISSUED IN CASE OF VOTING MACHINE MALFUNCTION**

If any voting machine being used in an election or primary shall become out of order during such election or primary, it shall, if possible, be repaired or another machine substituted by the custodian or election authority, for which purpose the proper authorities may purchase as many extra voting machines as they may deem necessary, but in case such necessary repairs or substitution cannot be made immediately, paper ballots, printed or written and of suitable form, shall be used for the taking of votes. The paper ballots to be used in such event shall be prepared and distributed to the various precincts in the manner provided for in Sections 16-3 and 16-4 of this Election Code; except that the election authority shall supply a number of ballots to each precinct equal to at least 20% of the number of voters registered to vote in that precinct. If a method of election for any candidates is prescribed by law, in which the use of voting machines is not possible or practicable, or in case, at any election the number of candidates nominated or seeking nomination for any office renders the use of the voting machine for such office at such election impracticable, or if for any reason, at any election the use of voting machines is not practicable or possible, the proper officer or officers having charge of the preparation of the ballot labels for the machines may arrange to have the voting for such or all candidates for officers conducted by paper ballots. In such cases ballots shall be printed for such or all candidates, and the election conducted by the election officers herein provided for, and the ballots counted and return thereof made in the manner required by law for such candidate or candidates or offices, insofar as paper ballots are used.

(Source: P.A. 80-1469.)

15.

**(10 ILCS 5/24B-10.1)
In-Precinct Optical Scan Tabulation**

- A. NUMBER OF BALLOTS AGREES WITH NUMBER OF VOTERS**
- B. BALLOTS CONTAIN THE INITIALS OF THE PRECINCT JUDGES**
- C. DEFECTIVE BALLOTS (No Judge initials)**
- D. COMPARE WRITE-IN VOTES**
- E. DEFECTIVE BALLOT (Other)**
- F. IN PRECINCT TOTAL REPORT (Copy of poll tape for pollwatcher / Posting of poll tape)**
- F. STATEMENT OF BALLOTS—SPOILED, DEFECTIVE, DUPLICATED**
- H. SEALED BALLOT BOXES / JUDGES SIGNATURES / BIPARTISAN TEAM TO RETURN BALLOTS**
- I. BALLOTS CANNOT BE ACCEPTED UNLESS SIGNED & SEALED**
- J. TIME STAMPED RECEIPT OF BOXES**

Sec. 24B-10.1. In-Precinct Counting Equipment; Procedures for Counting and Tallying Ballots. In an election jurisdiction where Precinct Tabulation Optical Scan Technology counting equipment is used, the following procedures for counting and tallying the ballots shall apply:

Before the opening of the polls, and before the ballots are entered into the automatic tabulating equipment, the judges of election shall be sure that the totals are all zeros in the counting column. Ballots may then be counted by entering or scanning each ballot into the automatic tabulating equipment. Throughout the election day and before the closing of the polls, no person may check any vote totals for any candidate or proposition on the automatic tabulating equipment. Such automatic tabulating equipment shall be programmed so that no person may reset the equipment for refeeding of ballots unless provided a code from an authorized representative of the election authority. At the option of the election authority, the ballots may be fed into the Precinct Tabulation Optical Scan Technology equipment by the voters under the direct supervision of the judges of elections.

A. COUNT NUMBER OF BALLOTS TO DETERMINE IF THE NUMBER AGREES WITH NUMBER OF VOTERS

Immediately after the closing of the polls, the precinct judges of election shall open the ballot box and count the **number of ballots to determine if the number agrees with the number of voters voting** as shown on the Precinct Tabulation Optical Scan Technology equipment and by the applications for ballot or, if the same do not agree, the judges of election shall make the ballots agree with the applications for ballot in the manner provided by Section 17-18 of this Code.

B. BALLOTS CONTAIN THE INITIALS OF THE PRECINCT JUDGES / DEFECTIVE BALLOT

The judges of election shall then examine all ballots which are in the ballot box to determine whether the ballots contain the initials of a precinct judge of election. If any ballot is not initialed, it shall be marked on the

back "Defective", initialed as to such label by all judges immediately under the word "Defective" and not counted. The judges of election shall place an initialed blank official ballot in the place of the defective ballot, so that the count of the ballots to be counted on the automatic tabulating equipment will be the same, and each "Defective Ballot" and "Replacement" ballot shall contain the same serial number which shall be placed thereon by the judges of election, beginning with number 1 and continuing consecutively for the ballots of that kind in that precinct. The original

"Defective" ballot shall be placed in the "Defective Ballot Envelope" provided for that purpose.

C. DEFECTIVE BALLOTS

If the judges of election have removed a ballot pursuant to Section 17-18, have labeled **"Defective"** a ballot which is not initialed, or have otherwise determined under this Code to not count a ballot originally deposited into a ballot box, the judges of election shall be sure that the totals on the automatic tabulating equipment are reset to all zeros in the counting column. Thereafter the judges of election shall enter or otherwise scan each ballot to be counted in the automatic tabulating equipment. Resetting the automatic tabulating equipment to all zeros and re-entering of ballots to be counted may occur at the precinct polling place, the office of the election authority, or any receiving station designated by the election authority. The election authority shall designate the place for resetting and re-entering or re-scanning.

D. WRITE IN VOTES

When a Precinct Tabulation Optical Scan Technology electronic voting system is used which uses a paper ballot, the **judges of election shall examine the ballot for write-in votes**. When the voter has cast a write-in vote, the judges of election shall compare the write-in vote with the votes on the ballot to determine whether the write-in results in an overvote for any office, unless the Precinct Tabulation Optical Scan Technology equipment has already done so. In case of an overvote for any office, the judges of election, consisting in each case of at least one judge of election of each of the 2 major political parties, shall make a true duplicate ballot of all votes on such ballot except for the office which is overvoted, by using the ballot of the precinct and one of the marking devices, or equivalent ballot, of the precinct so as to transfer all votes of the voter, except for the office overvoted, to a duplicate ballot. The original ballot upon which there is an overvote shall be clearly labeled "Overvoted Ballot", and each such "Overvoted Ballot" as well as its "Replacement" shall contain the same serial number which shall be placed thereon by the judges of election, beginning with number 1 and continuing consecutively for the ballots of that kind in that precinct. The "Overvoted Ballot" shall be placed in an envelope provided for that purpose labeled "Duplicate Ballot" envelope, and the judges of election shall initial the "Replacement" ballots and shall place them with the other ballots to be counted on the automatic tabulating equipment.

E. DEFECTIVE BALLOT

If any ballot is damaged or defective, or if any ballot contains a Voting Defect, so that it cannot properly be counted by the automatic tabulating equipment, the voter or the judges of election, consisting in each case of at least one judge of election of each of the 2 major political parties, shall make a true duplicate ballot of all votes on such ballot by using the ballot of the precinct and one of the marking devices of the precinct, or equivalent. If a damaged ballot, the original ballot shall be clearly labeled "Damaged Ballot" and the ballot so produced shall be clearly labeled "Damaged Ballot" and the ballot so produced shall be clearly labeled "Duplicate Damaged Ballot", and each shall contain the same serial number which shall be placed by the judges of election, beginning with number 1 and continuing consecutively for the ballots of that kind in the precinct. The judges of election shall initial the "Duplicate Damaged Ballot" ballot and shall enter or otherwise scan the duplicate damaged ballot into the automatic tabulating equipment. The "Damaged Ballots" shall be placed in the "Duplicated Ballots" envelope; after all ballots have been successfully read, the judges of election shall check to make certain that the Precinct Tabulation Optical Scan Technology equipment readout agrees with the number of voters making application for ballot in that precinct. The number shall be listed on the "Statement of Ballots" form provided by the election authority.

F. IN PRECINCT TOTAL REPORT (COPY OF POLL TAPE FOR POLLWATCHER / POSTING OF POLL TAPE

The totals for all candidates and propositions shall be tabulated. One copy of an "In-Precinct Totals Report" shall be generated by the automatic tabulating equipment for return to the election authority. One copy of an "In-Precinct Totals Report" shall be generated and posted in a conspicuous place inside the polling place, provided that any authorized pollwatcher or other official authorized to be present in the polling place to observe the counting of ballots is present. The judges of election shall provide, if requested, a copy for each authorized pollwatcher or other official authorized to be present in the polling place to observe the counting of ballots. In addition, sufficient time shall be provided by the judges of election to the pollwatchers to allow them to copy information from the copy which has been posted.

G. STATEMENT OF BALLOTS—SPOILED, DEFECTIVE, DUPLICATED

The judges of election shall count all unused ballots and enter the number on the "Statement of Ballots". All "Spoiled", "Defective" and "Duplicated" ballots shall be counted and the number entered on the "Statement of Ballots".

**H. SEALED BALLOT BOXES—LENGTHWISE AND CROSSWISE WITH FILAMENT TAPE
JUDGES SIGNATURES ON SEALS
BIPARTISAN TEAM OF JUDGES TO RETURN BALLOTS**

The precinct judges of election shall select a **bi-partisan team of 2 judges**, who shall immediately **return the ballots in a sealed container, along with all other election materials as instructed by the election authority; provided, however, that such container must first be sealed by the election judges with filament tape or other approved sealing devices provided for the purpose which shall be wrapped around the container lengthwise and crosswise, at least twice each way, in a manner that the ballots cannot be removed from the container without breaking the seal and filament tape and disturbing any signatures affixed by the election judges to the container, or which other approved sealing devices are affixed in a manner approved by the election authority.** The election authority shall keep the office of the election authority or any receiving stations designated by the authority, open for at least 12 consecutive hours after the polls close or until the ballots from all precincts with in-precinct counting equipment within the jurisdiction of the election authority have been returned to the election authority.

I. BALLOTS CANNOT BE ACCEPTED UNLESS SIGNED AND SEALED

Ballots returned to the office of the election authority which are not signed and sealed as required by law shall not be accepted by the election authority until the judges returning the ballots make and sign the necessary corrections.

J. TIME STAMPED RECEIPT OF BOXES

Upon acceptance of the ballots by the election authority, the judges returning the ballots shall take a receipt signed by the election authority and stamped with the time and date of the return. The election judges whose duty it is to return any ballots as provided shall, in the event the ballots cannot be found when needed, on proper request, produce the receipt which they are to take as above provided. The precinct judges of election shall also deliver the Precinct Tabulation Optical Scan Technology equipment to the election authority. (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06; 95-699, eff. 11-9-07.)

16.

**(10 ILCS 5/24A-10) (from Ch. 46, par. 24A-10)
Central Count Tabulation**

Sec. 24A-10. (1) In an election jurisdiction which has adopted an electronic voting system, the election official in charge of the election shall select one of the 3 following procedures for receiving, counting, tallying, and return of the ballots:

Before the ballots of a precinct are fed to the electronic tabulating equipment, the first ballot box shall be opened at the central counting station by the two precinct transport judges. Upon opening a ballot box, such team shall first count the number of ballots in the box. If 2 or more are folded together so as to appear to have been cast by the same person, all of the ballots so folded together shall be marked and returned with the other ballots in the same condition, as near as may be, in which they were found when first opened, but shall not be counted. If the remaining ballots are found to exceed the number of persons voting in the precinct as shown by the slip signed by the judges of election, the ballots shall be replaced in the box, and the box closed and well shaken and again opened and one of the precinct transport judges shall publicly draw out so many ballots unopened as are equal to such excess.

Such excess ballots shall be marked "Excess-Not Counted" and signed by the two precinct transport judges and shall be placed in the "After 7:00 p.m. Defective Ballots Envelope". The number of excess ballots shall be noted in the remarks section of the Certificate of Results. "Excess" ballots shall not be counted in the total of "defective" ballots.

The precinct transport judges shall then examine the remaining ballots for write-in votes and shall count and tabulate the write-in vote; or At the central counting location there shall be one or more teams of tally judges who possess the same qualifications as tally judges in election jurisdictions using paper ballots. The number of such teams shall be determined by the election authority. Each team shall consist of 5 tally judges, 3 selected and approved by the county board from a certified list furnished by the chairman of the county central committee of the party with the majority of members on the county board and 2 selected and approved by the county board from a certified list furnished by the chairman of the county central committee of the party with the second largest number of members on

the county board. At the central counting location a team of tally judges shall open the ballot box and canvass the votes polled to determine that the number of ballot sheets therein agree with the number of voters voting as shown by the applications for ballot; and, if the same do not agree, the tally judges shall make such ballots agree with the number of applications for ballot in the manner provided by Section 17-18 of the Election Code. The tally judges shall then examine all ballot sheets which are in the ballot box to determine whether they bear the initials of the precinct judge of election. If any ballot is not initialed, it shall be marked on the back "Defective", initialed as to such label by all tally judges immediately under such word "Defective", and not counted, but placed in the envelope provided for that purpose labeled "Defective Ballots Envelope". An overvote for one office shall invalidate only the vote or count of that particular office.

At the central counting location, a team of tally judges designated by the election official in charge of the election shall deliver the ballot sheets to the technicians operating the automatic tabulating equipment. Any discrepancies between the number of ballots and total number of voters shall be noted on a sheet furnished for that purpose and signed by the tally judges.

(2) Regardless of which procedure described in subsection (1) of this Section is used, the judges of election designated to transport the ballots, properly signed and sealed as provided herein, shall ensure that the ballots are delivered to the central counting station no later than 12 hours after the polls close. At the central counting station a team of tally judges designated by the election official in charge of the election shall examine the ballots so transported and shall not accept ballots for tabulating which are not signed and sealed as provided in subsection (1) of this Section until the judges transporting the same make and sign the necessary corrections. Upon acceptance of the ballots by a team of tally judges at the central counting station, the election judges transporting the same shall take a receipt signed by the election official in charge of the election and stamped with the date and time of acceptance. The election judges whose duty it is to transport any ballots shall, in the event such ballots cannot be found when needed, on proper request, produce the receipt which they are to take as above provided.

(Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06.)

17.

(10 ILCS 5/24B-13)

**TABULATING VOTES; DIRECTION
COMPUTER OPERATOR'S LOG AND CANVASS**

POLLWATCHING DURING VOTE TABULATION

Sec. 24B-13. Tabulating Votes; Direction; Presence of Public; Computer Operator's Log and Canvass. The procedure for tabulating the votes by the automatic Precinct Tabulation Optical Scan Technology tabulating equipment shall be under the direction of the election authority and shall conform to the requirements of the automatic Precinct Tabulation Optical Scan Technology tabulating equipment. During any election-related activity using the automatic Precinct Tabulation Optical Scan Technology tabulating equipment, the election authority shall make a reasonable effort to dedicate the equipment to vote processing to ensure the security and integrity of the system.

A reasonable number of pollwatchers shall be admitted to the counting location. Persons may observe the tabulating process at the discretion of the election authority; however, at least one representative of each established political party and authorized agents of the State Board of Elections shall be permitted to observe this process at all times. No persons except those employed and authorized for the purpose shall touch any ballot, ballot box, return, or equipment.

The computer operator shall be designated by the election authority and shall be sworn as a deputy of the election authority. In conducting the vote tabulation and canvass, the computer operator must maintain a log which shall include the following information:

- a. alterations made to programs associated with the vote counting process
- b. if applicable, console messages relating to the program and the respective responses made by the operator
- c. the starting time for each precinct counted, the number of ballots counted for each precinct, any equipment
- d. changes and repairs made to the equipment during the vote tabulation and canvass.

The computer operator's log and canvass shall be available for public inspection in the office of the election authority for a period of 60 days following the proclamation of election results. A copy of the computer operator's log and the canvass shall be transmitted to the State Board of Elections upon its request and at its expense. (Source: P.A. 89-394, eff. 1-1-97.)

18.

(10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)
OBSERVE ABSENTEE VOTES

Absentee voting procedures in the office of the municipal, township and road district clerks shall be subject to all of the applicable provisions of this Article 19. **Pollwatchers may be appointed to observe in-person absentee voting procedures and view all reasonably requested records relating to the conduct of the election, provided the secrecy of the ballot is not impinged, at the office of the municipal, township or road district clerks' offices where such absentee voting is conducted.** Such pollwatchers shall qualify and be appointed in the same manner as provided in Sections 7-34 and 17-23, except each candidate, political party or organization of citizens may appoint only one pollwatcher for each location where in-person absentee voting is conducted. **Pollwatchers must be registered to vote in Illinois and possess valid pollwatcher credentials.** All requirements in this Article applicable to election authorities shall apply to the respective local clerks, except where inconsistent with this Section.

19.

(10 ILCS 5/19-10) (from Ch. 46, par. 19-10)
ABSENTEE VOTES

Sec. 19-10. Pollwatchers may be appointed to observe **in-person absentee voting procedures and view all reasonably requested records relating to the conduct of the election**, provided the secrecy of the ballot is not impinged, at the office of the election authority as well as at municipal, township or road district clerks' offices where such absentee voting is conducted. Such pollwatchers shall qualify and be appointed in the same manner as provided in Sections 7-34 and 17-23, except each candidate, political party or organization of citizens may appoint only one pollwatcher for each location where in-person absentee voting is conducted. Pollwatchers must be registered to vote in Illinois and possess valid pollwatcher credentials.

In the polling place on election day, **pollwatchers shall be permitted to be present during the casting of the absent voters' ballots and the vote of any absent voter** may be challenged for cause the same as if he were present and voted in person, and the judges of the election or a majority thereof shall have power and authority to hear and determine the legality of such ballot; Provided, however, that if a challenge to any absent voter's right to vote is sustained, notice of the same must be given by the judges of election by mail addressed to the voter's place of residence.

Where certain absent voters' ballots are counted ***on the day of the election in the office of the election authority as provided in Section 19-8 of this Act, each political party, candidate and qualified civic organization shall be entitled to have present one pollwatcher for each panel of election judges therein assigned.*** Such pollwatchers shall be subject to the same provisions as are provided for pollwatchers in Sections 7-34 and 17-23 of this Code, and shall be permitted to observe the election judges making the signature comparison between that which is on the ballot envelope and that which is on the permanent voter registration record card taken from the master file.

(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)