

## Registrar of Voters Certification

### **Section 6—Absentee Voting & Supervised Absentee Voting**

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## Absentee Ballots

- Available at all primaries and elections, and in referenda where permitted by law
- Absentee Ballot Counting Officials
  - Election officials
  - Must attend training session conducted by ROV & moderators
- Take an oath on election day and time of oath recorded on Certification of Administration of Oath

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## Absentee Ballots

- Who may observe counting
  - At the polls
    - Located so it can be seen by election officials and electors in polls
    - General public can not observe during voting hours
  - At central counting
    - Public can observe all day
    - But can not be close enough to see actual vote
  - No one may disclose absentee vote count until after 8 pm

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## Absentee Ballots

- Types
  - Regular
    - unable to appear at his polling place during the hours of voting because of
      - absence from town,
      - illness,
      - physical disability,
      - tenets of religion prohibiting secular activity,
      - service as an election official at a polling place other than his own, or
      - active service in the armed forces of the U.S.
    - All candidates and questions printed on ballot

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## Absentee Ballots

- Types (cont)
  - Official Blank Absentee Ballot
    - Available, 90 days before regular election only,
    - to US military, spouses and dependents living with them, who can not use regular 31 absentee ballot because of military contingency
    - List of candidates and questions sent when available, about 45 days before election
    - Blank ballots issued 45 days before regular election, sent with list of candidates and questions

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## Absentee Ballots

- Types (cont)
  - Overseas Ballot
    - US citizens residing abroad who last resided in US in town in Conn.
    - Contain only Federal Offices
      - Available for Federal election, primary of federal office, Presidential Preference Primary
  - Presidential Ballots
    - Available to former residents of CT who are not registered in new state
    - Can vote only for President

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## Absentee Ballots

- Electronically Issued Military and Overseas Ballots
  - Based on federal law, Conn. issues blank ballots and certification page to military an overseas voters electronically
  - Elector writes in the candidates and questions wishes to vote on and mails ballot & signed certification page
  - NOTE: normally absentee ballot should be rejected if not in proper envelope; because ballot is transmitted electronically, no envelope can be sent; the certification pages replaces the normal envelope

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## Absentee Ballots

- Assistance Completing Application
  - Person who assists applicant completing application
    - Set forth in application name, address and tel. number
    - Signs application
  - Failure to give that information Does **NOT** invalidate application
- Applicant unable to write
  - Person authorized by applicant completes application
  - In place for signature prints the name of the applicant
  - Followed by the word “by”
  - Signs his own name
- No candidate can be present when AB marked, except if member of immediate family

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## Absentee Ballots

- Regular Absentee sets issued
  - 31 days before election
  - 21 days before primary
- On first day of issuance clerk sends AB sets to all applicants previously received
- Clerk sends AB sets for any applications received after 1<sup>st</sup> day of issuance within 24 hours

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## Absentee Ballots

- Distribution of AB applications
  - No can be paid solely to distribute AB applications
  - Person distributing 5 or more AB applications, must register with clerk
  - Distributor must keep list of names and addresses of persons he gave applications
    - File list with clerk before day of election, primary or referendum
  - No candidate, party or candidate committee can mail unsolicited AB application, unless includes
    - Requirements to vote by AB
    - Warning that there may civil or criminal penalties for voting by AB when not eligible

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## Absentee Ballots

- Definitions
  - “Designee” means
    - person caring for an ill or physically disabled applicant, including but not limited to, a licensed MD, RN or LPN,
    - member of the applicant’s family, designated by applicant who consents, or
    - if no such person consents or is available, police officer, ROV, deputy ROV or assistant ROV.
  - “Immediate family” means dependent relative who resides same household or spouse, child or parent
  - “Mailed” means sent by US Postal Service or commercial carrier of messenger service approved by SOTS

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## Absentee Ballot

- Generally, Absentee Ballots are not issued on the day of a primary, election or the opening of the polls at a referendum
  - Except:
    - Illness, disability or hospitalization occurring within 6 days prior to a primary, election referendum (Emergency Absentee Ballot) 9-150c
    - Presidential Ballot
    - Overseas Ballot
- Generally no one but the applicant, certain officials, and post office or printer employees can possess absentee ballots
  - Except a designee of an applicant suffering an illness, disability or hospitalization occurring within 6 days prior to a primary, election referendum (Emergency Absentee Ballot) 9-150c

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## Absentee Ballot

- Issuance of Emergency Absentee Ballot ED-3E
  - Reason: applicant's illness, disability or hospitalization occurring within 6 days before close of the polls
  - In the AB application, applicant
    - Gives name & address of designee
    - Identifies the category that makes this person proper "designee" (care giver, immediate family, police, ROV)
    - "designee" signs application accepting the designation **AND** promises not to tamper with ballot
  - AB applicant indicates whether he wants ballot mailed or given to designee
  - If ballot to be delivered by applicant, designee must personally deliver completed application to Clerk

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## Absentee Ballots

- Emergency Absentee Ballot –
  - 3 trips to Clerk's office, if designee to deliver ballot
    - Someone – usually the designee – picks up blank application (ED-3E) from Clerk & delivers it to applicant
    - Designee personally delivers completed application to Clerk and receives Absentee Ballot set and delivers it to applicant
    - Applicant votes ballot, signs certification & seals it in both envelope; designee returns ballot to Clerk before close of polls

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## Absentee Ballots

- “Designee” to return ballot vs. “designee” to deliver & return Emergence AB
  - Both types of “designees” are the same classes of people
  - Return designee simply transporting a voted ballot sealed inside 2 envelopes – low risk of tampering
  - Does **NOT** have to be in writing
  - Emergence AB “designee” transporting **UN**-voted, not sealed in anything – much higher risk of tampering
  - Emergence AB “designee” **MUST** be in writing in application, “designee”, accepts appointment, swears not to tamper with ballot, signs application

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## Absentee Ballots

- Return of Absentee Ballot 9-140b (cont.)
  - Mailed by
    - Applicant
    - designee of person who is ill or physically disability
  - To clerk by applicant in person
    - by day before election or primary
    - prior to opening of polls at referendum
  - to said clerk, in person, by designee of ill or physically disabled applicant by close of polls
  - to said clerk, in person, by member of applicant’s immediate family by close of polls

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## Absentee Ballots

- Return of Absentee Ballot 9-140b (cont.)
  - Presidential and Overseas Ballots
    - By voter in person
    - By US Postal Service (USPS)
    - Person, other than voter or USPS, delivering ballot must sign his name and address and the date and time of delivery on the outer envelope in the clerk's presence
  - If delivered by designee of ill or disabled applicant, or by immediate family member of applicant, person returning
    - Presents ID
    - On outer envelope
      - signs name, in presence of clerk
      - Indicates
        - › Address
        - › Relationship to applicant , or position
        - › Date & time of return

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## Absentee Ballot

- Time for Counting
  - Ballots should be delivered to the counting locations between 10 am and 12 noon and again at 8 pm. At the option of the ROV's and the Town Clerck there can also be a 6 pm delivery.
- Receipt of ballots
  - When ballot received town clerk must sign envelope and note the date and time of receipt

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## Absentee Ballot

- Presorting and checking
  - During the week before the election, primary or referendum, the town clerk sorts the absentee ballots by voting districts
  - ROV check ballots and mark absentee voters by “A” on registry list
  - All ballots received by 11 am day before election to be pre checked and pre sorted

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## Absentee Ballot

- Permanent Absentee Ballot Status
  - Permanently disabled elector who applies for absentee ballot with a certification of that fact from primary care provider shall permanently receive an absentee ballot for all primaries, elections and referenda in his voting district
  - In January of each year ROV’s shall send notice to all permanent absentee voters
  - Elector will be removed from permanent absentee voter list if
    - Notice returned undeliverable, or
    - notice not returned within 30 days
  - If elector returns notice stating he has moved in town, ROV’s shall change elector address on the registry list

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## Absentee Ballot Counting

- Faxed application (ED-3)
  - Town Clerk keeps list of all absentee ballots issued based on faxed ED-3
  - Must receive ED-3 with original signature by 8 pm election day
  - Any ballots received before ED-3 with original signature, Clerk holds ballots until 8 pm
  - If no ED-3 received, at 8pm Clerk notes “no original ED-3 received “on each such ballot and sends for counting
  - Counters open both ballot envelopes
    - If Ed-3 with original signature with ballot, count ballot
    - If not reject

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## Absentee Ballot Counting

- Federal Elections, Overseas Ballot
  - Faxed Federal Post Card Application (FPCA) or Faxed ED-70 Application Received by Town Clerk
    - Clerk keeps list of all overseas ballots issued based on Faxed Federal Post Card Application (FPCA) or Faxed ED-70 Application
    - If application received by election day clerk crosses name off list
    - If application with original signature received, count normally
    - If not, call clerk to make sure not received by 8 pm
    - Open outer & inner envelope to see if application with original signature inside
    - If it is, count normally, if not reject

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## Absentee Ballot Counting

- Federal Elections, Overseas Ballot (cont.)
  - If No Faxed Federal Post Card Application or Faxed ED-70 Was Received By the Town Clerk
    - If No Faxed Federal Post Card Application or Faxed ED-70 Was Received By the Town Clerk & Overseas Ballot issued based on direction of Registrar, original FPCA or ED-70 must be received prior to the day of the election
    - If not received, Clerk rejects
    - Process as rejected ballot

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## Absentee Ballot Counting

- Federal Write-in Absentee Ballot (FWAB)
  - A person who returned a FWAB who is not an elector by 5pm on the day before the election will be added to the list of Overseas voters
  - Clerk holds all FWAB's until 8 pm on election day
  - If an elector returns both a FWAB and a full ballot, the FWAB is rejected and full ballot processed normally

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## Absentee Ballot Counting

- **Step 1:** moderator records number of ballots received, including overseas and presidential ballots on Certificate of Absentee Ballot on Count Moderator's Return
- **Step 2:** Check that each outer envelope has date & time received & Clerks stamped or written signature, if not reject
- **Step 3:** unless pre-checked mark "A" by elector's name on official checklist;
  - if marked as voting in person, reject
  - If name on outer envelope not on checklist, call ROV's, if listed in another voting district, send to that district for counting
  - If not on any checklist in town, reject
- **Step 4:** if ballot not in serially number outer envelope, reject, except Federal Write-in Ballot, or faxed Military or Overseas Ballot

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## Absentee Ballot Counting

- **Step 5:** Open outer envelope
  - If inner envelope not signed, reject
  - If 2 inner envelopes in one outer, reject the one not listed on the outer envelope
  - If spouses returned inner envelopes in each other's outer envelope, reject
  - If ballot not in inner envelope, reject
  - If signature not date, count
  - If inner envelope not sealed, count

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## Absentee Ballot Counting

- **Step 6:** Put outer envelope, including those reject (containing inner envelope & rejected ballot) in outer envelope
  - Ballot rejected for lack of HAVA ID put in provisional ballot depository envelope
  - Report number of rejected ballots to Moderator
- **Step 7:** Remove remaining ballots from inner envelope, leaving them folded for privacy
- **Step 8:** Put inner envelopes in same depository envelope, seal, sign label with contents & voting district
- **Step 9:** Shuffle & unfold ballots

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## Absentee Ballot Counting

- Set aside for hand count
  - Must be hand counted
    - Official blank ballot
    - Overseas ballot
    - Presidential ballots
  - Obvious marking errors
    - Circled, checked or “x”ed votes
    - Red ink
  - Ballot from wrong district issued to voter
    - Count only those races voter in this district can vote for
  - Candidate changed since first absentee ballots issued
    - Tabulator programed not to count that race
    - Hand count that race only on all ballots before feeding into tabulator
    - Count only votes for current candidate

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## Absentee Ballot Counting

- **Step 11:** Feed ballots into tabulator do as follows for following error messages
  - Over votes
    - Make sure true overvote, not a stray mark
    - If stray mark, set aside for hand counts
    - If over vote, over ride by inserting ballot while pressing “yes” key, will count all other races
  - Blank ballot
    - If marking errors, set aside for hand count, and subtract from tabulator total of ballots counted
    - If true blank ballot, override

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## Absentee Ballot Counting

- **Step 12:** Voter intent governs
  - Votes for more than allowed number of candidates for an office; no vote counted for that office
  - Cross endorsement candidate endorsed by more than one party, voter votes for him in both places; count as one for candidate
  - For the tabulator to count a write-in vote, write-in oval must be filled in and the name of a registered write-in candidate be written on the write-in line
  - if counters notice that oval is not marked, but the name of a registered write-in candidate is written-in, count vote (if not noticed and it really matters it will be counted on a recount)
  - If oval for candidate on ballot and write-in oval filled and that candidate’s name also written in, hand count all races and give one vote to the candidate

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## Absentee Ballot Counting

- **Step 12:** Voter intent governs (cont.)
  - Ignore any marking of party designation
  - **EXCEPT:** on Official Blank Ballot
    - May be issued and returned before list of candidates available
    - Voter can vote by simply writing a party name next to office
    - Count as vote for that party's candidate for that office

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## Absentee Ballot Counting

- **Step 13:** Filling out the forms
  - Certificate of Absentee Ballot Count
    - Moderator records total ballots counted and rejected for each count
  - Talley Sheets
    - When absentees counted at polls
      - Moderator completes tally sheet for hand counted absentee
      - Fills out checker certificate
  - Record of hand counted absentees for candidate
    - Completed by moderator
    - If central count, one for each voting district
  - Certificate of write-in votes for registered write in candidates

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## Absentee Ballot Counting

- **Step 14:** Depository Envelopes
  - Hand Counted Absentee Ballots
    - All hand counted absentees, notes, worksheets and other written materials used in the counting; Moderator's record of hand counted absentees for candidate
    - sealed with non-reusable tape
    - Write names of counters time of count & voting district
  - Same process for envelopes for inner envelopes, outer envelopes and rejected ballots
  - Rejected absentees treated as provisional in separate depository envelope; Moderator completes "Affidavit of Delivery and Receipt of Provisional Ballots"

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## Central Counting

- Receipt of tabulator
  - Same as possible to counting in polls
  - Tabulators are delivered by 2 election official of different parties
  - 2 copies of "Central Counting Moderator's Receipt for Tabulator." signed by Moderator, one give to election official who delivered, one kept
  - Seal number recorded
  - Tabulator prepared "Central Counting Moderator's Receipt for Tabulator."

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## Central Counting

- Counting
  - Inner and outer envelopes and rejected ballots handles the same way as at polls, separated and labeled by voting district
  - No ballots should be counted until checked off on the official checklist (done by phone with each polls)
  - Ballots fed into tabulator by voting district
  - Rejects for over vote and blank ballots should be examined and either separated for hand count or “overridden” as in polls
  - Write-ins for (only races with write-in votes for registered candidates) are counted for each voting dist,.

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## Central Counting

- Ending Central Counting
  - After all ballots are counted, ballot totals are printed out in accordance with the procedures on the Certificate of Ending Central Absentee Ballot Counting,
  - transferred to the tally sheet for the proper voting district
  - and the tabulator printout is signed and attached to the Tally sheet

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## Central Counting

- Ending Central Counting
  - Moderator completes
    - The Certificate of Absentee Ballot Count (for each Voting District)
    - Absentee Ballot Tally Sheets (for each Voting District)
    - Write-In Votes for Registered Write-in Candidates (Absentee Ballot Vote)(for each Voting District)
    - Certificate of Ending Central Absentee Ballot Counting
    - Certificate of Number Checked as Voting by Absentee Ballot (for each voting District)
  - Moderator adds only those votes cast on absentee ballots and completes such absentee ballot returns for each voting district
  - Head Moderator adds in person vote to absentee vote and computes the total for each district and the town wide totals

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## Supervised Absentee Voting

(§9-159q and r)

- Definitions
  - Supervised absentee voting – absentee balloting by all at electors institutions conducted under the supervision of ROV's or their designees (§9-159q and r)
  - Institution -- veterans' health care facility, residential care home, health care facility for the handicapped, nursing home, rest home, mental health facility, alcohol or drug treatment facility, an infirmary operated by an educational institution for the care of its students, faculty and employees or an assisted living facility
  - Designee -- elector of the same town and political party as the appointing registrar who is not an employee of the institution at which supervised voting is conducted

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## Supervised Absentee Voting

- Discretionary in (very unusual)
  - institutions with less than 20 electors
  - Any street address in the town from which 20 or more absentee ballot applications are received
  - Requested by:
    - The administrator of the institution. Requests go to town clerks and registrars of voters of the several towns wherein the patients are registered, or
    - Either of the registrars of the town wherein an elector is registered.
  - Conducted by both registrars for all electors from their town who are in the institution requesting absentee ballots
  - Rov's other than in town where institution located can opt out in writing

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## Supervised Absentee Voting

- General
  - If a registrar or a spouse, child or dependent relative residing in the registrar's household is a candidate, the registrar shall not supervise absentee voting
  - In a primary the registrar shall designate a representative of the party endorsed candidate and one for the contestants from lists submitted no later than 10 days before the primary.
  - The registrar shall give party endorsed candidates and contestants notice of right to submit lists
  - No power of attorney or proxy valid for voting

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## Supervised Absentee Voting

- Mandatory
  - Application
    - 20 or more patients in the institution who are electors in any town.
    - Conducted by the registrars, or their designees, of the town in which the institution is located.
    - Applies to all electors who are patients in the institution and who request an absentee ballot

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## Supervised Absentee Voting

- Mandatory
  - **Methodology**
    - Registrars of Voters and the administrator of the institution agree on the date and time for supervised balloting - no later than last business day before election.
    - A registrar cannot supervise balloting if his/her spouse, or child, or a dependent relative residing in the registrar's household is a candidate. Registrar may designate the deputy registrar or an assistant registrar.
    - Town clerk of the elector's town delivers the absentee voting set to the town clerk of the town in which the institution is located.
    - The town clerk receiving absentee voting sets delivers them to the registrars of voters on the date when supervision of absentee balloting is to occur and get receipt

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## Supervised Absentee Voting

- Mandatory
  - Process
    - All activity at the institution is done jointly by both registrars/designees.
    - Ballots are delivered directly to the patients who have applied. Registrars do not take any applications or blank ballot sets with them.
    - It is not required that registrars actually watch each voter mark his/her ballot. However, if one registrar believes it necessary to watch the actual process of voting by each elector (patient), then both registrars should do so together.
    - CGS § 9-159q: "Nothing ... shall limit the right of an elector to vote his ballot in secret."
    - Elector places completed ballot into inner envelope, sign and seal inner envelope, place inner envelope into serially-numbered outer envelope, seal and give to the registrars.
    - Registrars/designees jointly deliver or mail all ballots to the appropriate town clerk.

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## Supervised Absentee Voting

- Mandatory
  - Voter Assistance
    - Elector can have assistance of person of own choosing, but not candidate, employer or his agent, or representative of his union
    - If any elector asks for assistance in voting his/her ballot, both registrars/designees must be present and jointly furnish the assistance deemed necessary and appropriate to enable the elector to vote ballot.

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## Supervised Absentee Voting

- **Mandatory**
  - **Ballot Rejection**
    - Registrars/ designees may reject a ballot when:
      - The elector (patient) declines to vote.
      - The registrars/designees are unable to determine how the elector who has requested their assistance desires to vote the ballot. (Both registrars agree elector is incapable of voting.)
    - Mark the rejected ballot "rejected" on the outer envelope and note the reasons for rejection and sign their names.
    - Return the ballot to the appropriate town clerk.