

Voter's Affidavit Post-Election Verification Procedures for Counties

September 22, 2016

Executed Voter's Affidavits from Absentee/Mail Voters:

1. Make copies of Voter's Affidavits.
2. When the absentee ballot is returned, attach the original Voter's Affidavit to the returned ballot envelope for processing by election poll workers and set aside the copy for submission to the Secretary of State at a later time.
3. Follow the updated "Creating and Processing Absentee Applications" checklist found in VOICES to appropriately mark the voter's record within the Central Voter File (CVF).
4. Follow the "Post Absentee Voting Credit" checklist found in VOICES to post voting credit for all voters who executed an affidavit.
5. Send copies of Voter's Affidavits from voters who returned absentee/mail ballots to the Secretary of State's office.

Executed Voter's Affidavits from In-Person Voters:

1. Make copies of Voter's Affidavits returned to your office from all polling locations.
2. Post voting credit for all voters who executed an affidavit using the "Scanning Pollbooks and Posting Voting Credit" checklist found in VOICES.
3. Send copies of Voter's Affidavits from in-person voters to the Secretary of State's office.

Sending Verification Notice and Response Cards:

1. After posting voting credit, follow the new "Generation of Postcard Verification Labels" checklist to create the labels for the postcards.
2. Adhere the mailing labels:
 - a. The two county address labels in the spaces marked for this on the Notification and Response cards. (Counties that had 500 or more affiants the last time Voter's Affidavits were used in the 2012 General Election will have the county name and address printed directly on the cards.)
 - b. Affiant label for mailing to the voter
 - c. Affiant identifier label on the response card
3. Attach postage on the Notice and Response portion of the card; fold and tape the postcard shut; and mail the postcards as soon as possible after the election, but not later than Tuesday, November 22, 2016.
4. Follow the "Prefilled Matrix" checklist to create your prefilled Post-Election Verification Matrix spreadsheet (Matrix) in VOICES.
5. Update the Matrix to indicate when the postcards were mailed.

Processing the Returned Verification Response Cards:

1. Voters receiving the notice are instructed on the card to complete and return their portion of the card as soon as possible, but not later than Friday, December 9, 2016.
2. Processing the returned cards:
 - a. Cards returned by the voter confirming that what they had entered on the Voter's Affidavit is true – Indicate such on the Matrix. Nothing else needs to be done for this voter. We anticipate most cards will fall into this category.

- b. Cards returned as undeliverable – Indicate such on the Matrix and follow the Additional Verification instructions on the next page.
- c. Cards returned with some sort of negative response or voters from whom you receive no response at all – Indicate such on the Matrix and follow the Additional Verification instructions on the next page.

Additional Verification When Needed for Negative Responses:

1. If the voter included a phone number on the Voter's Affidavit:
 - a. Call the voter and ask if he or she received the postcard that was sent.
 - b. **Note:** For the purpose of verification, do not tell the voter the address listed on the Voter's Affidavit.
 - c. Ask the voter to provide his or her residential and mailing addresses and verify these against what was entered by the voter on the Voter's Affidavit and against what you or your county entered for the creation of the mailing label. If necessary, update the voter's record in the CVF and in the Matrix. If the information received from the voter seems suspect, provide the information to the county state's attorney for assistance in determining if this voter was qualified to vote in the election.
 - d. Make at least three attempts on three separate days to contact the voter by phone before providing the information you have gathered about this voter to the county state's attorney for assistance in determining if this voter was qualified to vote in the election.
 - e. Update the Matrix according to the instructions provided with it.
2. If the voter did not include a phone number on the Voter's Affidavit:
 - a. Use whatever other tools that may be available to you in an attempt to make contact with this voter.
 - b. Examples for the "other tools" are county tax records, contacting the university or college if the voter is a student, or contacting other voters in the CVF with the same name and date of birth.
 - c. If you are unable to contact the voter, provide the information to the county state's attorney for assistance in determining if this voter was qualified to vote in the election.
 - d. Update the Matrix according to the instructions provided with it.

Complete and Return the Post-Election Verification Matrix:

1. Update the Matrix appropriately for every voter who voted by Voter's Affidavit.
2. Send the completed Matrix and the copies of the executed Voter's Affidavits to the Secretary of State's office as soon as the Matrix is complete.
 - a. Email the Matrix to Rachel Bergquist at rbergquist@nd.gov.
 - b. Paper or electronic copies of the executed Voter's Affidavits may be sent:
 - i. Paper copies – Mail to: Rachel Bergquist, Secretary of State, 600 E Boulevard Avenue Dept. 108, Bismarck, ND 58505-0500; or
 - ii. Electronic copies – Contact Rachel Bergquist at rbergquist@nd.gov or (701) 328-3079 for instructions to securely submit the copies.
3. These are to be completed and sent to the Secretary of State's office not later than Friday, January 6, 2017 so the Secretary of State's office can aggregate the data, conduct additional research, and provide the information to the 2017 Legislative Assembly as the statistical basis for informed decisions relating to voter ID.
4. Continue to update the Secretary of State's office as investigations that have been turned over to the county state's attorney are finalized.
5. Retain the originals of the executed Voter's Affidavits and the returned Verification Response cards with the rest of the election materials that are to be maintained for 22 months according to federal law whenever a federal contest (e.g., U.S. Representative) is on the ballot.