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## **Chapter 16**

### **Replacement Ballots**

**Reissuing VACs**

**Misidentified Voters**

**Fleeing Voters**

<b>Replacement Ballots for Spoiled Ballots .....</b>	<b>16.2</b>
<b>Replacing Ballots and Ballot Activation Cards (BACs) ..</b>	<b>16.2</b>
<b>Resetting a Voter's "Ballot Issued" Status (Chief Judge Only).....</b>	<b>16.6</b>
• <b>Misidentified Voters: .....</b>	<b>16.6</b>
• <b>Voters who Must Leave Before       Marking their Ballot:.....</b>	<b>16.6</b>
<b>Fleeing Voters.....</b>	<b>16.10</b>

## *Replacement Ballots, Reissued VACs, & Misidentified Voters*

### **Replacement Ballots for Spoiled Ballots**

**A voter may be issued no more than two replacement ballots. A voting judge must offer assistance to a voter who has spoiled two ballots.**

A voter may request a replacement paper ballot or ballot activation card (BAC) when:

- A voter wants to make changes to ballot selections after a paper ballot has been marked (or a BAC has been printed);
- A paper ballot (or BAC) is damaged to the extent that a Scanning Unit (SU) will not accept it; or
- A Ballot Marking Device (BMD) has malfunctioned or a BAC fails to work.

If a voter requests assistance with voting a ballot, a bipartisan team of election judges, or a voter designated assistant can provide assistance. A *Voter Assistance Form* must be completed.

**Note:** A voter's BAC may be reused on a Ballot Marking Device that has timed out and has no ballot selections.

### **Replacing Ballots and Ballot Activation Cards (BACs)**

When a voter alerts a voting judge to request a replacement paper ballot or BAC:

1. A voting judge asks for the voter's Voter Authority Card (VAC);
2. Directs the voter to stay at the voting booth, or another area in the polling place to spoil the ballot and wait for a replacement ballot;

## *Replacement Ballots, Reissued VACs, & Misidentified Voters*

3. Provides the voter with a black marker and tells the voter to spoil the ballot as follows:
  - For regular paper ballots: Tell the voter to fill in all of the ovals for each contest (overvote all contests) and write “spoiled” on the ballot;
  - For Ballot Activation Cards: Tell the voter to use the marking pen to cover up all selections including the bar code at the top. Assist the voter with this, if necessary.
  - **Note**: Printed Ballot Activation Cards will only show the voter’s selections. Therefore, all selections must be covered to protect the voter’s privacy. Also, cover the barcode if one appears on the ballot activation card.
4. While the voter is spoiling the ballot, use the VAC to complete the *Spoiled Ballot Log*.
5. Determine the reason and check the correct code. Use reason code 11 – if the ballot or BAC is damaged by the voter or the judge, fails to work, or the BMD malfunctions. Use reason code 12 - if the voter has made selections on the ballot.
6. Indicate the ballot type, the voter’s name and the voter’s ID number and initial the form.

## Replacement Ballots, Reissued VACs, & Misidentified Voters

### Spoiled Ballot Log (Ballot Table) Montgomery County Board of Elections Presidential Primary - April 26, 2016

A ballot that will not or cannot be used to cast a vote must be spoiled and accounted for. When a judge damages a ballot (tears, folds, etc.) before issuing the ballot to a voter, the judge must record that ballot on this form. When a voter damages a ballot or wishes to change selections, the judge must record that ballot on this form before issuing the voter a new ballot. Voters may receive a maximum of three ballots.

**Directions:**

1. If damaged after selections are made or if voter wishes to change selections, have voter mark over all circles in selected contests.
2. Write "Spoiled" on ballot. Place ballot in Spoiled Ballot Envelope.
3. Check below if ballot is standard ballot or Ballot Activation Card (BAC).
4. Determine reason. If damaged by voter or by judge, reason code 11. If selections have been made, reason code 12. Check reason code below.
5. Enter voter's name and ID# below. If ballot was damaged before it was issued to voter, leave blank. Initial form.
6. Take voter's VAC. Cross off prior ballot judge's initials. Initial VAC and return to voter with new ballot.

Reason Code <input type="checkbox"/>		Ballot Type		Voter's Name (Last Name, First Name)	Voter ID#	Judge's Initials
#11	#12	Standard BS#	BAC <input type="checkbox"/>			
√		√		<b>Jane Dough</b>	<b>500555442</b>	<i>LW</i>

**NOTE: A voter may be issued no more than two replacement ballots. A voting judge must offer assistance to a voter who has spoiled two ballots.**

7. Draw a line through the ballot judge's prior initials on the VAC and re-initial the VAC, to indicate that replacement ballot has been issued.

8. Take the spoiled ballot (or ballot activation card) from the voter.

## *Replacement Ballots, Reissued VACs, & Misidentified Voters*

9. Confirm that “spoiled” has been written across the face of the spoiled ballot (or ballot activation card) by the voter and that the voter’s original selections cannot be determined.
10. Give the replacement ballot (or ballot activation card) and the VAC to the voter.
11. For voters using a BMD, the Election Judge must use the ballot style number indicated on the voter authority card to select the correct ballot style for the voter. Touch the correct ballot style number on the touch screen display. For consolidated precincts, select the correct District/Precinct and ballot style to activate the appropriate ballot.
12. Deposit the spoiled ballot (or ballot card) into the “Spoiled Ballot Envelope.”

### **Replacing Damaged or Torn Ballots and Ballot Activation Cards (BACs)**

When a paper ballot (or BAC) is damaged prior to being issued to a voter to the extent that a Scanning Unit (SU) will not accept it, follow these steps:

1. Record the ballot on the *Spoiled Ballot Log*.
2. Write “spoiled” across the face of the spoiled ballot (or ballot card) and overvote each contest.
3. Deposit the spoiled ballot (or ballot card) into the “Spoiled Ballot Envelope.”

## Replacement Ballots, Reissued VACs, & Misidentified Voters

### Resetting a Voter's "Ballot Issued" Status (Chief Judge Only)

Resetting the "Ballot Issued" status on the electronic pollbook by a chief judge allows check in judges to properly check in voters who were previously checked-in under the following circumstances. **In all cases it must be confirmed by the election judges that the voter did not cast their previously issued ballot. Note:** A voter who claims that the ballot was not cast, and it cannot be confirmed that the ballot was not cast, must be issued a provisional ballot.

This applies to the following voters:

- A. Voters who were mistakenly checked in under another voter's name ("misidentified voters").
- B. Voters who alert election judges that they must leave the polling place before marking their ballot. **Note:** If this voter returns later in the day, the voter may be checked in to vote.

The following process will reset the voter's "ballot issued" status in the electronic pollbook to "None."

1. Retrieve the ballot (or ballot activation card) from the voter. Use the information on the VAC to search for the voter's name in the electronic pollbook.
2. Tap on the row of the voter whose "Issued" field is to be changed.

Name	Address	County	DOB	Status	Issued	Party
Linc Abraham Quincy	Main St APT A Anytown 12345	Anne Arundel	05/02 /1842	Active	REG Issued	REP

1 voters found.

Find by Name | Find by Address | Find by ID

Last Name: LINC | First Name: | Middle Init: | Zip Code: | Birth MMDD: |

Search Precinct/EV Count | Search State (add mi)

Clear ALL | Return to Main

BT:??? AC:Plugged In | Voted: TOT 2 | 11/19/2015 3:25:30 PM

## Replacement Ballots, Reissued VACs, & Misidentified Voters

3. On the “Voter Record” screen, confirm that this is the voter whose “Issued” field must be changed. Then tap on the “Identification” tab.

The screenshot shows the "Voter Record" screen with the "Identification" tab selected. The voter's name is Abraham Quincy, and the precinct is Main St APTA, Anytown 12345. The "REG Issued" field is highlighted in red and contains the text "REG issued". The "Status" is "Active". The "Party" is "Republican". The "DOB" is "05/02/1842". The "Comments" field contains "CONG=03; LEGIS=32; COUNCIL=001". The "REG Issued" field is highlighted in red. The "Identification" tab is circled in red. The "Re-Issue Standard Ballot" button is highlighted in yellow. The status bar at the bottom shows "BT:??? AC:Plugged In", "Voted: TOT 1", and "11/20/2015 11:00:30 AM".

4. After tapping the “Identification” tab, tap the “Remove Ballot Issued” button.

The screenshot shows the "Voter Record" screen with the "Identification" tab selected. The voter's name is Abraham Quincy, and the precinct is Main St APTA, Anytown 12345. The "Voter ID" is "3". The "Show ID" field is empty. The "City Name" is "Anytown". The "Remove Ballot Issued" button is circled in red. The "Reprint VAC" button is highlighted in yellow. The status bar at the bottom shows "BT:??? AC:Plugged In", "Voted: TOT 1", and "11/20/2015 3:02:20 PM".

## Replacement Ballots, Reissued VACs, & Misidentified Voters

5. Enter the password and Tap “OK – Perform Supervisor Function.”

The screenshot shows the 'Voter Record' application interface. A dialog box is displayed in the center with the following text: 'Enter your supervisor password using the keypad. Then tap the OK button to proceed.' Below this text is a 'Password' field with four asterisks. At the bottom of the dialog box, there are two buttons: 'OK - Perform Supervisor Function' and 'Go Back'. The background interface shows a voter record for 'Linc Abraham Quincy' with a 'Ballot Issued' status. The bottom status bar displays 'BT:?? AC:Online', 'Voted: DEM 0 REP 1 NON 0 TOT 1', and the date/time '9/27/2013 4:38:17 PM'.

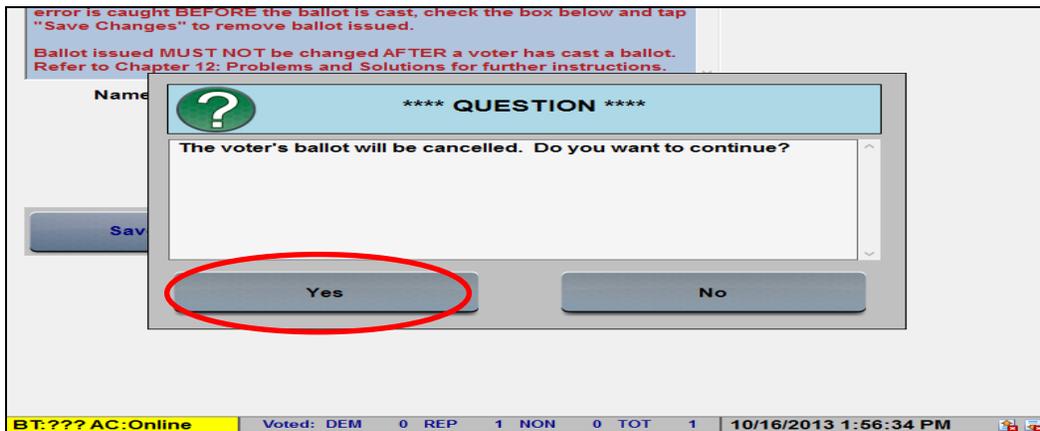
6. Tap the “Remove Ballot Issued” box in the middle of the screen. Make sure that there is a check in the box.

7. Tap the “Save Changes” button.

The screenshot shows a dialog box with the following text: 'If a voter access card has been issued to the wrong voter, and the error is caught BEFORE the ballot is cast, check the box below and tap "Save Changes" to remove ballot issued. Ballot issued MUST NOT be changed AFTER a voter has cast a ballot. Refer to Chapter 12: Problems and Solutions for further instructions.' Below the text is a 'Name' field containing 'Linc, Abraham Quincy'. In the center, there is a checkbox labeled 'Remove Ballot Issued' which is checked and highlighted in yellow. At the bottom, there are two buttons: 'Save Changes' and 'Cancel'. The bottom status bar displays 'BT:?? AC:Online', 'Voted: DEM 0 REP 1 NON 0 TOT 1', and the date/time '10/16/2013 1:54:35 PM'.

## Replacement Ballots, Reissued VACs, & Misidentified Voters

8. A pop-up box will ask if you want to continue. Tap “Yes.”

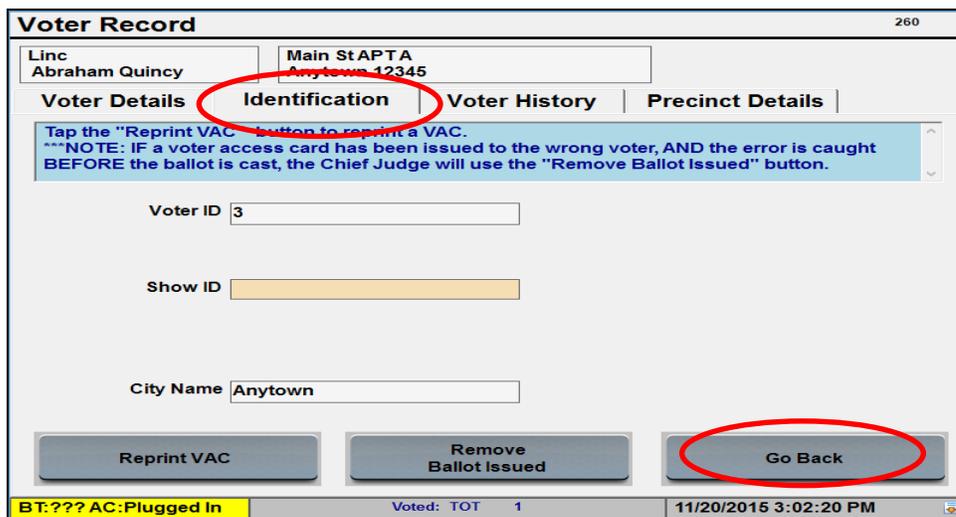


9. A “Cancelled Ballot Confirmation Stub for Voter Authority Card” will print to confirm the cancelled ballot.

A. Initial the confirmation stub and attach it to the cancelled VAC and/or ballot or ballot activation card.

B. Place the cancelled VAC in the “Cancelled VAC Envelope.”

10. The electronic pollbook will return to the “Voter Record” screen (“Identification” tab). Tap the “Go Back” button to return to the “Find Voters” screen.



## Replacement Ballots, Reissued VACs, & Misidentified Voters

11. Confirm that the voter's "Issued" status is "None."

Name	Address	County	DOB	Status	Issued	Party
Linc Abraham Quincy	Main St APT A Anytown 12345	Anne Arundel	03/01 /1802	Active	None	REP

205

1 voters found.

Find by Name | Find by Address | Find by ID

Last Name: LINC  
First Name: ABR | Middle Init.:  
Zip Code: | Birth MMDD: 03/01

Search Precinct/EV Count  
Search State

Clear ALL

Return to Main

BT:???:AC:Online | Voted: DEM 0 REP 0 NON 0 TOT 0 | 10/1/2013 3:04:23 PM

- A. Proceed with the check-in process.
- B. Document the incident in the Election Day Log.

### Fleeing Voters

If a voter who was issued a ballot has walked away without having cast the ballot, election judges should attempt to find the voter to finish casting the ballot.

1. When a ballot (or a printed Ballot Activation Card) **and** the Voter Authority Card (VAC) are found, a chief judge, in the presence of an election judge from a different party, shall:
  - A. Spoil the ballot as follows:
    - For regular paper ballots: Fill in all of the ovals for each contest (overvote all contests) and write "spoiled" on the ballot;
    - For Ballot Activation Cards: Use a marking pen to cover up all selections and write "spoiled" on the Ballot Activation Card.

## *Replacement Ballots, Reissued VACs, & Misidentified Voters*

**Note:** Printed Ballot Activation Cards will only show the voter's selections. Therefore, all selections must be covered. Also, cover the barcode if one appears on the ballot activation card.

- B. Place the ballot into the "Spoiled Ballot Envelope."
- C. Spoil the VAC by writing "fleeing voter" across the VAC.
- D. Deposit the VAC in the "Spoiled VAC Envelope."
- E. Reset the voter's "Ballot Issue Status" in the electronic pollbook. See "Resetting a Voter's Ballot Issue Status (Chief Judge Only)" in this chapter.
- F. Record the incident in the Election Day Log.

**Note:** These voters are permitted to check in to vote if they return later.

### 2. If the voter's VAC is **not found**:

- A. Spoil the ballot as follows:
  - For regular paper ballots: Fill in all of the ovals for each contest (overvote all contests) and write "spoiled" on the ballot;
  - For Ballot Activation Cards: Use a marking pen to cover up all selections and write "spoiled" on the Ballot Activation Card.

**Note:** Printed Ballot Activation Cards will only show the voter's selections. Therefore, all selections must be covered. Also, cover the barcode if one appears on the ballot activation card.

- B. Place the ballot into the "Spoiled Ballot Envelope."
- C. Record the incident in the Election Day Log.

## *Replacement Ballots, Reissued VACs, & Misidentified Voters*

**Note:** If these voters return to vote, the “Ballot Issue Status” in the electronic pollbook will indicate that a ballot has already been issued to the voter. These voters may **only** be issued a provisional ballot.