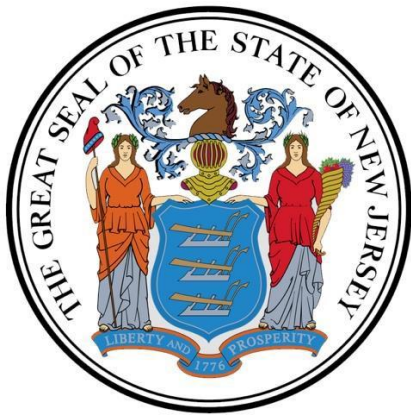


Guidelines for the Conduct of Early Voting



Updated October 18, 2022

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General

Timeline of Early Voting Preparation

A sample timeline for conducting early voting can be found in [Appendix A – Template Timeline Worksheet](#) to help keep you on track through this process.

Site Selection and Management

The following are thresholds for the minimum number of sites required and the maximum number of sites eligible for reimbursement from the State. A county may choose to open additional sites at its own expense.

Registered Voters	Minimum Number of Sites Required	Maximum Number of Sites the State will Reimburse
Fewer than 150,000	3	5
150,000 to 300,000	5	7
More than 300,000	7	10

Dates and hours the sites must be open are also mandated.

Type of Election	Total Number Early Voting Days	Time Period
General Elections	9 days	Saturday through Sunday
Presidential Primaries	5 days	Wednesday through Sunday
Non-Presidential Primaries	3 days	Friday through Sunday
Municipal Elections*	3 days	Friday through Sunday

**If the municipality opts in*

Counties **do not have discretion to expand to additional dates**. Voting should occur at minimum from 10 a.m. to 8 p.m. every day except Sunday, when sites can close at 6 p.m. (N.J.S.A. 19:15A-1). However, counties **have discretion to expand hours** if desired, at their own expense (N.J.S.A. 19:15A-1c).

Sites must serve “the greatest concentration of population” as well as “various geographic areas” (N.J.S.A. 19:15A-1). Plot travel times and consider access to transit in areas of the county where mobility may depend on transit. Consistency in locations across elections is helpful to voters, so select sites that are likely to remain available.

Sites are to be formally approved by the board of elections “at the same time as all other polling places are designated by the board of elections” (N.J.S.A. 19:15A-1b(1)) – before May 15 of each year (N.J.S.A. 19:8-4). In the event of an emergency that makes an existing site unavailable, the act of adding, changing or removing sites must be approved by the board of elections (N.J.S.A. 19:15A- 1b(1)). Counties may designate alternate sites on the annual list, only to be used as a contingency.

Criteria for Evaluating Sites

Included in the appendix is a **Template Early Voting Site Checklist** to help you assess the appropriateness of locations for early voting sites.

Most critical to the assessment of each location is:

- Wireless signal strength
- ADA compliance
- Electrical capacity
- Security
 - Complete the **Facility Self-Assessment Tool**, included in the Appendix

Security of Sites

The main attributes related to the physical security of a given site are:

- Room to which access can be limited by lock and key to protect equipment when board workers are not present
- How voting equipment, including e-poll books, will be secured
- Overnight security coverage (if possible, not required)

Resources and Allocation

Continue to use the **Sample Demand Estimator Tool** in the Appendix to assess the number of voting machines and other equipment needed for each election. Post-election debriefing can also assist in adjusting future resource allocation.

Inputs Section 1 - Estimated Turnout and EV Turnout			
Registered Voters	Estimated Nov 2021 Turnout %	Early Voting as Percent of All Ballots	
		Low	High
300,000	70%	15%	28%
	210,000	31,500	58,800
* Estimated Total Turnout could compare to 2017 * Low and High % based upon comparisons with similar state such as Illinois and Wisconsin			

The Demand Estimator predicts how many people will vote early and how much equipment is needed to handle them. You can edit numbers in this box, and in select other spots on the estimator, to get an accurate estimate for another election.

Supplies

A **Sample Supply Checklist** is included in the appendix.

The state is providing an **Administrative Laptop** for each site, as well as a **larger display screen**. The laptop and display screen will provide:

- Display of sample ballots
- Determination of ballot styles for provisional and court order voters not in the SVRS
 - Bookmark the Polling Place Search site in a browser: <https://voter.svrs.nj.gov/polling-place-search>
- A back-up copy of the voter list

Direct staff to set up the large screen as an extended display. This allows board workers to maintain privacy when entering voter information and then pull sample ballots to the display screen for viewing by the voter.

Election Equipment

Electronic Poll Books

Basic requirements that certified electronic poll book (e-poll book) systems must meet:

- check in of all voters, including voters designated as inactive or as having incomplete registration
- be compatible with the voting system, capable of initiating the correct ballot on the voting machine
- allow signature comparison
- maintain continuous or near-continuous synchronization with the central e-poll book server to prevent duplicate check-ins
- transfer voter changes between the central server and the Statewide Voter Registration System (SVRS) in a secure fashion (with data encrypted both in transit and at rest), in order to:
 - update records of voters changed in SVRS
 - maintain voting history and update SVRS accordingly

Working with information technology personnel and instructions from the chosen e-poll book vendor, identify a process for the ongoing interface between the e-poll books and SVRS.

Board workers on their assigned devices or staff at the central office should periodically verify that each e-poll book remains securely connected to the server.

Pre-Election Logic and Accuracy Testing

E-poll books shall be used to activate a required number of voting machines as set forth in the Pre-Election Testing Protocols issued by the State.

Board Worker Training

Refer to your vendor-specific instructions on e-poll book preparation and board worker training.

Processing voters

Voting Authority Ticket

Each voter will still require a Voting Authority Ticket (VAT), from a pad of tickets, as on Election Day. Use of a VAT produced by an e-poll book receipt printer does not currently meet statutory requirements. Voters will sign twice: once on the e-poll book and once in the VAT pad (N.J.S.A. 19:31-36a(4); 19:52-2.1).

Spoiled ballots

If a voter brings back a spoiled ballot, the board worker should issue a new one using the e-poll book. Consult your vendor for exact procedures. The spoiled ballot should be placed in

and secured in a spoiled ballot bag or envelope and accounted for during Reconciliation. See the Ballot Reconciliation & Transfer section herein.

Provisional ballots

E-poll books automate check-in of provisional voters, preventing normal ballot activation for voters designated in the system as inactive or as having an incomplete registration, or not found in the poll book.

A provisional voter can vote on any machine because a provisional ballot will be activated for that voter. Ballot coding will ensure the ballot cannot be accepted for tabulation on the voting equipment at the early voting site. The provisional ballot will be reviewed by elections officials. See the Provisional Ballot subsection within the Ballot Reconciliation & Transfer section herein.

Voting History Lists

By noon each day of early voting, including weekend days, the county board of elections shall make publicly available a list of all early voting voters from the prior day (N.J.S.A. 19:15A-3).

To ensure updated lists, the Commissioner of Registration must **initiate the re-syncing of e-poll book servers with SVRS nightly**. Reference the State-approved, vendor-specific **SVRS Sync Procedure** document for details.

Election Day

Many of the procedures for using e-poll books on Election Day are identical to those for early voting. Some important points of departure include these:

- An Election Day e-poll book should be linked to its district and polling place in the server database, and labeled to show its assigned site
- In case of e-poll book connectivity failure, refer to Continuity of Operations Plan (COOP) documents

Voting Equipment

There are four different voting options: vote-by-mail, the screen of a ballot-marking device (BMD) during early voting and on Election Day, hand-marked paper ballots during early voting and on Election Day, and a full-face direct-recording electronic (DRE) voting machine on Election Day. **Ensure all voting options are cross-checked against one another for accuracy.**

The board of elections shall prepare training machines for use by board workers in early voting and Election Day training. Integrate e-poll book preparation and training so that board workers go through an end-to-end training process.

Pre-Election Logic and Accuracy Testing

Pre-Election Logic and Accuracy Testing (Pre-LAT) requires a thorough testing of voting machines used during early voting and on Election Day. Early voting machines should be available during your public inspection and incorporated into public testing. **The State will update the pre-election testing protocols.**

Each vendor will provide basic procedures for voting machines to facilitate pre-LAT, voting, routine maintenance and minor repair, but adapt them in line with New Jersey law and an emphasis on transparency and accountability. It is the county's responsibility to assign and train board workers to manage the daily procedures of the equipment, including regular troubleshooting.

Provisional Voting

New Jersey law envisions strict segregation of provisional ballots (N.J.S.A. 19:53C-10 through 19:53C-16), which should be enforced by the technology. Follow the instructions provided for your selected voting equipment to facilitate the process.

Emergency Ballot Voting

Early voting sites will need to have emergency ballots in all ballot styles. The Division of Elections will issue separate procedural guidelines regarding the use of emergency ballots during early voting.

Results Reporting

Results from all streams of voting must be integrated – a challenge that is straightforward in counties using the same vendor for early voting and Election Day and more complicated in counties that do not. **Results must not be made public before the close of polls on Election Day.**

There is some leeway to separate the integration of results in Election Night Returns from the formal, certified set of results. Options include:

- Publishing separate sets of early voting, Election Day and vote-by-mail results on election night
- Using election night reporting (ENR) software that will integrate votes from different systems
 - If an ENR vendor is used, be sure they know that uploaded files are raw data without protections for voter privacy.
 - Such a service is not certified so it cannot be used for official results

Publish the results from each counting group (early voting, vote-by-mail and Election Day, as well as early voting provisional ballots and Election Day provisional ballots) at some point, making transparent for voters and candidates how you have arrived at your tally.

Security

Each county board of elections must submit a security plan for approval by the Division of Elections by December 15 of each year (N.J.S.A. 19:15A-1g(1) and (2)). The security plan must address topics described below, including chain of custody and security for voting machines and for voted ballots, records and materials (N.J.S.A. 19:15A-1). A **Security Plan template** is provided in the Appendix.

Documentation

Two types of documentation are absolutely critical to election security.

1. Written standard operating procedures for each critical task – how voting equipment and e-poll books are prepared, moved and stored, and how ballots are moved
2. Chain of Custody – the paper trail tracking voting machines, e-poll books and ballots

Chain of Custody

The Chain of Custody is both the set of procedures governing how ballots are accounted for, sealed, secured and moved, and the set of documents establishing that those procedures are followed. These documents should provide evidence to relieve any uncertainty that a ballot has been tampered with by indicating when and by whom possession was taken each time they are physically moved.

Establish Chain of Custody through these steps.

- Print zero tapes the first morning
- Each evening, complete the **Daily Ballot Reconciliation Form** to show that the number of ballots counted matches the number of voters checked in
 - Print tapes for each machine as proof of accuracy to accompany the daily reconciliation form
- As seals are changed, use the **Seal Audit Log** to verify that the old seal was intact and record the new one
- When removing ballots for nightly return, complete a **Ballot Transfer Form** so that when the Ballot Bag is opened, staff can verify the contents are genuine
- Each morning, print new tapes to show they match the count from the night before

Completed **Daily Ballot Reconciliation Forms** and **Seal Audit Logs** remain in a **Supervising Board Worker Binder** at the EV site so that board workers can verify previous records. The **Ballot Transfer Form** goes with the Ballot Bag so receiving staff can verify the contents.

Supervising Board Worker Binder

Create a Supervising Board Worker Binder for each early voting site. This binder should include but not limited to:

- A **Seal Audit Log** (1 copy per day)
- The daily **Ballot Reconciliation Form** (1 copy per day)
- **Ballot Transfer Form** (1 per day for each ballot transfer bag)
- Pouches for Voting Machine Tapes (1 per day)
- Pouch with Replacement Seals
- ADA documentation (to ensure it is completed each day)
- Daily timesheet forms (optional)

Counties may decide a larger binder is necessary to collate all board worker instructions, forms and other material. If so, we recommend a Chain of Custody divider within the binder to ensure that these forms are prominent.

Seals

Use numbered security seals, recorded by warehouse staff and board workers and checked routinely and at each break of seal. At a minimum, items under seal shall include:

- **prepared voting machines**
- **voted ballots in storage**
- **voted ballots in transit**
- **completed provisional envelopes**

At the beginning of each day of early voting, a supervising board worker will need to complete the **Seal Audit Log** to show that the voting machines and other items remain secure.

Ballot Reconciliation & Transfer

Board workers must print tapes showing total ballots cast for each machine.

- Print them each evening, and again before voting starts the next day to show nothing has changed
- Complete the **Daily Ballot Reconciliation Form** documenting the number of voters and ballots cast
 - This is described in detail in the Daily Ballot Reconciliation section.
- Complete one or more Ballot Transfer forms
 - They go with each bag or case in which ballots are brought back to the Board, so that those opening the bag can verify that it has not been tampered with

Assign a staff member to audit compliance with standard operating procedures (SOPs) and check the accuracy of documentation.

Ballot Transfer

Ballot Transfer forms are documents that move with the ballots, while the Seal Log and Reconciliation Form remain at the early voting site. They document the number of ballots in

each bag, the seal number and the signatures of a supervising board worker and two other board workers (not of the same political party), so that they can be verified when they reach their destination and/or are opened. When a seal must be broken, two board workers (not of the same political party) should be present as witnesses.

The voted ballots shall be returned to the board of elections, and the board of elections is responsible for creating the chain of custody plan.

A security camera covering the entrance and/or receiving desk to the secure storage area can be an added tool to document these transfers, and also provide a record of any other entry into this secure area. The goal is to help voters recognize that every ballot follows a secure path to its designated space in storage.

Some counties may consider hiring law enforcement to accompany returning ballots.

Provisional Ballots

Provisional ballots, envelopes and check-ins must be incorporated into each aspect of the ballot accounting and return process on a parallel but separate track, because they must be kept segregated (N.J.S.A. 19:53C-10 through 19:53C-16). They are returned to the board of elections (N.J.S.A. 19:15A-1g(1)).

The evaluation of provisional ballots can begin immediately. Provisional ballots for voters who are designated as having been issued a mail-in ballot must be segregated until the mail-in ballot return deadline of 144 hours/6 days after the close of the polls on Election Day at 8 p.m. It is recommended that you hold approved provisional ballots aside in batches until all early voting provisional ballots have been evaluated, and then tallying them at once, to better maintain the secrecy of each ballot.

Voted Ballots

Each early voting site will need to complete a nightly reconciliation, comparing the number of ballots cast on voting machines and to the number of voter check-ins on the e-poll books before ballots leave the site. This is described in detail in the Daily Ballot Reconciliation section.

Ballots and VATs must be returned each night to the board of elections in sealed bags or containers.

- Put VATs on a long plastic strap seal
 - Each plastic strap seal should be associated with a voting machine and shown on the reconciliation sheet
- Seal all plastic straps with VATs together in a bag each night with information showing early voting location and date

Voting Equipment & Records Security

In securing voting machines and e-poll books, election officials must create a plan that addresses:

- physical security of the hardware

- security measures for the voting systems, the tally system and any connectivity, whether wired or using memory media
- transfer voted ballots daily from the early voting site to the board of elections office using chain of custody protocols

Daily Security of E-Poll Books and Other Records

E-poll books and other records – including spoiled ballots, forms for voters moving after the closing of registration, disability assistance forms, court orders, challenger certificates of appointment, challenge affidavits and the affidavits of challenged voters – should be secured in a cart or physical space to which only election personnel have access. A seal shall be placed on the cart at the end of each night of early voting.

The Appendix includes Seal Audit Log, Daily Ballot Reconciliation Form and Ballot Transfer Form.

Daily Ballot Reconciliation

Each day that a voting location is open between the start of early voting and Election Day, information needs to be collected and verified. This should include balancing the total number of paper ballots assigned to the voting location along with voted, spoiled, emergency, and provisional ballots.

A sample daily reconciliation form and instructions are included in the Appendix. Forms should collect at a minimum:

- Name or number of the voting location
- Date the form is being completed
- Number of ballots cast/scanned
- Number of e-poll book check-ins
- Number of damaged or spoiled ballots
- Number of voted provisional ballots (placed in provisional return bag)
- Number of emergency ballots (if issued)
- Number of court order voters (only those not checked in on the e-poll book)
- Identify VAT strap seal numbers associated with each voting machine

Give board workers instructions for dealing with failure to reconcile, though this is generally only a sign of miscalculation or miscommunication. If the count remains inconsistent after a thorough review, machines may need to be quarantined and kept out of service pending a more complete investigation.

Daily Reconciliation at the Board of Elections Office (performed by staff)

At the close of each night of early voting and at the close of the polls on Election Night, the completed ballots and VATs must be returned to the board of elections' office, while the Reconciliation Form remains in the Binder.

It may not be necessary to open bags when they return, if each site sends a single consolidated bag (with each voting machine's ballots individually batched and labeled) or if there is sufficient storage space and ballot transfer bags.

If counties choose to open ballot transfer bags to consolidate batches and store them securely and efficiently, **two staff (not of the same political party)** shall work together to:

1. Record all relevant seals
2. Remove ballots and secure them in their batch
3. Label the batch by site and date
4. Seal batches in designated storage containers
5. Forms from each early voting site can be entered into a simple spreadsheet to help with overall reconciliation
 - Use VATs in the event there is a problem with reconciliation paperwork that requires further review or research

The quantity of ballots returning to the board of elections office presents a number of challenges related to chain of custody and storage. Offices may need to consolidate returned ballots in some way rather than holding 9 days of returned ballots from all sites in separate return containers.

Even if stored in the same bag or container, each machine's ballots must be kept separate.

Continuity of Operations Plan

Your plan should offer solutions for the following scenarios:

- Loss of electricity
- Loss of connectivity for e-poll books
- Disabled e-poll books
- Disabled or wrongly programmed voting machines
 - Manual activation of the ballot on a voting machine sometimes resolves such problems
 - Some e-poll book systems can provide pop-up reminders for specific voters if mistakes in ballot entitlement require a manual correction for those voters.
- Loss of a single site
- Jurisdiction-wide emergency
 - Including loss of data flow to/from the e-poll book server.
- Back-up site – use Clerk or Board office if you have not gone over the minimum in your initial site selection

Documents Relevant to this Topic Found in the Appendix

- NJ Continuity of Operations Plan template
- County COOP Quick Guide template

Going Live

Early Voting Board Workers

N.J.S.A. 19:15A-1d provides that the “election officers for conducting early voting shall be the same as those responsible for conducting a primary and a general election, as appropriate, pursuant to this Title. The number of such officers and their hours of service shall be as determined by each county board of elections.” Therefore, the county board of elections shall determine the number of board workers needed for each early voting site. County boards of elections should be guided by N.J.S.A. 19:6-3 in selecting poll workers for early voting sites. The board workers are to be evenly split between Republican and Democratic members, or if enough members of one party cannot be found, the county board of elections may fill the vacant slots with unaffiliated members (N.J.S.A. 19:6-3). Board workers should be selected such that no one party has a majority representation at any one early voting site.

The team working the early voting sites may need to be classified as part-time or temporary employees with important implications for tax withholding. Consult your Human Resources unit or county legal staff for advice.

The team at each early voting site shall consist of board workers for the voting machine and one for each e-poll book, in addition to a supervising board worker. Consider scheduling board workers in shifts.

Appoint one supervising board worker per site.

You will need to delegate **a group of two board workers (not of the same political party)** to sign off on daily reconciliations, changes of seals and ballot transfers.

You will also need to delegate **a group of six board workers** to decide challenges. These board workers should be selected such that no one party has a majority representation. In addition, you will need to designate alternates to decide challenges in the absence of primary members of the challenge board or have a supervising board worker select a board worker of the appropriate party to fill the vacancy.

Training standards

Train board workers to serve in their assigned position, providing additional training time to supervising board workers. Consider offering online training opportunities along with hands-on sessions.

Final Preparation and Daily Tasks

Set-Up Day

A formal set-up day can ensure that potential issues are addressed in advance to avoid delays on the first day of early voting.

Many jurisdictions ask all board workers to show up and fully prepare the site. At minimum, direct supervising board workers to meet in order to ensure that:

- Voting equipment powers on and pre-LAT results have been zeroed out.
- E-poll books power on and successfully connect with the central database via FirstNet routers.
- All systems are on building power, not battery.

Call Center

Establish a call center, where knowledgeable staff or trainers answer questions from board workers.

Daily Activities

Follow vendor instructions for beginning- and end-of-day procedures for e-poll books and voting equipment.

Consider implementing a process for wait-time tracking that the e-poll book system may offer; ensure board workers fully understand the numbers they need to enter to utilize the system.

Challengers, Challenges and Observation

Challengers may be appointed and serve for early voting consistent with N.J.S.A. 19:15A-2.

The name and address of each challenger, including candidates, as well as the early voting site where they will serve must be filed with the board of elections by the Monday five (5) days before the start of early voting (N.J.S.A. 19:15A-2).

Closing Activities

At the end of each day of early voting, board workers will need to reconcile voter check-ins and ballots cast and prepare ballots for transfer.

1. Complete ballot reconciliation form(s) as outlined in the Daily Ballot Reconciliation section.
2. Prepare regular voted ballots and VATs to be transferred to the board of elections office.
3. Prepare provisional ballots for transfer.
4. Prepare emergency ballots (if used) for transfer.
5. Complete chain of custody documents as outlined in the Security and Chain of Custody section.

The procedures for closing at the end of each day of early voting are not the same as closing polls at the end of the early voting period on Sunday evening. A common but unfortunate mistake is that board workers close polls prematurely.

After Early Voting

Election Day and Election Night

Create a hotline for e-poll book problems. This will be most important during set-up and the first hour or two of voting. Information on the server will allow you to identify sites that have not connected by a threshold time and call out to them to ensure they are following procedures.

The goal of connecting e-poll books to the central server on Election Day is to update voters who voted early or requested mail ballots, so no one can vote twice. Making even a brief connection for a few minutes in the morning can meet this goal.

Election Day e-poll books rely on either of the two available routers – Nighthawk mobile hotspot or Cradlepoint routers, which can be used interchangeably. Test connectivity at your polling places using either of the available routers and an e-poll book. If you identify sites with weak signal strength, FirstNet may be able to upgrade service.

The connection between the router and e-poll book will be established ahead of time by warehouse staff, but board workers will need to power on the routers and potentially move it to establish a strong connection. In some cases, it may even be necessary to bring the router and e-poll books outside. Updating voter history for a single voting district will happen very quickly, so the router would only be held outside for a couple minutes. Ask your vendor to estimate how long updates should take in your county.

A key distinction between Election Day and early voting is that during early voting, e-poll books are directly integrated with the voting system, preparing the ballot card or activating the voting machine. On Election Day, counties may use older voting machines that will require manual activation. It is important for early voting board workers who also work Election Day to recognize this difference.

Your plan should address the return of e-poll books. Some jurisdictions may choose to leave them at polling places, with standard security procedures, for pick-up with voting machines at a later time. Others may ask board workers to return them in their cases. Immediate return allows you to extract data from sites where the connection was not strong.

Return of Supplies, Equipment and Paperwork

End of Early Voting or Election Night Return of Supplies, Equipment and Paperwork

At the close of early voting and Election Day, board workers will follow vendor procedures for equipment and complete paperwork to establish chain of custody as described above. Plan carefully for how materials are returned, which items board workers bring back, which are picked up later and when that will be.

Closing Voting Machines

It is critical that no results be generated when closing voting machines on the final day of early voting. Consult your vendor for closing options. Memory media (e.g., USB drives) should be removed and secured and sealed in a transfer bag. The boards of elections shall maintain the media. If another election office is responsible for uploading the media into the tally system, then the board of elections shall transfer the media to that office no later than 2:00 pm on Election Day.

In some counties the early voting results will have to be incorporated into the official tally manually. If an election night reporting ENR vendor is used, be sure they know that uploaded files are raw data without protections for voter privacy.

Use your judgment on when results should be uploaded to allow sufficient time for entry and proofing. **It is absolutely critical that results are neither made public nor communicated privately before the close of the polls on Election Day.** “The results of the voted ballots shall not be canvassed until the closing of polls on election day ...” (N.J.S.A. 19:15A-1g(1)). Those releasing results of the voted ballots before the close of the polls on Election Day are “subject to penalties established by law” (N.J.S.A. 19:15A-1).

Your vendor should help you generate the list of equipment for which memory media need to be loaded into tally servers.

Election officials need to recognize that data flows from e-poll books to servers may be incomplete. Cross-check the reconciliations completed by board workers against electronic data from e-poll books and tally information to verify the record.

Check in all secure materials against lists to be certain everything is returned in a timely way and assign staff for the task of retrieving missing items. Impound equipment and archive ballots and other documentary evidence, indexed so they can be located quickly if necessary.

Post-Election Audits

Guidance forthcoming in a separate document.

Appendix

- A. Template timeline worksheet
- B. Template Early Voting Site Checklist
- C. Sample Demand Estimator tool
- D. Template RFP for e-Poll books
- E. EPB Connectivity Diagram
- F. Sample Supply Checklist
- G. Security
 - 1) Security Plan template
 - 2) Facility Self-Assessment Tool (FSAT)
- H. Supervising Board Worker Binder
 - 1) Supervising Board Worker Binder template
 - 2) Template Opening checklist
 - 3) Template Shutdown checklist
- I. Chain of Custody Forms
 - 1) Template Ballot Reconciliation
 - 2) Template Ballot Transfer
 - 3) Template Seals Forms
- J. COOP documents
 - 1) COOP template
 - 2) COOP Quick Guide template