

# Q&A with the Elections Division (October 27, 2022)



## Agenda

- Early Voting Reminders from the Trainers
- Poll Watcher Access to Zero Tapes
- Limited Ballots
- Fleeing Votes



# Early Voting Reminders



## Paperwork.

**Oaths:** make sure you are using the most current form for the Oath of Assistance and Oath of Interpreter Form 7-58 (07/2022).

- If you ordered forms from a vendor, ensure that you received the current forms. Don't forget to check your kits.
- Early Voting Clerk needs to receive the required oath prior to giving the oaths out to Election Judges.
- Oaths must be performed for each election cycle.

**Best practice:** give oath to Judge during training or when they pick up their election supplies.

**Statement of Residence:**

- It is for existing registered voters who are on the voter roll.
- Voters who are not registered should be offered a provisional ballot.

**Postings:**

- Filling out the required information
- Post all required languages, English/Spanish etc....





## Provisional Voting:

- Know what **Notice** to give the voter.
  - **Notice to Provisional Voter:** Form 7-15a
    - Voter not on OLRV
    - BBM Voter who was not able to surrender their ballot
  - **Notice to Provisional Voter (ID Voters):** Form 7-15c
    - Voter who does not have their photo ID but is able to obtain the ID and present it to the election office during the 6 day cure period
- **Ballot by Mail** – BBM voter who was not able to surrender their ballot, must fill out the Request to Cancel Ballot by Mail for Use in the Polling Place (Form 6-7). Then the voter will be allowed to vote provisionally. All required provisional paperwork must be completed.



## Poll Watchers:

- Poll watchers are able to sit or stand near enough to see and hear the poll workers conducting the observed activity.
- Poll watchers are able to point out irregularities to the poll worker.
- Once the poll worker lets the Early Voting Deputy/Presiding Judge know of the presented irregularity, then the poll watcher must discuss the situation with the Early Voting Deputy/Presiding Judge. The only way the clerk can come back in the conversation is if the Early Voting Deputy/Presiding Judge invites them back into the conversation.





## At the Polls:

### Tabulator:

- Does your tabulator have 2 locks on the outside door where the ballot box is stored?
- If you don't have a tabulator, does your ballot box have 2 locks?

### Early Voting Signs:

- Make sure you have enough out for voters to see.
- Make sure that they **DO NOT** blend in with the candidate signs.

### Electioneering Distance Markers:

- **Don't forget** to measure off 100 feet at every door that a voter can enter the building of the polling location for electioneering.
- If you receive a complaint, measure and mark the spots with a certain color to show that you have resolved the issue.

### Curbside Voting:

- If you have a tabulator, the ballot must be inserted prior to the voter leaving.
- Who should insert the ballot? If the voter has someone that came with them, always ask if they would like them to insert the ballot into the tabulator first.



## At the Polls Continued:

### Confirming Addresses:

**Best Practice:** When the poll worker is confirming the address with the voter, the clerk should not recite the address. Have the voter look at the screen and confirm that the screen is correct with their current information.

### If any Required Paperwork needs to be completed:

- Make sure the voter completes **all required paperwork** before issuing a ballot.
  - What if the voter decides not to fill out the paperwork after they vote.

### Fleeing Voters:

- Strategically place poll workers in the room to watch to make sure voters are depositing their ballots in the designated tabulator/ballot box
- Have good verbal instructions when talking to the voter.
  - 1 – Insert Ballot into Ballot Marking Device.
  - 2 – Vote and Verify your ballot selections.
  - 3 – Print and Insert into the tabulator for your vote to count.



**De-escalation Tactics for Poll Workers:**

- Move to a private area
- Be empathetic and non-judgmental
- Respect personal space
- Keep your tone and body language neutral
- Avoid overreacting
- Focus on the thoughts behind the feelings
- Set boundaries



## Q&A Topics





## Poll Watcher Access to Zero Tapes

- Poll watchers are entitled to “inspect the returns and other records prepared by the election officers at the location at which the watcher is serving.” Sec. 33.056.
- This includes viewing zero tapes.
- However, a request to review records that were generated earlier in the early voting period does not take precedence over checking-in voters or performing other duties associated with serving voters in an early voting location.
- Early voting workers should provide access to zero tapes as long as doing so is not disruptive to the activities occurring in that moment at that location.
- If the zero tapes are being stored by the early voting clerk at the main early voting location, poll watchers can request to inspect these records. This is a public information request and should be treated as such.
- **SOS Recommendation:** Work to provide access to these election records expeditiously! Don’t delay in providing access, but do so in a way that does not interfere with your responsibilities to voters in the ongoing election.



## Limited Ballots

- See [Advisory 2022-29](#) for details and for a copy of the district chart.
- Limited ballot voters vote in their NEW county of residence during the EV period at the MAIN EV location.
- **DO NOT SEND VOTERS BACK TO THEIR OLD COUNTY.**





## Fleeing Voters

- Limited reports of voters walking away with ballot before depositing it in scanner.
- If a voter leaves the polling place with their ballot, they cannot return to deposit it at a later time.
- If a voter leaves the polling place with their ballot, they cannot return to vote a new ballot.
- [Advisory 2020-09](#) provides guidance on this issue.



## FPCA Voters

### • **“Intent to return uncertain” on FPCA**

- This means the voter does not know if they are ever going to return to and reside in the United States. This box should not be checked by a voter who does intend to return to and reside in the United States, but does not yet know on exactly which date.
- Only the voter knows whether their intent to return is uncertain.
- If a voter resubmits an FPCA and was NOT previously registered, but changes their designation, they cannot receive a full ballot because it is after the 20th day before election day.





## “Vote Switching” Allegations

- Allegations of “vote switching” every election cycle.
- User error on ballot marking devices.
- If voters indicate that they are experiencing issues, provide them a stylus or marking instrument to help them.
- Train your workers to report these issues to your office.
- It is important to promote voter confidence and prevent misinformation from spreading.



## Schools as Polling Places

- The entity that operates or controls a public building shall make it available for use as a polling place. Sec. 43.031(a)(c)
- It is permissible to manage entry into a building with a security check or metal detector, but schools should not be refusing entry into a polling place based on criteria that is not outlined in the Texas Election Code. (ex. lack of photo ID)







## Central Counting Station Plan

- Section 127.007 of the Texas Election Code requires the manager of the central counting station (“CCS”) to “establish and implement a written plan for the orderly operation of the central counting station.”
- CCS plan must be made available to the public no later than 5 p.m. of the 5th day before election day. For this election, that is November 3, 2022.
- Review your plans with your presiding judge.
- Please make sure you have a plan for adjudicating and counting write-in votes!



## Reminders for the Week

- **Webinars Next Week:**
  - November 1, 2022 at 9:00 AM – Training for Central Counting Stations
  - November 1, 2022 at 2:00 PM – Training for Central Counting Stations
  - November 3, 2022 at 2:00 PM – Q&A with the Elections Division

