

— State of New Jersey —  
District Board Member



— TRAINING MANUAL —



**Lt. Governor Kim Guadagno, Secretary of State**



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# I. Introduction

Voting is one of the most important rights we have as Americans. It is through elections that our elected leaders are chosen. These elected officials make decisions that affect our everyday lives. The right to vote is only meaningful, however, if all qualified voters have the full opportunity to participate in fair and lawful elections. Our voters are dependent, therefore, upon those persons charged with election responsibilities. There is no question that district board members are on the front-line in promoting democracy on election day.

The purpose of this manual is to assist all district board members in the State of New Jersey with the knowledge and information they must have in order to do their job properly and confidently. While many voters vote by mail-in ballot, for most citizens, their only contact in exercising the right to franchise is with their district board members.

Accordingly, correct and consistent Statewide application and implementation of election laws at the polling place are fundamental to protecting our freedom. Thank you for becoming a board worker! We appreciate that the hours are long and the work can be challenging, but the services you provide on an election day are invaluable.



## *I. Introduction*

## II. Preparing for the Election

### District Board Members

Each district board of election is to be comprised of two Republican and two Democratic district board members appointed by the county board of election. In certain election districts, additional district board members, who are bilingual in English and Spanish, are assigned to the district board.

#### *Training Requirements*

Within 30 days before an election, all new members of a district board must attend training administered by the county board of election. All district board members must attend training sessions for each election at least once every two years. However, when new laws are introduced, mandatory training may be required of district board members at the discretion of the county board of election.

#### *Salary*

##### General and Primary Elections

For any general election, primary election, or special election, the compensation is \$200.00 for each district board member. In addition, the district board member who is responsible for obtaining and signing for the poll books shall receive an additional \$12.50 per election. If that responsibility is shared between two board members, each member shall receive \$6.25 per election. The district board member who is responsible for returning the poll books at the closing of the polls receives an additional \$12.50 per election. If that responsibility is shared between two board members, each member shall receive \$6.25 per election. Any district board member working a general, primary or special election who fails to attend a required training session in the year in which such training is required, shall be compensated only \$50.00 for that election.

## School Elections

For any school election, district board members are paid on an hourly basis, in an amount to be determined by the local school board. For a school election, the district board member who is responsible for obtaining and signing for the poll books shall receive an additional \$12.50 per election. If that responsibility is shared between two board members, each member shall receive \$6.25 per election. The district board member who is responsible for returning the poll books at the closing of the polls shall receive an additional \$12.50 per election. If that responsibility is shared between two board members, each member shall receive \$6.25 per election. Any district board member working a school election who fails to attend a required training session in the year in which such training is required, shall be compensated at an hourly rate of \$3.85 for that election.

For any general, primary, special or school election, district board members will receive payment for their services within 30 days after each election.

## *Board Worker Etiquette*

Every voter should leave the polling place feeling positive about his or her experience in, and contribution to, the democratic process. This is also an important lesson for any children, (our “future voters”), who accompany their parents to the polls. The success of this effort depends largely upon the attitude and conduct of the board members. District board members are expected to conduct themselves in a professional and courteous manner to each and every voter throughout the course of the election. To facilitate the voting, it is also important that all voters’ questions be fully answered. Board members should be particularly sensitive to voters who may not speak English or have limited English skills or who have disabilities.

District board members must also extend these same courtesies to their fellow board members. Any disagreements should be resolved in a calm manner. If board members cannot resolve an issue among themselves, they should call the county

board office. Under no circumstances should any disagreement escalate into a loud and heated argument.

While we all know election day is long, maintaining one's patience will go a long way toward ensuring a smooth election. A sense of humor also helps. Remember: Be polite, patient and helpful to the voters and your fellow board members.

### Certificate of Appointment

District board members must have their Certificates of Appointment with them at all times while performing their duties. Emergency Certificates of Appointment may be used if a substitute district board member is appointed to fill a vacancy. If a vacancy occurs, district board members must immediately contact the county board of election, which will provide instructions on how to proceed.

Each district board member must take and sign the Oath of Office before undertaking any election duties. The Certificate must be completed and returned with the election supplies at the conclusion of the election.

## **Polling Place Set-Up**

### *Board Worker Arrival Time*

District board members must arrive at their assigned polling place no later than 45 minutes before the polls officially open. Except for school elections, district board members must arrive by 5:15 a.m. to have the voting machine ready for voting promptly at 6:00 a.m. The county board of election will advise the district board members of the hours for school elections, which are set by the local school board. District board members must arrive at their assigned polling place no later than 45 minutes before the polls officially open for school elections.

A district board member who is unable to report to his or her assignment must notify the county board of election as soon as possible, so that a substitute can be found. The district board must immediately notify the county board of

election if any board member, including any bilingual district board member, fails to report for duty. However, the district board may not delay the opening of the polls because of the absence of any member.

### *Selecting A Judge and Inspector*

The district board members must elect a judge, who shall be responsible for the completion of all paper work, and an inspector. The judge and inspector must be from different political parties. If the district board fails to elect either officer on three ballots, the senior member in length of service on the district board becomes the judge and the next most senior member of the opposite political party becomes the inspector. The remaining members are designated as clerks. While the judge may be responsible for ensuring the completion of all paperwork, all district board members have equal authority while performing their duties on election day. Further, all district board members must remain at their assigned polling place until all election related responsibilities are completed.

### *Materials and Supplies Checklist*

Election day materials are primarily assembled in the offices of the county boards of election, and are packed into bags or other containers for delivery. Counties use various ways to provide the materials to the district boards. The district board members should check the lists of materials and supplies to ensure that the district board has been provided with the following materials that it will need. These materials include:

- Poll Books: typically the poll book for the election district is broken down into at least two volumes alphabetically;
- Voting Authority Books;
- Voting Machine Keys;
- Provisional Ballot Bag with provisional ballots and envelopes;
- Three Sample Ballots: These must be posted so that voters will be able to read both the front and back of the sample ballot. The information on the sample ballots states:

- election and the list of the candidates and any public questions;
- the date and time of the election;
- polling place location;
- the election district number;
- whether the polling place is handicapped accessible;
- voting instructions;
- Voter Bill of Rights poster: Parts 1 and 2;
- Signs:
  - Handicapped-Accessibility sign, which is to be posted at the handicapped accessible entrance to the polling place;
  - Signs directing voters to the location(s) of voting machines;
  - “Vote Here” signs which should be posted at the outside entrance to the polling place;
  - “No Loitering or Electioneering” sign which is to be posted at the polling place entrance;
  - Sign indicating voting district(s) number(s) which is to be posted at the entrance and on the appropriate table for an election district if there are multiple election districts in the polling place;
  - “No Smoking” sign which is to be posted at the polling place entrance;
  - “A-K” and “L-Z” signs which are to be placed on the table in front of poll books.
- Street name and election district list of the municipality which should be placed by the poll books;
- Polling Place List: a print-out of all the polling places in the county listed by municipality and election district;
- Challenger Affidavit Forms
- Disability Certificates;
- Voter Complaint Forms;
- Incident Log to record any problems that occur on election day;
- Affirmation of Residency Forms;

- Information for Provisional Ballot Voter;
- Badges for board members
  - must be worn at all times;
- Board Worker Manual;
- Information for Challenged Voters
- Voting Machine Instruction Poster and Easel;
- Emergency Ballot Procedures;
- Payroll Sheet for District Board;
- Telephone Numbers for the county board of election, county superintendent of elections (if there is one in the county), sheriff's department, local municipal clerk and local police department;
- Tape for affixing signs;
- Supplemental Mail-In Ballot Voter List:
  - If a voter applies for a mail-in ballot after the poll books are printed, that voter's name will appear on a supplemental list which will be delivered to the polling place by the municipal clerk on election day morning. This supplemental list should be kept near the poll books and used by the board members to update the poll books on election day morning.

**NOTE:** It is most important that the district board prominently post ALL signs included in its supplies, both English and Spanish, in the polling place. These signs should be immediately visible to and easily read by the voter when he or she enters the polling place.

In addition, the American flag must be displayed at the entrance to the polling place during the hours of the election. Immediately contact the municipal clerk if there is no flag at the polling place.

### *Identify the Official Clock*

The district board members must select an official clock and coordinate all watches with that clock so that there is no confusion about the times that the polls are opened or closed. Use a wall clock in the room as the official clock, if one is available, because it is likely that voters and challengers will use this as a reference. It is important that the district board members coordinate the time on the voting machine zero-printout report with the official clock. In the event that the times on the zero-printout and the official clock are not identical, the judge must determine the official time.

### *Placement of Voting Machines*

The voting machine(s) should be placed at least three feet from a wall or partition, and at least four feet from any table where the district board members are seated. The machine(s) should be situated so that the ballots on the face of the machine(s) can be plainly seen by the district board members and challengers at all times when not in use by a voter. District board members assigned to work the voting machines must check the face of the voting machine after each voter finishes voting and leaves the machine.

### *Placement of Board Member and Challenger Tables*

District board members' tables must be situated to ensure a full view of the polling place and the voting machines. Challengers cannot sit with the district board at the poll book tables. The challenger's table should be located close enough to the district board members' table so that the challenger can hear the voter's name when the district board member reads it aloud.

**NOTE: NO INDIVIDUAL, INCLUDING A DISTRICT BOARD MEMBER, IS PERMITTED TO BE IN A POSITION FROM WHICH HE OR SHE MAY OBSERVE HOW A VOTER HAS VOTED.**

## *Preparation of a Privacy Area for Voters Who Vote by Paper Ballot*

Set aside an area where voters who are voting by emergency or provisional ballot may vote privately. Prepare the designated area with a table or clip board, pencils, and a privacy screen.

## *Measure the “No Electioneering” Zone*

Board members should measure 100 feet from the outside entrance of the polling place. This marks a protected area within which no electioneering, fund raising activities or other social events are permitted.

## *Conducting a Voter Accessibility Walk-through*

The board members should perform a walk-through of the polling place for barriers to accessibility. This procedure should begin at the parking lot and include access to entrances, parking and pathway signs, internal and external doorways and possible obstructions which might hinder disabled or elderly voters. The district board should select an “accessibility point-person” from among themselves. The appointed district board member is responsible for ensuring that the polling place remains accessible to disabled or elderly voters throughout election day. Board members should conduct a walk-through periodically at least 2 more times during election day. Any barriers or obstacles which might impede a disabled or elderly voter must be removed or adjusted.

**NOTE:** Accessibility signs must be posted at the handicapped accessible entrance to the polling place. Signs directing voters to the location(s) of voting machines must be posted in interior passageways. If the district board determines that additional accessibility signs are needed, the judge should telephone the county board of election immediately.

## *Display of Voting Machine Instructions*

Instructions for using the voting machine, including instructions for casting a write-in vote, must be placed where they are immediately visible to and can be

easily read by a voter before the voter enters the voting machine. Separate instructions for use of the audio kit for the visually-impaired voters must also be readily available.

### ***Opening/Closing the Voting Machine***

The procedures for opening and closing the voting machines and the audio set-up procedures are provided by the county board of election under separate cover.

### ***Opening the Polls***

As determined by the official clock, at precisely 6:00 a.m. (or at the time set by a school district for a school election), the judge of the district board should publicly announce that the polls are officially open.

### ***Breaks During Election Day***

A majority of three of the district board members must be present at all times when the polls are open. Therefore, only one board member is permitted to be absent from the polling room at a time. A board member is permitted to be absent for a one hour lunch break between the hours of 1:00 p.m. and 5:00 p.m. No board member, however, should be absent from the polling place after 5:00 p.m.

## **III. Maintaining Order at the Polls**

### **Persons Allowed In the Polling Place**

The district board must be aware at all times of who is in the polling place. State election law provides that only certain people are authorized to be in the polling place. They are as follows:

- District Board Members
- Voters and their dependent children
- Credentialed Challengers
- Candidates

- Election officials
- Police officers, if assigned
- Federal or state observers
- Media persons and non-partisan interest group representatives with credentials are permitted to conduct exit polling outside the polling place exit

**NOTE:** Board members should not permit unauthorized persons to remain in the polling place and should ask them to leave.

## **Electioneering**

Electioneering is not permitted within 100 feet of the entrance of the polling place. Electioneering is defined as the distribution or display of any circular or printed matter or offering of any suggestion or the solicitation of support for any candidate, party or public question. This includes, but is not limited to, wearing of partisan tee-shirts, buttons, hats and/or the display or distribution of partisan campaign material including pamphlets, newsletters, brochures, bumper stickers, signs or placards. The district members should ask that the electioneering stop and contact the County Board of Election, if there are any problems. As a last resort, the district board could request police assistance.

If partisan political signs are located on private property that is located within the 100 foot “no electioneering” zone, the district board should request the property owner to remove the sign or move it to an area outside the 100 foot “no electioneering” zone. If the property owner or tenant refuses, however, the district board should take no further action.

In order to avoid the appearance of partisanship, district board members should not accept food or other gifts offered by candidates or parties during the conduct of the election.

## **Exit Polling**

Exit polling inside the 100 foot “no electioneering” zone is permitted by the media and non-partisan interest group representatives. Exit polling is not considered to be “electioneering.” Representative(s) of the media and non-partisan interest groups must have credentials from the County Board of Election. The exit pollster

may question voters who are leaving the polling place. Voter participation in exit polling is strictly voluntary.

A pollster must stand outside the polling place but can stand anywhere within the 100 foot “no electioneering” zone. The pollster cannot interfere with the orderly conduct of the election or obstruct the path of voters as they enter or exit from the polls.

Approaching voters before they enter the polling place, however, is prohibited. These voters should not be subject to any questioning, or the offering of assistance or any materials as they are entering the polling place.

## **Media Reporters and Photographers**

Photographers, TV camera crews and reporters from the media are generally not permitted in the polling room. However, it has been a longstanding tradition in New Jersey to permit the filming or photographing of a candidate voting at the polls. The media must obtain prior permission from the County Board of Election to do this. If a member of the media enters the polling place to take photographs, the district board must refer the individual to the County Board of Election for its determination of the matter. The district board must not allow the photographer, camera crew or reporter to interfere with the conduct of the election, the privacy of voters, or distract the board members from performing their duties.

## **Cell Phones**

Generally, the district board should not permit the use of cell phones in the polling place. If a voter or a challenger is using a cell phone in the polling place, the district worker should request that the individual do so in another room. A voter cannot use a cell phone in the voting machine. A board member should use a cell phone, however, to contact the County Board of Election or superintendent of elections for official election business.

## Laptop Computers

The use of a laptop computer by a challenger to track voters or to record polling place observations is generally acceptable. If for some reason, it causes a disturbance, the district board should ask the challenger to stop using it.

## Miscellaneous Situations That May Arise

### *Fund-Raising*

No social or fund-raising activity of any group or organization should be permitted within 100 feet of the entrance of a polling place, or in the polling room, on election day. This includes, but is not limited to, bake sales, dinners or other food sales, book sales, craft exhibits, art shows or other social or fundraising activities. The district board must ask individuals responsible for such events to leave the protected area.

### *Emergency*

If a fire drill or an emergency occurs, everyone must safely evacuate the building. A board member should take custody of the provisional ballot bag and close the front of the voting machine, if possible. The County Board of Election should have an emergency voting plan, including alternate voting sites and emergency procedures.

### *Low Paper Ballot Supply*

If the district board finds that it is running low on emergency or provisional ballots, the district board must immediately notify the County Board of Election so that it can arrange for more ballots to be delivered to the polling place.

### *Incident Log*

The district board should use an incident log to record voting irregularities, mistakes, or unusual events or incidents that occur at the polling place during election day. Some examples are:

- A voter who signs on the signature line of another voter in error;
- A board member who mistakenly permits a voter to vote across party lines in a primary election;

- Disturbances in the polling place. The log should include the time, a description of the incident and how it was handled, and the identity of the person(s) and board member(s) who were involved. The incident log should be returned with the supplies and materials at the close of polls.
- Use of emergency ballots
- “Fleeing Voters”

## IV. Processing the Voter

### Routine Procedures

#### *General Rule for Balloting*

Most voters will vote in the voting machine. The district board shall not permit any person whose name and signature does not appear in the poll book to vote on the voting machine unless the voter presents a Court Order stating that the voter is to vote in the machine.

#### *Time Allowed to Vote*

The law states a voter is permitted no more than two minutes to cast a vote. However, more time may be needed if a voter is using the audio kit, or if the voter requires another form of assistance. The district board must be reasonable in this situation. Once the vote is cast, the voter must exit from the voting machine booth immediately and leave the polling place. If a voter refuses to leave the voting booth, the district board members are authorized to remove the voter. Once the voter completes casting his or her vote upon the machine, he or she cannot go back into the machine for any reason whatsoever.

#### *Voting Authority Slips*

Each election district will receive pads of voting authorities. Each voting authority slip is in two parts and is perforated; the upper portion is to be signed by the voter and remains in the pad with the district board. The other

half of the perforated ticket is given to the voter who must hand it to the district board worker who is operating the voting machine. A voter must present a voting authority slip to the district board member who is operating the machine before the voter may enter the voting booth. The district board member will take the voting authority and place it, in the order in which it was received, on the string or wire provided for that purpose.

### *When a Voter Appears to Vote:*

- The voter shall state his or her full name and address to the district board member in charge of the poll books. The board member must announce the name and address of the voter loudly enough so the challengers can hear it.
- The district board member shall locate the voter's name and address in the poll book. If the election is a PRIMARY, the district board member must also consider whether the voter has declared a party affiliation.
- The voter shall sign his or her name in the appropriate signature column.
- The district board shall compare the voter's signature to the signature in the poll book for verification.
- Upon being satisfied that the signatures are the same, the district board member shall sign with his or her initials in the proper space adjacent to the voter's signature.
- The district board member issues the voter a voting authority slip stamped with a ballot number, and records the ballot number in the proper column in the poll book. If the election is a PRIMARY, the district board member issues the voting authority slip for the correct party.
- The voter must sign his or her name to a voting authority slip. The bottom portion is then detached and given to the voter. The voter is to present the slip to the district board member in charge of the voting machine before entering the voting machine booth to vote.
- The district board member accepts the voting authority slip from the voter and places it on the string, or wire. The district board member then sets the machine for voting.
- Only one voter at a time shall be permitted in the voting machine. However, the voter who qualifies for assistance may be accompanied by the assistor. The voter's dependent child also may accompany the voter into the voting booth. The district board member must instruct the voter to keep his or her child on his or her left side while occupying the voting booth.

- Each voter is allowed to vote only once, and once a voter completes casting his or her vote upon the voting machine, he or she is not permitted to re-enter the voting booth.
- A voter is permitted to take his or her own “Official Sample Ballot” into the voting booth or voting area, provided that the voter does not use the Sample Ballot to electioneer or cause any improper display of the ballot while waiting to vote.

The ballot is for the voter’s reference only.

**NOTE:** Before the district board can process a voter, it may be necessary to provide the voter with special assistance. It is most important that all district board members familiarize themselves with the laws and procedures to be followed when a voter needs assistance in voting. All district board members must read and review the section, “Providing Accommodations or Assistance with Voting,” on page 24.

### *Voting in the Voting Machine*

The County Board of Election will provide instructions on operating the voting machine used in your county.

## **Special Situations:**

### *If the Voter’s Name is Not in the Poll Book*

If the voter’s name cannot be located in the poll book, the district board member should:

- carefully check the book as the name may have been incorrectly typed, misspelled or is out of order in the book;
- Ask the voter to repeat his or her address, and refer to the street list which has been provided to determine if the voter is in the correct polling place.
- If the voter’s address is within your election district, meaning the person is in the right polling place, but the name is not in the book, the voter can only vote by provisional ballot.
- If the voter’s address is NOT within your election district, refer to the street list to determine the correct district in order to direct the voter to the correct

polling location. If there is any doubt, advise the voter to contact the County Board of Election to confirm his or her correct polling location.

### *If the Voter Signs on Another Voter's Line*

When a voter mistakenly signs his or her name on another voter's line in the poll book, draw a single line through the name. Do not obliterate it or erase it.

When the correct voter appears to vote, have such voter sign his or her name above the incorrect signature. Make a note of the error and the correction in the INCIDENT LOG.

### *If the Voter's Name is Marked as Having Voted*

When a voter, upon appearing to vote, finds that the poll book indicates he or she has already voted, the district board cannot permit the voter to vote. Refer the voter to the County Commissioner of Registration (Board or Superintendent) for advice and resolution of the problem.

### *Voters Who Have Changed Their Names*

A voter whose name is in the poll book, but who states that he or she has changed his or her name by way of marriage or court order may vote in the voting machine. The voter should be processed as follows:

- The voter must sign the former name and current name in the poll book.
- District board should request the voter complete a Change of Name Form in order to correct the voter's record.

### *Voters Who Exit the Voting Booth Before Casting Their Vote*

The district board member must stay close to the machine to listen if the CAST VOTE button was pushed. If the voter leaves the machine before this button is pushed, the district board member must immediately attempt to get the voter to come back to the machine to push the button and finish voting.

## Primary Election: Voters Qualified to Vote

### *Voter Affiliated with a Political Party Before Election Day*

- A Primary Election is an election where political parties select candidates to run in the General Election in November. Currently, the only political parties in New Jersey are the Democrat and Republican parties. ONLY VOTERS WHO HAVE DECLARED AN AFFILIATION WITH THE REPUBLICAN OR DEMOCRATIC PARTY ARE PERMITTED TO VOTE IN A PRIMARY ELECTION. A voter's party affiliation is indicated in the poll book in a box to the right of the voter's name.
  
- The district board member must be careful to provide the voter with the voting authority slip that corresponds to the voter's declared political party. The district board member operating the voting machine will rely upon the voting authority to set the voting machine for a party's primary election ballot.
  
- A DISTRICT BOARD MEMBER CANNOT PERMIT A VOTER TO CHANGE HIS OR HER PARTY AT THE POLLING PLACE AND VOTE IN THE NEW PARTY'S PRIMARY ELECTION. It is a criminal offense for the voter to vote across party lines and for the district board member to allow this to occur. If a voter indicates that he or she desires to change his or her party affiliation, the board member must explain to the voter that in order to change party and vote in the Primary Election, a voter must notify the commissioner of registration of the change at least 50 days before the Primary Election. The district member may offer the voter a registration application or party declaration form to change his or her party affiliation for future elections only.
  
- If a voter's poll book indicates that a voter is affiliated with a political party, but the voter insists that the poll book is wrong, district board members should call the commissioner of registration.

## *Unaffiliated Voters*

An UNAFFILIATED VOTER is one who has not declared his or her affiliation with a political party before election day.

- AN UNAFFILIATED VOTER MAY DECLARE A PARTY AFFILIATION AT THE POLLING PLACE AND VOTE IN THE PRIMARY ELECTION. If a voter's poll book page is not marked with a party affiliation, the voter may declare affiliation with the Democratic or Republican Party and vote in that party's primary. When an unaffiliated voter presents himself or herself to vote, the district board member must explain that the voter must choose a party affiliation in order to vote in the Primary Election. The district board member must record the voter's declaration in the box provided to the right of the voter's name.

**NOTE:** All voters previously identified as "INDEPENDENT" are now identified as "UNAFFILIATED" and can vote at a Primary Election, if they declare a party at the polling place.

## *Voting in Machine at a Primary Election*

- After the voter gives the board member the voting authority slip, the board member must:
- SELECT THE PROPER PARTY'S BALLOT. The machine operator must examine the voting authority slip to determine which party's ballot the voter will vote. The operator will press the button on the operator panel that matches the party designated on the voting authority slip.
- If the operator fails to set the machine for the correct party before pressing the GREEN activate button, the operator **MUST** press the button for the correct party and **AGAIN** press the GREEN activate button.
- If a voter has started to vote before the correct party was selected, the machine operator must deactivate any votes that the voter has selected, reset the party selection and re-activate the machine.

## **“Tagged” Voters**

The district board member may find that a voter’s poll book page is marked with one of the following “tags”:

### ***Mail-In Ballot Voter***

A voter who has applied for a mail-in ballot will have the word “Mail-In” or the letter “M” in the signature space where the voter would sign the poll book.

The district board member should also consult the supplemental Mail-In Ballot list for those voters who applied for a mail-in ballot after the poll books were printed. The district board member should update the poll book with this updated information on election day morning. A mail-in voter cannot vote in the voting machine.

IF THE VOTER STATES THAT HE OR SHE DID NOT APPLY FOR, RECEIVE OR RETURN A MAIL-IN BALLOT, THE VOTER IS TO BE GIVEN A PROVISIONAL BALLOT.

If a voter arrives at the polling place with his or her mail-in ballot, he or she has two options. One, the district board member can advise the voter that he or she can deliver the mail-in ballot to the Board of Election before the close of polls in order to have the ballot counted. Do not, under any circumstances, accept the ballot. Two, the voter can vote by provisional ballot at the polling place. If the voter chooses to vote by provisional ballot at the polling place, he or she must be told not to deliver the mail-in ballot to the Board of Election.

### ***Signature Required***

If the voter’s sample scanned signature is missing from the poll book, “Signature Required” will be marked in the signature block. The voter whose signature is missing cannot vote in the voting machine. The voter can vote only by provisional ballot.

## *ID Required*

If “ID Required” appears in the voter’s signature block, the voter must present one form of current and valid identification. A suitable identifying document includes, but is not limited to:

- a valid NJ driver’s license or MVC non-driver’s ID card;
- any photo identification;
- a government document with the voter’s name and address;
- a current utility bill;
- tax bill; or
- rent receipt.

Once the voter provides the required identification, the district board member will check the “Yes” box on the voter’s page. This indicates that the board member has seen appropriate identification for the voter. The voter is permitted to vote in the voting machine.

If the voter cannot provide acceptable identification, the voter can only vote by provisional ballot. The district board member should check the “NO” box in the poll book, indicating that the voter did not provide appropriate identification. The district board member is to provide the voter with the provisional ballot materials. The district board member must be familiar with the procedures for Provisional Ballot Voting as described on page 45 of this Manual.

## *Affirm Address*

If “Affirm Address” appears in the voter’s signature box, the voter must complete the “Affirmation of Residency Affidavit.” The district board member will review the Affirmation of Residency and determine the voter’s residency status based solely on information provided by the voter. The voter is not required to present any identification or proof of address. The district board member may not ask the voter to present any identification or proof of address. This voter cannot be challenged solely because there is an “Affirm Address” in the signature book. If the voter affirms that he or she has not moved and resides within the election district, the voter votes in the voting machine.

## **Voters Who Have Changed Their Residence**

### ***The Voter Has Moved Within the Election District.***

If the voter indicates that he or she has moved, but still resides within the election district, the district board member must ask the voter to complete the form provided with the election materials and used by the county to record the change of address. The voter votes in the voting machine.

### ***The Voter Has Moved Outside the Election District But Resides within the County.***

If the voter indicates that he or she has moved to another election district within the county, the district board member should direct the voter to his or her new polling place where the voter will vote only by provisional ballot.

### ***The Voter Has Moved Outside the County After the Close of Registration.***

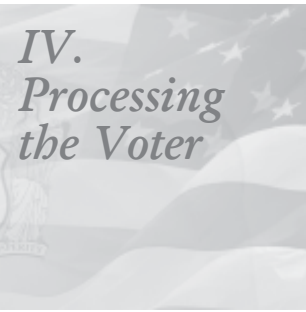
If the voter indicates that he or she has moved outside of the county after the close of registration less than 21 days before the election, and therefore could not register in the new county in time to vote in this election, the voter may vote on the machine. Voter must complete the proper form.

### ***The Voter Has Moved Outside the County In Time to Register In the New County.***

If the voter indicates that he or she moved outside the county more than 30 days before the election, the voter may not vote in this county. Voter was required to register to vote in the new county.

## **Voters with Disabilities**

The district board may encounter voters with disabilities on election day since about 20% of New Jerseyans currently have some type of disability or disabling condition. For instance, there may be voters with vision impairments, speech or language impairments, mobility concerns, physical or intellectual disabilities, mental illness, or certain health conditions. Therefore, it is important to understand what the law requires for voters with disabilities. The following guidelines should be helpful in understanding how to interact appropriately with voters with disabilities at your polling site.



## *The Right to Vote*

By law, voters with disabilities have the same legal right to vote as everyone else regardless of their disability. No one can be denied the right to vote because of a disability. In fact, the law in New Jersey states that:

- A person cannot be denied the right to vote based on the fact that he or she:
- has a specific disability (intellectual, developmental, physical, or psychiatric),  
or
- has a legal guardian, or
- lives in an institution, group home, supported apartment, or other residential facility that serves individuals with disabilities; or
- requires the help of an assistance dog

Only a judge can decide that a person lacks the mental capacity to vote. Again, a person must be assumed to have the capacity to vote unless a judge rules otherwise. *This determination cannot be made by a district board member, a person's family member, a person's personal assistance worker, or other staff.*

A voter with a disability cannot be required to answer questions or fill out a form to “prove” his or her mental capacity. A voter with a disability cannot be required to do anything to prove capacity.

Voters with disabilities have the same right as everyone else to cast their votes on the machine in the voting booth.

## *Providing Accommodations or Assistance with Voting*

Under federal and state law, voters with disabilities have the right to receive “reasonable accommodations” at polling places. For example, some voters might require extra time, might need a voting machine to be adjusted, or might need assistance in the voting booth. District board members must know how to adjust the machines if necessary, must know where the accessible entrances are, must know what accommodations are available and must be helpful to any voters who need assistance.

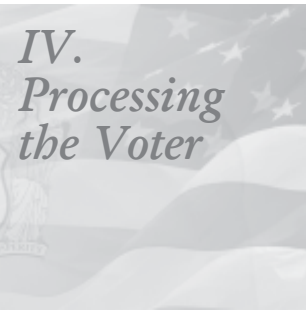
- Voters should not be asked for “proof” of their disability in order to receive accommodations.

- Some examples of other accommodations that voters might require are:
  - Accessible entryways, voting booths, and voting machines
  - Allowing a voter extra time
  - Large-print ballot or a magnifying device to read the ballot
  - Providing a chair for a voter who might need to sit down while waiting
  - Showing a voter how to use the machines
  - Speaking more slowly
  - If a voter cannot speak or read English and there are not bilingual board members the voter can get the assistance of some one of their choosing. If there is no one the county board of election should be contacted.

### *Interacting with Voters with Disabilities*

Above all else, voters with disabilities should be treated with the same respect and courtesy as other voters at the polling place. In addition, here are some useful tips about disability etiquette to help you interact appropriately with voters with disabilities:

- Kindly speak to the voter directly, not to a companion, personal assistant or staff member.
- Do not assume that someone with a disability needs help. You should ask before helping.
- Please ask before pushing someone in a wheelchair.
- A person's wheelchair, scooter, or other assistive device is considered to be an extension of the person's personal space. Don't lean on or touch these devices without someone's express permission.
- If you are assisting someone who has a visual impairment by reading something aloud for them, you do not need to raise your voice.
- Speak slowly and directly to a person who is hard of hearing.
- Remember that animals that assist people with disabilities must be allowed to accompany the person into the building and into the booth. You should not pet or touch these animals.



- When greeting someone who has a visual impairment, let them know who and where you are. If you provide assistance to them in walking, allow the person to take your arm (do not grab the person’s arm) and tell them when you are approaching stairs, when you are about to turn left or right, and warn them if there are any obstacles in the way.
  - Remember to afford voters with disabilities the same privacy as other voters.
  - If you believe someone is having trouble understanding you, speak slowly and clearly. Try simplifying what it is you are saying.
  - If you assist the voter in the voting machine, remember you cannot disclose how he or she voted to anyone.

### *Special Rules for Processing Voters Who Need Assistance*

Federal and state laws provide that voters who are blind, disabled or who cannot read or write English are entitled to assistance in voting. When a voter requests assistance or indicates that he or she is unable to read or write English, the board member must provide the voter with a “Disability Certificate for Assistance” form, which is included among your election supplies. The voter must declare to the district board members under oath that because of an inability to read or write, blindness or other disability the voter is unable to cast his or her vote without assistance.

Once the voter has made this declaration under oath he or she is entitled to the assistance of a person of his or her own choosing, with the exception of the voter’s employer, representative of the employer, or an officer or agent of the voter’s union. The voter may choose the assistance of the district board. In that case, two board members of the opposite political party should offer assistance. Remember, however, that it is the voter’s choice. He or she can choose to have only one board member assist.

The member of the district board acting as clerk must make complete the “Disability Certificate for Assistance” form. The information included on the form must state briefly what facts concerning the voter’s disability were sworn to and the name of the person (or persons) who provided assistance to the voter. The name and address of the assistor(s) must be recorded on the Disability Certificate

for Assistance form. The person or persons providing assistance to the voter cannot reveal the name of any person for whom the voter voted, or anything which took place while the voter was being assisted.

District board members are expected to treat all voters with courtesy and respect but are particularly reminded that voters with disabilities, including those voters with a limited proficiency in English, may require additional time and a board worker's courteous attention in order to vote. The purpose of the federal and State voter assistance laws is to encourage all disabled voters to exercise their right to vote and to allow them to do so in a comfortable and secure manner. Therefore, board members should extend all possible help to such voters.

## **Challenges in the Polling Place**

Any voter may be challenged regarding his or her right to vote by individuals known as "challengers." Challengers are appointed by either a candidate or group of candidates; municipal or county chairs of the Democratic or Republican Parties; or by the proponents or opponents of a public question. In addition, a candidate in any election may act as his or her own challenger. A challenger representing a candidate/party or the proponents/opponents of a public question, must be a registered voter of the county.

Appointment papers for challengers must be filed with the County Board of Election by the second Tuesday before the election. The Board will issue the challenger credentials, which include a certificate of appointment and a challenger badge. The challenger's badge must display the person or party represented by the challenger. Challengers must wear the challenger badge at all times while in the polling place. Official challengers are authorized to remain in the polling place during the course of the election, to challenge a voter's eligibility to vote and to ask all necessary questions to determine this right.

When a challenger enters the polling place, the challenger is required to give the district board of election his or her certificate of appointment. The certificate of appointment indicates whether the challenger has been appointed to a particular election district or appointed as an at-large challenger. At-large challengers are authorized to move from one polling place to another within the county. Therefore,

when an at-large challenger leaves your polling place, the district board must return the certificate of appointment to the challenger.

However, unless instructed to do so by the County Board of Election, the district board will not return the certificate of appointment to any challenger who is assigned specifically to its election district. In order to prevent confusion and crowding in the polling place, only one (1) challenger representing any of the parties described above should be permitted in the polling place at any given time.

District board members may also act as challengers by virtue of their appointment and statutory duty.

CHALLENGERS MAY CHALLENGE A VOTER ONLY IF THE CHALLENGER HAS REASON TO BELIEVE THAT:

- the voter is under 18 years of age;
- the voter is not a citizen of the United States;
- The voter is serving a sentence, on parole or probation after conviction of an indictable offense;
- the voter does not reside within the election district; or
- the voter has moved out of the county more than 30 days before election day.

### *Challenge Process*

- A challenger may not ask any questions directly to the voter. All questions must be directed to the district board members.
- The challenger must complete a Challenger Affidavit in which the challenger specifies his or her reason(s) for challenging the voter.
- One copy of the Challenger's Affidavit is given to the challenged voter.
- The district board will retain the original Challenger Affidavit and return it to the County Board of Election.
- When the district board receives a Challenger Affidavit, a district board member will read aloud to the voter the "Information for Challenged Voter" sheet which explains the voter's rights.

The challenged voter should fill out and sign the "Challenged Voter Affidavit"

and provide a suitable identifying document for inspection. The acceptable identifying documents are listed on the Challenged Voter Affidavit. After the voter completes the Affidavit, the district board members must review the Affidavit and the identifying document and then vote on whether to permit the voter to vote.

At least three district board members must vote against the voter to uphold the challenge and prevent the voter from voting. A tie vote of 2-2 (or 3-3 if there are six district board members) works in the voter's favor and the voter will be permitted to vote in the voting machine. Each and every district board member must sign the Challenged Voter Affidavit and provide a copy to the challenger and the voter. The district board will retain the original Affidavit and return it to the county board of election. Once the voter has voted, the challenge ends.

### **Upholding the Challenge**

If the district board upholds the challenge and determines that the voter may not vote, the district board must provide the voter with the Challenged Voter Information sheet and inform the voter of his or her right to appear before a Superior Court Judge for a review of the matter. If the voter goes to court and the Judge decides in the voter's favor, the Judge will issue an Order permitting the voter to vote in the voting machine. The voter should sign his or her name on the Order before leaving the court room. When a voter presents the Order to the district board, the district board member will instruct the voter to sign the Order again in the presence of the district board. The district board member must compare the signatures and, if he or she is satisfied that the signatures match, the board member will issue the voter a Voting Authority slip. THE DISTRICT BOARD MUST RETAIN THE COURT ORDER, PLACE IT IN THE POLL BOOK AND RETURN IT WITH THE ELECTION SUPPLIES AT THE CLOSE OF POLLS.

### Challenger Do's and Don'ts

- Challengers are not permitted to handle any election documents or to sit at the table with the district board of election.
- A challenger may not approach the voting machine to examine any counters.
- A challenger may, however, inspect the zero-proof report at the opening of the polls and the vote total printed out at the close of polls.
- A list of those things a challenger may and may not do, “Challengers Do’s and Don’ts,” is provided in the Voter’s Bill of Rights which must be prominently displayed in the polling place.

### *Paper Ballots in Polling Places*

#### Voting by Provisional Ballot

A provisional ballot is a paper ballot that is given to a person in the polling place if there is any question regarding his or her right to vote which the district board cannot resolve.

#### Voters Who Must Vote by Provisional Ballot

- A voter whose name does not appear in the poll book at his or her polling place.
- A voter whose voter information is deficient. An example is the voter whose sample signature is missing.
- A voter who has moved within the county and failed to notify the commissioner of registration before election day (that voter will not be in the poll book).
- A voter who failed to provide the required identification.
- A voter whose poll book page is marked “Mail-In” or “M” but who states that he or she did not apply for, receive, or return a mail-in ballot.

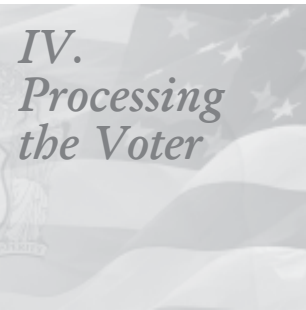
Provisional ballots are supplied to each district board of election in a sealed Orange (or Blue) ballot bag. THE PROVISIONAL BALLOT BAG MUST REMAIN SEALED UNTIL THE BOARD WORKER IS REQUIRED TO ISSUE A PROVISIONAL BALLOT.

When a voter must vote by provisional ballot, a district board member should locate and unseal the orange (or blue) provisional ballot bag. The provisional ballot bag will usually contain 25 to 30 ballots and envelopes with detachable Affirmation Statements, pencils, an inventory sheet and a numbered plastic seal. In addition to these materials, the district board members should locate copies of the Notice to Provisional Ballot Voter, which are included among the election supplies. After removing all the supplies, the district board must count the provisional ballots and envelopes then record the number of ballots on the provisional ballot inventory sheet. The numbered seal should be placed in the Key Envelope.

Before handing the provisional ballot and envelope to the voter, the district board member should instruct the voter how to fill out the Affirmation Statement which is attached to the provisional ballot envelope. The district board member must tell the voter that the Affirmation is to be completed in its entirety and that it is NOT to be removed or detached from the envelope. The district board member is to instruct the voter to place the voted ballot inside the provisional ballot envelope and seal the envelope before returning it to the district board.

The voter must be told that if the voter spoils a ballot or envelope, he or she may return the spoiled ballot and receive a new ballot. If the voter returns a spoiled ballot, the board worker should fold the ballot in half, mark the ballot “Spoiled” and place it in the provisional ballot envelope, mark the envelope “Spoiled” and place it in the Provisional Ballot bag.

After giving these instructions, the district board member is to give the voter a provisional ballot and envelope with the attached Affirmation and direct the voter to a security screen or private area to complete the ballot. For a Primary Election, the board member will provide the Republican voter one colored ballot and envelope, and provide the Democrat voter one differently colored ballot and one envelope.



When the voter returns the ballot, the district board member, who is in charge of the provisional ballot bag, must review the Affirmation for completeness. If it is not completed, the voter must be told to fill in the missing information.

Thereafter, the voter can place the ballot in the provisional ballot bag or hand the ballot to the board member for placement in the bag.

Finally, before the voter leaves the polling place, the district board member must provide the voter with the Provisional Ballot Information Sheet which explains how the voter can find out whether or not his or her ballot was

counted. This information is also found on the Voters Bill of Rights which is posted prominently in the polling place. Provisional ballots are supplied to each district board of election in a sealed Orange (or Blue) ballot bag.

THE PROVISIONAL BALLOT BAG MUST REMAIN SEALED UNTIL THE BOARD WORKER IS REQUIRED TO ISSUE A PROVISIONAL BALLOT.

This information is also found on the Voters Bill of Rights which is posted prominently in the polling place.

### ***Voting by Emergency Ballot***

Emergency ballots are paper ballots which are used if a voting machine becomes inoperable. In addition, if there is considerable delay in the polling place caused by the use of the voting machine audio kit, emergency ballots should be available for the other voters.

In election districts with two voting machines, emergency ballots should not be used unless both machines are inoperable. Before opening the emergency ballot box, if the machine becomes inoperable, the district board should first examine the machine to determine the problem and see if it can be corrected by the district board.

## *Opening Emergency Ballot Box*

If the district board cannot correct the problem, the board should immediately notify the custodian of voting machines, explain the problem, and receive advice from the custodian and request authorization to use emergency ballots until the machine problem is corrected. The Superintendent or the County Board of Election will dispatch a technician to the polling place to repair or replace the voting machine.

In the meantime, if the Superintendent or County Board, as the case may be, has authorized the use of emergency ballots, the district board should locate the emergency ballot box and attach it to the voting machine. Note: The district board must compare the numbers on the green seal of the emergency ballot box with the numbers on the voting machine key envelope. If they do not match, the district board must tell the Superintendent or the County Board before opening the box.

If there are no problems with the seals and/or permission has been granted to open the emergency ballot box, the judge of the district board must take these steps in the following order:

- break the green numbered seal,
- open the emergency ballot box,
- remove the contents containing the emergency ballots and the envelopes containing the numbered white and red seals,
- remove the white and red seals and compare the numbers on the seals with those on the face of the envelope, and note on the envelope any discrepancies,
- place the red seal back in the envelope and return the envelope to the ballot box,
- show the emergency ballot box so that those present may see that the box is now empty except for the envelope containing the numbered red seal,
- place the green numbered seal in the key envelope,
- close and re-seal the emergency ballot box with the numbered white seal removed from the envelope in the box, leaving open the slot in the lid.

## *Contents of Emergency Ballot Box*

The emergency ballot box should contain at least 30 emergency ballots, at least 30 plain white envelopes, and a Statement for Emergency Paper Ballots Voted. Also included in the emergency ballot box, or elsewhere in district board members' election supplies, are a privacy screen, a clipboard, and a fastener to hold the envelopes together.

## *Voting By Emergency Ballot*

A district board member should arrange the emergency ballots on a table near the voting machine, and keep them in clear sight of the district board at all times. Emergency ballot voters are processed in the same manner as any voter entitled to vote on the voting machine. Only voters who are entitled to vote on the voting machine are permitted to vote by emergency ballot.

After processing the voter and issuing a voting authority slip, the district board member should instruct the voter to take the voting authority slip to the district board member who has custody of the emergency ballots. The voter will hand the voting authority slip to the district board member who will hand the voter the emergency ballot and a plain white envelope.

The board member must advise the voter that if the voter spoils the ballot the voter should fold and place the spoiled ballot in the plain white envelope and return it to the board member who will provide the voter with a second ballot and envelope. The board member should instruct the voter that when the voter has finished making his or her selections, the voter is to fold the voted ballot and place it in the plain white envelope and return it to the board member. Finally, the board member should direct the voter to a designated private voting area or security screen.

**NOTE: IT IS AGAINST THE LAW TO ALLOW THE BALLOT TO BE VOTED OUTSIDE THE POLLING BOOTH OR SCREEN AREA. DO NOT GIVE THE VOTER A BALLOT UNTIL THE POLLING BOOTH OR PRIVACY AREA IS READY FOR THE VOTER.**

When the voter returns the voted ballot to the board member, the voter may place the ballot into the ballot box or may hand the ballot to the board member to deposit the ballot in the emergency ballot box.

**NOTE:** ALL BALLOTS MUST BE INSERTED INTO THE PLAIN WHITE ENVELOPE BEFORE THEY ARE HANDED TO THE DISTRICT BOARD MEMBER.

### *Resume Voting on the Voting Machine*

When the voting machine has been repaired or replaced, the district board must resume voting on the machine. In the meantime, the district board must secure all the unvoted emergency ballots and plain white envelopes with their election supplies. A district board member must record on the “Statement for Emergency Paper Ballots Voted” the voting authority number of the last voter to use an emergency ballot. If a voting machine fails to operate on multiple occasions during any single election, a “Statement for Emergency Paper Ballots Voted” must be completed on each occasion.

**REMEMBER:** THE EMERGENCY BALLOT BOX, SECURED WITH THE WHITE NUMBERED SEAL, MUST REMAIN IN FULL VIEW OF THE DISTRICT BOARD MEMBERS DURING THE HOURS OF THE ELECTION. WHEN EMERGENCY BALLOTS ARE USED, AT THE CLOSE OF THE POLLS, THE WHITE SEAL WILL BE REPLACED BY THE RED SEAL. (SEE CLOSING THE POLLS).

## V. Closing the Polls

### Announcing the Close of Polls

#### *Closing time*

At 8:00 p.m., the judge publically announces the polls are officially closed. (In school board elections, the polls officially close at 9:00 p.m.) The same clock used to open the polls should be used to close the polls. The outside entrance to the polling place should be closed at this time. Absent an Order from a Judge of the Superior Court, the polls MUST close at the appointed time.

## ***Voters Who Are On Line to Vote at Closing Time***

Any voters on line to vote at the close of polls must be allowed to vote. The district board members cannot take any steps to close the books or the voting machine until all voters present have been processed. A district board member should be positioned at the end of the line indicating which voters were in line at the time that the polls officially closed.

## ***Post-voting Procedures in the Polling Place***

Challengers, candidates, and members of the media as well as the general public may be present at this time, as long as they do not interfere with the closing procedures.

## ***Closing the Voting Machines***

The instructions for closing the voting machines will be provided by the County Board of Election.

## ***Printing Reports***

Election tapes for all districts must be printed. The opening election zero-proof tape and the closing election results tapes, cartridges and keys must be inventoried and returned in the proper supply bags.

## ***Provisional Ballots***

Inventory of Provisional Ballots. At the close of the polls, the district boards must inventory the provisional ballots. The number of “invalid” ballots (placed in envelopes marked “SPOILED”), used provisional ballots, unused provisional ballots, and missing provisional ballots must be recorded on the inventory form provided with the provisional ballot bag.

Signing of Provisional Ballot Inventory Forms. The district board members must sign the inventory form when it is completed. If a district board member dissents from the inventory, he or she shall state the reason and sign the form.

Sealing the Provisional Ballot Bag. After placing all the provisional ballots and envelopes in the bag, the district board members must seal the bag with the numbered seal provided in the bag.

## *Canvassing and Tallying the Emergency Ballots*

After the polls close, and the machine totals have been recorded, the district board must count emergency ballots, if they were used.

### **Counting Rules**

The requirements for counting a paper ballot apply. Each vote must have the appropriate mark placed in the proper place on the ballot to be counted. An invalid vote in one place does not necessarily invalidate the entire ballot. However, any unauthorized ballot markings which the district board determines were intended to identify or distinguish the ballot will result in the rejection of the entire ballot (that is called a “marked” ballot).

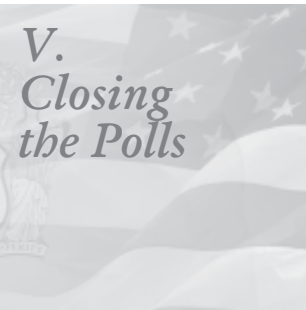
A misspelled write-in vote does not necessarily invalidate the vote. Any ballot that the district board determines to be void must be identified as such on the envelope in which it was enclosed.

### **Procedure**

First, a board member is to remove the white seal from the emergency ballot box and opens the ballot box in full view of the public. Second, the judge will remove the ballots one at a time and read the votes cast. The judge will do this in view of the inspector who will look at the ballot to make sure that it was read correctly and record the vote(s) on the Emergency Ballot Tally Sheet. Envelopes marked “VOID” or “SPOILED” shall be set aside. The district board clerk will tally the results of the emergency ballots as they are read by the judge.

Before removing the next ballot from the ballot box, the judge shall replace the ballot previously read back into its plain white envelope and hand it to the inspector. Each envelope shall be numbered consecutively (i.e., 1, 2, 3, etc.) and strung together in numerical order.

The district board members shall total all the votes cast by emergency ballots on the tally sheet. ALL board members must sign the completed tally sheet. After counting, one copy of the tally sheet is placed in the emergency ballot box. The second copy of the tally sheet is placed in the supply bag in conjunction with the other machine results and returned in the supply bag to



the county election office. The district board is to add the emergency ballot results to the voting machine totals in the proper place on the return sheet.

After all the voted emergency ballots are counted, tallied, and strung together in numerical order, the district board must string all the plain white envelopes marked “VOID” or “SPOILED” at the end of the same string. The district board members then place the tally sheet and ALL emergency paper ballots—voted, unvoted, void, and spoiled—into the emergency ballot box. Finally, the district board members shall immediately secure the ballot box with the red numbered seal.

***Publish the Results of the Election***

A district board member shall announce the final results of the election, post the results on the wall of the polling place, or provide copies of the results as directed by the County Board of Election.

***Collecting of all Election Materials and Supplies***

The district board members should lower the American flag; take down all signs; collect informational materials; poll books; voting authority slips; court orders; posters; and gather any other supplies. This material must be secured for return delivery.

***Return of Materials***

The counties use various procedures for the return of election materials. Your County Board of Election will provide the instructions for the return of your election materials. District board members must not re-pack poll books in the machines at the end of the day even if that is how they were delivered because they will be subject to the 15 day period of impoundment after the election. It is of the UTMOST importance that a secure chain of custody is maintained—all items pertaining to election results should be inventoried and signed for at each exchange.

### *Pay Voucher - Last But Not Least*

All district board members must complete the payroll sheet and sign the pay voucher. The completed payroll sheet should be packed with the supplies to assure payment to the district board members. Each district board member must sign the pay voucher to assure prompt receipt of his or her check.