

Wyoming Election Judges Handbook *2012*



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This publication is available in alternate formats upon request.

Notes

Primary

The election held on the first Tuesday after the third Monday in August of general election years for the nomination of candidates for partisan and non-partisan offices to be filled at the general election.

Provisional Ballot

A ballot provided to a voter whose right to register or vote cannot be determined at the polls or verified at the election office, in order to allow the voter to cast a ballot at the polls which shall be counted only if the ballot is determined to be a valid ballot as provided in the election code.

Registration

The entry and verification of the name and voter information of a qualified elector on the official registry list.

Secretary of State

The chief election officer for the state of Wyoming.



Spoiled Ballot

A ballot that has been defaced or marked incorrectly by a voter. There is no limit to how many times a voter can spoil his or her ballot.

Voting Device

A device for marking the ballot with ink or another substance; or any method for recording votes on ballot so that the ballot may be tabulated by means of automatic tabulating equipment.

Write-in Vote

A vote cast for a person whose name does not otherwise appear on the official ballot as a candidate for the office for which his name is written by the voter.

Wyoming Voter Registration Application & Change Form

The form a voter completes if the voter needs to register to vote, change party affiliation, or change addresses within the state. A sample form can be found on page 7.

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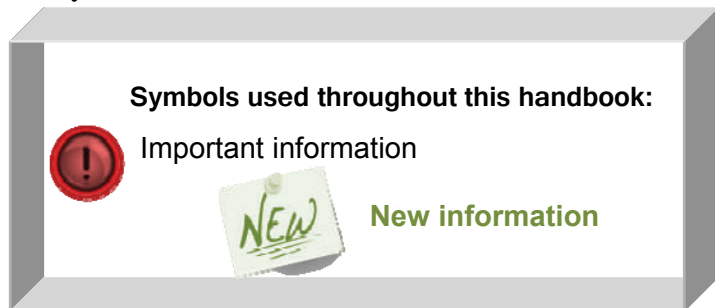
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HAVA

The Help America Vote Act of 2002, which provides funds to states to initiate improvements in one or more aspects of the elections process. Examples of those improvements include educating voters, training election officials, improving accessibility of polling places, and improving the technology and methods of voting systems.

Mail Registration or Registration by Mail

Any registration not conducted in person with the County Clerk or designated election official.

Overvote

An overvote occurs when a voter marks more choices than are allowed in a race.

Political Party

A political organization to which voters may belong.

Polling Place

The place designated by the County Clerk for the conduct of voting.

Poll Book

The book used in a precinct on Election Day containing oaths of election officials, tally sheets, the poll list and other information.

Poll List

The list of registered voters as compiled by the clerk for use by election judges at the polls.

Poll Watcher or Watcher

A person certified by the county chairman of a political party to observe voter turnout and registration whose name was submitted to the County Clerk.

Precinct

An area with established boundaries within a county used to establish voting districts.

Glossary of Terms

Absentee Ballot

A ballot voted by a voter who votes before Election Day, either by mail or in person.

Automatic Tabulating Equipment

Apparatus that automatically examines and counts votes recorded on paper ballots and tabulates results.

Ballot

The cardboard, paper or other material upon which a voter marks his votes.

Challenge

An exception taken to a voter's qualifications at the polls as not being legally qualified.

Change of Address Form

See Voter Registration Application and Change Form. A sample form can be found on page 7.

County Clerk

The chief election officer for the county.

Damaged Ballot

A ballot that cannot be read by a voting machine.

Electioneering

Campaigning within 100 yards (300 feet) of a polling place.

Election Judge

A person designated by the County Clerk to conduct voting at a polling location.

General Election

The election held on the Tuesday next following the first Monday in November of each even-numbered year.

Welcome to your position as an Election Judge!

Judges have the responsibility of ensuring that the election process is conducted fairly and efficiently. In addition, election judges and members of counting boards must be:

- ✓ Registered voters (or qualified 16 or 17 year-olds);
- ✓ Physically, morally and mentally competent to perform their duties; (W.S. 22-8-102)
- ✓ Willing to attend at least one (1) training school (W.S. 22-8-113); and
- ✓ Strictly impartial.

Helpful Tips for Election Judges

- **Maintain a professional and politically neutral demeanor at all times.** Judges should make sure their discussions are appropriate by refraining from discussing the election or candidates with each other or the public at the polls on Election Day.
- **You are on public display—Conduct yourself appropriately.** Smile and be tolerant and courteous to each voter. Treat each voter with respect. Remember, you are helping each voter exercise his/her right to vote.
- **Prepare for a long day.** Bring enough food and drink to get you through the day. Judges must remain in the polling place except in the case of an emergency.
- **Slow times during the day.** Bring appropriate things to pass the slow time such as knitting or other handwork, non-political reading material, crossword puzzles, etc.
- **Be Proud!** You are an integral part of the democratic process! We appreciate your service.

Before the Polls Open

Judges should report to the polling place at 6:00 a.m. If an election judge is not present when the polls open or is unable to complete his or her duties, State Statutes require that the vacancy be filled by a registered elector appointed by the judges present and approved by the County Clerk. Call the County Clerk to report the problem and receive instructions. ([W.S.22-8-112\(b\)](#))

Before the polls open the judges should:

- Subscribe to the Judges' Oath of Office. ([W.S. 22-8-115](#))
- Check the ballots to ensure correctness. Pay attention to precinct numbers.
- Verify the number of ballots received.
- Open and examine the ballot box to make sure it is empty.
- Lock the ballot box and do not open it again until the polls are closed except if necessitated for proper operation of the voting equipment. This process should be at the direction of the County Clerk and only in the presence of two (2) or more election judges with different political party affiliations. The ballot box must remain in the presence of the judges until all ballots are counted. ([W.S. 22-12-115](#))
- Turn on the voting machines as directed by the County Clerk. Call the clerk if the machines do not operate properly.

Reconciliation

Judges should begin the reconciliation process. Follow the County Clerk's instructions for:

- Ensuring that the poll books agree;
- Verifying and logging the number of ballots voted and the number spoiled;
- Accurately tabulating and recording results;
- Locking the voting machines and obtaining printed results;
- Recording write-in votes; and
- Signing the proper certification.

Return Materials to Clerk

Return these items to the County Clerk:

- One poll book (judge keeps one poll book)
- Ballots (voted, provisional, not voted, spoiled, rejected, damaged)
- Oaths of provisional voters
- Affidavits
- Voter registration application and change forms

Complaint Procedures

If a voter has a complaint about the conduct of the election, he may raise it with the County Clerk. If the complaint is related to the requirements of Title III of the Help America Vote Act of 2002 (HAVA), the voter must fill out a complaint form, describe the alleged violation, and have the form notarized. The complaint must be sent to the Secretary of State's Office.

Title III of the HAVA concerns the voting system standards, provisional voting, voting information requirements, the computerized voter registration system and the requirements for voters who register by mail.

The form can be obtained from the Secretary of State's website under the HAVA link at: <http://soswy.state.wy.us>.

Contact the County Clerk for more information.

Closing the Polls

Voters in Line

At 6:30 p.m., a judge should announce that the polls will close in 30 minutes. All voters present and in line at 7:00 p.m. are allowed to vote. No one else is admitted. After all ballots have been cast, a judge should declare the polls closed. (W.S. 22-13-117)

Absentee Ballots

After the polls have been closed, if there are absentee ballots, the election judges should record these ballots on the voting machines. Only judges are allowed in the polling place at this point.

Signage

Several important signs are required to be posted at the polling place. These include:

- Three (3) sample ballots (W.S. 22-12-105)
- HAVA Voter Information Poster (HAVA, §302(b))
- Polling Place Sign (outside in a highly visible position)
- Precinct Maps (for voter reference)
- One (1) instruction card in each voting booth. Place three (3) others elsewhere in the polling place. (W.S. 22-12-105)

Supplies

A check list of supplies will be provided by the County Clerk. Report any missing supplies.

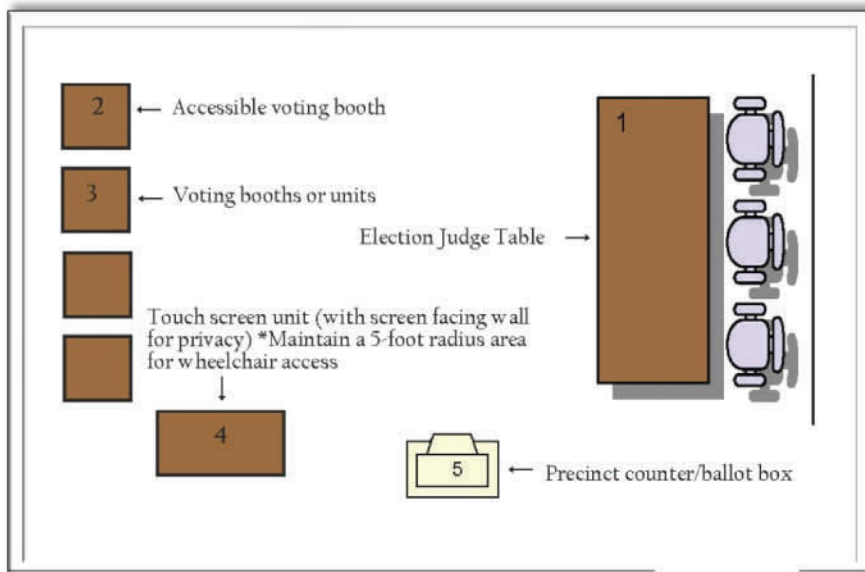
In some cases you may be issued a cell phone. Call the County Clerk's office to ensure that the phone is working.

Set-up of Polling Place

The judges should arrange the tables, chairs and booths to ensure maximum privacy for voters and that pathways are free from obstruction for voters with disabilities.

No material is allowed to be placed in the voting booth except instructional material for marking ballots. (The voter is allowed to bring information in to assist themselves but it may not be left in the voting booth)

Sample polling place set up:



Poll Watchers

A poll watcher is a person certified by the county chairman of a political party to observe voter turnout and registration.

Each party gets one poll watcher per precinct unless the chief judge can accommodate one more each per party.

Poll watchers may see all activities and records throughout the day. However, poll watchers may NOT disturb or attempt to influence voters.

Only those poll watchers whose names have been submitted to the County Clerk may serve. (W.S. 22-15-109)

Voter ID



Voters who registered by mail and are voting for the first time in a federal election (primary, general, special election for Wyoming seat in U.S. House of Representatives) must show ID. Acceptable forms of ID include:

- Current, valid photo identification;
- A copy of a current utility bill;
- A bank statement;
- A paycheck or government check; or
- A government document that shows name and address.

(HAVA, §303(b)(2)(A)(i) through (ii), W.S. 22-3-118(b) through (c))

- Do not be overly attentive or insist on giving more help than is needed.
- Do not make assumptions about a person’s capabilities. Let the voter decide what he/she can do.

Handling Absentee Ballots at the Polling Place

In some cases absentee ballots will be counted at the polling place. Judges should examine the absentee ballot envelope to determine validity. A valid absentee ballot is one that:

- ✓ Is sealed;
- ✓ Is signed by the voter; and
- ✓ The voter has not voted at the polling place.

Rejected Absentee Ballots

If a ballot is rejected, judges should:

1. Write “REJECTED” across the unopened envelope; and
2. Write “REJ” in red next to the voter’s name on the poll list.

Accepted Absentee Ballots

If the ballot is accepted, judges should:

1. Open the absentee ballot envelope (make sure ballots are handled to preserve secrecy);
2. Count the ballot in accordance with procedures provided by the County Clerk;
3. Write “A” next to the voter’s name; and
4. Return all opened and inner ballot envelopes to the County Clerk as directed. (W.S. 22-9-121)

Damaged Ballots

Some ballots may be damaged and not able to be counted by a machine. These ballots should be duplicated and counted per rules.

Voter Registration

Procedures at the Polls

Individuals are allowed to register to vote at the polling place on Election Day. Before registering a person, judges should:

- ✓ Check the poll list to make sure the voter’s name is not already listed.
- ✓ Check the master list to see if the voter is registered in another precinct. If the voter is registered in another precinct, send him/her to the correct precinct unless the voter has moved. If the voter has moved, the voter must complete a Voter Registration Application & Change Form.

If a voter is not on any list, the voter may register to vote.

Legal Qualifications

In order to register to vote, a person must be:

- A U.S. Citizen
- 18 years old on Election Day
- A resident of Wyoming*
- Not currently adjudicated mentally incompetent
- Not convicted of a felony, or if so, had rights restored

*Residence is defined as the place where a person has a current habitation and to which, whenever he is absent, he has the intention of returning. There are no durational residency requirements such as residing in the state or a county for a certain number of days.

An election judge cannot confer eligibility or residency on anyone. Every elector signing the oath assumes the risk of committing the felony of false swearing.

Registering a Voter

Ask the voter to complete the Wyoming Voter Registration Application & Change Form. If the voter has moved from another jurisdiction, the voter must also complete Section 5 of the Wyoming Voter Registration Application & Change Form.

Judges should always ensure:



- The appropriate form is filled out completely in ink and the voter has signed the form.
- The voter is in the correct polling place. (Check the map.)
- The voter has provided a current, valid Wyoming driver license number.
 - ✓ If the voter does not have a Wyoming driver license number, the voter must provide the last four digits of the Social Security Number.
 - ✓ If the voter does not have a Social Security Number, the voter should state that he/she does not have one.
 - ✓ The voter must produce “acceptable identification” and the judge must note it on the form.
- The dates are accurate. Check that the applicant has listed his/her birth date and has not mistakenly written the current date or year as the birth date.
- The judge signs the forms as the election official and prints the voter’s name in ink.
- The judge will add voter’s name to the poll list.

Assisting Voters



Elderly voters, disabled voters, and voters who do not read/write English may require assistance at the polls.

If a voter chooses, he/she may bring someone to assist. The person assisting may NOT be:

- The voter’s employer;
- An agent of the voter’s employer; or
- An agent or officer of the voter’s union ([W.S. 22-13-113](#))

If a voter needs assistance, two judges of different parties may instruct voters on how to use the equipment; however, the judges cannot remain in the booth while the voter casts his/her vote. ([W.S. 22-13-109](#))

Assisting Voters with Disabilities

By law a voter with a disability may be reassigned to another polling place if theirs is not accessible. Check with the County Clerk for more information.

Disability Etiquette



The following are some tips that will help you work with voters with disabilities:


- Use common sense and extend common courtesies to everyone.
- Don’t patronize (treat adults like adults).
- Speak normally and speak directly to the person, not to their interpreter or assistant, and make eye contact.
- Respect personal space. For voters with disabilities this includes wheelchairs, guide or service animals, canes, crutches or any other assistive device.
- Offer but always ask before providing assistance. Listen for response and follow any specific directions. If a voter needs assistance moving about the polling place, offer your elbow to help with balance and/or direction.

Provisional Ballots

A provisional ballot is a ballot provided to a voter whose right to register or to vote cannot be determined at the polls or verified at the election office, in order to allow the voter to cast a ballot at the polls. A challenged voter has until close of business on the day following the election to present to the County Clerk information and documentation of his/her eligibility to register at the election or to vote. Information presented shall be considered by the canvassing board and the provisional ballot counted during the canvass only after the voter has established that he or she had previously registered and is a qualified elector or was eligible to register at the election and is a qualified elector. (Met the conditions of a qualified elector as provided in the Election Code.) A voter has the right to find out if his/her provisional ballot was counted.

- Judge completes Provisional Voting Form & provides the yellow copy to voter.
- The voter shall fill out the provisional ballot envelope and sign the oath on the envelope.
- The voter places his voted ballot inside the provisional ballot envelope and returns the sealed envelope to the election judge.
- The election judges keep voted provisional ballots in the provisional ballot envelope for delivery to the County Clerk as directed.

Voter Registration & Application Change Form

Wyoming Voter Registration Application & Change Form			
<input type="checkbox"/> New Voter Application <input type="checkbox"/> Change to Current Registration		VR # _____ County # _____ District _____ Precinct _____ Split _____ School _____ House _____ Senate _____ Municipality _____ Ward _____	
<input type="checkbox"/> Name Change			
1. Name and Date of Birth			
Legal Last Name	Legal First Name	Legal Middle Name	Suffix
Date of Birth	County Resident Since		
2. Wyoming Driver's License <i>You must provide this number if you hold a valid Wyoming Driver's License</i>			
Valid Wyoming Driver's License Number: _____			
<input type="checkbox"/> Mark here only if you do not have a valid Wyoming Driver's License and go to step 2a.			
2a. Social Security Number <i>Last four digits are required if you do not have a valid Wyoming Driver's License</i>			
Social Security Number _____			
<input type="checkbox"/> Mark here only if you do not have a valid Wyoming Driver's License or a Social Security Number.			
3. Personal Information <i>*Denotes optional information</i>			
Gender* <input type="checkbox"/> Male <input type="checkbox"/> Female	Wyoming Residence Address (No P.O. Box Numbers)		City _____ Zip _____
Address Where You Get Your Mail	City _____	State _____	Zip _____
Phone* _____	Are you interested in being an Election Judge?* <input type="checkbox"/> Yes <input type="checkbox"/> No		
E-mail* _____	Do you need assistance to vote? * <input type="checkbox"/> Yes <input type="checkbox"/> No		
4. Political Party			
Choose one of the following <input type="checkbox"/> Republican <input type="checkbox"/> Democratic <input type="checkbox"/> Libertarian <input type="checkbox"/> Unaffiliated			
5. Changes to Current Wyoming Voter Registration			
Former Wyoming Residence Street Address	City _____	WY County _____	State Wyoming Zip _____
Former Last Name	Former First Name	Former Middle Name	Suffix
5a. Withdrawal of Voter Registration from Another State <i>Residence address in prior State</i>			
Street Address	City _____	County _____	State _____ Zip _____
6. Registration Oath and Acknowledgment <i>Required on all applications.</i>			
I do solemnly swear (or affirm) that I am a citizen of the United States; that I am a bona fide resident of the state of Wyoming and this county; that I will be at least eighteen (18) years of age on or before the next election; that I am not now registered in another county or state; that I am not currently adjudicated a mentally incompetent person; that I have not been convicted of a felony, or if I have been convicted of a felony, I have had my civil or voting rights restored by a competent authority; and that the voter registration information contained herein is true and accurate to my best knowledge and belief.			
Sign your legal name in full _____			
<input type="checkbox"/> Proof of Identification Shown	Type of Identification _____		
Subscribed and affirmed or sworn to before me by _____ (name of applicant) on _____ (application date)			
Signature & Title of Registry Agent or person authorized to administer oaths _____			Title _____
			

Changing Party Affiliation at the Polls

Voters may change their party affiliation at the polls by filling out a Voter Registration Application and Change Form in ink. The election judge shall sign the form as an election official. Judges should enter the change of party on the poll list. (W.S. 22-5-212, 22-5-214)

During Voting Hours

Polling Hours

Polling hours are 7:00 a.m. to 7:00 p.m. Election Judges must stay at the polling place during their work shift. (W.S.22-13-118)

Electioneering

Judges should ensure that no electioneering (campaigning) takes place within 100 yards (300 feet) of the polling place. Electioneering includes:

- The display of signs or distribution of campaign literature.
- The soliciting of signatures to any petition.
- The canvassing or polling of voters. (except exit polling by news media) (W.S.22-26-113)

Handling Difficult Situations

What do you do if a voter is angry or creates a problem? Remember, no voter has the right to create a scene and be disorderly in a polling place.

- Use your best judgment when resolving conflicts.
- Remain calm at all times. It is the job of the judges to preserve order at the polling place.
- You may also suggest the voter contact the County Clerk with additional questions.
- If there is a life-threatening or illegal activity, call law enforcement immediately.

Monitoring Voting Booths and Voting Machines

Check the voting booths periodically to make sure there is no campaign material in the booths. All such material should be removed and discarded.

Judges should document all problems or unusual occurrences regarding voting equipment. Call the County Clerk immediately to report any problems with voting equipment.



Challenging a Voter

A challenge is when a person takes exception to another person's right to vote. A person can be challenged for the following reasons:

- The person has already voted;
- The person is not a qualified voter;
- The person is not entitled to vote in that precinct; or
- The person is not the person he/she represents himself/herself to be. (W.S. 22-15-104)

Issuing a Challenge

It is the duty of the judge to challenge the right to vote of a person if legal grounds exist for that challenge. (W.S.22-15-108)

Procedures for Resolving or Handling a Challenge

If a challenge is issued, the judges shall follow these procedures:

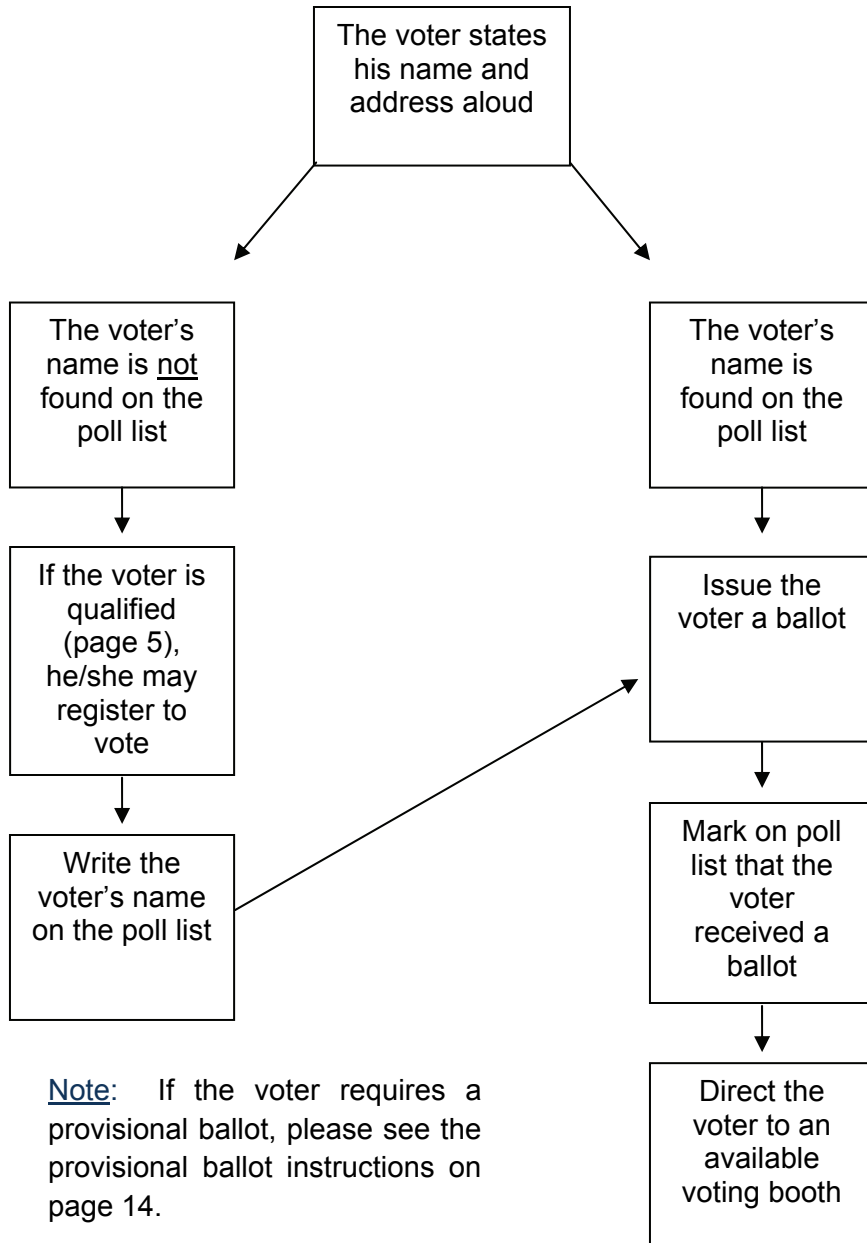
Not registered to vote/registered in a different precinct:

- If a person is challenged because he/she is not registered to vote or he/she is assigned to a different precinct, judges may resolve the challenge by allowing the person to register or to change his address if proved qualified to do so. (See procedures on page 5-6.) In this case, a voter will be added to the poll list and vote a regular ballot.
- If the person cannot provide identification or the last four digits of the Social Security number, offer him/her a provisional ballot (W.S. 22-15-105) and follow the procedures below.

Registered but not qualified to vote, already voted, not entitled to vote in that precinct, not the person he/she represents himself/herself to be:

- Offer the voter a provisional ballot. Follow the provisional ballot procedures shown below.
- Write "P" next to the voter's name on the poll list.

Processing a Voter



Security and Emergency Procedures

Reasons to Evacuate

There are reasons a polling place may need to be evacuated. Some of the reasons include: physical threat to people or building, power outage, fire drill, severe weather, etc.

Some of these may necessitate temporary evacuation. Others may necessitate permanent evacuation.

Discuss with Other Judges

Before Election Day, briefly discuss emergency procedures with the other judges. You may want to consider:

- Reminding each other to be alert on Election Day.
- Communicating with those in charge of the polling place facility.
- Identifying situations that may pose a risk at your polling place.
- Assigning judges to be in charge of securing the poll book, ballots, keys to voting equipment, and provisional ballots.

What to do in an Emergency

- Getting people out of the polling place safely is the most important thing.
- If possible, secure the poll books, ballots, keys, and voting equipment memory cards.
- Call the County Clerk to report any non-life threatening problems.
- Depending on the emergency, call 911.

Processing a Voter

The poll list judge is responsible for checking in a voter by following these procedures (see also the flow chart on page 12):

- Ask the voter to state his/her name and address aloud.
- Check the poll list for the voter's name.
(Note: Watch for similar names like Jr. and Sr.)
- Add the name of any voter who is not on the poll list who registers to vote.
- Mark the voter as having received a ballot in accordance with instructions given by the County Clerk.
- In a Primary Election, pay attention to the voter's political party on the poll list.

Issuing a Ballot

Once a voter is properly checked in, the judges may issue a ballot according to the instructions from the County Clerk.

In a Primary Election, make sure the voter is given the correct ballot. Ballots are designated by color.

Color	Party
White	Republican
Blue	Democratic
Yellow	Unaffiliated

Instructions to Voter

The judges should give the voter instructions about how to use the voting machine and/or mark their ballot.



Paper ballots must be initialed by an election judge.

Write-in Votes

There is a space provided on the ballot for write-in candidates. Voting machines allow voters to enter a write-in candidate on the touch screen.



Spoiled Ballots

There is no limit to how many times a voter can spoil his or her ballot.

The spoiled ballot must be immediately cancelled by the election judge. The word "Spoiled" shall be written across the face of the voided ballot and the ballot should be placed in the spoiled ballot envelope and returned to the County Clerk as directed.

(W.S. 22-11-105, 22-13-107)

Write an "S" next to the voter's name in the poll book before issuing a new ballot.