

*other reason why you are not qualified to vote at this election. You do further declare that you are aware that it is a crime to make any false statement. That all the statements you have made to the board have been true and that you understand*



*that a false statement is perjury and you will be guilty of a misdemeanor.”*

(Election Law 8-504.3)

## Dutchess County Board of Elections Inspector Handbook



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[www.dutchesselections.com](http://www.dutchesselections.com)

## **A Message from the Commissioners**

As an Election Inspector, you play an extremely important role in our elections process. We sincerely appreciate your dedication and commitment to this process. We know that the work of an Inspector can be difficult and tiring. But when you have done your job well, you will know that the voters in your district have been well served and our elections process a success.

Please review the material in this booklet and use it as a reference to help you on election day.

On behalf of the Dutchess County Board of Elections, we thank you for your service.



David Gamache



Fran Knapp

*such questions as may be put to you concerning your qualifications as a voter."*

(Election Law 8-504.1)

## **Qualification Oath**

For an individual who has been challenged and has responded to questions from the Board of Inspectors as to his or her voting qualifications:

*"You do swear (or affirm) that you are eighteen years of age, that you are a citizen of the United States and that you have been a resident of this state, and of this county for thirty days next preceding this election, that you reside at the same address at which you have been duly registered in this election district, that you have not voted in this election, and that you do not know of any*

that he or she *"will not in any manner request, or seek to persuade or induce the voter to vote any particular ticket for any particular candidate, and that he will not keep or take any memorandum or entry of anything occurring within the booth, and that he will not, directly or indirectly, reveal to any person the name of any candidate voted for by the voter, or which ticket he had voted, or pursuant to law to give testimony as to such matters in a judicial proceeding."*

(Election Law 8-306.5)

### **Preliminary Challenge Oath**

For an individual who has been challenged and who is about to be questioned by the Board of Inspectors as to his or her voting qualifications:

*"You do solemnly swear (or affirm) that you will make true answers to*

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## **CHAIRPERSON**

There are four Inspectors (two from each major party) assigned to each polling location. It is important that you work as a team to ensure an honest and efficient election is conducted. The four inspectors will vote on who will be chairperson. The Chairperson is the "team leader". Along with the basic Inspector responsibilities, the Chairperson will:

- Only allow voting to take place when there is at least one inspector from each party present.
- Assist in arranging for meal times and short breaks when needed to make sure that at least one person from each party remains at the polling place.
- Insure that election results are phoned in to the appropriate number at the close of the polls.

## **CHALLENGE REPORT:**

A "Challenge Report" is provided in with the supplies in all poll bags. The headings on the report are:

1. Name or Address Change
2. Challenges
3. Assistance Provided
4. Affidavit Ballots/Court Orders

It is important that the Challenge Report be completed by Inspectors.

## **Voter Assistance Oath**

For a person, other than an Inspector, who assists an individual in voting. This must be taken before the person rendering assistance enters the voting booth. The person providing assistance must swear or affirm

tions, the challenge is withdrawn and the individual is allowed to vote on the machine in the normal manner. In the event of a tie, the individual is still allowed to vote.

If the Inspectors vote that the challenge is correct, the individual is told they can't vote. If the voter still insists they are qualified to vote, administer the Qualification Oath to be sure that the individual understands the voting requirements and that they know if they make a false statement they are guilty of perjury. The challenged voter is now able to vote.

If the voter's name is in the poll book, they may then vote on the machine. If their name is not in the poll book, they vote by Affidavit Ballot.

- Insure that one of the Inspectors returns the poll bag to the designated place in their Town.

## **VERIFYING VOTER QUALIFICATIONS**

### **When A Voter Steps Up to the Table to Vote**

Two Inspectors, one from each political party, should jointly supervise verifying each voter's registration at the polling place. When a person approaches the Inspectors' table to vote, complete the following eight steps:

1. Greet the voter.
2. Ask for the voter's name. You should loudly and distinctly repeat the person's name.
3. Write the name of the person onto the Voter List

4. Find the voter's registration record in your printed poll book. In a **PRIMARY ELECTION**, check that the voter is enrolled in a political party that has a primary election. A voter in a **General Election** need not be enrolled in a party to vote.
5. Have the voter sign the Poll Book and the Election Inspector should initial the signature.

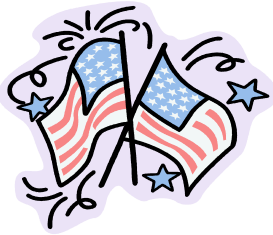
**Note:** If the voter states s/he has changed address but is still within your election district and his/her name is in the poll book, that person may vote on the machine. Please use the street guide provided in your poll bag to determine if the voter is in the correct district.

- The person is believed to not reside at their registered address.

### **Steps to Challenges:**

1. Make the challenge before the voter votes.
2. Add the challenged voter's name to the Challenge Report.
3. Give the challenged voter the "Notice to Voters" form explaining their legal options.
4. Administer the Preliminary Oath to the voter. If the voter refuses to answer the questions or take the oath, they may not vote. Remind the voter that false statements are punishable as perjury.
5. Deciding the Challenge: If the Inspectors of your district, by majority vote, are satisfied with the voter's answers to these ques-

watcher indicates that they do not plan to return to that polling place. Poll watcher certificates should be



returned to the Board of Elections in your poll bag.

### **CHALLENGES:**

A voter can be challenged at the polling site by an Inspector, Poll Watcher or any registered voter for several reasons, some of which are:

- the person's signature does not match the poll book signature
- Someone else using the same name has already voted

**If a voter's name is not in your poll book**, check the street guide to locate the correct election district it will give you the correct election district number.

1. If more than one district votes in the same polling place, please check with the other election districts within the building to be sure that the voter gets to the correct machine.

2. If after looking at the street guide it is determined that the voter's election district is outside of your building, use the Poll Site List to lookup the address of the voter's polling site.

3. If the voter's address is in your district, proceed to issue them an affidavit ballot.

## **AFFIDAVIT BALLOTS**

An affidavit ballot is a special paper ballot which, once voted, goes into a special envelope which must be accurately and completely filled out by the voter. These ballots are not opened at the polls on election night.

Use an affidavit ballot when:

1. Any voter whose poll record is missing and who claims to be a registered voter in your district.
2. If a voter claims to be registered in the County but has recently moved into the district.
3. Note: If a voter is not registered in the County and has recently moved into the district, ask the voter to complete the voter registration form section of the affidavit ballot. Only previously registered voters in the County will have their vote count.

3. Challenge persons whom they believe are not qualified to vote.
4. Observe the canvass of the vote.
5. Be permitted within the poll inspectors area.

Poll watchers **CANNOT**:

- Electioneer
- Handle official documents
- Interfere with the election process
- Protest a vote ruling
- Accompany a voter to the booth

### **Certification of Poll Watchers:**

All poll watchers must have a written certificate issued by the Chairperson or Secretary of the political party which they represent. A candidate may also be a poll watcher. This certificate must be shown to the Election Inspectors and must then be collected by the Inspectors when a

## **NAME CHANGES:**

If a person has changed their name since they last voted or registered, they can vote without re-registering. Have the voter sign their name as it appears in the poll book and, just above it, have them sign their new name.

This name change also needs to be noted in the appropriate column of the Challenge Report.

## **POLL WATCHERS:**

Poll watchers are entitled to:

1. Be present at the polls 15 minutes before opening and may stay until after the signing of the inspector's report and the closing of the polls.
2. View the unlocking of the voting machine before the opening of the polls.

If any of these situations arise, you are required to give the voter the "Notice to Voter's" form, which outlines the voter's legal options.

The voter can use an affidavit ballot OR obtain a court order to vote on the machine. If the voter requests a court order they are to be directed to the Board of Elections, 47 Cannon Street, Poughkeepsie, New York to speak to a judge.

## **Steps to vote by affidavit ballot:**

1. A voter's poll record may be "missing" from your book because the voter is actually in the wrong polling place. Carefully check the street list in your poll bag to find out if the voter should go to a different polling place.
2. If the person appears to belong in your district, but his or her name is not in the poll book, he or she

may vote by affidavit ballot.

3. If the person decides to vote by affidavit ballot, have the voter complete the affidavit envelope, including all the necessary information. Any information left off the ballot envelope may prevent the ballot from being counted.
4. Provide the voter with a paper ballot.
5. Instruct the voter to privately mark the ballot. Basic instructions are to only mark the box for the candidate they wish to vote for, do not cross out or mark up the ballot in any way. If a mistake is made, instruct the voter to ask the inspector for another ballot. The voter can have up to 3 ballots. Ballots with mistakes on them should be marked "void" and returned with the rest of the sup-

in the space provided that assistance was received.

3. If the voter has no one else to help them vote, one inspector from each party will enter the voting booth with the voter. If the voter requests help from someone other than the inspector, administer the "Voter Assistance Oath".
4. Provide the needed assistance but do not influence their vote or observe how the voter has voted. If you happen to notice how the person voted, tell no one—it is a felony if you do.
5. Enter the name of the voter who received assistance, and the name and address of the person who provided assistance on the Challenge Report.

the inspector must indicate the voter's name on the Challenge Report. When adding the voter's name to the voter list enter "court order" next to the name instead of a number or "EB".

### **PROVIDING VOTER ASSISTANCE**

Any voter who states that he or she requires assistance in the voting machine may request help from the Election Inspectors. The voter may also request and receive assistance from any other person except their employer or their union agent.

If a voter requests assistance take the following steps:

1. Have the voter swear that he or she needs assistance.
2. Have the voter sign his or her name in the poll book and indicate

plies. After the voter has voted, the ballot must be SEALED in the affidavit envelope.

6. Make sure that the voter signs the affidavit on the envelope or the vote will not be counted.
7. An inspector must sign the affidavit envelope in the space provided.
8. Enter the voter's name and address in the appropriate section of the Challenge Report.
9. Place the SEALED affidavit ballot in the large envelope provided in your poll bag.

### **EMERGENCY BALLOTS**

Some machine problems may arise that require using the emergency paper ballots that are provided in your supplies. After you have contacted

your Custodian, use the emergency ballots for voting.

### **Steps to vote by Emergency Ballot:**

1. Enter the voter's name on the Voter List without issuing a number and mark "EB" (emergency ballot) next to it. Have the voter sign the poll book as usual, but write "EB" beside the voter's name in the space for the number. If the voter's name is not in the poll book, they can not vote by emergency ballot and must be given an affidavit ballot, even if the machine is broken.
2. Give the voter a paper ballot. Instruct the voter to complete the ballot privately. Remember to instruct the voter to be careful to mark only one box for the candidate of their choice and if they make an error to ask for another

paper ballot. As with the affidavit ballots, voters may use up to three paper ballots.

3. Have the voter seal their completed ballot in the "emergency ballot" envelope that is provided in the poll bag.
4. Place the SEALED emergency ballot in the large envelope provided in your supplies.
5. Emergency ballots are not counted at the polls on Election Night.

### **COURT ORDERS:**

A voter that comes to the polling place with a Court Order signed by a Supreme Court Judge is permitted to vote on the machine. They are required to sign the court order (these voters will not be in the poll book). They can vote on the machine and