

BALLOTS: REQUIRED FOR AN ELECTION

What is the **Chain of Custody** of Ballots and why is it important?

To have an official public democratic election, voters need ballots. Voters vote in private for candidates and issues on ballots. Each voter then casts his or her ballot into the ballot box in public. Citizens or officials count the votes on these ballots to find out the results of the election. Counting should be in public.

For citizens to trust that the election is fair and accurately counted, they must know that the same number of ballots prepared for the election is the same number of ballots filled out, returned to be counted or left unused. Election officials call this accounting for the ballots CHAIN OF CUSTODY.

In an election, the ballot is the document on which each citizen votes. To make sure that an election is valid, citizens must verify

1. how many ballots were prepared for use in the election;
2. how many ballots are mailed to voters as "vote by mail" (VBM) (absentee) ballots;
3. how many ballots are distributed to polling places for voting on election day;
4. how many ballots are used for early voting; and
5. how many ballots are cast and returned: filled out, spoiled, voted as provisional*, or unused.

Is the number of ballots prepared for the election the same number of ballots that are returned. The number of ballots in #1 must equal the number in #5.

Chain of custody is an accounting issue: ballots made, ballots used, and ballots returned. Voters have three times or ways to vote: (1) by mail, (2) at the poll on election day or (3) in early voting a week or two before election day at a few locations.

As citizens we must be able to oversee and observe the processes so that we know for sure the accuracy of the chain of custody of the ballots. The three ways or times to vote present citizens varied challenges to observe and oversee the chain of custody of the ballots.

Election Day

The shortest, most simple, and safest chain of custody occurs on Election Day. Poll workers bring empty ballots to the poll in a sealed box. They record the number of ballots they start with. At the end of Election Day, they count the unused, the used, spoiled and provisional* ballots. The total of used and unused ballots should be the same as the number with which they started in the sealed box. Citizens can easily observe this chain of custody.

After the polls close on Election Day, these ballots go to election headquarters where election officials count the votes on the ballots. The number of voted-on ballots from each poll, which election officials count on election night, should be the same as the number of ballots submitted by the poll workers from each precinct.

Vote by Mail (VBM) Ballots

Vote-by-mail –VBM- ballots present citizen observers a major challenge because election officials prepare and mail out the VBM (absentee) ballots from election headquarters. And the mailed-in VBM ballots are returned from the post office to election headquarters for signature matching, sorting, opening and counting. This process goes on for 29 days before any election. Citizens need to observe these processes at the post office, if possible, and at election headquarters, if officials allow. Observing all these processes should be public.

Citizens can drop off their VBM ballots at any precinct in the county on Election Day. These ballots get delivered to election headquarters with the other ballots where election officials process them the same way the mailed in VBM ballots are with signature matching, sorting, opening and counting.

A serious problem with the chain of custody occurs with VBM ballots. There is no way to match the number of these ballots produced and mailed with the number returned because not all of them will

be filled out by the voter: the ballots get lost or the voter has moved. For this reason election integrity groups are wary of the general use of VBM unless in an emergency. They prefer that only voters who will not be able to vote in his or her precinct on Election Day use an absentee ballot.

Early Voting

Some states permit early voting at a few locations for 10 days to two weeks before an election. These ballots present observers and election officials the greatest challenge to oversee and keep track of the chain of custody: (1) how many ballots are available in each of these locations; (2) how many ballots are used on each of the days of early voting; and at the end of the early voting period (3) if the used, spoiled, provisional and unused number of ballots is the same as were originally available at each location at the beginning of the early voting time.

*Provisional Ballots

On Election Day, registered voters or newly registered voters whose names are not in the roster book can vote in any precinct on a provisional ballot. After voting, the registered voter places his/her ballot in a special envelope with his/her identification information on it. These ballots get returned to election headquarters at the end of Election Day with the other ballots. After election officials verify the voter's registration, they process the provisional ballots in the same manner as they do the VBM ballots.

Totals of ballots for Election Day, Vote by Mail, Provisional, and Early Voting

Is the total number of ballots for these ways and times to vote the same as the number of ballots prepared for the election? The answer to this question is what election officials mean by the "CHAIN OF CUSTODY." Citizen observers must oversee this vital part of any election. The correctness of the chain of custody of our ballots presents a major challenge for citizens to trust the validity, reliability and accuracy of the counted results of our democratic elections.

The correct Chain of Custody is: Prepared ballots for an election = the ballots used and unused after the election.