



VOTER SERVICES

Policies & Procedures



Commonly Abbreviated Words Referenced Herein:

- 1) **CBOE** - Chester County Board of Elections
- 2) **LBOE** - Local Board of Elections (referring to poll workers)
- 3) **JOE** - Judge of Elections
- 4) **PPE** - Personal Protective Equipment
- 5) **Department** - Referring to the Chester County Department of Voter Services
- 6) **Ballot** - A printed scannable document to be completed and is used to cast votes in an Election.
- 7) **Paper Ballots** - Paper Ballots include Absentee, Mail-In and Provisional Ballots, and Paper Ballots at the polling place. Paper Ballots are used to cast votes in an Election by completing the scannable document, placing said document into the requisite envelope(s) and submitting it for consideration.

The Department shall identify staffing needs in anticipation of each Election. The Department shall then take steps to use fulltime staff and seasonal part-time staff and/or deputized county employees from other county departments to meet these staffing needs. All seasonal or deputized staff must be adequately trained and supervised. They should also be trained that it is appropriate to ask questions when faced with issues as they arise.

SECTION 1.

VOTING MACHINES *and* IN-PERSON VOTING

I. PREPARATORY TEST / PUBLIC CERTIFICATION

Scheduled to take place not less than two weeks before the election. The testing shall be advertised at least 48 hours prior to conducting the testing.

Department of Voter Services (hereinafter: Department) conducts preparatory test of the County's vote tally equipment for logic and accuracy to ensure that each Ballot style is correctly tallied in each precinct for each contest.

The Department shall note in the maintenance log any maintenance performed during the period that occurs after the preparatory test and before the final public certification test.

The Department shall use the current election Ballots for the test deck.

The Department shall conduct a Public Certification test using a selection of precincts, Ballot formats and electoral districts from the preparatory test.

The Department shall send notice of time and place of the test to political parties and make sure it is appropriately advertised in a newspaper of general circulation.

II. IN-PERSON VOTING

- Registered Chester County voters can vote in-person on Election Day at their designated polling place.
- Should an individual who originally opted to vote by mail but subsequently decides to vote in person, and who brings their paper Ballot and outer declaration envelope to their polling place and surrender them to the poll workers who shall spoil them. Then the voter shall sign an Elector's Declaration to Surrender Mail-In Ballot form and shall be permitted to vote in person and have it tabulated at the poll. Importantly, the poll workers are directed to collect and maintain the Ballot and declaration envelope which have been spoiled to be returned to the County Board of Election (CBOE), noting the same in the poll book.

Should an individual go to his or her poll but who has applied to vote by mail, but whose Ballot has not been received by the CBOE, the individual shall be permitted to vote by Provisional Ballot only.

- Polling places are staffed by Local Board of Election (LBOE) personnel. Generally, LBOEs are to be trained by staff from the Department prior to Election Day on how to operate voting equipment, keep track of voters in compliance with applicable law, how to handle Paper Ballots and generally run a smooth election. Trainings are scheduled by the Department.
- Training includes- operating the voting machines, signing voters in as they appear to vote in person, and the proper handling of spoiled Paper Ballots to enable individuals who subsequently determine that they want to exercise their option to vote at the polls instead of by mail. This training shall include when it is appropriate to give a voter a Provisional Ballot.
 - Each Judge of Elections (JOE) will be provided supplies before Election Day.
- Generally, the LBOE staff members (JOEs, majority inspectors and minority inspectors) are elected by precinct during a municipal election cycle.
- However, there are frequently times when individuals must be appointed to the LBOE for temporary service (ie., one election cycle).
- Additionally, machine operators, election clerks and students should also be utilized, in accordance with the law, when possible, to help effectuate smooth local elections.
- Within the five (5) days before the Election, individuals who are qualified registered electors (*so long as they do not work for federal, state or local government*) can be appointed by the CBOE to work at any polling location within the County where vacancies exist.
- Individuals who are candidates for office, other than for the positions for the local boards of elections, constables or committee members shall *not* work as poll workers or in the poll.
- When temporary appointments are necessary, LBOE shall be staffed in a bipartisan fashion if at all possible.
 - Qualifying student workers may assist the LBOE at the polls.

- Staff may be appointed to work a partial shift if necessary.

SECTION 2.

PAPER BALLOTS *(includes Absentee and Mail-In Ballots)*

The Pennsylvania Election Code enables each registered Chester County voter to apply for, receive, complete and return either an Absentee or Mail-In Ballot to their CBOE.

Applications for Paper Ballots Generally-

For Chester County registered voters, these processes include the security measures implemented by the CBOE, through the Department, to verify that the qualified voter's Absentee or Mail-In Application is complete and that the statutory requirements are satisfied.

Department staff must review each applicant's voter identification verification by either checking the voter's valid driver's license number, the last four digits of the voter's social security number or by reviewing another valid photo identification, and the unique information on the application including the voter's signature, residence and date of birth.

Before sending the Ballot to the applicant, the Department shall confirm the qualifications of the applicant by verifying the proof of identification and comparing the information provided on the application with the information contained in the voter record. If the Department is satisfied that the applicant is qualified, the application must be approved.

This approval shall be final and binding, except that challenges may be made only on the grounds that the applicant was not a qualified voter, and those challenges must be made to the Department prior to 5:00PM on the Friday prior to the Election.

Once the qualified voter's absentee or mail-in application is approved and processed, the voter should be provided a ballot package which contains two envelopes in addition to the Ballot itself. The outer envelope includes both a unique correspondence ID barcode that links the envelope to the qualified voter's application and a pre-printed Voter's Declaration that the voter must sign representing that the voter is qualified to vote the enclosed Ballot and has not already voted. In order for Paper Ballots to be provided to voters the aforementioned steps must be completed.

- Voters should not make any extraneous marks on their Ballot.
- Voters must be mindful to sign or mark and date the declaration on the outer envelope (the larger envelope) in order to ensure their Ballot be counted.
- Voters should place the executed Ballot into the secrecy envelope and seal (smaller envelope) prior to placing the secrecy envelope inside the larger "outer" envelope.

- Voters should not include any additional paperwork or notes in the Ballot envelopes.
- *If the voter's voted Ballot is mailed too late, or the voter is not sure whether the Department received the Ballot in time, the voter may be able to vote provisionally at his/her polling place. If a voter is concerned that his or her Ballot has not reached the Department in time, the voter can contact Voter Services to inquire about next steps.*
- *If the voter was sent a Mail-In or Absentee Ballot, but the voter's polling place has no record of receiving it, as indicated by the notation in the signature block of the poll book, the voter shall vote provisionally, unless the voter brings their absentee or mail-in Ballot and its declaration envelope to the judge of elections at their polling place to be spoiled. Importantly, if the Department does receive the voter's Mail-In or Absentee Ballot, that Ballot, not the Provisional Ballot will count.*

I. ABSENTEE BALLOTS

Absentee Ballots are generally appropriate for qualifying voters including:

- College students who are not registered to vote where their school is located
- People whose work or vacation take them away from the municipality where they live between the hours of 7:00AM and 8:00PM on Election Day
- Individuals with a physical disability or illness that prevents them from going to the polling place on Election Day
- Members of the military (Qualifiers should use the Federal Post Card Application which can be found at www.fvap.gov)
- People who have a conflict due to the celebration of a religious holiday that would prohibit voting in person; and
- Inmates who have not been convicted of a felony.

Note- there are multiple types of Absentee Ballots and the various types will be covered below.

A) Civilian Regular Absentee Ballots are applicable for individuals who would qualify for the above list, except Military and Overseas Voters, and who are aware of said circumstances.

- Non-military voters may register to vote any time until end of business 15 days before the election. The application must be received by the close of business 15 days before the election.

Civilian Regular Absentee Voting:

Applications: The last day to apply for a Civilian Absentee Ballot is 5:00PM on the Tuesday before the Election. **Postmarks do not apply** and original completed applications must be received by the above date and time (no facsimiles or emails). The online application, which if completed is considered an original application, can be found at vote.pa.gov.

The deadline for the County to accept a voted *regular* civilian Absentee Ballot shall be handled in accordance with the governing statutes and case law.

Return of Voted Ballots: All civilian voted absentee ballots must be returned to the Department in accordance with the governing law in effect on Election Day. Voted Absentee Ballots can **only** be dropped off in the Department offices or at secure ballot receptacles (also known as "drop boxes"); otherwise, the Ballots should be mailed to the Department.

Qualifying voters may utilize qualified designated agents to deliver their Ballots to the Department or to a secure ballot receptacle, provided that the appropriate authorized designee paperwork is completed and presented with each voter's Ballot.

Regular Civilian Absentee (as opposed to Military or Overseas Absentee Ballots) - voted ballots received after 8:00PM on Election Day will not be counted unless a Court has extended the deadline.

IMPORTANT NOTES RE: ABSENTEE BALLOTS:

- *Importantly, if the voter is sent an Absentee Ballot and the Department indicates that it has received the voted Ballot, the voter may not vote Provisionally at his or her polling place. His or her voted Paper Ballot is considered final.*
- *If the voter brings to his or her polling location their Absentee Ballot and the outer envelope bearing the unique SURE barcode (declaration envelope), the voter may vote at the polling location after the complete Absentee Ballot package has been surrendered.*
- *If the voter is sent an Absentee Ballot and the Department indicates that it has not been received, and the voter does not bring in the Ballot and outer envelope, the voter shall only be permitted to submit a Provisional Ballot. However, if the Department subsequently receives the voted Absentee Ballot in the time permitted by law, the Absentee Ballot, not the Provisional Ballot will be counted. It should be noted that the voter may always return his or her*

Absentee Ballot to the Department by 8:00PM on Election Day or place it in a Chester County designated drop box by 8:00PM on Election Day.

B) Emergency Absentee Ballots -

- Under emergency circumstances (including unexpected illness or absence from the area), an individual may obtain an Emergency Absentee Ballot if he or she becomes unavailable to appear to vote in person on Election Day, after 5:00PM on the Tuesday before Election Day until 8:00PM on Election Day
- In such cases, the individual must complete an Emergency Absentee Ballot application and submit it to the Department for approval. The Emergency Absentee Ballot application can be found on the vote.pa.gov website.
 - The voter may also want to complete and submit an authorization enabling another appropriate individual to return their voted Ballot to the Department on their behalf, called an Emergency Designated Agent. The authorized individual remitting the voted Ballot may either deposit the voted Ballot and corresponding authorization at the Department or a secure ballot receptacle. The authorization can also be found on the vote.pa.gov website.

Note: More than one voter may designate the same person to deliver their Ballot. For example, the same hospital employee may deliver Ballots for multiple patients (Regular or Emergency).

C) MILITARY and CIVILIAN OVERSEAS ABSENTEE BALLOTS

- Military and Civilian Overseas voters may apply until 5:00PM on the Tuesday before the Election. Importantly, a **postmark** by 5:00PM is insufficient.

Remitted Military and Civilian Overseas Voted Ballots:

- All voted Military/Civilian Overseas Ballots must be postmarked no later than the day before the Election and must be received in the Department by 5:00PM on the Tuesday (7th day) after the Election.

Notably, certain qualifying voters may apply for and receive their Ballots electronically if so requested. These Ballots must be printed, voted and remitted by the voter. It is recommended that qualifying voters visit the website for the Federal Voting Assistance Program at: www.fvap.gov for more information regarding military and overseas voting.

D) ALTERNATIVE BALLOTS

Anyone who is assigned to a polling place that the County Board of Elections has determined to be inaccessible and is elderly or has disabilities can apply for an alternative ballot.

II. MAIL-IN BALLOTS

Act 77 of 2019 allows Pennsylvania voters to apply for and use Mail-In Ballots for any reason. (As indicated immediately above, the law still provides for and allows for Absentee Ballots for qualifying individuals as well).

- **Applying for Mail-In Ballot** - In order to use a Mail-In Ballot, the individual must be a registered Chester County voter. The last day to apply for a Mail-In Ballot is 5:00PM on the Tuesday before the Election. **Postmarks do not apply** and original completed applications must be received by the above date and time (no facsimiles or emails). The online application, which if completed is considered an original application, can be found at vote.pa.gov.
- The Department must begin processing Mail-In Ballot applications at least 50 days before the election. The Department should begin transmitting Mail-In Ballots once the ballot is certified by the Pennsylvania Department of State and the Ballots are available for mailing but in any event no less than two weeks prior to Election Day.

The deadline for the County to accept a voted *Mail-In* Ballot shall be handled in accordance with the governing statutes and case law.

Return of Voted Ballots: All voted Mail-In ballots must be returned to the Department in accordance with the governing law in effect on Election Day. Voted Mail-In Ballots may **only** be dropped off in the Department offices or at secure ballot receptacles (also known as "drop boxes"); otherwise, the Ballots should be mailed to the Department.

Qualifying voters may utilize qualified designated agents to deliver their Ballots to the Department or to a secure ballot receptacle, provided that the appropriate authorized designee paperwork is completed and presented with each voter's Ballot.

IMPORTANT NOTES RE: MAIL-IN BALLOTS:

- *If the voter is sent a Mail-In Ballot and the Department indicates that it has received the voted Ballot, the voter may not vote Provisionally at his or her polling place. His or her voted Paper Ballot is considered final.*
- *If the voter brings to his or her polling location their Mail-In Ballot and the outer envelope bearing the unique SURE barcode (declaration envelope), the voter may vote at the polling location after the complete Mail-In Ballot package has been*

surrendered.

- *If the voter is sent a Mail-In Ballot and the Department indicates that it has not been received, and the voter does not bring in the Ballot and outer envelope, the voter shall only be permitted to submit a Provisional Ballot. However, if the Department subsequently receives the voted Mail-In Ballot in the time permitted by law, the Mail-In Ballot, not the Provisional Ballot will be counted. It should be noted that the voter may always return his or her Mail-In Ballot to the Department by 8:00PM on Election Day or place it in a Chester County designated drop box by 8:00PM on Election Day.*

III. SECURE BALLOT RECEPTACLE RETURN SITES ("DROP BOXES")

The Pennsylvania Department of State Bureau of Elections has authored guidance recommending the use of secure Ballot sites and the use of Ballot return receptacles ("Drop Boxes") to help facilitate the collection of voted Paper Ballots. The CBOE designated locations throughout the County where secure Ballot receptacle return sites will be situated in the time leading up to the Election.

ACCESSIBILITY OF BALLOT DROP BOXES

Designated locations must meet the following criteria:

- The design and placement of the secure Drop Box at the location should meet the accessibility requirements outlined below.
- If not all secure Drop Box locations meet the accessibility requirements outlined herein, then each inaccessible Drop Box team (as well as the County's website) should have information available to advise voters of alternate locations with accessible drop boxes.
- Consideration should also be given to identifying and designating secure Drop Box sites in heavily populated geographical areas of the county as well as to areas where there may be a lack of accessibility to post offices and to transportation.
- Under no circumstances should such locations be chosen in a partisan fashion.
- Furthermore, each secure Drop Box should:
 - be locked. Only authorized Department staff or deputized temporary staff may access the keys and/or combination of the lock. Chain of custody must be documented when Ballots are removed from the Drop Boxes.

- be operable without any tight grasping, pinching, or twisting of the wrist.
- require no more than 5 lbs., of pressure for the voter to operate.
- be operable within reach-range of 15 to 48 inches from the floor or ground for a person utilizing a wheelchair.
- provide specific and easily identifiable points establishing where Ballots are to be deposited.
- indicate with signage that only one Ballot can be deposited at a time, and not be removed by anyone but designated Department staff or deputized authorized individuals. The opening slot of each Drop Box should be too small to allow tampering or removal of Ballots.
- be constructed of durable material able to withstand vandalism, attempts at unauthorized Ballot removal, and inclement weather or liquids which could damage the Ballots.

SECURE DROP BOX LOCATIONS

Per Election Board Resolution 10-21, the Department has been authorized to set up secure Ballot Drop Boxes.

I) Drop Boxes – Generally

All Drop Boxes will be staffed by two individuals authorized to work on behalf of the Department. The Drop Boxes shall be emptied, stored, and secured when not in use. The specific locations and hours of operation will be determined by the Director of Voter Services.

Every Drop Box will have a camera affixed to it to record individuals depositing Ballots into the Drop Box. The recorded footage will be retained by the Department for 90 days after the election.

The Department's website will be updated to accurately reflect hours of operation for each Drop Box location.

In the event that someone identifies an incident of tampering or attempting to tamper with or believes it's been tampered with or attempted to be tampered with a secure Ballot Drop Box, the incident must be immediately reported to the police department of the local jurisdiction where the Ballot drop box is located and to the Department.

If staffers (authorized to work on behalf of the Department) identify an incident where an individual drops more than one Ballot in the Secure Ballot Drop Box and the Ballots do not have an attached Designated Agent Form, the incident must be immediately reported to the

Department. In addition, the staffers will complete an Incident Report Form.

If staffers (authorized to work on behalf of the Department) identify an incident where an individual leaves a Ballot or Ballots in the area of a Ballot Drop Box but does not deposit the Ballot inside the Drop Box, the staffers will segregate that Ballot or Ballots in a special designated secured, locked Ballot container. The incident must be immediately reported to the Department. In addition, the staffers will complete an Incident Report Form.

SIGNAGE FOR SECURE BALLOT RECEPTACLES

In determining the design and functions of Ballot return sites, the Department should use secure and clearly marked secure Ballot drop boxes.

- The Department must ensure each return site is marked with official signage such as "Chester County Official Ballot Return Site ONLY" or "Chester County Official Ballot Return ONLY." The County should not display traditional "Vote Here" signs at designated Ballot return sites as it will likely lead to voter confusion.
- Signage should be in all languages required under the Federal Voting Rights Act of 1965 (*52 U.S.C. Sec. 10503*- re: Bilingual Election Requirements applicable to locations with either 5% of the citizens of voting age or where 10,000 citizens of voting age who are members of a single language minority and are limited-English proficient).
- Signage must indicate that the Drop Box is under video surveillance.
- Signage should also provide a statement that third-party return of Ballots is prohibited unless the person returning the Ballot is rendering assistance to a disabled voter or an Emergency Absentee voter. Such assistance requires a Designated Agent Form signed by the voter and the person rendering assistance. The Designated Agent Form can be found on the Department's website.
- Signage should provide a statement requesting that the Department should be notified immediately in the event the Drop Box is full, not functioning, or is damaged in any fashion, and should provide a phone number and email address for such purpose.
- Signage should also display language stating that counterfeiting, forging, tampering with, or destroying Ballots is a second-degree misdemeanor pursuant to sections 1816 and 1817 of the Pennsylvania Election Code (25 P.S. §§ 3516 and 3517).

Staffers will also remind voters of the above rules.

IV. HANDLING RETURNED VOTED PAPER BALLOTS

NOTE - This section is broken down into two subsections

- *Paper Ballots returned through the mail /dropped off at County Board of Elections or staffed satellite location*

- *Secure Ballot Drop-Box Only Locations*

A) BALLOT COLLECTION AT SECURE BALLOT DROP BOX RETURN SITES

- Only designated County staff or deputized temporary personnel shall be permitted to transport the Ballots recovered from the designated secure Drop Box locations to the County.

- Said individuals must wear and activate their County issued body cameras from the inception of unlocking the first drop-box on the pick-up route through /and while picking up the Ballots from all of the sites on their route until delivering said Ballots to the County. Ideally, there will be two individuals present when transferring Ballots from secure Ballot return sites to the County.

- The Department shall designate enough staff or deputized staff to close and lock each secure return site by 8:00PM on Election Night to ensure that no vote can be cast at these locations after 8:00PM on Election Day.

- Each secure Ballot Drop Box must be checked/ doubled checked when removing the Ballots and returning the Ballots to the County to ensure all Ballots are retrieved.

- All Ballots retrieved by the staff must be returned to the County's secure ballot storage location immediately after the pick-up route is completed.

- The drivers should not park the vehicles transporting the Ballots at any location where the vehicles would be left unattended with voted Ballots inside before returning to the secure County return location (i.e., drivers shall not stop at a convenience store or restaurant and go inside with Ballots in the vehicle).

- The Ballots should be collected at times determined by the Department. Each staff member should carry identification or an official designation identifying them as authorized to collect voted Ballots.

- Individuals designated to collect voted Ballots by the Department should also sign an Oath declaring that he or she will timely and securely collect and return voted Ballots, will not permit any person to tamper with a ballot return site or its contents,

and that he or she will faithfully and securely perform his or her duties.

- The designated individuals should also complete a chain of custody form for each trip to retrieve Ballots. They should note on chain of custody forms the site location(s) and the date and time of retrieval and their return to the Department's secure ballot facility.
- The paperwork memorializing the secure pick-up and transport of the Ballots should be provided to the Department. This paperwork must be retained in accordance with the state's election retention guidelines.
- The number of Ballots delivered should be recorded into the SURE system.
- The team should inspect each secure Ballot Drop Box and secure ballot transfer container for evidence of tampering and should receive the retrieved Ballots by signing the retrieval form and including the date and time of receipt.
- In the event that any tampering is evident, that fact must be noted on the retrieval form and reported to the Department's administrative team immediately for further review.

B) MAILED OR HAND DELIVERED TO COUNTY ELECTION OFFICE/ SATELLITE OFFICES

- All individuals handling Ballots must sign an Oath indicating that they are acting in a non-partisan way.
- The Department must have the ability to receive the Ballot and immediately store them in a secure manner.
- The staff must accept Ballots for processing delivered to the Department up until 8:00PM on Election Night.

RECORDING THE DATE, RETURN METHOD AND BALLOT STATUS FOR RETURNED BALLOTS:

Per The Pennsylvania Department of State Bureau of Elections:

- The Department must have processes in place to record the date, return method, and Ballot status for all voted Ballots received.

- The Department must store and maintain returned Ballots in a secure location until the Ballots may be pre-canvassed or canvassed.
- The Department should stamp the date of receipt on the Ballot-return envelope.
- The Department should record the receipt of Absentee and Mail-In Ballots daily in the SURE system. To record a Ballot as returned, the staff should scan the correspondence ID barcode on the outside of the envelope. The correspondence ID on the envelope is unique to each absentee or mail-in voter and each issuance of a Ballot to a voter. Once a correspondence ID has been returned in the SURE system, it cannot be modified.
- Additionally, if a Ballot issuance record is cancelled by the Department (e.g. voided to reissue a replacement Ballot) in the SURE system, the correspondence ID on the cancelled ballot will become invalid. If the same barcode is subsequently scanned, the SURE system will not allow the returned Ballot to be marked as being approved for counting.
- The Department should record the date the Ballot is received (not the date that the returned Ballot is processed).

EXAMINATION OF DECLARATION ON BALLOT RETURN ENVELOPES:

- The Department is responsible for approving Ballots to be counted during pre- canvassing.
- The Department should complete the following steps when processing returned Absentee and Mail-In Ballots:
 - After setting aside Ballots of electors who died prior to the opening of the polls, the Department shall examine the Voter's Declaration on the outer envelope of each returned Ballot.
 - If the Voter's Declaration on the outer return envelope is blank, that Ballot return envelope must be set aside and not counted. The final Ballot disposition should be noted in SURE.
 - The Ballot return status should be noted using the appropriate drop-down selection in SURE.
 - If the Voter's Declaration on the Ballot's return envelope is signed and the Department staff is satisfied that the declaration is sufficient, the Mail-In or Absentee Ballot should be approved for canvassing unless

challenged.

- As noted above, these Ballot envelopes should be scanned-in (logged by the Department as received), checked for signature and date and organized by precinct.
 - o Election staff can accept Absentee and Mail-In Ballots hand delivered to the Department or to a Chester County designated secure drop box until 8:00PM on Election Night.
 - o However, if an individual attempts to deliver more than one Paper Ballot, the staff members must explain that individuals must deliver their own Ballot.*
 - *Staff must be trained to be aware that in certain circumstances (i.e., delivery of Absentee/ Emergency Absentee Ballots) certain qualifying voters may execute authorizations enabling another individual to deliver the Ballot on his or her behalf.

V. STORAGE OF VOTED PAPER BALLOTS

- All of the voted Ballots shall be immediately secured and then logged-in by the Department in its secure location.
- Any and all individuals who go into the secure location shall sign a log indicating the date and time he/she entered the secure location and indicate why he/she entered the location.
- There will be at least one camera surveilling access to the secure location. This footage shall be stored from the date that Ballots are first received until 90 days. after the election is certified or the challenge period has ended, whichever is later.

VI. CHALLENGING PAPER BALLOTS

According to Act 77 - challenges to Absentee and Mail-In Ballot applications can be made up until 5:00PM on the Friday prior to the Election.

- Absentee Ballots may be challenged based on the allegation that a voter does not qualify as an Absentee voter.

- Challenged Ballots are those that are flagged by either county election officials or because another voter challenges the individual's eligibility to vote.
- The challenged Ballot(s) should be segregated, placed in a secure location and remain in the custody of the Department, marked as "challenged" and left unopened until the challenge is resolved.
- Should the Pennsylvania Department of State Bureau of Elections issue additional Guidance about challenging Paper Ballots the Department will consult with the County Solicitor's Office for further handling.

SECTION 3.

PRE-CANVASS/ CANVASS / TABULATIONS

I. PRE-CANVASS:

Central Scan Location - 313 W. Market Street, 5th Floor

Transport Ballots to the tabulation center in a sealed container if located in a separate building. Two individuals who have been duly authorized by the Department to handle the Ballots should be used for each transport. Body cameras should be used and remain in the on-position at all times. The transporters shall not make any stops (except to obey traffic laws) while transporting the Ballots. The vehicle containing the Ballots shall not be left unattended. Therefore, if two individuals need to transport the Ballots to the pre-canvass, canvass/ tabulation location, if there are still Ballots in the vehicle, another set of individuals must be charged with guarding the Ballots.

The Pre-Canvas will begin on the date and time designated by the governing law in effect. Individuals participating in the pre-canvas and canvass process shall sign an Oath prior to processing Ballots.

Once the examination of the Voter's Declaration envelope verification has been successfully completed, the staff/ deputized staff may begin removing Ballots from their envelopes.

Teams should be made up of at least two individuals. No blue or black pens or pencils should be permitted into the room where the envelopes are being opened.

When teams find a Ballot missing the inner secrecy envelope but placed in the outer envelope, staff must act in accordance with the requirements of the governing law and/ case law in effect on the date of the Pre-Canvass.

Only one precinct at a time should be processed per team of pre-canvassers. Logs should be kept as to which teams pre-canvassed each precinct.

Individuals who live in a precinct should not be opening Ballots for that precinct.

Individuals who are candidates or whose relatives are running for election shall NOT be permitted to open Ballots related to that candidate's race(s). (Relatives are defined as immediate family regardless of whether or not they reside in the same household).

The pre-canvassers should log empty Ballots.

The pre-canvassers should reject Ballots if they are from a different election.

If there are two voted Ballots contained in one envelope for this election, both Ballots must be rejected.

If a Ballot has damage or defects that would cause problems in tallying, it should be set aside to be counted manually during the computation phase.

Observers shall be permitted to be present for the pre-canvass/ canvass process so long as they conduct themselves in a professional fashion and space allows.

Inspect all Ballots to determine voter intent if the Ballots cannot be processed electronically.

- The responsibility for determining voter intent lies with the team inspecting the Ballot. They should communicate to administrative Department staff if an issue arises.
- Ensure that a team of at least two individuals not of the same political party work together to determine voter intent.

NOTE— even though each Ballot is scanned, staff are still responsible to make sure that the machines are reading the Ballots accurately.

- In accordance with Pennsylvania law, Ballots shall be rejected if a write-in is voted using a rubber stamp, sticker or another marking device, except writing which bears the name of a person and is used to vote for a person whose name is NOT on the printed Ballot.
- Ballots that contain extraneous marks, such as names, signatures or initials of the voters shall not be counted.
- All rejected Ballots should be accounted for on log sheets and placed in an appropriate location.

II. CANVASS

The actual Canvass period is the legally designated period when the Department shall start to tally the votes received and processed during the pre-canvass period. Individuals engaged in the official canvass shall take the official oath at the inception of the canvass.

- Care should be taken to periodically download the information from the scanners and upload it into the system. This should be done by the Department's assigned staff.
- The canvass shall include the tabulation of both the scanned Paper Ballots as well as the voting machines.
- Once canvass begins, tally all the Ballots that were scanned and read by the scanners and voting machines before ending the Election Day count.
- **The election day count need not include the following as it will be counted in the days immediately after the election unless time allows otherwise during the canvass period:**
 - The machine rejected Ballots,
 - Challenged Ballots,
 - Write-ins that could not be read by the machine,
 - Ballots in provisional envelopes,
 - Reissued/Replacement Ballots

Handling of Federal Election ONLY Ballots (NOT applicable to FPCA)

- A person who moves to PA less than 15 days before the election and is qualified to register to vote in the election for US President/ Vice President. If the person did not vote in another state for the same office during the six months immediately preceding.
- The Ballot shall be marked for Federal ONLY.
- An eligible voter must appear in the Department for this. The Ballot must be marked as such.
- The Department shall validate the qualifications of the voter prior to counting the Ballot.

III. RETURN BOARD/ FINAL TABULATION

In the days immediately following the Election, designated Department staff are responsible for determining which of the Paper Ballots not otherwise counted during the canvass should be counted. Generally, such Paper Ballots include Ballots that were either ripped or illegible by the scanners.

Also in the days immediately following the Election, designated Department staff

are charged with identifying all Provisional Ballots cast. The staff are then responsible for researching whether or not each of the Provisional Ballots should be counted. The Provisional Ballots that are determined to count must be included in the final tabulation of all of the votes.

The Return Board shall complete the following procedures:

- First, compare the number of registered voters in each precinct to the numbered list of voters created at the polls on Election Day.

Second, compare the numbered list of voters to the number of votes recorded on the voting machines that appears on the results tapes printed at the close of polls.

- The Department, as part of the computation and canvass of returns, shall conduct a statistical recount of a random sample of Ballots after each election using manual, mechanical or electronic devices so long as the specific unit used in the initial count is not used. The sample shall include at least two (2) percent of the votes cast or two thousand (2,000) votes whichever is lesser. See, 25 P.S. §3031.17
- The Return Board must investigate any discrepancies or irregularities among those records. See, 25 P.S. § 3154(b).
- The Return Board has the authority to summon the district election officers, machine inspectors, clerks and overseers during its investigation of any discrepancies.
- If warranted, the Return Board must turn over a report of the facts to the District Attorney.
- For any Ballots returned by precincts the return board must account for and reconcile all balloting materials, including the following:
 - o The number of Ballots issued
 - o The number of spoiled Ballots
 - o The number of Ballots cast
 - o Extra Ballots printed, in accordance with the Election Code
 - o The Department must also verify the number of surrendered Ballots.

See, 25 P.S. § 3154(c).

- The Return Board must carefully review the tally papers, or district totals

cards and compare them to the totals tapes from the machines and reconcile them with the numbers on the general return sheets. *See* 25 P.S. § 3154(d).

- During this process, the Return Board should ensure that all votes were properly compiled from all of the removable storage media associated with the voting machines in each precinct.
- Voting systems must remain locked after the completion of the canvass, unless the return board is required to open them by court order or for purposes of an election contest. *See* 25 P.S. § 3070.
- If the Department re-formats the memory cards used in an election, the Department must prepare and maintain a printed or electronic copy of the ballot images, also known as cast vote records, the Department must keep the records in accordance with statutory retention requirements. *See* 52 U.S.C.A. § 20701

APPENDIX - POLICIES

1. Reissued/ Supplemental Ballots
2. Ballot issued but person dies before Election Day shall not be counted.
3. Sealing and storing voted Paper Ballots
4. General Rules for Observers (sample rules included)
5. Ballot Security Measures
6. Body Camera Footage Retention
7. Ballot Security Regarding Voted Ballots During Transports
- 8A. Ballot Security at Satellite Offices
- 8B. Security of Voted Ballots Awaiting and During Verification
- 9 Security of Voted Ballots Opened and Inspected
10. Security Regarding Ballot Tally System
11. Post-Election Security
12. Other Security Considerations
13. Oaths

1. Reissued/ Supplemental Ballots

- Where a voter is issued the wrong paper Ballot. The original Ballot must be canceled / spoiled.
- Where the original paper Ballot is damaged or destroyed. The original Ballot must be cancelled/ spoiled.
- SURE will indicate if more than one Ballot has been issued.

2. Ballot issued but person dies before Election Day shall not be counted.

- Obtain proof of death prior to discounting Ballot. SURE data is sufficient.

3. Sealing and storing voted Paper Ballots

- Store all Ballots, including Ballots received too late, provisional and challenged Ballots.
- The Archive Retention Rules are applicable.
- Store unused Ballots and secrecy envelopes for 4 months after the election per the Pennsylvania Election Code 25 P.S. § 2649 (Preservation of Records).

Store all other records of the election (working papers, all return identification Ballot envelopes, and master list of voters) in accordance with governing retention rules per the Pennsylvania Election Code 25 P.S. § 2649 (Preservation of Records).

Store Ballots by precinct or by vote tally machine batch for recount purposes.

- Store Ballots in secure sealed containers or a locked secure Ballot storage room, including:
 - o Ballots (voted, counted)
 - o Defective Ballots (originals of duplicated Ballots)
 - o Rejected Ballot envelopes (passed signature verification but not counted for some other reason)
 - o Unaccepted Ballot envelopes

- o Declaration Envelopes (also known as the Outer Ballot Envelopes)

4. General Rules for Canvass Observers

- The Parties should designate canvass and computation observers on their behalf and notify the Department of who they select in advance of Pre-Canvass, Canvass and Final Computation so that observer certificates can be issued by the Department.
- canvass and computation Observers will not bring blue or black pens into any location where there are Ballots.
- canvass and computation Observers agree to conduct themselves in a professional manner.
- canvass and computation Observers will remain silent and not interfere with the activities of Election workers.
- canvass and computation Observers will address all questions to designated supervisory staff of the Department or any County executive team member. Observers agree to comply with their directions or address it through a judicial remedy.
- canvass and computation Observers may not handle any Ballots or election materials.
- canvass and computation Observers may not use any communication devices while in the room where the count is being conducted, unless authorized by Department administrative staff.
- canvass and computation Observers shall be limited depending on the amount of space available - this must be considered ahead of time and the parties must be notified of same to enable them to plan accordingly.

OBSERVER CHECK IN/OUT PROCEDURES:

- o All canvass and computation observers must report and sign-in daily at location where the pre-canvas/canvas/ final tabulation is occurring.
- o A canvass and computation official observer certificate will be issued and

must be available for inspection at all times.

5. Ballot Security Measures

- All Ballots must be carefully secured by the Department.
- Ballots shall only be issued to registered voters who apply for them.
- This secure process must be followed through receipt of Ballot, verification, inspection and counting.
- The Department must maintain an audit trail for all Ballots, whether voted or unused.
- All Ballots, voted or unused, must be maintained securely and accessible to authorized Department personnel only.

6. Body Camera Footage Retention

- Individuals transporting Ballots are expected to use body cameras for this purpose.
- The body cameras and their footage are the Property of Chester County.
- Body cameras shall be worn by individuals picking-up and transporting Ballots from Secure Ballot Return Site locations until they are delivered to the Department's secure facility.
- Cameras shall be turned on when the individual begins to access any secure Ballot locations.
- The cameras shall remain on and recording until the entire transport and delivery is completed.
- If there is an issue with recording the pick-up, the transporter must contact the administrative team at the Department and notify them of the issue immediately.
- The footage shall be stored appropriately until 90 days after the election is certified or until all matters related thereto are resolved through court action.

7. Ballot Security Regarding Voted Ballots During Transports

This policy refers to the time when executed Ballots are being transported between Satellite Offices and the Department's Secure Ballot Return Site.

- Authorized personnel shall handle all voted Ballots.
- Transport between sites shall be provided by individuals authorized by the Department. Ideally, two people will be present for each transport.
- No Ballots shall be left unattended while moving Ballots between the vehicle and the Ballot destination.
- Transporters shall NOT stop, park or leave the Ballots unguarded while enroute to the Department's secure ballot drop off location.
- Body cameras shall be used when individuals are transporting voted Ballots.

8. A. Ballot Security at Satellite Offices

- Each voted ballot shall be placed within a secure ballot container, and this container shall be within sight of an authorized person throughout the hours that the Satellite Office is open to the public or else it shall be locked and secured in such a manner as to prevent use or tampering.
- Each secure ballot container shall be locked and unavailable for use when not being supervised by either authorized personnel.
- Deposited Ballots should be returned to the Department's secure location to be logged-in and processed as appropriate.
- When the Satellite Office is closed at the end of the day, the secure ballot container shall be transported to the Department via authorized personnel or by such deputized personnel.
- The authorized personnel shall have credentials issued by the Department and show it to the onsite personnel for verification prior to turning over the Ballots.
- Chain of custody forms must be completed by the transporters and maintained by the Department.

8. B. Security of Voted Ballots Awaiting and During Verification

- Voted Ballots will be obtained from the Post Office on a daily basis or as often as required.
- Ballots are also removed from official ballot boxes as necessary but at least daily.
- All problems are separated and investigated at this time.
- While Ballots are being processed, access to this space shall be limited to authorized personnel only.
- After inspection of the Outer Ballot Envelope, the acceptable Ballots shall be sorted by precinct, counted and kept in a secured manner and location.
- Rejected Ballots shall be stored in a secure location but away from the accepted Ballots.
- The SURE system maintains data of accepted and rejected Ballots.

9. Security of Voted Ballots Opened and Inspected

- Ballots that have been inspected and are awaiting vote tally are kept in sight of authorized personnel and/or deputized authorized personnel at all times (otherwise, they are to be returned to a secured locked location and segregated in such a fashion so as not to be counted twice).
- If Ballots cannot be counted by the end of the day, County election officials shall secure the Ballots until the tally of Ballots begins again.

10. Security Regarding Ballot Tally System

- The Department must devise a plan specific to the county ballot tally system to ensure computer access security so equipment is tamper resistant when not under observation from Department staff. This can be as simple as keeping staff on the premises from the time that the equipment is delivered to the tabulation location until it is returned to the Department.

Only authorized personnel may access the system.

- Ballots shall remain either locked in a secure area or in the presence of Department staff the entire tabulation period.

11. Post-Election Security

- Once the tabulation is completed, the Ballots must be safely and securely returned to the Department for appropriate storage.
- Ballots shall be stored in accordance with the rules.
- Ballots shall not be destroyed for any reason prior to the statutorily permitted time.
- The scanning and tabulation equipment shipped to the tabulation location must be returned to the Department's secure storage location.

12. Other Security Considerations

- Security associated with media relations groups.
- Security at times when Ballots are being processed, such as during verification or during processing
- Access to spaces where Ballots are being handled shall be limited to authorized personnel only.
- Security of the equipment being used to do the scanning and tabulations.
- Ensuring that staff are available at the Department of Voter Services to assist with the SURE system as necessary.
- Having staff from ES&S available during Election Day and through the completion of tabulation should any technical or mechanical issues arise.

Security associated with elections canvass and computation observers is described in more detail in Appendix 4 above, but it is worth noting that:

- o canvass and computation Observers shall be limited depending on the amount of space available - this must be considered ahead of time and the parties must be notified of same to enable them to plan accordingly.
- o Interested canvass and computation observers must sign in and comply with rules.

OATH FOR INDIVIDUALS ASSISTING IN EXECUTING THE ELECTION

I (_____) do swear (or affirm) that I will as a staff member (or designated and deputized temporary staff member) of the Chester County Board of Election's Department of Voter Services will faithfully execute and perform my assigned duties in order to help effectuate a secure Primary/General Election in a neutral fashion, according to the provisions of the Constitution and laws of this Commonwealth, and that I will use my best endeavors to prevent any fraud, deceit or abuse in carrying on the same, and will at all times impartially and faithfully perform my duty respecting the same, to the best of my judgment and ability.

OATH FOR INDIVIDUALS ASSISTING IN PRE-CANVASS/CANVASS/ TABULATION OF THE ELECTION

I, the undersigned, appointed as a member of the Board to review, investigate, process, and compute all ballots cast at the _____ **Election** held Tuesday, _____, said appointment being made by the County Board of Elections of Chester County, being duly qualified according to law, depose and say that I, will well and truly review, investigate, process, report, and certify our findings of all ballots cast, under the laws of the commonwealth of Pennsylvania and the constitution thereof. I will use my best endeavors to prevent fraud, deceit, or abuse in carrying on the same, and that I will make a true and perfect return of the said election, and will at all times impartially and faithfully perform my duty respecting the same, to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election.

**OATH FOR INDIVIDUALS ASSISTING IN RECOUNT AND TABULATION
OF THE ELECTION**

I, the undersigned, appointed as a member of the Board to recount and recanvass all ballots cast at the _____ for the office of _____ at the _____ **Election** held Tuesday, _____, said appointment being made by the County Board of Elections of Chester County, being duly qualified according to law, depose and say that I, will well and truly review, investigate, process, report, and certify our findings of all ballots cast, under the laws of the Commonwealth of Pennsylvania and the constitution thereof. I will use my best endeavors to prevent fraud, deceit, or abuse in carrying on the same, and that I will make a true and perfect return of the said election, and will at all times impartially and faithfully perform my duty respecting the same, to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election.

**OATH FOR INDIVIDUALS DESIGNATED TO COLLECT VOTED
BALLOTS**

I (_____) do swear (or affirm) that I will as a staff member (or designated and deputized temporary staff member) of the Chester County Board of Election's Department of Voter Services will faithfully execute and perform my assigned duties in order to help effectuate a secure _____ **Election** in a neutral fashion, according to the provisions of the Constitution and laws of this Commonwealth. I will timely and securely collect and return voted Ballots, will not permit any person to tamper with a ballot return site or its contents. I will use my best endeavors to prevent any fraud, deceit, or abuse in carrying on the same, and will at all times impartially and faithfully perform my duty respecting the same, to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election.