STATE BOARD OF ELECTIONS

PRECINCT ELECTION OFFICERS' GUIDE

2014 GENERAL ELECTION

ALISON LUNDERGAN GRIMES

SECRETARY OF STATE AND CHIEF ELECTION OFFICIAL

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RESPONSIBILITIES AND AUTHORITY OF ALL PRECINCT ELECTION OFFICERS

1. Open the polling place for voting at **6:00 a.m.** Please arrive at the precinct at least by 5:30 AM to allow yourself enough time to prepare the polling place before 6:00 a.m.

2. Set up **all** voting equipment, including the accessible voting machine. **All equipment must be set up by 6:00 a.m. This includes the accessible voting equipment.**

3. Assist in the opening, examination, and closing of the voting machines.

4. Ensure the voting equipment is set up to maintain a voter's privacy.

5. Ensure that Election Day posters and notices are posted.

6. Ensure that only registered voters enter the voting machine to cast a ballot.

7. Throughout the day, compare the ballot face of the machine with the sample ballot to be sure that there have been no alterations on the ballot face. For counties using paper ballots, ensure you are providing the correct ballot to each voter.

8. If a problem should arise with a voting machine, **immediately** contact your county clerk for instructions.

9. Ensure that the election laws are obeyed and that any potential violation is reported to the Precinct Sheriff for entry on the Precinct Sheriff's Post-Election Report (SBE 53).

10. All voters must produce an acceptable form of identification or be a personal acquaintance of the Precinct Election Officer and sign the Precinct Signature Roster or Supplemental Signature Roster (SBE 25) before casting a ballot. A voter who does not produce an acceptable form of identification or is not a personal acquaintance of a precinct election officer may request a hearing before the county board of elections or vote a provisional ballot.

11. Completely fill in the oval in the "ID Type" column on the roster. The precinct election officer verifies the identity of the voter by affixing his/her initials in the "Clerk Initials" column of the Precinct Signature Roster and the Supplemental Signature Roster. Do not write in any other areas on the Precinct Signature Roster.

12. If a voter's name does not appear on the Precinct Signature Roster, verify that the voter is in the correct precinct by reviewing the voter's address with maps/information provided by the county clerk.

13. You must confirm the eligibility of a voter whose name does not appear on the Precinct Signature Roster or the Supplemental Signature Roster, but claims to be in the correct precinct, by:
    - Contacting your county clerk, or
    - Contacting the toll free State Board of Elections' Voter Registration Verification System. The telephone number will be provided in your Election Day supplies.

14. If you can confirm the eligibility of a voter whose name is not on the Precinct Signature Roster or the Supplemental Signature Roster, the voter must complete the Oath of Voter (SBE 32)**,** a new voter registration card indicating the new address, and the Supplemental Precinct Signature Roster before casting a ballot on the voting machine.

15. Any precinct election officer may complete and sign the bottom portion of the Oath of Voter (SBE 32) when it is used. Make sure you completely fill out the reason for requiring the oath on the "Reason for Requiring Oath" portion of the form.

16. If the voter's eligibility cannot be confirmed, the voter cannot vote at the precinct on the voting machine. The Precinct Election Officer must instruct the individual of the option to request a hearing before the county board of elections to determine eligibility or vote a provisional ballot if the individual resides within the geographic boundaries of the precinct.

17. Instruct voter, when requested, how to operate the voting machine:
    a. **DO NOT** enter the voting machine privacy area after the voter has entered this area.
    b. **DO NOT** make any comments that might be considered in favor of any party, candidate, or public question.
    c. **DO NOT** hover in the voting privacy area after providing instructions to the voter.
    d. **DO NOT** attempt to view the voter's selections as he or she votes.

18. Any precinct election officer may complete and sign the bottom portion of the Voter Assistance Form (SBE 31) when it is used.

19. If voters are waiting in line to use a voting machine, no voter shall have more than two minutes in which to vote except that voters with disabilities may have extra time to cast a ballot on any voting machine of their choice.

20. Any voter may vote on the accessible voting machine regardless of whether the voter has a disability.

21. Sign return sheets and post-election results at the polling place at the end of the day.

22. At the close of the polls, total the number of voters who signed the Precinct Signature Roster and write the sum on the summary page of your Precinct Signature Roster.

23. Complete the Ballot Accountability Statement if using paper ballots.

24. Properly fill out all required forms including Precinct Signature Rosters. USE INK PENS ONLY. **(DO NOT use markers or pencil.)**

25. Duties for additional precinct election officers will be assigned by the county board of elections.

26. Your county board of elections will provide detailed training on how to set up, use, and close the voting machines for your precinct.

SPECIAL DUTIES OF PRECINCT CLERK

Check (✓) when Complete	DUTIES
	Pick up all election supplies for the precinct and deliver supplies to precinct.
	Examine the voting machine and compare the ballot face of the machine with the Sample Ballot prior to opening the polling place or check to ensure the correct paper ballots have been sent to your precinct. Immediately report any discrepancies to the county clerk.
	Check to ensure that you have the correct precinct roster for your precinct.
	If using paper ballots, check to make sure you have received the correct ballots for your precinct.
	Examine your Precinct Signature Roster to determine if those persons who have applied for **Absentee Ballots** have been identified. If this task has not been done, you should take your LIST OF VOTERS ISSUED ABSENTEE BALLOTS (SBE 33A) (See page 62) and compare it to your Precinct Signature Roster, indicating **ABSENTEE VOTER** in the signature space on the roster by the name of any voter listed. No person **who has applied** for an absentee ballot may vote in person at the polling place on Election Day, **unless you** receive the following: • Signed and completed Oath of Voter (SBE 32) and Authorization to Vote at Precinct (SBE 26); OR • A court order
	Search the Precinct Signature Roster to find the voter's name. Registered voters in your precinct will be listed in the Precinct Signature Roster, alphabetical by last name, with each Address Confidentiality Program (ACP) participant listed on a separate page immediately following the alphabetical by voter's last name listing. (See page 28)
	If the individual's name is not found in each of the rosters, call the county clerk immediately .
	Before a voter signs the Precinct Signature Roster or Supplemental Precinct Roster, be sure to confirm the voter's identity.
	Verify the identification of each voter by one of the following methods: • Personal acquaintance with an election officer • Driver's license (does not have to be a Kentucky-issued driver's license) • Any identification card with picture and signature of voter ("Other ID") • Social Security card; or • Credit card
	Request the current address of the voter to determine if the voter remains qualified to vote in the precinct before allowing the voter to sign the Precinct Signature Roster or Supplemental Signature Roster and vote.

SPECIAL DUTIES OF PRECINCT CLERK

▶ continued ◀

Check (✓) when Complete	DUTIES
	Do not turn voters away who are not on the Precinct Signature Roster or Supplemental Signature Roster without first contacting the county clerk's office or contacting the toll free State Board of Elections' Voter Registration Verification System. These voters may be eligible to vote. The precinct election officer will instruct the individual of the option to request a hearing before the county board of elections to determine eligibility or to vote a provisional ballot if the individual resides within the geographic boundaries of the precinct.
	Completely fill in the oval in the "ID Type" column on the roster. Have the officer verifying the identity of the voter to sign his or her initials in the "Clerk Initials" column of the Precinct Signature Roster or Supplemental Signature Roster. Do not write in any other areas of the Precinct Signature Rosters.
	Attest the signature of any person who assists a voter on the Voter Assistance Form (SBE 31).
	Verify that the voter signed the Precinct Signature Roster on the correct line. If the voter does not sign on the correct line, note the error on the Precinct Sheriff's report (SBE 53).
	At the close of the polls, total the number of voters who signed the Precinct Signature Roster and who were stamped as voting "absentee" and write the sum on the summary page of your Precinct Signature Roster.

SPECIAL DUTIES OF PRECINCT JUDGES

Check (✓) when Complete	DUTIES
	Inform the Precinct Sheriff of any election law violations, potential election law violations, irregularities and suggestions for improvement or other comments.
	If using paper ballots, complete the Ballot Accountability Statement (a form created by the county clerk. (see Samples of Election Day Forms).
	Examine the voting machine and compare the ballot face of the machine with the Sample Ballot prior to opening the polling place for voting or check to ensure the correct paper ballots have been sent to your precinct. Immediately report any discrepancies to your county clerk.
	Sign the Voter Assistance Form (SBE 31) and render assistance to any voter who meets the legal requirements for assistance in operating the voting machine if the voter does not bring someone to assist him or her or does not pick someone inside the polling place. (see "Voter Needs Assistance" section of this Precinct Election Officers' Guide for details on when the precinct judges may offer assistance.) Voters must meet one of the following conditions in order to be eligible to receive voting assistance: ● Inability to read English; ● Physical disability; or ● Blindness
	Ensure the voter has received the correct paper ballot.
	Regularly check the voting machine screens to make sure they are clean and without stray marks left by voters.
	Seal and lock the voting machine after the polls have closed.
	Return all election supplies and results of the election to the county board of elections.
	If using paper ballots, complete the Ballot Accountability Statement (see Samples of Election Day Forms).
	Sign the Voting Machine Verification Sheet for each voting machine in your precinct (see Samples of Election Day Forms).

SPECIAL DUTIES OF PRECINCT SHERIFF

Check (✓) when Complete	DUTIES
	Compare the ballot face of the machine with the Sample Ballot prior to opening the polling place or check to ensure the correct paper ballots have been sent to your precinct. Immediately report any discrepancies to the county clerk.
	Display American flag at entrance to polling place and install temporary accessibility devices, when instructed by the county clerk. This includes installing handicap parking signs, parking cones for creating the accessible parking spaces, door knob adapters, ramps, etc.
	Maintain order at the polling place. No person, except for challengers, is permitted to have paper, telephone, cell phones, computers or other technology systems in the voting room for the purpose of creating check-off lists or to record the identity of any voter. (Voters may have cellphones in their possession).
	Ensure only those persons allowed by law to be in the voting room are granted access.
	If media appear, immediately contact the county clerk. Members of the news media are allowed in the voting room for the limited purpose of filming the voting process. The media may not film the identity of the voters, conduct interviews with voters inside the voting room, or disrupt the voting process.
	Report any potential election law offenses to the county clerk, county sheriff, or the State Police. NO person is permitted to do any electioneering within 300 feet of the entrance to the polling place.
	Note all election law violations, potential election law violations, irregularities, and suggestions for improvement or other comments on the Precinct Sheriff's Post-Election Report (SBE 53).
	Promptly at 6:00 p.m., station yourself at the end of the line of persons waiting to vote. ● All voters in line by **6:00 p.m. must be allowed** to vote regardless of how long it takes. ● No person who joins the line after you shall be allowed to vote. ● If your precinct is sharing a voting location, each precinct MUST CLOSE at the same time unless there is a line in the precinct. ● Synchronize all clocks to send the precinct sheriffs to the end of the line or close polls at 6:00 PM.
	Include the Precinct Sheriff's Post-Election Report (SBE 53) with the election supplies on election night. A supplement to this report may be filed with the county clerk within 3 days of the election.
	If using paper ballots, complete the Ballot Accountability Statement (see Samples of Election Day Forms).

Ballot Accountability Statement (see page 66)

(Only applies to counties using paper ballots in the precinct)

GENERAL: An accounting of the total number of each type of ballot submitted to the precinct.

Contains:

- An oath for the county clerk to sign attesting to the accuracy of the information provided on the statement;
- An accounting of the total number of ballots used, unused, and spoiled on Election Day to be completed by the precinct election clerk and signed by all four (4) precinct election officers;
- An accounting of the total number of ballots returned to the county clerk at the end of the Election Day to be completed by the precinct election clerk;
- A section that allows for the precinct election clerk to explain any discrepancies;
- An oath for all four of the precinct election officers to sign attesting to the accuracy of the information provided on the statement; and
- The signatures of all four precinct election officers.

Verification Sheet (see page 67)

(Applies to all counties)

One form per voting machine:

Contains:

- The assigned precinct name and number, if applicable;
- The serial numbers of the voting system components;
- The seal numbers;
- Counter number at the beginning of the election, if applicable;
- Counter number at the end of the election, if applicable;
- Signature line for the program administrator who sealed the voting system after the accuracy test;
- Signature lines for the two precinct election judges to sign on Election Day; and
- The signatures of the two precinct election judges.

Provisional ballots were created in the Help America Vote Act of 2002 to ensure all voters have the opportunity to cast a ballot. A provisional ballot is a ballot cast in an election for federal offices by an individual who resides in the precinct or who confirms by affidavit (sworn statement) that he/she lives in the precinct, but whose eligibility to vote is in question or is not determinable on Election Day. Provisional ballots protect the rights of any potential voter. It is very important that the following forms are used to issue a provisional ballot by the precinct election officers and returned to the county clerk's office at the end of Election Day:

Instructions for Voting a Provisional Ballot (Poster)

Information to help the voter know how to cast a provisional ballot and understand what an "Overvote" is. This poster is to be posted in a conspicuous place where it may be easily seen by all voters.

Provisional Ballot and attached Ballot Stub

General and Special Elections require a minimum of 20 provisional ballots for each precinct. Provisional ballots are attached to a consecutively numbered Ballot Stubs. The precinct election officer must tear the provisional ballot away from the Ballot Stub at the perforation. The precinct election officer must fill in the voter's name and sign his or her initials on the Ballot Stub. If the provisional ballot is spoiled, the precinct election officer must also mark the "spoiled ballot" box on the Provisional Ballot Stub.

Provisional Ballot Precinct Signature Roster (SBE 35)

[Green form delivered with the Precinct Signature Roster] Every voter who is issued a provisional ballot must sign the Provisional Ballot Precinct Signature Roster. The precinct election officer must affix his/her initials on the Provisional Ballot Precinct Signature Roster and print the individual's Social Security number, name, address, date of birth, political party affiliation, and identification type (fill in only one oval for identification type: PA=Personal Acquaintance; DL=Driver's License; OI=Other Identification; SS=Social Security Card; and CC=Credit Card).

Provisional Ballot Informational Sheet (SBE 36)

[Green form] This information sheet is handed to the voter to explain how to find out whether his voted provisional ballot was counted, and if not, the reason why the provisional ballot was not counted.

Provisional Ballot Accountability Statement (SBE 37)

[Green form] This form is to be completed at the end of the Election Day. It provides information to the county board of elections as to the number of provisional ballots issued, spoiled, and unused. This form is to be signed by all four (4) precinct election officers.

Provisional Ballot Outer Envelope (SBE 38)

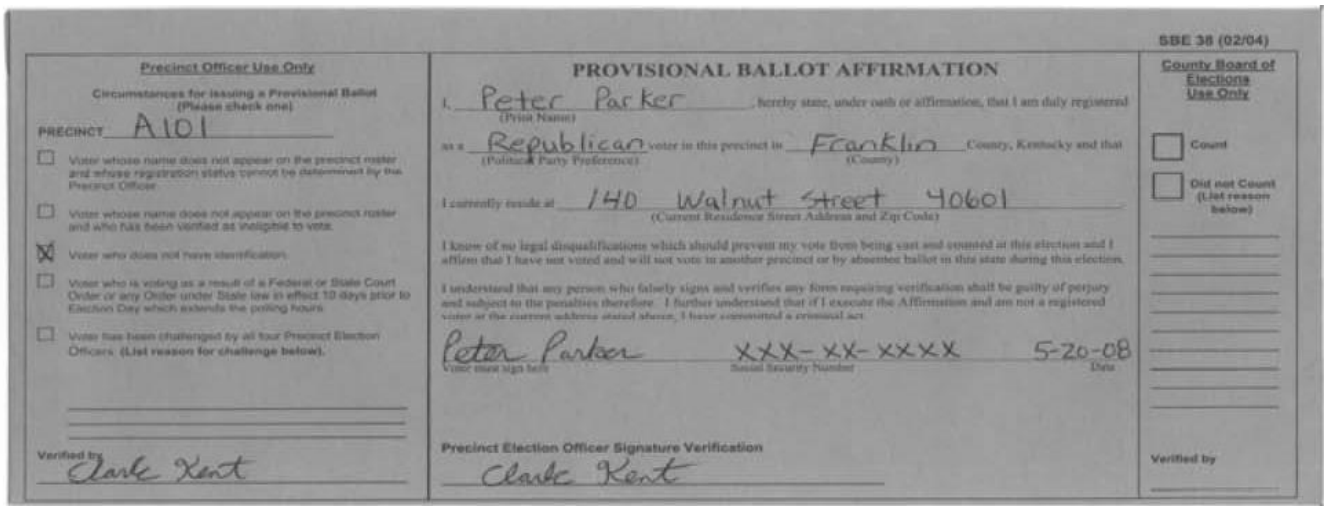
This envelope has the Affirmation Oath on the outside, which is completed by the voter and signed in two (2) places by the precinct election officer issuing the provisional ballot. The Inner Envelope (SBE 39) with the voted ballot inside is inserted into the Outer Envelope (SBE 38) and sealed by the voter. Precinct election officers are never to look at a voter's voted provisional ballot.

Provisional Ballot Inner Envelope (SBE 39)

The Inner Envelope (SBE 39) has the words "PROVISIONAL BALLOT" printed on the outside. The voter places the voted provisional ballot in the Inner Envelope (SBE 39) and seals it. The voter places the Inner Envelope (SBE 39) into the Outer Envelope (SBE 38), seals it, and gives it to the precinct election officer.

BEFORE ISSUING A PROVISIONAL BALLOT, the precinct election officer must inform the individual of the option to request a hearing before the county board of elections to dispute eligibility. If the individual goes before the county board of elections for a hearing and the decision is to deny the individual to vote, the individual may request a hearing before a Circuit Judge. If the individual is turned down by the Circuit Judge, the individual may return to the precinct in which he/she lives or confirms by Affidavit that he/she lives and vote a provisional ballot. If the individual chooses to vote a provisional ballot at the precinct, then the individual is not eligible to vote in any other manner.

All provisional ballots are reviewed by the county board of elections to determine if the provisional ballots will be counted or not. The voter must sign the affirmation on the Provisional Ballot Affirmation Outer Envelope (SBE 38) stating that he/she is a resident of your precinct and an eligible voter.



SBE 38 (02/04)

Precinct Officer Use Only

Circumstances for Issuing a Provisional Ballot (Please check one)

PRECINCT A101

- [ ] Voter whose name does not appear on the precinct roster and whose registration status cannot be determined by the Precinct Officer
- [ ] Voter whose name does not appear on the precinct roster and who has been verified as ineligible to vote.
- [x] Voter who does not have identification.
- [ ] Voter who is voting as a result of a Federal or State Court Order or any Order under State law in effect 10 days prior to Election Day which extends the polling hours
- [ ] Vote has been challenged by all four Precinct Election Officers. (List reason for challenge below).

Verified by Clark Kent

PROVISIONAL BALLOT AFFIRMATION

I, Peter Parker (Print Name), hereby state, under oath or affirmation, that I am duly registered as a Republican (Political Party Preference) voter in this precinct in Franklin (County) County, Kentucky and that I currently reside at 140 Walnut Street 40601 (Current Residence Street Address and Zip Code)

I know of no legal disqualifications which should prevent my vote from being cast and counted at this election and I affirm that I have not voted and will not vote in another precinct or by absentee ballot in this state during this election.

I understand that any person who falsely signs and verifies any form requiring verification shall be guilty of perjury and subject to the penalties therefore. I further understand that if I execute the Affirmation and am not a registered voter at the current address stated above, I have committed a criminal act.

Peter Parker (Voter must sign here) XXX-XX-XXXX (Social Security Number) 5-20-08 (Date)

Precinct Election Officer Signature Verification

Clark Kent

County Board of Elections Use Only

- [ ] Count
- [ ] Did not Count (List reason below)

Verified by

A provisional ballot will only include candidates seeking federal offices such as President, Vice President, United States Senator and United States Representative and will be used only in primary, general or special elections in which candidates are seeking a federal office.

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WHO MAY RECEIVE A PROVISIONAL BALLOT? ONLY AN INDIVIDUAL WHO MEETS ONE OR MORE OF THE FOLLOWING 5 CATEGORIES:

- A VOTER WHOSE NAME DOES NOT APPEAR ON THE PRECINCT OR SUPPLEMENTAL SIGNATURE ROSTER AND WHOSE REGISTRATION STATUS **CANNOT** BE DETERMINED BY THE PRECINCT ELECTION OFFICERS.
  ➔ Precinct election officer will call the county clerk's office to confirm the individual's registration in your county. If the precinct election officer is unable to confirm the individual's registration in your county and the individual chooses not to have a hearing before the county board of elections, a provisional ballot should be issued to the individual.

- A VOTER WHOSE NAME DOES NOT APPEAR ON THE PRECINCT SIGNATURE ROSTER AND WHO HAS BEEN VERIFIED INELIGIBLE TO VOTE.
  ➔ Precinct election officer will call the county clerk's office to confirm the individual's registration in your county. If the precinct election officer confirms the individual is not registered in your county, a provisional ballot should be issued to the individual if the individual chooses not to have a hearing before the county board of elections.

- A VOTER WHO DOES NOT PRODUCE AN ACCEPTABLE SOURCE OF IDENTIFICATION.
  ➔ Individual may leave the precinct to get identification or may request a provisional ballot. (The individual's personal acquaintance with one of the precinct election officers is an acceptable form of identification, and this individual would vote entire ballot on the voting machine or by paper ballot.)

- A VOTER WHO HAS BEEN CHALLENGED BY ALL FOUR (4) PRECINCT ELECTION OFFICERS.
  ➔ If all four precinct election officers have personal knowledge that an individual is not qualified to vote, the individual has the option of requesting a hearing before the county board of elections to dispute the challenge or vote a provisional ballot. [If fewer than four precinct election officers do not have personal knowledge of why this individual is not qualified to vote, the individual must complete the Oath of Voter (SBE 32), show identification, and sign the Precinct Signature Roster or Supplemental Signature Roster. The voter is then permitted to vote the entire ballot on the voting machine or by paper ballot.]

- A VOTER WHO IS VOTING AS A RESULT OF A FEDERAL OR STATE COURT ORDER OR ANY ORDER UNDER STATE LAW IN EFFECT TEN (10) DAYS PRIOR TO ELECTION DAY WHICH EXTENDS THE POLLING HOURS.
  ➔ It is very unlikely that you will encounter this situation.

AFTER YOU VERIFY A VOTER MEETS ONE OF THE CATEGORIES ABOVE, TAKE THE FOLLOWING STEPS:

- Confirm the individual's current residential address and verify that it is located within your precinct. [Check your precinct description and map very carefully to ensure that the address is in your precinct.] The voter must live in your precinct or confirm by affidavit (sworn statement) that he/she lives in your precinct to be issued a provisional ballot.

- Except for voters who do not produce an acceptable source of identification, contact the county clerk's office to confirm that the individual is registered in your county.
  ❶ If the individual is registered in your county, he/she should complete the Oath of Voter (SBE 32) form, show identification or be personally known by a precinct election officer, and sign the Supplemental Signature Roster (SBE 25). The individual is then permitted to vote the entire ballot on the voting machine and no provisional ballot is issued.
  ❷ If you or the county clerk cannot confirm that the individual is a registered voter, or if the county clerk confirms that the individual is NOT registered, you must inform the individual of the option of a hearing before the county board of elections or casting a provisional ballot. If the individual chooses to vote a provisional ballot, he/she is not eligible to vote in any other manner.

- The voter must show identification or be personally known by a precinct election officer and sign the Provisional Ballot Precinct Signature Roster (SBE 35). (Do not contact the county clerk to confirm voter registration if the individual is being issued a provisional ballot because of no acceptable source of identification.)

- The precinct election officer must inform the individual that he/she may vote by provisional ballot by signing the Provisional Ballot Precinct Signature Roster (SBE 35) and the affirmation on the Provisional Ballot Affirmation Outer Envelope (SBE 38). The precinct election officer must sign the Provisional Ballot Affirmation Outer Envelope (SBE 38) and complete and sign the section to the left of the Affirmation. Fill in the "Precinct Name", check the appropriate box next to the circumstance for issuing the provisional ballot, and sign. [Note: Precinct election officer must sign the outer Provisional Ballot Affirmation Outer Envelope (SBE 38) in two separate places.]

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- The precinct election officer must complete the Provisional Ballot Stub by affixing voter's name and precinct election officer's initials, and if voter spoils the provisional ballot must also mark "spoiled ballot" box; tear out the provisional ballot and give the provisional ballot and the inner and outer envelopes [inner envelope is marked "PROVISIONAL BALLOT" (SBE 39) and outer envelope is the Provisional Ballot Affirmation Outer Envelope (SBE 38)] to the voter.

- Give the voter a pen and private area to mark the provisional ballot. Instruct the voter to place the voted Provisional Ballot in the inner envelope marked "PROVISIONAL BALLOT" (SBE 39) and seal the envelope. The voter is to place the sealed inner envelope marked "PROVISIONAL BALLOT" (SBE 39) into the outer envelope with the completed Provisional Ballot Affirmation Outer Envelope (SBE 38) on the outside and seal the envelope.

- SPOILED PROVISIONAL BALLOT is a provisional ballot that contains an error made by the marking of the voter. If the voter makes a mistake marking his provisional ballot, the voter may request a second Provisional Ballot. The "Spoiled Provisional Ballot" should be placed in an inner envelope marked "PROVISIONAL BALLOT" (SBE 39) by the voter, sealed by the voter, and returned to the precinct election officer BEFORE a second provisional ballot is issued to the voter. The precinct election officer will write "Spoiled Ballot" on the outside of the envelope AND place a mark in the "spoiled ballot" box on the Provisional Ballot Stub. All sealed Spoiled Provisional Ballots must be placed in the same container provided with Election Day supplies to be returned to the county clerk's office at the end of Election Day. A voter can "spoil" up to two (2) provisional ballots and be issued no more than a total of three (3) provisional ballots.

- VOTED PROVISIONAL BALLOTS will be returned by the voter in the sealed envelopes to the precinct election officer. The precinct election officer will place the voted provisional ballot in the container provided with Election Day supplies to be returned to the county clerk's office at the end of Election Day.

- The precinct election officer must give the voter a Provisional Ballot Information Sheet (SBE 36) that explains the individual's right to contact his/her county clerk to learn if the provisional ballot was counted, and if not counted, the reason why. The Provisional Ballot Information Sheet (SBE 36) contains the following information:

PROVISIONAL BALLOT INFORMATION SHEET (SBE 36)

Any individual who casts a provisional ballot may

- **contact their County Clerk's office or**
- **go to our website: www.elect.ky.gov**

After the election to learn whether their vote was counted, and if the vote was not counted, the reason why.
County Clerk contact information is posted in the precinct.

SBE 36 (09/04)

▶ continued◀

IT IS EXTREMELY IMPORTANT THAT THE PRECINCT ELECTION OFFICER FILL IN THE PRECINCT NAME, CHECK THE APPROPRIATE BOX NEXT TO THE CIRCUMSTANCES FOR ISSUING THE PROVISIONAL BALLOT AND SIGN THE OUTER ENVELOPE. FAILURE TO COMPLETE AND SIGN THE PRECINCT ELECTION OFFICER SECTION WILL CAUSE THE PROVISIONAL BALLOT NOT TO BE COUNTED.

- All precinct election officers are accountable for every provisional ballot. At the end of Election Day all four (4) precinct election officers must fill out and sign the Provisional Ballot Accountability Statement (SBE 37), as follows:

PROVISIONAL BALLOT ACCOUNTABILITY STATEMENT (SBE 37)

Select Election Type - Primary or General Election. If it is the Primary Election, write down the Ballot Stub numbers beside each Political Party (Democratic and Republican) given to you by the county clerk. If it is the General Election, write down the Ballot Stub numbers given to you by the county clerk. Complete fields **a-d** as follows:

a. Number of Ballots Issued to Precinct - General Election, write down the number of ballots issued.

b. Ballots Used - General Election, write down the number of provisional ballots used on Election Day. Include spoiled ballots. (A spoiled ballot is a provisional ballot returned by the voter in which he claims he made an error and would like another provisional ballot.)

c. Ballots Unused - General Election, write down the number of provisional ballots not issued on Election Day.

d. Total - add lines **b** and **c** together, which should equal the number appearing in line **a**. If it does not, provide an explanation in the area supplied on the form.

After all provisional ballots are returned to the county clerk's office at the end of Election Day, the county board of elections will determine if each individual is eligible to vote in the election, and if eligible, the provisional ballot will be counted.

ELECTION SECURITY PLAN

Election Day security is largely in your hands. Each county must have a security plan in place. Your county board of elections must train you on your county's procedures to ensure security of the voting equipment and election materials. Below are procedures to follow in every county to ensure security:

MACHINE DELIVERY

The county clerk must deliver the machines and all voting supplies to the precincts **at least one hour** before the polls open. The county should designate a secure location within the precinct for the storage of these items until your arrival. Make sure you know where to find your election materials if you do not already have them.

MACHINE PLACEMENT

After you have inspected all equipment and supplies and made sure the equipment and supplies are ready for use, begin to setup of each polling place. When you set up your precinct, the following must be guaranteed:

- Voters should not be able to access the voting devices' power control, counter controls, and results storage media.
- You should maintain control of all administrator and ballot activation devices.
- You should verify date, time, and precinct on the voting devices.

Make sure that the precinct, as well as the accessible voting machine, remain accessible to all voters with disabilities.

PAPER BALLOTS AT THE PRECINCT

If your county uses paper ballots, you should count and verify the number of ballots you have received on the proper forms.

Ensure that you secure all paper ballots throughout the day. Do not leave a stack of ballots unattended at any time during the day or allow voters access to the paper ballots unless voting a ballot.

POLLING LOCATION AND PROCESS SECURITY

You should secure the area around the voting devices at all times.

Only precinct election officers and other legally authorized personnel and registered voters waiting to vote should be allowed in this area. Each precinct election officer should have a

clearly defined role so voters are able to identify the precinct election officers and their particular responsibilities.

- The precinct judges should maintain control of the ballot activation device and, if issued to the voter, only issue the device when a voting machine is available for the voter's use.
- Precinct election officers must be vigilant to make sure the voting devices have not been damaged or tampered with.

You should occasionally compare the following:

- The number of votes recorded on the voting device

  vs.

- The number of signatures in the Precinct Signature Roster and Supplemental Signature Roster.

If these numbers do not match, the precinct election officers should immediately contact the county clerk.

Important security concerns may be avoided if you do the following:

- Arrange the voting machines or privacy booths so that the flow of traffic is not passing behind the voters as they are casting their ballots.

- Manage the flow of voters within the polling area so that lines are minimal and occur at the registration table and not at the machine.

- Do not let voters sign the Precinct Signature Roster or Supplemental Signature Roster until a voting device is ready. Do not let a line develop at the voting device. Keep the line at the registration table.

- Wear identification tags so that the voters will recognize you as being a precinct election officer at the polling location.

- Call the county clerk immediately when a problem occurs.

SECURITY FOR ELECTION DAY CLOSING

WHEN TO CLOSE, RECORDING THE RESULTS, AND
SECURING THE EQUIPMENT AFTER CLOSING

After all voters who were in line by 6:00 p.m. have cast their ballots, it is time for the precinct election officers to close the voting devices and tabulate the votes.

> **Reminder:** Any candidate or slate of candidates, or their representatives, as well as members of the news media authorized by the county board of elections, may be present and witness the count.

When closing the polls, you should follow the process below:

- You should validate the number of voter activation devices and secure them in a transport case for return to the local election office.
- The voting devices should be secured by using the numbered closing seals.
- You should complete and sign the proper paperwork to be returned to the county clerk, county board of elections, and grand jury.
- The public and protective counter numbers should be recorded on the return envelopes along with device serial number and seal numbers on the Verification Sheets.
- The print out totals for each voting device used should be recorded on the proper paperwork, posted at the precinct, and then returned to the county clerk and county board of elections.
- The precinct judges should return the devices and materials to the county clerk and county board of elections, making certain to properly seal all devices before transport begins. **DO NOT** put these materials inside the voting machine. The voting machine is to be locked for 30 days after the election and can only be opened by court order.
- The county clerk should verify receipt of all devices and confirm that all devices are properly sealed.

At the end of the day, the precinct election officers should compare the following numbers:

- The number of votes processed
  vs.
- The number of votes recorded on the voting device
  vs.
- The number of signatures in the Precinct Signature Roster and Supplement Signature Roster.

NOTE: After the equipment is sealed after the election, the precinct election officers should secure the voting equipment in the location in which it was left prior to the election. The county clerk should ensure that the voting equipment is immediately retrieved from the precincts.

ELECTION DAY POSTERS AND NOTICES REQUIRED TO BE POSTED AT PRECINCT

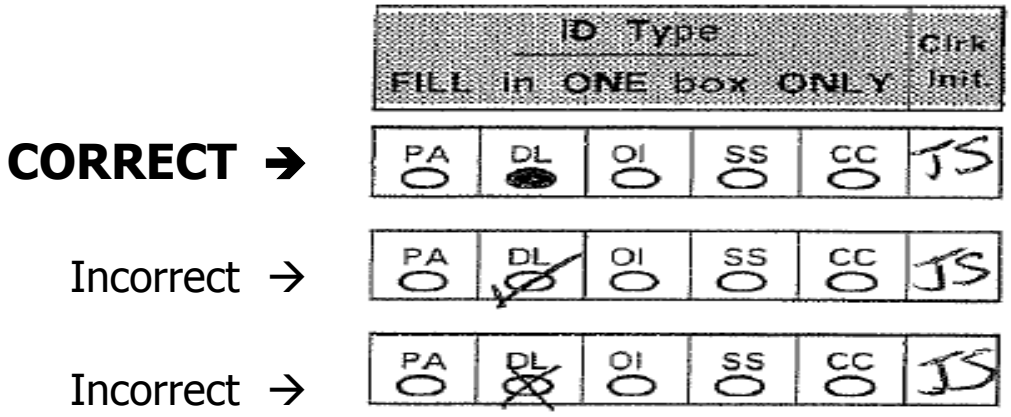
It is the duty of ALL precinct election officers to make sure these posters and notices are posted in a visible area inside the polling place by 6:00 a.m. on Election Day.

Check (✓) when posted	Form Number	Poster or Notice Title
	SBE 52	Vote buying & selling are illegal
	SBE 52B	Clerical error
	SBE 52C	Voter Rights & Responsibilities
	SBE 52D	Prohibition Against Check-off Lists in the Precincts
	No Number	Sample ballot
	No Number	Instructions on voting machines
	SBE/SOS/05	Candidate withdrawal notices, if necessary
	No Number	Voting machine identified by precinct (when 2 or more are sharing a facility)
	SBE 48C	Kentucky's Provisional Ballot Process (8-1/2" x 14" flow chart – containing 3 pages) *Information to help the voter know how to cast a Provisional Ballot. This flow chart is to be posted in a conspicuous place where it may be easily seen by all voters.*

PRECINCT SIGNATURE ROSTERS

The Precinct Signature Roster, Supplemental Precinct Signature Roster, and Provisional Ballot Precinct Signature Rosters serve as a paper record that an individual voter voted in an election. The rosters are also used to give the individual voter credit for voting in a particular Primary or General Election in the voter registration system. By following the procedures listed below, the voter will be given credit for voting in the voter registration system. **"Voter Credit" means the record of the voter's attendance at the election and does not mean the ballot cast by the voter.**

- **<u>USE INK PENS ONLY</u>**. ******No Pencils or Highlighters******
- **DO NOT** attach tabs to the roster pages because they will tear the roster when removed for scanning.
- **DO NOT** use paper clips, staples, and loose pieces of paper, post-it notes, or any other type of note from the roster pages.
- **DO NOT** use correction fluid ("white out") to correct any line in which someone signed in the wrong area. *Note any such errors on a separate sheet of paper that you include with the rosters.*
- **DO NOT** place a check mark or put an X mark through the ID type. You will need to completely fill in that oval for the voter to receive proper credit.



- **DO NOT** mark a line through the voter's name if the person is deceased or moved out of the county. *<u>On a separate sheet of paper to be included with the rosters, please note any such voters for the county clerk's review.</u>*
- If a person signed an Oath of Voter (SBE 32), but did not sign the Supplemental Signature Roster, you will need to record the voter's name and social security number on a separate note for the county clerk's office so that the person may receive voter credit.
- At the close of the polls, total the number of voters who signed the Precinct Signature Roster or were stamped as voting Absentee and write the sum on the summary page of your Precinct Signature Roster.

PRECINCT SIGNATURE ROSTERS

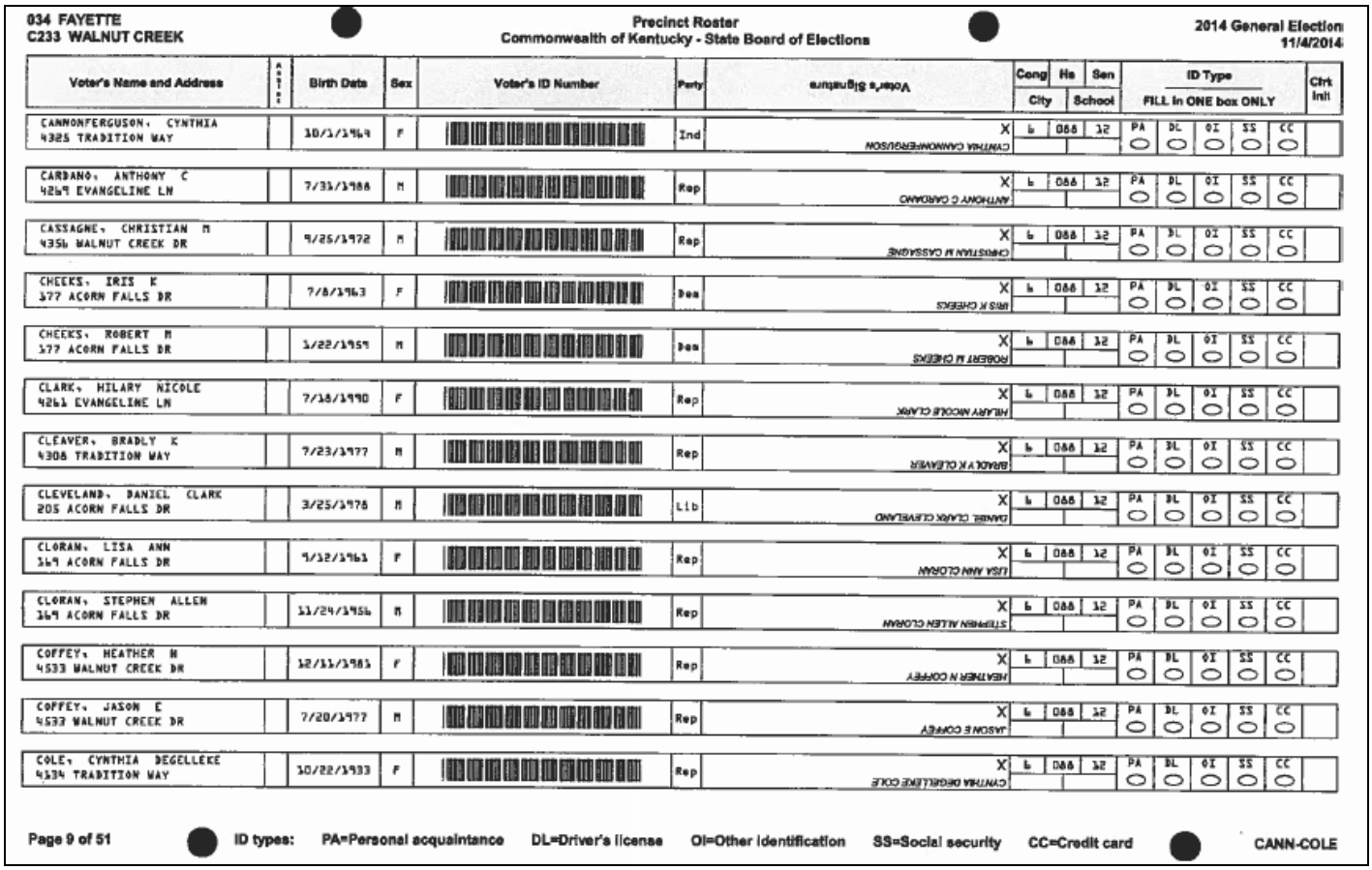
In the General Election, you will find the Precinct Signature Roster, sample below; the Supplemental Precinct Signature Roster (SBE 25), sample below; and the Provisional Ballot Precinct Signature Roster (SBE 35), sample below, in your precinct materials provided to you by the county clerk. Every voter must sign one of the signature rosters before voting.

PRECINCT SIGNATURE ROSTER:

Registered voters in your precinct will be listed in the Precinct Signature Roster, alphabetical by last name, with each participant of the Address Confidentiality Program (ACP) listed on a separate page immediately following the alphabetical by voter's last name listing.

You must fill in only one oval for identification (ID) Type [PA=Personal Acquaintance; DL=Driver's License; OI=Other Identification; SS=Social Security Card; or CC=Credit Card] and affix your initials on the Precinct Signature Roster before the voter signs the Precinct Signature Roster.

SAMPLE



034 FAYETTE
C233 WALNUT CREEK

Precinct Roster
Commonwealth of Kentucky - State Board of Elections

2014 General Election
11/4/2014

Voter's Name and Address	Active	Birth Date	Sex	Voter's ID Number	Party	Voter's Signature	Cong / City	Ha / School	Sen	ID Type FILL in ONE box ONLY					Ctrk Init
										PA	DL	OI	SS	CC	
CANNONFERGUSON, CYNTHIA 4325 TRADITION WAY		10/1/1969	F		Ind	X CYNTHIA CANNONFERGUSON	6	088	12						
CARDANO, ANTHONY C 4269 EVANGELINE LN		7/31/1988	M		Rep	X ANTHONY C CARDANO	6	088	12						
CASSAGNE, CHRISTIAN M 4356 WALNUT CREEK DR		9/26/1972	M		Rep	X CHRISTIAN M CASSAGNE	6	088	12						
CHEEKS, IRIS K 177 ACORN FALLS DR		7/8/1963	F		Dem	X IRIS K CHEEKS	6	088	12						
CHEEKS, ROBERT M 177 ACORN FALLS DR		1/22/1959	M		Dem	X ROBERT M CHEEKS	6	088	12						
CLARK, HILARY NICOLE 4261 EVANGELINE LN		7/18/1990	F		Rep	X HILARY NICOLE CLARK	6	088	12						
CLEAVER, BRADLY K 4308 TRADITION WAY		7/23/1977	M		Rep	X BRADLY K CLEAVER	6	088	12						
CLEVELAND, DANIEL CLARK 205 ACORN FALLS DR		3/25/1978	M		Lib	X DANIEL CLARK CLEVELAND	6	088	12						
CLORAN, LISA ANN 169 ACORN FALLS DR		9/12/1961	F		Rep	X LISA ANN CLORAN	6	088	12						
CLORAN, STEPHEN ALLEN 169 ACORN FALLS DR		11/24/1956	M		Rep	X STEPHEN ALLEN CLORAN	6	088	12						
COFFEY, HEATHER N 4533 WALNUT CREEK DR		12/11/1981	F		Rep	X HEATHER N COFFEY	6	088	12						
COFFEY, JASON E 4533 WALNUT CREEK DR		7/20/1977	M		Rep	X JASON E COFFEY	6	088	12						
COLE, CYNTHIA DEGELLEKE 4334 TRADITION WAY		10/22/1933	F		Rep	X CYNTHIA DEGELLEKE COLE	6	088	12						

Page 9 of 51 ID types: PA=Personal acquaintance DL=Driver's license OI=Other identification SS=Social security CC=Credit card CANN-COLE

SUPPLEMENTAL PRECINCT SIGNATURE ROSTER:

If the individual's name is not listed in the Precinct Signature Roster (and is not listed as an ACP participant at the end of the alphabetical listing), look in the Supplemental Precinct Signature Roster (SBE 25). If the individual's name is listed on the Supplemental Signature Roster (SBE 25), let the individual sign on the Supplemental Signature Roaster (SBE 25) signature line and vote.

You must fill in only one oval for identification (ID) Type [PA=Personal Acquaintance; DL=Driver's License; OI=Other Identification; SS=Social Security Card; or CC=Credit Card] and affix your initials on the Supplemental Precinct Signature Roster before the voter signs the Supplemental Precinct Signature Roster.

SAMPLES (BLANK AND COMPLETED)

COMMONWEALTH OF KENTUCKY
STATE BOARD OF ELECTIONS

PAGE _____ OF _____

SUPPLEMENTAL PRECINCT SIGNATURE ROSTER

TO BE SIGNED BY VOTERS QUALIFIED TO VOTE BUT NOT ON PRECINCT ROSTER

ELECTION DATE _____ COUNTY NAME & CODE _____

PRECINCT NAME & CODE _____

SOCIAL SECURITY NUMBER	VOTER'S NAME (Please Print - Last, First & Middle)	ADDRESS	SIGNATURE	DATE OF BIRTH	PARTY	ID Type FILL in ONE box ONLY					Clerk Initials
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	

ID Types: **PA = Personal Acquaintance** **DL = Driver's License** **OI = Other Identification** **SS = Social Security Card** **CC= Credit Card**

SBE 25 (09/04)

▶ continued ◀

COMMONWEALTH OF KENTUCKY
STATE BOARD OF ELECTIONS

PAGE ____ OF ____

SUPPLEMENTAL PRECINCT SIGNATURE ROSTER

TO BE SIGNED BY VOTERS QUALIFIED TO VOTE BUT NOT ON PRECINCT ROSTER

ELECTION DATE 11/7/2006 COUNTY NAME & CODE Franklin 037

PRECINCT NAME & CODE Capital D104

SOCIAL SECURITY NUMBER	VOTER'S NAME (Please Print - Last, First & Middle)	ADDRESS	SIGNATURE	DATE OF BIRTH	PARTY	ID Type FILL in ONE box ONLY					Clerk Initials
						PA	DL	OI	SS	CC	
xxx-xx-xxxx	Kent, Clark	150 Daily Planet Rd	Clark Kent	7/27/87	R	●	○	○	○	○	KK
xxx-xx-xxxx	Parker, Peter	1600 Spider ct	Peter Parker	3/18/75	D	○	○	●	○	○	KK
xxx-xx-xxxx	Wayne, John	38 Oak st Apt 6	John Wayne	12/31/49	R	○	●	○	○	○	KK
						○	○	○	○	○	
						○	○	○	○	○	
						○	○	○	○	○	
						○	○	○	○	○	
						○	○	○	○	○	
						○	○	○	○	○	
						○	○	○	○	○	

SAMPLE

ID Types: PA = Personal Acquaintance DL = Driver's License OI = Other Identification SS = Social Security Card CC= Credit Card

SBE 25 (09/04)

PROVISIONAL BALLOT PRECINCT SIGNATURE ROSTER:

The Provisional Ballot Precinct Signature Roster (SBE 35) is green in color and serves as a paper record that an individual voted a provisional ballot. Every voter who is issued a provisional ballot must sign the Provisional Ballot Precinct Signature Roster (SBE 35).

You must affix your initials on the Provisional Ballot Precinct Signature Roster (SBE 35) and print the voter's social security number, name, address, date of birth, political party affiliation, and fill in only one oval for identification (ID) Type [PA=Personal Acquaintance; DL=Driver's License; OI=Other Identification; SS=Social Security Card; or CC=Credit Card].

SAMPLE

COMMONWEALTH OF KENTUCKY
STATE BOARD OF ELECTIONS

PAGE _____OF _____

PROVISIONAL BALLOT PRECINCT SIGNATURE ROSTER

ELECTION DATE _____

COUNTY NAME & CODE _____

PRECINCT NAME & CODE _____

SOCIAL SECURITY NUMBER	VOTER'S NAME (Please Print - Last, First & Middle)	ADDRESS	SIGNATURE	DATE OF BIRTH	PARTY	ID Type FILL in ONE box ONLY					Clerk Initials
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	
						PA	DL	OI	SS	CC	

ID Types: PA = Personal Acquaintance DL = Driver's License OI = Other Identification SS = Social Security Card CC= Credit Card

SBE 35 (02/04)

IDENTIFICATION OF VOTERS

Before a voter signs the Precinct Signature Roster, Supplemental Precinct Signature Roster (SBE 25), or Provisional Ballot Precinct Signature Roster (SBE 35), you must confirm a voter's identity and address. You must completely fill in the oval designating the proper code as the means of identification of the voter and enter your initials in the "Clerk Initials" column of the roster. (see chart below).

VOTERS MAY CONFIRM THEIR IDENTITY BY MEANS OF:		ROSTER CODE
1.	Personal Acquaintance with an election officer▶	PA
2.	Driver's License (does not have to be a Kentucky issued DL)▶	DL
3.	Social Security Card▶	SS
4.	Credit Card▶	CC
5.	Any IDENTIFICATION CARD with picture & signature of voter "Other ID"▶	OI

DO NOT ALLOW the voter to sign the Precinct Signature Roster, Supplemental Precinct Signature Roster (SBE 25), or Provisional Ballot Precinct Signature Roster (SBE 35) before confirming his or her identification.

- If a voter's name is on the Precinct Signature Roster but the voter does not have an acceptable source of identification, the voter may leave to get identification and then return to vote.
- If the individual does not produce an acceptable form of identification, **do not allow** that individual to sign the Oath of Voter (SBE 32) or the Supplemental Precinct Signature Roster (SBE 25) and **do not allow** that individual to vote on the voting machine.
- If an individual refuses to produce an acceptable form of identification, that individual's options are:
  (1) to request a hearing before the county board of elections; or
  (2) vote a provisional ballot if the individual resides within the geographical boundary of the precinct.

**** IMPORTANT ****

If there is a long line at the voting booth, DO NOT permit an individual to sign the roster while waiting. Once the individual signs the roster and leaves the polling place because the voter does not want to wait, that individual CANNOT return to vote at a later time.

NOVEMBER 4, 2014
GENERAL ELECTION

DO NOT POST IN THE PRECINCT
FOR PRECINCT ELECTION OFFICER USE ONLY

Voter Registration Verification System

Precinct Election Officer

Dials 844-246-0806

- **An attendant at the Kentucky Board of Elections will receive your call to verify whether the individual is registered.**
- **If busy, please try again.**

PARTICIPANTS OF ADDRESS CONFIDENTIALITY PROGRAM

Effective March 25, 2014, victims of certain crimes, including domestic violence, abuse, and sex crimes have the opportunity to apply for the Kentucky Address Confidentiality Program (ACP). The ACP will be administered by the Kentucky Secretary of State's Office. Participants in the ACP are permitted to vote by mail-in absentee or may appear in the polling place on Election Day.

If your county has ACP participants, each ACP participant will be listed on a separate page immediately following the alphabetical by voter's last name listing of the Precinct Signature Roster. When you locate the ACP participant's name in Precinct Signature Roster, you should do the following:

ACP PARTICIPANT LISTED IN PRECINCT SIGNATURE ROSTER	
1.	Confirm ACP participant's identity;
2.	Fill in only one oval for identification (ID) Type [PA=Personal Acquaintance; DL=Driver's License; OI=Other Identification; SS=Social Security Card; or CC=Credit Card]
3.	Affix your initials on the Precinct Signature Roster before allowing the voter to sign.
4.	Direct ACP participant to sign the Precinct Signature Roster; and
5.	Allow ACP participant to vote.

If your county has ACP participants and you cannot find the individual's name on the separate page immediately following the alphabetical by voter's last name listing of the Precinct Signature Roster, look in the Supplemental Precinct Signature Roster (SBE 25). When you locate the ACP participant's name (each ACP participant listed on a separate page) in the Supplemental Precinct Signature Roster (SBE 25), you should do the following:

ACP PARTICIPANT LISTED IN SUPPLEMENTAL PRECINCT SIGNATURE ROSTER	
1.	Confirm ACP participant's identity;
2.	Fill in only one oval for identification (ID) Type [PA=Personal Acquaintance; DL=Driver's License; OI=Other Identification; SS=Social Security Card; or CC=Credit Card]
3.	Affix your initials on the Supplement Precinct Signature Roster before allowing the voter to sign.
4.	Direct ACP participant to sign the Supplemental Precinct Signature Roster; and
5.	Allow ACP participant to vote.

VOTER'S NAME IS NOT ON THE PRECINCT SIGNATURE ROSTER

If the individual's name is not on the Precinct Signature Roster (including ACP participants, if any, found immediately following the alphabetical by voter's last name list) or Supplemental Precinct Signature Roster (SBE 25), you should do the following:

- Once again check for ACP participants located immediately following the alphabetical by voter's last name list. Each ACP participant should be listed on a separate page. If this individual is an ACP participant and their name is on a separate page of the Precinct Signature Roster or the Supplemental Precinct Signature Roster, follow the procedures listed on page 28 of this manual.

- If the individual's name does not appear in the Precinct Signature Roster, Supplemental Precinct Signature Roster, or for ACP participants, the pages immediately following the alphabetical by voter's last name list in the Precinct Signature Roster or Supplemental Precinct Signature Roaster, check the individual's address to determine if he/she lives in your precinct. If not in your precinct, call the county clerk for the location of the individual's correct precinct or review maps and precinct materials provided by the county clerk.

- If the individual's address puts that individual in your precinct and the voter's name is not on the Precinct Signature Roster or the Supplemental Precinct Signature Roster (SBE 25):

  CONTACT THE COUNTY CLERK'S OFFICE TO VERIFY THAT INDIVIDUAL IS REGISTERED TO VOTE. If allowed to vote, the individual must:

1.	Complete and sign an Oath of Voter (SBE 32) to confirm that individual's address. The voter should be informed that the Oath of Voter (SBE 32) form will be turned over to the Commonwealth's Attorney for investigation;
2.	Complete and sign a new voter registration card; and
3.	Sign the Supplemental Precinct Signature Roster (SBE 25) and be permitted to vote. If the individual is an ACP participant, the individual will sign a separate page on the Supplemental Precinct Signature Roster so that his/her signature is the only one that appears on that page.

If the individual is not registered to vote, inform the individual that he/she is not registered to vote. Instruct the individual that he/she must immediately request a hearing before the county board of elections to determine eligibility or vote a provisional ballot.

Make sure that ALL voters confirm their identity by personal acquaintance, driver's license, Social Security card, credit card, or other identification card with picture and signature of voter; and sign the Precinct Signature Roster; Supplemental Precinct Signature Roster (SBE 25), or Provisional Ballot Precinct Signature Roster (SBE 35).

COMPLETING THE OATH OF VOTER (SBE 32) FORM

SBE 32 (11/05)

COMMONWEALTH OF KENTUCKY
STATE BOARD OF ELECTIONS

OATH OF VOTER

When a voter has moved to a new precinct within the same county and is not listed on the current precinct roster, when the officers of an election disagree as to the qualifications of a voter, or when a voter's right to vote is disputed by a challenger, the voter shall sign the following oath as to his qualifications before he is permitted to vote.

I, _____, hereby state, under oath, that I am duly registered as
(Name: Please Print)

a _____ voter in this precinct in _____ County,
(Political Party Preference) (County)

Kentucky and that I currently reside at _____. My previous address
(Current Residence Street Address and Zip Code)

was _____ in this county. I know of no legal disqualifications which should
(Previous Residence Street Address and Zip Code)

prevent my vote from being cast and counted at this election and I affirm that I have not voted and will not vote in another precinct or by absentee ballot in this state during this election.

I understand that any person who falsely signs and verifies any form requiring verification shall be guilty of perjury and subject to the penalties therefore. I further understand that if I execute the Oath and am not a registered voter at the current address stated above, I have committed a criminal act.

_____

Voter must sign here | Date of Birth | Social Security Number | Date

This Oath shall be returned to the County Clerk who shall deliver it to the Commonwealth's Attorney for investigation.

Reason for Requiring Oath _____ Precinct Name or No. _____

Signature of Precinct Election Officer or Challenger _____

Once the county board of elections has instructed you to allow the voter to complete the Oath of Voter (SBE 32) and vote at the precinct, please do the following:

1. Make sure the voter completes **ALL** sections of the Oath of Voter.
2. Make sure that you provide the reason for the Oath of Voter (SBE 32) in the "Reason for Requiring Oath" section at the bottom of the card. **Ask the county clerk's office for the reason if you are unsure**. Some possible reasons include:
   - Not on roster because voter's address has changed
   - Not on roster because voter is "Inactive"
   - Not on roster because voter was improperly removed from voter registration rolls
3. Use the newest version of the Oath of Voter SBE 32 (11/05).
4. Do not use the Oath of Voter (SBE 32) to allow someone with no identification to vote.
5. Do not use the Oath of Voter (SBE 32) for a person who has never been a registered voter. These people are required to register before the registration books close (29 days before Election Day).

See Sample of Election Day Forms to view a completed example of Oath of Voter (SBE 32).

VOTER'S NAME IS DIFFERENT FROM NAME ON PRECINCT SIGNATURE ROSTER

If a voter shows identification that has a different last name than the one on your Precinct Signature Roster or Supplemental Precinct Signature Roster, the voter must complete a new voter registration card reflecting the name change and be permitted to vote.

In many instances, a female voter changes her name on her driver's license, but will fail to update her voter registration record. The voter is eligible to vote and should sign the Precinct Signature Roster and cast her ballot.

After the election, the county clerk will update her voter registration information.

VOTER DOES NOT RESIDE IN YOUR PRECINCT OR ADDRESS HAS CHANGED

If the voter gives you an address other than the one shown on the Precinct Signature Roster and it is in a different precinct **within your county**, then:

- The voter **MUST VOTE IN THE PRECINCT IN WHICH HE/SHE LIVES**. If not in your precinct, call the county clerk for the location of his/her correct precinct or review the maps and precinct materials provided by the county clerk.

If the voter gives you an address other than the one shown on the Precinct Signature Roster and it is in **another county:**

- If the individual moved **AFTER OCTOBER 6, 2014** (the last day to register to vote), the individual is permitted to vote only in your precinct, which is the individual's **old** precinct. The individual should be given a voter registration card to complete and mail to the county clerk in the **new** county {KRS 116.025(5)}.

OR

- If the individual moved **BEFORE OCTOBER 6, 2014** (the day the voter registration books closed), the individual is **NOT** permitted to vote in **either** the old county **or** new county. KRS 116.025(6). Instruct the individual to update his/her voter registration by completing a voter registration card and mailing to the county clerk in the new county so that he/she will be eligible to vote in the next election.

VOTER NEEDS ASSISTANCE

A voter with disabilities has two options at the polling place:

- The voter may vote without assistance on the accessible voting machine and does not need to fill out the Voter Assistance Form (SBE 31). Your county clerk will give you detailed instructions on operating the accessible devices for the voting machine.

  OR

- The voter may have voter assistance, fill out the Voter Assistance Form (SBE 31) (see page 60), and vote on any voting machine. (Please refer to the instructions below).

A VOTER MAY HAVE ASSISTANCE BECAUSE OF:

1. Blindness (this does not include those voters who forgot to wear their glasses or contacts)
2. Physical disability
3. Inability to read English

WHO MAY ASSIST THE VOTER?

1. Any person of the voter's choice <u>except</u>:
   - the voter's employer or agent of that employer; or
   - an officer or agent of the voter's union.
2. A voter who does not bring someone to assist him or her at the polls or does not choose someone to assist him or her shall be assisted by **<u>both</u>** election judges.

WHAT IS THE PROPER PROCEDURE TO VOTE WITH ASSISTANCE?

- Voters who have been certified for permanent assistance will have two asterisks (**) in the "assist" column on the Precinct Signature Roster. Even if the voter is certified for permanent assistance, they have the option to vote without assistance.
- A voter who needs assistance but has not been certified for permanent assistance must complete the Voter Assistance Form (SBE 31) completely, including the reason for assistance, and sign his name.

▶ continued ◀

- The person who assists the voter, including the person who assists a voter who is certified for permanent assistance, must complete the portion of the Voter Assistance Form (SBE 31) that is an oath declaring that the assistor will operate the machine as directed by the voter. A precinct election officer must sign the oath.

- As part of the post-election reports required by Kentucky law, all voter assistance forms must be turned over to the grand jury.

APPLICATION FOR PERMANENT ASSISTANCE TO VOTE

There is a portion of the **Voter Assistance Form (SBE 31)** where the voter may request that the county board of elections certify that the voter needs **permanent** assistance due to blindness or physical disability. If the county board of elections approves the voter's request, the voter will have permanent certification relieving **ONLY the VOTER** from the responsibility of signing the Voter Assistance Form. Thereafter, the Precinct Signature Roster will have two asterisks **[**]** in the "assist" column on the Precinct Signature Roster so designating the voter.

Even if a voter is certified for permanent assistance, the person assisting the voter and the precinct clerk must complete and sign their portion of the Oath on the Voter Assistance Form. (see page 60)

Violations of the laws regarding voter assistance should be reported to the county board of elections immediately and be noted on the Precinct Election Sheriff's Post-Election Report (SBE 53). (see page 65)

DISABILITY AWARENESS GUIDANCE

Provided by: Kentucky Protection and Advocacy

For further information, please contact:

KY Office of the ADA Coordinator (or) KY Protection and Advocacy
502-564-3850 or 1-877-423-2933 502-564-2967 or 1-800-372-2988

The following guidance is provided by the Kentucky Office of the ADA Coordinator and Kentucky Protection and Advocacy.

Individuals with disabilities are people who may do things differently than a person with no disability. While some disabilities are readily apparent – "visible"-- to others, most disabilities are not visible. Because of this, use of the accessible voting machine should be offered to every voter – not just those who you believe may have a disability.

General Information

- Always ask if a voter with a disability needs assistance before you help.
  - Since each person and situation is unique, the best advice is to ask the voter with a disability:
    - If he/she would like assistance, and
    - The best way you can assist him/her.
  - It is the person's right to choose whether or not to accept assistance.
- Speak directly to the voter and not "about" the voter to a person who may have accompanied him/her to the polling place.
- Do not speak louder to a voter who has a visible disability. Just because someone may have a physical disability, please do not assume there are other disabilities as well.
- Be aware about your physical contact with a voter. He/she may have:
  - Heightened sensitivity to physical contact or
  - Balance issues that may be thrown off even with the most well-intended contact
- The voter with a disability is a person first. When you need to refer to a voter with a disability, use Person First Language. Example: Voter with a learning disability.
- Have a large pen on hand for those individuals who may have difficulty gripping
- If needed, you may use writing materials like a dry erase board or pen/paper to assist with communication.
- If possible, do not place the voter's registration table directly in front of a window or light source.

Sensitive Use of Language

- Do not refer to the disability unless it is relevant.
- Do not sensationalize a disability by saying "victim of" or "afflicted with," etc.
- Avoid emotional descriptions:
  - "Uses a wheelchair" not "confined to a wheelchair;"
  - "Walks with crutches" not "is crippled"
- People with disabilities use words such as "see", "hear", "run" and "walk."

- When speaking with a person with a speech impairment and you don't understand, feel free to ask him/her to repeat or rephrase the statement.
- Remember: American Sign Language (ASL) is a language itself. English is considered as a second language for someone whose primary language is ASL.
- Remember: speech impairment doesn't always mean intellectual disability.

Mobility Disabilities

- People who use crutches, canes or walkers should never be grabbed. They use their arms for balance.
- Do not hang or lean on the wheelchair. It is an extension of the user's personal space.
- Get on person's eye level by sitting down when having a discussion.

Deaf and Hard of Hearing

- People with varying levels of hearing loss communicate via sign language -- ASL(or another type of sign language) -- or spoken English.
- Hearing aids may be used. Remember that not all hearing aids allow individuals to hear speech; they may be used to hear loud sounds.
- If needed, a person may use a certified American Sign Language (ASL) interpreter.
- When speaking with a person who uses an interpreter, maintain eye contact with the individual, not the interpreter.
- Get the voter's attention by tapping on shoulder or arm.
- Keep hands or objects away from mouth.
- Do not exaggerate gestures or mouth movements.
- Use short sentences.
- Do not assume ability to read your lips; the average accuracy of lip reading is about 30%.

Visual Impairment

- People have varying levels of visual functioning. Not everyone with visual impairments is considered as "blind." Do not assume level of functioning.
- Not all people with visual impairments read Braille. Some may use large print or audio versions of materials. Offer him/her the use of audio ballot.
- Announce when you enter or leave a room.
- Do not place items on the floor that may impede the person's movement about the room.
- Guiding a person who is visually impaired is best accomplished by offering your arm or shoulder.
- When walking with a voter with a visual impairment to a chair:
    1. Walk to the side of the chair
    2. Take his/her hand from your arm and place it on the back of the chair.
- Do not pat or play with a guide dog when he/she is working; always ask the owner first.
- Walk on the side opposite the guide dog.
- Read written information if asked.

▶ continued ◀

Learning Disabilities

- Individuals have average or above-average intelligence.
- Learning disabilities may occur in:
  spoken language | written language | arithmetic | reasoning | organizational skills
- People with dyslexia may need verbal instruction.
- Ask how the individual wants to receive information.
- Have headphones for audio ballots readily available for the voter.

Psychological Disability

- Making quick decisions may be difficult; allow time for a response.
- Do not assume that the person is dangerous based on diagnosis.
- Do not assume that accounts of events are delusions.
- People may have different reactions to questions/situations than what you would expect (example: may need extra time to process information).

Intellectual Disability

- The term "mentally retarded" is no longer acceptable.
- Speak in clear, short sentences.
- Do not use baby talk.
- Making quick decisions may be difficult, allow time for a response.
- People with intellectual disabilities rely on familiar situations. A change in their routine may require additional time and patience.

Brain Injury

- People whose brains were injured in accidents, strokes, medication interactions, substance abuse, during military service, etc.
- People may have visible disability (mobility, vision, etc.) that resulted from the injury, but not always.
- Speech and decision-making may be affected; allow time for a response.
- People with brain injuries rely on familiar situations. A change in their routine may require additional time and patience.
- Memory (short-term or long-term) may be affected. You may need to repeat yourself.
- Depending on where the brain was injured, people may display more emotions (crying, speak angry words, etc.).

Service Animals

- Under the ADA Amendment Act, a service animal is defined as a:
  - Dog (always) and a Miniature horse (on a case-by-case basis)
- No other animal is recognized by the ADA as a service animal.
- Under the ADA, a service animal is individually trained to perform tasks that the individual cannot perform for themselves.

▶ continued ◀

- Examples:
  - Guiding people who are blind
  - Alerting people who are deaf
  - Alerting people who have seizures
  - Performing other tasks
- Animal must be on a leash.
- Providing "emotional support" or comfort is not a task. Animals that only do this are not service animals.
- A service animal is permitted in all areas of a facility open to the public, including but not limited to:

restaurants	hotels	taxis	buses	shuttles
grocery stores	hospital	theaters	jail	zoos
medical offices	health clubs	parks	stores	polling places

VOTER NEEDS INSTRUCTION ON USE OF THE VOTING MACHINE

One precinct election officer from each political party should be present when a voter is instructed on the use of the voting machine. In your instructions, **CAREFULLY AVOID** any comment that might be considered favorable to any party, candidate, public question, or constitutional amendment.

Precinct election officers have two (2) ways in which to instruct the voter:

- **Using the <u>Sample Ballot</u> or <u>Wall Sheet</u>, if the voter so requests:**
  - You may instruct voter on where to find public questions or constitutional amendments.
  - You may point out to the voter all the races in which the voter is eligible to vote.
- **On the Voting Machine, if the voter so requests:**
  - Explain to the voter that a visual or verbal indicator will designate the offices and questions the voter is eligible to vote for on the electronic voting machines.
  - The voter may be visually or verbally instructed on how to vote for a straight party ticket and individual candidate voting.
  - The voter can be visually or verbally instructed as to the location of the "Vote" button to record his/her vote.
  - Make sure that <u>YOU</u> know how to use the accessible devices for the voting machine.

!! IMPORTANT !!

- **Do not enter the voting machine privacy area after the voter has entered the voting machine privacy area; and**
- **Avoid hovering after providing instructions to the voter.**

VOTER'S RIGHT TO VOTE IS CHALLENGED

Any precinct election officer or properly certified challenger may "challenge" or dispute the qualifications of a voter. When the precinct election officer asks to see the credentials, the certified challenger must present his written appointment. **A certified challenger must be trained by the county board of elections**. Without credentials, the challenger may not question any voter's right to vote or remain in the polling place except to cast his own vote.

If a voter's qualifications are questioned or challenged:

- The precinct election officer should advise the voter of the reason for the challenge.
- If the voter states that his qualifications are in order:
  - The voter should be advised that he may sign an Oath of Voter (SBE 32) and that completing it will allow him/her to vote.
  - The voter should be informed that the completed Oath of Voter (SBE 32) will be turned over to the Commonwealth's Attorney for investigation.
  - The voter should then complete and sign the Oath of Voter (SBE 32) and vote.
  - The challenger shall not talk directly to the voter. (Contact the county clerk if the challenger persists in this activity.)
  - The person questioning the voter's qualifications (whether a precinct election officer or a certified challenger) must complete and sign the bottom portion of the Oath of Voter (SBE 32), stating the reason for the challenge.

ALL INFORMATION ON THE "OATH OF VOTER" MUST BE COMPLETED IN FULL BEFORE THE VOTER IS ALLOWED TO VOTE
(See pages 30 and 61)

REMINDER: The Oath of Voter (SBE 32) may be used in TWO instances:

1. One to three precinct election officer(s)* or a certified challenger disputes the qualifications or address of the voter.
2. Confirmation of registration and address when voter is not listed on Precinct Signature Roster or Supplemental Precinct Signature Roster.

*If all four precinct election officers challenge for cause a voter's right to vote, then the voter **MAY NOT VOTE** on the voting machine at the precinct. The precinct election officers must inform the individual of the option to request a hearing before the county board of elections to dispute eligibility or to vote a provisional ballot.

Challenger Do's:

- Challengers must produce written appointment to precinct election officers on demand.
- Challengers may question the eligibility of a voter who presents himself at the polls. Reasons a challenger may dispute a voter may include:
    - The voter is not a duly registered voter in the precinct;
    - The voter is not a resident of the precinct;
    - The voter is a convicted felon who has not had his civil rights restored; or
    - The voter is not the person he claims to be.
- If the challenger attempts to challenge a person's right to vote, *he must explain his challenge **only** to the precinct election officer, **not** to the voter*.
    - The challenged voter will then need to sign an Oath of Voter (SBE 32) before being allowed to follow the normal procedures for voting.
    - The challenger will sign the bottom portion of the Oath of Voter (SBE 32) and state his/her reason for challenging the voter's right to vote in that precinct.
- Challengers are the only persons permitted to have a check-off list in the form of paper, cell phones, picture phones, computers, or any other electronic device to record the identity of a voter within the voting room.
- Challengers are entitled to stay in the voting room or at the entrance during all hours during Election Day.
- Challengers may come and go from the voting room throughout the day.

Challenger Don'ts:

- Electioneer or campaign on behalf of any candidate, issue or political party;
- Handle election materials (except the signing of the Oath of Voter (SBE 32) for challenged voters);
- Attempt to intimidate or harass, verbally or otherwise, any voter who is being challenged or any precinct election officer;
- Behave in any manner to disrupt activities at the polling place; or
- Attempt to interfere with the proper conduct of the election.

A precinct election officer may order the challenger to leave the precinct after one warning if the individual violates any of the items on this page. A challenger who is ordered from the polling site shall be prohibited from serving as a challenger in any precinct in any election for a period of five (5) years.

VOTER'S NAME IS ON THE LIST OF VOTERS ISSUED ABSENTEE BALLOTS

At the beginning of the day, examine your Precinct Signature Rosters to determine if those persons who have applied for **Absentee Ballots** have been identified. If this task has not been done, you should take your LIST OF VOTERS ISSUED ABSENTEE BALLOTS (SBE 33A) (See page 62) and compare it to your Precinct Signature Roster, indicating **ABSENTEE VOTER** in the signature space on the roster by the name of any voter listed.

If a voter has an "absentee" stamp on the Precinct Signature Roster or is listed on the List of Voters Issued Absentee Ballots (SBE 33A), contact the county clerk before turning the voter away from the precinct.

No person **who has applied** for an absentee ballot may vote in person at the polling place on Election Day, **unless** the precinct election officers receive the following:

- Signed and completed Oath of Voter (SBE 32) and Authorization to Vote at Precinct (SBE 26); OR
- A court order.

WHO MAY OBSERVE THE VOTE COUNT IN THE PRECINCT

Once the polls close, the following persons are permitted to witness the vote count in each precinct:

1. In a regular election, the governing authority of each political party, each candidate for member of board of education, independent candidate, or non-partisan candidate may designate a representative to the county board of elections to witness and check the vote count; and/or

2. In any election, members of the news media authorized by the county board of elections may witness the vote count.

PERSONS ALLOWED IN THE VOTING ROOM

Kentucky law is very specific about who may be in the voting room during the hours the polls are open for voting. The **ONLY** persons who may legally be in the voting room are:

- Precinct election officers;
- Voters;
- Anyone assisting a voter;
- Voting machine technicians allowed by the county board of elections;
- A minor child may accompany the voter into a voting booth or other private area provided for casting a vote, at the voter's discretion;
- Duly appointed challengers who have presented **their written appointment**;
- Law enforcement officers – federal, state and local; and
- Members of the news media – for the limited purpose of filming the voting process. (The media **MAY NOT** conduct interviews with voters inside the voting room, record the identity of voters, or disrupt the voting process. **If the news media appear, immediately contact the county clerk's office**.)

During the hours the polls are open, unless they are in the voting room to cast their own votes or assist a voter, the following **MAY NOT BE IN THE VOTING ROOM:**

- Candidates and/or their family members;
- Campaign workers – either for a candidate or for a question on the ballot;
- Exit pollers;
- General "onlookers" or "well-wishers";
- Members of political parties, political organizations, or political groups who are not duly appointed challengers; and
- Any other individuals not listed in the section above.

The Precinct Sheriff should require unauthorized persons to leave. If they fail to leave when requested or if persistent violations occur, these violations should be reported to the county clerk. **ALL** violations should be noted on the Precinct Sheriff's Post-Election Report (SBE 53). (see page 65)

ELECTIONEERING

NO ONE on Election Day is permitted to do any electioneering within 300 feet of any entrance to a building in which a voting machine is located if that entrance is unlocked and used by voters on Election Day, **EXCEPT** a voter may have a bumper sticker (measuring between 14 inches X 5 inches) affixed to his/her vehicle while parked within or passing through a distance of 300 feet of any polling place on the day of any election for a reasonable amount of time in which to vote.

DO NOT TURN ANY ELIGIBLE, REGISTERED VOTER AWAY FROM THE POLLS BEFORE GIVING THE VOTER A CHANCE TO CAST A BALLOT.

If the precinct election officer believes a voter has violated the electioneering ban, please contact the county clerk's office and note such violation on the Precinct Sheriff's Post-Election Report (SBE 53). (see page 65) All irregularities should be reported to the Precinct Sheriff to be noted on the Precinct Sheriff's Post-Election Report (SBE 53).

Enforcement of the electioneering statute is the responsibility of local election officials and law enforcement officials. However, **PLEASE NOTE** that a federal lawsuit is pending that challenges the constitutionality of this law as it is applied to the display of signs on private property.

A precinct election officer **SHOULD NOT** take matters into his or her own hands by entering private property to remove electioneering materials.

If a precinct election officer witnesses **ANY** irregular activity on Election Day, the county clerk and local law enforcement should be contacted immediately.

EXIT POLLING

KENTUCKY STATUTES ALLOW EXIT POLLING ON ELECTION DAY.
Exit pollers do not have to register or have credentials, and there is no limit as to a distance they must keep from the polls. However, exit pollers shall not be located within the voting room and are not allowed to disrupt the election process.

VOTERS ARE NOT OBLIGATED TO PARTICIPATE IN THE EXIT POLLING.
Exit pollers may only talk to voters as they leave the polling place after the voter has already voted.

PROHIBITION AGAINST CHECK-OFF LISTS

No person allowed in the voting room, including the precinct election officers, may use paper, telephones, personal communication devices, computers, or other information technology systems to create a check-off list or record the identity of voters except for the official use of the Precinct Signature Roster, Supplemental Signature Roster, or Provisional Ballot Precinct Signature Roster furnished by the State Board of Elections and challengers. However, the news media may use cameras for the limited purpose of filming the voting process, but they may not record the identity of voters.

The Governor may reschedule an election due to a state of emergency. The election must be held within thirty-five (35) days from the date of the suspended or delayed election.

PROCEDURES TO FOLLOW WHEN AN ELECTION IS RESCHEDULED ON ELECTION DAY:

Suspend General Voting:
The county board of elections must instruct the precinct election officers to:

1. Secure all voting machines until the rescheduled election. The precinct election officers must ensure all seals on the voting machines are intact prior to storage in a secure location;
2. **NOT** close out or tally the votes;
3. Record the public counter number on the form furnished by the county board of elections and signed by all present precinct election officers; and
4. Return all election materials to the county board of elections.

Secure Voting Materials:
All election materials must be secured in a locked storage container, these include:

- Paper ballots
- Precinct Signature Rosters
- Supplemental Signature Rosters
- Provisional Ballot Precinct Signature Rosters
- All related materials

The county clerk will instruct precinct election officers about the emergency procedures specific to your county and how to conduct a rescheduled election.

ELECTION CRIMES

The following is a summary of election law violations as they relate to the county clerk, the county board of elections, the precinct election officers, and the general public.

These statutes are meant to reinforce the importance of maintaining security of the vote and integrity in the election process.

RELATING TO COUNTY CLERKS:

- **KRS 117.995(2):** any county clerk or member of the county board of elections who knowingly and willfully violates any of the provisions of this chapter, including furnishing applications for absentee ballots to persons other than those specified by the provisions of this chapter and failure to type the name of the voter on the application form as required by the provisions of this chapter, shall be guilty of a **Class D felony**.

- **KRS 119.015:** any county clerk or deputy county clerk who falsely or fraudulently registers the name of any person, or permits any person to register knowing that the person is not entitled to register, or who fails or refuses to deliver copies of the registration records to a person entitled thereto, shall be guilty of a **Class D felony**.

- **KRS 119.076:** any county clerk who willfully and knowingly refuses or fails to have the name of any candidate printed upon the official ballot in the manner provided by law shall be guilty of a **Class D felony**.

- **KRS 119.115(3):** any election official, or other person entrusted with the custody or control of any voting machine who, with intent to cause or permit any voting machine to fail to correctly register votes cast thereon, tampers with or disarranges such machine in any way, unlawfully opens such voting machine, prevents or attempts to prevent the correct operation of such voting machine or causes such voting machine to be used or consents to it being used for any election with knowledge of the fact that the machine is not in order, or not perfectly set and adjusted to correctly register all votes cast thereon, or removes, changes, or mutilates any ballot label on a voting machine shall be guilty of a **Class D felony**.

- **KRS 119.195(7):** any county clerk who knowingly and willfully opens any ballot box and removes any official ballot therefrom, or removes, destroys, or tampers with a ballot box and official ballots left in his care and custody, or permits any other person to do so, during the period the boxes are required to remain locked in his office, shall be guilty of a **Class D felony**.

RELATING TO THE COUNTY BOARD OF ELECTIONS:

- **KRS 117.187(2):** the county board of elections shall provide special training before each primary and regular election, and any special election held during a year in which no elections are schedules, to all election officers, alternates, and certified

challengers regarding their duties and the penalties for failure to perform. Election officers, including alternates, and certified challengers shall attend the training session, unless excused by the county board of elections for reason of illness or other emergency. Any person who fails to attend a training session without being excused shall be prohibited from serving as an election officer or challenger for a period of five (5) years. The training provided by the county board of elections shall include but not be limited to the following:

(a) Operation of the voting machine or ballot cards;
(b) Posting of necessary signs and notices at the polling place;
(c) Voter assistance;
(d) Maintaining precinct rosters;
(e) Confirmation of a voter's identity
(f) Challenge of a voter;
(g) Completing changes of address or name at the polling place;
(h) Qualifications for voting in a primary election;
(i) Electioneering and exit polling;
(j) Write-in voting procedures;
(k) Persons who may be in the voting room;
(l) Election violations and penalties;
(m) Assistance which may be provided by law enforcement officers;
(n) Election reports;
(o) Disability awareness;
(p) Provisional voting process;
(q) Election emergency contingency plan; and
(r) Elections and voting equipment security plan.

KRS 117.995(8): the members of a county board of elections that fails to provide the training precinct election officers required by **KRS 117.187(2)** shall be subject to removal by the State Board of Elections.

- **KRS 119.225:** any member of a county board of elections who refuses to permit an inspector designated under **KRS 117.275** and **117.315** to exercise free and full action in witnessing the count of the ballots, or interferes with the right of such an inspector to have a free and full opportunity to witness the count of the ballots, shall be guilty of a **Class A misdemeanor**.

- **KRS 119.245:** any member of the State Board of Elections or of a county board of elections who willfully and knowingly violates any provision of the statutes relating to his duties, or fails to execute faithfully any of the duties imposed upon him by law, for which no other penalty is provided, shall be guilty of a **Class B misdemeanor**.

- **KRS 119.255:** any person who, by threat of violence or in any other manner, intimidates or attempts to intimidate the election officers, the State Board of Elections or a county board of elections in the performance of their duty and any persons who conspire together and go forth armed for the purpose of intimidating said officers, shall be guilty of a **Class D felony**.

- **KRS 119.265:** any public officer who willfully neglects to perform a duty imposed upon him under the election laws, for which no other penalty is provided, or who willfully performs such duty in a way that hinders the objects of the election laws, shall be guilty of a **Class B misdemeanor**.

- **KRS 119.307:** the county board of elections shall present to the grand jury next convening subsequent to each election the names of those election officials who failed to appear and serve at the election and who had not been properly excused. Any such person may be subpoenaed and inquiry made of his absence, and if no good cause be shown, he shall be subject to prosecution.

RELATING TO PRECINCT ELECTION OFFICERS:

- **KRS 117.995** in part provides the following violations of precinct election officers:
  (1) Any person appointed to serve as an election officer but who shall knowingly and willfully fail to serve and who is not excused by the county board of elections for the reasons specified in this chapter shall be guilty of a violation and shall be ineligible to serve as an election officer for a period of five (5) years.
  (3) Any officer who willfully fails to prepare or furnish ballot labels or absentee ballots or fails to allow a qualified voter to cast his or her vote on the machine as required of the voter by this chapter shall be guilty of a **Class A misdemeanor.**
  (4) Any election officer who knowingly and willfully violates any of the provisions of this chapter, including failure to enforce the prohibition against electioneering established by **KRS 117.235**, shall be guilty of a **Class A misdemeanor** for the first offense and a **Class D felony** for each subsequent offense.

- **KRS 119.145:** any election officer who refuses to permit any challenger of any political party having a ticket to be voted for at an election, who has been duly appointed and presents a duly attested certificate of appointment, to perform his duties as challenger, shall be fined not less than fifty dollars ($50) nor more than five hundred dollars ($500).

- **KRS 119.175**:
  (1) Except as provided in subsection (2) of this section, any officer of election who receives, assents to receive or records a vote at an election at a time or place known by him not to be the time and place lawfully appointed, or who knowingly receives the vote of any person other than a qualified voter, or refuses to receive the vote of a qualified voter, shall, for each offense, be fined not less than fifty dollars ($50) nor more than five hundred dollars ($500), and shall forfeit any office he holds and be disqualified from ever holding any office.
  (2) Any judge of a primary election who knowingly receives a vote of an elector who is not qualified to vote in the primary election under **KRS 116.055** shall be fined one hundred dollars ($100) for each offense.

- **KRS 119.185:** any person who willfully disobeys any lawful command of an election officer, given the execution of his duty as such at an election, shall be fined not less than twenty-five dollars ($25) nor more than five hundred dollars ($500).

- **KRS 119.195 Tampering with Ballot Box:**
  (4) Any election officer, or other person entrusted with the custody or control of any official ballot, either before or after it has been voted, who in any way marks, mutilates, or defaces any official ballot or places any distinguishing mark thereon, for the purpose of vitiating the official ballot, shall be guilty of a **Class C felony**.
  (6) Any election officer who mutilates or tampers with any of the seals, or destroys or removes any official ballots required to be preserved, shall be guilty of a **Class D felony**.

- **KRS 119.305:** Election officers shall give information of all infractions of the election laws to the grand jury, Commonwealth's attorney, Attorney General and the Registry of Election Finance. The election officers shall cooperate in any investigation or prosecution of election law violations. When there is reason to fear that an offender will escape out of the county before indictment, any election officer may procure his immediate apprehension.

RELATING TO ELECTION DAY:

- **KRS 117.0865:** any person who aids another in completing an absentee ballot shall not solicit or encourage that person to vote for or against any candidate, party, or issue. Any person who violates this section shall be guilty of a **Class D felony**.

- **KRS 117.995** sets out the following violations relating to Election Day:
  (5) Any person who signs a name other than his or her own on an application for an absentee ballot or on the verification form for the ballot or on an emergency absentee ballot affidavit, or any person who votes an absentee ballot other than the one issued in his or her name, or any person who applies for the ballot for the use of anyone other than himself or herself or the person designated by the provisions of this chapter, or any person who makes a false statement on an application for an absentee ballot or on an emergency absentee ballot affidavit shall be guilty of a **Class D felony**.
  (6) Any person who violates any provision of **KRS 117.235 or 117.236** related to prohibited activities during absentee voting or on election day, after he or she has been duly notified of the provisions by any precinct election officer, county clerk, deputy county clerk, or other law enforcement official, shall, for each offense, be guilty of a **Class A misdemeanor**.
  (7) Any person who knowingly and willfully prepares or assists in the preparation of an inaccurate or incomplete voter assistance form or fails to complete a voter assistance form when required shall be guilty of a **Class A misdemeanor** for the first offense and a **Class D felony** for each subsequent offense; however, if a voter has been permanently certified as requiring voting assistance, there shall be no offense for the failure of the voter to complete the form.

- **KRS 119.095:** any printer of ballots, or person employed in printing ballots, who prints or permits to be printed any ballot in any other form than the one prescribed by law, or with any name or device placed, spelled or arranged thereon other than as authorized and directed by the county clerk, or who gives or delivers, or knowingly permits to be taken, any ballot by any person other than the county clerk for whom the ballots are being printed, shall be guilty of a **Class C felony**.

- **KRS 119.105 Removal or destruction of election supplies or booths:**
  (1) Any person who steals or willfully destroys any of the election supplies required to be furnished by the county clerk shall be fined not less than fifty dollars ($50) nor more than two hundred dollars ($200), and imprisoned in the county jail for not less than one (1) month nor more than six (6) months.
  (2) Any person who, during an election, knowingly and willfully removes or defaces the cards printed for the instruction of the voters, or destroys or removes any booth or other convenience provided for the election, or induces or attempts to induce any person to commit any such act, shall be imprisoned in the county jail for not less than six (6) months nor more than one (1) year.

▶ continued ◀

- **KRS 119.115 Tampering with voting machine or election supplies:**
  (1) Any unauthorized person found in possession of any key to a voting machine to be used or being used in any primary, general, or special election shall be guilty of a **Class A misdemeanor**.
  (2) Any person who, during or before any primary, general, or special election, willfully tampers with or attempts to tamper with, disarrange, deface, or impair in manner whatsoever, injures, or destroys any ballot label, or destroys an such voting machine while in use at an election or at any other time, or who shall, after such machine is locked and sealed in order to preserve the record of the vote, tamper with or attempt to tamper with the record of the vote, or who aids or abets with intent to destroy or change the record of the vote shall be guilty of a **Class D felony**.

- **KRS 119.125:** any sheriff who willfully fails to cause an election to be held, as required by law, shall be fined not less than one hundred dollars ($100) nor more than five hundred dollars ($500). Any sheriff who willfully fails to perform any other duty concerning an election, for which there is no penalty specifically prescribed, shall be fined not less than twenty dollars ($20) nor more than two hundred dollars ($200).

- **KRS 119.155 Interfering with election:**
  (1) Any person who unlawfully prevents or attempts to prevent any voter from casting his ballot, or intimidates or attempts to intimidate any voter so as to prevent him from casting his ballot, or who unlawfully interferes with the election officers in the discharge of their duties, shall be guilty of a **Class D felony**.
  (2) Any person who, by himself or in aid of others, forcibly breaks up or prevents, or attempts to break up or prevent, or obstructs or attempts to obstruct, the lawful holding of an election, shall be guilty of a **Class A misdemeanor**.

- **KRS 119.165 False impersonation of a voter:**
  (1) Any person who falsely personates a registered voter, and receives and casts a ballot by means of such personation, shall be guilty of a **Class D felony**. An attempt at such personation shall constitute a **Class A misdemeanor**.
  (2) Any person who, by means other than falsely personating a registered voter, votes at an election in this state when he is a resident of another state or country, or votes more than once at an election, or votes by use of the naturalization papers of another person, shall be guilty of a **Class D felony**. Any person who knowingly votes or attempts to vote in a precinct other than the one in which he resides shall be guilty of a **Class A misdemeanor**, unless by voting in a precinct in which he does not live he is enabled to vote in a race or on a matter in which he could not vote in his proper precinct in which case he shall be guilty of a **Class D felony**. Any person who lends or hires his or another's naturalization papers to be used for the purpose of voting shall be subject to the same penalty.
  (3) Any resident of this state who, by means other than falsely personating a registered voter, votes at a regular or special election before he has resided in this state thirty (30) days, or in the county and precinct where the election is held the time required by law, or before he has attained full age, or before he has become a citizen, shall be guilty of a **Class B misdemeanor**.
  (4) Any person who, by means other than falsely personating a registered voter, votes in a primary election knowing that he is not qualified as provided in **KRS 116.055**, shall be guilty of a violation.
  (5) Any person who applied for or received a ballot at any voting place other than the one at which he is entitled to vote, under circumstances not constituting a violation of any of the provisions of subsections (1) to (4) of this section, shall be guilty of a **Class A misdemeanor**.

- **KRS 119.195 Removing or tampering with ballots:**
  (1) Any person who, during an election, knowingly and willfully removes or attempts to remove an official ballot from the election room, or has in his possession outside the election room any official ballot, either genuine or counterfeit, shall be guilty of a **Class D felony**.
  (2) Any voter who attempts to leave the election room with an official ballot in his possession shall at once be arrested on demand of either of the judges of election

and shall be guilty of a violation, unless the act was done knowingly in which event he shall be guilty of a **Class A misdemeanor**.

(3) Any person who takes or removes in any manner, feloniously or with the consent or permission of the custodian, any official ballot from any place where it may lawfully be, or knowingly and willfully has in his possession or custody any such official ballot, except as an officer or custodian under the law or while within the polling place for the purpose of voting, and any custodian or officer who permits any official ballot to be removed or carried away from the place where it may lawfully be by any person other than the officer or custodian who duty it is to receive it, shall be guilty of a **Class C felony**.

(5) Any person who unlawfully destroys or attempts to destroy any official ballot box used, or any official ballot deposited, at any election, or who unlawfully, by force, fraud, or other improper means, obtains or attempts to obtain possession of any ballot box or any official ballot therein deposited, while the voting at any election is going on or before the official ballots are duly taken out and counted according to law, shall be guilty of a **Class D felony**.

(8) Any person who removes, mutilates, or destroys, or adds any new official ballots to, the regular official ballots that have been counted and prepared for preservation, or that have already been preserved, so that the result of the election in the precinct or county is changed, shall be guilty of a **Class D felony**.

(9) Any person who tampers with or changes the official ballots, or opens the receptacles in which the official ballots are contained without the order of the court, after the ballots have been sent to the Franklin County courthouse in connection with the contest of a constitutional amendment, shall be guilty of a **Class D felony**.

- **KRS 119.205 Vote buying and petitions.**

(1) Any person who makes or offers to make an expenditure to any person, either to vote or withhold his vote, or to vote for or against any candidate or public question at an election shall be guilty of a **Class D felony**.

(2) Any person who solicits, accepts, or receives any such expenditure as payment or consideration for his vote, or the withholding of his vote, or to vote for or against any candidate or public question at an election shall be guilty of a **Class D felony**.

(3) Any person who makes or offers to make an expenditure to any person to sign a petition to have a public question placed on the ballot, or any person who solicits, accepts, or receives any such expenditure as payment or consideration to sign a petition to have a public question placed on a ballot, shall be guilty of a **Class B misdemeanor**.

- **KRS 119.235:** any person who willfully alters obliterates, secretes, suppresses or destroys a stub book, return or certificate of election, and any officer who makes, aids in making or authorizes the making of any false or fraudulent stub book, certificate of election or election return, shall be guilty of a **Class D felony**.

SAMPLES OF ELECTION DAY FORMS

SAMPLE

COMMONWEALTH OF KENTUCKY
STATE BOARD OF ELECTIONS

AUTHORIZATION TO VOTE AT PRECINCT

TO THE ELECTION OFFICERS OF Capital D104 **PRECINCT**

This is to certify that a voter registration record is on file in the County Clerk's office for:

Sam Quick
Name of Voter

XXX- XX- XXXX
Social Security Number

Democrat
Party

16 Oak St Apt #4
Address

Please add this name to the Supplemental Precinct Roster with all information required and permit this person to sign the roster and vote.

COUNTY CLERK'S USE ONLY
☐ Improper Removal
☒ Wrong Precinct Code
☐ Failure to make proper change reported
☐ Absentee Ballot cancelled

Susan Allen
Chairman, County Board of Elections or Authorized Agent

Franklin County

11-7-2006 Date

KRS 117.085(7)
SBE 26 (4/00)

White – County Clerk
Canary – Precinct

SAMPLE

COMMONWEALTH OF KENTUCKY
STATE BOARD OF ELECTIONS

VOTER ASSISTANCE FORM

NOTE: A voter requiring assistance may be assisted by the two precinct judges or a person of the voter's choice who is not an election officer, except that the voter's employer, an agent of that employer, or an officer or agent of the voter's union shall not assist a voter.

NAME OF VOTER	James Doe	DATE OF BIRTH (MM/DD/YYYY)	04/13/1969
RESIDENTIAL ADDRESS	124 Cannon Rd		
SOCIAL SECURITY NUMBER	XXX-XX-XXXX	PRECINCT NAME OR NUMBER	A101

Check one:

	Voter has been certified as requiring assistance on a permanent basis as indicated on precinct roster. The following oath must be signed *by the person assisting the voter* and be witnessed by the precinct clerk/officer.
	Voter is NOT certified as requiring assistance on a permanent basis. *Both* of the following oaths must be completed and signed by the voter, the person assisting the voter, and be witnessed by the precinct clerk/officer.

OATH FOR VOTER NOT CERTIFIED AS REQUIRING ASSISTANCE ON A PERMANENT BASIS

(Voter certified as requiring assistance on a permanent basis as indicated on precinct roster need not sign this oath section.)

I hereby state, under oath (or affirmation), that I am a qualified voter in the precinct indicated above, and that the reason I require assistance in voting is (check one): Blindness (Physical disability) Inability to read English

James Doe
Signature or "mark" of voter

Witness (two witnesses required if "mark" is used)

Witness (two witnesses required if "mark" is used)

OATH FOR PERSON ASSISTING VOTER

(THIS PORTION MUST BE COMPLETED BY THE PERSON ASSISTING THE VOTER BEFORE ANY VOTER CAN RECEIVE ASSISTANCE)

I hereby state, under oath (or affirmation), that I will operate the voting machine in accordance with the directions of the voter requiring assistance. I further state that I am not the voter's employer, an agent of that employer, or an officer or agent of that voter's union.

Name of person assisting voter (PLEASE PRINT)	Signature of person assisting voter
Jane Doe	Jane Doe

APPLICATION REQUEST FOR PERMANENT ASSISTANCE

Voter who requires assistance on a permanent basis due to Blindness or Physical disability hereby applies for certification for permanent assistance.

SECTION TO BE COMPLETED BY PRECINCT ELECTION OFFICER

The parties hereto have subscribed and sworn (or affirmed) these Oaths before me this 7 day of November, 2006.

Barbara Smith
Signature of Precinct Election Officer

KRS 116.165 Provides that "any person who falsely signs and verifies any form requiring verification shall be guilty of perjury and subject to penalties therefor."
KRS 117.255
KRS 117.365
KRS 117.995

WHITE: Grand Jury
CANARY: County Clerk
PINK: County Board of Elections

SBE 31 (02/06)

SBE 32 (11/05)

COMMONWEALTH OF KENTUCKY
STATE BOARD OF ELECTIONS

SAMPLE

OATH OF VOTER

When a voter has moved to a new precinct within the same county and is not listed on the current precinct roster, when the officers of an election disagree as to the qualifications of a voter, or when a voter's right to vote is disputed by a challenger, the voter shall sign the following oath as to his qualifications before he is permitted to vote.

I, Janet Jones, hereby state, under oath, that I am duly registered as
(Name: Please Print)

a Republican voter in this precinct in Franklin County,
(Political Party Preference) (County)

Kentucky and that I currently reside at 123 Woods Circle 40601. My previous address
(Current Residence Street Address and Zip Code)

was 240 Creek Street 40601 in this county. I know of no legal disqualifications which should
(Previous Residence Street Address and Zip Code)

prevent my vote from being cast and counted at this election and I affirm that I have not voted and will not vote in another precinct or by absentee ballot in this state during this election.

I understand that any person who falsely signs and verifies any form requiring verification shall be guilty of perjury and subject to the penalties therefore. I further understand that if I execute the Oath and am not a registered voter at the current address stated above, I have committed a criminal act.

Janet Jones	01/14/1969	xxx-xx-xxxx	11/7/2006
Voter must sign here	Date of Birth	Social Security Number	Date

This Oath shall be returned to the County Clerk who shall deliver it to the Commonwealth's Attorney for investigation.

Reason for Requiring Oath Address Change Precinct Name or No. A101

Signature of Precinct Election Officer or Challenger Anne Smith

<u>Do Not Use the Oath of Voter (SBE 32) to allow someone with no identification to vote.</u>

Possible reasons for requiring the Oath of Vote **(SBE 32)** are:

- Voter's address has changed
- Voter's name has changed
- Voter not on roster because he is "Inactive"
- Voter was improperly removed from voter rolls

LIST OF VOTERS ISSUED ABSENTEE BALLOTS

County	Election (Primary or General)	Date of Election	Precinct Code
Franklin	**Primary**	**5/18/2010**	**A101**

ABSENTEE BALLOTS HAVE BEEN ISSUED TO THE FOLLOWING:
(Include medical emergencies in first three columns as applicable.)

NAME OF VOTER	DATE FIRST BALLOT MAILED OR ISSUED	DATE SECOND BALLOT MAILED OR ISSUED	DATE BALLOT RETURNED	***OR*** DATE VOTER VOTED IN CLERK OFFICE
James Doe	04/15/2010		4/29/2010	
Carrie Johnson				5/03/2010
Earl Meadows	04/17/2010	5/03/2010	5/16/2010	
~~Stacy Strung~~	04/30/2010		~~Cancelled~~	
Total Number				

NOT TO BE POSTED AT PRECINCT OR COUNTY CLERK'S OFFICE

County Clerk Guy Zeigler

KRS 117.085
KRS 117.086

White – Grand Jury
Canary – Precinct
Pink – State Board of Elections
Goldenrod – County Clerk

SBE 33A (11/09)

Example of Summary Page

County: 056 JEFFERSON
Precinct: M153 PRECINCT 153 42 DISTRICT

Precinct Roster
Commonwealth of Kentucky – State Board of Elections

PRIMARY ELECTION

Page: 2
Date: 05/27/2005

Voter's Name and Address	Asst	Birth Date	Sex	Voter's ID Number	Party	Voter's Signature	Cong Town	Hs Other	Sen	ID Type FILL in ONE box ONLY					Clrk Init.
						X				PA	DL	OI	SS	CC	
						X				PA	DL	OI	SS	CC	
PRECINCT TOTALS:															
TOTAL REGISTRANTS:		4				X				PA	DL	OI	SS	CC	
TOTAL NUMBER VOTING IN PERSON 3						X				PA	DL	OI	SS	CC	
TOTAL NUMBER OF ABSENTEE VOTERS 1															
						X				PA	DL	OI	SS	CC	
						X				PA	DL	OI	SS	CC	
						X				PA	DL	OI	SS	CC	
						X				PA	DL	OI	SS	CC	
						X				PA	DL	OI	SS	CC	
						X				PA	DL	OI	SS	CC	
						X				PA	DL	OI	SS	CC	
						X				PA	DL	OI	SS	CC	
						X				PA	DL	OI	SS	CC	

Form: SBEPRE.FRM

ID types: PA=Personal Acquaintance DL=Driver's License OI=Other Identification SS=Social Security card CC=Credit Card

SBE 01 (01/03) **You MUST answer questions A & B before completing this form.** **5041503**

A. Are you a citizen of the United States of America?	☐ YES ☐ NO	***If you checked "no" in response to either of these questions, do not complete this form.***
B. Will you be 18 years of age on or before election day?	☐ YES ☐ NO	

Check one:		FOR CLERK USE ONLY			
☐ New Registration	☐ Address Change	PRECINCT CODE	PRECINCT NAME	TOWN	OTHER CODE
☐ Party Change	☐ Name Change				

Social Security Number	Date of Birth (M-D-Y)	County (where you live)	Work Phone	Home Phone

☐ Female ☐ Male	Last Name	First Name	Middle Name	Suffix (circle one) Jr. Sr. II III IV

Address where you live (do not give PO address):	Apt. #	City	Zip Code
Address where you get your mail (if different from above):	Apt. #	City	Zip Code

SAMPLE

Party Registration—check one box

☐ Democratic Party
☐ Republican Party
☐ Other _____
(write name above)

If you select "Other" as your party affiliation, you are eligible to vote for only nonpartisan offices in any primary election. You may vote for any candidate in all general or special elections. Only persons timely registered shall have the right to vote.

NOTE: You may change your political party affiliation at any time on or before December 31st to remain eligible to vote in the following primary election.

WARNING: If you sign this statement even though you know it is untrue, you can be convicted and fined up to $500 and/or jailed up to 12 months.

Voter Declaration—read and sign below

I swear or affirm that:

- I am a U.S. citizen
- I live in Kentucky at the address listed above
- I will be at least 18 years of age on or before the next general election
- I am not a convicted felon, or if I have been convicted of a felony, my civil rights must have been restored by executive pardon
- I have not been judged "mentally incompetent" in a court of law
- I do not claim the right to vote anywhere outside Kentucky

X Signature Date

TWO WITNESSES REQUIRED IF "MARK" IS USED

Witnessed By:	Witnessed By:

Commonwealth of Kentucky
State Board of Elections

PRECINCT SHERIFF'S POST-ELECTION REPORT

KRS 117.355(1) Within three (3) days after any primary or general election, the precinct election sheriff shall file a report with the chairman of the county board of elections and with the local grand jury. The report shall include any irregularities observed and any recommendations for improving the election process.

County	ANY
Date Of Election	11-6-2007
Precinct	A101 - FRANKLIN ELEMENTARY
Name Of Precinct Election Sheriff (Please Print)	PETER PARKER

IRREGULARITIES OBSERVED: (If you observed any irregularities, describe in your own words with as many details as possible, including names of alleged violators of election laws. Reported violations should include, but not be limited to violations of KRS 117.255 relating to assisting voters and execution of the voter assistance forms, adjusting the voting machine in primary elections to enable the voter to vote for only persons for whom the voter is entitled to vote, voting more than once, and voting supplemental paper ballots. Violations of KRS 117.235 relating to electioneering must also be reported. If more space is required, attach additional sheets as necessary. If no violations are observed, so indicate.)

JOHN DOE WAS OBSERVED HANDING OUT CAMPAIGN LITERATURE WHILE WAITING IN LINE TO VOTE. I INFORMED MR. DOE THAT HIS ACTIONS WERE NOT PERMITTED AND WAS A FORM OF ELECTIONEERING. HE APPOLOGIZED AND STOPPED HIS ACTIONS IMMEDIATELY. NO OTHER PROBLEMS OR VIOLATIONS OBSERVED.

RECOMMENDATIONS FOR IMPROVING THE ELECTION PROCESS: (Describe recommendations in your own words. If more space if required, attach additional sheets as necessary.)

NO RECOMMENDATIONS AT THIS TIME.

11-6-2007
Date Signed

Peter Parker
Signature of Precinct Election Sheriff

KRS 117.255
KRS 117.355

SBE 53 (4/00)

White – Grand Jury
Canary – County Board of Elections
Pink – Precinct Election Sheriff

SAMPLE

(Your county may have a different version of this form. This form is merely provided for illustration purposes only. The State Board of Elections makes no assurance as to the validity or legal sufficiency of this document pursuant to 31 KAR 2:010.)

PRECINCT BALLOT ACCOUNTABILITY STATEMENT

COUNTY	DATE OF ELECTION	PRECINCT NAME	PRECINCT CODE #

	FACE 1	FACE 2	FACE 3	FACE 4	FACE 5	FACE 6	FACE 7
QTY. PADS ISSUED							
STARTING NO.							
ENDING NO. (THE NUMBER OF THE NEXT BALLOT YOU WOULD HAVE GIVEN OUT)							
SPOILED BALLOT COUNT AREA EXAMPLE: 卌 II							
TOTAL BALLOTS USED							

REASON FOR DISCREPANCIES: _____

_____

NOTES: _____

_____

_____

We, the undersigned, do hereby certify that the above information is accurate and complete.

Precinct Clerk _____ Precinct Sheriff _____

Precinct Judge _____ Precinct Judge _____

County Clerk _____

Harp Enterprises, Inc. - Item #144 - Ballot Accountability Statements - Revised 06/25/2010

SAMPLE

(Your county may have a different version of this form. This form is merely provided for illustration purposes only. The State Board of Elections makes no assurance as to the validity or legal sufficiency of this document pursuant to 31 KAR 2:020.)

This form must be completed and returned to the COUNTY CLERK.

eSCAN VERIFICATION FORM

ELECTION JUDGES TO VERIFY INFORMATION BEFORE OPENING POLLS — **Judges' Initials**

Precinct name: _____ _____ _____

eScan Serial Number: _____ _____ _____

eScan Seal Number: _____ _____ _____

Yellow Seal Number: _____ _____ _____

Blue Seal Number: _____ _____ _____

PVT Count - Start: _____

Red Ballot Bag Lock Seal: _____ _____ _____

Signed _____
Program Administrator who sealed eScan

ELECTION JUDGES TO COMPLETE WHEN CLOSING POLLS
Print three (3) paper tapes and have all four officers sign the tapes. Two (2) tapes are to be returned to the County Clerk in the Result Tape Envelope and the third to be posted at the precinct.

eScan Protective Counter Number (PVT Count) _____

Signed _____
Democratic Judge

Signed _____
Republican Judge

ACCURACY TEST CHECKLIST

Firmware Version Identification 4.3.1, 4.2.13, 1.3.14 Polling ID Number _____

- ❑ Visual inspection of eScan as well as all working parts checking for damage and defects.
- ❑ Visual inspection of screen, power cord, plugs, and MBB card slot.

Accuracy Test was performed: ❑ On voting system ❑ On individual voting machine

❑ Completion of errorless test deck

Name of Person completing Accuracy Checklist _____

Signature of Person Completing Accuracy Checklist _____
Harp Representative

Date and Time _____

PROVISIONAL BALLOT ACCOUNTABILITY STATEMENT

County	Date of Election	Precinct Name	Precinct Code

Choose Election Type: Primary or General		Ballot Stub Numbers	
		From	***To***
Primary Election	***Democrat***		
	Republican		
General Election			

We, the duly appointed precinct officers of this precinct, do certify below the number of provisional ballots issued, used, and spoiled.

Ballots	**Choose Election Type: Primary or General**		
	Primary Election		**General Election**
	Democrat	***Republican***	
Number of Ballots Issued to Precinct – **a.**			
Ballots Used (includes spoiled ballots) – **b.**			
Ballots Unused – **c.**			
Total – **(b. + c.) – d.**			
Number of Spoiled Ballots			

If row **d.** does not agree with row **a.**, explain the difference here:

_____

_____

_____

_____

_____

We, the undersigned, do hereby certify that the above information is accurate and complete.

Precinct Clerk _____

Precinct Sheriff _____

Precinct Judge _____

Precinct Judge _____

SBE 37 (12/05)

PROVISIONAL BALLOT | OUTER ENVELOPE

THIS ENVELOPE MUST BE SEALED.

SBE 38 (02/04)

Precinct Officer Use Only

Circumstances for issuing a Provisional Ballot
(Please check one)

PRECINCT_____

☐ Voter whose name does not appear on the precinct roster and whose registration status cannot be determined by the Precinct Officer.

☐ Voter whose name does not appear on the precinct roster and who has been verified as ineligible to vote.

☐ Voter who does not have identification.

☐ Voter who is voting as a result of a Federal or State Court Order or any Order under State law in effect 10 days prior to Election Day which extends the polling hours.

☐ Voter has been challenged by all four Precinct Election Officers. **(List reason for challenge below).**

_____

_____

_____

Verified by

_____

PROVISIONAL BALLOT AFFIRMATION

I, _____, hereby state, under oath or affirmation, that I am duly registered
(Print Name)

as a _____ voter in this precinct in _____ County, Kentucky and that
(Political Party Preference) (County)

I currently reside at _____.
(Current Residence Street Address and Zip Code)

I know of no legal disqualifications which should prevent my vote from being cast and counted at this election and I affirm that I have not voted and will not vote in another precinct or by absentee ballot in this state during this election.

I understand that any person who falsely signs and verifies any form requiring verification shall be guilty of perjury and subject to the penalties therefore. I further understand that if I execute the Affirmation and am not a registered voter at the current address stated above, I have committed a criminal act.

_____

Voter must sign here Social Security Number Date

Precinct Election Officer Signature Verification

_____

County Board of Elections Use Only

☐ Count

☐ Did not Count (List reason below)

_____

_____

_____

_____

_____

_____

_____

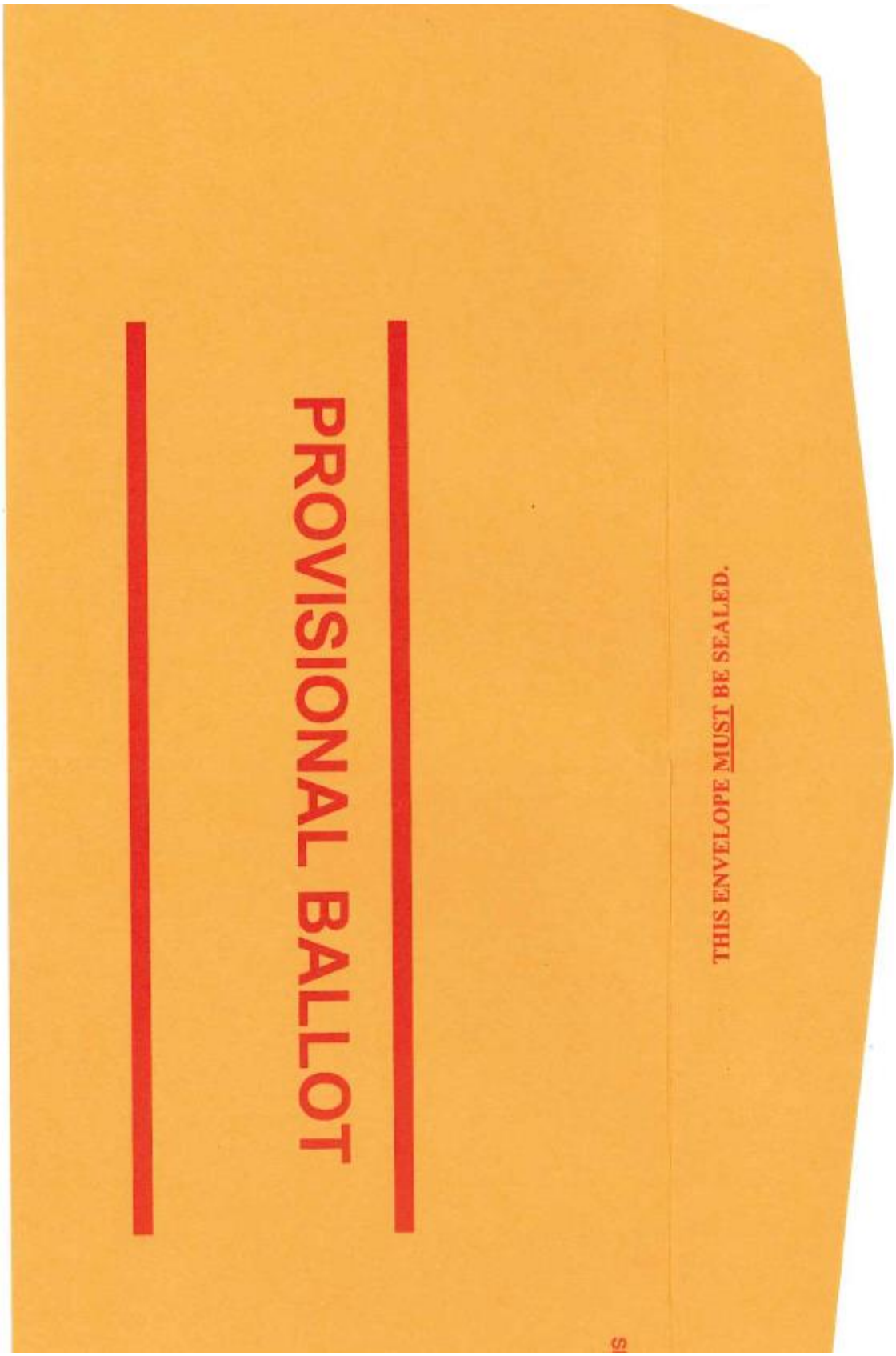
_____

_____

_____

Verified by

_____


THIS ENVELOPE MUST BE SEALED.
PROVISIONAL BALLOT

PRECINCT ELECTION OFFICERS REVIEW

ANSWER "TRUE" OR "FALSE" TO EACH OF THESE STATEMENTS

_____ 1. All precincts must close at 6:00 p.m., unless there are voters waiting in line at 6:00 p.m. to vote.

_____ 2. If a voter registered in your county has recently moved to your precinct and is not listed on the Precinct Signature Roster, he/she must vote at his/her old precinct.

_____ 3. Campaign workers for any candidate may witness the vote count after the polls have closed.

_____ 4. Voters who have been approved for permanent voter assistance do not have to sign the Precinct Signature Roster and can only use the accessible voting machine.

_____ 5. Only a person whose name appears on the Precinct Signature Roster may vote in your precinct.

_____ 6. Spouses are not permitted to accompany each other into the voting booth without first qualifying for voter assistance and completing the "Voter Assistance" form (SBE 31).

_____ 7. Members of the news media may not conduct interviews with voters inside the voting room.

_____ 8. If a minor goes into the voting booth with a voter and accidentally casts the ballot on the voting machine, the judges should reset the machine and permit the voter to vote again.

_____ 9. All voters are allowed only two minutes to vote if other voters are in line waiting to vote.

_____ 10. A candidate may assist a voter in the voting booth if that voter qualifies for assistance.

_____ 11. Even if one of the precinct election officers knows a voter, each voter must confirm his or her current address as listed on the Precinct Signature Roster.

_____ 12. A voter who has been challenged by an election officer or challenger can vote after completing an "Oath of Voter" form (SBE 32) and by signing the Precinct Signature Roster.

_____ 13. Any voter who has applied for an absentee ballot may not vote in person at the polling place on election day.

_____ 14. If a voter is not known by one of the precinct election officers and does not present a type of ID at the polls, he is not allowed to vote on the voting machine.

_____ 15. Only the two precinct judges are required to be able to set up a voting machine at the beginning of the election day.

_____ 16. Persons assisting voters who have been approved for permanent voting assistance still need to sign the Voter Assistance form (SBE 31).

_____ 17. The voter with a visual impairment or voter with a disability must vote on the voting machine specifically designed to accommodate the voter with disabilities.

_____ 18. No one allowed in the voting room may use paper, telephone or a computer to create a check-off list or record the identity of voters.

_____ 19. A voter can use a Tennessee driver's license as her form of identification at the polls.

ANSWERS TO THE PRECINCT ELECTION OFFICERS REVIEW

TRUE 1. **All precincts must close at 6 PM, unless there are voters waiting in line at 6 PM to vote.**

At 6 PM, the sheriff shall stand at the end of the line of those voters who arrived by 6:00 p.m. and that voter shall be the last voter permitted to vote. The precinct sheriff shall wait in line with the last voter until he has voted. Any voters who arrive after the last voter in line at 6:00 p.m. shall not be permitted to vote. When the last voter in line by 6:00 p.m. has voted, the polls shall then be closed. (see page 9)

FALSE 2. **If a voter registered in the county is not on the Precinct Signature Roster in your precinct but has recently moved to your precinct, he must vote at his old precinct.**

All voters registered in the county must vote in the precinct in which they live even if they are not listed on the Precinct Signature Roster or Supplemental Precinct Signature roster. If a voter is not listed on the Precinct Signature Roster or Supplemental Precinct Signature Roster but is registered and lives in your precinct, he can vote after completing an "Oath of Voter" form (SBE 32), a new voter registration card and by signing the Supplemental Precinct Signature Roster. (A voter who moved to another county after the registration books close may return to his old precinct and vote in this one election. (see page 32) A voter who moved to another county before the registration books closed may not vote in either county for that election.)

FALSE 3. **Campaign workers for any candidate may witness the vote count after the polls have closed.**

In a general election, the governing authority of each political party, each candidate for member of board of education, nonpartisan candidate, or independent ticket may designate a representative to witness the vote count. Members of the media may also observe the vote count. General onlookers or well-wishers may not observe the vote count at the end of the day. (see page 44)

FALSE 4. **Voters who have been approved for permanent voter assistance do not have to sign the Precinct Signature Roster and can only use the accessible voting machine.**

Voters who have been approved for permanent voting assistance do not have to sign the **Voter Assistance Form (SBE 31)** or list the reason assistance is needed. However, ALL voters who vote must sign the Precinct Signature Roster or Supplemental Precinct Signature Roster and can use any voting machine of their choice whether or not they

have been approved for permanent assistance. (see page 35)

ANSWERS TO THE PRECINCT ELECTION OFFICERS REVIEW

FALSE 5. **Only a person whose name appears on the Precinct Signature Roster may vote in your precinct.**

There are many reasons that may result in a qualified voter's name being omitted from the voter rolls. If a person's name does not appear on the Precinct Signature Roster, please follow the procedures listed on page 29.

TRUE 6. **Spouses are not permitted to accompany each other into the voting booth without first qualifying for voter assistance and completing the Voter Assistance Form (SBE 31).**

The only person(s) that may enter the voting booth with a voter is the person(s) assisting a voter who qualifies for voting assistance and a minor child at the voter's discretion. (see pages 33 and 60)

TRUE 7. **Members of the news media may not conduct interviews with voters inside the voting room.**

Members of the media may conduct interviews outside the door of the voting room as long as they do not interfere with the election process. They may not conduct interviews inside the room where the voting machine is located. They may film the voting process in the room where the voting machine is located as long as they do not record the identity of voters or interfere with the election process. (see page 45)

FALSE 8. **If a minor goes into the voting booth with a voter and accidentally casts the ballot on the voting machine, the judges should reset the machine and permit the voter to vote again.**

Once the vote is cast, the voter cannot vote again. A voter may cast only ONE vote. Voters who take minor children into the voting booth with them should be warned of this situation. (see page 45)

FALSE 9. **All voters are allowed only two minutes to vote if other voters are in line waiting to vote.**

Voters with a disability must be given a reasonable amount of time to cast their ballot. Voters who do not need extra time due to a disability are limited to two minutes in the voting booth only if other voters are waiting in line to use the voting machine. KRS 117.255(7). (see page 5)

TRUE **10. A candidate may assist a voter in the voting booth if that voter qualifies for assistance.**

Voters who are eligible to receive assistance may be assisted by any person of their choice, including a candidate, as long as the person assisting the voter is not the voter's employer, an agent of that employer, or an officer or agent of the voter's labor union. If a voter does not bring someone with him, or does not choose someone at the polls to assist him, then the two precinct election judges may assist the voter. (see page 33)

TRUE **11. Even if one of the precinct election officers knows a voter, each voter must confirm his or her current address.**

The precinct election clerk should always verify the current address of a voter, even if one of the precinct election officers knows that voter personally. It is possible that the identifying precinct election officer is unaware that the voter moved or that the address has been updated due to 911 address system upgrades. (see page 26)

TRUE **12. A voter who has been challenged by an election officer or challenger can vote after completing an "Oath of Voter" form (SBE 32) and by signing the Precinct Signature Roster.**

A voter who has been challenged by an election officer or challenger must complete an "Oath of Voter" form (SBE 32) before he/she will be permitted to vote on the voting machine. After the form has been completed, the voter must sign the Precinct Signature Roster or Supplemental Precinct Signature Roster. (see page 41) (If all four precinct election officers challenge the voter, the voter may request a hearing before the county board of elections or vote a provisional ballot.)

FALSE **13. ANY voter who has applied for an absentee ballot may not vote in person at the polling place on election day.**

No person who has applied for an absentee ballot may vote in person at the polling place on Election Day *unless* he/she presents the precinct election officers with:

- Signed and completed Oath of Voter (SBE 32) and Authorization to Vote at Precinct (SBE 26); OR
- A court order.

(see page 43)

TRUE **14. If a voter is not known by one of the precinct election officers and does not present a type of ID at the polls, he/she is not allowed to vote on the voting machine.**

Before a person is allowed to vote on the voting machine in the precinct, a voter must show identification or be personally known by one of the precinct election officers. The voter is permitted to leave the polling place to get his ID *if he/she has not already signed the Precinct Signature Roster.* However, if the voter refuses to get his/her ID, the individual can request a hearing before the county board of elections or vote a Provisional Ballot. (see page 26)

FALSE **15. Only the two precinct judges are required to be able to set up a voting machine at the beginning of the election day.**

All officers need to be able to open a voting machine in case one or both judges are late or absent. Not understanding this could prevent the precinct from opening on time. (see page 4)

TRUE **16. Persons assisting voters who have been approved for permanent voting assistance still need to sign the Voter Assistance form (SBE 31).**

The individual assisting the voter must always sign the Voter Assistance Form (SBE 31). (see page 34)

FALSE **17. The voter with a visual impairment or voter with a disability must vote on the voting machine specifically designed to accommodate the voter with disabilities.**

The voter with a visual impairment or voter with a disability may vote on any voting machine the voter chooses and request assistance. (see page 33)

FALSE **18. No one allowed in the voting room may use paper, telephone or a computer to create a check-off list or record the identity of voters.**

No election officer, voter, or other person permitted by law within the voting room, can use paper, telephone, a personal telecommunications device, or a computer or other information technology system for the purpose of creating a check-off list or otherwise recording the identity of voters within the voting room, except for the official use of the Precinct Signature Roster and Challengers. (see page 42)

TRUE **19. A voter can use a Tennessee driver's license as her form of identification at the polls.**

A voter may present a driver's license from Kentucky or any other state as his or her form of identification as long as the identity of the voter can be confirmed from the identification provided. (see page 26)

NOTES