



# Working & Watching Elections

*for Citizens*



## INTRODUCTION

This guide provides basic information and should be used as a reference only. It is not a substitute for legal advice, and it does not intend to provide a complete summation of the relevant federal, state, or local law. The law frequently changes. This information may not be applicable to your individual situation. Always consult your attorney or local law enforcement with any questions.

Ohio Precinct Strategy only supports and encourages fully lawful and peaceful behavior at all polling locations. In no way do we suggest or condone any behavior that would interrupt the peaceful and orderly process of the election process or security of the election. We do not support anyone who acts outside of the laws and Ohio guidelines.

You can find additional resources at [ohioprecinctstrategy.com](http://ohioprecinctstrategy.com).

**REMEMBER!!!** Working elections is HARD work! Election workers may welcome a friendly, supportive presence! Be cheerful, positive, and supportive. Let you know you appreciate their hard work. Precinct Judges/Captains carry a heavy load. Be supportive of their role and the massive responsibility they are carrying.

Whether you are a voter, poll worker, poll observer, election official, or on the board of elections, please report any concerns you observe to Election Eyes Reporting by dialing 6072-V-WATCH.

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Why do citizens need to be involved in elections?

- Elections are a matter of national security. We are trained to respect the military and those that protect our freedom and safety. That is good and honorable, but elections are just as important because if they are influenced from the outside or any source other than legal electors our freedom is at risk
- Our government was designed to be of the people, by the people, for the people. This means THE PEOPLE must be involved.

## **PART TWO- POLL WORKER V POLL OBSERVER V REPORTING VOTER**

1. Ohio Elections are performed at the precinct/ward level. Precincts send their counts to the County Board of Election. The Board of elections tallies their numbers with the incoming precincts and emails the total to the Secretary of State.
2. Poll Workers versus Poll Observers
  - a. Poll workers
    - i. Perform elections. They are trained and appointed by the county in which they live.
    - ii. You will need to register with your BOE and receive training and placement by them

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- b. Poll Observers
  - i. Poll Observers watch over the election. They don't perform the election and are not supposed to touch election equipment.
  - ii. Poll Observers are appointed by parties, groups of candidates, or an issue committee.
  
- c. Reporting Poll Voters are voters who are alert to their surroundings when they go to vote. They keep their eyes and ears open for any issues that may be going on around them and report them to Election Eyes Reporting by dialing 6072-V-WATCH. Reporting Poll Voters must be very careful to maintain the privacy of the voters around them and not be intrusive or interruptive of the voting process in any way.
  
- d. Watch our videos and download the bonus sheet to take with you when you go work the elections

## **PART THREE- ELECTION WORKERS**

- 1. Precinct Election Official (PEO) are responsible for
  - a. Verifying voter eligibility
  - b. Processing voters
  - c. Issuing ballots to voters

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- d. Performing other miscellaneous clerical duties
  - e. Dismantling voting machines and packing up all supplies after the polls close at 7:30 p.m.
2. PEOs must attend their County's training and are appointed by their county to the precinct at which they will work. (Some counties offer practice training, some do not.)
3. High Priority Voting Issues
    - a. Voter ID: Voters in the poll book must show an acceptable proof of identification (ID) to vote. IF the voter is in the poll book but they do not have ID, they must cast a provisional ballot. Valid ID in Ohio include:
      - i. Photo ID issued by the U.S. government or the State of Ohio
      - ii. Military ID
      - iii. Utility bill
      - iv. Bank statement
      - v. Government check
      - vi. Paycheck
    - b. Voters CANNOT USE:
      - i. Driver's license or photo ID issued by a state other than Ohio
      - ii. Social Security card
      - iii. Passport



- iv. Birth certificate
  - v. insurance card
  - vi. Registration acknowledgement from the county BOE
- c. If a voter has moved:
- i. A VOTER CAN vote on a regular ballot IF she/she still resides within the same precinct. BUT, the voter must also fill out a Voter Registration Form so the County can update their registration.
  - ii. If a voter who moved to a new precinct did not update his/her voter registration at least 30 days prior to the election, the voter will be given a provisional ballot.

#### 4. Provisional Ballots

- a. Provisional ballots are used when a voter's eligibility cannot be confirmed. Some scenarios where a voter might be issued a provisional ballot are
  - i. The voter does not have an acceptable ID.
  - ii. The voter's name is not found in the Poll Book or the Supplemental Voter List.
  - iii. The voter was marked as either provisional or absentee (this means the voter may have already voted).
  - iv. The voter's name has changed but their voter registration was not updated to provide legal proof of the name change.



- v. The voter moved within Ohio within 30 days prior to the election and didn't update their registration.
- b. Before a provisional ballot is issued
  - i. The PEO checks whether the voter is registered to vote in that precinct
  - ii. If the voter is registered to vote in another precinct, the PEO provides that information so they may vote on a regular ballot instead of provisional
- c. After a provisional ballot is issued
  - i. The identification envelope/provisional ballot affirmation must be given to the voter.
  - ii. The voter must complete a provisional ballot affirmation. To be eligible to be counted, it must include the voter's printed name, valid signature, date of birth, current address, and acceptable ID. [NOTE: The completed identification envelope —serves as a voter registration update form for the provisional voter and will be printed in the poll book for future elections. *Remember, if the voter's precinct is at a different location, provide him/her that information to give them opportunity to vote on a regular ballot.*]
  - iii. PEOs give the voter a "Provisional Ballot Notice." The notice provides the voter with information on how to follow up on their provisional ballot to see if it was counted and take any additional steps needed.



iv. The voted ballot is placed in the identification envelope /provisional ballot affirmation and the voter puts it into a secure ballot box or bag provided by the board of elections.

#### 5. Mistakes on paper ballots

- a. If a voter damages makes an error on a ballot or damages it (tears, soils, etc.) the voter can bring it to a PEO and a second ballot must be given to the voter. The voter folds it to conceal any marks the voter made.
- b. If it happens again, the voter can be issued another ballot—but no more than three ballots must be issued to a voter.
- c. Return, soiled, defaced ballots, and erroneously marked ballots that are returned to a PEO must be marked “Defaced” on the back of the ballot and place the stub and the ballot in separate containers provide by the BOE for them.
- d. Every paper ballot issued to a voter must be returned to a PEO before the voter leaves.

6. Every voter in line by 7:30 must be allowed to vote.

#### 7. Campaigning at Polling place





- a. Campaigning must be at least 100 feet from the polling entrance or within 10 feet of the last voter in line if the line is longer than 100 feet
  - b. Voters must be allowed to make their decision without pressure
8. At the time for closing the polls, the precinct judge should announce the polls are closed
- a. In the presence of the observer the PEOs shall then
  - b. Count the number of electors who voted, as shown on the pollbooks
  - c. Count the unused ballots without removing stubs
  - d. Count the soiled and defaced ballots
  - e. Insert the totals of the above on the report forms provided for them in the pollbook
  - f. Count the voted ballots. If the number of voted ballots exceeds the number of voters whose names appear upon the pollbooks, the voting location manager shall enter on the pollbooks an explanation of that discrepancy, and that explanation, if agreed to, shall be subscribed to by all of the precinct election officials. Any precinct official having a different explanation shall enter it in the pollbooks and subscribe to it
  - g. Put the unused ballots with stubs attached, and soiled and defaced ballots with stubs attached, in the envelopes or



containers provided therefor, certify the number, and then proceed to count and tally the votes in the manner prescribed by section 3505.27 of the Revised Code and certify the result of the election to the board of elections

## **PART FOUR- POLL OBSERVERS**

1. All observers (except recount observers) must be qualified electors in the State of Ohio.
2. Every observer is required to take an oath prior to observing. If observing multiple days, it's not necessary for the oath to be taken every day—the observer can affirm to an election official each day that the observer understands that they are still under oath.
3. You cannot be an Election Observer if you are a
  - a. Uniformed peace officer
  - b. Uniformed state highway patrol trooper
  - c. Uniformed member of any fire department
  - d. Uniformed member of the armed services or the organized militia
  - e. person wearing any other uniform
  - f. candidate, except in specific situation



4. You can't take any money or compensation from a county, city, village, or township for working as an observer
  
5. The role of an observer is to OBSERVE.
  - a. Observers
    - i. are NOT allowed to handle any election material
    - ii. are NOT allowed to interfere with election workers who are working
    - iii. are NOT allowed to enforce the law or advocate on behalf of voters
    - iv. engage in campaigning
    - v. interfere with elector's access to or from the polling location
    - vi. impede, interfere, or disrupt the election in any way
    - vii. intimidate, harass, or attempt to influence electors or precinct election officials
    - viii. carry a firearm or deadly weapon
    - ix. violate the secrecy of the ballot or the privacy of the voters
  - b. Observers ARE
    - i. Allowed to move around anywhere ballots are being cast, processed, counted, or recounted at a board of elections office, as appropriate if they don't engage in any activity that is not allowed. (A board may deny observers access to parts of its office where ballots are not being cast, processed, counted, or recounted.)



- ii. Allowed to chat with election workers but should not interfere with them doing their job
- c. If there is a problem, an Observer should bring it to the Precinct Judge's attention. If the issue is not addressed, the Observer should leave the voting before contacting appropriate Law Enforcement.
- d. Ohio law provides that election officials have a responsibility to permit the presence of observers throughout the election process. That responsibility carries with it a connected right to remove observers from their posts under very limited circumstances, including behavior inconsistent with Ohio law or Secretary of State Directive, or that interferes with, impedes, or disrupts an election.

#### 6. Phone / Electronic Device Use

- a. Observers cannot use any device in a way that could impair or threaten the security of an election.
- b. Observers cannot use any electronic device that interrupts, interferes with, or impedes an election, intimidates a voter, or risks voter privacy or the secrecy of the voter's ballot
- c. Observers may not use any communication device to discuss the election or perceived problems within the polling location. Step outside and away from voters if you need to do so.
- d. Observers can use communication and audio/video devices in and about the polling area under the following conditions:
- e. Device must be on silent or low vibration
- f. Observers can text, email, and similar communications



- g. The device cannot be used to take pictures, record video, or transcribe any conversations within the polling location
- h. Observers cannot engage in audio conversations on a communication device within the polling location
  - i. Observers cannot use communication devices in any way that disrupts or causes a disturbance in the polling location

## **PART FIVE- OBSERVING AN ELECTION**

Elections observing is primarily watching and documenting. After your shift is over, you can report any concerns to Election Eyes Reporting by dialing 6072-V-WATCH.

Preparing to be a Poll Watcher (election observer)

1. Get appointed. Get trained. Know the laws, procedures, and rules
2. Preparing for poll watching
  - a. Get a notepad and pen
  - b. Prepare for a long day-or whatever your shift is
  - c. Wear comfortable clothing, especially shoes. You will be walking most of the day

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- d. Bring food and drinks and whatever you rely on to get through a long day
3. Try to park close so you can leave things in your care that you want to access throughout the day
  4. Type of things to observe:
    - a. Are the laws and procedures being followed?
    - b. Are there people from two parties in all area ballots are being handled?
    - c. Are there any equipment problems?
    - d. Are machines being swapped out due to dysfunction?
    - e. Are ballots going through machines smoothly?
    - f. How many provisional ballots are there?
      - a. Why are people voting provisional?
      - b. Are spoiled ballots marked "defaced" and placed in the container designated for them?
    - g. Is there any ballot "bleed through"?
    - h. Is ballot paper consistent?
    - i. How many ballots are spoiled?
    - j. How many ballots are being sent to adjudication?
    - k. What is the ratio of R v D ballots being sent to adjudication?
    - l. Are the proper paper/forms being used?
    - m. Ask-how did set up go (from the night before)?
    - n. Ask-were there any problems loading software?



- o. Are there emergencies that cause sudden shifts in processes?
- p. Is any election equipment unsecured/watched at any time?
- q. Is there any campaigning being done within 100 feet of the Polling entrance?
- r. Is there anything being done not in accordance with the law or proper procedures?
- s. Does anything seem unsafe or not physically secure?
- t. Are closing the polls procedures being followed appropriately?  
(ORC 3505.26)

4. Record EVERYTHING. Walk around with your notepad and pen and write down everything you see, wonder, do, ask about, the response, what happens, etc.

5. Whenever you see anything of concern you should go directly to the Precinct Judge or assistant and let them know. Document the interaction. If he/she resolves the issue, document that. If he/she does not, document that. Elections are under the jurisdiction of County Sheriffs.

6. Record

- a. Make and model of machines used
- b. Make and model of electronic poll books used (and even serial numbers if possible)
- c. Number of voters that went through the precinct
- d. Number of election workers present



- e. Party affiliation ration of poll workers

At the end of the day remember to report any concerns you observe to Election Eyes Reporting by dialing 6072-V-WATCH. You can also submit copies of your poll watching notes to [ohioprecinctstrategy.org](http://ohioprecinctstrategy.org).

## **PART SIX- POLL WATCHING IN ABSENTEE BALLOT PROCESSING**

Poll watching in Absentee Ballot Processing areas carry some unique differences. In addition to the things mentioned in the general poll watching video, watch for the following.

1. Absentee Ballots Rules
  - a. Absentee ballots must be postmarked no later than the day before Election Day and received at the board of elections office no later than the 10th day after Election Day.
  - b. If the absentee ballot does not have a postmark, it must be received at the board of elections office no later than 7:30 p.m. on Election Day.
  - c. A postmark does not include mail sent using a postage evidencing system, including a postage meter or postage from private companies that dispense postage through the internet





(e.g., Stamps.com), known as the PC Postage program.

2. Specific things to note in absentee ballot processing centers
  - a. How many UACOVA ballots are received? How many are processed?
  - b. How many Absentee Ballots are sent to adjudication? What is the party ration? (R v D)
  - c. Do the ballots look they were filled out by unique individuals?
  - d. Are there any patterns of absentee ballots that seem unusual? (such as groups of pristine looking ballots, batches of similar vote patterns that seem statistically unlikely?)

## PART SEVEN- UACOVA

1. The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) and the Military and Overseas Voter Empowerment (MOVE) Act are federal laws enacted to protect the rights of United States citizens to vote in federal elections while they are serving in the uniformed services or residing overseas.

### **The following voters are UOCAVA Voters:**

#### **A uniformed services voter is:**

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- a. A member of the active or reserve components of the U.S. Army, Navy, Air Force, Marine Corps, or Coast Guard;
- b. A member of the National Guard and the organized militia who is on activated status;
- c. A member of the merchant marine, the commissioned corps of the Public Health Service or the National Oceanic and Atmospheric Administration; or
- d. A spouse or dependent of any of the above.

**An overseas voter is:**

- a. A person who is considered by Ohio law to be a resident of the state, but currently is living outside the U.S. Before leaving the U.S., the voter was last eligible to vote in Ohio or would have been eligible to vote in Ohio had the voter been 18 years of age or older;  
or
- b. A person who was born outside the U.S., but who has a parent or guardian who last resided and was last eligible to vote in Ohio before leaving the U.S.

2. UOCAVA Ballot processing includes

- a. Determining whether a UOCAVA voter signed the ballot and submitted it for mailing not later than 12:01 a.m. on Election Day. If the board receives the ballot within the timeframe discussed in the



next section, it shall be deemed to have been submitted for mailing by 12:01 a.m. on Election Day;

- b. Confirming that the board received the ballot by the close of polls on Election Day at the office of the board of elections if delivered in person, or by the 10th day after Election Day if delivered by mail. Please note that a postmark is not required in order for a UOCAVA ballot to be valid. The board must count an otherwise valid UOCAVA ballot regardless of whether it contains a timely postmark, a late postmark, or no postmark;
- c. Scanning of the absent voter's ballot using automatic tabulating equipment at a central counting station; and identifying absent voter's ballots that cannot be "read" or are "rejected" by the ballot scanning device to determine whether the ballot needs to be remade so that it can be read by the scanner. This includes remaking of UOCAVA ballots transmitted by email or fax.

## PART EIGHT- ABSENTEE BALLOTS

### 1. Absentee Ballot Processing

- a. All absentee ballots must be returned by mail or in person to the office of the board of elections. No ballot may be returned by fax or email. **Ohio law prohibits the electronic return of an absentee ballot and the processing or counting of any ballot returned electronically.**



- b. Boards of elections may begin processing, but not tabulating, absentee ballots not earlier than the day following the close of voter registration.

“Processing” includes:

0. Opening absent voter’s ballot envelopes that have been examined and accepted as valid. If a ballot is not sealed in the identification envelope, avoid looking at the markings on the ballot, place the ballot in the identification envelope, and seal it
1. Determining whether the stub is still attached;
2. Preparing the absent voter’s ballot for scanning; and
3. Scanning of the absent voter’s ballot using automatic tabulating equipment at a central counting station; and identifying absent voter’s ballots that cannot be “read” or are “rejected” by the ballot scanning device to determine whether the ballot needs to be remade so that it can be read by the scanner. This includes remaking of UOCAVA ballots transmitted by email or fax. **In no circumstance may any board initiate the human-readable reporting of election results from absentee ballots processed prior to 7:30 p.m. on Election Day.**



2. Ohio law requires all absentee voters to put their ballots in the ID envelope and seal the envelope. The BOE must clearly indicate that ballot must be sealed within the ID envelope in order to count. If the board receives an absentee ballot that is not sealed in its identification envelope, the board must seal the envelope.

Except for voters with valid identification and voting in-person immediately, Ohio law requires all absentee voters to place their ballot in the ID envelope and seal the envelope. The board of elections must clearly indicate that the ballot must be sealed within the ID envelope in order to count. If the board receives an absentee ballot that is not sealed in its identification envelope, the board must avoid looking at the markings on the ballot, seal the envelope, and place the ballot in the identification envelope and seal it.

3. At the close of **in-person absentee** voting each day, a bipartisan team of board of elections' employees must secure all poll books, voting equipment, voted ballots, and ballot boxes. The poll books, voting equipment, voted ballots, and ballot boxes must be stored in a manner that prevents unauthorized access. Prior to the start of in-person absentee voting each day, a bipartisan team of board of elections' employees must inspect all voting equipment and ballot boxes to ensure that all tamper-evident seals are intact. The board must program its voting equipment to utilize all available security features, such as the use of a password to open or close the equipment. As a reminder, each



board must ensure that when any voting machine is powered-down after the close of in-person absentee voting each day, the machine does not tabulate any votes cast on it.

#### 4. Mandatory Step by Step Process for Counting Absentee Ballots:

##### **STEP 1 Determine if the ballot was returned in a timely manner**

0. An absentee ballot returned in person to the board of elections office must be delivered by 7:30 p.m. on Election Day. The ballot also may be returned to the board's designated location for in-person absentee voting at any time during in-person absentee voting.
1. An absentee ballot returned via mail must be postmarked no later than the day before Election Day and received at the board of elections office no later than the 10th day after Election Day. If the absentee ballot returned via mail does not have a postmark, it must be received at the board of elections office no later than 7:30 p.m. on Election Day. (A postmark does not include mail sent using a postage evidencing system, including a postage meter or postage from private companies that dispense postage through the internet (e.g., Stamps.com), known as the PC Postage program. ) (UACOVA ballots are excepted from the postmark date



rule.)

2. If the absentee ballot was not timely submitted, the board must reject the absentee ballot
3. If the absentee ballot was timely submitted, proceed to Step 2.

**STEP 2 Determine whether the voter has provided the minimum required information:**

1. In order for an identification envelope to be opened and the absentee ballot to be counted, the absentee voter must provide sufficient information on the absentee ballot ID envelope to identify the voter and to determine that the voter was eligible to cast the ballot.
  - a. Name
  - b. Signature
  - c. Proper ID (see pages 240-241 in the manual for guidelines on proper ID)

**STEP 3 Determine whether voluntary information provided on the absentee identification envelope confirms the voter's eligibility.** (Only if the board of elections cannot confirm that the absentee voter was eligible to cast the ballot based on the required information the absentee voter provided, may it look at the voluntary information provided on the absentee ballot identification



envelope.) See pages 242-244 in the manual for details)

#### **STEP 4 Open eligible absentee ballots and confirm contents**

- If the eligible absentee ballot contains more than one ballot of any kind, or any voted ballot that the voter was not entitled to vote, the board must reject the absentee ballot.
- If Stub A is detached from the eligible absentee ballot, the board must reject the absentee ballot
- If the correct ballot is enclosed in the absentee identification envelope along with Stub A, the board must count the ballot.

The board must endorse the back of the identification envelope of any absentee ballot that was not eligible with the words “Not Counted,” along with the reason the ballot was not counted,<sup>134</sup> and retain the rejected ballot pursuant to established retention schedules.

**All valid absentee ballots returned by the close of polls on Election Day, whether returned in person or by mail, must be included in the unofficial canvass.**

Valid absentee ballots received after the close of polls on Election Day through the 10th day after the election, including ballots whose identification envelopes were insufficient but were cured by the 7th day following the election, must be included in the official canvass.