

MARISEL A. HERNANDEZ, Chair
WILLIAM J. KRESSE, Commissioner/Secretary
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VALIDATING AND COUNTING PROVISIONAL BALLOTS

1. Background.¹
 - (a) A person who claims to be a registered voter is entitled to cast a provisional ballot under the following circumstances:
 - (i) 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;
 - (ii) The person's voting status has been challenged by an election judge, a pollwatcher or any legal voter, and that challenge has been sustained by a majority of the election judges;
 - (iii) 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;
 - (iv) 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;
 - (v) The voter's name appears on the list of voters who voted during the early voting period, but the voter claims not to have voted during the early voting period;
 - (vi) The voter received a vote by mail ballot but did not return the vote by mail ballot to the Board;
 - (vii) The voter attempted to register to vote on election day, but failed to provide the necessary documentation.
2. The procedures for obtaining and casting a provisional ballot at the polling place shall be as follows:
 - (a) An election judge shall examine the list of eligible voters for the precinct to verify whether the residence address of a person entitled to cast a provisional ballot is within the precinct boundaries.
 - (i) If the person's residence address is *within* the precinct boundaries, an election judge shall

¹ 10 ILCS 5/18A-5.

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- (1) Notify such person that he or she may cast a provisional ballot;
 - (2) Accept any information provided by the person supporting his or her claim that he or she is a duly registered voter and is qualified to vote in the election.
- (ii) If the person's residence address is *outside* the precinct boundaries, an election judge shall
- (1) Inform the person of that fact;
 - (2) Give the person the appropriate telephone number of the election authority in order to locate the polling place assigned to serve the person's residence address (and/or consult any alternative tools provided by the Board, including an electronic poll book, for determining a voter's correct polling place); and
 - (3) Instruct the person to go to the proper polling place to vote.
- (b) A provisional voter shall complete, execute and sign a Provisional Voter Affidavit; an election judge shall complete that portion of the Provisional Voter Affidavit reserved for a judge of election.
- (c) A judge of election shall provide the provisional voter with a provisional ballot, the Provisional Voter Affidavit, and written instructions for casting a provisional ballot.
- (d) Once the provisional voter has completed marking the provisional ballot, he or she shall place the marked ballot inside the Provisional Ballot Affidavit envelope, close and seal the envelope, and return the sealed envelope to a judge of election.

3. Sealing and transporting provisional ballots.

Upon the closing of the polls, two election judges not of the same political party shall return to the Board the unopened and sealed ENVELOPE P containing the Provisional Voting Affidavits (Form 276P) to the appropriate Receiving Station in the most direct manner of transport. All ENVELOPES P shall be delivered to the Board's offices at 69 West Washington Street, Suite 600, Chicago. The Board shall keep the ENVELOPES P secure until such time as the provisional ballots are processed in the manner described below.

4. General provisions.

- (a) The Board shall complete the validation and counting of provisional ballots within fourteen (14) calendar days of the day of the election.
- (b) On the day and time appointed, authorized employees of the Board shall begin opening the ENVELOPES P and removing the Provisional Voter Affidavits (Form 276P) for each precinct. Such employees shall examine the Provisional Voter Affidavit to determine if the provisional voter's residence address

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(according to the residence address provided by the provisional voter on the provisional voter affidavit) is (i) *outside* or (ii) *inside* the City of Chicago.

- (i) If the provisional voter's residence address is *outside* the City of Chicago, the Board shall, pursuant to the procedures set forth herein, transmit to the appropriate Election Authority (i.e., County Clerk or Board of Election Commissioners) any provisional voter affidavit containing a provisional ballot (along with all related documentation supplied by the provisional voter in support of his or her provisional ballot).
 - (1) If the provisional voter's residence address is outside the City of Chicago but *within the County of Cook*,
 - a) The Board shall, as soon as is practicable but no later than two (2) calendar days after the day of the election, notify the Cook County Clerk that a voter cast a provisional ballot in a Chicago precinct and provide the Clerk with the provisional voter's name, street address, e-mail address, and precinct, ward and district numbers, as the case may be.
 - b) A team of two (2) Board employees shall, within eight (8) business days after the day of the election, hand deliver in a sealed and secure envelope to the Cook County Clerk the provisional voter's affidavit, the provisional ballot and any related documentation supplied by the provisional voter.
 - c) Any information provided by the provisional voter to the Board within seven (7) days of the day of the election shall be transmitted to the Cook County Clerk.
 - (2) If the provisional voter's residence address is *outside the County of Cook*,
 - a) The Board shall, within fourteen (14) days after the day of the election, transmit to the appropriate Election Authority (i.e., County Clerk or Board of Election Commissioners) having jurisdiction over the provisional voter's correct precinct the provisional voter's affidavit, provisional ballot and any related documentation supplied by the voter. Such transmittal shall be made via the U.S. Postal Service.
- (ii) If the provisional voter's residence address is *inside* the City of Chicago, the Board shall
 - (1) Transmit to the State Board of Elections, within two (2) calendar days after the day of the election and by electronic means pursuant to a process established by the State Board of Elections, the

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identifying information and voting jurisdiction of each provisional voter. Such information shall include the name, street address, e-mail address, and precinct, ward and district numbers, as the case may be.

- (2) Proceed to validate and count all valid provisional ballots cast by provisional voters residing in the City of Chicago in accordance with the procedures set forth below.
- (c) The provisional voter may, within seven (7) calendar days after the election, submit additional information to the Board in support of his or her provisional ballot. This information must be received by the Board by 5:00 p.m. on or before the 7th calendar day after the election. This information may be submitted in person, by fax or by email.
- (d) The validation and counting of provisional ballots shall be subject to the provisions of the Election Code that apply to pollwatchers. Pollwatchers authorized by Sections 7-34 and 17-23 of the Election Code must obtain pollwatcher credentials marked "Provisional Ballots."

5. Validating provisional ballots.

- (a) On the day and time appointed, authorized employees of the Board shall begin opening the ENVELOPES P and removing the Provisional Voter Affidavits (Form 276P) for each precinct. For all provisional voter affidavits cast by provisional voters residing in the City of Chicago, such employees shall:
 - (i) Examine the Provisional Voter Affidavit and any supporting documents placed in the plastic sleeve of such Provisional Voter Affidavit (Form 276P);
 - (ii) Search the appropriate databases and records; and
 - (iii) Determine whether a provisional ballot is valid.
- (b) If the Board employee determines that *all* of the following apply, then a provisional ballot is valid and shall be counted if:
 - (i) The affidavit executed by the provisional voter contains, at a minimum, the following information:
 - (1) The provisional voter's first and last name;
 - (2) House number and street name;
 - (3) Signature or mark of provisional voter.
 - (ii) The provisional voter is a registered voter based on information available to the Board or provided by or obtained from any of the following:

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- (1) the provisional voter (the voter may submit information up to seven (7) days after election day);
 - (2) an election judge;
 - (3) the statewide voter registration database maintained by the State Board of Elections;
 - (4) the records of the Chicago Board of Election Commissioners' database; or
 - (5) the records of the Secretary of State.
- (iii) The provisional voter's signature on his or her provisional voter affidavit compares with the signature on his or her valid registration application. If the provisional voter's signature on his or her provisional ballot affidavit varies from the signature on an otherwise valid registration application solely because of the substitution of initials for the first or middle name, the Board may not reject the provisional ballot.
- (iv) If the provisional voter cast a provisional ballot because he or she registered to vote by mail and was required to show ID at the polling place before voting and the voter does present such ID to the Board within seven (7) days of the close of the polls.
- (1) However, if the provisional voter fails to present such ID to the Board within seven (7) days of the close of the polls, the provisional ballot shall not be counted.
- (v) The provisional voter did not previously vote in the same election, whether during early voting, by Vote By Mail ballot, by grace period ballot or on election day.
- (vi) If the provisional ballot was *mistakenly* cast in the incorrect precinct (i.e., the precinct in which the voter cast a provisional ballot is not the Chicago precinct containing the address in which the provisional voter is registered to vote) by the provisional voter (this covers a situation in which the voter believed he or she registered in the precinct in which he/she voted provisionally *and* the election judges should have, but did not direct the voter to vote in the correct precinct).
- (1) If the provisional voter insists on voting in the incorrect precinct after being informed by the election judges that his or her residence address is not within the precinct in which he or she is casting a provisional ballot and the election judges directed the voter to vote in the correct precinct, the provisional ballot shall not be deemed valid.

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- (c) The Board employee shall investigate and record whether or not the specified information is available from each of the five (5) identified sources in paragraph (b)(ii) above. If one or more types of information are available, then the employee shall obtain all relevant information from all sources. The Board employee shall use any information it obtains as the basis for determining the voter registration status of the provisional voter. If a conflict exists among the information available to the Board as to the registration status of the provisional voter, then a determination shall be based on the totality of the circumstances.
 - (i) In a case where the above information equally supports or opposes the registration status of the voter, the Board employee shall decide in favor of the provisional voter as being duly registered to vote.
 - (ii) If the statewide voter registration database maintained by the State Board of Elections indicates that the provisional voter is registered to vote, but the Board's voter registration database indicates that the provisional voter is not registered to vote, then the information found in the statewide voter registration database shall control the matter and the provisional voter shall be deemed to be registered to vote.
 - (iii) If the records of the Board indicates that the provisional voter is registered to vote, but the statewide voter registration database maintained by the State Board of Elections indicates that the provisional voter is not registered to vote, then the information found in the records of the Board shall control the matter and the provisional voter shall be deemed to be registered to vote.
- (d) In validating the registration status of a person casting a provisional ballot, the Board shall not require a provisional voter to complete any form other than the affidavit executed by the provisional voter. In addition, the Board shall not require provisional voters or any particular class or group of provisional voters to appear personally before the Board or as a matter of policy require provisional voters to submit additional information to verify or otherwise support the information already submitted by the provisional voter.
- (e) If the Board employee determines that the provisions of paragraph (b) above do not apply, then the provisional ballot is not valid and may not be counted. The Board employee shall write on the Provisional Voter Affidavit the following: "Provisional ballot determined invalid". The provisional ballot's status in the master database of provisional voters shall be marked "Not Counted."
- (f) If the Board employee determines that a provisional ballot is valid under the provisions of paragraph (b) above, then the employee must:
 - (i) Place all Provisional Voter Affidavits containing valid provisional ballots cast in the *correct* precinct (i.e., the precinct containing the address at which the provisional voter resides and at which he/she is registered to vote) in a container marked "Valid Provisional Ballots Cast in Correct Precinct."

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- (ii) Place all Provisional Voter Affidavits containing valid provisional ballots cast in an *incorrect* precinct (i.e., the precinct in which the voter cast a provisional ballot that is not the Chicago precinct containing the address in which the provisional voter is registered to vote) in a container marked “Valid Provisional Ballots Cast in Wrong Precinct.” Before placing such Affidavits in the container, the Board employee shall mark on the Affidavit the correct Ward and Precinct numbers and the correct ballot style corresponding to the provisional voter’s correct precinct (i.e., where the provisional voter resides and is registered to vote).
 - (g) Provisional Voter Affidavits for all valid provisional ballots shall be kept secured and sealed in a container to be stored until the valid provisional ballots are ready to be counted as described below. The provisional ballot’s status in the master database of provisional voters shall be marked “Counted” or “Partially Counted,” as the case may be.
- 6. Processing and counting valid provisional ballots.
 - (a) After all Provisional Voter Affidavits have been investigated to determine whether the provisional ballots are valid, then all Provisional Voter Affidavits for valid provisional ballots in the containers marked “Valid Provisional Ballots Cast in Correct Precinct” and “Valid Provisional Ballots Cast in Wrong Precinct” shall be transported to the Board’s central counting station for processing through the 400C central tabulator.
 - (b) All provisional ballots corresponding by Provisional ID number to a valid Provisional Voter Affidavit shall be processed through the 400C central tabulator.
 - (c) The Board shall select one or more teams, each team consisting of two (2) Board employees, to process the votes that are eligible to be cast and counted on the provisional ballot.
 - (i) Each team of Board employees shall open the Provisional Voter Affidavit envelopes, remove the provisional ballot contained therein and process the ballot as provided below.
 - (ii) Examine each ballot for write-in votes.
 - (1) Record a write-in vote on a separate “write-in record” for each *valid* write-in vote for a candidate that does *not* create an overvote (more votes than allowed for an office) and for which votes may be wholly or partially counted. To be a valid write-in vote:
 - a) The voter must have written in the name of the candidate on the line reserved for write-in candidates at the bottom of listing of candidates for the office sought (the spelling of a candidate’s name does not have to be exact so long as the intention of the voter can be determined);

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- b) The voter must have placed an arrow or solid mark in the designated area reserved for casting a write-in candidate;
 - c) The candidate's name must be on a list of write-in candidates who timely filed a "Declaration of Intent to be a Write-in Candidate," which list shall be supplied to the judges of election;
 - d) In a party primary, the candidate's name must be written-in on the correct party ballot;
 - e) There are no identifying marks on the ballot; and
 - f) The write-in vote does not create an overvote for the office.
- (2) DO NOT record a write-in vote on the "write-in record" for any candidate for an office if:
- a) There is a write-in vote *but* the write-in vote is *invalid* (i.e., the write-in vote does not meet the criteria set forth in subparagraphs (1)(a) through (f) above), *or*
 - b) There is an otherwise valid write-in vote *but* it creates an overvote. An overvote is created if the voter:
 - i. casts an otherwise valid vote for a write-in candidate (i.e., meets the criteria set forth in subparagraphs (1)(a) through (e) above, but not (f)) *and*
 - ii. also casts a vote for another candidate whose name is printed on the ballot for the same office.
- (3) Make a replacement ballot (see Instructions for Making a Replacement Ballot) and record a vote on the replacement ballot for the candidate whose name is printed on the ballot for an office (but not for the write-in candidate for the same office) if the voter:
- a) casts a vote for such candidate *and*
 - b) also casts an *invalid* write-in vote for the same or a different candidate for the same office.
- (iii) For valid provisional ballots in the container marked "Valid Provisional Ballots Cast in Correct Precinct," each ballot and all votes cast for all candidates and public questions on each ballot shall be placed behind the correct header card for the correct precinct and shall be inserted in the 400C central tabulator.

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- (iv) For valid provisional ballots in the container marked “Valid Provisional Ballots Cast in Wrong Precinct,”
 - (1) Each provisional ballot cast in the incorrect precinct by provisional voters shall be processed and counted as follows:
 - (2) All votes cast for the following offices shall be counted:
 - a) Statewide offices (Governor & Lt. Governor, Attorney General, Secretary of State, Comptroller and Treasurer)
 - b) President of the United States (including votes cast in the Presidential Preference Primary)
 - c) United States Senator
 - d) Countywide offices (Metropolitan Water Reclamation District Commissioners, President of the County Board, County Clerk, County Sheriff, State’s Attorney, Circuit Court Clerk, County Recorder, County Treasurer, County Assessor)
 - e) Citywide offices (Mayor, City Clerk, City Treasurer) for City of Chicago registered voters only.
 - (3) Votes cast for the following offices shall be counted only if it is determined by the team of Board employees that the provisional voter would have been entitled to vote for such office had the voter voted in the precinct in which he or she is registered to vote (i.e., the correct precinct) and had the voter voted a ballot of the correct ballot style containing all the offices and candidates for which the voter was entitled to cast a ballot (i.e., the correct ballot style). This determination shall be made by comparing a sample ballot of the correct ballot style with the actual provisional ballot cast by the voter. If the same office (including the same district number) appears on both the correct ballot style sample ballot and the provisional ballot cast by the voter, votes for that office shall be counted for:
 - a) Representative in Congress,
 - b) Delegate or Alternate Delegate to a National Nominating Convention,
 - c) State Senator, and
 - d) State Representative

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- i. If the provisional ballot contains only valid votes that must be counted and does not contain any votes cast for ineligible offices *and* the ballot is of the same ballot style as the voter's correct ballot style, the provisional ballot shall be inserted into the 400C central tabulator as is using the correct "header card" for the provisional voter's correct precinct.
- ii. If a provisional ballot contains only valid votes that must be counted and does not contain any votes cast for ineligible offices *but* the ballot is not of the same ballot style as the voter's correct ballot style *or* the provisional ballot contains both valid votes that must be counted and invalid votes that cannot be counted, the team of Board employees shall work with a team of two (2) election judges, consisting in each case of at least one from each of the two leading political parties in the State, to remake the voted ballot as follows:
 - 1) If the provisional ballot was cast on a paper optical scan ballot, the election judges shall remake the voted ballot on to a blank ballot of the correct ballot style that includes all the offices for which valid votes were cast, transferring only valid votes. The original provisional ballot shall be marked "Original Provisional Ballot" with a marking for "Team #" and serial number commencing at "1" and continuing consecutively for ballots of that kind in the precinct. The duplicate provisional ballot shall be marked "Duplicate Provisional Ballot" and be given the same Team # and serial number as the original ballot from which it was duplicated. One of the election judges shall initial the Duplicate Provisional Ballot. The Duplicate Provisional Ballot shall then be treated and counted in the same manner as other valid provisional ballots and inserted into the 400C central tabulator.
 - 2) If the provisional ballot was cast on a touchscreen voting device, the election judges shall

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- a) mark the original provisional ballot or paper facsimile thereof as a partially counted defective electronic provisional ballot because it was cast in the incorrect precinct (or bear some similar notation), and
 - b) remake the voted ballot by transferring all valid votes to a duplicate paper ballot of the correct ballot style, marking the duplicate ballot "Duplicate Electronic Provisional Ballot" in the same manner as provided in (d)(ii)(1) above. The Duplicate Electronic Provisional Ballot shall then be treated and counted in the same manner as other valid provisional ballots and inserted into the 400C central tabulator.
 - 3) For provisional ballots cast at a partisan primary election, election judges shall use a duplicate ballot of the correct ballot style for the same political party as the ballot chosen by the voter.
 - (d) No votes shall be counted for an office when the voter voted for more candidates than he or she was allowed by law ("overvotes"). Consult the Board's "Instructions for Making Replacement Ballots for Vote By Mail Ballots" in determining whether an "overvote" has occurred and how to remake the ballot.
 - (e) If a provisional ballot does not contain any valid votes, the provisional ballot shall be marked invalid and shall not be counted.
 - (f) After the polls close on the day of the election, valid provisional votes shall be counted, tabulated and added to the vote totals for the precinct corresponding to the provisional voter's correct precinct (i.e., the precinct in which the provisional voter is registered) and in the order in which the ballots were opened.
7. Receipt of provisional ballots cast in an incorrect precinct outside the City of Chicago by provisional voters residing inside the City of Chicago.
- (a) Provisional ballots cast outside the City of Chicago but within Cook County
 - (i) Upon receipt from the Cook County Clerk of (1) notice concerning any provisional ballot of a provisional voter residing in the City of Chicago but who cast his or her provisional ballot outside the City of Chicago but

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within Cook County or (2) of any provisional voter's affidavit, provisional ballot and related documentation from such voter, the Board shall,

- (1) Transmit to the State Board of Elections, within two (2) calendar days after the day of the election and by electronic means pursuant to a process established by the State Board of Elections, the identifying information and voting jurisdiction of each provisional voter. Such information shall include the name, street address, e-mail address, and precinct, ward and district numbers, as the case may be.
- (2) Proceed to validate such provisional ballot in accordance with the procedures set forth in step #4 above.
- (3) If the residence address listed on the provisional voter affidavit that was provided by the voter is different from the address at which the voter is registered, the provisional ballot shall be rejected.
 - a) However, the provisional voter affidavit shall serve as a request by the voter to register at that address as provided in step #10 below.
- (4) Proceed to process and count all valid provisional ballots cast by such provisional voter in accordance with the procedures set forth in step #5 above.

- (ii) Any information provided by the provisional voter within seven (7) days of the day of the election and timely transmitted by the Cook County Clerk to the Board shall be considered by the Board in validating and counting such provisional ballots.

(b) Provisional voters cast outside Cook County²

- (i) Provisional ballots cast in an incorrect precinct outside Cook County but located in the same Legislative District or Representative District as the one in which the provisional voter is registered shall be processed, validated and partially counted as provided in step # 5 and in step #6 above.
 - (ii) All other such provisional ballots shall not be counted. Such provisional ballots shall be stored and retained as provided in step #8 below.

8. Storage and retention of provisional ballots.

- (a) After all valid provisional ballots have been counted, authorized Board employees, shall, for each precinct, place each of the following items in a separate envelope or

² 10 ILCS 5/18A-218.30(b)(2)

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bag: (1) all voted provisional ballots (results cartridges and paper ballots, if any); (2) all Provisional Voter Affidavits, including those for provisional ballots not counted; and (3) all executed affidavits, supporting documentation and miscellaneous provisional voting materials. Employees shall then securely seal each envelope or bag, initial the envelope or bag, and plainly mark on the outside of the envelope or bag in ink the precinct and ward in which the provisional ballots were cast. Each sealed envelope or bag shall be placed into a box, which shall be secured and sealed.

- (b) Each election judge and election official handling ballot transfer cases containing provisional ballots shall take and subscribe an oath before the Board that such person securely kept the ballots and papers in the transfer case, did not permit any unauthorized person to open the transfer case or otherwise touch or tamper with the ballots and papers in the transfer case, and has no knowledge of any other unauthorized person opening the transfer case.
- (c) All provisional ballots and papers shall be secured and retained in like manner as provided by the Federal and State law for voted ballots.
- (d) For ballots that had to be remade, original provisional ballot cast by the provisional voter shall be stored separately from other ballots voted in the election and shall be preserved in the same manner as original ballots that had to be remade for other reasons, such as a damaged ballot or as a result of a voter overvoting an office.

9. Provisional ballot cast during court-ordered extended poll hours.

All provisional ballots cast after 7:00 PM and during extended poll hours ordered by a Federal or State court shall be processed, validated and counted in the same manner as other provisional ballots but shall, at all times, be separated and held apart from other provisional ballots cast by those not affected by the order.

10. Updating and processing voter registration records.

The Board shall treat the Provisional Voter Affidavit as a change of address request by that voter for registration purposes for the next ensuing election if it bears an address different from that in the records of the Board. If the person is determined not to be a registered voter based on the Board's investigation, the Board shall treat the completed affidavit as a voter registration application for the next election.

11. Provisional voting verification system.

The Board shall establish a uniform free access information system by which a person casting a provisional ballot may ascertain whether the provisional vote was counted in the official canvass of votes for that election; and, if the vote was not counted, the reason that the vote was not counted. A provisional voter may ascertain whether his or her provisional ballot was counted or not counted by checking the Board's Web site at www.chicagoelections.com or by calling the Board's toll-free "hotline" at 1-866-780-8683 (1-866-780-VOTE). The provisional voter's information will be listed by last name, first name, suffix, house number, street name, and street

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direction. Valid provisional ballots that were cast in the correct precinct shall be reported as “Counted.” Valid provisional ballots that were cast in the incorrect precinct shall be reported as “Partially Counted.”

MARISEL A. HERNANDEZ, *Chair*
WILLIAM J. KRESSE, *Commissioner/Secretary*
JONATHAN T. SWAIN, *Commissioner*
LANCE GOUGH, *Executive Director*



**CANVASS OF THE RETURNS
OF THE APRIL 2, 2019 MUNICIPAL RUNOFF AND
SUPPLEMENTARY ALDERMANIC ELECTIONS
HELD IN THE CITY OF CHICAGO**

NOTICE

PLEASE TAKE NOTICE that on Monday, April 8, 2019 at the hour of 9:00 a.m., in the LL05 BOE Conference Room A, 69 West Washington Street, Chicago, Illinois, the Board of Election Commissioners for the City of Chicago will conduct the official canvass and the verification of votes for all candidates and referenda from the April 2, 2019 Municipal Runoff and Supplementary Aldermanic Elections conducted in the City of Chicago. The official precinct Certificate of Results shall be compared with the unofficial preliminary precinct vote totals and any differences shall be reconciled. If the reconciliation is not apparent and a discrepancy exists between the number of ballots cast and the precinct vote totals, then the ballots may be audited or retabulated for reconciliation. Pollwatchers authorized pursuant to Sections 7-34 and 17-23 of the Election Code (10 ILCS 5/7-34; 5/17-23) may, during their good conduct, be present during the canvass; provided, however, not more than the number of watchers authorized by those sections for each candidate, organized group of proponents or opponents of a ballot proposition, established political party or authorized organization shall be allowed at each of the Board's canvassing stations. The Board reserves the right to limit the number of pollwatchers if the proceedings become overcrowded so as to interfere with the orderly conduct of the process. All pollwatchers shall be required to have proper credentials.

MARISEL A. HERNANDEZ, Chair
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VERIFICATION AND CANVASS OF RETURNS

1. The Board shall open up and canvass the returns of the election. Canvass teams consisting of two (2) Board employees will be appointed to assist in the canvass. Employees must print their names at the top of Form 148A.
2. Materials needed to complete the verification and canvass of returns in a precinct:
 - (a) Form 148A
 - (b) Form 101-WI
 - (c) Envelope 71E (or, in the alternative, Envelope 72E)
 - (d) Form 80 Certificate of Results
 - (e) Official Election Results Report Tape (“Results Tape”) attached to Form 80
 - (f) Preliminary Precinct Report (Board computer printout)

If any of these records cannot be located, notify a Supervisor and suspend the verification and canvass for the precinct until the record is located.

IMPORTANT: If no Results Tape can be located, check column titled “No Results Tape” on the Form 148A and notify a Supervisor. The precinct will be assigned for an Audit and Retabulation of Ballots in Precincts Where a Discrepancy Exists. Once ballots are retabulated, the verification and canvass can be resumed.

3. Record in the proper column on Form 148A:
 - (a) Total Applications for Ballot issued [See Line 3 of Form 80];
 - (b) Total Ballots (“Qualified Votes”) Cast [from computer printout];
4. Examine the “Write-In Record” on the back of the Form 80 Certificate of Results.
 - (a) If the Write-In Record has not been completed by the Judges of Election,
 - (i) Examine the Results Tape
 - (1) If the Results Tape indicates that write-in votes were cast for any office,
 - a. Circle that precinct number on the record sheet in **RED** and contact a Monitor with that precinct’s number.

- b. The precinct results will be sent for an Audit and Retabulation of Ballots in Precincts Where a Discrepancy Exists for the purpose of examining ballots with write-in votes.
 - c. Continue with the remainder of the verification canvass. Results of the examination of ballots with write-in votes shall be added to the canvass results after the obvious discrepancy retabulation is completed.
 - (2) If the Results Tape indicates that no write-in votes were cast for any office, then proceed to step 5.
 - (b) If the “Write-in Record” of the Form 80 lists write-in votes,
 - (i) Circle “Yes” in Column 3.
 - (ii) Examine the list of eligible candidates who filed a timely and valid Declaration of Intent to be a Write-in Candidate to determine whether the name of the person written in is on such list.
 - (1) If the name of a write-in candidate is on the list of eligible write-in candidates,
 - a. Complete Form 101-WI, filling in the title of the office, the name of the write-in candidate, and the total write-in votes received.
 - (2) If the name of a write-in candidate is NOT on the list of eligible write-in candidates,
 - a. Disregard any votes cast for such person.
 - (c) Board canvassers are not otherwise required to make a determination whether a particular write-in vote is valid or not valid.
- 5. Compare the unofficial preliminary precinct vote totals on the Preliminary Precinct Report with the Results Tape.
 - (a) If the figures agree, continue to next precinct.
 - (b) If the figures disagree or if the Preliminary Precinct Report contains Zeros:
 - (i) Circle the incorrect or Zero figures on the Preliminary Precinct Report in **RED**;
 - (ii) Write the correct figures next to the incorrect figures.

- (iii) After the precinct is completed, notify a Supervisor. The Supervisor will take the computer printout and Form 80 (with envelope).
- 6. After (i) completing the Form 148A, (ii) making corrections, if any, to the computer printout and (iii) completing the Form 101-WI, notify a Supervisor, who will gather all of the materials for the precinct.
- 7. The information on the corrected canvass materials will be entered directly into the Board's central computer and a new preliminary and unofficial precinct report will be produced by the IT Department.
- 8. After comparing and proofing the new preliminary and unofficial precinct report with the official Certificates of Result and making any necessary corrections, a final canvass report will be generated.

NOTE: EMPLOYEES ARE NOT TO LEAVE THEIR ASSIGNED TABLES UNTIL ALL WARDS HAVE BEEN COMPLETED OR THEY HAVE BEEN GIVEN PERMISSION TO LEAVE.

MARISEL A. HERNANDEZ, *Chair*
WILLIAM J. KRESSE, *Commissioner/Secretary*
JONATHAN T. SWAIN, *Commissioner*
LANCE GOUGH, *Executive Director*



NOTICE

Attendance at the Board's verification canvass shall be limited to the following:

- Board employees
- Representatives of the State Board of Elections, the U.S. Attorney, the Illinois Attorney General and the Cook County State's Attorney
- Pollwatchers authorized pursuant to Sections 7-34 and 17-23 of the Election Code
- Members of the news media with special media credentials

Authorized pollwatchers include representatives of (a) candidates (i.e., persons whose names were eligible to be printed on the ballot in the City of Chicago); (b) established political parties; (c) qualified organizations who registered with the Board at least 40 days before the election (see list attached); and (d) organized groups of proponents or opponents of a ballot proposition.

Pollwatchers must present a completed Consolidated Pollwatcher Credential (Form 242CC). Such credential must be authorized by the real or facsimile signature of the candidate, the chairman of the State or county political party committee or the president of the qualified organization, as the case may be. The Pollwatcher Credential shall be checked for "Official Canvass of Vote Returns."

The verification canvass shall be conducted at fifty (50) stations (one per Ward). Candidates shall be entitled to have two (2) pollwatchers per station; established political parties shall be entitled to have one (1) pollwatcher per station at a primary election, and two (2) pollwatchers per station at a general election; and qualified organizations shall be entitled to have one (1) pollwatcher per station.

Persons authorized to attend the verification canvass may observe the proceedings; they may not touch any election materials. Photographs and filming will be permitted provided that such activity does not interrupt or delay the process. Board employees will conduct their duties without delay; they will not stop or slow down the performance of their duties simply to allow photographs or filming or to answer questions from pollwatchers or observers. Board employees shall refer questions, problems or requests to a Supervisor.

Board employees/supervisors are not giving consent to have their conversations audio recorded.

Requests for copies of any materials shall be made in writing to the Board's Freedom of Information Officer (consult the Board's web site at www.chicagoelections.com).

Any person who is disorderly or who, in the judgment of the Board, unreasonably disrupts the verification canvass may be removed.

MARISEL A. HERNANDEZ, *Chair*
WILLIAM J. KRESSE, *Commissioner/Secretary*
JONATHAN T. SWAIN, *Commissioner*
LANCE GOUGH, *Executive Director*



NOTICE OF 5% TEST

PLEASE TAKE NOTICE that pursuant to Sections 24B-15 and 24C-15 of the Illinois Election Code (10 ILCS 5/24B-15, 5/24C-15), the Board of Election Commissioners for the City of Chicago will conduct a test of the ballots cast in 5% of the precincts in the City of Chicago at the April 2, 2019 Municipal Runoff and Supplementary Aldermanic Elections, as well as 5% of the voting devices used in Early Voting. The test will commence on Tuesday, April 9, 2019 at 9:00 a.m. on the Second Floor of the Board's Warehouse at 1869 West Pershing Road, Chicago, Illinois. The test will be of ballots in precincts and Early Voting devices randomly selected by the Illinois State Board of Elections.

Marisel A. Hernandez, *Chairwoman*
William J. Kresse, *Commissioner/Secretary*
Jonathan T. Swain, *Commissioner*
Lance Gough, *Executive Director*



5% Test Procedures

1. Pursuant to Sections 24B-15 and 24C-15 of the Election Code (10 ILCS 5/24B-15, 5/24C-15), the Board shall, prior to the proclamation, test the voting units and equipment in 5% of the precincts within the City of Chicago, as well as 5% of the voting units used in Early Voting.
2. The precincts and Early Voting units to be tested will have been selected on a random basis by the Illinois State Board of Elections (ISBE) so that every precinct in the City of Chicago has an equal mathematical chance of being selected. The Illinois State Board of Elections has provided or will provide the list of precincts and Early Voting units to be tested to the Board of Election Commissioners. For Early Voting, if an E2P unit is chosen that had no votes cast, a supplemental list, supplied by the ISBE, will be utilized.
3. The State Board of Elections, the State's Attorney and other appropriate law enforcement agencies, the county chairman of each established political party and qualified civic organizations shall be given prior written notice of the time and place of the test and may be represented at the test. These election officials, law enforcement officers and Representatives of county established political parties and qualified civic organizations authorized pursuant to Sections 24B-15 and 24C-15 of the Election Code (10 ILCS 5/24B-15; 5/24C-15) will be permitted to observe all proceedings with regard to the 5% test; however, the Representatives must obtain proper post-election credentials from the Board of Election Commissioners.
4. The test shall be conducted by counting the ballots that were originally counted on election night. This test does not involve any determination as to which ballots were, in fact, properly counted.
5. The ballots from the precincts selected for this test have remained at all times under the custody and control of the Board of Election Commissioners.

Instructions for 5% Test

Forms to be used for 5% Test:

1. Certificate of Results Test of Ballots in 5% of Precincts, Form 5%P
2. Certificate of Results Test of Ballots on 5% of Early Voting Units, Form 5% EV
3. 5% Test Form for Insight and E2P (“5% Test Form”)

Instructions:

1. Break the security seal on the Transfer Case. On Form 5% P record the seal number, precinct and ward. On Form 5% EV, record the Serial # of the Early Voting Device. On both forms, print the employees’ names.
2. Test of the Insight (paper) ballots.
 - (a) As part of this test, the Board has tested the computer program in the selected precincts by processing a pre-tested group of ballots so marked as to record a predetermined number of valid votes for each candidate and on each public question appearing on the ballot, and has included for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the equipment to reject such votes.
 - (b) Prepare and activate the ballot scanner prior to counting each precinct by:
 - (i) verifying that the morning zero tape shows “0” votes cast for all candidates;
 - (ii) the bottom of the morning zero tape shows “Polls open, OK to read ballots”;
 - (iii) the green “Ready to Read Ballots” light is ON;
 - (iv) the public counter on the ballot scanner is “0000”.

The paper tape must remain attached to the ballot scanner.

Sub-categories (b)(i-iv) must be true before you go forward.

- (c) Open the transfer case and:
 - (i) remove the Voted Ballots plastic bag and Envelope W;
 - (ii) break the Voted Ballots Security Seal on the plastic bag and remove the ballots from the plastic bag (place plastic bag back inside transfer case);
 - (iii) open the Envelope W and remove the ballots, if any, (place Envelope W back inside transfer case);

- (d) Insert the paper ballots into the ballot scanner:
 - (i) if the ballot is accepted the public counter will increase by 1;
 - (ii) if the ballot is rejected, a message will appear on the paper tape;
- (e) The ballot scanner will reject ballots that:
 - (i) do not contain judges' initials - Ballot Missing Initials;
 - (ii) contain an overvote - Overvoted Office (press the override-number 3-button on the back of the ballot scanner);
The ballot scanner will count the votes for every office, except for the office where the overvote occurred;
 - (iii) contain an undervote - Undervoted Office (this only applies to elections where state-wide constitutional offices appear on the ballot and the undervote option is activated);
 - (iv) contain no votes - No Votes Recorded (press the override-number 3 button on the back of the ballot scanner).
 - (v) are damaged. Re-insert the ballot, using different orientations. If the ballot error continues, make a note on Form 5%P and notify the Assistant Executive Director, or his designee.
- (f) Once all the paper ballots have been inserted into and read by the ballot scanner, you must:
 - (i) open the back door of the ballot scanner and press the 'Print Totals' button, then press '0';
 - (ii) after the results tape prints:
 - (1) tear the printed results tape off the ballot scanner;
 - (2) sign your names and date the results tape.
 - (iii) print three (3) additional results tapes, removing each tape after printing is completed.

3. Record the vote totals from the Insight results tape onto the 5% Test Form.

- (a) print the Total Ballots Cast number from the 5% Insight results tape on the 5% Test Form, "5% Test Insight Ballots Cast" line.
- (b) take the 5% Test Form to the IT Department table to verify that the Election Day InsightBallots Cast match the 5% Test Insight Ballots Cast
 - (i) if the totals match, proceed to Step 4;
 - (ii) if the totals do not match, notify the Assistant Executive Director, or his designee.

4. Unplug the ballot scanner, remove the memory pack and close the back door (place the memory pack on the table).

- (a) Remove the paper ballots from the rear bin of the ballot box and
 - (i) place inside a new plastic bag;
 - (ii) close the plastic bag;
 - (iii) place the Voted Ballot Security seal over the re-closable seal;
 - (iv) sign and date the security seal;
 - (v) place the plastic bag inside the transfer case.
- (b) Remove the paper ballots from the front bin of the ballot box and
 - (i) place inside a new Envelope W;
 - (ii) seal the envelope;
 - (iii) sign and date across the sealed flap;
 - (iv) place Envelope W inside the transfer case.

5. Counting of E2P ballots (both for 5% of precinct results and 5% of Early Voting Units)

The counting of the E2P ballots will be conducted by reviewing the Voter Verifiable Paper Audit Trail (VVPAT), which is the permanent record of each vote cast on the E2P.

- (a) Remove the E2P paper roll(s) from the transfer case (there may be more than one paper roll for an E2P device);
- (b) verify that the paper roll(s) is for the precinct and ward and/or for the machine serial number you are working on;
- (c) Print the Public Counter number from the E2P paper roll on the 5% Test Form, “5% Test Election Day E2P Ballots Cast” line;

IMPORTANT: Pen must be used to record the vote, and VOIDED ballots should not be counted or recorded.

- (d) using the 5% Test Form, record the votes cast for each candidate and each public question (if applicable) by:
 - (i) employee 1 calling out the name of the first candidate for whom a vote was cast;
 - (ii) employee 2 recording the vote, by using “hash marks” in the boxes to the right of the candidate’s name or public question (if applicable) (one box should contain 5 harsh marks);
 - (iii) repeat the preceding step for every ballot on each paper roll;
 - (iv) if a hash mark is made, by mistake, using a red pen, the employee should make a forward slash (/) through the hash mark.

- (e) Once you have completed the recording of votes, place paper roll(s) inside the transfer case.
 - (f) Add up the hash marks, record and circle the vote totals to the far right of each candidate's name or public question.
 - (i) take the 5% Test Form to the IT Department table to verify that the Election Day totals match the 5% Test totals
 - (ii) if the totals match, proceed to Step 6;
 - (iii) if the totals do not match, notify the Assistant Executive Director, or his designee; and
 - (iv) sign the bottom of the 5% Test Form.
6. Make five (5) additional copies of the 5% Test Form.
7. Record the new seal number for the transfer case on Form 5% P / 5% EV.
8. Separate Form 5% P, and:
- (a) staple the first Insight results tape (with morning zero tape attached) and the original 5% Test Form to the white copy of Form 5% P and place inside the transfer case;
 - (b) staple two (2) of the additional results tapes and two (2) copies of the 5% Test Form to the yellow and pink copies of Form 5% P;
 - (d) place the yellow and pink copies of the Form 5% P, memory pack and extra copy of Insight results tape on the top of the transfer case.
9. Separate Form 5% EV, and:
- (a) staple the original 5% Test Form to the white copy of Form 5% EV;
 - (b) staple one (1) copy of the 5% Test Form to the copy of Form 5% EV;
10. Return the following materials to the IT Department staff:
- (a) For 5% Precinct, the transfer case, memory pack and pink and yellow copies of the Form 5%P and additional copy of results tape and 5% Test Form;
 - (b) For 5% EV, the paper rolls and Forms 5%EV.