

Module 12



Hard Core Evidence: Adopt Part of an Election Monitor the Voting

Look at both **Module 12** (Monitor the Voting) and **Module 13** (Monitor the Counting) and choose one or the other. Voting happens for a 12-hour period during the day; Counting happens from the time the polls close until around midnight, and also before and after the election (absentee and provisional votes).

Guide for Watching the Voting

Goals: Document what goes on inside and outside the polling place.

Before the election

- Generally you cannot stay in the polling place to watch unless you have "poll watcher" status. To apply for permission, check the requirements of your local jurisdiction.
- Many locations require you to have a party affiliation, which is not difficult to obtain if you are a member of a political party. If this is the case, contact your local political party to obtain poll watcher credentials.
- Some jurisdictions may not require a party affiliation, but will require you to register in advance to become a poll watcher.
- If you cannot become a poll watcher, you can still observe everything that takes place inside your polling place while you are voting on Election Day.

What to Watch For During the Voting

- Focus on gathering evidence, not telling stories. What you observe in the polling place may become evidence in an elections contest, and it may receive coverage in the media, so gather the kind of evidence that is most useful to journalists and attorneys:
 - Video
 - Audio
 - Photographs
 - Names and phone numbers of witnesses
 - Voting machine serial number, time of day, names of poll workers present

What to bring with you to the polling place

- See this article: <http://www.bbvforums.org/forums/messages/73/27587.html> for an easy guide to gadgets like audio recorders and videocams.
- You may face restrictions as to what visual images you are allowed to record. This varies from place to place. If possible, bring a small video or digital camera. Many digital cameras can also take Web-quality video.
- Bring a notebook and a writing implement.
- Bring a small audio recorder.
- In the following states you can audio record without asking permission:
 - Alabama • Alaska • Arizona • Arkansas • Colorado • District Of Columbia • Georgia • Hawaii • Idaho • Indiana • Iowa • Kansas • Kentucky • Louisiana • Maine • Michigan • Minnesota • Mississippi • Missouri • Minnesota • Nebraska • Nevada • New Jersey • New Mexico • New York • North Carolina • North Dakota • Oklahoma • Oregon • Ohio • Rhode Island • South Carolina • South Dakota • Tennessee • Texas • Utah • Vermont • Virginia • West Virginia • Wisconsin • Wyoming
- Other states require two-party consent to record, and it is up to you whether you want to fight for your rights to record under public meetings law. Generally, you need permission to record audio in the following states:
 - California • Connecticut • Delaware • Florida • Massachusetts • Maryland • Montana • New Hampshire • Pennsylvania • Washington

Questions to ask when observing:

Even if you are technically savvy, keep your questions simple and innocent and you'll elicit more information. For example:

- "What's that?"
- "Who's that guy?"
- "How come he's..."
- "What's he doing?"
- "What did he just put in the machine?"
- "Where's he taking that?"
- "Where do those cables go?"
- "Where are the [Diebold/ES&S] guys?"

What to document inside the polling place

- Names of poll workers, election judges and other poll watchers
- "Zero report" doesn't work or isn't Zero when machines are turned on at beginning of day. Note voting machine serial number and write down the anomaly on your notepad.
- Voting machine problems: Most voting machines nowadays are optical scan machines (which use paper ballots) and DRE machines (touch-screen or roll-a-dial computers).
- Lack of equipment or supplies to vote -- For example, some of the voting machines are not working, there aren't enough ballots, or some other item (like a card encoder or check-in computer) is not working
- Inappropriate challenges of voters
- Ethnically inappropriate remarks

Here's what to look for with DRE machines:

- Your vote shows up on the wrong choice
- You can't see the paper record of your vote (some states don't have one, but in states with a DRE voter verified paper trail, it may be hidden under a closed door or other obstruction)
- Confusing machine: Hard to figure out how to use it
- A candidate or question is missing from the screen
- The screen automatically fills in votes the voter doesn't want
- The screen fails to report that vote has been accepted. Usually it will say something like "vote cast" -- or the message can be more confusing, like "choices printed."
- Voting machines aren't running
- Error messages appear on the screen
- Administrative or technician screen appears instead of the ballot choices
- Voting machine crashes or freezes
- Voting machine screen is dim, has lines through it, colors are distorted or is otherwise hard to read.
- Voter card doesn't work
- (For accessible machines) The accessibility function aren't working (headphones, large text, keypads, sip n puff)
- Repairman is working on one of the voting machines

Here's what to look for with optical scan machines:

- Repairman is working on one of the voting machines
- Ballots are rejected, jam or ballot indicator doesn't advance after taking a ballot
- Machine is replaced
- Memory card is replaced on election day (before, during or after voting)

- Mark the time and get serial number; get video, audio or photographs if possible. Write a brief report and submit it so it will become a public record.
- Write down (or photograph with your cell phone) anything that looks "weird".
- **Other problems to document:**
 - Modems can't connect
 - Cards/cartridges won't upload
 - Results don't match each other
 - Machine does not print precinct results;
 - Voting machines, ballot boxes or memory/cartridges sent to elections headquarters without proper chain of custody

What to document outside the polling place

Access to the polls

- Polling place switching or closure
- People who the right location, but no signs or indicators for where to vote
- Long lines
- Polling place but it isn't open for business on time
- If poll opening is significantly delayed, call the media. If it is delayed more than an hour, report it to someone who has access to lawyers (such as a candidate or legislative representative). Briefing papers may need to reach a judge by 11 a.m. or noon in order to extend the hours for that polling place.
- If poll opening is delayed due to voting machine problems, when you get inside to vote, ask questions of the poll workers and record their answers to document the problem.
- Ask questions and make sure your audio recorder is running to capture the answers.
- Here are things to jot down in your notebook if you witness a problem:
 - Precinct location
 - Names of poll workers
 - Name of your county/township elections chief
 - Names and contact info for any other citizens who witnessed the disenfranchisement
- Police checkpoints or surveillance of polling places
- Make sure your video recorder captures these situations
- Get photos, note the location, names of witnesses, names of perpetrators

Your Own Additions: Monitor the Voting Module

You can share your ideas by sending to crew@blackboxvoting.org



What worked well?

What new ideas did you come up with?

Was there anything that didn't work very well?
