

Electronic Poll Book Procedures



Purpose

This document establishes the process by which election officials working at a voting place will use electronic poll (ePoll) books to maintain the voters' list in a Markham municipal or school board election.

Application and scope

These procedures authorize the use of ePoll books at voting places designated by Markham's City Clerk. Election officials will use ePoll books to perform searches, updates and strike-offs to the voters' list.

These procedures apply to all Markham municipal and school board elections involving the use of ePoll books. The provisions established in Ontario's Municipal Elections Act (MEA) and these procedures will apply with necessary modifications for voters with disabilities.

Legislative authority

Section 28 of the MEA requires Markham's City Clerk to prepare and certify a copy of the voters' list for use at each voting place.

Section 51(1) of the MEA establishes that a voter whose name appears on the voters' list for a voting place is entitled to vote there, and Section 43(7) requires Markham's City Clerk to update the voters' list for all voting places to reflect the voting that took place.

Section 12 of the MEA authorizes Markham's City Clerk to establish and/or clarify any matter of the election process that is not prescribed by law and is necessary or advisable for conducting the election. Under this authority, Markham's City Clerk has established that election officials maintaining the voters' list at voting places may do so using ePoll books.

Procedures

1. Opening the voting place

- 1.1 At the beginning of each voting day where ePoll books are to be used, election officials will:
 - (a) power on the ePoll books and log into the ePoll book software;
 - (b) verify that each ePoll book is displaying the correct voting place and date; and,

- (c) command the primary (server) or all (client) ePoll books to synchronize with the central voters' list database (based on the applicable configuration).

2. Serving voters

2.1 **Voter has a voter information letter:** If a voter presents a voter information letter at the voting place, an election official will:

- (a) use the voter information letter to locate the voter in the ePoll book;
- (b) check the voter's identification;
 - i. If the voter does not have acceptable identification, ask the voter to complete a statutory declaration using the prescribed form.
- (c) confirm the accuracy of the voter's information displayed in the ePoll book;
 - i. If the voter requires a change to their information:
 - 1. confirm the voter's identification based on the change type; and,
 - 2. apply the change to the voters' information in the ePoll book and ask the voter to sign the declaration authorizing the change.
- (d) record the voter's information in the Record of Voters and ask the voter to sign the voting place declaration;
- (e) strike the voter off the voters' list in the ePoll book;
- (f) issue the voter the correct ballot style based on their eligibility as displayed in the ePoll book; and,
- (g) place the voter's voter information letter in the used voter information letters envelope.

2.2 **Voter does not have a voter information letter:** If a voter does not present a voter information letter at the voting place, an election official will:

- (a) check the voter's identification and/or ask for their qualifying address to locate them in the ePoll book;

- (b) confirm whether the voter is listed in the ePoll book and confirm the accuracy of their information;
 - ii. If the voter is listed in the ePoll book but does not have acceptable identification, ask the voter to complete a statutory declaration using the prescribed form.
 - i. If the voter is not listed in the ePoll book or requires a change to their information:
 - 1. confirm the voter's identification; and,
 - 2. add the voter or apply the change to the voter's information in the ePoll book and ask the voter to sign the declaration authorizing the change.
 - (c) record the voter's information in the Record of Voters and ask the voter to sign the voting place declaration;
 - (d) strike the voter off the voters' list in the ePoll book;
 - (e) issue the voter the correct ballot style based on their eligibility as displayed in the ePoll book; and,
 - (f) place the voter's voter information letter in the used voter information letters envelope.
- 2.3 If a scrutineer objects to a voter, the election official will ask the voter to affirm their identity and eligibility, and if satisfied that the voter is eligible to vote, the election official will issue the ballot and record the objection and affirmation in the ePoll book.
- 2.4 If a voter is marked as having voted and this is disputed by the voter, the voter may on completing a declaration be issued a ballot.
- (a) If the previous ballot registered to the voter is cast online, that previous ballot will be invalidated through the application of a digital signature and excluded from the decryption and tabulation process.

3. Interruption to ePoll books

- 3.1 If there is an interruption to all ePoll books that prevents any election official at a voting place from performing searches, updates or strike-offs to the voters' list, the voting place manager will:

- (a) note the time the interruption started in their voting place record;
- (b) retrieve the materials from the voting place's contingency kit;
- (c) instruct one or more election officials to serve voters who have a voter information letter in the following manner:
 - i. confirm the accuracy of the voter's information displayed on their voter information letter;
 - 1. If the voter requests a change to their information, direct them to the one or more election officials instructed to serve voters who do not have a voter information letter.
 - ii. check the voter's identification;
 - 1. If the voter does not have acceptable identification, ask the voter to complete a statutory declaration using the prescribed form, and place the form in the dedicated envelope for forms used during the contingency period.
 - iii. record the voter's information in a new Record of Voters form and ask the voter to sign the voting place declaration;
 - iv. issue the voter the correct ballot style based on their eligibility displayed on the voter information letter; and,
 - v. place the voter's voter information letter in the dedicated envelope for forms used during the contingency period.
- (d) instruct one or more election officials to serve voters who do not have a voter information letter in the following manner:
 - i. ask for the voter's identification;
 - 1. If the voter does not have acceptable identification, direct them to next closest voting place or to return with acceptable identification.
 - ii. complete a voter registration form with the voter's information and ask the voter to sign the form's declaration;

- iii. countersign the voter registration form and place it inside the dedicated envelope for forms used during the contingency period;
 - iv. record the voter's information in a new Record of Voters form and ask the voter to sign the voting place declaration;
 - v. determine the voter's ward using the ward key; and,
 - vi. issue the voter the correct ballot style based on their eligibility; and.
 - (e) alert Elections Markham to request technical support for the inoperable ePoll books.
- 3.2 Once the ePoll book interruption has been resolved, the voting place manager will:
- (a) instruct one or more election officials to resume serving voters using the ePoll books;
 - (b) collect the forms used during the contingency period from the election officials;
 - (c) instruct one or more election officials to update the ePoll books with the manual strike offs and changes made to the voters' list using the forms completed during the contingency period;
 - (d) note the time that the interruption ended in their voting place record;
 - (e) notify Elections Markham that ePoll book functionality has been restored.

4. Closing the voting place

- 4.1 At the end of each voting day where ePoll books are used, election officials will:
- (a) command the primary (server) or all (client) ePoll books to synchronize with the central voters' list database (based on the applicable configuration).
 - (b) exit the ePoll book software on each ePoll book; and,
 - (c) power off the ePoll books.

5. eSignatures

- 5.1 A change to the voters' list requiring confirmation by the voter may be captured directly in the ePoll book with an eSignature.
- 5.2 Voters are not required to sign forms electronically, and if a voter so chooses, a paper form will be provided.
- 5.3 Consent to provide an eSignature may be inferred from the conduct of a person, which will include but not be limited to the person signing a document electronically.

6. Electronic records

- 6.1 All records created and/or modified in an ePoll book will be stamped with metadata that includes the following information:
 - (a) the time and date that the record was created;
 - (b) the name of the user that created the record.
 - (c) the time and date that the last edit was made to the record.
 - (d) the name of the last user to edit the record; and,
 - (e) the time and date that the document received an eSignature.
- 6.2 All records created and/or modified using an ePoll book will be stored on Elections Markham's voters' list management system for the *MEA's* minimum legislated record retention period following certification of the election results, after which point they will be irrecoverably destroyed.

Roles and responsibilities

Elections Markham periodically reviews and updates this document to support legislative compliance as well as the principles of transparency, consistency, and accessibility. Updates made during an election period will be communicated to candidates and the public.

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Approved by: Markham City Clerk