



## SECTION 5

# DURING THE DAY

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While polls are open, the principal jobs of the Chief and Assistant Chief are to **manage all operations** of the polling place and **to process non-routine voters**. You will need to be organized, detail-oriented, vigilant, friendly, patient, and willing to delegate tasks.

The Chief and Assistant Chief should communicate clearly with each other throughout the day about what they are doing and what they propose to do. It is important that each is always aware of the other's decisions and activities. Both Chief and Assistant Chief should be equally able to handle non-routine voters and use the *What-ifs*.

## Your primary management responsibilities:

- Oversight of election officers in all positions
- Working with non-routine voters
- Interacting with people authorized to be in the polling place during the day
- Maintaining security of the voting room
- Maintaining voting machine security
- Oversight of the polling place exterior
- Working with difficult people to defuse touchy situations

Further guidance for each of these areas of responsibility is set out below. Do not rely on memory alone! Use the Chief's Notebook.

## OVERSIGHT OF ELECTION OFFICERS

Your election officers will process all routine voters, and, for those voters, your officers serve as the face of the election. It is important that you instruct your officers in their duties and that you monitor their performance for accuracy, consistency, and courtesy.

Emphasize to your officers to **"Call the Chief!"** if they have a non-routine voter or encounter any situation in the polling place they don't know how to handle.

Rotate officers through all positions **every 2 hours** so they get to perform all duties and get regular breaks. The Chief may make exceptions if they observe that a particular officer is not a good fit for a position, but note this on the Election Officer Evaluation Form.

Remind your officers that they must conduct themselves in a non-partisan manner the entire day, even if voters are not present.

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## OFFICER FUNCTIONS

During the day, rotate your election officers among these 5 areas:

- **Greeter/Drop Box Monitor** – One officer should be positioned near the building entrance or voting room entrance and assist voters and monitor the drop box.
- **Check-In Table** – One officer should be stationed at each Poll Pad to check-in voters.
- **Ballot Table** – One officer should be stationed at the ballot table to receive voter permit cards from voters and issue them a ballot. This officer may also help voters spoil their ballots when necessary and void any abandoned ballots.
- **Voting Booths** – One officer should be stationed near the voting booths and direct voters to an open voting booth. They should also clear out materials left behind in voting booths. In small elections, this officer may be the same officer monitoring the DS200.
- **DS200 Scanner** – One officer should be stationed near the DS200 scanner and guide voters on how to scan their ballot into the DS200. This officer should also distribute “I Voted” stickers to each voter. In small elections, this officer may be the same officer monitoring the voting booths.

As needed, officers assigned to some functions may also have to assist curbside voters.

**Reminder:** Schedule breaks for your officers!

Distribute or post at the appropriate duty stations the **During the Day** function descriptions. There is a separate guide for each position. The guides describe the duties of election officers and expectations for their performance. Make sure your officers understand the instructions and allow them to ask questions.

**Reminder:** Election officers can simultaneously serve in multiple functions as needed, but the drop box, check-in table, ballot table, and DS200 scanner should never be left unsupervised.

## POLL PAD SYNCING CHECKS

Throughout the day, check-in officers should check that the Poll Pads are syncing with each other. Periodically, move the Poll Pad from the Chief’s table closer to the check-in Poll Pads so it can sync with the others.

## VOTER COUNT WORKSHEET

Assign election officers (or a page in November) to fill in the Voter Count Worksheet at the intervals noted. The main purpose of this form is to match the Poll Pad check-in numbers against the DS200 counter numbers on a scheduled basis to catch discrepancies early. You will also need this information to complete the **Statement of Results**.

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## **BALLOT WORKSHEET**

Use this form to record the number of ballots in each ballot pack you open.

Note on the form if the count for a pack is more or less than 200, and by how much. This information will help you reconcile ballots issued and used on the Statement of Results.

## **TURNOUT SURVEYS**

On election day, each precinct needs to complete an electronic survey at three (3) times throughout the day to record how many voters have cast a ballot and how many provisional ballots you have issued.

At each time, one person should submit your turnout numbers by clicking on the turnout icons on the home page of the Admin Tablet. Note that you can ask any election officer or high school page to do this task!

Whoever is assigned to submit the turnout surveys should schedule alarms on their phone for each time below.

- Turnout survey #1: Submit at **9:00 AM**
- Turnout survey #2: Submit at **12:00 PM**
- Turnout survey #3: Submit at **3:00 PM**

## **PROVISIONAL BALLOTS AND SAME DAY REGISTRATIONS**

Each precinct will receive one **Envelope #1A Non-SDR** and one **Envelope #1A SDR**.

During the day, store all non-SDR provisional ballots in the **Envelope #1A Non-SDR** and all SDR voter registration applications and SDR provisional ballots in **Envelope #1A SDR**. Non-SDR voter registration applications and other voter forms will continue to be stored in **Envelope #8**.

At closing, pack **Envelope #1A Non-SDR** and **Envelope #1A SDR** in the black rolling kit with the other envelopes.

## **ADVANCE PREPARATION FOR CLOSING THE POLLS**

Complete your Election Officer Evaluation form by 5:00 PM. Use less busy moments to do this.

You cannot start packing up the polling place until the last voter has cast their ballot and exited the voting room. However, there are some actions you can take, starting about 5:00 PM if your precinct is not too busy, to prepare for closing to shorten the process. **See PHASE A – PREPARATION in the *Closing the Polls* section** for suggestions on what materials you can gather and organize on a table away from voters.

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## WHAT IF A VOTER MAKES A MISTAKE ON THEIR BALLOT?

The officer assigned to the ballot table should assist voters with spoiling and replacing their ballots. All your officers should also be instructed to notice whether any voters have left without casting their ballots and to give the abandoned ballots to you or to the ballot officers.

- Voters must return spoiled or damaged ballots/ballot cards to the ballot officer to obtain a replacement ballot. If a voter was issued a paper ballot but then asks to use the ExpressVote instead, spoil the paper ballot and issue an ExpressVote ballot card.
- Ask the voter if they want to fill in all the ovals on the spoiled ballot. This obscures the voter's intent and ensures the ballot cannot be scanned. The voter can decline.
- Write "SPOILED" across the face of the spoiled ballot or ballot card in large letters.
- Fold the ballot or ballot card in half and place it in **Envelope #4**.
- If the voter doesn't understand how to mark their ballot (e.g. circled the ovals instead of filling them in), use the Demonstration Ballot to show them how to mark their ballot.
- Was the ballot hard for the voter to read?
  - Offer the magnifying glass or sheet from the ballot table.
  - The ExpressVote can increase the text size.
  - An assistant may help mark their ballot (complete a Request for Assistance form).
- If a voter spoils two ballots in a row, ask if they want to use the "touch screen" (ExpressVote) to mark their ballot or have an assistant mark it for them (complete a Request for Assistance form). Tell them they can ask for the same thing next time they come to vote.

## WHAT IF THE DS200 SCANNER DOES NOT ACCEPT A VOTER'S BALLOT?

If a ballot is not accepted by the scanner (i.e., the "thank you for voting" message does not appear), ask the voter to read out loud the message on the screen.

- Blank ballot: Voter has option to return ballot and mark it or confirm that they wish to vote a blank ballot.
- Over-voted ballot: Voter has filled in too many ovals in a contest. Voter has option to confirm that they wish to vote an over-voted ballot, or to spoil and replace the ballot. Inform the voter that the over-voted contests will not be counted (other properly voted contests will be counted)
- Mismarked ballot: If it is rejected, the officer should ask the voter to insert the ballot upside down. If that doesn't work, call the chief or assistant chief or send the voter to the ballot table to spoil and replace the ballot.

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## WORKING WITH VOTERS WHO NEED LANGUAGE ASSISTANCE

Any voter may bring an assistant to translate or read the ballot for them. The translator or reader does not have to be an adult or a registered voter, but they must complete the Request for Assistance form along with the voter if they are 16 years old or older.

If a voter asks an election officer who speaks their language to translate, you must notify the authorized representatives, who are entitled to observe the election officer communicate with the voter.

Authorized representatives, the voter's employer or agents of that employer, and officers or agents of the voter's union are not permitted to be the assistant.

### LANGUAGE INTERPRETER PHONE LINE

Fairfax County uses **Liberty Language Services** for over-the-phone interpretation services. You can use your phone or the voter's phone.

**Dial: 1-718-838-9317**

**Enter PIN: 639 648 22#**

**Listen to the prompts and then choose from the following Quick Dials:**

- 1 – Operator (all other languages)
- 2 – Spanish
- 3 – Korean
- 4 – Vietnamese
- 5 – Arabic
- 6 – Amharic
- 7 – Farsi
- 8 – Hmong
- 9 – Mandarin

You should speak to the interpreter first to briefly explain the situation. When speaking to an over-the-phone interpreter, follow these suggested practices from Liberty Language Services:

- Speak clearly and pause after each complete sentence to give the interpreter time to interpret.
- Do not use acronyms unless you clarify the acronym the first time you use it.
- The interpreter may need clarification of a term, and so they will address you directly.
- The interpreter is required to interpret everything that is said. Don't say anything you don't want to be interpreted.

Professional interpreters will use the first person "I", not "they say that". Professional interpreters do not offer their own opinions.

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## **WORKING WITH VOTERS WITH DISABILITIES**

Consult the *Accessibility* section for guidance on working with voters with different kinds of disabilities or impairments.

Consult the *Accessibility* section for guidance on how to make the parking area, exterior and interior paths of travel, building entrance, and the voting room easier and safer for people with mobility or vision issues to navigate. You or your officers should monitor these areas periodically.

Post the curbside sign with an office or cell phone number to call for assistance. You may also ask any party workers distributing campaign literature to alert you if a voter needs assistance outside.

When speaking on the phone with someone who needs curbside assistance, ask how many people in the vehicle need to vote curbside. Take clipboard(s), pen(s), and Request for Assistance form(s) with you to be prepared for any situation, in addition to the Poll Pad and ballot(s). Be alert to any potential provisional ballot situation that may require additional processing.

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## PEOPLE AUTHORIZED TO BE IN THE POLLING PLACE

### **Electoral Board members**

Electoral Board members may visit at any time to observe the process or to provide guidance. They will have a Fairfax County ID badge.

- Chairman of the Electoral Board: **Hon. Katherine K. Hanley**
- Vice Chair of the Electoral Board: **Jeffrey K. Shapiro**
- Secretary of the Electoral Board: **Amb. (ret.) Christopher Henzel**

### **Rovers and Office of Elections staff**

May visit at any time to deliver extra supplies or to provide guidance. You should make yourself available to the Rover if the situation permits when they are visiting your polling place to give an update on operations and to ask any questions.

- Will have a Fairfax County employee photo ID badge.
- May be accompanied by a vendor technician.

If you need to reach your Rover, but don't have their cell phone number, call 703-324-4101, and we will contact them for you.

DO NOT allow anyone claiming to be a technician to have access to a voting machine without proper identification. If in doubt, call Technical Support at 703-324-4101.

### **Press / TV crew (§ 24.2-604.5)**

Remind your officers that they should call you if someone wants to do an interview. You may provide basic facts (for example, number of voters checked in), but do not give opinions or forecasts. For anything further, call the Office of Elections.

Restrictions on activities within the 40-foot Prohibited Area:

- May visit for a short time and film or take pictures if they do not disrupt the voting.
- May not film or take close-up pictures of individual voters without their permission.
- May not film or take pictures of voter information (Poll Pad screen) or a voted ballot.
- May conduct interviews outside the 40-foot Prohibited Area.
- May interview the Chief if it does not disrupt voting.

Tips on being interviewed:

- Make it brief (you are busy assisting voters).
- Give only facts (number registered, number voting).
- Do not make predictions or offer opinions on candidates or issues.
- Do not discuss individual voters, problems, or incidents.
- Refer press to the Office of Elections at 703-222-0776.



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## Authorized representatives (§ 24.2-604.4)

The *Authorized Representatives* section has a summary of the rules applicable to their qualifications, number, and permitted activities.

Authorized representatives are allowed anywhere inside a polling place **so long as** they don't impede voters or touch voting equipment. If an authorized representative impedes the ability of officers to perform their duties or the voters to cast a ballot, or otherwise creates a disruption in the polling place, you can ask them to stop the behavior. If the authorized representative's behavior continues to be a problem, call the Office of Elections for guidance.

Authorized representatives may use an electronic communication device (smartphone, tablet, etc.) but may **not** take photos or record videos. Any phone calls must take place outside of the voting room. See Electronic Devices in the Polling Place in the *Guidelines* section.

They may not campaign or display campaign material within the 40-foot Prohibited Area.

### Authorized representatives also have a job to do—work with them!

- We're all on the same side—we all want a fair and transparent election.
- You may have to remind them that they are *observers*, not election officers.
- Try to position their chairs so they can hear the names repeated—crowded conditions make the rooms noisy. Ask your pollbook officers to speak up!
- Invite the authorized representatives to observe (without invading voter privacy) if you are rebooting a machine, clearing a jammed ballot, serving a curbside voter, etc.
- Let the authorized representatives know what is happening; they can back you up.

## Candidates (§ 24.2-604)

- May enter their own polling place to vote.
- May visit any polling place for no more than 10 minutes to observe.
- May not campaign or display campaign material within the 40-foot Prohibited Area.

## Other visitors / neutral observers (§ 24.2-604.5)

Various organizations may have received permission in advance from the Electoral Board or General Registrar to visit your polling place to observe operations.

They must have a written authorization signed by the Secretary of the Electoral Board or the General Registrar. The Chief will be notified in advance by phone or email, if possible. Visitors must follow the same guidelines that apply to authorized representatives and the press.

## Individuals doing exit polls

Must be outside the 40-foot Prohibited Area. They do not need a letter of authorization.

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## OVERSIGHT OF THE POLLING PLACE EXTERIOR

**It is unlawful to hinder, intimidate or interfere with a qualified voter... (§ 24.2-607)**

When faced with a situation you are unsure how to handle, feel free to call the Office of Elections at **703-324-4735** for guidance.

Periodically and whenever a voter complains, check the outside entrance(s) to the polling place for campaigners or loiterers who appear to be hindering voters.

Remind the campaigners that they must comply with the 40-foot restrictions as outlined on the Prohibited Area poster. If the campaigners do not comply, call our office for guidance.

Loudspeakers are prohibited by law within 300 feet of a polling place. Remind the person or group of this requirement. If they do not comply, call the office for guidance.

Follow the guidelines for difficult or uncooperative individuals.

Periodically monitor the parking situation to ensure that voter parking, reserved handicapped parking, and curbside voter parking is not being used for lengthy periods of time by voters or non-voters.

Mark the 40-foot Prohibited Activities Area again if the chalk or tape markings have worn off. More information is given in the Election Day Activities guidance document in the *Guidelines* section.

Make sure the required exterior signage is still displayed.

**If you feel there is a potential threat or if you, or anyone else, is in fear for their safety – call 9-1-1 immediately! Always document situations in the Incident Report of the Chief's Notes and notify the Office of Elections if police are summoned.**

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## DEALING WITH DIFFICULT PEOPLE

Difficult people are not suspicious nor malicious; they are simply “difficult”.

Try as you might, not everyone will be happy. Please be patient and diplomatic, but firm. Try to avoid confrontations and debates concerning voter registration, voting machines, election law, procedures, and political issues. Remember, you should always call the Office of Elections for help if the situation calls for more in-depth guidance.

### **Remind the “difficult person” of the following:**

- You are doing the best you can.
- You are following federal, state, and county requirements.
- You take an oath to carry out the laws and procedures; you don’t make the laws.

### **To defuse a touchy situation, try the following:**

- Give the voter a Fairfax County comment form or Virginia Department of Elections complaint form.
- Suggest they e-mail [elect@fairfaxcounty.gov](mailto:elect@fairfaxcounty.gov). We do answer the e-mails!
- Suggest they call our office numbers: 703-222-0776 or 703-324-4735.
- Suggest they call the State Board of Elections at 800-552-9745.
- Suggest they contact their federal or state elected officials who can change the laws.
- Issue a “peacekeeping” provisional ballot, if necessary. Document in the Chief’s Notes.

### **If the person becomes loud, obnoxious, intimidating, abusive, or worse, do the following:**

- First, instruct your officers to summon the Chief, Assistant Chief, or another officer for backup and to act as a witness.
- Next, tell the person that you are trying to help them, but you can’t help if they are yelling or being disruptive.
- If necessary, refer to the election law that prohibits such disruptions (§ 24.2- 607).
- **First warning:** If the behavior continues, calmly ask them to leave.
- **Second warning:** If the behavior continues, tell them you will call the police if they do not leave.
- In addition, if you have an incident involving disturbances or threats, **call the Office immediately** to inform us and get some guidance on how to handle the situation, especially before removing someone from the polling place or calling police.

***If all else fails, call the police!***

### **Be sure to document all major incidents in your Chief’s Notes.**

- Try to get the person’s name.
- Note whether the difficult person was a voter, authorized representative, or outsider.
- Summarize the problem/conversation; especially record details of any type of threat.
- Note if the Chief and Assistant Chief and/or other officers were witnesses.

# DURING THE DAY

## MAINTAIN THE SECURITY OF THE VOTING ROOM

### Enforce ID badge requirement

For security, all election officers and authorized representatives must wear their ID badges while they are inside the polling place. The following people must wear identification in the voting room:

- Election officers - Receive their badges upon taking the Oath at 5:00 AM.
- High school pages - Receive their badges upon being sworn in.
- Authorized representatives - Receive an identification badge upon giving documentation to the Chief. They must surrender their badge when they leave the polling place.
- Visitors/neutral observers - Have a letter of introduction from the Secretary of the Electoral Board or General Registrar).
- Electoral Board members - Fairfax County photo ID badge.
- Rovers and Office of Elections staff - Fairfax County employee photo ID badge.
- Technicians - Fairfax County employee photo ID badge.

### Maintain security of ballots and election materials

Standard ballots, ExpressVote ballot cards, and voter permit cards at the check-in table and ballot table should *never* be left unattended.

Tell your ballot officers that they should never prefill privacy folders. They must put a single ballot in a privacy folder and hand it to the voter at the ballot table.

For security, you must lock your unused ballots in your equipment cart along with extra supplies. If your drop box became full and you had to secure ballots in a TripLok security bag, it must also be locked in the cart.

Spoiled and voided ballots and provisional ballot envelopes should be immediately stored in the appropriate envelopes throughout the day. Loose ballots should never be left out.

Keep the various forms, envelopes, and Chief's materials on the Chief's table under the Chief's control. **Keep provisional voters at the Chief's table** until they have given their sealed provisional ballot envelope to the Chief/Assistant Chief.

The equipment cart should be located near the Chief's table, and both the cart and Chief's table should be in a location to which voters do not have access while moving about the voting room. The Chief should keep the cart locked at all times. You can store purses, lunches, or other personal items in the cart as well.

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## WATCH FOR UNAUTHORIZED PEOPLE WITHIN 40-FOOT PROHIBITED AREA

**Va. Code § 24.2-604(A) prohibits loitering inside a polling place and within 40 feet of any entrance to the polling place [building].**

People, other than voters, who are authorized to be in the polling place will wear ID badges. Anyone in the polling place who is not in line to vote, not a voter's child or assistant, or not wearing an ID badge should be observed and/or questioned, except for people who are involved in the normal school, church, or community business and activities.

### **Suspicious behavior**

*People* are not suspicious, but their *behavior* might be. Trust your instincts – if it doesn't look or feel right, it may not be.

Examples of suspicious behavior—watch for individuals who:

- Appear nervous or don't appear to belong in the room.
- Depart quickly when seen or approached.
- Avoid eye contact.
- Are in places where they don't belong.
- Are overdressed for the type of weather.

When approaching a questionable person who appears to be loitering, you should:

- Alert another officer to watch and listen from a discreet distance.
- Maintain a proper distance, i.e., don't get in their personal space.
- Avoid pointing or defiant body postures or actions.
- Ask "May I help you?" or "Are you waiting for someone?"
- If the response is negative, remind the person that the law does not allow them to remain or hang out in the polling place.
- If the person is defiant or refuses to leave, threaten to call the police.
- If they don't leave, call the police!

If you feel there is a potential threat, or if you, or anyone else, is in fear for their safety, call 9-1-1 immediately! Always document and notify the Office of Elections, 703-324-4735, if police are summoned.

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## MAINTAIN VOTING MACHINE SECURITY

*Tampering with voting equipment is a Class 5 felony. § 24.2-1009*

**IMPORTANT:** Check the identification of anyone claiming to be a technician before allowing that person access to a voting machine. All Rovers and Electoral Board staff will have Fairfax County employee photo identification. If in doubt, call Technical Support at 703-324-4101.

### **Observe voter behavior around the voting equipment:**

Be vigilant – If you observe voters exhibiting any of the kinds of behaviors listed below, you should politely ask, “Do you need assistance?”

Watch for these kinds of behaviors (not an all-inclusive list):

- A voter takes a very long time to feed their ballot into the machine.
- A voter makes unusual motions while inserting their ballot into the scanner.
- A voter carries coffee, food or other items that could damage a ballot or machine.
- A voter is accompanied by children who are touching machines or cords.

### **If a DS200 scanner is inoperable:**

- Notify the Chief, who should invite authorized representatives to observe.
- The Chief unlocks the auxiliary compartment slot on the front of the ballot bin and asks the voter to deposit their ballot in the auxiliary compartment. These ballots will be hand-counted or scanned (if the DS200 scanner works) **after** the polls close.
- Call your Rover or Technical Support (703-324-4101) for assistance.

### **Report all voting machine problems:**

Document Poll Pad, DS200, and ExpressVote problems in the Chief’s Notes, including:

- Machine number and time the problem occurred.
- Public counter for DS200 (if applicable) and description of problem.
- Who reported the problem, a voter or an election officer.
- What action was taken to correct the problem.
- Any other comments or observations concerning the problem.

If you receive instructions to correct a problem by phone, document:

- Name of person giving instructions.
- What action was taken to correct the problem.
- Any other comments or observations concerning the problem.

If a technician or Rover visits to correct a problem, document:

- Name of technician, Rover, or Office of Elections staff member.
- Procedure used to correct problem, e.g., machine rebooted; machine replaced.
- Results of procedure (successful or unsuccessful).
- Time machine placed back in service, or time substitute placed into service.