

Kootenai County Elections

Frequently Asked Questions

Why does an elector have to designate a party affiliation?

Idaho Code requires an elector to declare a party affiliation or to be registered as Unaffiliated. This affiliation will determine the elector's eligibility to vote in a particular party's Primary Election. It does not affect the elector's ability to vote in any other election. Party Affiliation is part of the individual's registration data and is public record.

What are the recognized political parties in Idaho?

The four (4) recognized political parties in Idaho are the Constitution, Democratic, Libertarian and Republican Parties. An elector may affiliate with any one of these parties or may choose to affiliate with no political party (i.e. an unaffiliated voter)

What does "Unaffiliated" mean?

"Unaffiliated" means the individual is not associating with any political party

What if an elector refuses to affiliate with a party?

If an elector refuses to make a party affiliation selection, the elector will automatically be registered as an unaffiliated voter (i.e. a voter with no political party preference) as required by Idaho State law. This may limit the elector's participation in the Primary Election in regards to Partisan Ballot Styles, however, this will not affect the elector's ballot choices in any other election.

Can an elector change his or her party affiliation?

An elector who has affiliated with one of the four (4) recognized parties may change his or her political party affiliation to another party or become an Unaffiliated voter at any time **except** between the close of candidate filing and the Primary Election.

Electors who have registered as unaffiliated may affiliate with one of the four (4) recognized political parties at any time, including on Election Day

What if an elector's name does not appear in the E-Poll Book?

First, determine if the elector is in the proper precinct and polling place. When their polling place has been established to be yours, every effort must be made to determine if the elector is already registered. If the elector is found not to be registered, the elector may register at the polls on Election Day. They should be directed to the registration table and Election Day Registration procedures should be followed.

The elector should select a party affiliation or designate themselves as an unaffiliated voter. If the elector does not select a party affiliation, they will automatically be designated as an unaffiliated voter.

When the elector appears before the Registration Clerk with a registration form that is fully completed, the Registration Clerk shall check the Proof of ID and Proof of Residency provided by the elector and shall mark the appropriate boxes in the "Official Use Only" section of the registration form. The Registration Clerk shall then proceed to enter the elector's information into the e-poll book.

(I.C. 34-408A)

What if an elector's address does not appear in the E-Poll Book but shows "Protected" instead?

An individual whose address is missing in the E-Poll Book and has "Protected" under his or her name has been designated as an individual whose residence address is confidential. **DO NOT ask the voter for their address.** This elector like all other electors must show an *acceptable photo ID*, or sign the Personal Identification Affidavit, and then sign the E-Poll Book prior to receiving the appropriate ballot. If there is any question regarding this individual's registration, contact the County Clerk's Election Office immediately.

IMPORTANT: Individuals with this notation have been accepted into either the Address Confidentiality Program for Victims of Violence in accordance with Title 19, Chapter 57, Idaho Code, the Address Confidentiality Program for Law Enforcement Officers in accordance with Title 19, Chapter 58, Idaho Code, or who have shown good reason to the County Clerk and County Prosecuting Attorney to require his or her residence address to be deemed Confidential in accordance with 9-340C, Idaho Code

What if an elector's ADDRESS is different than what appears in the E-Poll Book?

No person shall knowingly sign his name in the Poll Book if his residence address is not within that precinct at the time of signing. If the residence address is incorrect because the individual has moved, determine if the elector is in the proper precinct and polling place.

If it is determined that the elector is in the incorrect polling place, direct them to the correct polling place.

If it is determined that their polling place is yours and they are qualified to vote, the elector may register at the polls on Election Day by providing acceptable proof of residence accompanied with an acceptable form of photo ID. They should be directed to the registration table to fill out a voter registration form.

What if an elector's NAME is different than what appears in the E-Poll Book?

An individual whose name is different than what appears in the Poll Book, is qualified to vote, but will need to have acceptable Photo ID showing the legal name change in order to change their name in the E-Poll Book. They may still register at the polls on Election Day by providing acceptable proof of residence accompanied with an acceptable form of photo ID. They should be directed to the registration table to fill out a voter registration form. (I.C. 34-408A)

What if an elector has moved within the county and has failed to re-register?

With acceptable proof of residence accompanied with an acceptable form of Photo ID, the elector may register at the polls on Election Day. They should be directed to the registration table to fill out a voter registration form.

What if an elector has moved into the county and did not register prior to the registration cutoff?

With acceptable proof of residence accompanied with an acceptable form of photo ID, the elector may register at the polls on Election Day if they have resided within the county for 30 days. They should be directed to the registration table to fill out a voter registration form.

What duties does the Registration Clerk perform in the above scenarios?

When the elector appears before the Registration Clerk, their acceptable Photo ID and acceptable Proof of Residency will be viewed, their address will be looked up in the E-Poll Book to ensure the elector is in the correct precinct, and then the Registration Clerk will complete the appropriate information in the “Official Use Only” section of the registration form.

After the form has been checked for completion, the Registration Clerk will enter the elector’s updated information into the E-Poll Book, the elector will sign the E-Poll Book, and the Poll Workers continue on with the normal issuing procedures. (I.C. 34-408A)

Is a photo ID required at every election?

Yes, Idaho Code requires each elector to show an acceptable form of photo ID. Alternatively, registered electors may sign a Personal Identification Affidavit prior to voting at **any** election if they are already registered and have no changes to their registration. (I.C. 34-1106)

What if an individual does not have one of the acceptable forms of identification?

A registered elector must either show an *acceptable form of photo ID* or sign the Personal Identification Affidavit prior to voting. If a registered elector does not have one of the acceptable photo IDs, the individual must complete and sign the Personal Identification Affidavit prior to being issued the appropriate ballot. No elector is to be turned away or not allowed to vote for not having one of the acceptable forms of identification as long as the elector is a registered voter and signs the Personal Identification Affidavit. Every elector that appears to vote should be allowed to vote unless they do not meet the legal qualifications.

What if an individual asks if another elector has voted?

No judge or clerk shall communicate to anyone, including spouses, watchers and challengers, any information as to the name or number on the Poll Book of any elector who has not applied for a ballot, or who has not voted at the polling place. (I.C. 34-1110)

What are the roles of the designated poll watchers and challengers?

Watchers and challengers are people authorized by the County Clerk to be present at the polls on Election Day. These authorized individuals shall wear a visible name tag which includes their respective title. Individuals authorized to

serve as watchers may watch the conduct of the election at the polls and the counting of votes. While watching the counting of the votes, they are not allowed to absent themselves except for brief breaks until the polls are closed so that results are not released prior to the close of the polls throughout the state. Individuals authorized to serve as challengers may challenge electors' registration as they offer to vote. (34-304, I.C.) Challengers are not appointed to challenge the voting process or the activity at the polling place. They are only there to challenge electors' registrations. Watchers and challengers are not to interfere with the electors or the voting process. If you feel that a watcher or challenger is interfering with the duties of the Election Board or the voting process, contact the County Clerk's Election Office or courteously point out what their role as a watcher or challenger is.

Who can challenge an entry in the Election Record and Poll Book?

Besides the Election Board and the persons authorized by the County Clerk to serve as challengers, any registered elector may challenge the entry of an elector's name as it appears in the E-Poll Book. The individual (i.e. designated challenger, elector or Election Clerk) making the challenge shall sign his name following the entry. (I.C. 34-431) **CALL THE OFFICE**

When is the Oath of Challenged Person tendered?

If an elector's name as it appears in the E-Poll Book has been challenged by an elector, one of the Election Clerks must declare the qualifications of an elector to such person. If the person declares himself duly qualified and the challenge is not withdrawn, the Election Clerk (Judge) shall tender him the Oath of a Challenged Person (E-7). **No challenged elector shall have the right to vote until he has subscribed to the Oath of a Challenged Person.** (I.C. 34-1111) **CALL THE OFFICE**

Does the challenged elector need to sign the Poll Book after having subscribed to the Oath of a Challenged Person?

Yes, the elector must sign the e-poll book as well as the Challenged Voter form. The Judge enters the word "sworn" on the Oath and completes the Challenged Voter form (I.C. 34-1106(2)) **CALL THE OFFICE**

What if an elector makes a mistake when voting and requests a new ballot?

The elector returns the spoiled ballot to the Issuing Clerk. No person shall take or remove any ballot from the polling place. The returned ballot shall be folded in half from top to bottom and folded again in the same fashion, the elector will mark "spoiled ballot" and it will be placed in the Spoiled Ballot envelope. A new ballot will be issued only after the elector has gone through the spoiling process in the e-poll book. Instruct the elector to finish the voting process in the usual manner (I.C. 34-1109)

What if an elector, because of physical disability, cannot enter the polling place?

Such elector may be issued the appropriate ballot outside the polling place by one of the Election Clerks. The elector will have someone inform the Election Clerks that they are there to vote curbside. An Election Clerk will take the e-poll book out to the elector. The elector will show *acceptable form of photo ID* or sign the Personal Identification Affidavit, and sign the e-poll book. **TWO POLL WORKERS** return to the elector with the correct ballot, secrecy sleeve, pen and an “I Voted” sticker. The elector will mark and return the ballot to the Election Clerk, who will return the voted ballot to the Receiving Clerk. The Receiving Clerk will deposit the ballot into the ballot box, indicate in the Receiving List that the elector has voted and announce that the elector has voted, i.e. “John Doe has voted”.

What if an elector is unable to record his vote personally?

Any elector who, because of blindness, physical disability or other disability is unable to mark the ballot may vote independently by using the Express Vote (even years) or may receive assistance from one of the Election Clerks or by any individual of their choosing. If the elector chooses to vote independently by using the Express Vote (even years), the Express Vote should be demonstrated. This unit marks a ballot after the elector has made his selections on the touch screen or Braille keypad. The Express Vote also has an audio ballot available for use by those who are visually impaired. If the elector chooses to receive assistance from an Election Clerk or an individual of their choosing, such individual shall ascertain the wishes of the elector and mark the ballot accordingly. The individual giving assistance shall thereafter give no information regarding such marking. Whenever an elector receives assistance in this manner, the Poll Book Clerk shall make the notation of “assistance given” on the thermal receipt or in the E-Poll Book.

(I.C. 34-1108(2))

IMPORTANT: The choice of voting with or without assistance shall be left to the elector

Can we post or display the list of write-in candidates, if there are any?

No, the list of Write-In candidates is not to be posted or displayed within the polling place. Doing so may be construed as Electioneering, which is prohibited by Idaho Law.

What if an elector asks if there is a write-in candidate for a specific office?

If an elector asks if there is a write-in candidate for a specific office or race, you may give the elector the name of the write-in candidate that the elector is requesting.

What if there is a vacancy on the Election Board?

In the absence of a Chief Judge, the County Clerk will designate a new Chief Judge. In the absence of an Election Clerk, the Chief Judge should designate a qualified replacement. If Election Clerks were assigned based on their political party, the replacement should be of the same political party. Any person thus designated to fill a vacancy must take and subscribe to the Oath of Office for Members of the Election Board on the front cover of the Poll Book.

What if the Official Election Stamp is lost?

The Issuing Clerk shall write in red ink "Official Ballot" along with the election date on the ballot, in the appropriate place. (34-901, IC.) **Only applies to Express Vote ballots and only in even years.**

Can political signs be posted on or around the polling place?

No person may, within a polling place, within any building in which an election is being held, or within two hundred fifty (250) feet of the primary entrance and exit used by voters at a polling place or other voting location:

- (i) Do any electioneering;
 - (ii) Circulate cards or handbills of any kind;
 - (iii) Solicit signatures to any kind of petition;
 - (iv) Advocate for or against any candidate or measure;
 - (v) Solicit votes in any manner or by any means;
 - (vi) Give or offer to give any money or gifts; or
 - (vii) Engage in any practice that interferes with the freedom of voters to exercise their franchise or disrupts the administration of the polling place.
- (b) The restrictions set forth in this subsection shall not apply to conduct occurring on private property located adjacent to a building designated as a polling place.
- (3) No person may obstruct the doors or entries to a building in which a polling place is located or prevent free access to and from any polling place.

See I.C. 18-2318 for a full list of prohibited activities

What do we do if there is a disturbance within the voting area?

The Election Clerks may appoint some capable person to act as an Election Constable. He shall allow no one within the voting area, except those who go to vote and shall allow but one (1) elector in a compartment at one (1) time unless the elector has requested assistance. The Constable is to see that the election is conducted in an orderly manner. Notify the County Clerk's Election Office of any disturbances within the polling place. (I.C. 34-1105)

Once the ballot is in the ballot box, can it be removed?

No, once a ballot is placed in the ballot box, it is considered voted and cannot be retrieved.

What if the Express Vote machine becomes defective?

If a unit does not operate properly at the polls, call the County Clerk's Election Office for troubleshooting assistance. The unit should be turned off but left in place until a county worker or vendor representative, wearing identification as an Election Clerk, can repair or replace the unit.