

The best laid plans can often change upon a moment's notice. Emergencies happen and localities need to be prepared to handle them. This chapter contains checklists that localities may use in the preparation for and in the event of emergencies. The outcome of an emergency is often decided before it ever happens: it is determined during the preparation and training before Election Day. The best plans are of no use if they are not properly communicated to the people who need them the most. Therefore, localities must ensure that their officers of election are trained in how to handle certain emergencies.

27.1 Assessment for the Polling Place

As part of their normal preparation before Election Day, the electoral board should conduct an assessment for each polling place. This assessment should include:

- ✓ Locate fire extinguishers/fire alarms and inform all election officials of their location.
- ✓ Identify emergency escape routes/exits.
- ✓ Identify a predetermined assembly point to be used in the case of evacuation at least 300 feet away from the building and outside of parking areas, if possible.
- ✓ Familiarize all officials with the Incident Report Form.
- ✓ Identify potential hazard areas (icy steps/sidewalks, slick/wet floors) and notify custodial or management staff of the polling place to correct the hazards, if possible.
- ✓ Identify dialing procedures for contacting 9-1-1 (Determine whether an outside line requires dialing additional digits such as "9" resulting in 9-9-1-1).
- ✓ Provide emergency supplies to every polling place (flashlight, list of important phone numbers, a copy of locality's emergency plan, etc . . .).
- ✓ Ensure that every polling place has access to a phone in case of an emergency. General registrars should keep a listing of emergency contact numbers.
- ✓ List current emergency numbers for facility managers or their designated contacts for every polling place, including home/cell numbers. This should include a person nearby who has the keys to the building and polling room in case of an emergency (at any hour).
- ✓ Determine whether the facility has a copy machine, and request emergency access (if needed) to the machine and the room. Determine where the machine is located and how to get such access (keys, codes,

etc.), including access at times before or after the facility's normal business hours. (You may want to agree, in advance, on either paying the copying costs or replacing supplies, if used in an emergency.)

- ✓ General registrars should consider sending a list of polling places to the local police and fire departments before Election Day. This information may reduce the response time, should there be an emergency.

27.2 Election Day Emergency Procedures

27.2.1 Emergency Polling Place Relocation

If an Election Day emergency requires the polling place be moved to an alternate location:

- ✓ The precinct chief election officer should contact the general registrar/electoral board office which will in turn contact local law enforcement and/or local emergency management services.
- ✓ After contact with local law enforcement and/or local emergency management services, the general registrar/electoral board should contact the Secretary of the SBE and be prepared to propose an alternate location and proposed method of handling the continuation of the election. Use the Emergency Polling Place Relocation form (SBE-310(D)). for this purpose.
- ✓ Meanwhile, polling place officials should be following the Election Day Emergency Procedures provided, and if the polling site should be evacuated all present persons should assemble at a predetermined assembly point at least 300 feet away from the building (or as close to 300 feet as terrain/conditions will allow) and outside of parking areas, if possible.
- ✓ An alternate location must be established within the precinct or within 1 mile outside the precinct boundary. Arrangements should be made to transport the necessary equipment & supplies to the new location. The safest, most efficient shelter should be used to resume voting as soon as possible after the SBE Secretary has approved the new location.
- ✓ Voters must be notified by the most efficient means, presumably through fliers and the news media (television and radio, if possible), of the new polling location. Notices must also be posted at and outside the old (original) polling place, if possible.
- ✓ A request for pre-clearance of the new location should be submitted to the U.S. Department of Justice. There is no need to wait for the pre-clearance in order to go forward, as it may not be provided on Election Day.

27.2.2 Emergency Evacuations

- ✓ Get as accurate a headcount as possible, use this headcount to make sure everyone is evaluated from the polling place
- ✓ Alert all present individuals of the emergency circumstances as calmly as appropriate & remind them of the predetermined assembly area.

- ✓ Voting machine officer take quick note of the “Public Counter” number on the machine(s).
- ✓ Designated officer should notify the office of the general registrar/electoral board ASAP.
- ✓ Chief officer should account for all election officials & evacuated voters.
- ✓ Chief officer should designate an officer to list the names of those who checked in before the evacuation, but were unable to vote.

Officers should advise voters they may do one of the following:

- ✓ Wait until the building can be re-entered.
- ✓ Vote on an official paper ballot, optical scan ballot, or battery operated voting equipment, if officers have the materials to allow them to do so. Follow the procedures for use of emergency paper ballots if the equipment is not available or cannot be used. ([§ 24.2-642](#)).

If time permits, polling place officials should try to take with them the following:

- ✓ Counter & ballot container(s)
- ✓ Precinct Pollbook(s), paper or electronic
- ✓ Public Counter number recorded from each machine
- ✓ Unused ballots
- ✓ Paper Ballots
- ✓ Unused provisional ballot envelopes
- ✓ Paper
- ✓ Pens
- ✓ Necessary forms & materials to allow voting to continue, such as Affirmation of Identity & Affirmation of Eligibility, and any precinct lookup devices/lists
- ✓ Voting equipment (if feasible)
- ✓ Personal belongings

Any voter who chooses to leave because of the emergency and later returns must be allowed to go to the head of any line of persons waiting to vote. Officers should make a list for this purpose.

- However, a voter who has already been checked in on the pollbook as present to vote and then leaves may not return and vote later. At no time may the line of those who have checked in and not yet voted extend beyond the observation of the officers. ([§ 24.2-643 \(B\)](#)).
- The law also says that the line of voters who have been checked in may not extend outside the building or polling place ([§ 24.2-643 \(B\)](#)), but public safety must take priority in an emergency. So, one officer should stay with the evacuated voters who have been checked in but not yet voted, and voting should recommence (either inside the polling place or at the alternate location) as soon as it is possible and safe.
- Attempt to resume the election at the predetermined assembly point if circumstances permit.

- The electoral board with SBE approval may authorize moving the polling to another location if there will be a prolonged or permanent evacuation. See 27.13. Approval under the federal Voting Rights Act is required for localities that have not bailed out; however, an emergency relocation can proceed on the assumption preclearance will be granted after the emergency has passed. In the event relocation is authorized, an election official must leave directions to the new location posted on the doors (post on both regular and handicapped accessible entryways). The directions should indicate the time this polling place was vacated and on whose authority, e.g., Vacated by authority of the Electoral Board 2 p.m. To vote, please report to
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27.2.3 Fire

- ✓ If the fire is very small and contained, attempt to extinguish with a fire extinguisher. Call 9-1-1.
- ✓ If the fire cannot be extinguished, evacuate everyone using the predetermined emergency routes to the predetermined assembly point.
- ✓ If evacuation is necessary, follow the above procedures.

27.2.4 Bomb Threat

- ✓ If the threat is imminent, evacuate everyone from the polling place using the predetermined emergency procedures contained in this document.
- ✓ Call 9-1-1 and report everything about the threat exactly as the caller made it to you.
- ✓ Notify the general registrar's office as soon as possible after calling 9-1-1.
- ✓ The person who received the threat call should document or record the conversation details while it is fresh in their mind.

If a bomb threat is phoned into a polling place, get as much information from the caller as possible. If possible, have another person listen to the conversation. Do not be afraid to ask questions. [The Virginia Capitol Police Emergency Planning Manual \(2009\) on pdf page 32](#) provides a list of suggested questions.

27.2.5 Power Outage

- ✓ Contact the general registrar or electoral board office. The staff will attempt to get power restored or auxiliary power provided, or supply additional paper ballots if they will be needed.
- ✓ If possible, contact the custodial or management staff of the polling place.
- ✓ Most equipment should remain operational. If a tabulating device becomes inoperable, instruct the voter to deposit his ballot into the emergency ballot slot on the ballot container. Instructions are provided

in the Election Day Guide under Voting Machine Position. Notify the registrar if it is necessary to use the emergency ballot slot.

- ✓ Attempt to find an alternate source of light until power is restored.
- ✓ Meanwhile, use the flashlight, if provided with the election supplies.
- ✓ If it is feasible, the polling location may temporarily be moved to another area of the building where natural light is available or car headlight beams can be directed into the area.

If necessary, continue voting using official paper ballots:

- ✓ Be sure to accurately reflect these voters as paper ballot voters in the pollbook.
- ✓ Call the registrar's office to request additional paper ballots if necessary.
- ✓ If it appears that they will not arrive before the existing supply has been depleted, procedures for making additional emergency paper ballots are provided in [§ 24.2-642](#) but only upon the approval of the electoral board.

If power cannot be restored:

- ✓ The electoral board with SBE approval may authorize moving the polling to another location. See 27.13.
- ✓ An election official must leave directions to the new location posted on the doors (post on both regular and handicapped accessible entryways). The directions should indicate the time this polling place was vacated and on whose authority, e.g., Vacated by authority of the Electoral Board 2 p.m. To vote, please report to _____

If the power goes out during the ascertainment of the results, representatives of both political parties must be present with the materials at all times before the officers of election may move the voting materials to an alternate location.

27.2.6 Inclement or Precarious Weather Conditions

The staff of the electoral board and registrar should monitor reports of extreme weather conditions prior to elections.

In the case that extreme weather is predicted *before* the election:

- ✓ Arrangements must be made with the managers of the facilities where polling places are located and will be notified that they must have the facility open for polling, delivery, and pick-up of the voting equipment.
- ✓ The voting machine technicians should deliver the equipment to the polling locations ahead of schedule.

In the event that a report of dangerous conditions is received from a credible source (School Superintendent, Sheriff's Office, fire and emergency management officials) or an emergency weather channel *while* the election is being held, follow the appropriate plans:

- ✓ In the event of an **earthquake**, evacuate the building using the

procedures outlined in this document and assemble at the predetermined evacuation assembly point if possible.

- ✓ In the event of a **tornado**, calmly assemble voters and election officials in an internal space away from windows, preferably in an enclosed hallway.
- ✓ In the event of **icy/snowy/treacherous walkways**, assign an election official or an election page to keep entrances and exits free of ice and snow, as well as, posting multiple signs boldly indicating “caution” areas (wet floors, icy walkways, etc.). Keep the registrar apprised of present and changing conditions, as well as the steps taken to improve those conditions.

Section [24.2-603.1](#) gives the Governor the authority to postpone elections other than general elections for federal office in the event of a State of Emergency declared by the Governor, or declared by the President or the Governor of another state and confirmed by the Governor. The election may be postponed up to 14 days from the original election date. If a local governing body in the affected area determines that a longer postponement is required, it may petition the Virginia Supreme Court for an extension, not to exceed 30 days from the original election date. The procedures for the postponed election are set forth in § [24.2-603.1](#).¹

In certain types of declared State of Emergencies and public emergencies, § [24.2-713](#) gives the Secretary of the State Board the authority to designate alternative methods and procedures to handle absentee ballot applications and ballots.²

27.2.7 Illness, Injury, or Death

- ✓ Have an election official call emergency service at 9-1-1.
- ✓ Make sure that the election official identifies himself, gives the full address of the polling place and the name of the building, and is prepared to provide directions to the polling place and the information about the extent of the person's injury.
- ✓ Do not touch the person or offer to treat or provide medications (either over the counter or otherwise) to the individual.
- ✓ Complete an Incident Report Form.
- ✓ An officer may tell the person you are filing an Incident Report with the electoral board.
- ✓ Do not make any statement admitting guilt or wrongdoing, or instruct the individual on the proper course of treatment (this includes assisting the individual in getting medical care by means other than by calling 9-1-1).
- ✓ In the event of a serious illness, injury, or death, call the registrar/electoral board office after completing the call to 9-1-1.

¹ Updated 07/07

² Updated 07/07

27.2.8 Inability to Enter the Polling Location:

- In the case of **high water before the polls open**, first notify the registrar, who will in turn contact the local electoral board. The electoral board must follow the guidelines established in the Election Emergency Procedures. After the alternate plans have been finalized, the electoral board and chief election official will notify election officials.
 - In the case of **high water after the polls open**, first inform the registrar, follow evacuation procedures, and then follow the aforementioned high water plans.
 - In the case of **locked doors**, if the chief election official will not have the key for the polls, he should ensure, prior to Election Day, that he has phone numbers for contacting a facility custodian or the management staff. If the chief election official cannot make contact with one of the aforementioned individuals, he should contact the registrar and begin following the guidelines set forth for an alternate polling location in the Election Emergency Plans.
- i** Section [24.2-603](#) of the Code of Virginia states that polls **MUST** be open for voters to place their vote at 6:00 a.m. Officers of election **MUST** be present by 5:15 a.m. [§ 24.2-639](#). Officers other than the chief and assistant may be assigned to work less than a full election day. [§ 24.2-115.1](#).

27.2.9 Emergencies Involving Election Officials:

- **If the chief election official does not arrive with the supplies**, any election official present should notify the registrar by 5:15 a.m. The office staff will attempt to reach the chief at his home. If the chief cannot immediately get to the polls with the supplies and books, the electoral board will deliver supplies, ballots, and a machine key immediately to the polling place.
 - Until the pollbooks (which are in the custody of the chief) arrive, the registrar's office must be called to verify that each voter is qualified. For each qualified voter who votes on the registrar's authorization before the pollbooks arrive, record the voter's full name, street address and pollbook count (PBC) number on a note pad. Once the officers have the pollbooks, they record the voters and PBC numbers in the appropriate sections (double-checking names and addresses to make sure the correct voter is marked).
 - If there is no phone service, or the registrar is not available, follow the normal procedures for a voter who is not listed on the pollbook, using a paper ballot and completing the Provisional Ballot envelope. Do not mark these voters on the notepad or pollbook.
 - If a voter must leave before you receive ballots, take his/her name and phone number. If the voter returns later in the day, place him/her at the front of the line, if one exists.
- **If the chief election official is ill or has a family emergency before the election**, the assistant chief or the official who will now serve as chief will be notified to pick up the supplies and ballots, and serve in absence of the chief.

- **If the supplies are destroyed**, immediately call the registrar so that new supplies may be furnished. The supplies and ballots are not to be left overnight in an automobile. The chief should ensure the supplies, equipment, and ballots are safely secured both at home and at the polling location when they go to check their equipment. If the supplies are destroyed, the registrar’s staff will then replace supplies.
- **In the event that the precinct is short of election officials**, the shortage must be reported as the chief or assistant chief becomes aware. The registrar’s office will attempt to replace the official. The other election officials must proceed in opening the polls. However, [§ 24.2-118](#) provides that, “If an officer of election is absent or unable to serve and the polls have been open for one hour, the remaining officers of election shall appoint a substitute officer of election for the precinct. The substitute officer shall possess the same qualifications and, after taking the requisite oath, have the same powers as officers appointed by an electoral board.”

27.3 Other Difficulties on Election Day:

In the event that voting equipment malfunctions or is damaged, immediately report to the voting machine technicians or the registrar/electoral board’s office. Follow procedures in the Code under “Inoperative Equipment.” ([§ 24.2-642](#)).

- If using optical scan ballots, voting will continue normally except for the tabulating. ([§ 24.2-642](#)). Any voted ballots must be placed in the emergency ballot container will remain in that container until the polls close and then the ballots will be fed through the counter. If the officials neglect to place the ballots in the emergency ballot container before running the tapes, the technicians and an electoral board member must be summoned to the precinct and observe while all the ballots are run through the counter again before the results can be reported. The ballots may have to be read or hand counted if the locality does not have the equipment.
- If using DREs, and other equipment is not available or usable, voting should continue using paper ballots, and emergency paper ballots authorized by the electoral board if necessary. ([§ 24.2-642](#)).
- **In the event that the ballot container is damaged or missing**, immediately report this to the registrar. The technician will be sent to repair or replace the container. If the emergency ballot slot cannot be used, the voters must place their ballots in the black supply container, or other container that is sealed and has a slot on top. The ballots must remain in that container until the polls close and then the ballots must be fed through the tabulator.
- **In the event that the precinct phone is not working**, report the problem to the custodial or the management staff. Another phone may be obtained to report the nonfunctional phone or down service to the registrar. If needed, a cellular phone may be provided until phone service is restored.
- **In the event that the registrar’s phones are not working**, cellular phones may be used until service is restored. All precincts must be notified of the new temporary number at which the registrar’s staff may be reached.

- **In the event of power failure at the registrar’s Office**, the registrar shall determine if the staff will be relocated. All election officials must be notified of the new location and contact information.
- **In the event the ballot box fills**, officers of election may open the ballot container and empty the ballots with the following safeguards:
 - The optical scan ballot container shall be opened in plain sight or any authorized party representatives or other observers and, once the ballots have been deposited into an auxiliary ballot container, both ballot containers shall remain in plain sight in the polling place.
 - Any such auxiliary ballot container used shall meet the requirements of Va. Code § [24.2-623](#)
 - A minimum of two officers of election, representing both political parties, shall execute such a transfer of ballots.³

27.4 If A Court Extends Polling Hours

In any situation where the officers of election are notified that the polling hours have been extended by court order, any person who offers to vote after the normal closing time of 7 p.m. must vote a provisional ballot. This does not apply to voters who are in line at 7 p.m. ([§ 24.2-653\(C\)](#)).

- If news of the extended hours did not come from the general registrar or electoral board or via delivery of an official copy of the order from the court, the chief or assistant chief officer should immediately attempt to verify the extension with the registrar or electoral board. If a copy of the order is delivered to the polling place, the chief or assistant chief should immediately inform the general registrar or electoral board of its receipt and contents.
- Estimate the number of extra paper or optical scan ballots and provisional ballot envelopes that will be needed during the extended polling hours (all voters during that time must vote provisional ballots), and ask the general registrar or electoral board to have them delivered to the polling place. If there is not enough time to have them delivered, proceed with the stock on hand and use the procedures for emergency paper ballots under [§ 24.2-642](#) but only upon approval of the electoral board. If additional provisional ballot envelopes are needed, an officer may photocopy both sides of a blank provisional ballot envelope to be attached to a plain envelope or securely wrapped and sealed around the outside of the folded paper or optical scan ballot (with the information normally on the envelope visible, but the ballot kept private) if no plain envelopes are available. (Do not staple through any ballot.)
- All qualified voters who are in line when polls would normally close must vote in the usual manner.
- Any voter entering the line after the normal closing time, but before the extended closing time, must vote by provisional ballot. Keep a separate running count of the number of provisional ballots issued after the normal poll closing time. What

³ See SBE Policy 2008-010.

- one judge orders, a higher court may overturn, so the ballots and counts must be kept completely separate. These voters may also be voting a provisional ballot for any of the usual reasons and all applicable reasons should be marked. These voters will not be marked with a pollbook count number to indicate that they have voted but will be listed in the same manner as other provisional voters. These ballots will be counted and added to the results by the electoral board; they are not counted at the polls by the officers. (See Chapter 29 for more information).
- After all voters in line by the extended poll closing time have voted, proceed to close the polls and report the results normally. If extra lines or comments must be added to the Statement of Results to separately account for the ballots cast after the normal poll closing time, do so before the Statement is signed and the materials are sealed.

27.5 Emergency Reproduction of Ballots

Instructions and Forms for Emergency Reproduction of Ballots. In 2008, the State Board of Elections approved policies defining inoperable or unavailable equipment for the purposes of [§§ 24.2-642](#) and [24.2-646.1](#) which allow for the use of paper ballots, and the reproduction of emergency paper ballots by the officers at the polls in certain emergency situations.

- [SBE Policy-2008-004 - Definition of “Inoperable Equipment”](#)
- [SBE Policy-2008-011 - Definition of Unavailable Voting Equipment](#)

The State Board also granted permission to all localities which used optical scan ballots for any precinct (including absentee voting), to use the optical scan ballot or a copy of the optical scan ballot in lieu of the official paper ballot.

- [SBE Policy-2008-005 - Reproduction of Optical Scan Ballots](#)

When distributing election materials to the polling locations, ensure each precinct is provided a master copy of form [SBE-646.1, Authorization to Reproduce Ballots](#). Chief and Assistant Chief Officers should be instructed on the purpose and use of this form in their training, which should also include examples of situations in which such reproduction might be needed.

In each polling place, before the election the electoral board or general registrar should determine if a copy machine is available for officer use, and how the officers can obtain access to it, especially before and after normal business hours. Or, the Chief should know where the nearest quick copy store is, and their hours.

Such copying capability might also be needed if the polling hours are extended by court order and the number of provisional ballot envelopes runs low and cannot be resupplied in time to continue voting without interruption. In that situation, the officer would take two blank provisional ballot envelopes, and copy the front and back side together on one

side of a legal size piece of paper (white paper is fine). This printed "envelope" would be wrapped around the voted provisional ballot and serve in the place of the green envelope. It would otherwise be treated the same as the green (voter's) provisional ballot envelope.