



# ELECTION OFFICER'S HANDBOOK

OPTICAL SCAN

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## **I. INTRODUCTION**

Election officers are an integral part of every election. This handbook is intended both to prepare you for your duties on Election Day, and as a quick reference guide to be used throughout the day.

It is important to remember that election officers present the face of the election to the voters. It is crucial that you behave in a way that assures voters that the elections are unbiased and non-partisan. Election officers must refrain from any political activity during polling hours. This includes both discussions of political matters and postings to social media sites. Your city/town clerk may have additional guidelines to help avoid any appearance of impropriety.

Throughout this booklet, you will see the phrases “election officer” and “poll worker.” These titles are used interchangeably and refer to any election workers appointed by the city or town to work at the polls.

Further, you will notice that the local election official is frequently referred to as the city/town clerk. Most local election officials are city or town clerks, though some communities have elections commissions instead. If your community has such a commission, any references to the city/town clerk should be understood to mean the elections commission.

## **II. ELECTION OFFICERS**

Each polling place must have assigned to it a warden, a clerk, and inspectors. In polling places where there is more than one precinct voting, precincts may share a warden. Every precinct has its own clerk and a certain number of inspectors.

Wardens work under the city/town clerk and are in charge of their precincts. Clerks report to the warden and the city/town clerk and assist the warden, while also keeping records relating to the election. Inspectors report to the warden and the city/town clerk and assist the voters with checking in, checking out, and depositing their ballots in the ballot box.

Each polling place must also have a police officer or constable assigned to it. The police officer or constable assists the warden and the city/town clerk in enforcing the election laws in and around the polling place.

If any poll workers are absent, contact the city/town clerk’s office immediately. If deputies have been appointed, the deputy of the absent election officer will be sent to the polling location as soon as possible.

## **III. POLLING PLACE SET-UP**

Often, polling places are set up the day before the election by the city/town clerk, but there are still certain tasks which must be completed in the time before the polls open.

## **Opening the Polling Location**

No later than 30 minutes before the opening of the polls, the polling place must be unlocked and accessible for any members of the public who wish to observe the preparations for the election.

## **Signage**

In every polling place, certain information must be posted. Before the polls open, you must post:

- 3 specimen ballots
- 3 “Information on Federal and State Laws” posters
- 3 “Instructions to Voters” posters

The “Information on Federal and State Laws” and “Instructions to Voters” posters are part of a wide “tri-fold” poster which also includes the Voter’s Bill of Rights (see page 21).

In primaries, there are specimen ballots for each party, which means that three of each type of specimen ballot must be posted.

Additionally, you must post signs directing voters to call the Secretary of the Commonwealth’s Elections Division at 1-800-462-VOTE (8683) if they experience any problems in voting.

Signs must be posted inside the polling place, but outside the “guard rail” and at least one of each poster must be placed no higher than 48 inches from the ground.

In most cases, the guard rail is not a physical rail, but rather an invisible barrier between the area where the voting is taking place and the outer areas of the precinct. The guard rail should surround the area just beyond the check-in table and must include the voting booths, the check-out table, and the ballot box. Some election officials choose to mark this area with tape on the ground or with ropes.

## **Tabulator**

While setting up the tabulator, be sure to follow the steps below:

1. Insert the tabulator into the appropriate place on top of the ballot box and plug it in.
2. Unlock each compartment of the ballot box to show anyone in the polling place that there are no ballots inside.
3. Follow the tabulator instructions (provided by your city/town clerk) to turn on the tabulator.
4. Print a “zero tape.” This tape shows that all offices and questions on the ballot have zero votes when the polls open.
5. Two poll workers of different parties (usually the warden and clerk) sign the zero tape and post it in a conspicuous place in the polling place.

6. Record the number of votes on the ballot box (this should be zero) in the clerk's log. If there are any issues with the tabulator, record that information as well.
7. Secure any locks on the ballot box and tabulator and give the key to the police office or constable for safe keeping.

### **AutoMARK**

Every polling place is equipped with an AutoMARK Voter Assist Terminal. The AutoMARK is a machine which assists voters in reading and marking their ballots. Instructions should be provided by your local election official on how to turn on the machine and prepare it for voters.

Be sure to turn on the AutoMARK and plug in the headphones before the polls are opened. The AutoMARK must also be set up in a way that ensures voter privacy, with the screen is facing away from the public. Ideally, the screen of the AutoMARK should be facing a wall, with enough space between the machine and the wall for a wheelchair to easily maneuver. It is recommended that a chair be placed nearby, for anyone who needs it.

### **Accessibility**

If your polling place does not have an already designated accessible parking spaces and the city/town clerk has not already done so, you must ensure that at least one accessible parking space is clearly marked. If the main entrance to the polling place is not accessible, signs must be placed directing voters to the accessible entrance to the building. You must also check to make sure the accessible entrance door is unlocked.

### **Ballots**

Ballots are delivered to the polling location in the morning, either by someone in the clerk's office or by a police officer. The ballots must be counted and the warden must certify the number of ballots received. Ballots are usually packed in packs of 50 or 100. You do not need to open the pre-packaged ballots while counting. The clerk must record the number of ballots received in the clerk's log.

### **Voting Booths**

Pens should be placed in the voting booths for the voters to mark their ballots. Many people find it useful to remove the caps from the pens so that voters do not take them with them when they leave. If the city/town clerk has provided additional instructions on marking the ballots, they may be posted in the booths.

### **Materials at Check-In**

Inspectors working at the check-in table should make sure that they have the following materials available at their table:

- Ballots
- Voter lists
- Red pens or pencils
- Rulers
- Secrecy sleeves

- Information for Voters books (for biennial state elections)

Voter lists should be marked with red pen or pencil. Many inspectors prefer to use rulers when marking the voter lists, to make sure they are checking off the right box. For November elections in even-numbered years, red Information for Voters booklets must be available at the check-in table.

### **Materials at Check-Out**

Inspectors working at the check-out table should make sure that they have the following materials available at their table:

- Voter lists
- Red pens or pencils
- Rulers

## **IV. OPENING THE POLLS**

In state elections, state primaries, and presidential primaries, polls must open no later than 7:00 a.m., though polls may open as early as 5:45 a.m. Polling hours are determined by the board of selectmen or city or town council.

Polls must be opened at precisely the time that has been designated. When the time comes, the presiding officer must announce the opening of the polls.

### **Oath**

Before the polls can be opened, the election officers must be sworn to their duties by the city or town clerk or the warden. The oath administered to public officials is as follows:

*I, (Name), do solemnly swear (or affirm) that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the Constitution thereof. So help me, God.*

*I, (Name), do solemnly swear (or affirm) that I will faithfully and impartially discharge and perform all the duties incumbent on me as an election officer, according to the best of my abilities and understanding, agreeably to the rules and regulations of the Constitution and Laws of the Commonwealth. So help me, God.*

*I, (Name), do solemnly swear (or affirm) that I will support the Constitution of the United States.*

## **V. DURING THE VOTING HOURS**

### **Observers**

In the interest of transparent elections, any person who wishes to do so may observe the election process. Observers may be present in the morning during the polling place set-up until the counting is finished and the polling place is closed up. Any observers must remain outside the “guard rail.” See “Signage” on page 3 for an explanation of the guard rail.

Observers are usually stationed near the check-in table, so that they can hear the names and addresses of the voters checking in. Observers are not required to give notice or get permission ahead of time; however, if the polling location is too crowded with observers, the warden may ask the observers to pool information and should give preference to those who notified the clerk ahead of time.

Often, observers are campaign workers who are keeping track of who has voted and who has not. Observers may bring voter lists which they may make notes on. While electronic devices may be used by observers, they must be silent and cannot be plugged into any outlets in the polling location.

Observers must never be allowed to speak to the voters and should speak only to the warden. If an observer is unable to hear the inspectors repeating the names and addresses of the voters, they should not ask the inspector to speak up, but rather, should speak to the warden who can ask the inspectors to speak loudly enough to be heard. Observers cannot review the voting lists at all.






### **Checking-In**

The first place voters go in the polling place is the check-in table, where they must give the inspectors at the check-in table their address and name.

Except in very small towns, voter lists are organized by street, then by street number, then by voter name. The inspector with the list must ask the voter to state his or her address and name, and then repeat the same back to the voter, loud enough for anyone near the check-in table to hear.

Voters may try to simply show identification or quietly state their information, but the law requires that voters' names and addresses be said aloud. This is important, because any observer may challenge a voter's qualification for any legal cause, so they must be able to hear the name and address that each person is giving.

Below is a portion of a sample voter list:

Ward	Pct	Street Name	Party	Voted	AV	EV	Voter Id	Street Name
Show House#	Name							
ID?					Inactive	Date		
0	1	MAIN ST		0	1			MAIN ST
1		PERSON, ONE	L	<input type="checkbox"/>	AV			
	1	TEST, MISTER		<input type="checkbox"/>				
ID 1		TEST, MRS	D	<input type="checkbox"/>				
	2	SAMPLE, JOHN		<input type="checkbox"/>				
	2	SAMPLE, SUSAN	R	<input checked="" type="checkbox"/>		07/18/2017		
					EV			

Once you find a voter's name on the list, you must look for any notations next to the voter's name. In the voter list example, you can see the most common notations:

- ID – “Mrs Test” of 1 Main St. is voting for the first time and must present identification.
- \*I\* – “John Sample” is inactive and will be required to sign an affirmation of current and continuous residence and show identification and may be directed to the warden.
- AV – “One Person” is an absentee voter and should be directed to the warden.
- EV – “Susan Sample” is an early voter and should be directed to the warden.

In the part column to the left of the check boxes, you can see each voter's political party. Party affiliation only matters in state and presidential primaries, when it can affect which ballot a voter can choose. Voters who have letters next to their names in the party column (“D” for Democrat, “R” for Republican, “L” for Libertarian) may take only their own party's ballot.

Notice that not all voters have letters next to their names. If the space in that column is left blank, it means that the voter is not enrolled in a party. These voters may choose one of the party ballots, and their choice must be marked by the inspector in the blank space. Codes may be used when marking a voter's choice, but it is recommended that inspectors use “DEM” and “REP” instead of “D” and “R,” as those letters are sometimes difficult to distinguish.

Once a ballot has been chosen and the voter's choice has been marked on the list, the voter cannot change his or her mind and pick a different party ballot.

### Inactive Voters

If a voter's name cannot be found on the list, it may be on a separate inactive voter list. Some cities and towns keep all voters on a single list with inactive voters flagged, while others choose to keep separate lists for inactive voters.

Voters may become inactive by failing to respond to the annual street listing, also known as the city or town census. The census form is mailed to every home at the beginning of each year. Voters who fail to respond to it are then mailed a confirmation notice, which is usually a postcard asking if the voter still lives at his or her address. Voters who do not return the



confirmation notice will remain on the inactive voter list until they confirm their address in writing with the local election official or until they vote.

If a voter has \*I\* next to their name or if they are on the inactive voter list, the voter must be sent to the warden, where the following steps must be followed:

1. Give the voter an Affirmation of Current and Continuous Residence to fill out (see page 18).

If the voter still lives at the same address they are registered, they should fill out the top part of the form, which says they are still residing at their address.

If the voter has moved within the city or town, they should fill out the part of the form which asks for their old and new address within the city or town.

If the voter has moved out of town within the last six months and they are voting in any election except a city or town election, the voter must complete the part of the form which says “For State Elections Only.”

If the voter moved out of town more than six months ago, or if the voter has moved out of town and is trying to vote in a local election, tell the voter that they are not eligible to vote in this election.

2. Ask the voter for identification. If the voter cannot provide identification showing their current address, challenge the voter’s ballot.
3. Send the voter back to the check-in table to get a ballot. Keep all the affirmations together to be sent back to the clerk’s office with the voter lists.

### **Identification**

When voters are required to show identification, they must present identification that bears their name and current address. Acceptable identification includes:

- Driver’s license;
- State-issued RMV identification card;
- Duplicate copy of the voter’s registration form;
- Recent utility bill
- Pay stub;
- Government check;
- Bank statement;
- Lease;
- Rent receipt; or
- Any other official document bearing the voter’s name and current address.

Sometimes, students who do not have any other type of identification may present a letter from their college’s housing office, on university letterhead, which states that the student is a resident of the dorm. This is an acceptable form of identification.

Voters who have the letters “ID” next to their names on the voter list are required by federal law to show identification before voting. This law applies to voters who registered by mail, who have not previously voted in Massachusetts, and whose identification could not be verified before the election.

Unlike inactive voters, voters who have “ID” next to their names cannot cast challenged ballots if they are unable to present identification. If a voter has “ID” next to their name and cannot produce identification, they may either go home to get identification and return later or they may cast a provisional ballot.

### **Challenged Ballots**

Occasionally, observers or poll workers may choose to challenge a voter’s ballot for legal cause. If observers or other voters in the polling place have a legal reason for doing so, they may challenge any voter’s ballot at the point of checking-in. When a voter announces their name and address to the inspector at the check-in table, any person in the polling place may interrupt to say that they would like to challenge the voter’s ballot.

Challenged ballots are counted on Election Day and are only re-examined if there is a recount or if a court orders that the ballots be re-examined. At this time, the qualifications of any challenged voters may be investigated.

If someone is attempting to challenge a voter’s ballot, the warden should:

1. Ask the challenger the reason for the challenge.

Acceptable reasons include: “this person is not old enough to vote”; “this person is not a citizen”; “this person should have been removed from the voter list”; “this person has already voted”; or “this person is not the person he claims to be.”

The challenger must be able to provide factual information specific to the voter regarding the reason (for example: “This person should have been removed from the voter list, because he moved five years ago. I know this because I live next door to the address he gave.”). If the challenger is unable to provide the required information, the voter should be allowed to vote normally.

2. Issue the challenged voter’s oath to the voter.

*“You do solemnly swear (or affirm) that you are the identical person whom you represent yourself to be, that you are registered in this precinct, and that you have not voted in this primary (or election).”*

3. Give the voter a ballot and ask the voter to write his or her name and address in a blank space on the ballot.
4. Add the challenger’s name and address and the reason given for the challenge.

5. Instruct the inspector handling the voter list to check off the voter and add the letters “CV” next to his or her name,
6. Instruct the voter to proceed to the voting booth to complete his or her ballot, check-out, and then insert the ballot into the ballot box. The letters “CV” should be written next to the challenged voter’s name on the voter lists.
7. Instruct the clerk to note the challenge in the clerk’s log.

### **Provisional Ballots**

If a voter’s name cannot be found on any of the voter lists, the warden must contact the local election office to ask them to check their records. Telephones must be available in all polling locations. The staff at the local election office can check the statewide voter database and the forms in their office to determine if the voter is on the list anywhere else. If the voter is on the list at another polling place, the voter must be directed to the correct polling place

If the voter insists their name should be on the list at that polling location and does not wish to go to the polling location where they are listed, they should be offered a provisional ballot. That voter should be cautioned, however, that unless documentation can be found to confirm the voter’s registration at that location, the provisional ballot will not be counted, and that if they vote at the polling place where their name is on the list, it will likely count.

If the voter cannot be found on any list, but the voter believes that he or she should be registered, the warden must offer a provisional ballot. Provisional ballots are put into envelopes after they are completed and set aside until the city or town clerk can determine if the voter is eligible. If a record of the voter’s registration can be found and the voter should have been on the list, the ballot will be counted. If the clerk finds that the voter was not eligible, the ballot will be destroyed without being opened. **Provisional ballots are counted no matter how close the election is.**

A voter may also cast a provisional ballot if they are voting in a primary and believe that they are incorrectly listed with the wrong party.

The below steps must be followed with provisional voters:

1. Instruct the voter to complete a provisional ballot affirmation (see page 19). It is also recommended that a voter registration form also be completed by the voter, in case a record of voter registration cannot be found.

The affirmation gives the voter the opportunity to provide information about where and how he or she registered. This will help the city or town clerk find any registration records.

2. Request the voter’s identification and complete the bottom part of the affirmation.

All provisional voters must be asked for identification, though they must still be allowed to vote even if they do not have identification. Voters who are casting provisional ballots because they do not have identification must return with their identification before the polls close, in order for their ballot to be counted.

3. Write the word “PROVISIONAL” at the top of a blank ballot.
4. Add the voter’s information to the provisional ballot roster (see page 21).

The provisional ballot roster must be completed with the voter’s name, address, party, reason for casting a provisional ballot, and provisional ballot number. The warden generally assigns provisional ballot numbers in the order they are cast (the first provisional ballot in that precinct is #1, and so on.).

5. Write the ward/precinct and the provisional ballot number on the envelope and the provisional ballot information sheet (see page 20).
6. Hand the ballot, envelope, and information sheet to the voter and instruct him or her to proceed to a booth to complete the ballot and to seal the ballot in the envelope when finished.
7. Take the envelope containing the ballot when the voter is finished and put it aside with other provisional ballots in a secure location. Provisional ballots should never be sealed with cast ballots.
8. Tell the voter to bring the information sheet home and call the phone number on the instructions to find out if the ballot was counted.

### **Spoiled Ballots**

If a voter makes a mistake, they may “spoil” that ballot and request a new one. A voter may spoil up to two ballots and receive no more than three ballots total.

Spoiled ballots should be marked “SPOILED” by an election official and placed into the spoiled ballot envelope.

### **Assisting Voters**

Poll workers cannot give voters any information about candidates or questions which is not already on the ballot. If a voter has a question about what an office is, what candidates believe, or what a question means, poll workers are not able to answer those questions. While voters may find this frustrating, it is important that poll workers not influence the way any voters choose to cast their ballots.

Voters who need assistance because of a physical disability or because they cannot read any of the languages on their ballot may use the AutoMARK or ask for the assistance of the poll workers. Some polling places may have translators on hand to assist non-English speakers.

The AutoMARK is available for any voter who wishes to use it. It is specifically designed for voters with visual impairment, certain physical disabilities, or inability to read. The AutoMARK has the ability to magnify the ballot on the screen, read the ballot aloud to the voter, and mark the ballot according to the voter's choices. Voters who have sip/puff machines may use them with the AutoMARK. Once the ballot has been marked, it must be removed from the machine and the voter may then proceed to the check-out.

Voters who prefer to be assisted by poll workers should be accompanied in the voting booth by two poll workers of different political parties. Poll workers may read the ballot to the voter and mark the options the voter wants to make. Voters may also bring a person of their choice to assist them. Voters who bring someone to assist them should be asked if they need assistance and if the person with them is the person they wish to have assist them.

### **Campaign Activity**

State law prohibits any campaigning within 150 feet of the entrance to the polling place. This rule is enforced by the warden and the police officer or constable. Some cities and towns choose to mark the 150 foot boundary in some way.

Within 150 feet of the polling place, no person may: wear political apparel, such as t-shirts, buttons, or hats; hold political signs; solicit votes for or against a candidate or question; gather signatures on any petitions. Nothing intended to aid or defeat a candidate or ballot question is allowed within the 150 zone.

It is the opinion of the Elections Division that a candidate's presence in the polling place is, in itself, campaign activity. Candidates shaking hands in polling locations are essentially walking advertisement for themselves. Candidates should only be present in the polling place if they are voting, or if they are coming in to get the number of ballots cast on the ballot box from the warden.

The prohibition against campaign materials and solicitation of votes applies only to candidates and questions on the ballot that day. For instance, a candidate for state representative at the state election in November may campaign outside a polling place on the day of a special town election held in October.

No solicitation of signatures is allowed within 150 feet of the polling place, no matter what the petition is for.

### **Checking Out**

Once a voter has finished marking their ballot, they must go to the check-out table before putting their ballot in the ballot box. The voter must again give their address and name, and just like at the check-in table, the inspector must repeat the same back to the voter.

In primaries, if the voter is not enrolled in a party, the inspector must confirm which party's ballot the voter chose. Be sure to ask which ballot the voter chose and not "how did you vote?" Voters may get upset if they believe you are asking which candidate they voted for.

## **Casting the Ballot**

There should be an inspector positioned near the ballot box to assist voters in casting their ballots. Unless a voter requires assistance due to physical disability, poll workers should never handle any in-person voter's completed ballot.

Voters cast their ballots by inserting them into the tabulator placed on top of the ballot box. If a voter has accepted the secrecy sleeve offered at the check-in table, poll workers stationed near the ballot box should be unable to see any of the voter's choices as the ballot is inserted. Even in a voter has declined the secrecy sleeve, poll workers should make every effort not to look at any completed ballots.

In the case of a ballot being rejected by a tabulator, follow the below steps:

1. Stop the voter from leaving.
2. Ask the voter to pick up his or her ballot – do not touch the ballot yourself!
3. Look at the screen on the tabulator. This screen will show the reason for the rejection and will indicate if the ballot should be re-inserted. One of the most common error messages is “Ballot not read – please re-insert” or similar language indicating that the voter should try again. Other error messages may indicate that the entire ballot is blank or that the voter has voted too many times for an office or question, which is called an over-vote.
4. If the screen indicates that the ballot should be re-inserted, ask the voter to try again. If the ballot has any folds or curves in it, you may instruct the voter to straighten them out before re-inserting.  
If the screen indicates a blank ballot, ask the voter to look at their ballot and, if necessary, show the voter on a posted specimen ballot how to correctly complete the ballot. Sometimes voters may mark their ballots incorrectly, perhaps by circling candidates' names instead of filling in the vote indicator. This would be read by the tabulator as a blank ballot.  
  
If the screen indicates an over-vote, it means that the voter has marked more choices than allowed. For instance, a voter who votes for two different presidential candidates, who votes both “Yes” and “No” on a ballot question, or who votes for three candidates for school committee when only two are to be elected has cast an over-vote. Over-vote must be tallied as blanks if not corrected, so the voter must be given the opportunity to complete a new ballot.
5. If the problem persists, or if the voter insists on casting the blank or over-voted ballot, instruct the voter to insert the ballot into the auxiliary bin on the side of the ballot box. Ballots placed in this compartment must be hand-counted at the end of the night.
6. If a tabulator consistently rejects ballots for reason other than blank ballots or over-votes, contact the city/town clerk.

If a tabulator stops working, voter must be allowed to continue voting. Instruct voters to place their ballots in the auxiliary compartment and explain that they will be hand-counted after the polls are closed. Never instruct voters to stack their ballots on top of the tabulator or to place them in any container besides the auxiliary compartment. Ballots cast by in-person voters cannot be placed into the ballot box or tabulator by anyone except the voter. Ballots cannot be fed into the tabulator after it has been fixed – any ballots cast when the tabulator is down must be hand-counted.

### **Absentee Ballots**

Any absentee ballots returned by voters in your precinct will be sent to the polling place to be cast by the poll workers. Most often, a large batch of absentee ballots will be delivered in the morning. Absentee ballots are generally delivered by a police officer, a registrar, or an assistant registrar. Absentee ballots received on Election Day before the close of polls will be sent to the polling places throughout the day.

Absentee ballots may be processed whenever time allows. Often, it is easier to wait until after the morning rush and to try to process the bulk of the ballots before the evening rush.

The process for casting absentee ballots is:

1. One poll worker takes the ballots to the check-in table.
2. The poll worker reads the addresses and names off the ballot envelopes to the inspectors at the check-in table.
3. The inspectors check the absentee voters off on the voter lists. Absentee voters should have “AV” next to their names.
4. The poll worker with the ballot proceeds to the check-out table, where the same process is repeated.
5. The ballots are brought to the ballot box. The envelopes are shuffled together, placed face-down, and opened. Ballots are removed from the envelopes and shuffled together again.

This process is used to preserve the secrecy of the ballots, so that the poll worker does not know whose ballot they are removing from each envelope.

6. The poll worker announces that absentee ballots are being cast and inserts the ballots into the tabulator.
7. Put all envelopes aside to be sent back to the clerk’s office. Do not seal the empty envelopes in with the cast ballots at the end of the night.

Absentee voters may come into the polling place to cast their ballots, as long as they “beat the ballot.” This means that an absentee voter may vote in-person as long as you have not already

processed their ballot. If a voter arrives in the polling place who has “AV” next to their name, call the city/town clerk’s office. The clerk must certify that the voter’s ballot has not already been cast before they may vote. Certification may happen over the phone. Any absentee voters certified to vote in person should have the letter “C” added next to their name in the voter list.

## **VI. CLOSING THE POLLS**

In state primaries, state elections, and presidential primaries, the polls must be closed at 8 PM. Polls may close earlier in local elections.

At the time designated for the closing of the polls, the warden must announce that the polls have closed. Any voters in line at the close of polls must be allowed to vote. If necessary, the police officer or constable should be stationed behind the last person in line at the time the polls closed.

### **Reconciling Voter Lists**

Inspectors at the check-in and check-out tables must tally the number of voters marked as voting on each voter list. Do not change the voter lists in any way, even if the voter total numbers on the check-in list and check-out lists do not match. The total number of voters checked off on each list must be recorded in the clerk’s log. Any discrepancies on the voting list totals can be noted in the clerk’s log.

## **VII. COUNTING THE VOTES**

### **Closing out the Election**

Once all voters have completed voting and have inserted their ballots into the tabulators, the clerk must check the number of ballots cast on the tabulator screen and record that number in the clerk’s log. The warden must then retrieve the keys from the police officer or constable and close out the election on the tabulator. Follow the instructions provided by the city/town clerk for your tabulator.

### **Tallying**

The below steps must be followed when tallying votes:

1. Print a results tape. The tape showing the results of the election will print when the election is closed out on the tabulator. The city/town clerk may request that you print extra results tapes.
2. Hand the results tape to the clerk, who will read the results aloud.
3. While the clerk reads the results, another poll worker of a different party than the clerk (usually the warden) must record the results on the tally sheet.
4. The warden must unlock the auxiliary compartment and remove any ballots, which will need to be hand-counted. The clerk shall read the results off of the ballots to the person recording results on the tally sheet.



5. The warden must unlock the other compartments of the ballot box and all ballots must be removed.
6. Poll workers must examine all ballots for any write-in votes. Even if the ballot box has a separate container for write-ins, all ballots in each compartment must be examined.
7. The clerk must read the write-in votes to the person recording the votes on the tally sheet. Tally only the races on the ballots which have write-in votes. The rest of the ballot was already counted by the tabulator.

### **Write-In Votes**

The city/town clerk will notify you of any known write-in candidates. Write-in candidates are not required to give notification to the clerks, but many choose to, so that you can keep an eye out for any votes cast for them.

Write-in votes should be counted as long as you can determine the intent of the voter. For instance, if you know John Smith is running a write-in campaign and someone writes-in “J. Smith,” that vote **should be counted**.

Write-in votes which misspell the candidate’s name **should be counted**, as long as the voter’s intent can be determined.

If a voter writes-in a candidate, but does not fill in the vote indicator, that vote **should be counted**.

Write-in votes which do not include the candidate’s address **should be counted**.

**Write-in votes for candidates already on the ballot for that office should be tallied as blanks.**

Votes for fictional or dead persons (such as Mickey Mouse or Abraham Lincoln) **should be tallied as blanks**.

When it doubt, it is best to add a candidate to the tally sheet and let the city/town clerk decide whether a write-in vote should be tallied for a candidate or with “All Others.”

Because some write-in votes may have been tallied by the tabulator as blanks if the voter did not fill in the vote indicator, you may need to deduct votes from the blanks on the tally sheet if the number of votes cast is greater the number of ballots cast.

All ballots must be counted at the polling place.

## **VIII. PACKING UP**

The below steps must be followed when packing up materials to be returned to the local election office:

1. Place all cast ballots into the containers provided. Cast ballots include all ballots taken from the ballot box, including write-in and hand-counted ballots. Affix ballot seals to the container. The warden and clerk must sign the outside of the container, as well as a certificate stating that the container holds cast ballots. **Do not seal anything else in with the cast ballots.**
2. Count all uncast ballots and place them into containers separate from the cast ballots. Uncast ballots are ballots which are entirely blank. The number of uncast ballots must be recorded in the clerk's log. Affix ballot seals to the container.
3. Place all spoiled ballots in the envelope provided. Record the number of spoiled ballots in the clerk's log.
4. Place all provisional ballots and affirmations in an envelope with the provisional ballot roster. Record the number of provisional ballots in the clerk's log.
5. Place the voter lists in an envelope. The warden and the clerk must sign a certificate provided by the city/town clerk certifying the contents of the envelope.
6. Place tally sheets and results tapes into the envelope provided. The warden and clerk must sign the outside of the envelope.
7. Place the tabulator and any accessories (cords, ender card, memory card, etc.) into the carrying case.
8. Place AutoMARK into carrying case.
9. Pack up any posters, specimen ballots, instructions, publications, pens, rulers, etc.
10. Return all of the above materials to the local election office, along with the keys and the clerk's log. Materials must be delivered by the police officer or constable.

## IX. APPENDIX

### Affirmation of Current and Continuous Residence

#### AFFIRMATION OF CURRENT AND CONTINUOUS RESIDENCE FOR INACTIVE VOTERS

You have appeared to vote on Election Day and your name appears as an Inactive Voter at:

\_\_\_\_\_ since \_\_\_\_\_.  
(Address) (Date)

You are still eligible to vote today if you have registered to vote in \_\_\_\_\_ in the past and sign an affirmation under penalties of perjury that you are still a current resident of \_\_\_\_\_ and have continuously been a resident in \_\_\_\_\_ since the date you were listed as an Inactive Voter.

I, \_\_\_\_\_ am a current resident in \_\_\_\_\_ at \_\_\_\_\_ and have continuously resided in \_\_\_\_\_ since the date of my Inactive Voter status listed above.

If you have moved within \_\_\_\_\_, please list your old address and your new address:

Old Address: \_\_\_\_\_

New Address: \_\_\_\_\_

Signed under the penalties of perjury:

\_\_\_\_\_  
(Sign Name) (Date) (Print Name)

#### FOR STATE ELECTIONS ONLY—G. L. c. 51, § 1

At a state primary or election only, you may vote in \_\_\_\_\_ from the address where you were last registered to vote until the expiration of six months from the date you moved out of \_\_\_\_\_.

I, \_\_\_\_\_, was a registered voter in \_\_\_\_\_ but moved to \_\_\_\_\_ on \_\_\_\_\_.  
(Present Address) (Date)

Therefore, I assert my right under G. L. c. 51, § 1, to vote in the state primary or election held on the date below. I further request that my name be removed from the voting list as I am no longer a resident of \_\_\_\_\_.

Signed under the penalties of perjury:

\_\_\_\_\_  
(Sign Name) (Date) (Print Name)

#### WARDEN'S CERTIFICATE

This is to certify that the name of the voter listed above appeared on the Inactive Voting List for Ward \_\_\_\_\_, Precinct \_\_\_\_\_, Party \_\_\_\_\_.

Attest: \_\_\_\_\_  
(Warden/ Clerk) (Date)

#### IDENTIFICATION FOR INACTIVE VOTERS

Was current address verified through identification: YES \_\_\_ NO \_\_\_ (If identification is not presented, the voter must still be allowed to vote, but the clerk/warden must challenge the voter).

## Provisional Ballot Affirmation

Ward/Precinct: \_\_\_\_\_

Provisional Ballot #: \_\_\_\_\_

### The Commonwealth of Massachusetts

#### Provisional Ballot Affirmation

1) Name: \_\_\_\_\_

2) Date of Birth: \_\_\_\_\_

3) Current Address:

☐ I have continuously resided at this address since registering to vote at this address.

4) Address at which you are registered to vote (if different):

☐ **For State Elections Only** - I have moved from this municipality to another municipality in Massachusetts within the last 6 months, and I have not registered elsewhere. (check if applicable)

5) Party: \_\_\_\_\_

6) Most recent voter registration form was completed (Check one):

☐ Online ☐ By Mail

☐ At a voter registration agency (Location): \_\_\_\_\_

☐ At the RMV (branch): \_\_\_\_\_ RMV ID #: \_\_\_\_\_

I affirm under penalty of perjury that the above information is true; that I am a registered voter in this municipality and within this precinct; that I know of no legal reason to prevent my vote from being cast and counted; that I have not voted and shall not vote in another precinct or by absentee ballot in this state during this election; that I understand that any person who falsely signs and verifies any form requiring verification shall be guilty of perjury and subject to penalties therefore; and that I further understand that if I execute this affirmation knowing that I am not a qualified registered voter at the address stated above, I have committed a criminal act.

Signed under penalty of perjury: \_\_\_\_\_ Date: \_\_\_\_\_

ELECTION OFFICIAL USE ONLY	
<b>Precinct Election Official</b> Identification Provided : <input type="checkbox"/> Yes <input type="checkbox"/> No Election Date: _____ Election Type: <input type="checkbox"/> State Primary <input type="checkbox"/> State Election <input type="checkbox"/> Local Election <input type="checkbox"/> Local Preliminary Reason: <b>N:</b> Name not on list and cannot be verified at precinct <b>I:</b> Name not on list and determined ineligible <b>D:</b> Failure to provide required identification <b>C:</b> Voter is voting as the result of a court order extending polling hours <b>O:</b> Other Initials: _____ Time: _____	<b>Municipal Election Official</b> Research Indicates: <input type="checkbox"/> Not Registered <input type="checkbox"/> Registered too late <input type="checkbox"/> Address change <input type="checkbox"/> Cancelled <input type="checkbox"/> Other Comments: _____ _____ _____ Counted: <input type="checkbox"/> Yes <input type="checkbox"/> No Initials: _____ Time: _____

## Provisional Ballot Information Sheet



### The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth

## PROVISIONAL BALLOT INFORMATION SHEET

You have received this information sheet as a result of casting a provisional ballot. You have cast a provisional ballot because your eligibility to vote was not able to be determined at the polling location on the day of an election.

You have executed a provisional ballot affirmation before a precinct officer at the polling place declaring that you are a registered voter in the city or town and reside within the geographical boundaries of this precinct. The written affirmation also stated your name, current residential address, political party affiliation, that you are a registered voter in the city or town and reside in this precinct, that you know of no legal reason to prevent your vote from being cast and counted, that you have not voted and shall not vote in another precinct or by absentee ballot in this state during this election and that you understood that any person who falsely signs and verifies any form requiring verification shall be guilty of perjury and subject to penalties therefore and that you understood that if you executed the affirmation and are not a qualified registered voter at the current address stated, you have committed a criminal act.

After voting your ballot, you placed it in the envelope, sealed it and returned it to the precinct election official. Your ballot will be set aside until a determination of your eligibility can be made. Your eligibility will be determined using the information provided on your affidavit. The municipal election official will review available records, at least those for the last three (3) years, to determine your eligibility.

If your eligibility is confirmed, your ballot will be removed from the sealed envelope and grouped with similar ballots and counted in a manner that provides the greatest secrecy. If your eligibility cannot be confirmed, your ballot will remain sealed in the envelope until such time as it is required to be kept and then will be destroyed without being viewed.

To find out if your ballot is counted, you may contact the Elections Division, Office of the Secretary of the Commonwealth at 1-800-462-8683 or 617-727-2828, or your municipal election official. The information will be available seven (7) days after a primary and twenty (20) days after an election. When calling, you must provide your name, address, date of birth and provisional ballot number to receive the information.

Ward/Precinct: \_\_\_\_\_

Provisional Ballot #: \_\_\_\_\_

Provisional Ballot Roster

PROVISIONAL VOTING ROSTER

To be completed by poll workers and attached to clerk's record.


CITY/TOWN:

WARD/PRECINCT:

REASON CODES:  
N: Name not on list and cannot be verified at precinct  
I: Name not on list and determined ineligible  
D: Required to provide identification but does not  
C: Voter is voting as result of court order extending hours  
O: Other  
Please insert reason code in the column marked "REASON CODE."

NAME	ADDRESS	DATE OF BIRTH	POLITICAL PARTY	BALLOT NUMBER	REASON CODE

Tri-Fold Poster



The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth

Massachusetts Voters' Bill of Rights

Your voting rights are protected. These rights are guaranteed to qualified registered voters.

1. You have the right to vote if you are a qualified registered voter.

2. You have the right to cast your ballot in a manner that ensures privacy. You have the right to vote without any person trying to influence your vote and to vote in a booth that prevents others from watching you mark your ballot.

3. You have the right to remain in the voting booth for five (5) minutes if there are other voters waiting and for ten (10) minutes if there are no other voters waiting.

4. You have the right to receive up to two (2) replacement ballots if you make a mistake and spoil your ballot.

5. You have the right to request assistance when voting from anyone of your choice. If you do not bring someone with you, you have the right to have two (2) poll workers assist you.

6. You have the right to vote if you are disabled. The polling place must be accessible, and there must be an accessible voting booth.

7. You have the right to vote if you cannot read or write or cannot read or write English.

8. You have the right to vote but must show identification if you are a first-time voter who registered to vote by mail and did not submit identification with the voter registration form; or your name is on the inactive voter list; or your vote is being challenged; or if requested by a poll worker. Acceptable forms of identification are: Massachusetts driver's license, other printed documentation containing your name and address such as a recent utility bill, vote receipt or landlord's letterhead, lease, or a copy of a voter registration acknowledgment or receipt.

9. You have the right to vote by absentee ballot if you will be absent from your city or town on Election Day or if you have a physical disability that prevents your voting at the polling place or if you cannot vote at the polls due to religious beliefs.

10. You have the right to cast a provisional ballot if you believe you are a qualified registered voter but a poll worker tells you that you are ineligible to vote.

11. You have the right to follow up any challenge to your right to vote through the complaint process.

12. You have the right to vote if you are not currently incarcerated for a felony conviction and have registered as a voter after your release.

13. You have the right to take this Voters' Bill of Rights or any other paper, including a sample ballot, voter guide or campaign material into the voting booth with you. Please remember to remove all papers when you leave the booth.

14. You have the right to vote at your polling place any time between 7am and 8pm for state and federal elections—hours may vary for local elections. If you are in line at your polling place when the polls close at 8pm, you have the right to vote.

15. You have the right to bring your children into the voting booth with you.

If you feel that your right to vote has been violated in any way, call the Secretary of the Commonwealth Elections Division at 1-800-462-VOTE (8683). This call is free within Massachusetts.

Information on Federal and State Laws that Prohibit Fraud and Misrepresentation:

The following lists the principal election law violations under federal and/or state law:

• Persons must not make any false statement or 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 procure or submit materially false, fraudulent or fictitious voter registration applications in any election that includes a federal candidate.

• Persons must not submit false information as to name, address or postal of residence in a voting district for the purpose of establishing eligibility to register or vote in any election that includes a federal candidate.

• Persons must not procure, cast or tabulate materially false, fraudulent or fictitious ballots in any election that includes a federal candidate.

• 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 that includes a federal candidate.

• Persons must not tamper with or injure or attempt to tamper with or injure any voting machine to be used or being used in an election or prevent the correct operation of such machine.

• Persons must not hinder, delay or interfere with or aid in hindering, delaying or interfering with a voter while on their way to vote in a primary, caucus or election, while within the guardrail, while marking their ballot or while voting or attempting to vote, or endeavor to induce a voter, before depositing their ballot, to disclose how they marked their ballot.

• Persons must not remove a ballot from the space enclosed by the guardrail before the close of the polls.

• Persons must not vote or attempt to vote in any place knowing that they are not a qualified voter therein.

• Persons must not vote or attempt to vote more than once at the same election.

• Persons must not vote or attempt to vote on any name other than their own.

• Persons must not aid or alter a person who is not entitled to vote in voting or attempting to vote or in voting or attempting to vote in a name other than their own or in casting or attempting to cast more than one ballot.

• Persons must not place any distinguishing marks upon their ballot, make any false statements as to their ability to mark their ballot, allow the marking of their ballot to be seen by any person for any purpose not authorized by law, or give a false answer to or make a false oath to an election officer.

• Persons must not behave in a disorderly manner.

• Persons must obey the lawful command of the election officials.

• Persons must not obstruct the voting.

• Persons must not challenge a qualified voter for the purpose of intimidation or for ascertaining how they voted or for any other illegal purpose.

Violation of any of these laws may result in fines and/or imprisonment.

Instructions to Voters

Before voting

Give your address and name to an election officer.  
If you need assistance because of blindness, physical disability, inability to read or to read English, you may ask help from either a person of your choice or from two election officers of different political parties. You may also ask the election official to use the AutoMARK Voter Assist Terminal, which is an accessible ballot marking device, to mark your ballot.  
Enter a voting compartment and mark your ballot.  
You will have ten minutes to vote but if others are waiting, you have only five minutes.

Identification

Because of a federal law, the Help America Vote Act of 2002 passed by Congress, if you registered to vote by mail on or after January 1, 2005, you will be required to show identification when you vote for the first time in a federal election since registering by mail. Acceptable identification must include your name and the address at which you are registered to vote, for example a current and valid photo identification, current utility bill, bank statement, paycheck, government check, or other government document showing your name and address.  
If you do not provide such identification, the Help America Vote Act of 2002 requires that you may only cast a provisional ballot which will be counted later, but only after your eligibility to vote has been determined.

If you are not allowed to vote

If you have registered but your name has been omitted from the voting list, or listed incorrectly, you may seek to vote either by appearing before the municipal election official at city/town hall or you may vote by PROVISIONAL BALLOT.  
To cast a provisional ballot, you must execute a provisional ballot affirmation before a precinct officer at the polling place declaring that you are a registered voter in the city or town and reside within the geographical boundaries of said precinct. All provisional voters must show suitable identification.

To vote for candidates and questions

Vote for a listed candidate or on a question by filling in the oval ☐ next to your choice, like this: ☒  
Examine the candidates and questions on the ballot and decide how you wish to vote. Be sure that you have answered all ballot questions as some may appear on the reverse. Do not vote for more candidates than the number allowed for each office.

To write-in a vote

If you wish to vote for a person whose name is not on the ballot, write that person's name and address or insert a pre-printed sticker in the blank space following the list of candidates for the office, and fill in the oval to the right.

Spoiled ballots

If you wish to change your vote after marking your ballot, return it to the ballot clerk who will give you another. You may request up to two new ballots.

After voting

Before you leave the voting compartment, check to see if you have voted for all the candidates and questions you wish to vote for. Place your ballot in the secrecy device provided until you place it in the ballot box.  
DO NOT FOLD OR BEND OR DAMAGE THE BALLOT IN ANY WAY. It must go through an optical scanner.  
Do not show anyone how you have marked your ballot. Go to the ballot box and give your address and name to one of the ballot box officers. Put your ballot in the box. Do not put the secrecy device in the ballot box.

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