

# 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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# Pennsylvania 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 #:** \_\_\_\_\_

## Notes & Election Codes

25 Pa. Stat. § 2674 - Clerks of election, machine inspectors

Prior to the opening of the polls at each district in which voting machines are not used, each inspector shall appoint one clerk to serve at election. One clerk shall be appointed by the minority inspector in each district in which a voting machine/machines are used & in each district in which more than one voting machine is used, the county board of elections shall, prior to election, appoint for each additional voting machine to be used in such district, one qualified registered elector of the county to serve as machine inspector therein for election. The qualifications of clerks & machine inspectors shall be the same provided for election officers.

25 Pa. Stat. § 3048 - Meeting of election officers on day of election; duties of election officers

(c) After the election board has been organized the judge of election shall designate one of the inspectors of election to have custody of the district register & to make the entries as required. Districts in which ballots are used, the other inspector shall have charge of the receipt & deposit of ballots in the ballot box, the judge or one of the clerks shall issue the ballots to electors after found entitled to vote & the other clerk shall have custody of the 'Voting Check List' & shall place the voter's certificates therein as received & approved. In districts in which voting machines are used, the inspector/clerk shall have custody of the 'Voting Check List' & shall place the voter's certificates therein as they are received/approved, & the judge shall have special charge of the operation of the voting machine. Provided, the judge of election make other arrangements for the division of duties imposed, so long as each election officer/clerk is assigned specific duty to perform. If more than one voting machine, the judge shall be assisted by the machine inspectors, each machine inspector being assigned by him to have charge of operation of a particular machine. In all election districts, the judge shall assign 2 members of the election board/clerks to keep 2 numbered lists of voters during the progress of the voting.

(d) Any election officer/clerk/machine inspector may be assigned by the judge of election to assist another officer/clerk/machine inspector in the performance of duties, or to perform them during his temporary absence or disability.

25 Pa. Stat. § 2676 - Election officers to be sworn

All judges, inspectors, clerks of election & machine inspectors shall, before entering upon their duties at any election, be duly sworn in the presence of each other & of the watchers/overseers, if any. The judge shall first be sworn by the minority inspector/ or magistrate/alderman/or justice of the peace, & the inspectors/ clerks/ & machine inspectors shall then be sworn by the judge. Each of them shall forthwith sign in duplicate the oath taken upon forms to be furnished by the county board, & the same shall be attested by the officer who administered the oath.

Section 2685 - Overseers of election

On the petition of five or more duly registered electors of any election district, setting forth that the appointment of overseers is a reasonable precaution to secure the purity and fairness of any primary or election in said district, it shall be the duty of the court of common pleas of the proper county, all the law judges of the said court able to act at the time concurring, to appoint two judicious, sober and intelligent electors of the said district belonging to different political parties, overseers of election to supervise the proceedings of election officers thereof and to make report of the same as they may be required by such court. Said overseers shall be persons qualified to serve upon election boards, but shall not be required to comply with the provisions of section 414 of this act. They shall be sworn or affirmed by the judge of election, to the faithful discharge of their duties, and each shall sign said oath in duplicate, and shall have the right to be present with the officers of such primary or election within the enclosed space during the entire time the same is held, the votes counted, and the returns made out and signed by the election officers; to keep a list of voters if they see proper; to challenge any person offering to vote and interrogate him and his witnesses under oath in regard to his right of suffrage at said primary or election, and to examine his papers produced. Overseers shall sign returns of elections as hereinafter required. Whenever the members of an election board shall differ in opinion, the overseers, if they shall be agreed thereon, shall decide the question of difference.



### **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.
- 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**



## Infractions

25 Pa. Stat. § 3051 - Bribery at elections; challenges; rejection of votes

(a) The election officers shall reject the vote of any person at election who shall give/promise/ or offer to give to an elector, any money/reward/ or other valuable consideration for his vote at election(s) or withholding the same/who shall give/promise to give such consideration to any other person or party for such elector's vote/for the withholding/ or who shall receive/agree to receive for himself/any money/reward/ or other valuable consideration for vote at such election. (b) The vote of any elector shall be rejected by the election officers if they or any one of them shall of their own knowledge know him to be guilty of a violation of any of the provisions of this section/ if upon challenge of such elector by any qualified elector/ election officer/ overseer or watcher/ it shall be proved to their satisfaction elector has violated the provisions of this section & in no case shall any elector so challenged be permitted to vote, unless a written affidavit that the matter of the challenge is untrue. 25 Pa. Stat. § 3507 - Driving away watchers, attorneys, candidates or overseers Any person who by violence or intimidation shall threaten or drive away any watcher/attorney/candidate/overseer/representative of the county board of elections/ or Secretary of the Commonwealth required/permitted to be present at any polling place, or who shall in any manner prevent any overseer/representative of the county board of elections or of the Secretary of the Commonwealth from performing his duty under this act...

25 Pa.C.S. § 1329 - Challenges

(b) Complainant--To make a challenge, a complainant must file a challenge affidavit in a form prescribed by the secretary containing the following information:

(1) Name of challenged individual.

(2) Address of challenged individual.

(3) Name of complainant.

(4) Address of complainant.

(5) Date of affidavit.

(6) Reason for challenge.

## Conflict Resolution

25 Pa. Stat. § 3060 - Regulations in force at polling places

(a) Until the polls are closed, no person shall be allowed in the polling place outside of the enclosed space at any election, except the watchers, voters not exceeding ten at any one time who are awaiting their turn to vote, and peace officers, when necessary for the preservation of the peace. No elector shall be allowed to occupy a voting compartment or voting machine booth already occupied by another, except when giving assistance as permitted by this act. (b) No elector, except an election officer/clerk/machine inspector/ or overseer, shall be allowed to re-enter the enclosed space after left it, except to give assistance as provided by this act. 25 P.S. § 3547. Prohibiting duress and intimidation of voters and interference with the free exercise of the elective franchise Any person or corporation who, directly/indirectly--(a) uses/threatens to use any force, violence/restraint, or inflicts/threatens to inflict any injury, damage/harm/ or loss, or any other manner intimidation/coercion upon or against any person, in order to induce or compel such person to vote or refrain from voting at any election, or to vote or refrain from voting for or against any particular person, or for or against any question submitted to voters at such election, or to place or cause to be placed or refrain from placing or causing to be placed his name upon a register of voters, or on account of such persons having voted or refrained from voting at such election, or having voted or refrained from voting for or against any particular person or persons or for or against any question submitted to voters at such election, or having registered or refrained from registering as a voter; or (b) by abduction/duress/coercion, or any forcible or fraudulent device or contrivance, whatever, impedes/prevents/ or otherwise interferes with the free exercise of the elective franchise by any voter, or compels/induces/ or prevails upon any voter to give or refrain from giving his vote for or against any particular person at any election; or ...



### Arrival Checklist

- Check in with Judge of Elections: Watchers can arrive when the election officers meet, prior to the opening of the polls.
- Submit any required paperwork upon arrival and receive ID: A watcher will be required to show their certificate from the county board of elections when requested to do so.
- Badge if required: No badge is specified under the state law.
- Ask Lead Authority for cell phone policy: PA law does not specify cell phone policies, so it's important to check with the judge of elections on what is allowed at your county's polls.

### 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:

- The overseers, judges/inspectors/clerks of election and machine inspectors will meet at the polls 30 minutes prior to opening. (25 Pa. Stat. § 3048)
- All security seals were intact prior to poll opening. (25 Pa. Stat. § 3049)
- All ballots was empty and securely locked (if using paper ballots) (25 Pa. Stat. § 3049)
- All voting machines/ballots/ballot boxes are accounted for and within your line of sight (25 Pa. Stat. § 3049)

## Opening the Polls

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## Opening the Polls

25 Pa. Stat. § 3048 - Meeting of election officers on day of election; duties of election officers

a) The judges/inspectors/clerks of election and machine inspectors, together with the overseers, if any, shall meet in the respective places appointed for holding election in each election district at least thirty minutes before the hour for opening the polls on the day of each election. They shall in the presence of each other take/subscribe in duplicate to the oaths required by this act.

b) If any judge of election shall not appear at the polling place by 7:00A.M., on the day of election, the majority inspector shall appoint a judge of election, who is qualified. If any majority inspector of election shall not appear at said hour, the judge of election shall appoint a majority inspector, who is qualified. If any minority inspector of election shall not appear at said hour, the person who received the second highest vote for judge at the preceding election shall serve as minority inspector, if available & qualified ...

25 Pa. Stat. § 3049 - Opening of polls; posting cards of instruction and notices of penalties and voters' rights; examination of voting machines

a) Districts in which ballots are used the election officers shall after taking the oath open the ballot boxes which have been furnished to them & burn/totally destroy all the ballots and other papers which may find therein, before opening of polls.. When the polling place is opened, the ballot box shall be securely locked, & shall not be opened until close of the polls, as provided in section 1221. At the opening of the polls the seals of the packages furnished by the county board shall be publicly broken & packages shall be opened by the judge of election. Cards of instruction/notices of penalties shall be immediately posted in each voting compartment...& such cards of instruction, notices of penalties and specimen ballots shall be given to any elector at his request...

25 Pa. Stat. § 3049 - Opening of polls; posting cards of instruction and notices of penalties and voters' rights; examination of voting machines

(b)(1) In districts in which voting machines are used, at opening of polls, the seals of the package furnished by the county board shall be publicly broken, & the package shall be opened by the judge of election. Not less than 3 cards of instruction/notices of penalties/and not less than 2 diagrams of the face of the machine shall be immediately posted in/about the voting room outside the enclosed space, & cards/notices of penalties shall be given to any elector requested, so long as there are any on hand. Thereupon the election officers, before opening the envelope containing the keys which unlock the operating mechanism and registering counters/couter compartment of the voting machine, shall examine the number of the seal on the machine & the number registered on the protective counter/device & shall see whether they are the same as the numbers written on the envelope containing the keys. If either number shall be found not to agree, the envelope shall remain unopened until the election officers shall have notified the proper custodian of voting machines, or the county board, & until the custodian or some other person authorized by the county board shall have presented himself at the polling place for the purpose of reexamining the machine, & shall have certified that it is properly arranged. But if the numbers on the seal & the protective counter/device shall both be found to agree with the numbers on the envelope, the envelope shall be opened, & where the voting machine provided is not equipped with mechanism for printing paper proof sheets, the election officers shall examine the registering counters, & open the doors concealing such counters, if the construction of the voting machine shall so require, & before the polls are opened, the judge/each inspector carefully examine every counter, & shall see that it registers zero (000), & shall allow the overseers/watchers to examine the counters. When the voting machine is equipped with mechanism for printing paper proof sheets, & requires simultaneous use of 3 keys to unlock the registering counters/couter compartment, the judge of election shall deliver one of the 2 keys, to the minority inspector to be retained by him as hereinafter provided, & shall then print at least 2 proof sheets, 1 of which the judge & each inspector shall carefully examine to ascertain whether every counter registers zero (000), & shall then preserve said proof sheets to be signed by them & returned to the county election board, with the duplicate return sheet, & sign & post the other proof sheet upon the wall of the polling place, where it shall remain until the polls are closed. The key delivered by the judge of election to the minority inspector shall be retained by the minority inspector until the polls have been closed, & the voting & counting mechanism of the machine locked/sealed against voting, & returned to the judge of election, for return to the county election board...

See back of guide's Notes section for further laws on **Opening the Polls**





### Who can be in the voting area?

- No elector, except an election officer/clerk/machine inspector/ or overseer is allowed to re-enter the enclosed space after once left it, except to give assistance. (25 Pa. Stat. § 3060)
- Everyone must maintain at least 10 feet of distance from the polling place during the process of voting, except those mentioned above. (25 Pa. Stat. § 3060)
- The election officers will inspect the face of the voting machine at frequent intervals. (25 Pa. Stat. § 3049)
- A voter (or "elector") cannot enter the enclosed space until they are found entitled to vote. (25 Pa. Stat. § 3054)
- "Not more than twice as many electors waiting to vote as there are voting compartments or voting machines in use in the district shall be admitted within the enclosed space at any one time." (25 Pa. Stat. § 3054)
- A voter should not be in the voting booth for more than three minutes and can be removed by an election officer, however, if they need more time or assistance it can be allowed. (25 Pa. Stat. § 3057)

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

"(a) At every primary and election each elector who appears to vote and who desires to vote shall first present to an election officer proof of identification." 25 Pa. Stat. § 3050.

- As defined in 25 Pa. Stat. § 2602 "proof of identification" during voting requires a document that:
  - shows the name of the voter
  - a photograph
  - includes an expiration date, and is not expired, except:
    - if it is a document issued by the Department of Transportation that isn't more than a year past the expiration date
    - if it is a document from the armed forces, which is indefinite and doesn't have an expiration date
- was issued by one of the following:
  - The United States Government.
  - The Commonwealth of Pennsylvania.
  - A municipality of this Commonwealth to an employee of that municipality.
  - An accredited Pennsylvania public or private institution of higher learning.
  - A Pennsylvania care facility.

## Voting Area

## Valid Forms of ID

## Voting Area

25 Pa. Stat. § 3060 - Regulations in force at polling places

a) Until the polls are closed, no person shall be allowed in the polling place outside of the enclosed space at election(s) except the watchers/voters not exceeding 10 at any one-time awaiting turn to vote & peace officers if necessary. No elector is allowed to occupy a voting compartment/voting machine booth already occupied except when giving assistance as permitted.

b) No elector, except an election officer/clerk/machine inspector/ or overseer is allowed to re-enter the enclosed space after once left it, except to give assistance.

d) All persons, except election officers/clerks/machine inspectors/overseers/watchers/persons in the course of voting/persons lawfully giving assistance to voter & police officers, when permitted must remain at least 10 feet distant from the polling place during the progress of the voting.

f) It shall be the duty of the judge of election to secure the observance of the provision of this section, to keep order in the voting room, & see no more persons are admitted within the enclosed space than permitted. The judge of election may call upon any constable/deputy constable/police officer/ or other peace officer to aid in the performance of his duties.

### Section 3057 - Time allowed elector in voting booth or voting machine compartment

No elector shall remain in a voting compartment or voting machine booth an unreasonable length of time, and, in no event, for more than three minutes, and if the shall refuse to leave after said period, he shall be removed by the election officers: Provided, however, That they may grant him a longer time if other electors are not waiting to vote.

### Section 3054 - Admission of electors within enclosed space

(a) No elector shall be allowed to enter the enclosed space until he shall be found entitled to vote.

(b) As soon as an elector has been admitted within the enclosed space, the election officer having charge of the ballots in districts in which ballots are used, shall detach a ballot and give it to the elector, first folding it so that the words and figures printed on the back shall be the only words and figures visible, and no ballots shall be deposited in the ballot box unless folded in the same manner. Not more than one ballot shall be detached in any book of ballots at any one time. Not spoils a ballot, he may obtain another upon returning the spoiled one. The ballots thus returned shall be immediately cancelled and at the close of the polls shall be enclosed in an envelope, sealed and returned to the county board.

(c) In districts in which voting machines are used, an elector, after being found to be qualified and admitted within the enclosed space, shall be admitted to the voting machine booth as soon as it is vacant, and shall be permitted to vote.

(d) Not more than twice as many electors waiting to vote as there are voting compartments or voting machines in use in the district shall be admitted within the enclosed space at any one time.

## Valid Forms of ID

Section 3050 - Manner of Applying to Vote; Persons Entitled to Vote; Voters' Certificates; Entries to Be Made in District Register; Numbered Lists of Voters; Challenges

(a) At every primary and election each elector who appears to vote and who desires to vote shall first present to an election officer proof of identification.

The election officer shall examine the proof of identification presented by the elector and sign an affidavit stating that this has been done.

### 25 Pa. Stat. § 2626 - Requirements Relating to Voter Identification

(a) The Secretary of the Commonwealth shall prepare/disseminate information to the public regarding the proof of identification requirements established under sections 1210 and 1302.

(b) Notwithstanding the provisions of 75 Pa.C.S. § 1510(b) (relating to issuance and content of driver's license) to the contrary, the Department of Transportation shall issue an identification card described in 75 Pa.C.S. § 1510(b) at no cost to any registered elector who has made application therefor & has included with completed application a statement signed by the elector declaring under oath or affirmation that the elector does not possess proof of identification as defined in section 102(2.5)(2) & requires proof of identification for voting purposes.

(c) The Secretary of the Commonwealth shall prepare the form of the statement described in subsection (b) & shall distribute the form to the counties and the Department of Transportation. The Secretary of the Commonwealth, the Secretary of Transportation & the county boards of election shall disseminate information to the public regarding the availability of identification cards under subsection (b).

25 Pa. Stat. § 2602 - Definitions

(2.5) The words "proof of identification" shall mean:

(2) For an elector who appears to vote under section 1210, a document that: (i) shows the name of the individual to whom the document was issued and the name substantially conforms to the name of the individual as it appears in the district register;

(iii) shows a photograph of the individual to whom the document was issued;

(iiii) includes an expiration date and is not expired, except:

(A) for a document issued by the Department of Transportation which is not more than twelve (12) months past the expiration date; or

(B) in the case of a document from an agency of the Armed forces of the United States or their reserve components, including the Pennsylvania National Guard, establishing that the elector is a current member of or a veteran of the United States Armed Forces or National Guard which does not designate a specific date on which the document expires, but includes a designation that the expiration date is indefinite; and

(iv) was issued by one of the following:

(A) The United States Government.

(B) The Commonwealth of Pennsylvania.

(C) A municipality of this Commonwealth to an employe of that municipality.

(D) An accredited Pennsylvania public or private institution of higher learning.

(E) A Pennsylvania care facility.



## Voter Check-In

All electors, including those that show proof of identification, must sign a voter's certificate. The election officer will then announce the elector's name so that watchers may compare the elector's signature on the certificate to the signature in the registry. If the two match, the voter will be allowed to vote. If not, the voter will be considered challenged and will be required to make the affidavit and provide evidence of their identity as provided in subsection (d) of 25 Pa. Stat. § 3050. (25 Pa. Stat. § 3050)

If they are permitted to vote, the election officer will stamp the date, his number in the order of admission to the voting machines, and shall sign his name or initials in the proper space on the registration card of such voter contained in the district register. (25 Pa. Stat. § 3050)

As each voter votes, their name will be recorded in the order of voting. (25 Pa. Stat. § 3050)

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**Voter Check-In**

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## Voter Check-In

25 Pa. Stat. § 3050 - Manner of Applying to Vote; Persons Entitled to Vote

(a) At every election each elector who appears/desires to vote shall first present to an election officer proof of identification. The election officer shall examine the proof of identification presented by the elector and sign an affidavit stating that this has been done.

(a.2) If any of following apply the elector shall be permitted to cast a provisional ballot in accordance with subsection (a.4):

(1) The elector is unable to produce proof of identification:

- (i) the elector is indigent & unable to obtain proof of identification without the payment of a fee; or
- (iii) on any other grounds.

(2) The elector's proof of identification is challenged by the judge of elections.

(a.3)(1) All electors, including any elector that shows proof of identification pursuant to subsection (a), shall subsequently sign a voter's certificate...with a fountain pen or ball point pen, and, unless he is a State or Federal employee who has registered under any registration act without declaring his residence by street and number, he shall insert his address therein, and hand the same to the election officer in charge of the district register.

(2) Such election officer shall thereupon announce the elector's name so that it may be heard by all members of the election board and by all watchers present in the polling place and shall compare the elector's signature with his signature in the district register. If, upon such comparison, the signature upon the voter's certificate appears to be genuine, the elector who has signed the certificate shall, if otherwise qualified, be permitted to vote: Provided, That if the signature on the voter's certificate, as compared with the signature as recorded in the district register, shall not be deemed authentic by any of the election officers, such elector shall not be denied the right to vote for that reason, but shall be considered challenged as to identity and required to make the affidavit and produce the evidence as provided in subsection (d) of this section.

(3) When an elector has been found entitled to vote, the election officer who examined his voter's certificate and compared his signature shall sign his name or initials on the voter's certificate, shall, if the elector's signature is not readily legible, print such elector's name over his signature, and his number in the order of admission to the voting machines....

(4) As each voter is found to be qualified and votes, the election officer in charge of the district register shall write or stamp the date of the election or primary, his number in the order of admission to the voting machines...and shall sign his name or initials in the proper space on the registration card of such voter.

(5) As each voter votes, his name in the order of voting shall be recorded in two (2) numbered lists of voters provided for that purpose...  
... (d) No person, except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authority of this Commonwealth, and who votes under the provisions of Article XIII of this act, shall be entitled or permitted to vote at any primary or election at any polling place outside the election district in which he resides, nor shall he be permitted to vote in the election district in which he resides, unless he has been personally registered as an elector and his registration card appears in the district register of such election district, except by order of the court of common pleas as provided in this act, and any person, although personally registered as an elector, may be challenged by any qualified elector, election officer, overseer, or watcher at any primary or election as to his identity, as to his continued residence in the election district or as to any alleged violation of the provisions of section 1210 of this act, and if challenged as to identity or residence, he shall produce at least one qualified elector or the election district as a witness, who shall make affidavit of his identity or continued residence in the election district: Provided, however, That no person shall be entitled to vote as a member of a party at any primary, unless he is registered and enrolled as a member of such party upon the district register, which enrollment shall be conclusive as to his party membership and shall not be subject to challenge on the day of the primary.

25 Pa. stat. § 3052 - Voting check list

After each elector has been admitted to vote/voter's certificate shall be inserted in the file or binder provided by the county board known as "Voting Check List" & the voter's certificate shall constitute the official list of electors voting at election. All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officer shall be carefully preserved/returned to the county board with the other papers.



### Paper Ballots and Ballot Box

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

After voting, the ballot must be shown to one of the election officers who check the number appearing on the right hand corner of the back of the ballot to ensure the ballot shown is the same ballot which the elector received before entering the voting compartment. If same, the elector, without unfolding the ballot, to remove the perforated corner containing the number, & the elector will deposit the ballot in the ballot box. Any ballot deposited in a ballot box at election without having the said number torn off shall be void & shall not be counted. (25 Pa. Stat. § 2963)

The county board will keep a record of all ballots: unused, cancelled, and the disposition of additional official ballots. (25 Pa. Stat. § 2971)

### Electronic Ballots

"If a method of election for candidates or offices is prescribed by law, in which the use of voting machines is not possible or practicable at election... the county election board may arrange to have the voting for such or all offices conducted by paper ballots." 25 Pa. Stat. § 3016

Some election districts will use voting machines that do not use paper ballots, others may use voting machines that take paper ballots. The law for each type is printed on the next page under 25 Pa. Stat. § 3031.12—Election day procedures and the process of 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

## Paper Ballots

25 Pa. Stat. § 2963 - Form of official election ballot

(a) ...Before leaving the voting compartment, fold this ballot, without displaying the markings in the same way it was folded when received, then leave compartment & exhibit the ballot to one of the election officers who shall ascertain by an inspection of the number appearing upon the right hand corner of the back of the ballot whether the ballot so exhibited is the same ballot which the elector received before entering the voting compartment. If same, the election officer shall direct the elector, without unfolding the ballot, to remove the perforated corner containing the number, & the elector shall immediately deposit the ballot in the ballot box. Any ballot deposited in a ballot box at election without having the said number torn off shall be void & shall not be counted.

The county board shall keep a record of the number of official ballots printed & furnished to each election district at election, & of number of unused ballots & cancelled ballots returned & also of the disposition of the additional official ballots provided ...

25 Pa. Stat. § 3016 - Voting by ballot

If a method of election for candidates or offices is prescribed by law, in which the use of voting machines is not possible or practicable at election... the county election board may arrange to have the voting for such or all offices conducted by paper ballots. ....

## Electronic Ballots

25 Pa. Stat. § 3031.10 - Supplies; preparation of the voting system and of polling places

(f) At least 1 hour before time set for opening of polls at each election, the county board of elections shall deliver to each election district any electronic voting system/supplies necessary to prepare the automatic tabulating equipment for operation & position automatic tabulating equipment preceding its use. Any tabulating equipment shall remain locked/sealed until its examination and preparation immediately preceding its use.

(g) Members of the district election board shall arrive at polling place at least 1/2 hour before opening of the polls. Prior to commencement of election, district election board shall inspect the district components of the electronic voting system to see in proper working order, & they shall check all ballots/supplies/records/forms & shall post sample ballots/cards of instruction/notices of penalties. If the voting system provides for the initial computation/tabulation of votes at the district level during voting hours, election board shall also break the seal on the automatic tabulating equipment & insure equipment is properly prepared shall determine that the counters for each position/question and the public counter are all set to zero. If the system provides for tabulation of ballots after the polls are closed, test shall be conducted immediately prior to actual use. If any such counter is not set to zero, the district election board shall immediately notify the county board of elections which cause one of its representatives to ascertain and correct any error. A zero print-out sheet or an appropriate certificate by the district election board reflecting its examination shall be posted on the wall of the polling place ...

3031.12 - Election day procedures and the process of voting

(a) In an election district which uses an electronic voting system in which votes are registered electronically, the following procedures will be applicable for the

conduct of the election at the election district:

(4) At any general election at which presidential electors are to be chosen, each elector shall be permitted to vote by one operation for all the presidential electors of a political party or political body. .... The voting device shall be so constructed that it will not be possible for any one voter to vote a straight party ticket for presidential electors and at the same time to deposit a ballot for presidential electors in a receptacle as provided in this section. When the votes for presidential electors are counted, the votes appearing upon the counter or registering device corresponding to the ballot label containing the names of the candidates for presidential electors and vice-president of any party or body shall be counted as votes for each of the candidates for presidential elector of such party or body, and thereupon all candidates for presidential elector shall be credited, in addition, with the votes cast for them upon the ballots deposited in the machine, as provided in this section.

(5) As soon as the elector has adjusted the voting device so that it will record his choices for the various candidates to be voted for, and his answers to the various questions submitted, he shall operate the recording mechanism of the voting device and forthwith leave the voting booth.

(b) In an election district which uses an electronic voting system which utilizes paper ballots/ballot cards to register the votes, the following procedures for the conduct of the election:

(1) The voter, after receiving ballot from election officials, shall retire to voting booths...

(3) At elections, the voter votes for candidates of choice for office to be filled by making a cross or check mark or making a punch/mark sense mark in the square opposite name of candidate/election associated with candidate/or indicate on the ballot the voter is electing to write in the name of a person for the particular office, & insert the identification of the office in question & the name of any person not already listed as a candidate for office, & such indication/insertion shall count as a vote for that person for such office.

(6) Following the completion of his vote, the voter shall leave the voting booth & return the ballot to the election officer by a means to insure is inoperative into a secure ballot box.



## 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 or is unable to provide identification but insist on voting
- The voter's signature on the register doesn't match their voter certificate
- The voter is challenged

### Provisional ballot procedures that should be followed according to 25 Pa. Stat. § 3050 (a.4):

- Prior to casting the provisional ballot, the voter must sign an affidavit stating their name, date of birth, address, and sworn statement that they have not voted in the election until now.
- After casting the provisional ballot, the elector signs the front of the provisional ballot envelope. Provisional ballots will remain sealed in provisional ballot envelopes for return to county board of elections.
- Within seven days of the election, the county board will examine the provisional ballots. One authorized representative of each candidate in an election and one representative from each political party is permitted to remain in the room in which determination is being made. The representative will be allowed to challenge any determination made by the county board.

## Mail Ballots

**Mail Ballots:** Voter may bring their absentee or mail-in ballot in person and the poll watcher is entitled to observe the absentee/mail-in ballot be voided so that the voter may vote in person.

"An elector who requests a mail-in ballot and who is not shown on the district register as having voted may vote by provisional ballot under section 1210(a.4) (1)." (25 Pa. Stat. § 3150.16)

The ballot must be returned by 8 p.m. on election day in order to be counted, unless it is an overseas military ballot. (25 Pa. Stat. § 3150.16)

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## Provisional Ballots

## Mail Ballots

## Provisional Voting

25 Pa. Stat. § 3050 (a-4) - Challenges (Provisional Ballots)

- (1) At all elections an individual who claims to be properly registered and eligible to vote at the election district but whose name does not appear on the district register & whose registration cannot be determined by the inspectors of election or the county election board shall be permitted to cast a provisional ballot.
- (2) Prior to voting the provisional ballot, the elector shall be required to sign an affidavit stating the following:
- I do solemnly swear or affirm that my name is \_\_\_\_\_, that my date of birth is \_\_\_\_\_, and at the time that I registered I resided at \_\_\_\_\_ in the municipality of \_\_\_\_\_ in \_\_\_\_\_ County of the Commonwealth of Pennsylvania and that this is the only ballot that I cast in this election.
- Signature of Voter/Elector \_\_\_\_\_  
Current Address \_\_\_\_\_  
Check the Reason for Casting the Provisional Ballot \_\_\_\_\_  
Signed by Judge of Elections and minority inspector \_\_\_\_\_
- (3) After the provisional ballot has been cast, the individual shall place it in a secrecy envelope, place the secrecy envelope in the provisional ballot envelope, & place this signature on the front of the provisional ballot envelope. Provisional ballots shall remain sealed in provisional ballot envelopes for return to county board of elections.
- (4) Within 7 calendar days of the election, the county board of elections shall examine each provisional ballot envelope received to determine if individual voting ballot was entitled to vote at the election district. One authorized representative of each candidate in an election/one representative from each political party is permitted to remain in the room in which determination is being made. Representatives with respect to the counting or partial counting of the ballot under this section, shall be entitled to challenge any determination of the county board of elections with respect to the counting or partial counting of the ballot under this section. Upon challenge of any provisional ballot under this clause, the ballot envelope shall be marked 'challenged' together with the reason for the challenge, & the provisional ballot shall be set aside pending final determination of the challenge according to the following procedure:
- (i) Provisional ballots marked 'challenged' shall be placed unopened in a secure/safe and sealed container in the custody of the county board of elections until it shall fix a time/place for a formal hearing of all such challenges, & notice shall be given where possible to all provisional electors challenged & to attorney/watcher/candidate who made the challenge.
- (ii) The time for the hearing shall not be later than 7 days after date of challenge.
- For everyone receiving a provisional ballot, poll workers must ensure that, before the provisional ballot is issued, the Voter Information/Voter Affidavit for Provisional Ballot & Current Address sections on the provisional ballot envelope are completed by the voter. The voter must sign both the Voter Affidavit for Provisional Ballot & the front of the provisional ballot envelope. Poll workers must ensure the voter signs in the presence of both Judge of Elections & Minority Inspector. Poll workers must also ensure both the Judge of Elections/Minority Inspector sign the affidavit. If polling place hours are extended beyond 8:00 p.m. on Election Day by court order, all votes submitted after 8:00 p.m. via provisional ballot only.

## Mail Ballots

Section 3150.16 - Voting by mail-in electors.

- (a) General rule.--At any time after receiving an official mail-in ballot, but on or before eight o'clock p.m. the day of the primary or election, the mail-in elector shall, in secret, proceed to mark the ballot only in black lead pencil, indelible pencil or blue, black or blue-black ink, in fountain pen or ball point pen, and then fold the ballot, enclose and securely seal the same in the envelope on which is printed, stamped or endorsed "Official election ballot." This envelope shall then be placed in the second one, on which is printed the form of declaration of the elector, and the address of the elector's county board of election and the local election district of the elector. The elector shall then fill out, date and sign the declaration printed on such envelope. Such envelope shall then be securely sealed and the elector shall send same by mail, postage prepaid, except where franked, or deliver it in person to said county board of election.
- (a.1) Signature.--Any elector who is unable to sign the declaration because of illness or physical disability, shall be excused from signing upon making a declaration which shall be witnessed by one adult person in substantially the following form: I hereby declare that I am unable to sign my declaration for voting my mail-in ballot without assistance because I am unable to write by reason of my illness or physical disability. I have made or received assistance in making my mark in lieu of my signature... (b) Eligibility.-- (1) Any elector who receives and votes a mail-in ballot under section 1301-D shall not be eligible to vote at a polling place on election day. The district register at each polling place shall clearly identify electors who have received and voted mail-in ballots as ineligible to vote at the polling place, and shown on the district register as having voted by provisional ballot under section 1210(a.4)(1). (3) Notwithstanding paragraph (2), an elector who requests a mail-in ballot and who is not shown on the district register as having voted by provisional ballot may vote at the polling place if the elector remits the ballot and the envelope containing the declaration of the elector to the judge of elections to be spoiled and the elector signs a statement subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) which shall be in substantially the following form:
- I hereby declare that I am a qualified registered elector who has obtained an absentee ballot or mail-in ballot. I further declare that I have not cast my absentee ballot or mail-in ballot, and that instead I remitted my absentee ballot or mail-in ballot to the judge of elections at my polling place to be spoiled and therefore request that my absentee ballot or mail-in ballot be voided... (c) Deadline.--Except as provided under 25 Pa.C.S. 3511 (relating to receipt of voted ballot), a completed mail-in ballot must be received in the office of the county board of elections no later than eight o'clock p.m. on the day of the primary or election.





## **Curbside Voting**

State law does not provide curbside voting

## **Rules on Voters Needing Assistance**

An elector may apply for assistance up to 10 days before or the election, or may apply for assistance at the polling place. The elector may request anyone for assistance, however assistance may not be rendered by the judge of election, the elector's employer/agent of employer/officer or agent of the elector's union. In every case of assistance, the judge of elections must record the name and qualifications of the assistant along with the name of the voter.

## **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 person within the polling place is allowed to have any sort of promotion material for a candidate displayed. All persons, except election officers, clerks, machine inspectors, overseers, watchers, persons in the course of voting, persons lawfully giving assistance to voters, and peace and police officers, when permitted by the provisions of this act, must remain at least ten (10) feet distant from the polling place during the progress of the voting.

## Curbside Voting

Not applicable

## Voters Needing Assistance

25 Pa. C.S. § 1504 - Disability

- (a) Eligibility: If a registered elector by reason of blindness/disability/inability to read/write is unable to read the names on the ballot/on the voting machine labels/is unable to see or mark the ballot/operate the voting machine or to enter the voting compartment /voting machine booth without assistance, the following apply:
- (1) The elector may, at least 10 days prior to the next election, personally make application to the commission/registration/ registrar/ clerk.
- (2) The application must request the entry of the exact nature of the disability on the elector's registration card.
- (3) The commission shall make the entry as appropriate.
- (4) If disability is not entered on the registration card, the elector may receive assistance if elector completes a declaration in the polling place.
- (5) Following the election the commission shall examine declarations completed under this section & shall update the elector's voter registration card to reflect need for assistance/nature of the disability.
- 25 Pa. Stat. § 3058 - Assistance in voting
- (b) Voter who qualifies to receive assistance in voting is entitled to select a person of their choosing to enter the voting compartment/voting machine booth to assist the voter in casting ballot. Assistance may not be rendered by the judge of election, the elector's employer/agent of employer/agent of the elector's union.
- (c) In every case of assistance rendered to a voter, the judge of election must enter in the record of assisted voters:
- (1) the voter's name; (2) a statement of the facts which entitle them to receive assistance; & (3) the name of the person furnishing the assistance. The judge of election must return the record of assisted voters to the county board of elections, & the county board shall permit the record to be examined only upon the written order of a judge of the Court of Common Pleas.
- Section 3056 - Instructions of voters and manner of voting in districts in which voting machines are used
- (a) In districts in which voting machines are used, the election officers shall, with the aid of the diagrams authorized by this act and the mechanically operated model, instruct each elector before he enters the voting machine booth regarding the operation of the machine, and shall give the elector opportunity personally to operate the model. In election districts using full-scale models listing the actual ballot labels for the primary or election as the case may be, any elector who desires a demonstration on such full-size scale model shall have the right to select any registered elector who is legally entitled to be inside the polling place under the provisions of this act to give such elector a demonstration.
- (b) If any voter, after entering the voting machine booth and before the closing of such booth, shall ask for further instructions concerning the manner of voting, any one of the election officers may give him such instructions, but no person giving a voter such instructions shall in any manner request, suggest or seek to persuade or induce any such elector to vote any particular ticket or for any particular candidate or for or against any particular question. After giving such instructions, and before the elector closes the booth or votes, the election officer shall retire, and the elector shall forthwith vote.

## Electioneering

25 Pa. Stat. § 3060 - Regulations in force at polling places

- (c) No person, when within the polling place, shall electioneer or solicit votes for any political party, political body or candidate, nor shall any written or printed matter be posted up within the said room, except as required by this act.
- (d) All persons, except election officers, clerks, machine inspectors, overseers, watchers, persons in the course of voting, persons lawfully giving assistance to voters, and peace and police officers, when permitted by the provisions of this act, must remain at least ten (10) feet distant from the polling place during the progress of the voting.
- (f) It shall be the duty of the judge of election to secure the observance of the provision of this section, to keep order in the voting room, and to see that no more persons are admitted within the enclosed space than are permitted by this act. The judge of election may call upon any constable, deputy constable, police officer or other peace officer to aid him in the performance of his duties under this section.



## Closing Procedures

- Before ballot box is opened, the number of ballots issued to electors/number of ballots/spoiled & returned by voters & cancelled announced to all present in voting room, & entered on the general returns of votes cast at election.
- The district register, the 'Voting Check List' & the numbered lists of voters, together with all unused ballots, & spoiled/cancelled ballots, & rejected voter's certificates shall then be placed in separate packages, containers/envelopes, & sealed, before the ballot box is opened. (25 Pa. Stat. § 3031.13)

## Voting After the Polls Close

- The polls close at 8 p.m.
- "(e) When the hour for closing the polls shall arrive, all qualified electors who have already qualified, & are inside the enclosed space, shall be permitted to vote; & in addition all those qualified electors who are in the polling place outside the enclosed space waiting to vote & all those voters who are in line either inside or outside of the polling place waiting to vote, shall be permitted to do so." (25 Pa. Stat. § 3060)

## Securing and Transporting Ballots / Equipment

- After all the ballots have been accounted for, the election officers will open the ballot box and remove the ballots. The judge will read aloud the names of the candidates marked on each ballot and the inspectors and clerks will enter each vote as read. (25 Pa. Stat. § 3062)
- "In the event district tabulation of votes is provided for by the voting system, the district election officers shall, immediately upon the close of the polls, cause the automatic tabulating equipment to tabulate the ballots cast during the election and shall prepare duplicate records of the total number of voters whose ballots have been tabulated; the total number of votes cast for each candidate whose name appears on the ballot; the total number of write-in votes properly cast for each office on the ballot; and the total number of votes cast for or against any question appearing on the ballot." (5 Pa. Stat. § 3031.13)
- Ballots will be kept within unobstructed view of all in the voting room until replaces in the box. No person will have any way to mark a ballot while handling the ballots. (25 Pa. Stat. § 3062)
- A record will be made for the total number of votes cast for each candidate. (25 Pa. Stat. § 3062)
- By 2 a.m. the next day, all envelopes, election supplies, and returns shall be returned to the county board. (25 Pa. Stat. § 3031.13)

## Breaking Down Equipment

- After the tabulation of the ballots, the automatic tabulating equipment or any other system that contains ballots will be locked and sealed so that no further ballots may be deposited in or removed from any such equipment. Then, everything will be packaged and secured for storage, and will be held for delivery to the county election board.
- All reports and returns shall be signed by all district election officers.

## Closing the Poll

## Closing the Poll

25 Pa. Stat. § 3060 - Regulations in force at polling places

(e) When the hour for closing the polls shall arrive, all qualified electors who have already qualified, & are inside the enclosed space, shall be permitted to vote; & in addition all those qualified electors who are in the polling place outside the enclosed space waiting to vote & all those voters who are in line either inside or outside of the polling place waiting to vote, shall be permitted to do so.

25 Pa. Stat. § 3062 - Count and return of votes in districts in which ballots are used. (a) When all the ballots are all properly accounted for, & those outside ballot box, & Voting Check List, numbered lists of voters & district registers sealed, the election officers shall open the ballot box & take all ballots therein. The ballots shall then be counted & record made of the total number. The judge, under the scrutiny of the minority inspector or of judge, in the presence of the other officers/clerks/ & overseers, if any, & within the hearing/sight of the watchers outside the enclosed space, shall read aloud the names of the candidates marked/inserted upon each ballot/with the office for which the person named is a candidate/ the answers contained on the ballots to the questions submitted, if any, & the majority inspector & clerks shall carefully enter each vote as read ... Ballots, after being removed from the box, shall be kept within unobstructed view of all in voting room until replaced in the box. No person while handling the ballots shall have in his hand any pencil/pen/stamp/ or other means of marking/spoiling a ballot. The election officers shall canvass/compute the votes cast &/not adjourn/ or postpone the canvass or computation until fully completed. (a) Vote cast for the different persons named upon the ballots and upon the questions shall have been fully recorded in the tally papers & counted, the election officers shall certify the number of votes cast for each person & shall prepare in ink two 2 general returns, showing the total number of ballots received from county board/number of ballots cast/number of ballots declared void/number of ballots spoiled & cancelled/ & any blank ballots & votes cast for each candidate. At elections, the number of votes cast for each candidate by each political party or political body of which such candidate is a nominee shall be separately stated. In an immediate column to the left thereof, the number of votes received by each candidate upon all ballots shall be entered, such column to be of convenient width & shall be headed 'number of votes received.' The total number of votes received by each candidate shall be entered in a column on the extreme right-hand side of return sheets, which column shall be of convenient width & shall be headed 'total number of votes.' ... (b) In returning any votes cast for any person whose name is not printed on the ballot, the election officers shall record any such names exactly as they were written or stamped upon the ballot. In districts in which paper ballots or ballot cards are electronically tabulated, stickers or labels may not be used to mark ballots. A vote cast by means of a sticker or label affixed to a ballot or ballot card shall be void and may not be counted. 25 Pa. Stat. § 3031.13 - Post election procedures(a) As soon as the polls have been closed and the last elector has voted in districts having an electronic voting system which employs paper ballots or ballot cards, and district tabulation is provided for, the number of such ballots issued to electors (at primary elections, the number issued to the electors of each party) and the number of ballots (at primaries the number of ballots of each party), if any, spoiled and returned by voters and cancelled, shall be announced to all present in the polling place and entered on the general returns of votes cast at such primary or election. The district election officers shall then compare the number of names marked as voting in the district register, "Voting Check List" and numbered lists of voters, which exist shall be result, and shall enter on the general returns the number of electors who have voted, as shown by the "Voter's Check List." Any differences which exist shall be reconciled where possible, and where reconciliation is not possible such differences shall be noted on the general returns. The district register, the "Voting Check List" and the numbered lists of voters, together with all unused ballots, and all spoiled and cancelled ballots, and all rejected voters certifies shall then be placed in separate packages, containers or envelopes and sealed before the tabulation of any ballots. (b) If ballots are computed and tabulated in the election district, all write-in votes which have been properly cast and recorded on the voting device shall be counted and recorded on a standard form provided for this purpose. District totals cards or other appropriate data storage device may also be prepared by the district board of election reflecting the results of the voting in that district. Such cards and reporting forms of write-in vote tabulation shall be delivered to the county board of elections. In cases where central counting is utilized, write-in ballots may be recorded either at the election district or at the counting center. (c) In any case in which the write-in ballot is a separate entity from the ballot or ballot card, and the write-in ballot has been used, both sections shall be given a unique identifying number prior to their separation for tabulation. (d) In returning any votes cast for any person whose name is not printed on the official ballot, the election officers shall record any such names exactly as they were written or stamped. (e) If, as a result of an overthrow, properly cast write-in vote, the voter has registered more votes for an office than he is entitled to vote for that office, the entire vote cast for that office shall be void and shall not be counted; and such write-in ballots shall be fastened to the write-in vote tabulation form and shall be delivered to the county board of elections.

(f) In the event district tabulation of votes is provided for by the voting system, the district election officers shall, immediately upon the close of the polls, cause the automatic tabulating equipment to tabulate the ballots cast during the election and shall prepare duplicate records of the total number of voters whose ballots have been tabulated; the total number of votes cast for each candidate whose name appears on the ballot; the total number of write-in votes properly cast for each office on the ballot; and the total number of votes cast for or against any question appearing on the ballot. One such record shall be publicly posted at the district polling place. All votes so cast and tabulated in the district may also be recorded on a district totals card and all properly cast write-in votes may also be recorded on the district totals card, and the delivery of such district totals cards and reporting forms to the county board of elections shall be the responsibility of the judge of election. The minority inspector shall keep duplicate copies of all such reports and returns. At the close of the election and after the tabulation of all ballots, the automatic tabulating equipment or other component of the voting system which contains ballots shall be locked and sealed so that no further ballots may be deposited in or removed from any such equipment or component, and all components of the voting system, suitably packaged and secured for storage, shall be held for delivery to the county election board. (g) In the event district tabulation of votes is not provided for by the voting system, the Judge of Election shall prepare a report of the number of voters who have voted, as indicated by the "Voting Check List" and numbered lists of voters poll list. He shall also prepare a report of the number of spoiled ballots and the number of unused ballots. He shall deliver the original copy of this report to the county board of elections under seal. The judge of election inspector shall keep a duplicate copy of this report. The judge of election and minority inspector shall forthwith deliver the sealed transport carrier containing all voted ballot cards to the county board of elections or to such places as the county board may designate. The county board of elections may provide that the ballot container and reports may upon proper certification and signature instead be picked up at the polling places by two authorized election deputies of opposite parties. (h) All reports and returns shall be signed by all district election officers. (i) In the event that district tabulation of votes is not provided for by the voting system, the election results for each election district, available to the public at the central tabulating center, the election results for each election district. (j) By two o'clock A. M. on the day following the election, all of the following shall be returned to the county board: (1) Envelopes. (2) Supplies, including all uncashed provisional ballots. (3) Returns, including all provisional ballots and absentee ballots cast in the election district.

**Election Observers MUST**

- Deliver a certificate of appointment to the general custodian of election records at time they report to service. They are required to show their certificate when requested to do so.
- Be a qualified registered elector of the county.
- Have clear line of sight to voting machine and ballot boxes. A watcher can inspect a machine when a voter is not using it.

**Election Observers MAY**

- Begin service at any time after the presiding judge arrives and until the counting of votes is complete.
- Serve at the polling place during the hours they choose and may choose to remain when ballots are being counted.
- Keep a list of voters -- the election officials must clearly and audibly announce the name of every voter who appears to vote.
- Challenge the qualifications of any person trying to vote. Watchers should direct all challenges and other comments directly to the Judge of Elections who is the official in charge at the polling place.
- When voters are not present inside the polling place, the watchers can request the judge the elections to allow them to review the voting check list and either of the two numbered lists of voters maintained by the county board.

**Election Observers MAY NOT**

- Reveal the number of votes, a candidate's position relative to another, or names of persons who may or may not have voted.
- Mark or alter any documents shown to them by the judge of elections.
- Engage in any electioneering practices, talk with voters, or otherwise influence the process of voting.

**Election Observer Rules & Privileges**

## Election Observer Rules & Privileges

25 Pa. Stat. § 2687 - Appointment of watchers

- (a) Each candidate for nomination or election at any election shall be entitled to appoint 2 watchers for each election district in which such candidate is voted for. Each political party/political body which has nominated candidates in accordance with the provisions shall be entitled to appoint 3 watchers at any general/municipal/ or special election for each election district in which the candidates of such party or political body are to be voted for. ...
- (b) Each watcher so appointed must be a qualified registered elector of the county in which the watcher was appointed & when the watcher is not serving in the election district for which the watcher was appointed & when the watcher is not serving in the election district for which the watcher was appointed, in any other election district in the county in which the watcher is a qualified registered elector. Only one watcher for each candidate at general/municipal/ or special elections present in the polling place at any one time from the time that the election officers meet prior to opening of the polls under section 1208 until time counting of votes is complete & the district register/voting check list is locked/sealed & all watchers in the room shall remain outside the enclosed space. It shall not be a requirement a watcher be a resident of the election district for which the watcher is appointed. After the close of the polls & while the ballots are being counted or voting machine canvassed, all watchers shall be permitted to be in the polling place outside the enclosed space. Each watcher provided with a certificate from the county board of elections, stating his name/name of the candidate/party or political body he represents. Watchers shall be required to show their certificates when requested to do so. Watchers allowed in the polling place shall be permitted to keep a list of voters & be entitled to challenge any person making application to vote & to require proof of his qualifications. During those intervals when voters are not present in the polling place either voting or waiting to vote, the judge of elections shall permit watchers, upon request, to inspect the voting check list and either of the 2 numbered lists of voters maintained by the county board. Provided, the watcher shall not mark upon or alter these official election records. The judge of elections shall supervise or delegate the inspection of any requested documents.
- (d) A watcher whose watcher's certificate is destroyed or lost on election day may appear before the court of common pleas under section 1206 & after swearing under oath or affirmation that the watcher's certificate was destroyed or lost, may immediately receive a replacement watcher's certificate issued by the court.
- 25 Pa. Stat. § 2650 - Watchers or attorneys at sessions of county board; candidates may be present
- (a) Any party or political body or body of citizens which now is entitled to have watchers at any registration/election, also entitled to appoint watchers who are qualified electors of the county/attorneys to represent such party/political body/body of citizens at any public session(s) of the county board of elections & at any computation/canvassing of returns of any election & recount of ballots or canvasses of voting machines. Such watchers/attorneys may exercise the same rights as watchers at registration and polling places, but the number who may be present at any one time may be limited by the county board to not more than 3 for each party, political body/body of citizens.
- Section 1209. Opening of Polls; Posting Cards of Instructions and Notices of Penalties and Voters' Rights; Examination of Voting Machines.
- ...(5) The exterior of the voting machine, and every part of the polling place, shall be in plain view of the election officers, overseers and watchers. The voting machine shall be located in the polling place, at least six feet back of the guard-rail or barrier, in such a position that, unless its construction shall require otherwise, the ballot labels on the face of the machine can be seen plainly by the election officers, overseers and watchers when the machine is not occupied by a voter.



(2) If the ballot labels containing the names of offices/parties/political bodies/candidates, & questions not be in proper places on the voting machine, the election officers shall notify the proper custodian of voting machines, or the county board, & the machine shall not be used until ... authorized by the county board, shall have supplied ballot labels. If the ballot labels for a voting machine shall not be delivered at the time required, or if after delivery, they shall be lost/destroyed/stolen, the county board or custodian shall cause other ballot labels to be prepared, printed or written, as nearly in the form of the official ballot labels as practicable, and shall cause such ballot labels used in the same manner, as the official ballot labels.

(3) The judge, each inspector of election, each clerk of election and the overseers, if any, shall sign a certificate showing—(1) the identifying number or other designation of the voting machine; (2) the delivery of the keys in a sealed envelope; (3) the number on the seal upon the machine; (4) the number registered on the protective counter or device; (5) that all of the counters were set at zero (000); & (6) that the ballot labels are properly placed in the machine, which certificate shall be returned by the judge of election to the county board with the other certificates, as hereinafter provided.

(4) The machine shall remain locked against voting until the polls are opened, & not operated except by electors in voting. If any counter is found not to register zero (000), the election officer immediately notify the custodian, or county board, who if practicable, adjust/cause the counters to be adjusted at zero (000), but, if found impracticable for the custodian/other person authorized by the county board, who if practicable, adjust/cause the counters before opening the polls, the election officer immediately make a written record of the designation/designating letter/number of such counter, together with the number registered below the initial number, & shall sign/post the same upon the wall of the polling place, where it shall remain until the polls are closed. However, if the voting machine used is equipped with mechanism for printing paper proof sheets, in any case where any counter is shown by such proof sheet not to register zero (000), if found impracticable to have such counter adjusted before the time set for opening the polls, the election officer shall sign such printed proof sheet & post the same upon the wall of the polling place where it shall remain until the polls are closed; & in filling out the returns of the election, if the final number of such counter is greater than the initial number, the election officer shall subtract the initial number from the final number, & enter the difference on the returns as the vote for the candidate or on the question represented by such counter; if the final number of such counter is less than the initial number, the election officer shall add one thousand to the final number and shall subtract the initial number from the sum so ascertained, and shall enter upon the returns as the vote for the candidate or on the question represented by such counter the final number plus one thousand less the initial number.

...(6) The election officers shall not be, nor allow any person be, in any position that will permit any one to see how an elector votes/voted. The election officers shall inspect the face of the machine at frequent intervals ...

(7) During election, the door/other covering of the compartment containing the counters of the machine shall not be unlocked/opened/counters exposed, except by action of the proper custodian of voting machines, for good/sufficient reason, a statement of which shall be made in writing/signed/attested by the signatures of election officers & overseers, or except upon the written order of the county board, for good/sufficient reason.

## Additional Notes