DEMOCRATIC PARTY OF MILTON TOWNSHIP

ELECTION DAY & POLLWATCHING GUIDE

Pollwatching issues? Call:

DuPage Dems office

(630)629-1125

**ELECTION DAY**

*Vote early so you are available to your precinct to give rides, phone, or otherwise support the election process.*

**Start of the day**

PCs should make sure that their polling location opens on time. If there are any issues, the PC should immediately contact the DuPage Democrats office or the County Party Election Day Attorney (630-629-1125 for both).

**Get out the vote**

A very important duty for a PC is to get Democratic voters out to vote on Election Day. On Election Day, go to or call the Democratic voters you have identified and make sure they get to the polls.

**Support your judges**

Take them coffee, cookies, ice cream (check with them first to see if they already have plenty, because now that more than one precinct votes at a polling place, sometimes the judges are swimming in food). Make sure to make it clear that the snacks are for all the judges, not just Democrats.

**Credentials for Poll Watching**

PCs, if staying at the polling place, must present credentials to the Judges of Election upon entering the polling place. The judges will keep these credentials in an envelope for the entire day. If the PC needs to leave, they simply sign the envelope upon leaving and re-entering. The credentials properly executed and signed shall be proof of the qualifications of the pollwatchers’ authorization.

PCs can obtain credentials from the Democratic Party of Milton Township or the DuPage Democrats. These will be provided a week or two prior to the election and must be signed by a candidate or the chair of the Democratic party.

**Pollwatchers and election staffing**

Consider pollwatching for as long as you can. You can come and go any time – just sign in and out on the pollwatcher envelope that the election judges have and leave your credentials in the envelope all day. At a minimum, stop in from time to time throughout the day to see how things are going. You can ask friendly questions, like "how is the turn-out?" but don't annoy the judges if they are busy.

All PCs are allowed to and should plan on spending some time at their polling place on Election Day to poll watch. Pollwatchers play an important role in making sure all the laws are being followed. Because it is less demanding than being a judge, pollwatching is a good activity for new recruits in your precinct (you do not need to be a PC to be a pollwatcher). Pollwatchers from your precinct can help out at other precincts as well.

The right to vote is the cornerstone of our democracy. It is the duty of all election judges and pollwatchers collectively to protect this voting right. When a pollwatcher observes an administrative error or irregularity by the judges, she should courteously call it to their attention. If the judges fail to correct the error or refuse to follow legal procedures, then the pollwatcher should record her observations and contact the election authority (phone 630-407-5600). Judges may be removed from office for misbehavior or neglect of duty, and may also be cited for contempt of court.

A pollwatcher should establish a cooperative relationship with the judges. Pollwatchers should be aware of possible election irregularities and the various methods of vote fraud to enable them to distinguish such activity from proper voting procedures. It is important that pollwatchers become familiar with the procedures outlined in the manuals of instruction for election judges published by the State Board of Elections (visit [www.elections.il.gov](http://www.elections.il.gov) and excerpts on the following pages). Following the procedures in the manuals, the election judges along with the pollwatchers and the election authorities can ensure that elections are administered fairly and that the rights of voters are protected.

**At the end of the day**

Take your cell phone and go to the polling place BEFORE it closes. You are entitled to a tape of the results (use your judgment on how insistent to be if the judges are tired or short-handed). You should also keep an eye on the process, and if you see anything that you think is amiss, call the County hot line. No one can come into the polling place after it closes at 7:00, not even the Republican committeeman, nor you if you get there late.

**POLLWATCHING DETAILS**

**The following instructions are excerpts from the Illinois State Board of Elections Guide for Pollwatchers . You do not need to memorize all of these rules, but it is a good idea to read them over before pollwatching. You may also take this information with you to the polling place for reference:**

**The Pollwatchers’ Role On Election Day** (10 ILCS 5/7-34, 17-9, 17-13, 17-23, 18-5, 18-6)

**Before the Polls Open**

Before the polls open, pollwatchers may observe the set-up procedures and check that the ballot box is empty. They may observe the judges as they compare the official ballot with the specimen ballot for that precinct.

**During Voting Hours**

During the day, pollwatchers have a right to be near enough to the judges to visually examine the voter’s ballot application to compare the signature on the application with that on the signature verification record, and to observe the judge initialing the ballots. They may also watch the ballots being deposited into the ballot box and observe the general conduct of the election.

Pollwatchers are not allowed to touch any supplies or materials and at no time may pollwatchers be so close to the judges that they interfere with the orderly conduct of the election. Pollwatchers shall be permitted to observe all proceedings and view all reasonable requested records relating to the conduct of the election, provided the secrecy of the ballot is not impinged.

Once a pollwatcher has surrendered a valid credential, he/she may leave and re-enter the polling place provided that such continuing action does not disrupt the conduct of the election.

Pollwatchers may be substituted during the course of the day. During a primary, each established political party may have 1 pollwatcher at a time. During a consolidated or General election, each party may have 2 pollwatchers at a time.

**After the Polls Close**

Pollwatchers present at the close of the polls may observe the counting and tallying procedures and remain in the polling place until all procedures are completed. After the polls close, pollwatchers may leave and re-enter only in case of necessity. While they may not interfere in any way with such procedures, they may call to the attention of the election judges any violations of election laws.

Precinct Committeemen are allowed to have a copy of the tape that is produced from the voting machines. Sometimes election judges will comment that it takes too much time to run an extra tape, so if you decide not to ask for one, you may want to at least review a tape and write down the results for your precinct.

**WHO MAY NOT VOTE?**

The following individuals may not vote at the polling place:

1. Individuals who are not registered, and refuse the opportunity to register through grace period registration.

2. Individuals who have moved OUTSIDE of their jurisdiction (county or board of elections) more than 30 days prior to the election, did not transfer their registration and refuse the opportunity to register through grace period registration.

3. Individuals who have moved within their jurisdiction more than 30 days prior to the election, have not transferred their registration and refuse the opportunity to change their address within the grace period; however, voters in this category are still eligible to vote for federal offices only, if there are federal offices on the ballot.

4. A voter applying to vote in the precinct on Election Day whose name appears on the list as having been issued a vote by mail, early or grace period ballot and who admits to having voted a vote by mail, early or grace period ballot.

5. Non-registered veterans discharged from active duty more than 60 days before the election and who refuse the opportunity to register through grace period registration.

**Challenging a Person’s Right to Vote** (10 ILCS 5/7-34, 17-9, 17-23, 18-6, 18A-2)

An election judge, a pollwatcher, or a voter may challenge a person’s right to vote. When a pollwatcher challenges the right of a person to vote, a specific reason for such challenge must be stated.

The judges, by majority decision, have the sole power to sustain a challenge (agree with the challenger) or overrule a challenge (disagree with the challenger).

Some reasons for challenging include the following:

a. The voter no longer resides at the address at which he/she is registered.

b. The person attempting to vote is not the same person registered.

c. The person attempting to vote has already voted.

d. The person attempting to vote is not registered to vote.

If a majority of the judges sustain the challenge (agree with the challenger), the voter must be informed of their right to receive a provisional ballot. If a majority of the judges overrule the challenge, the voter will continue to vote as if no challenge had been made.

**Possible Illegal Election Day Activities to Look For** (10 ILCS 5/7-34, 17-9, 17-23, 17-29, 18-6)

The election judges should be notified and be made aware of any irregular activity in the polling place. If any of the following activities occur, note the individual(s) involved including the time and place of occurrence:

a. Electioneering – active campaigning and solicitation of votes by a candidate, candidates or party workers in the polling place or within the 100 foot campaign free zone of the polling place.

b. Voters who try to leave the polling place with a ballot.

c. Impersonating a registered voter.

d. Payment for a vote.

e. Tampering with voting equipment.

f. Illegal casting of votes.

g. Interfering with the voting process.

h. Harassing the election judges.

i. Harassing the voters.

j. Illegal voter assistance or instruction.

k. Disregard of Illinois election laws.

l. Requesting ballot after voting an early or grace period ballot.

**VOTERS REQUIRING AFFIDAVITS OR OTHER DOCUMENTATION**

The following individuals may vote only after completing the appropriate affidavit:

**Voter Moved Within Precinct** (10 ILCS 5/4-16)

If a registered voter moved within the precinct within 27 days prior to the election, the voter may vote after completing the appropriate affidavit which must be accompanied by a supporting affidavit. He or she may contact the election authority to find out about Grace Period Registration and Voting. Grace Period Registration and Voting is now available through Election Day, and the guidelines are described on page 32.

**Voter Moved Outside the Precinct** [10 ILCS 5/17-10(b)]

If a registered voter moved within 30 days preceding the election, to a residence outside the precinct (but within the State of Illinois), the voter may vote after completing the appropriate affidavit which must be accompanied by a supporting affidavit. This person may vote only in-person and only at the polling place where the person was previously registered. He or she may contact the election authority to find out about Grace Period Registration and Voting. Grace Period Registration and Voting is now available through Election Day, and the guidelines are described on page 32.

**Name Change** (10 ILCS 5/4-16)

Any registered voter, who changes his or her name, still resides in the same precinct and is otherwise qualified, may vote upon making an affidavit at the polling place attesting that the voter is the same person who is registered to vote under his or her former name. He or she may contact the election authority to find out about Grace Period Registration and Voting. Grace Period Registration and Voting is now available through Election Day, and the guidelines are described on page 32.

**Name on Poll Sheet Only** (10 ILCS 5/4-15, 4-22, 5-29, 6-66)

A person whose name is on the poll sheet, but whose name is not on the signature verification record, may vote after completing the appropriate affidavit which must be accompanied by a supporting affidavit. Two supporting affidavits are required in jurisdictions with populations of more than 500,000.

**Non-registered Military Personnel** (10 ILCS 5/4-23, 5-29.01, 6-67.01, 17-9)

Non-registered military personnel who have maintained a legal residence in the precinct for at least 30 days may vote after completing the appropriate affidavit which must be accompanied by a supporting affidavit. Spouses and dependents must be registered in order to vote in-person on Election Day.

**Non-registered Veterans Separated Within 60 Days** (10 ILCS 5/4-23, 5-29.01, 6-67.01, 17-9) Non-registered veterans who have left active military service within 60 days of the election may vote after completing the appropriate affidavit and providing satisfactory evidence of discharge. This affidavit must be accompanied by a supporting affidavit. This category does not include spouses or dependents. Spouses and dependents must be registered in order to vote in person.

**Assisted Voter** (10 ILCS 5/7-48, 17-14)

If a voter requires assistance in voting, an Assisted Voter Affidavit must be completed before the assistance is given. The affidavit must be signed by both the voter and the individual(s) providing the assistance.

**Voter Requests Cancellation of Vote By Mail Ballot** (10 ILCS 5/17-9, 18-5)

If the voter wishes to cancel their vote by mail ballot, but does not have the ballot, they can complete an affidavit specifying the ballot was never received or that he or she completed and returned the ballot and was informed that the election authority did not receive it. If the voter surrenders the vote by mail ballot, or a portion of a damaged ballot, the voter does not need to complete the affidavit.

**WHO MAY VOTE A PROVISIONAL BALLOT**

A person who claims to be a legally qualified registered voter in the precinct in which he/she seeks to vote, is entitled to cast a Provisional Ballot under one of the following seven circumstances:

1. The person’s name does not appear on the official list of eligible voters for the precinct in which the person seeks to vote and the person has refused an opportunity to register at the polling location or another grace period registration site;

2. The person’s voting status has been challenged by an election judge, a poll watcher, or any legal voter and that challenge has been sustained by a majority of the election judges;

3. A federal or State court order extends the time for closing the polls beyond the time period established by State law and the person votes during the extended time period;

4. The voter registered to vote by mail and is required by law to present identification when voting either in person or by early voting ballot, but fails to do so;

5. The voter’s name appears on the list of voters who voted during the early voting period, but voter claims not to have voted during the early voting period;

6. The voter received a vote by mail ballot but did not return the vote by mail ballot to the election authority; or

7. The voter attempted to register to vote on Election Day, but failed to provide the necessary documentation.

**PROCEDURES FOR CASTING A PROVISIONAL BALLOT** [10 ILCS 5/18A-5(b)]

• An individual who is eligible must be informed of his/her right to vote provisionally.

• An election judge must verify that the person’s address is within the given precinct’s boundaries. If the person’s residence address is outside the precinct boundaries, the election judge shall inform the person of that fact, give the person the appropriate telephone number of the election authority in order to locate the polling place assigned to serve that address, and instruct the person to go to the proper polling place to vote.

• The person shall be provided an “Application to Vote”, a “Provisional Voter Affidavit”, a “Provisional Ballot Envelope”, the correct ballot, and written instructions. If it is uncertain as to what ballot style to give the voter, contact your election authority.

• The election judge will sign the affidavit and check a box on the affidavit that states which of the seven reasons for why the person was given a Provisional Ballot. The original affidavit must be kept with the “Provisional Voter Envelope,” with a copy of the completed affidavit to be given to the voter. The election judge must accept and place in this clear packing area of the envelope any information (provided by a person who casts a Provisional Ballot) that the person believes supports his or her claim that he or she is a duly registered voter and qualified to vote in the election. If the provisional voter does not have the necessary documentation, he or she must provide the election authority with the documentation within seven days of the election.

• The voter will vote the ballot, place it in the “Provisional Ballot Envelope,” seal the envelope, and return it to the election judges. All “Provisional Ballot Envelopes” will be deposited into a separate securable container identified and utilized for sealed Provisional Ballots only. All Provisional Ballots cast after 7:00 p.m. by court order shall be kept separate from other provisional ballots.

• The written instructions provided to the voter shall state how, after the election, the voter may determine if his or her ballot was counted, or if the Provisional Ballot was not counted, the reason that it was not counted.

• Upon the closing of the polls, this unopened, sealed, securable container containing the Provisional Ballots will be returned to the election authority along with the other election supplies.

**ELECTIONEERING** (10 ILCS 5/7-41)

(c) No person shall do any electioneering or soliciting of votes on primary day within any polling place or within one hundred feet of any polling place, or, at the option of a church or private school, on any of the property of that church or private school that is a polling place. Election officers shall place 2 or more cones, small United States national flags, or some other marker a distance of 100 horizontal feet from each entrance to the room used by voters to engage in voting, which shall be known as the polling room. If the polling room is located within a building that is a private business, a public or private school, or a church or other organization founded for the purpose of religious worship and the distance of 100 horizontal feet ends within the interior of the building, then the markers shall be placed outside of the building at each entrance used by voters to enter that building on the grounds adjacent to the thoroughfare or walkway. If the polling room is located within a public or private building with 2 or more floors and the polling room is located on the ground floor, then the markers shall be placed 100 horizontal feet from each entrance to the polling room used by voters to engage in voting. If the polling room is located in a public or private building with 2 or more floors and the polling room is located on a floor above or below the ground floor, then the markers shall be placed a distance of 100 feet from the nearest elevator or staircase used by voters on the ground floor to access the floor where the polling room is located. The area within where the markers are placed shall be known as a campaign free zone, and electioneering is prohibited pursuant to this subsection. Notwithstanding any other provision of this Section, a church or private school may choose to apply the campaign free zone to its entire property, and, if so, the markers shall be placed near the boundaries on the grounds adjacent to the thoroughfares or walkways leading to the entrances used by the voters. At or near the door of each polling place, the election judges shall place signage indicating the proper entrance to the polling place. In addition, the election judges shall ensure that a sign identifying the location of the polling place is placed on a nearby public roadway. The State Board of Elections shall establish guidelines for the placement of polling place signage.  
    The area on polling place property beyond the campaign free zone, whether publicly or privately owned, is a public forum for the time that the polls are open on an election day. At the request of election officers any publicly owned building must be made available for use as a polling place. A person shall have the right to congregate and engage in electioneering on any polling place property while the polls are open beyond the campaign free zone, including but not limited to, the placement of temporary signs. This subsection shall be construed liberally in favor of persons engaging in electioneering on all polling place property beyond the campaign free zone for the time that the polls are open on an election day.