

# Quick Reference Guide

Build-It-Yourself Version

## Overview

This Quick Reference Guide is a 'build it yourself' resource that can be taken into the poll location and used to quickly reference Election Day procedures and activities.

Refer to your state's election code to fill in specific information needed to be a well-informed Election Observer. The election codes by state have been aggregated by volunteers. Please see your state's codes by visiting:

<https://truethevote.org/info-by-state>

## Assembly Instructions

1. Print this document (double-sided, flip on the long edge)
2. Cut along the dotted line at the bottom of each page.
3. Order the pages according to the page numbers (don't include this page).
4. Align all pages along the top edge and staple.
5. Your finished document will have handy tabs along the bottom of each page for quick reference and space for taking notes as you flip the previous page.
6. Keep those elections honest and help true the vote!



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# Texas Election Observer Quick Reference Guide



## Polling Place Staff

Lead authority: \_\_\_\_\_

Other election workers: \_\_\_\_\_

## Primary Mission of a Poll Watcher

OBSERVE and DOCUMENT activities of the Election Workers at the poll to ensure that proper elections procedures are followed. DO NOT TALK or ENGAGE with voters in any way. If a voter or other person approaches you in the poll, walk over to the LEAD AUTHORITY and ask him/her to explain to the person that you are not allowed to speak to them.

**Staff & Mission**

**Hotline #:** \_\_\_\_\_

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### **What to Do If You See an Infraction**

- Notify Lead Authority of infraction
- If correction made: Document incident noting correction
- If correction not made: Document incident noting outcome
- Include time and names of Election Workers involved. DO NOT list names of voters.
- Description of violation:
  - What you witnessed and what was said
  - FACTS ONLY, leave out opinion/emotion
- Complete INCIDENT REPORT when time allows

### **Professional Conduct & Conflict Resolution**

- Remember: Your PRIMARY MISSION is observation & documentation
- Be professional in speech and body language
- Tone of voice says more than words chosen
- Avoid being dismissed as “disruptive”
- Know your election code as much as possible
- Ask Lead Authority to deal with hostile persons
- Dealing with errors by LEAD AUTHORITY
  - Politely point out correct action from reference materials
  - If not corrected, document and share with your state’s election authority

## **Infractions**

## **Conflict Resolution**

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## Infrctions

168.799 Injuring, altering, or defacing voting device, ballot, or other equipment; interference with correct operation of equipment; enforcement; examination. A person shall not willfully injure any voting device, ballot, or other record or equipment or attempt to interfere with its correct operation. The inspectors of the election shall enforce the provisions of this section. The inspectors of election, at such intervals as they consider proper, shall examine any voting device, ballot, or other equipment used in the election to ascertain whether it has been injured, altered, or defaced, to detect the wrongdoer, and to repair the injury.

168.931b Prohibition on intimidation or interference with election workers; violation; penalties; application to constitutionally protected activities; definitions.

(3).  
1) Individual who intimidates an election official because of the election official's status as an election official, with specific intent of interfering with the performance of election official's election-related duties, is guilty of a crime provided under subsection (3).  
2) Individual who prevents an election official from performing election official's duties in conducting an election is guilty of a crime as provided under subsection (3).  
4) This section does not apply to constitutionally protected activity such as news gathering and reporting, protesting, lobbying, advocacy, or any activities intended to inform or influence the public or public or election officials on matters of public interest or public concern.

5) As used in this section:

(a) "Duties" include, but are not limited to the following:

- (i) Creating, disseminating, collecting, or delivering absentee voter ballots or applications.
- (iii) Registering voters.
- (iiii) Opening, closing, and maintaining order at polling places, early voting sites, and absentee voter counting board locations.
- (iv) Processing and assisting voters at polling places or early voting sites.
- (v) Processing and tabulating ballots at polling places, early voting sites, and absentee voter counting board locations.
- (vi) Tallying ballots at polling places and absentee voter counting board locations.
- (vii) Certifying election results by board of county canvassers or the board of state canvassers.

(b) "Election official" means a public officer, public employee, election inspector, member of the board of state canvassers, member of a board of county canvassers, member of an absent voter counting board, or a county, city, or township clerk who has a duty to perform in connection with an election conducted under this act.

(c) "Intimidate" means a willful course of conduct involving harassment of another individual intended to cause the individual to fear physical injury, that would cause a reasonable individual to fear physical injury, and that actually causes the individual to fear physical injury. Intimidate does not include constitutionally protected activity or conduct that serves a legitimate purpose.

## Conflict Resolution

168.678 Board of election inspectors; authority.

Each board of election inspectors shall possess full authority to maintain peace, regularity and order at its polling place, and to enforce obedience to their lawful commands during any primary or election and during the canvass of the votes after the poll is closed.



### **Arrival Checklist**

- Check in with Presiding Judge: At check-in, watcher to deliver certificates of appointment and training completion.
- Submit any required paperwork upon arrival and receive ID: Certificates of appointment, training completion and takes oath. Receives badge from election officer before starting poll watching service.
- Badge if required: Badge given by election officer.
- Ask Lead Authority for cell phone policy: No cellphone use within 100 feet of polling station.

### **Poll Layout**

- Write your name, poll location info and date at top of note pad
- Record names of all election workers
- Draw a schematic of the poll layout noting the placement of equipment

### **Note Taking**

- Observe and document all activities, include time of activity and brief description of events
- State observations using facts; DO NOT INCLUDE OPINIONS

### **Opening Procedures**

#### **Things to watch for during the opening of the poll:**

- All security seals were intact prior to poll opening
- All ballots boxes were empty (if using paper ballots)
- All voting machines/ballots/ballot boxes are accounted for and within your line of sight

## **Opening the Polls**

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## Opening the Polls

*The purpose of Poll Watchers (sometimes called "Election Challengers") is to observe the Election Workers' activities while they are opening (& closing) the polls. Some of the laws that govern the opening of the polls, that will be observed by the Election Watchers, are:*

168.722 Polls: announcement of opening & closing. The chairman or an inspector designated by him shall announce to those present at the polling places the opening & the closing of the polls.

168.723 Ballot boxes: examination, locking. Before opening the polls, each ballot box to be used at the election shall be examined by the board of inspectors of election & the contents, if any, removed; it shall then be locked, & key delivered to 1 of the inspectors, to be designated by the board. The box shall not be opened during the election.

168.724 Ballots: opening packages; distribution of pencils; unused absentee voters' ballots. At the opening of the polls, after the organization of & in the presence of the board of inspectors, 1 of the inspectors shall open the packages of ballots in such a manner as to preserve the seal intact. He shall place in the booths the pencils to be used for marking ballots.

168.726 Ballots; delivery to elector. No ballots shall be delivered to an elector by any person other than 1 of the inspectors of election & only within the polling place, except as provided in this act for absentee voters' ballots.

168.38 Poster indicating ballot coaching prohibited. (1) The secretary of state shall develop a poster that explains ballot coaching & that indicates that ballot coaching is prohibited.  
(2) The secretary of state shall provide to each residential care facility in this state at least 1 poster as described in subsection (1).





### Who can be in the voting area?

- Voters
- Lead Authority, Election Workers, Poll Watchers
- Interpreters providing assistance to voters
- Children under 18 accompanying a parent to vote
- Persons admitted to provide assistance to voter
- Voting machine technicians

### Valid Forms of ID If Required by Your State

There are 7 forms of Photo ID on List A:

- Texas Driver License issued by the Texas Department of Public Safety (DPS);
- Texas Personal Identification Card issued by DPS;
- Texas Election Identification Certificate issued by DPS;
- Texas Handgun License issued by DPS;
- United States Military Identification Card containing the person's photograph;
- United States Citizenship Certificate containing the person's photograph;
- United States Passport (book or card).
- (Non-Photo ID) Government document that shows voter's name and address or one of the following documents that shows the name and address of the voter: a copy of a current utility bill; a bank statement; a government check; or a paycheck; or a certified copy of a domestic birth certificate.
- Any person 70 years or older may use expired Photo ID to vote.

## Voting Area

## Valid Forms of ID

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### **Voter Check-In**

Voter is required to show: one form of photo ID or one form of ID (non-photo, government issued document or bank statement, etc as per Sec. 63.0101.)

Voter name is matched to list of registered voters for precinct and voter is admitted into voting area.

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### **Voter Check-In**

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### **Paper Ballots and Ballot Box**

Ballot box is locked and kept in plain view of election officers, watchers and waiting voters.

Election officer unseals ballot packages and checks numbering/printing on each ballot.

Presiding judge signs backs of ballots used and / or can stamp signature on each ballot.

Voters cannot have or use unsigned ballots.

Election officer can disarrange/shuffle ballots and are always placed face-down on table for ballot and voter privacy purposes.

To vote: Voter makes selection, folds ballot and deposits in ballot box.

Provisional ballots are always stored separately from other ballots.

Ballot boxes must be monitored by at least one election official at all times from the time the polling station opens until results are certified.

### **Electronic Ballots**

Electronic Ballots can be used for early voting if electronic voting systems are used in regular voting.

Electronic voting machines are periodically inspected for tampering and damage throughout the day.

If tamper/damage discovered, equipment is immediately taken out of use and reported to presiding judge.

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## **Paper Ballots**

## **Electronic Ballots**





**Provisional Ballots**

When the eligibility of the voter is in question, a voter should be given a provisional ballot. Some examples are:

- Voter is in the wrong precinct
- Voter has an address that is outside the country
- Voter not qualified but insist on voting

**Provisional ballot procedures that should be followed in your state:**

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**Mail Ballots**

Mail Ballots: Voter may correct absentee ballot in person and poll watcher is entitled to accompany clerk to observe absentee ballot correction.

Correction includes any ballots that are defective in original application, received timely and before the deadline.

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**Provisional Ballots**

**Mail Ballots**



## Provisional Voting

168.7523a Individual not listed on voter registration list; issuance of ballot; procedure.  
If an individual who has applied to register to vote on/before election day appears at a polling place on election day & completes an application under section 523 is not listed on the voter registration list, the election inspector shall issue a ballot to the individual as follows:  
(a) Individual who presents a receipt issued by a department of state office, designated voter registration agency, election inspector's county/city, or township clerk's office verifying the acceptance of a voter registration application & completes a new voter registration application, then election inspector shall allow the individual to vote a ballot in the same manner as a name listed on the voter registration list.  
(b) Individual who does not present a receipt verifying the acceptance of a voter registration application under subdivision (a), the election inspector shall determine appropriate polling place based on residence information provided. The election inspector shall review any documents, maps in the polling place, or communicate with city/township clerk to verify appropriate polling place. Election inspector shall direct an individual not in the appropriate polling place to proper polling place. If the individual refuses to go to appropriate polling place, the election inspector shall issue the individual a provisional ballot processed according to subsection (5).  
(2) Except an individual who produces a receipt under subsection (1)(a), the election inspector shall require individual who is not listed on the voter registration list to execute a sworn statement affirming submission of voter registration application on/before election day & eligible to vote in the election. ... The individual shall state the approximate date & in what manner the registration application was submitted:  
(a) To a department of state office.  
(b) To a designated voter registration agency.  
(c) To the office of his or her county, city, or township clerk.  
(d) By a mailed application.  
(3) Election inspector shall contact the city/township clerk to verify whether individual who signed the sworn statement under subsection (2) is listed in the registration records of the jurisdiction or information is contrary to content of sworn statement.  
(4) If the city/township clerk verifies the election information, finds no information contrary to information provided in the sworn statement, & individual presents identification for election purposes that contains a current residence address to establish identity & residence address, the individual is permitted to vote provisional ballot tabulated on election day in the same manner as an elector whose name is listed on the voter registration list, except the election inspectors shall process ballot as challenged ballot under sect. 745 & 746.  
(5) If election inspector is not able to contact the city/township clerk, the individual is not in the correct precinct, or the individual is unable to present identification for election containing current residence address, the individual must be issued a provisional ballot not tabulated on election day but is secured for verification after the election. A provisional ballot must also be issued under this subsection to a voter who presents identification for election purposes not bearing the voter's current residence address, if the voter also presents a document to establish the voter's current residence address. The election inspector shall accept a document containing the name & current residence address of the voter as sufficient documentation to issue a provisional ballot if it is 1 of the following documents:  
(a) A current utility bill.  
(b) A current bank statement.  
(c) A current paycheck, government check, or other government document.  
(6) Provisional ballot must be placed in a provisional ballot return envelope prescribed by the secretary of state & delivered to city/township clerk after the polls close as prescribed by the secretary of state.  
(7) Provisional ballot under subsection (4), the election inspector shall provide the voter with a notice that his or her ballot has been tabulated. For a provisional ballot voted under subsection (5), election inspector shall provide voter with a notice the voter's information will be verified by the clerk of the jurisdiction within 6 days after the election ...  
(8) As used in this section & sections 813 & 829, "provisional ballot" means a special ballot utilized for an individual who is not listed on the voter registration list at the polling place tabulated only after verification of the individual's eligibility to vote.

## Mail Ballots

All registered voters in Michigan have the right to vote by mail using an absentee ballot delivered to their home. Voters can also request an absentee ballot directly from their local clerk's office. Absentee ballots are available beginning 40 days prior to every election.  
168.7588a Absent voter ballot for president and vice-president; qualifications.  
(1) Citizens of the U.S. above the age of 18 years may vote by absent voter ballot for president/vice-president if either of the following qualifications:  
(a) He has removed from a place within the U.S. or its possessions to this state, was qualified to vote for president/vice-president at the time of removal in the place from which he removed but no longer qualified to vote in that place, produces evidence of these facts, & will have resided in this state for less than 6 months & in a city/township of this state for not less than 30 days next preceding an election at which candidates for president/vice-president are voted for.  
(b) He has removed from this state to another place within the U.S. or its possessions, was a duly qualified & registered elector in a city/township of this state at the time of removal, & produces evidence that he cannot yet qualify to so vote in his present place of residence.  
(2) A citizen qualified to vote for president/vice-president under this act, upon making proper application shall be furnished with an absent voter ballot for president/vice-president only as provided in this act. ...  
(3) A person who qualifies to vote for president and vice-president under paragraph (1) a) of this section may make application for a presidential ballot by delivering an application in person to the clerk of the city or township of present residence not later than 2 p.m. ...  
168.759 Application for an absent voter ballot; manner; form; signature of applicant; false statement as misdemeanor; political party ballot selection; delivery of ballot; application confidentially of program participant; maintenance of online absent voter ballot applications; digital signature; "manual digital signature" and "stored digital signature" defined.  
(1) A registered elector may apply for absent voter ballot in the following ways:  
(a) By a written request signed by the elector.  
(b) On an absent voter ballot application form as provided for in this section.  
(c) On a federal postcard application.  
(d) Using an online absent voter ballot application as provided by the secretary of state.  
(2) A registered elector may submit an absent voter ballot application in any of the following ways:  
(a) By mail/email to the clerk of the city/township in which the elector resides.  
(b) By using the online absent voter ballot application as provided by the secretary of state.  
(c) Until 4 p.m. on the day before election day, in person to the clerk of the city or township in which the elector resides.  
(d) On election day, in person until 8 p.m. to the clerk of the city/township in which the elector resides, but only if the elector is registering to vote or updating the elector's voter registration address. An elector who submits an absent voter ballot application under this subdivision must complete the elector's absent voter ballot in the city/township clerk's office.  
(3) An elector must sign the absent voter ballot application. The digital image of an elector's signature from a Michigan driver license or official Michigan personal identification card record, or an electronic image of an elector's physical signature, is an acceptable signature for the absent voter ballot application. An absent voter ballot application submitted & mailed & missing a signature is subject to the requirements of sections 761 and 766a. ...

168.759 Application for an absent voter ballot; manner; form; signature of applicant; false statement as misdemeanor; political party ballot selection; delivery of ballot; application confidentially of program participant; maintenance of online absent voter ballot applications; digital signature; "manual digital signature" and "stored digital signature" defined.  
(1) A registered elector may apply for absent voter ballot in the following ways:  
(a) By a written request signed by the elector.  
(b) On an absent voter ballot application form as provided for in this section.  
(c) On a federal postcard application.  
(d) Using an online absent voter ballot application as provided by the secretary of state.  
(2) A registered elector may submit an absent voter ballot application in any of the following ways:  
(a) By mail/email to the clerk of the city/township in which the elector resides.  
(b) By using the online absent voter ballot application as provided by the secretary of state.  
(c) Until 4 p.m. on the day before election day, in person to the clerk of the city or township in which the elector resides.  
(d) On election day, in person until 8 p.m. to the clerk of the city/township in which the elector resides, but only if the elector is registering to vote or updating the elector's voter registration address. An elector who submits an absent voter ballot application under this subdivision must complete the elector's absent voter ballot in the city/township clerk's office.  
(3) An elector must sign the absent voter ballot application. The digital image of an elector's signature from a Michigan driver license or official Michigan personal identification card record, or an electronic image of an elector's physical signature, is an acceptable signature for the absent voter ballot application. An absent voter ballot application submitted & mailed & missing a signature is subject to the requirements of sections 761 and 766a. ...





### **Curbside Voting**

For voters physically unable to enter polling place without assistance or risk of injury to health. Ballot is requested under such conditions from the election officer, voter can mark ballot and give to election officer or person accompanying voter to deposit in the ballot box.

### **Rules on Voters Needing Assistance**

Watcher can observe voter assistance by an election officer and examine ballot before it is entered in ballot box but watcher may not be present when voter is preparing their ballot or being assisted by another person of their choice. Voter can receive assistance if voter has physical disability (vision impairment), illiteracy or cannot read in ballot language and requires interpreter.

### **Who may provide assistance to a voter?**

Any person the voter chooses or an election official. Interpreter guidelines: Interpreter cannot be person's employer, officer or agent of voter's labor union and must be registered voter of county or adjacent county of voter requiring interpreter services. Interpreter must take oath. Election officer and watcher may request English translation of all non-English communications made. Voter may obtain assistance with using regular paper ballots if physically unable to operating the voting machine.

### **Electioneering**

No electioneering (posting, using or distributing political signs or literature), campaigning for or against any party, candidate or measure within 100 feet of outside entry door of polling station during polling station opening hours. No person or vehicle operating a loudspeaker to be used within 1,000 feet of polling place building for purpose of making a political speech or electioneering/campaigning in favor or against any candidate, measure or political party. No influencing another voter at polling place. No wearing any political badges related to any parties, candidates or measures on the ballot within 100 feet of any polling station voter entry door.

**Curbside Voting**

**Voters Needing Assistance**

**Electioneering**

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### **Closing Procedures**

- Securing and Transporting Ballots / Equipment: Election officer secures and inactivates voting equipment.
- Breaking Down Equipment (Notes from your state’s election code)
- Election workers are responsible for breaking down equipment; poll watchers only observe and document the process.

### **Voting After the Polls Close**

- Doors close at 7:00pm.
- Presiding judge shall direct waiting voters to enter the polling place and close it to others.
- If not possible, presiding judge shall distribute numbered identification cards to those waiting voters and permit entry after closing only by those possessing a numbered identification card.

### **Securing and Transporting Ballots / Equipment**

- Election officer secures and inactivates voting equipment at closing of the polling place and as prescribed by the secretary of state so that its unauthorized operation is prevented.

### **Breaking Down Equipment**

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## **Closing the Poll**

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**Election Observers MUST**

- Deliver a certificate of appointment to the general custodian of election records at time they report to service.
- Be of opposing interests if present and sign the seal for container storing test materials.

**Election Observers MAY**

- Begin service at any time after the presiding judge arrives.
- Serve at the polling place during the hours they choose and may choose to remain when ballots are being counted (but cannot leave until all votes are counted if present during ballot counting).
- Observe early voting ballot by mail - signature verification and voter opportunity to correct on election day.
- Be present for an audit if appointed by a candidate in the election.

**Election Observers MAY NOT**

- Reveal the number of votes, a candidate's position relative to another, whether a measure is passing or failing or names of persons who may or may not have voted.
- Leave the polling place until ballots are completely counted if they remain at the polling place during the time votes are being counted.





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**Additional Notes**

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