WHAT-IFS (2019)

(classroom copy, please do not mark or remove)

ELECTION OFFICER TRAINING CLASSES

FOR JUNE 2019 PRIMARY ELECTION
WHAT IF…

QUICK REFERENCE TO PROBLEMS

Problem / Explanation / Action to Take
For Problems 1 - 20, an explanation and the action required for each are detailed beginning on Page 2 of this document.

Identification (See page 2 for ID requirements)
  1. Identification requirements
  2. Voter has no acceptable ID

Address or Name Change
  3. Voter’s name marked with "\text{Inactive}\) but voter did not move
  4. Voter moved within same precinct, or voter changed name only
  5. Voter moved within VA before this election day and after Nov. 6, 2018
  6. Voter moved within VA between Nov. 8, 2016 and Nov. 6, 2018
  7. Voter moved to another state

Pollbook
  8. Voter’s name marked with "\text{Federal Only}\) on pollbook
  9. Voter’s name not on pollbook
  10. Voter’s name omitted from pollbook in error
  11. Person is not qualified to vote
  12. a. Name is not on pollbook; registrar unavailable/
      cannot confirm registration (\text{basic provisional ballot procedure});
  b. voter lacks ID.
  13. Voter is challenged by officer or another voter
  14. Voter’s name already marked as having voted

Accessibility
  15. Voter asks for help to vote
  16. Voter is blind
  17. Voter asks to vote outside polls

Other
  18. Voter’s name marked with "\text{A}\) on pollbook

Absentee
  19. Absentee voter appears at the polling place to vote.

Extension of Poll Hours
  20. Poll hours extended by court order

Voting Malfunctions
  21. Electronic Pollbook (PollPad) Malfunction
  22. Voting System (DRE or Optical Scan) Malfunction

Abbreviations & Notations

\begin{itemize}
  \item AB Absentee Ballot
  \item AB LIST Final Absentee Ballot Report
  \item CAP Central Absentee Precinct
  \item EPB Electronic Pollbook
  \item ID Photo Identification
  \item OP Outside Polls
  \item PBC Pollbook Count
  \item S Voter has completed required statement
  \item (including Affirmation of Eligibility)
  \item SOR Statement of Results
  \item § 24.2 Title of the Code of Virginia, also known as the Virginia Election Laws
\end{itemize}

Explanation of Symbols by Voter’s Name (on EPB may be shown on list, in voter’s details or otherwise):

\begin{itemize}
  \item \text{Inactive} Voter must complete Affirmation of Eligibility form before voting to verify current residential address.
  \item Action depends on whether, when and where the voter moved (Problems 3-7).
  \item Problems 4-7 also may apply if the voter’s name is not marked \text{Inactive}.
  \item A Voter has assigned number instead of Social Security number on voter rolls (Problem 18). This applies to very few voters. A column of "A's" (with an occasional "I" on the EPB), indicates "active" (vs. "inactive") status, not "assigned number."
  \item \text{Federal Only} Overseas voter eligible to vote in federal elections only (Problem 8)
\end{itemize}

If the voter has questions about any requirement, voter may call the Department of Elections at 1-800-552-9745.
1. **Photo ID Requirements** - In all elections, voters shall be asked for identification displaying a photograph. See elections.virginia.gov for comprehensive list.

Step 1: Remember that all persons voting in-person must meet the same photo ID requirement:

<table>
<thead>
<tr>
<th>ID Requirements</th>
<th>Procedure</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>One of the following photo IDs:</strong></td>
<td><strong>if No ID</strong> <em>(See Problem #2 for details and important notes.)</em></td>
</tr>
<tr>
<td>o Valid Virginia Driver’s License*</td>
<td>Use provisional ballot.</td>
</tr>
<tr>
<td>o Valid United States Passport*</td>
<td></td>
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<tr>
<td>o Valid Student ID* issued by an institution of higher education located in Virginia</td>
<td></td>
</tr>
<tr>
<td>o Valid Student ID* issued by a school located in Virginia</td>
<td></td>
</tr>
<tr>
<td>o Valid Employee ID Card*</td>
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<tr>
<td>o Must be issued in the ordinary course of business</td>
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<tr>
<td>o ID issued by Government Agency of:</td>
<td></td>
</tr>
<tr>
<td>o The Commonwealth of Virginia, or</td>
<td></td>
</tr>
<tr>
<td>o One of the Commonwealth’s political subdivisions (counties, cities, towns, public high schools etc.), or</td>
<td></td>
</tr>
<tr>
<td>o The United States</td>
<td></td>
</tr>
<tr>
<td>o Tribal enrollment or IDs issued by one of the 11 recognized tribes in Virginia**</td>
<td></td>
</tr>
<tr>
<td>o 11 tribes are: Cheroenhaka (Nottoway), Chickahominy, Eastern Chickahominy, Mattaponi, Monacan, Nansemond, Nottoway of Virginia, Pamunkey, Patawomeck, Rappahannock, &amp; Upper Mattaponi</td>
<td></td>
</tr>
</tbody>
</table>

*Valid – A document is valid if it appears to be genuine, shows a photograph of the voter, and, if the document has an expiration date, is not expired for more than 1 year.

**NOTE – Determine whether an ID is valid based on the information appearing on the face of the card.**

**Political subdivisions include recognized Indian tribes and governmental divisions with authority to make rules and regulations having force of law.** See Va. Code §§ 8.01-385, 51.1-700.

**Important!**

Never turn a voter away because of lack of ID.
1. **Photo ID Requirements (continued)**

| Step 2: For all voters who show photo ID, compare preprinted photo ID with the name on the pollbook. | Do not record the type of ID examined. |
| Did the residence address and name stated or provided in written form by the voter match the information on the pollbook? |
| • Note: It is impermissible to reject a voter if the name they stated or provided in written form is substantially similar to the name listed in the pollbook. |
| • Note: The steps below presume that the voter stated or provided in written form his current residence address as listed in the pollbook when checking-in and that the officer of election repeated the voter’s name and address in an audible manner. If the voter did not state or provide in written form the residence address as listed on the pollbook please see Problems 4 – 7 to determine voter’s eligibility. In addition, voter must still satisfy photo ID requirements. |
| • Note: A voter may state verbally, write down, or otherwise provide in written form their residence address. The latter option includes the ability to indicate that the address on the previously provided voter ID be used. In any case, the officer of election must repeat the address aloud in a voice audible to party representatives who may be present. |

1) **If address stated or provided in written form by the voter is not the same as listed on the pollbook:**

| • Ask voter where he/she is currently residing. |
| • If voter has moved or changed name, then see Problems 4 – 7. If voter is eligible to vote or qualifies for a provisional ballot, then go to step 3 below to ensure voter meets ID requirements. |
| • If voter has not moved, go to step 2. |

2) **Does the name on the photo ID match the information in the pollbook?**

| • Note: It is impermissible to reject a voter ID if the name on the voter ID is substantially similar to the name listed in the pollbook. |
| • Note: A person may have their maiden name in place of their middle name upon an ID or within the pollbook. Previous versions of the voter registration application allowed voters to provide their maiden name instead of their middle name. If the ID the person provides does not match the pollbook because of the maiden/middle name swap, **It should still be accepted as proper ID.** |
| • Remember: An address upon an ID that does not match the address listed for the voter in the pollbook does not make it unacceptable for proving the voter’s identity. |
| • Remember: Some acceptable forms of photo ID do not include a residence address. |

3) **Review steps below to ensure voter has presented an acceptable photo ID:**

| a. If a photo ID is presented with correct information. |
| b. If a photo ID is presented with incorrect address, but voter is eligible to cast regular ballot |
| c. If a photo ID that expired less than 12 months ago is presented, and the picture matches the voter |

| Action to take: |
| • Mark off the next PBC number and enter PBC number in pollbook |
| • OR, on EPB, check the voter (PBC increments automatically). |
| • Have voter cast vote on voting equipment in use in the precinct |
2. Voter Has No Acceptable Photo ID

- The voter has failed to provide the required photo ID

This voter **shall not** cast a regular ballot but the voter **must be allowed to cast a provisional ballot.**

§ 24.2-653 and 52 USC § 21082 (of the “Help America Vote Act of 2002”).

**Is lack of photo ID the only reason that the voter is casting a provisional ballot?**

- **If the answer is Yes**
  - If the answer is **Yes** to lack of photo ID being the only reason for casting a provisional ballot:
    - Ask the voter if he or she is able to easily retrieve the necessary photo ID
      - If so, alert the voter to the fact that doing so prior to casting a provisional ballot will entitle him or her to cast a regular ballot on election day.
    - Inform the voter that he or she will be required to **submit a copy** of their photo identification in order for their vote to count if they choose to cast a provisional ballot.
    - Have voter complete identifying information and read and sign statement on the lime green Provisional Vote Envelope – ID ONLY.
    - Officer must also sign envelope and enter precinct information on front.
    - Enter voter’s information on the **Precinct Provisional Ballots Log.** (Do not enter a PBC number or any other information on the pollbook for this voter. Do not add voter to pollbook.)
    - On the log, mark the box below “ID” for the reason(s) the person is voting a provisional ballot.
    - Have person vote and seal ballot in lime green envelope.
    - Place sealed lime green envelope in a ballot container.
    - Give the voter the **Provisional Voter Notice – Identification** (SBE 643 form). This informs the voter when and where the electoral board will meet following the election to consider his qualifications, and provides other required notifications including methods of submitting the copy of the required photo identification.

- **If the answer is No** follow the procedure outlined in **Problem 12a.**

**Note:** A provisional ballot is **not** counted on election day. The electoral board considers the ballot only after the voter submits a copy of the ID to the electoral board by noon on the third day after the election. If the third day is a weekend or holiday, the deadline becomes noon the next business day.
Voter Has Moved

The determination of whether a voter can vote in the precinct where the voter is registered and would have been qualified to vote if not for the move (original precinct) after moving depends on:
1) Where did the voter move to? and
2) When did the voter move?

<table>
<thead>
<tr>
<th>When Did Voter Move?</th>
<th>How far did the voter move?</th>
<th>Action to Take</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Within precinct?</td>
<td>Within Virginia (but not same county/city or congressional district)?</td>
</tr>
<tr>
<td>Before this election day and after November 6, 2018?</td>
<td>Yes: Can vote. See # 4.</td>
<td>Yes: Can vote in the precinct where voter is registered and would have been qualified to vote if not for the move. See #5.</td>
</tr>
<tr>
<td></td>
<td>Yes: Can vote in the precinct where voter is registered and would have been qualified to vote if not for the move. See #5.</td>
<td></td>
</tr>
<tr>
<td>Between November 8, 2016 and November 6, 2018?</td>
<td>Yes: Can vote. See # 4.</td>
<td>Yes: Can vote in the precinct where voter is registered and would have been qualified to vote if not for the move. See #6.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No. See # 6.</td>
</tr>
</tbody>
</table>

For detailed instructions please see additional information and important notes below.

**Exception: Town Elections**
A voter who moved out of the town may not return to vote in the town election but may be eligible to vote in non-town elections held at the same time (see problems 4-7).
### WHAT IF...

<table>
<thead>
<tr>
<th>Problem</th>
<th>Explanation</th>
<th>Action to Take</th>
</tr>
</thead>
</table>
| 3. Voter’s name marked **Inactive** but voter did not move | Voter’s name is marked as **Inactive** on the pollbook because of failure to respond to a confirmation notice relating to a change of address, or voter may have been flagged by the registrar to receive a confirmation because of a reported possible address change or returned mail. To be eligible to vote, this voter must now affirm his eligibility to vote by signing **Affirmation of Eligibility.** | **If voter’s address has not changed:**
- Use **Affirmation of Eligibility** form.
- Officer must challenge voter then initial and complete Section A and check Box A of the **Affirmation of Eligibility** form.
- Have voter complete and sign Section B - Affirmation of Voter statement before voting.
- State voter’s name and address.
- **Pollbook:**
  | Paper | Electronic |
  | Mark off the next PBC number. Enter PBC number and “$” (for Statement) in appropriate columns. | Check in voter according to equipment instructions. |
- Have voter cast vote on voting equipment in use in the precinct. |

3. Voter’s name marked **Inactive** but voter did not move [If voter’s address has changed see Problems 4-7 below] | **§ 24.2-428.2** | **§ 24.2-651** |

4. Voter moved within the same precinct or voter changed name only | A voter is permitted to vote if the change of address is within the same precinct. A change of name will not affect the voter’s qualification to vote. **Exception: Town Elections** A voter who moved out of the town may not return to vote in the town election but may be eligible to vote in non-town elections held at the same time (see problems 4-7).**State voter’s name and address.** | **Pollbook:**
| Paper | Electronic |
| Do not write or enter new address. Mark off next PBC counter number and enter PBC number in pollbook. | Check in voter according to equipment instructions. |
- Have voter cast vote on voting equipment in use in the precinct. **Recommended:** Ask voter to complete and sign a **Voter Registration Application,** or other document to update their address or name. |

5. Voter moved within **Virginia** before this election day and after November 6, 2018 | **§ 24.2-101** | **Question** Did voter move **within** Virginia **after** November 6, 2018? **§ 24.2-401**

5. Voter moved within **Virginia** before this election day and after November 6, 2018 [Voter’s name may be marked as **Inactive** on Pollbook.] | **Exception: Town Elections** A voter who moved out of the town may not return to vote in the town election but may be eligible to vote in non-town elections held at the same time (see problems 4-7). **If answer is **yes,** voter may vote in the precinct where voter is registered and would have been qualified to vote if not for the move.**
- State voter’s name and address.
- Do **not** write or enter the new address on the pollbook.
- Mark off next PBC number and enter PBC number in pollbook.
- OR, on **EPB,** check in the voter (PBC increments automatically).
- Have voter cast vote on voting equipment in use in the precinct. **Recommended:** Ask voter to complete and sign a **Voter Registration Application,** or other document to update their address or name.
- If answer is **no,** voter might be able to vote. Follow the instructions in problems # 6 and 7. | **§ 24.2-101** | **§ 24.2-651** |
### WHAT IF...

<table>
<thead>
<tr>
<th>Problem</th>
<th>Explanation</th>
<th>Action to Take</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Voter moved between November 8, 2016 and November 6, 2018</td>
<td>1. Did voter move within the same county or city between November 8, 2016 and November 6, 2018?</td>
<td>If answer is <strong>yes to both questions</strong>, voter must be challenged by officer of election before voting.</td>
</tr>
<tr>
<td></td>
<td>2. Is voter’s new address within the same congressional district?</td>
<td>• Use <strong>Affirmation of Eligibility</strong> form.</td>
</tr>
<tr>
<td></td>
<td>§ 24.2-401</td>
<td>• Officer challenging must initial and complete Section A and complete the Statement of Challenger (checking Boxes C &amp; 4).</td>
</tr>
<tr>
<td></td>
<td>*Note: Some localities have more than one congressional district. If you do not have a street file map, call the</td>
<td>• Have voter read and sign Section B (Affirmation of Voter) and complete form with their name and new address before voting.</td>
</tr>
<tr>
<td></td>
<td>registrar’s office.</td>
<td>• State voter's name and address.</td>
</tr>
<tr>
<td></td>
<td>*Note: The current congressional district lines are used for this assessment, not those in effect at the time the</td>
<td>• Do not write the new address on the pollbook.</td>
</tr>
<tr>
<td></td>
<td>voter moved. Congressional district lines searchable by zip code: <a href="http://www.house.gov/">http://www.house.gov/</a></td>
<td>• Mark off the next PBC number. Enter PBC number and “S” (for Statement) in appropriate columns in pollbook.</td>
</tr>
<tr>
<td></td>
<td>If answer is <strong>yes to both questions</strong></td>
<td>• OR on <strong>EPB</strong>, check in the voter and set voter flag to &quot;<strong>Voter Signed Oath</strong>&quot; per instructions.</td>
</tr>
<tr>
<td></td>
<td>If answer is <strong>no to either question</strong></td>
<td>• Have voter cast vote on voting equipment in use in the precinct.</td>
</tr>
<tr>
<td></td>
<td>Exception: Town Elections</td>
<td>If answer is <strong>no to either question</strong>, person may not vote.</td>
</tr>
<tr>
<td></td>
<td>A voter who moved out of the town may <strong>not</strong> return to vote in the town election but may be eligible to vote in non-town elections held at the same time (see problems 4-7).</td>
<td>• Have person <strong>complete and sign</strong> a <strong>Voter Registration Application</strong> to be eligible to vote in the next election at new precinct.</td>
</tr>
<tr>
<td></td>
<td>§ 24.2-101</td>
<td><strong>Note:</strong> If any person says he is a registered voter in the precinct and is eligible to vote in the election, he <strong>must</strong> be allowed to cast a provisional ballot. Follow procedures in Problem #12a and use reasons #1 or 2 (as appropriate).</td>
</tr>
<tr>
<td></td>
<td>§ 24.2-651</td>
<td></td>
</tr>
</tbody>
</table>
### 7. Voter moved to another State

**Questions:**
1. Did voter move to another state within 30 days of the election?
2. Is this a presidential election?

If **yes to both**, voter may vote a ballot in the 2020 presidential election for presidential and vice-presidential electors only in the Virginia precinct where voter is registered and would have been qualified to vote if not for the move.

<table>
<thead>
<tr>
<th>Explanation</th>
<th>Action to Take</th>
</tr>
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<tbody>
<tr>
<td>§ 24.2-402</td>
<td></td>
</tr>
<tr>
<td>§ 24.2-651</td>
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</table>

**Note:** A voter who has moved to another state may not vote in any other election or for any other office.

If answer is **no to either**, voter may **not** vote.

<table>
<thead>
<tr>
<th>Explanation</th>
<th>Action to Take</th>
</tr>
</thead>
<tbody>
<tr>
<td>§ 24.2-401</td>
<td></td>
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</tbody>
</table>

**Note:** If any person says he is a registered voter in the precinct and is eligible to vote in the election, he **must** be allowed to cast a provisional ballot. Follow procedures in Problem #12a and use provisional reasons #1 or 2 (as appropriate).
8. **Voter’s name marked with a “Federal Only” on pollbook**

(On EPB may be shown in voter's details, message box or ballot style.)

<table>
<thead>
<tr>
<th>Problem</th>
<th>Explanation</th>
<th>Action to Take</th>
</tr>
</thead>
</table>
| **Registered overseas voter who may have been issued an absentee ballot.** | **Officers need to check the pollbook and determine whether an ‘**AB**’ is listed next to the voter’s name. An ‘**AB**’ indicates an absentee ballot was issued to the voter. If there is an ‘**AB**’ next to the voter’s name on the pollbook, follow the procedures outlined in Problem #19 for all absentee voters who appear in the polling place.** | For “**Federal Only**” voter if there is no ‘**AB**’ next to the voter’s name on the Emergency Paper Pollbook and the voter does not appear on the Final Absentee Report, the voter was not issued an absentee ballot and is allowed to vote a ballot for federal offices only:  
- State voter’s name and address.  
- Mark off next PBC number, enter PBC number and “F” in pollbook, and write “F” across voter’s PBC number in the Pollbook Count form.  
- OR, on EPB, check in the voter.  
- Issue the federal-only ballot. Follow instructions for equipment in use in your precinct. (Be sure to set machine back to full ballot for the next voter.) |

<p>| | | |</p>
<table>
<thead>
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</tr>
</thead>
<tbody>
<tr>
<td>§ 24.2-453</td>
<td>§ 24.2-420.1</td>
<td>§ 24.2-653.1</td>
</tr>
<tr>
<td>§ 24.2-708</td>
<td>§ 24.2-711</td>
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</tr>
</tbody>
</table>

A person who returns to reside in Virginia from overseas within 28 days before the election may be eligible to register late and should be directed to the general registrar.
WHAT IF...

9. Voter’s name is not on pollbook

**Problem**

**Explanation**

Possible reasons:

- Registration application received after deadline or not received.  
  §§ 24.2-416, 24.2-417
- Voter’s registration application was denied due to incomplete information or other requirement.  
  § 24.2-418
- Registration was cancelled for some legally required reason (e.g., DMV noncitizen report)  
  §§ 24.2-427 – 24.2-429
- Voter is in wrong precinct.  
  § 24.2-400.
- Voter’s registration was lost by an agency authorized to receive registration forms.  
  § 24.2-653(B)

**Action to Take**

Before calling the registrar’s office:

- Check for correct spelling or recent name change.
- Look for name at end of alphabetical section on the pollbook or on any separate listing provided by the registrar.
- If the voter is registered in another precinct, and has not moved, provide directions to that polling place.
- If voter has moved from the address where registered, and has not submitted a new timely registration to an authorized agency, see Problems # 4 - 7 to advise voter whether he/she is eligible to vote in his/her old precinct in this election.
- Ask for person’s full legal name, address, social security number, when/where registered to vote, and when/where last voted.
- If voter submitted application by applicable deadline, in person at an agency authorized to receive registration (DMV) ask for any proof of application or ask the registrar to contact SBE if proof is not available.
- Call the registrar and proceed under one of the following three scenarios:
  - o Problem 10: if the registrar can immediately confirm qualifications.
  - o Problem 11: if the registrar states that the person is not qualified to vote.
  - o Problem 12: if registrar is unavailable or unable to confirm qualifications.

**Note:** Voter may have a receipt showing that the registration form was given to a voter drive (not an authorized agency). This is not proof of registration but the receipt may be useful for investigation and prosecution if the drive did not submit the forms by the legal deadline.

**Exception military, recently discharged or returning overseas:** Section §24.2-420.1 provides limited exceptions allowing election day in-person registration at the registrar's office for certain active duty or recently discharged military and overseas residents, cohabitant, spouses, and dependents who are normally absent from their locality, or have been absent and returned to reside there during the 28 days before the election, or were discharged from active duty within 60 days before the election. Check with the general registrar if one of these exceptions might apply.
## WHAT IF...

### Problem 10. Voter’s name omitted from pollbook in error

**Explanation**

*Only the registrar*, who has access to all voter registration records, may authorize the officer to add a voter’s name to the pollbook.

§ 24.2-652

**Action to Take**

If registrar authorizes officer to add voter’s name to pollbook:

- Use *Affirmation of Eligibility* form. Officer must initial and complete Section A and check Box B.
- Have voter read, complete and sign Section B (Affirmation of Voter).
- Enter voter’s name and address only on the pollbook at the end of alphabetical section that applies.
- OR, for *EPB*, add voter's name per instructions.
- State voter’s name and address.
- Mark off the next PBC number. Enter PBC number and “S” (for Statement) in appropriate columns in pollbook.
- OR on *EPB*, check in the voter and set voter flag to "Voter Signed Oath" per instructions.
- Have voter cast vote on voting equipment in use in the precinct.

### Problem 11. Person is not qualified to vote

The registrar *will advise* the officer if a person is not qualified to vote.

52 USC § 21082 [of the “Help America Vote Act of 2002”].

**Action to Take**

- Inform person he may **not** vote.
- Have person complete and sign a *Voter Registration Application* to be eligible to vote in the **next** election.

**Note:** If any person says he is a registered voter in the precinct and is eligible to vote in the election, he **must** be allowed to cast a provisional ballot. Follow procedures in Problem #12a and use reasons #1 or 2 (as appropriate).
WHAT IF...

Problem

12a. Provisional ballot when:

- Person’s name is not on pollbook;
- The registrar cannot be contacted or the registrar cannot confirm the person is registered to vote; and
- The voter says he is registered to vote in the precinct and eligible to vote in the election.
- This is the basic provisional ballot procedure (reasons #1 or 2). When following this procedure for other problems, be sure to check the appropriate provisional voting reason(s) on the provisional ballot envelope, the Precinct Provisional Ballots Log and the Provisional Voter Notice (HAVA-5 form).

Explanation

This voter may only vote by casting a provisional vote and must be allowed to cast a provisional ballot [green envelope].

The provisional ballot is not counted on election day. It is counted by the electoral board on the day after the election if the person is found to be qualified to vote.

§ 24.2-653 and 52 USC § 21082 (of the “Help America Vote Act of 2002”).

Action to Take

- Have voter complete identifying information and read and sign statement on the green Provisional Vote envelope.
- Have voter check either Box #1 (not listed) or Box #2 (not listed and moved), as appropriate, under “Statement of Voter” on the envelope.
- Officer must also sign envelope and enter precinct information on front.
- Ask voter to show one of the IDs listed under Problem 1.
- If voter has no acceptable ID, check the box beside “Voter ALSO did not provide qualified identification.” (see Problem 2)

New Procedure:

- Enter voter’s information and reason for voting a provisional ballot on the Precinct Provisional Ballots Log. (Do not enter a PBC number or any other information on the pollbook for this voter. Do not add voter to pollbook.)
- On the log, mark the box below the number(s) for the reason(s) the person is voting a provisional ballot. If additional information needs to be communicated to the registrar or electoral board about the voter’s qualifications, list that on the back of the form with the corresponding number beside (for example, “3. Voter says he registered at agency/location on/around (date)”).
- Have person vote and seal ballot in green envelope.
- Place sealed green envelope in ballot box.
- Give the voter the Provisional Voter Notice (HAVA-5 form), with the reason(s) the voter cast a provisional ballot checked by the officer. This informs the voter when and where electoral board will meet following the election to consider his qualifications, and provides other required notifications.
- If the voter was also missing the required photo ID, provide the voter with the Provisional Voter Notice – photo ID (SBE 643) form as well. This will inform the voter of the ways to submit a copy of required identification.

Voter must be offered a registration application. § 24.2-653 (A) (para.2, last sentence).

Explain that completing this application may affect his or her eligibility to vote in today’s election and the voter may present additional evidence to the electoral board documenting his or her eligibility. The Provisional Voter Notice provides details.
12b. Provisional ballot when:
Voter fails to present the required photo ID and does not have another reason for voting provisionally.

**Explanation**
This voter **may only vote** by casting a Provisional Vote and **must be allowed** to cast a provisional ballot [lime green envelope].

The provisional ballot is **not** counted on election day. It is counted by the electoral board only after the voter submits a copy of the ID to the electoral board by the deadline.

§ 24.2-643
§ 24.2-653
52 USC § 21082 [of the "Help America Vote Act of 2002"].

**Action to Take**
- Have voter complete identifying information and read and sign statement on the lime green Provisional Vote Envelope – PHOTO ID ONLY.
- Officer must also sign envelope and enter precinct information on front.

**New Procedure**:
- Enter voter’s information on the **Precinct Provisional Ballots Log**. (Do not enter a PBC number or any other information on the pollbook for this voter. Do not add voter to pollbook.)
- On the log, mark the box below "Photo ID" for the reason(s) the person is voting a provisional ballot. Have person vote and seal ballot in lime green envelope.
- Place sealed lime green envelope in ballot box.
- Give the voter the **Provisional Voter Notice – PHOTO ID ONLY** (SBE 643 form). This informs the voter when and where electoral board will meet following the election to consider his qualifications, and provides other required notifications including methods of submitting a copy of the required photo identification.
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<td>13. Voter <strong>is challenged by officer or another voter (including representative of Party or Independent Candidate)</strong></td>
<td>A qualified voter <strong>may</strong> challenge any person listed on the pollbook who is known or suspected (by the challenger) not to be a qualified voter. &lt;br&gt; &lt;br&gt; An officer of election <strong>must</strong> challenge such person. &lt;br&gt; &lt;br&gt; § 24.2-651</td>
<td>• Explain to voter the qualifications to vote, if necessary. (See information on the <a href="#">Voter Registration Application</a>.) &lt;br&gt; • Use <a href="#">Affirmation of Eligibility</a> form. <strong>Officer challenging must initial and complete Section A then check Box C.</strong> &lt;br&gt; • <strong>Person or officer challenging the voter must complete and sign the Statement of Challenger (in Section A) on the Affirmation of Eligibility form.</strong> If the challenger will not complete and sign the form, then the voter has not been challenged and may proceed to check in and vote normally. &lt;br&gt; • <strong>Have challenged voter read, complete and sign Section B (Affirmation of Voter),</strong> if voter chooses to vote. &lt;br&gt; • State voter’s name and address. &lt;br&gt; • Mark off the next PBC number. Enter PBC number and “$” (for Statement) in appropriate columns in pollbook. &lt;br&gt; • OR on <a href="#">EPB</a>, check in the voter and set voter flag to “Voter Signed Oath” per instructions. &lt;br&gt; • Have voter cast regular ballot on voting equipment in use in the precinct.</td>
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<td>14. Voter’s name already marked with PBC number on pollbook (or already checked in on the PollPad)</td>
<td>The voter is only entitled to cast a provisional ballot. &lt;br&gt; <strong>Voter must:</strong> &lt;br&gt; • Show photo identification showing him to be the voter listed on the pollbook <strong>and</strong> &lt;br&gt; • Affirm his eligibility to vote by <strong>signing</strong> the <a href="#">Provisional Ballot Envelope</a>.</td>
<td><strong>New Procedure</strong>&lt;br&gt; • Allow voter to cast a provisional ballot following the procedures listed within <strong>Problem 12a,</strong> but mark <strong>Box #5</strong> on the <a href="#">Provisional Vote Envelope</a>, Precinct Provisional Ballots Log, and <a href="#">Provisional Voter Notice</a> (HAVA – 5 form).</td>
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15. Voter asks for help to vote

A voter may ask for help in voting due to a physical disability or an inability to read or write (includes needing ballot translation).

The voter’s assistant may be an officer of election or any other person designated by the voter who is not the voter’s employer or agent of voter’s union.

No authorized representative of a candidate or party in the polling place or neutral observer authorized by the electoral board under § 24.2-604 may assist a voter or wear any indication that he is available to assist.

If a paper or optical scan/marksense ballot is used, assistant (not voter) must deposit ballot in ballot box.

§ 24.2-649 B & C

Note: In any precinct in which an electronic voting device with an audio ballot is available, the officer shall notify the voter requesting assistance of the availability of the audio ballot and instruct the voter in the use of the equipment. The voter shall not be required to use the equipment unassisted.

If person is qualified to vote and requests assistance:

- Use the Request for Assistance form.
- Take voter and assistant aside; explain purpose of Request for Assistance form, if necessary.
- Have voter sign Section A (Request of Voter) or if voter is unable to sign have assistant write: “voter unable to sign” and print voter’s name.
- Have assistant sign and complete section B (Agreement of Assistant).
- Have assistant accompany voter inside booth to assist voter and/or cast voter’s vote on voting equipment in use in the precinct.

If voter asks officer of election to translate the ballot:

- Officer must first ask any authorized representatives of parties/candidates in the polling place whether they have a volunteer available who can interpret for the voter in the requested language.
- If available, one interpreter per such party or candidate will be allowed to listen to the officer assist the voter.
- Follow procedures above and use Request for Assistance form.
- Any party/candidate interpreter(s) must complete Part C.
- Voter may choose one of the interpreters to assist instead of the officer. New assistant must be qualified to assist (Part B) and complete a new assistance form accordingly.

16. Voter is blind

Follow procedures in #15 above with these modifications.

A blind voter is not required to sign the Request for Assistance form but the name of the voter is required.

A blind voter’s assistant may be an officer of election or any other person designated by the voter.

Note: In any precinct in which an electronic voting device with an audio ballot is available, the officer shall notify the voter requesting assistance of the availability of the audio ballot and instruct the voter in the use of the equipment. The voter shall not be required to use the equipment unassisted.

§ 24.2-649 D

If person is qualified to vote and requests assistance:

- Take voter and assistant aside; explain purpose of Request for Assistance form, if necessary.
- Use the Request for Assistance form. Advise voter that his signature on the form is not required, but identifying information is required.
- Write “Blind Voter” on signature line in Section A and print voter’s name on line below.
- Have assistant sign and complete Section B.
- Allow assistant to accompany voter inside booth to assist voter and/or cast voter’s vote on voting equipment in use in the precinct.
## WHAT IF...

### Problem

**17. Voter asks to vote outside polls**

A voter who is **physically disabled** or **age 65 or older** may ask to vote outside the polls, but within 150 feet of the entrance to the polling place.

Voter should mark ballot in the officer’s presence but in a private manner unless the voter has requested assistance and **Request for Assistance** form has been completed.

§§ 24.2-638 and 24.2-649 A

### Explanation

### Action to Take

The following procedures should be followed for all curbside voters:

- Two Officers (representing different political parties if possible) go to the outside polls voter. Take a **Request for Assistance** form in case the voter requires assistance. Also take a pen and a clipboard.
- Check the voter’s ID and ask for their full legal name and residence address as you would with any voter.
- Both Officers go to the check-in table and check in the voter, marking “Outside Polls (OP)” on the PollPad.
- Both Officers take a ballot to the voter along with a privacy folder, a pen and a clipboard.
- Give the voter privacy to mark their ballot.
- Both Officers take the ballot (in the privacy folder) to the voting machine and cast the ballot.
- One Officer should return to the voter with an “I Voted” sticker and tell the voter that their ballot has been cast.
### Problem
18. **Paper pollbook shows, an “A” in the column to the left of the voter’s name** (on EPB may be shown in voter's details or otherwise)

### Explanation
These voters do not have a Social Security number in the system. The officer is required by law to ask if voter has a Social Security number.

*Constitution of Virginia, Art. II, § 2
§ 24.2-418
§ 24.2-643(D)*

**Note:** The SSN is required for the registration record, if the voter has one, to prevent duplicate registrations and fraud.

### Action to Take
Ask voter to complete a new **Voter Registration Application** form. Next to or above the Social Security number on the form, the officer should write “SSN Update.” Do **not** write SSN on the pollbook or ask voter to state it publicly.

**Note:** The “A” status does not otherwise affect the voter’s qualification to vote. Proceed to process the voter normally.
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| 19. Absentee voter comes to the polling place to vote | Action to take depends on pollbook status and whether voter has ballot with them. Provisional voting is required unless the voter can present photo ID and either returns the ballot at the polls or it can be proven that the voter returned either an unvoted or spoiled ballot to the electoral board. §§ 24.2-653.1, 24.2-707, 24.2-708, 24.2-712 | 1. Verify status of absentee ballot on final AB list and pollbook  
   a. If status says “Marked” or “On Machine” he/she has already voted and cannot vote again. (If voter claims that he/she did not already vote or request an absentee ballot, you may offer the voter a provisional ballot.) See Reason Code #5.  
   b. If status says “Unmarked”, voter may cast a regular ballot.  
   c. If status says “Issued” proceed to #2.  
2. For AB voter with “Issued” status  
   a. If voter does not have the ballot, voter must be offered a provisional ballot unless it can be proven that the voter returned an unused or spoiled ballot prior to the electoral board. See Reason Code #4.  
   b. Call the office to see if the voter returned an unused or spoiled ballot before issuing a provisional ballot. Do not send voter to the general registrar/electoral board office.  
   c. If voter has the absentee ballot, proceed to #3.  
3. If the AB voter has the absentee ballot, or it can be established that the voter returned an unused or spoiled ballot to the electoral board:  
   a. Ask voter to remove ballot from envelope and write VOID across the front of the ballot.  
   b. If the voter has already made selections on the ballot and they are concerned about privacy of their vote, the voter may fill in all the ovals in addition to writing VOID on the ballot.  
   c. Take physical possession of the voided absentee ballot and all related materials, staple everything together, and insert in the #4 envelope (void/spoiled ballots).  
   d. Voter may now be checked in and vote normally.  
      i) Paper pollbook precincts will draw a single line through the “AB” and assign the next pollbook count number to check-in the voter.  
      ii) EPB precincts will need to override the AB using the chief’s password in order to check-in the voter.  
4. If either the pollbook or general registrar confirms that the voter returned an unused or spoiled ballot to the electoral board  
   a. Voter may now be checked in and vote normally  
      i) Paper pollbook precincts will draw a single line through the “AB” and assign the next pollbook count number to check-in the voter.  
      ii) EPB precincts will need to override the AB using the chief’s password in order to check-in the voter. |
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| 20. Normal poll closing time extended by court order | Any voter who gets into the line after 7:00 PM, when a court order has extended the normal poll closing time, may only vote by provisional ballot.  
**Note:** The photo ID requirements applicable to other voters apply to this voter. (See Problems #1 and 2.)  
**Note:** Any voter marked "Federal Only" on the pollbook may vote a ballot for federal offices only. A provisional ballot issued to this voter must be the federal-only ballot. See Problem #8.  
§ 24.2-653(C). | Follow normal procedures under Problems #1 - 19 to look up voter on pollbook, request photo ID and determine voter qualifications except (as for other provisional voters):  
- Do not mark off next PBC number or enter a PBC number in the pollbook, or make any other marks in the paper pollbook for this voter.  
- Do Not check in provisional voters on the Poll Pad.  
- Record each voter's information on Precinct Provisional Ballots Log, circling reason #3 and any other reason that applies to that specific voter.  
- Keep these Log sheets separate from those used during normal polling hours. With the first "after hours" voter, begin a new Log sheet, numbering from "page 1" and checking the "after hours" box at the top of each such Log page.  
Follow basic procedures under Problem #12a for issuing a provisional ballot, except:  
- Check Box #3 on the back of the green envelope as the reason the voter is voting a provisional ballot. (Other reasons may also apply.)  
- Give the voter the Provisional Voter Notice (HAVA-5 form), checking reason #3 and any other appropriate reasons.  
- Do not offer this provisional voter a new voter registration form unless needed for another reason (moved, changed name, etc.).  
- After the polls close, all provisional ballots with Box #3 checked on the envelope must be separated from other provisional ballots and placed in Envelope #1B. Include all ballots with Box #3 checked, even if more than one reason is checked, and all "after hours" Log pages.  
If paper or optical scan/marksense ballot supplies are running low, the chief officer should request additional ballots from the electoral board, and follow procedures for use of the Authorization to Reproduce Ballots form and proceed if so authorized.  
If supplies of provisional ballot envelopes are running low, the envelope can be reproduced by copying an unused front and back of the envelope onto a single sheet of paper (it does not have to be green paper) and wrapping the completed "envelope" around the voter's completed ballot. Secure the ballot within the "envelope" by whatever means is available, being careful not to damage the ballot, and leaving the completed information on the "envelope" visible. |
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<td>21. Electronic Poll Book Malfunctions</td>
<td>Voter turnout fluctuates significantly from year to year in Virginia. Electronic Poll Books (EPBs) facilitate voter check-in by eliminating the need to divide voters into different lines by alphabet, as required for paper poll books. These procedures have been established to ensure a smooth voting experience in the event that one or more EPBs malfunction.</td>
<td>Officers of election: document and immediately report all incidents of EPB malfunction to the General Registrar. The General Registrar shall: (1) assess the severity of the EPB outage, and (2) ensure that backup electronic or printed pollbooks are delivered to the affected precinct within an hour of the reported malfunction. Officers of election should: □ Issue provisional ballots (if there are no functional pollbooks in the precinct.) □ Mark the provisional ballot envelopes as follows: <strong>E. OTHER REASON(S) STATED BELOW (MULTIPLE REASONS MAY APPLY)</strong></td>
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| 22. Voting System Malfunctions | In Virginia, voters who have checked-in cannot leave the polling room until they finish voting. Some precincts in Virginia use DRE machines to count the voter’s ballot, but others use optical scanners. In the event that a locality’s DRE machines or optical scanners malfunction, officers of election must be prepared to respond immediately to prevent lines and further delay. | **Localities Using DRE (Direct-Record Electronic Voting Systems):** □ Immediately notify the electoral board or general registrar. □ Provide voters provisional ballots. □ If a machine cannot be repaired on site, the general registrar should substitute a machine in good working order for the inoperative machine. When the polls close, the record of both machines should be added together to determine election results. □ Do not remove malfunctioning voting equipment from the precinct while the polls are open. Attempted repairs must be conducted within plain sight of authorized representatives. **Localities Using Optical Scan Voting Systems:** □ Immediately notify the electoral board or general registrar. □ Continue allowing voters to vote on the printed ballots. □ Place the uncounted ballots in a secure ballot container or compartment that is used exclusively for uncounted ballots. □ AFTER polls close, and IF an operative scanner is available at the polling place, an officer of election can remove the uncounted ballots from the secure container to be scanned one at a time. □ If an operative scanner is not available, the ballots may be counted manually. |