

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!



Finished Document

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Virginia 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

§ 24.2-601. Town election process.
The electoral board & general registrar of the county within which a town, or the greater part thereof, is situated shall control the election process & carry out the applicable provisions of this title concerning towns. For November elections for town offices in any town split between two or more counties, the electoral board of the county in which the lesser part of the town is located shall (i) include town offices on the ballot for the county, & (ii) report the results ascertained for those town offices to the electoral board of the county in which the greatest part of the town is located for inclusion in the results of that county pursuant to § 24.2-671.



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 law enforcement officer or officers of the election to deal with hostile persons
- Dealing with errors by Chief Election Official
 - Politely point out correct action from reference materials
 - If the issue is not corrected, you can call the Electoral Board at 703-228-3456

Infractions

Conflict Resolution

Infractions

24-2-1001. Willful neglect or corrupt conduct.

A. If any officer of election/member of electoral board/ or other person on whom any duty is enjoined by law relative to any election...

B. ... of any corrupt conduct in the execution of his duty is guilty ...

24-2-1000. Intimidation and threats toward election officials; penalty.

A. Any person who, by bribery/intimidation/threats/coercion/ or other means in violation of the election laws willfully & intentionally hinders or prevents/attempts to hinder or prevent, an election official/employee of an election official from administering elections ...

B. For purposes of this section:

'Election official' includes members of the State Board of Elections/Commissioner of Elections/members of local electoral boards/general registrars/deputy registrars/ & officers of election.

'Employee of an election official' includes persons employed by the Department of Elections /office of general registrar.

24-2-1005.1. Communication of false information to registered voter.

A. It shall be unlawful for any person to communicate to a registered voter, by any means, false information, knowing the same to be false, intended to impede the voter in the exercise of right to vote. The provisions applies to information only about date/time/& place of election, or the voter's precinct/polling place/voter registration status/location of a voter satellite office/ or the office of general registrar.

C. ... A registered voter to whom such false information is communicated shall be entitled to institute an action for preventative relief ...

24-2-1010. Unauthorized possession or duplication of voting equipment key or electronic activation device.

Any unauthorized person found in possession of any voting equipment key/electronic activation device of the type used to prepare/operate voting equipment/or any unauthorized person who duplicates a voting equipment key/electronic activation device ...

24-2-1005.2. Interference with voting.

A. Any person acting under the color of law contrary to official policy/procedure, fails/refuses to permit, a qualified voter to vote, including a voter who is confined while awaiting trial ...

B. Any person who furnishes a ballot to a person who he knows cannot understand the language in which the ballot is printed/misinform him to the content of the ballot with an intent to deceive/induce him to vote contrary to his desire ...

Conflict Resolution

§ 24-2-606. Preservation of order at elections.

The officers of election, with the consent of the chief law-enforcement officer for the county or city, may designate a law-enforcement officer who shall attend at the polling place and preserve order inside and outside the polling place.

§ 24-2-607. Prohibited conduct; intimidation of voters; disturbance of election; how prevented; penalties.

It shall be unlawful for any person to hinder, intimidate, or interfere with any qualified voter so as to prevent the voter from casting a secret ballot. The officers of election may order a person violating this subsection to cease such action. If such person does not promptly desist, the officers of election, or a majority of them, may order the arrest of such person by any person authorized by law to make arrests, and, by their warrant, may commit him to the county or city jail, as the case may be, for a period not exceeding twenty-four hours. ...

No person shall conduct himself in a noisy or riotous manner at or about the polls so as to disturb the election or insult or abuse an officer of election. Any person authorized to make arrests may forthwith arrest a person engaging in such conduct and bring him before the officers of the election, and they, by their warrant, may commit him to the county/city jail, as the case may be, for a period not exceeding twenty-four hours; but they shall permit him to vote if he is so entitled.



Arrival Checklist

- Check in with Presiding Judge: Arrival at 5:15 a.m.
- Submit any required paperwork upon arrival and receive ID: "Each representative, who is not a candidate/party chairman, shall present to the officers of election a written statement designating him to be a representative of the party or candidate & signed by the county/city chairman of his political party/ independent candidate as appropriate." (§ 24.2-639)
- Badge if required: no badge is required according to state law
- Ask Lead Authority for cell phone policy: phones can be used, but election officials can ask for them to be put away at their discretion. Photos aren't allowed. (See section on election observer rules)

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 electronic voting counters are set to zero. If not, the general registrar should be immediately notified and a working machine should be substituted in. (§ 24.2-639)
- All ballot containers are inspected and found to be empty, then the ballot containers are locked and the keys are given to an election officer. (§ 24.2-624)
- All voting machines/ballots/ballot boxes are accounted for and within your line of sight. (See § 24.2-638 under "Electronic Ballots")

Opening the Polls

Opening the Polls

24.2-603. Hours polls to be open; closing the polls.

At all elections, the polls shall be open at each polling place at 6:00 a.m. on the day of the election & closed at 7:00 p.m. on the same day except as provided for

central absentee voter precincts ...

24.2-639. Duties of officers of election.

The officers of election of each precinct at which voting systems are used shall meet at the polling place by 5:15 a.m. on day of the election & arrange equipment/furniture, & other materials for conduct of the election. The officers of election shall verify all required equipment, ballots, & other materials have been delivered for the election. The officers shall post at least 2 instruction cards for direct recording electronic machines conspicuously within the polling place. The keys to the equipment & any electronic activation devices required for the operation of electronic voting equipment shall be delivered, prior to the opening of the polls, to the officer of election designated by the electoral board/general registrar in a sealed envelope which has been written/printed the name of the precinct intended. The envelope containing keys & any electronic activation devices shall not be opened until all of the officers of election for precinct are present at polling place & have examined the envelope to see it has not been opened. The equipment shall remain locked against voting until polls are formally opened not be operated except by voters in voting.

Before opening the polls, each officer shall examine the equipment/see no vote has been cast/& counters register zero. The officers shall conduct their examination in the presence of the following party/candidate representative: one authorized representative of each political party or independent candidate in a general/special election, or one authorized representative of each candidate in a primary election, if representatives are available. Each authorized representative shall be a qualified voter of any jurisdiction of the Commonwealth. Each representative, who is not a candidate/or party chairman, shall present to officers of election a written statement designating to be a representative of the party/or candidate & signed by the county/city chairman of their political party/or independent candidate as appropriate. If the county/city chairman is unavailable to sign a written designation, a designation may be made by the state/district chairman of the political party. However, no written designation made by a state/district chairman shall take precedence over a written designation made by the county/city chairman. Statement, bearing the chairman's or candidate's original signature, may be photocopied & photocopy shall be as valid as if copy had been signed. If any counter, other than a protective/private counter, on a ballot scanner is found not to register zero, the officers of election shall immediately notify the general registrar, who shall, if possible, substitute a machine in good working order, that has been prepared and tested pursuant to § 24.2-634. No ballot scanner shall be used, if any counter, other than a protective/private counter, is found not to register zero.

§ 24.2-624. Opening and closing ballot containers; opening polls.

Immediately before the opening of the polls, an officer of election shall open the ballot containers in the presence of the political party/candidate representatives authorized to be present for the examination of voting equipment pursuant to § 24.2-639, if representatives are available. The officers shall inspect the containers to ensure that they are empty/lock them/& deliver the key to one of the officers. One of the officers shall proclaim that the polls are open. The containers shall not be opened until close of the polls & shall then be opened for the purpose of counting the ballots therein. The containers shall be kept in view of those voting within the polling place during the hours of election.

§ 24.2-604. Polling places; prohibited activities; prohibited area; penalties.

B. Prior to opening the polls, the officers of election shall post, in the area within 40 feet of any entrance to the polling place, sufficient notices that state "Prohibited Area" in two-inch type. The notices shall also state the provisions of this section in not less than 24-point type. The officers of election shall post the notices within the prohibited area to be visible to voters and the public.

A voter may be accompanied into the voting booth by his child age 15 or younger.

§ 24.2-638. Voting equipment to be in plain view; officers and others not permitted to see actual voting; unlocking counter compartment of equipment, etc.

During the election, the exterior of the voting equipment and every part of the polling place shall be in plain view of the officers of election.

No voting or counting machines shall be removed from the plain view of the officers of election or from the polling place at any time during the election and through the determination of the vote as provided in § 24.2-657, except as provided in subsection D of § 24.2-649.1. In the case of an emergency that makes a polling place unusable or inaccessible, voting or counting machines may be removed to an alternative polling place pursuant to the provisions of subsection D of § 24.2-310. The equipment shall be placed at least four feet from any table where an officer of election is working or seated. The officers of election shall not themselves be, or permit any other person to be, in any position or near any position that will permit them to observe how a voter votes or has voted.

One of the officers shall inspect the face of the voting machine after each voter has cast his vote and verify that the ballots on the face of the machine are in their proper places and that the machine has not been damaged. During an election, the door or other covering of the counter compartment of which shall be made and signed by the machine shall not be unlocked or open or the counters exposed except for good and sufficient reasons, a statement of which shall be made and signed by the officers of election and attached to the statement of results. No person shall be permitted in or about the polling place except the voting equipment custodian, vendor, or contractor technicians and other persons authorized by this title.



Who can be in the voting area?

- Voters
- Election officers, authorized representatives
- A law enforcement officer
- Voting equipment custodian, vendor, or contractor technicians (See § 24.2-638 under "Electronic Ballots")
- Children under 15 accompanying a parent to vote (24.2-604)
- News media
- Persons admitted to provide assistance to voter

Valid Forms of ID If Required by Your State

Under Section 24.2-643:

- Voter confirmation documents
- Valid VA driver's license (expiration date does not matter in determining the validity)
- Valid U.S. Passport
- "Any other identification issued by the Commonwealth, one of its political subdivisions, or the U.S."
- Valid student ID from a higher education or private education located in the Commonwealth
- Valid student ID with a photograph of the voter issued by any institute of higher education within the U.S.
- Valid employee ID card with a photograph of the voter
- A current utility bill, bank statement, government check, paycheck, or other government document containing the name & address of the voter

If the voter presents one of these forms of ID and can be found in the pollbook under the identical or similar name, and if no objection is made, then they will be allowed to vote.

Voting Area

Valid Forms of ID

Voting Area

24.2-604. Polling places; prohibited activities; prohibited area; penalties.

A. During the times polls are open & ballots are being counted, or within one hour of opening/after closing, it is unlawful for any person (i) to loiter/congregate within 40 feet of any entrance of any polling place; (iii) within such distance to give/tender/exhibit any ballot/ticket/ or other campaign material to any person or to solicit or in any manner attempt to influence any person in casting his vote; (iii) to hinder or delay a qualified voter in entering/leaving a polling place; or (iv) knowingly possess any firearm as defined in § 18.2-308.2.2 within 40 feet of any building used as a polling place.

C. Unlawful for any authorized representative permitted in the polling place pursuant to § 24.2-604.4, any voter, or any other person in the room to (i) hinder/delay a qualified voter; (iii) give/tender/ or exhibit any ballot/ticket/ or other campaign material to any person; (iii) solicit or in any manner attempt to influence any person in casting his vote; (iv) hinder/delay any officer of election; (v) be in a position to see the marked ballot of any other voter; or (vi) otherwise impede the orderly conduct of the election.

G. "The officers of election may require any person who is found by a majority of the officers present to be in violation of this section to remain outside of the prohibited area....

A. A local electoral board/general registrar may authorize in writing the presence in the polling place of additional neutral observers deemed appropriate, except as otherwise prohibited/limited by the provisions of § 24.2-604. Such observers shall comply with the restrictions in subsections A and C of § 24.2-604 and shall not be allowed to provide assistance to any voter as permitted under § 24.2-649 or to wear any indication they are authorized to assist voters either inside the polling place or within 40 feet of any entrance to the polling place. ...

B. The officers of election shall permit representatives of the news media to visit & film/photograph inside the polling place for a reasonable & limited period of time while polls are open. However, the media (i) shall comply with the restrictions in subsections A and C of § 24.2-604; (ii) shall not film/photograph any person who specifically asks the media representative at that time not to be filmed/photographed; (iii) shall not film/photograph the voter or the ballot in such a way that divulges how any individual voter is voting; &(iv) shall not film/photograph the voter list/ or any other voter record/material at the precinct in such a way that it divulges the name/other information concerning any individual voter. Any interviews with voters/candidates/ or other persons; live broadcasts/ or taping of reporters' remarks shall be conducted outside of polling place & the prohibited area. ...

B. Prior to opening the polls, the officers of election shall post, in the area within 40 feet of any entrance to the polling place, sufficient notices that state "Prohibited Area" in two-inch type. The notices shall also state the provisions of this section in not less than 24-point type. The officers of election shall post the notices within the prohibited area to be visible to voters and the public. ...

A voter may be accompanied into the voting booth by his child age 15 or younger.

Valid Forms of ID

24.2-643. Qualified voter permitted to vote; procedures at polling place; voter identification.

B. ... following forms of identification: (i) his voter confirmation documents; (iii) valid Virginia driver's license/valid U.S. passport/ or any other identification issued by the Commonwealth, one of its political subdivisions, or the U.S.; other than a driver privilege card issued under § 46.2-328.3 or an identification privilege card issued under § 46.2-345.3; (iiii) valid student identification card issued by any institution of higher education located in the Commonwealth/ any private school located in the Commonwealth; (iv) any valid student identification card containing a photograph/voter & issued by any institution of higher education located in any state/territory of the U.S.; (v) any valid employee identification card containing a photograph of the vote & issued by an employer of the voter in the ordinary course of the employer's business; or (vi) a copy of a current utility bill/bank statement/government check/ paycheck/ or other government document containing the name & address of the voter. The expiration date on a Virginia driver's license shall not be considered when determining the validity of the driver's license offered for purposes of this section. ...

If the voter presents one of the forms of identification listed above, if name is found on the pollbook in a form identical to/similar to the name on the presented form of identification & the name provided by the voter, if qualified to vote in the election is made, an officer shall enter the voter's name on the pollbook, the first or next consecutive number from the voter count form provided by the State Board, or shall enter that the voter has voted if the pollbook is in electronic form; an officer shall provide the voter with the official ballot; & another officer shall admit him to the voting booth. Each voter whose name has been marked on the pollbooks as present to vote and entitled to a ballot shall remain in the presence of the officers of election in the polling place until he has voted. If a line of voters who have been marked on the pollbooks as present to vote forms to wait entry to the voting booths, the line shall not be permitted to extend outside of the room containing the voting booths and shall remain under observation by the officers of election. ...

D. At the time the voter is asked his full name and current residence address, the officer of election shall ask any voter for whom the pollbook indicates that an identification number other than a social security number is recorded on the Virginia voter registration system if he presently has a social security number. If the voter is able to provide his social security number, he shall be furnished with a voter registration form prescribed by the State Board to update his registration information. Upon its completion, the form shall be placed by the officer of election in an envelope provided for such forms for transmission to the general registrar. Any social security numbers so provided shall be entered by the general registrar in the voter's record on the voter registration system.



Voter Check-In

The officer of election will ask the voter for their full name and current address. The voter can give this information orally or in writing. The voter will present a form of ID which will be compared against the pollbooks to confirm the voter's identity. If their identity is confirmed, and no objection is raised, the officer will enter, opposite the voter's name on the pollbook, the first or next consecutive number from the voter count form provided by the State Board, or will enter that the voter has voted if the pollbook is in electronic form. Then the voter will be given an official ballot and be admitted to the voting booth. (§ 24.2-643)

If their address is different from what is shown in the pollbook, they'll be provided with a change of address form. If a voter does not show one of the forms of ID, they'll be required to sign a statement swearing that they are the registered voter they claim to be.

If they cannot produce a valid form of ID and refuse to sign the statement, they will be given a provisional ballot under the provisions of § 24.2-653. "The State Board of Elections shall provide an ID-ONLY provisional ballot envelope that requires no follow-up action by the registrar or electoral board other than matching submitted identification documents from the voter for the electoral board to make a determination on whether to count the ballot." (§ 24.2-643)

Any voter who has an ID number other than a SSN recorded on their Virginia voter registration, the officer of election will ask them to provide their SSN. If the voter is able to provide his social security number, he shall be furnished with a voter registration form to update their registration information. (§ 24.2-643)

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Voter Check-In

Voter Check-In

24-2-1011. Ballot not to be carried away.

Unlawful for any person to carry official ballot furnished by the officers of the election further than the voting booth, & after receiving the ballot, conclude not to vote, he shall immediately return the ballot to the officers. Any person who (i) carries an official ballot /copy beyond or away from the voting booth, except to the officers of election, or (ii) votes any ballot except the ballot received from the officers of election...

24-2-643. Qualified voter permitted to vote; procedures at polling place; voter identification.

A. After the polls are open, each qualified voter at a precinct shall be permitted to vote. The officers of election shall ascertain that a person offering to vote is a qualified voter before admitting him to the voting booth & furnishing an official ballot to him.

B. An officer of election shall ask the voter for his full name/current residence address/& voter may give such information orally/in writing. The officer of election shall verify with the voter ...

Except as provided in subsection E, any voter who does not show one of the forms of identification specified in this subsection shall be allowed to vote after signing a statement, subject to felony penalties for false statements pursuant to § 24.2-1016, that he is the named registered voter he claims to be. A voter who requires assistance in voting by reason of a physical disability or an inability to read or write, and who requests assistance pursuant to § 24.2-649, may be assisted in preparation of this statement in accordance with that section. The provisions of § 24.2-649 regarding voters who are unable to sign shall be followed when assisting a voter in completing this statement. A voter who does not show one of the forms of identification specified in this subsection and does not sign this statement shall be offered a provisional ballot under the provisions of § 24.2-653. The State Board of Elections shall provide an ID-ONLY provisional ballot envelope that requires no follow-up action by the registrar or electoral board other than matching submitted identification documents from the voter for the electoral board to make a determination on whether to count the ballot.

If the voter presents one of the forms of identification listed above, if his name is found on the pollbook in a form identical to/similar to the name on the presented form of identification & the name provided by the voter, if he is qualified to vote in the election, & if no objection is made, an officer shall enter, opposite the voter's name on the pollbook, the first/next consecutive number from the voter count form provided by the State Board, or shall enter the voter has voted if the pollbook is in electronic form; an officer shall provide the voter with the official ballot; & another officer shall admit him to the voting booth. Each voter whose name has been marked on the pollbooks as present to vote and entitled to a ballot shall remain in the presence of the officers of election in the polling place until he has voted. If a line of voters who have been marked on the pollbooks as present to vote forms to wait entry to the voting booths, the line shall not be permitted to extend outside of the room containing the voting booths and shall remain under observation by the officers of election. A voter may be accompanied into the voting booth by his child age 15 or younger.

C. If the current residence address provided by the voter is different from the address shown on the pollbook, the officer of election shall furnish the voter with a change of address form prescribed by the State Board. Upon its completion, the voter shall sign the prescribed form, subject to felony penalties for making false statements pursuant to § 24.2-1016, which the officer of election shall then place in an envelope provided for such forms for transmission to the general registrar who then transfer or cancel the registration of such voter pursuant to Chapter 4 (§ 24.2-400 et seq.).

D. At the time the voter is asked his full name/current residence address/the officer of election shall ask any voter for whom the pollbook indicates that an identification number other than a social security number is recorded on the Virginia voter registration system if he presently has a social security number. If the voter is able to provide his social security number, he shall be furnished with a voter registration form prescribed by the State Board to update his registration information. Upon its completion, the form shall be placed by the officer of election in an envelope provided for such forms for transmission to the general registrar. Any social security numbers so provided shall be entered by the general registrar in the voter's record on the voter registration system.

E. This subsection shall apply in the case of any individual who is required by subparagraph (b) of 52 U.S.C. § 21083 of the Help America Vote Act of 2002 to show identification the first time he votes in a federal election in the state. At such election, such individual shall present (i) a current valid photo identification or (ii) a copy of a current utility bill/bank statement/government check/paycheck/or other government document that shows the name and address of the voter. Such individual who desires to vote in person but does not show one of the forms of identification specified in this subsection shall be offered a provisional ballot under the provisions of § 24.2-653. The Department of Elections shall provide instructions to the electoral boards for handling/counting of such provisional ballots pursuant to subsection B of § 24.2-653 & this section.



Paper Ballots and Ballot Box

Paper ballots can be used if:

- it's the only ballot used in the precinct
- it's used by voters voting outside the polling place
- the voter is casting a provisional ballot
- the voting equipment is inoperable or unavailable
- a voter is voting by an absentee paper ballot
- or if the voter moved into the commonwealth less than 30 days prior to the election (as pursuant to § 24.2-402)

Before opening the polls, the officers will inspect the ballot containers, ensure they're empty, and lock them. The ballot containers are not to be opened until the close of the polls, and they're to be kept in sight of everyone voting during the hours of the election. (§ 24.2-624)

After a voter has completed their ballot, they will return it to the election officer who will deposit it into the ballot container. The officer may inspect the official seal on the back of the ballot to determine if it is genuine. (§ 24.2-646)

Electronic Ballots

Unless damaged or otherwise inoperable, voting machines will be employed at the polls. If a voting machine is damaged during the hours of polling, it cannot be removed from the sight of the election officers. Repairs must be made in the presence of two election officials from different parties if it can be repaired on site. If available, an operable machine can be brought in to replace the inoperable one, but the inoperable machine must not be removed while the polls are open. (§ 24.2-642)

Electronic voting machines are periodically inspected for tampering and damage after each voter has cast their vote. (§ 24.2-638)

No voting machine can have wireless communication. (§ 24.2-625.2)

The polling place will be equipped with at least one voting system that caters to those who are disabled, blind, visually impaired, or speak an alternative language. (§ 24.2-626.1)

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Paper Ballots

Electronic Ballots

Paper Ballots

§ 24.2-646.1. Permitted use of paper ballots.

The official paper ballot shall be used by a voter to cast his vote only in one of the following circumstances:

1. The official paper ballot is the only ballot in use in the precinct.
2. The official paper ballot is used by voters voting outside of the polling place pursuant to § 24.2-649.1.
3. The voter is casting a provisional ballot.

4. The voter is provided an official paper ballot/copy thereof pursuant to § 24.2-642 when voting equipment is inoperable or otherwise unavailable.

5. The official absentee paper ballot voted in accordance with (§ 24.2-700 et seq.).

6. The voter is provided an official paper ballot for a presidential election pursuant to § 24.2-402 or for federal elections pursuant to § 24.2-453.

§ 24.2-646. Voter folds paper ballot and hands same to officer who deposits it unopened in ballot container.

The qualified voter shall fold each paper ballot with the names of the candidates/questions on the inside/& hand the folded ballot to the appropriate officer of election. The officer shall place the ballot in the ballot container without any inspection except to assure that only a single ballot has been tendered & the ballot is a genuine ballot. Without looking at the printed inside of the ballot, the officer may inspect the official seal on the back of the ballot to determine if it is genuine.

§ 24.2-644. Voting by paper ballot; voting for presidential electors; write-in votes.

A. The qualified voter shall take the official paper ballot and enter the voting booth. After entering voting booth, the qualified voter shall mark the ballot in accordance with the instructions for the type of ballot, for each candidate for whom he wishes to vote, leaving unmarked the name of each candidate for whom he does not wish to vote. Any ballot marked so that the intent of the voter is clear shall be counted...

§ 24.2-645. Defaced printed ballots.

If any printed ballot is unintentionally defaced and rendered unfit for voting, the voter may deliver the defaced ballot to the officer of election and receive another. The returned ballot shall be marked spoiled by the officer of election and placed in the spoiled ballot envelope.

Electronic Ballots

24.2-613. Form of ballot.

F. Any locality that uses machine-readable ballots at one or more precincts, including any central absentee precinct, may, with the approval of the State Board, use a printed reproduction of the machine-readable ballot in lieu of the official paper ballots.

§ 24.2-625.2. Wireless communications at polling places.

There shall be no wireless communications on election day, while the polls are open, between or among voting machines within the polling place or between any voting machine within the polling place and any equipment outside the polling place. For purposes of this section, the term wireless communication shall mean the ability to transfer information via electromagnetic waves without the use of electrical conductors.

§ 24.2-638. Voting equipment to be in plain view; officers and others not permitted to see actual voting; unlocking counter compartment of equipment, etc.

During the election, the exterior of the voting equipment and every part of the polling place shall be in plain view of the officers of election and through the determination of machines shall be removed from the plain view of the officers of election or from the polling place at any time during the election and through the determination of the vote as provided in § 24.2-657, except as provided in subsection D of § 24.2-649.1. In the case of an emergency that makes a polling place unusable or inaccessible, voting or counting machines may be removed to an alternative polling place pursuant to the provisions of subsection D of § 24.2-310. The equipment shall be placed at least four feet from any table where an officer of election is working or seated. The officers of election shall not themselves be, or permit any other person to be, in any position or near any position that will permit them to observe how a voter votes or has voted. One of the officers shall inspect the face of the voting machine after each voter has cast his vote and verify that the ballots on the face of the machine are in their proper places and that the machine has not been damaged. During an election, the door or other covering of the counter compartment of the voting or counting machine shall not be unlocked or open or the counter exposed except for good and sufficient reasons, a statement of which shall be made and signed by the officers of election and attached to the statement of results. No person shall be permitted in or about the polling place except the voting equipment custodian, vendor, or contractor technicians and other persons authorized by this title.

§ 24.2-642. Inoperative equipment. ("This law was too long to fit the entirety of it here, so portions were added in the "Additional Notes" section)

A. When any voting or counting machine becomes inoperative in whole or in part while the polls are open, the officers of election shall immediately notify the electoral board or general registrar. If possible, the electoral board or general registrar shall dispatch a qualified technician to the polling place to repair the inoperative machine. All repairs shall be made in the presence of two officers of election representing the two political parties or, in the case of a primary election for only one party, two officers representing that party. If the machine cannot be repaired on site, the general registrar shall, if possible, substitute a machine in good order for the inoperative machine and at the close of the polls the record of both machines shall be taken and the votes shown on their counters shall be added together in ascertaining the result of the election. No voting or counting machines, including inoperative machines, shall be removed from the plain view of the officers of election or from the polling place at any time during the election and through the determination of the vote as provided in § 24.2-657 except as explicitly provided pursuant to the provisions of this title. No voting or counting machine that has become inoperative and contains votes may be removed from the polling place while the polls are open and votes are being ascertained. ... Nothing in this subsection shall prohibit the removal of an inoperative machine from a precinct prior to the opening of the polls or the first vote being cast on that machine.

§ 24.2-626.1. Acquisition and use of accessible voting devices.

The governing body of any county or city shall provide for the use of a voting or counting system in all elections that shall:

1. Provide for at least one voting system equipped for individuals with disabilities at each polling place, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters; and
2. Provide alternative language accessibility when required by § 203 of the Voting Rights Act of 1965 (52 U.S.C. § 10503).



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 already voted but insists on voting
- Voter claims they lost or never received their absentee ballot
- Voter is not qualified but insist on voting

Provisional ballot procedures that should be followed in VA according to § 24.2-653:

- Anyone who is required to vote by provisional ballot will be given a printed ballot and must provide their information, subject to the penalties of providing false information.
- On a green envelope, they'll include the last four of their SSN, if they have one, their full name including any prior name before marriage, date of birth, address, and signature.
- The voter will also be asked to provide a form of ID. If they cannot, they'll sign a statement, subject to the penalties of providing false information, swearing they are the registered voter they claim to be. The officers of election will note on the envelope whether or not a form of ID was provided.
- The voter will then, in the presence of the election officer, but still secretly, mark their ballot with their vote, and seal it in the green envelope. The envelope containing the ballot shall then promptly be placed in the ballot container by an officer of election

Mail Ballots

Mail Ballots: There will be drop-off locations for absentee ballots at the office of the general registrar and each voter satellite office in operation, and at the polling place on election day. The general registrar may make additional drop off locations. (§ 24.2-707.1)

A voter may vote absentee in person after they have verified that they are a registered voter. (§ 24.2-701.1.)

Representatives of the two major political parties may be present during the hours of in person absentee voting. (§ 24.2-701.1.)

Before the polls open, the pollbook will be marked with the letters "AB" for every absentee voter applicant on the list. (§ 24.2-711)

Absentee ballots can be returned up to three days following the election, provided they were postmarked before the deadline of the election. (§ 24.2-709)

- Virginia provides detailed laws on absentee voting in Chapter 7 of Title 24.4 "Elections". As we cannot include all of the law here, we recommend reading the details on the VA Law website: <https://law.lis.virginia.gov/>
- _____
- _____
- _____
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Provisional Ballots

Mail Ballots

Provisional Voting

24.2-652. Voter whose name erroneously omitted from pollbook; provisional ballots.
B. If the general registrar is not available or cannot state that the person is registered to vote, such person shall be allowed to vote by provisional ballot pursuant to § 24.2-653. The officers of election shall provide to him an application for registration. The State Board of Elections shall provide instructions to the electoral boards for the handling and counting of such provisional ballots.
§ 24.2-651.1. Voter who is shown as having already voted; provisional ballots.
Any person who offers to vote, who is listed on the pollbook, and whose name is marked to indicate that he has already voted in person in the election shall cast a provisional ballot pursuant to § 24.2-653. ...
§ 24.2-653.1. Voters who did not receive absentee ballots; provisional ballots.
Any person who offers to vote pursuant to § 24.2-643 at his proper polling place/central absentee voter precinct established by the governing body of the county/city where he is registered to vote, but whose name is shown on the pollbook as having applied for an absentee ballot, shall be entitled to cast a provisional ballot if, for any reason, he did not receive /lost the absentee ballot/chosen to not vote absentee. In such case, he shall be required to present to the officer of election a statement signed he did not receive the ballot/lost the ballot/or has not cast the ballot, subject to felony penalties for making false statements as pursuant to § 24.2-1016, before being given a printed ballot and permitted to vote the provisional ballot. ...
§ 24.2-653.01. Provisional ballots; electoral boards to make determination as to validity.
B. The electoral board shall permit one authorized representative of each political party/independent candidate in a general/special election or one authorized representative of each candidate in a primary election to remain in the room in which the determination is being made as an observer so long as he does not participate in the proceedings and does not impede the orderly conduct of the determination. Each authorized representative shall be a qualified voter of any jurisdiction of the Commonwealth. Each representative, who is not a candidate/party chairman, shall present to the electoral board a written statement designating a representative of the party/candidate & signed by the county/city chairman of his political party, the independent candidate as appropriate. Such statement, bearing the chairman's/ candidate's original signature, may be photocopied & such photocopy shall be as valid as if copy had been signed. ...
§ 24.2-653. Provisional voting; procedures in polling place.
A. Any person voting provisionally pursuant to subsection B of § 24.2-643, § 24.2-651.1, subsection B of § 24.2-652, or § 24.2-653.1 or 24.2-653.2 shall be given a printed ballot and person voting provisionally pursuant to subsection B of § 24.2-1016, on a green envelope supplied by the Department of Elections, the identifying information required on the envelope, including the last four digits of his social security number, if any, full name including the maiden or any other prior legal name, date of birth, complete address, and signature. Such person shall be asked to present one of the forms of identification specified in subsection B of § 24.2-643. If he is unable to present one of these forms of identification, he shall sign a statement, subject to felony penalties for false statements pursuant to § 24.2-1016, that he is the named registered voter he claims to be. The officers of election shall note on the green envelope whether or not the voter has presented one of the specified forms of identification or signed the required statement in lieu of presenting one of the specified forms of identification. The officers of election shall enter the appropriate information for the person in the precinct provisional ballots log in accordance with the instructions of the State Board but shall not enter a consecutive number for the voter on the pollbook nor otherwise mark his name as having voted.
The voter shall then, in the presence of an officer of election, but in a secret manner, mark the printed ballot as provided in § 24.2-644 and seal it in the green envelope. The envelope containing the ballot shall then promptly be placed in the ballot container by an officer of election.
C. The provisional votes submitted pursuant to subsection A, in their unopened envelopes, shall be sealed in a special envelope marked "Provisional Votes," inscribed with the number of envelopes contained therein, and signed by the officers of election who counted them. All provisional votes envelopes shall be delivered either (i) to the clerk of the circuit court who shall deliver all such envelopes to the secretary of the electoral board or (ii) to the general registrar in localities in which the electoral board has directed delivery of election materials to the general registrar pursuant to § 24.2-668.

Mail Ballots

§ 24.2-707.1. Drop-off locations for return of absentee ballots.
A. The general registrar of each county or city shall establish at the office of the general registrar and each voter satellite office in operation for an election a drop-off location for the purpose of allowing the deposit of completed absentee ballots for such election. On the day of the election, there shall also be a drop-off location at each polling place in operation for the election. The general registrar may establish additional drop-off locations within the county or city as he deems necessary. All drop-off locations shall be accessible; be on public property, unless located at a polling place; and otherwise comply with any criteria for drop-off locations set by the Department.
... D. Absentee ballots shall be collected from drop-off locations in accordance with the instructions provided by the Department. Such instructions shall include chain of custody requirements and recordkeeping requirements. Absentee ballots shall be collected at least daily by (i) two officers of election or electoral board members representing the two major political parties where practicable or (ii) two employees from the office of the general registrar, unless the drop-off location is in the office of the general registrar, in which case the general registrar or a deputy general registrar may collect the absentee ballots.
§ 24.2-701.1. Absentee voting in person.
A. Absentee voting in person shall be available on the forty-fifth day prior to any election and shall continue until 5:00 p.m. on the Saturday immediately preceding the election. In the case of a special election, excluding for federal officers, if time is insufficient between the issuance of the writ calling for the special election and the date of the special election, absentee voting in person shall be available as soon as possible after the issuance of the writ. ...
C. The general registrar may provide for the casting of absentee ballots in person pursuant to this section on voting systems. ...
D. At least two officers of election shall be present during all hours that absentee voting in person is available and shall represent the two major political parties....
§ 24.2-711. Duties of electoral board, general registrar, and officers of election.
A. Before the polls open, the officers of election at each precinct shall mark, for each person on the absentee voter applicant list, the letters "AB" (meaning absentee ballot) in the voting record column on the pollbook. ... If the pollbook has been marked prior to election day, before the polls open the officers of election at each precinct shall check the marks for accuracy and make any additions or corrections required. The chief officer of election shall keep the copy of the absentee voter applicant list in the polling place as a public record open for inspection upon request at all times while the polls are open.
§ 24.2-709. Ballot to be returned in manner prescribed by law.
A. Any ballot returned to the office of the general registrar or to a drop-off location in any manner except as prescribed by law shall be void. Absentee ballots shall be returned to the general registrar or to a drop-off location before the closing of the polls. Any voter who is in line to return an absentee ballot at a drop-off location by 7:00 p.m. on the day of the election shall be permitted to deposit his absentee ballot. The registrar receiving the ballot shall (i) seal the ballot in an envelope with the statement or declaration of the voter, or both, attached to the outside envelope the date, time, and manner of delivery. No returned absentee ballot shall be deemed void because (a) the inner envelope containing the voted ballot is imperfectly sealed so long as the outside envelope containing the ballot envelope is sealed or (b) it is not returned sealed in the outside envelope so long as it is returned sealed in the inner envelope.
B. Notwithstanding the provisions of subsection A, any absentee ballot (i) returned to the general registrar after the closing of the polls on election day but before noon on the third day after the election and (ii) postmarked on or before the date of the election shall be counted pursuant to the procedures set forth in this chapter if the voter is found entitled to vote. For purposes of this subsection, a postmark shall include any other official indicia of confirmation of mailing by the United States Postal Service or other postal or delivery service.



Curbside Voting

For voters physically unable to enter polling place due to disability or age, there will be an area within 150 ft of the polling place that is designated for those who need to vote outside. The voter will be handed a printed ballot by an officer of election, they will secretly mark the ballot in the officer's presence, then return the ballot to the officer. The officer shall immediately return to the polling place and shall deposit a paper ballot in the ballot container or a machine-readable ballot in the ballot scanner. If the county/city has a portable electronic voting machine, then that can be brought out to the voter, provided that the voting machine remains in the plain view of 2 officers of election representing 2 political parties. (§ 24.2-649.1)

Rules on Voters Needing Assistance

A qualified voter who requests assistance on the basis of being blind, unable to read or write, or having some other physical disability will be assisted in voting. (§ 24.2-649)

Who may provide assistance to a voter?

The officer of elections or any other person can assist the voter. The officer of elections or other assistant cannot enter the booth with the voter unless the voter signs a request stating that they require assistance and the officer of election or other person signs a statement that they are not the voter's employer or an agent of that employer, or an officer or agent of the voter's union. If the voter cannot sign, the an officer of election will sign and that will be sufficient. A voter who is blind will not be required to sign. The officer of elections will record the name and address of whoever assists the voter.

If the voter requires assistance in a language other than English and has not designated a person to assist him, an officer of election may assist as an interpreter, but will first ask the representatives whether they have a volunteer available who can interpret for the voter. One representative interpreter for each party or candidate, if they are available, will be permitted to observe the officer of election communicate with the voter. The voter may designate one of the volunteer party or candidate interpreters to provide assistance.

In any precinct where there is an electronic voting machine for those with a disability, the election officers will let the voter know that the machine is available for them to use without assistance. (§ 24.2-649)

Electioneering

During the election, and within a hour of opening and closing the polls, no one can campaign, loiter, or congregate within 40 feet of any entrance to a polling place. No one can attempt to influence the vote of any voter. Voters are allowed to wear campaign materials if they so choose, but authorized representatives and election officials cannot exhibit any campaign material on election day. (§ 24.2-604)

Curbside Voting

Voters Needing Assistance

Electioneering

Curbside Voting

§ 24.2-649.1. Assistance for certain voters outside of the polling place.

A. Any qualified voter who is a person with a disability/age 65 or older shall be entitled to vote outside of the polling place in accordance with the provisions of this section. ...

B. The area designated for voting outside of the polling place shall be within 150 feet of the entrance to the polling place. This area shall be clearly marked, & instructions on how to notify an officer of election of the voter's request to vote outside of the polling place shall be prominently displayed. ...

C. A voter eligible pursuant to subsection A shall be handed a printed ballot by an officer of election. He shall mark the ballot in the officer's presence but in a secret manner and, obscuring his vote, shall return the ballot to the officer. The officer shall immediately return to the polling place and shall deposit a paper ballot in the ballot container in accordance with § 24.2-646 or a machine-readable ballot in the ballot scanner machine in accordance with the instructions of the State Board.

D. Any county/city that has acquired an electronic voting machine that is so constructed as to be easily portable may use the voting machine in lieu of a printed ballot for voting outside of the polling place, so long as: (i) the voting machine remains in the plain view of 2 officers of election representing 2 political parties... After the voter has completed voting his ballot, the officer(s) shall immediately return the voting machine to its assigned location inside the polling place & shall record (a) the machine number, (b) the time that the machine was removed and the time that it was returned, (c) the number on the machine's public counter before the machine was removed and the number on the same counter when it was returned, & (d) the name or names of the officer(s) who accompanied the machine on the statement of results. The names of the voters who used the machine while it was removed shall also be recorded, provided that secrecy of the ballot is maintained in accordance with guidance from the State Board. If a polling place fails to record the information required in clause (a), (b), (c), or (d), or it is later proven that the information recorded was intentionally falsified, the local electoral board/general registrar shall dismiss at a minimum the chief officer/assistant chief officer/both, as appropriate, and shall dismiss any other officer of election who is shown to have caused the failure to record the required information intentionally/gross negligence/or intentionally falsified the information. ...

Voters Needing Assistance

24.2-604.1. Signs for special entrances to polling places.

The electoral board or the general registrar shall provide and have posted outside each polling place appropriate signs to direct people with disabilities & elderly persons to any special entrance designed for their use.

24.2-649. Assistance for certain voters inside the polling place; penalties.

A. Qualified voter who requires assistance to vote by reason of physical disability/inability to read or write may, if requests, be assisted in voting. If blind, may designate an officer of election/any other person to assist. If unable to read/write/or disabled for any cause other than blindness, he may designate an officer of election/some other person to assist other than the voter's employer/agent of employer/officer or agent of the voter's union.

The officer of election/other person so designated shall not enter the booth with the voter unless (i) the voter signs a request stating requires assistance by reason of physical disability/inability to read or write & (ii) the officer of election/other person signs a statement is not the voter's employer/an agent of that employer/officer or agent of the voter's union, & will act in accordance with the requirements of this section. The request & statement shall be on a single form furnished by the State Board. If the voter is unable to sign the request, his own mark acknowledged before an officer of election shall be sufficient signature, provided no mark shall be required of a voter who is blind. An officer of election shall advise the voter/person assisting the voter of the requirements of this section/record the name of the voter/& the name and address of the person assisting him.

The officer of election or other person so designated shall assist the qualified voter in the preparation of his ballot in accordance with his instructions & without soliciting his vote or in any manner attempting to influence his vote & shall not in any manner divulge/indicate by signs or otherwise, how the voter voted on any office or question. If a printed ballot is used, the officer or other person so designated shall deposit the ballot in the ballot container in accordance with § 24.2-646 or in the ballot scanner machine in accordance with the instructions of the State Board.

B. If the voter requires assistance in a language other than English & has not designated a person to assist him, an officer of election may assist as an interpreter, but shall first inquire of the representatives authorized to be present pursuant to § 24.2-604.4 whether they have a volunteer available who can interpret for the voter. One representative interpreter for each party or candidate shall be permitted to observe the officer of election communicate with the voter. In any locality designated as a covered locality pursuant to § 24.2-128, the local electoral board shall ensure that interpretation services in the language of the applicable minority group are available & easily accessible to voters needing assistance pursuant to this subsection. The voter may designate one of the volunteer party or candidate interpreters to provide assistance. A person so designated by the voter shall meet all the requirements of this section for a person providing assistance.

Electoneering

24.2-604. Polling places; prohibited activities; prohibited area; penalties.

A. During the times the polls are open & ballots are being counted, or within one hour of opening/after closing, it is unlawful for any person (i) to loiter/congregate within 40 feet of any entrance of any polling place; (ii) within such distance to give/tender/or exhibit any ballot/ticket/other campaign material to any person/or to solicit or in any manner attempt to influence any person in casting a vote; (iii) to hinder/delay a qualified voter in entering/leaving a polling place; or (iv) to knowingly possess any firearm as defined in § 18.2-308.2.2 within 40 feet of any building used as a polling place.

C. It is unlawful for any unauthorized representative permitted in the polling place pursuant to § 24.2-604.4, any voter/any other person in the room to (i) hinder/delay a qualified voter; (ii) give/tender/or exhibit any ballot/ticket/other campaign material to any person; (iii) solicit or in any manner attempt to influence any person in casting his vote; (iv) hinder/delay any officer of election; (v) be in a position to see the marked ballot of any other voter; or (vi) otherwise impede the orderly conduct of the election.

D. The provisions of subsections A & C shall not be construed to prohibit a person who approaches or enters the polling place for the purpose of voting from wearing a shirt, hat, or other apparel on which a candidate's name or a political slogan appears or from having a sticker or button attached to his apparel on which a candidate's name or a political slogan appears. ...

E. This section shall not be construed to prohibit a candidate from entering any polling place on the day of the election to vote, or to visit a polling place for no longer than 10 minutes per polling place per election day, provided that he complies with the restrictions stated in subsections A, C, and D.



Voting After the Polls Close

- Doors close at 7:00pm.
- Those in line to vote when the polls close at 7pm will be allowed to vote.

Closing Procedures

- Election workers are responsible for breaking down equipment; poll watchers only observe and document the process.
- Breaking Down Equipment: The officers of the election will lock each voting and counting machine so that no votes will be taken after the polls close. Afterwards, the votes will be counted, then the machines will be sealed. § 24.2-654
- If the ballots in the container exceed the pollbooks, an election officer will be blindfolded and will remove ballots until the number in the container matches the number on the pollbooks. § 24.2-662
- If, on any ballot scanner, the number of persons voting in the election, or the number of votes cast for any office/on any question, totals more than the number of names on the pollbooks of persons voting on the machines, then the figures recorded by the machines shall be accepted as correct. § 24.2-657

Securing and Transporting Ballots / Equipment

- Once the votes from the voting machines and paper ballots have been counted, the officers of the election will verify the count is accurate, sign both copies of the statement of results. § 24.2-667
- After the vote is ascertained, all statements will be signed, sealed, and delivered to the clerk of the circuit court for the county or city.
- When the correct number of ballots have been accounted for, the ballots will be counted and placed in an envelope or container labeled "counted ballots." § 24.2-665

Breaking Down Equipment

- "The pollbooks, statements, and sheets thus sealed and directed, the sealed counted ballots envelope or container, and the unused, defaced, spoiled and set aside ballots properly accounted for, packaged and sealed, shall be conveyed by one of the officers to be determined by lot, if they cannot otherwise agree, to the clerk of court by noon on the day following the election." § 24.2-668

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Closing the Poll

Closing the Poll

24.2-603. Hours polls to be open; closing the polls.

All elections, the polls shall be open at each polling place at 6:00 a.m. on the day of the election & closed at 7:00 p.m. on the same day except as provided for central absentee voter precincts pursuant to subsection G of § 24.2-712.

At 6:45 p.m. an officer of election shall announce that the polls will close in fifteen minutes. The officers of election shall list the names of all qualified voters in line before the polling place at 7:00 p.m. & permit those voters and no others to vote after 7:00 p.m. § 24.2-654. Officers to lock and seal voting equipment and ascertain vote after polls closed; statement of results.

As soon as the polls are closed, the officers of election shall lock each voting/counting machine against further voting. They shall then proceed to ascertain the vote given at the election & continue without adjournment until they declare the results of the election. They shall seal the machines.

In ascertaining the vote, the officers of election shall complete a statement of results in duplicate on the form and in the manner prescribed by the State Board.

§ 24.2-657. Determination of vote on voting systems.

In the presence of all persons who may be present lawfully at the time, giving full view of the voting systems/printed return sheets, the officers of election shall determine & announce the results as shown by the counters/printed return sheets, including the votes recorded for each office on the write-in ballots, & shall also announce the vote on every question. The vote as registered on the equipment/on the printed return sheets, if, on any ballot scanner, the number of persons voting in the election, or the number of votes cast for any office/on any question, totals more than the number of names on the pollbooks of persons voting on the machines, then the figures recorded by the machines shall be accepted as correct. A statement to that effect shall be entered by the officers of election in the space provided on the statement of results.

§ 24.2-662. Procedure when paper ballots exceed names on pollbooks.

If the ballots in the container exceed the number of names on the pollbooks of persons who voted on paper ballots, all ballots shall be replaced in the ballot container. Then, after the container is well shaken, an officer of election, being blindfolded, shall withdraw a sufficient number of ballots to reduce the number of ballots left in the container to the number of such names on the pollbooks....

§ 24.2-661. Detection and setting aside of double ballots.

After the votes on all voting/counting equipment have been determined & recorded, the officers of election shall proceed to examine & count the paper ballots to ascertain if any double ballots have been cast, & whether the number of ballots corresponds with the number of names on the pollbooks of persons who voted on paper ballots. If two or more separate ballots are found so folded together as to represent the appearance of a single ballot they shall be laid aside until the count of the ballots is completed. If, upon a comparison of the count and the number of names of such qualified voters on the pollbooks, it appears that the two or more ballots thus folded together were cast by the same qualified voter, they shall be set aside and not counted.

§ 24.2-667. Completion of statement of results.

At the conclusion of determining the votes cast on voting devices and paper ballots, the officers of election shall verify that all required data has been accurately entered, sign both copies of the statement of results, and affirm that the statement is complete and the information thereon is true and correct.

§ 24.2-659. Locking voting systems after election and delivering keys to clerk; printed returns as evidence.

A. If the voting system is secured by the use of equipment keys, after the officers of election lock and seal each machine, the equipment keys shall be enclosed in an envelope that shall be sealed and have endorsed thereon a certificate of an officer of election stating the election precinct, the number of each machine, the number on the seal, and the number of the protective counter, if one, on the machine. The sealed envelope shall be delivered by one of the officers of the election to the clerk of the circuit court where the election was held. The custodians of the voting equipment shall enclose and seal in an envelope, properly endorsed, all other keys to all voting equipment in their jurisdictions and deliver the envelope to the clerk of the circuit court by noon on the day following the election. ...

§ 24.2-665. How paper ballots counted.

A. When the number of paper ballots to be counted has been verified, the officers shall proceed to ascertain the number of votes cast by paper ballots for each person and for and against each question. The votes on all ballots for all offices and questions shall be counted. As soon as all ballots are counted, they shall be placed in an envelope or container labeled "counted ballots." No person other than the officers of the election shall handle the ballots.

§ 24.2-668. Pollbooks, statements of results, and ballots to be sealed and delivered to clerk or general registrar.

A. After ascertaining the results and before adjourning, the officers shall put the pollbooks, the duplicate statements of results, and any printed inspection and return sheets in the envelopes provided by the State Board. The officers shall seal the envelopes and direct them to the clerk of the circuit court for the county or city. The pollbooks, statements, and sheets thus sealed and directed, the sealed counted ballots envelope or container, and the unused, defaced, spoiled and set aside ballots properly accounted for, packaged and sealed, shall be conveyed by one of the officers to be determined by lot, if they cannot otherwise agree, to the clerk of court by noon on the day following the election. ...

Election Observers MUST

- Arrive at the polling place around 5 a.m. and remain until the polls open at 6 a.m. so that they are present for the examination of the equipment (see "§ 24.2-639 Duties of officers of election" under Opening the Polls)
- Be a qualified voter of Virginia (§ 24.2-655)
- Present to the officers of election a written statement certifying that they are an authorized representative and can represent their party in the jurisdiction in which the election is being held. § 24.2-655
- Have an unobstructed view while absentee ballots are cast, votes are counted, and returns are completed (§ 24.2-655)

Election Observers MAY

- Be replaced by other authorized representatives throughout the day, as long as they always provide proper credentials. (§ 24.2-604.4.)
- Use their phones, but the officers of the election can prohibit this (§ 24.2-604.4)
- Have no more than one representative at each pollbook station, and no more than 3 authorized representatives from one party in the room (§ 24.2-604.4.)
- Be close enough to the voter check-in table to be able to hear and see what is occurring, while still allowing for the privacy of the voter. If the representative alerts the chief officer of the election that they cannot see or hear the voting process, the chief officer of the election will make a decision on the matter. If the decision is unsatisfactory to the representative they can appeal the decision to the local electoral board or general registrar. (§ 24.2-604.4.)
- Be bystanders as well as authorized representatives. If any authorized representatives declines to be present to oversee the voting process, the officers will notify bystanders and select one or more to be present with any available representatives of the parties or candidates so that there are as many as four bystanders and representatives present. (§ 24.2-655)
- Bring issues to the attention of the chief officer of the election.

Election Observers MAY NOT

- Provide assistance to a voter in casting their ballot (§ 24.2-649)
- Talk to a voter or in any way try to influence their vote (§ 24.2-604)
- Wear any campaign materials, buttons, or promote any political candidate (§ 24.2-604)
- Interfere with the election officers in any way (§ 24.2-655)
- Take any pictures or capture any digital image inside a polling place (§ 24.2-604.4)

Election Observer Rules & Privileges

Election Observer Rules & Privileges

§ 24-2-655. Representatives of political parties and candidates to be present on request. Before proceeding to ascertain the vote, the officers of election shall determine whether no more than two representatives of each political party having

candidates in the election and one representative of each independent candidate or primary candidate request to be present while the absentee ballots are cast, votes are counted, and returns are completed.

Each representative shall be a qualified voter of any jurisdiction in the Commonwealth and shall present to the officers of election a written statement certifying that he is an authorized representative, signed by his party chairman for the jurisdiction in which the election is held, the independent candidate, or the candidate in a primary, as appropriate. If the party chairman for the jurisdiction in which the election is held is unavailable to sign such a written designation, such a designation may be made by the state or district chairman of the political party. However, no written designation made by a state or district chairman shall take precedence over a written designation made by the party chairman for the jurisdiction in which the election is held. Such representatives shall be entitled to be present while the votes are counted and shall remain until the returns are completed.

In case such representatives, or any of them, do not request to be present, the officers shall notify the bystanders, if any, and select one or more to be present with any available representatives of the parties or candidates so that there are as many as four bystanders and representatives present.

The representatives and bystanders lawfully present shall have an unobstructed view of the officers of election and their actions while the absentee ballots are cast, votes are counted, and returns are completed. The representatives and bystanders lawfully present are prohibited from interfering with the officers of election in any way.

§ 24-2-604.4. Polling places: authorized representatives of party or candidate; prohibited activities.

A. The officers of election shall permit one authorized representative of each political party/independent candidate in a general/special election to remain in the room in which the election is being conducted at all times. A representative may serve part of the day and be replaced by successive representatives. The officers of election shall have discretion to permit up to 3 authorized representatives of each political party/independent candidate in a general/special election to remain in the room in which the election is being conducted. The officers shall permit one such representative for each polling station or 3 representatives of any political party/independent candidate, whichever number is larger, shall be permitted in the room at any one time.

B. Each authorized representative shall be a qualified voter of any jurisdiction of the Commonwealth. No candidate whose name is printed on the ballot shall serve as a representative of a party/candidate for purposes of this section.

Each representative shall present to the officers of election a written statement designating him to be a representative of the party/candidate that is signed by the county/city chairman of his political party, the independent candidate, if the county/city chairman is unavailable to sign such a written designation, such a designation may be made by the state or district chairman of the political party. However, no written designation made by a state/district chairman shall take precedence over a written designation made by the county/city chairman. Such statement, bearing the chairman's or candidate's original signature, may be photocopied, and photocopy shall be as valid as if the copy had been signed.

C. Authorized representatives shall be allowed, whether in a regular polling place/central absentee voter precinct, to be close enough to the voter check-in table to be able to hear/see what is occurring; however, such observation shall not violate the secret vote provision of Article II, Section 3 of the Constitution of Virginia or otherwise interfere with the orderly process of the election. Any representative who complains to the chief officer of election that he is unable to hear or see the process may accept the chief officer's decision or, if dissatisfied, he may immediately appeal the decision to the local electoral board or general registrar.

D. Authorized representatives shall be allowed, whether in a regular polling place/central absentee voter precinct, to use a handheld wireless communications device but shall not be allowed to use such a device to capture a digital image inside the polling place/central absentee voter precinct. The officers of election may prohibit the use of cellular telephones/other handheld wireless communications devices...

E. Authorized representatives shall not be allowed in any case to provide assistance to any voter as permitted under § 24-2-649 or to wear any indication that they are authorized to assist voters either inside the polling place or within 40 feet of any entrance to the polling place.

F. The officers of election may require any person who is found by a majority of the officers present to be in violation of this section to remain outside of the prohibited area.

Neutral observers who have expressly been granted authorization by the Electoral Board to observe the election. These are typically foreign delegations interested in observing the democratic process in our country, or individuals from educational or non-profit organizations.

§ 24.2-642. Inoperative equipment.

No voting or counting machine that has become inoperative and contains votes may be removed from the polling place while the polls are open and votes are being ascertained. If the officers of election are unable to ascertain the results from the inoperative machine after the polls close in order to add its results to the results from the other machines in that precinct, the officers of election shall lock and seal the machine without removing the memory card, cartridge, or data storage medium and deliver the machine to either the clerk of court or registrar's office as provided for in § 24.2-659. On the day following the election, the electoral board shall meet and ascertain the results from the inoperative machine in accordance with the procedures prescribed by the machine's manufacturer and add the results to the results for the precinct to which the machine was assigned.

...C. An officer of election may have copies of the official paper ballot reprinted or reproduced by photographic, electronic, or mechanical processes for use at the election if (i) the inoperative machine cannot be repaired in time to continue using it at the election, (ii) a substitute machine is needed to conduct the election but is not available for use, (iii) the supply of official printed ballots that can be cast without use of the inoperative machine is not adequate, and (iv) the local electoral board approves the reprinting or reproducing of the official paper ballot. The voted ballot copies may be received by the officers of election and placed in the ballot container and counted with the votes registered on the voting or counting machines, and the result shall be declared the same as though no machine has been inoperative. The voted ballot copies shall be deemed official ballots for the purpose of § 24.2-665 and preserved and returned with the statement of results and with a certificate setting forth how and why the same were voted. The officer of election who had the ballot copies made shall provide a written statement of the number of copies made, signed by him and subject to felony penalties for making false statements pursuant to § 24.2-1016, to be preserved with the unused ballot copies.