



Wisconsin Elections Commission

Spoiling and Remaking Ballots

February 28, 2018

Agenda

- ▶ Spoiling Ballots Prior to Election Day
- ▶ Spoiling Ballots on Election Day
- ▶ Remaking Ballots on Election Day
- ▶ Overriding Ballots on Election Day
- ▶ Fridays Before an Election

Spoiling Ballots Prior to Election Day

▶ Who

- Voter

▶ Why

- Any reason – up to three ballots – for example:
 - Voter changes his or her mind
 - Voter wants new ballot mailed to different address
 - Time may be an issue and voter wants new ballot emailed or faxed

▶ How

- Voter may request that the clerk spoil their ballot verbally or in writing
- Clerk marks ballot 2nd or 3rd on absentee certificate envelope and/or absentee ballot log if replacement ballot(s) are issued

Spoiling Ballots Prior to Election Day

▶ Deadlines

- By-mail: 5:00 p.m. Thursday before the election
- In-person: prior to the end of municipal clerk's in-person absentee voting hours before the election (no Monday voting)

▶ Common questions

- Can a voter spoil their ballot before Election Day and vote at the polls?
- Does the spoiled ballot need to be returned to the clerk before a replacement ballot can be issued?
- Does a mistake or omission on the certificate envelope require spoiling and re-issuing a ballot? Can the clerk spoil a ballot without talking to the voter?
- What if the clerk doesn't believe the person requesting a replacement ballot is the original voter?

Spoiling Ballots on Election Day

▶ Who

- Voter

▶ Why

- Any reason – up to three ballots – for example:
 - Voter made a mistake (overvoted, crossover voted) or changed their mind
 - Voter issued a provisional ballot, returns to the polls with the missing information and wants to spoil the ballot and vote a new ballot

Spoiling Ballots on Election Day

▶ How

- A voter who makes an error while marking the ballot may request another ballot
- The first (or second) ballot is returned to the election workers and spoiled by making a small tear in the ballot
- The spoiled ballot is put in the Spoiled Ballots Envelope to be returned to the clerk
- A notation of 2nd or 3rd ballot issued should be made on the Inspectors' Statement (EL-104) and poll list

Spoiling Ballots on Election Day

▶ Common questions

- What is the Spoiled Ballots Envelope and where does it go at the end of the night?
- Can a voter spoil his or her returned absentee ballot on Election Day and vote at the polls?
- If a voter has spoiled two ballots and the third ballot is rejected by the voting equipment, what should the election inspectors do?
- What if voter intent cannot be determined?

Remaking Ballots on Election Day

▶ Who

- Election Official

▶ Why

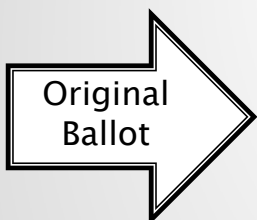
- Voter made a mistake (overvoted, crossover vote)
- Voting equipment cannot “read” the ballot
- Voter marked the ballot incorrectly, for example, used red pen or circled a candidate
- Voter didn't fill in circles or arrows on ballot
- Ballot was damaged

Remaking Ballots on Election Day

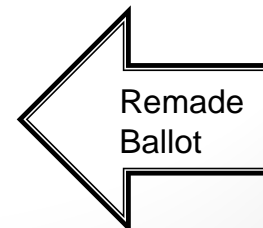
▶ How

- At least two election inspectors participate in the process
 - If party-affiliated inspectors present, use one of each party
- Inspectors announce that a ballot is being remade and why
- Inspectors note a reason in the endorsement section of the ballot
 - Overvoted (OV)
 - Damaged (DM)
 - Other (OT)
- Ballots labeled original ballot #(serial number) and duplicate ballot #(serial number)
- Both inspectors initial the ballots in the endorsement section

Remaking Ballots on Election Day



For Official Use Only	For Official Use Only
<i>Inspectors: identify ballots to be remade.</i>	<i>Inspectors: identify ballots to be remade.</i>
Reason for remaking ballot: <input type="checkbox"/> Overvoted <input checked="" type="checkbox"/> Damaged <input type="checkbox"/> Other	Reason for remaking ballot: <input type="checkbox"/> Overvoted <input checked="" type="checkbox"/> Damaged <input type="checkbox"/> Other
Original Ballot No. or Duplicate Ballot No. 1	Original Ballot No. or Duplicate Ballot No. 1
AC DL Initials of inspectors who remade ballot	AC DL Initials of inspectors who remade ballot



Remaking Ballots on Election Day

▶ How (con't)

- Inspector transfers votes based on voter intent from the original ballot to the duplicate ballot
- Note on the Inspectors' Statement why the ballot had to be remade
- The remade ballots are inserted into the tabulator
- The original ballots are bundled together, marked and placed in the "Original Ballots Envelope."
- The "Original Ballots Envelope" is placed in the ballot container

Remaking Ballots on Election Day

▶ Common Questions

- What if a voter refuses to vote a new ballot that has been rejected by the voting equipment?
- What is the serial number assigned to the original ballot and the remade ballot?
- What is an overvoted ballot?
- What is a crossover ballot?
- Can municipalities use the override function of the voting equipment instead of remaking the ballots?

Overriding Ballots on Election Day

- ▶ Who

- Election Official

- ▶ Why

- Municipality allows for the use of the override function to tabulate overvoted ballots and ballots with crossover votes when voter intent cannot be determined

Overriding Ballots on Election Day

▶ How

- Absentee Ballots
 - Inspector inserts the ballot without inspection into tabulating equipment and machine displays warning message
 - Inspector selects the option to return ballot
 - Inspectors review the ballot to determine voter intent
 - If voter intent can be determined, ballot is remade
 - If voter intent cannot be determined, the ballot is not remade
 - Inspector reinserts the ballot into the tabulating equipment and casts the ballot using the override function
 - Inspector notes the override and the reason for it on the Inspectors' Statement

Overriding Ballots on Election Day

▶ How

- When voter is present
 - The voter inserts the ballot into tabulating equipment and machine displays warning message
 - The inspector assigned to monitor the voting equipment should explain the warning message to the voter
 - Overvoted ballot: casting a ballot with the override function will result in no votes counted for the overvoted contest(s), votes for other contests will be counted
 - Crossover voted ballot: casting a ballot that contains a crossover vote will result in no votes counted for any partisan office, but votes for nonpartisan contests would be counted
 - The voter is informed that they can spoil the ballot and mark another ballot (up to three) or cast the ballot as is
 - Inspector notes the override and the reason for it on the Inspectors' Statement

Overriding Ballots on Election Day

▶ Common Questions

- Who should be interacting with the voting equipment when the override function is used?
- Why does the ballot need to be returned before the override function can be used?

A few words about Fridays before an election...



- ▶ Clerks' offices may be closed, but Good Friday is not a state holiday
- ▶ Clerks need to be available for several deadlines, such as in-person voter registration
- ▶ Clerks should post their contact information on the door to his or her office and outgoing voice message
- ▶ Clerks may wish to also offer in-person absentee voting hours

And a few common questions...

- ▶ What does “being available” on Friday mean?
- ▶ Does the municipal clerk have to be available that day – or a designee?
- ▶ What if I am contacted right before a Friday deadline (registered write-in, voter registration, etc.) and I don’t get to my office until after the deadline?
- ▶ Do I check office messages throughout the day or do I have to list my personal phone number?
- ▶ If someone requests an appointment for in-person voting, do I have to honor the request or can I direct them to the office hours?



Thank You!

Questions?

Email: elections@wi.gov

Elections Helpdesk: 608-261-2028