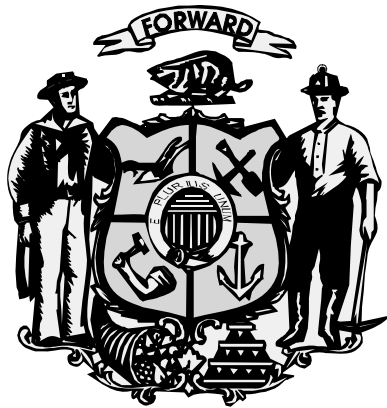


Report on Election-Related Contingency Planning

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2007



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I. EXECUTIVE SUMMARY

BACKGROUND

Elections are the cornerstone of our democracy. A citizen's right to vote is one of our enduring principles. There are many scenarios both natural and man-made that warrant taking precautions and making preparations to prevent, mitigate, and recover from an emergency situation that may disrupt an election. Wisconsin Statutes give emergency management powers to the governor, §166.03(1)(a), (b), Wis. Stats. However it is up to state agencies, such as the State Elections Board, and local units of government to respond accordingly in the event of an emergency situation, §166.03(5a), Wis. Stats. The State Legislature recognized the need for a proactive approach to election preparedness planning and required, in 2005 Wisconsin Act 451, that the State Elections Board prepare this report and recommendations with regard to state, regional and local election-related contingency planning efforts and preparedness regarding both large-scale and limited-scope natural disasters or technological threats that may occur at or near election time.

A variety of resources were drawn upon to obtain information about election-related contingency planning including information requests from all Wisconsin counties and municipalities, phone and email survey of other state governments, and guidance from a National Association of Secretaries of State (NASS) coalition report entitled *Overview: Election Security Planning for States*. Additionally, Rob Rude, Bureau Director for Response and Recovery within Wisconsin Division of Emergency Management provided a review and recommendations for a draft version of this report.¹ The county and municipal plans obtained provided an insight into the methods currently used around Wisconsin in anticipating Election Day emergency situations as well as indicated areas where we might improve. The collected state plans supplied a comparative mechanism for which we could assess the status of Wisconsin's efforts with those of our neighbors. Finally, the Emergency Management guidance and NASS report helped to construct a framework for many of the recommendations outlined in the report.

Emergency situations can and do occur. In the November 2006 election, the City of Madison experienced this first-hand as they had to respond to the threat of a bomb at the Madison East High School polling place on Election Day. Such situations are not limited solely to Election Day. Hurricane Katrina, in late August 2005, not only devastated much of the Gulf Coast but also created a state of uncertainty regarding the following Spring 2006 elections for New Orleans and surrounding communities. These emergency circumstances can cause a range of problems for conducting a fair and transparent election if effective responses are not planned and implemented. Obviously, every emergency event is a unique experience that requires a specifically tailored response; however, this does not mean that proactive steps are futile. Advance preparations can help mitigate the confusion surrounding extraordinary events and create public confidence in the security of our elections.

¹ See Appendix A for a copy of the comments and recommendations received from Rob Rude, Bureau Director for Response and Recovery of the Wisconsin Division of Emergency Management.

RELEVANT STATUTES

§5.05 Elections Board; powers and duties (1) GENERAL AUTHORITY. The elections board shall have the responsibility for the administration of chs. 5 to 12 and other laws relating to elections and election campaigns. Pursuant to such responsibility, the board may:

(a) Employ an executive director outside the classified service and employ legal counsel. The executive director shall serve as the chief election officer for this state.

§6.96 Voting procedure for electors voting pursuant to federal court order. Whenever any elector is allowed to vote at a polling place pursuant to a federal court order after the closing time provided under s. 6.78, the inspectors shall, before giving the elector a ballot, write on the back of the ballot the notation “s. 6.96.” If voting machines are used in the municipality where the elector is voting, the elector's vote may be received only upon an absentee ballot furnished by the municipal clerk which shall have the notation “s. 6.96” written on the back of the ballot by the inspectors before the ballot is given to the elector. When receiving the elector's ballot, the inspectors shall provide the elector with the written voting information prescribed by the board under s. 7.08 (8). The inspectors shall indicate on the list the fact that the elector is voting pursuant to a federal court order. The inspectors shall then deposit the ballot. The ballot shall be counted under s. 5.85 or 7.51 unless the order is vacated. If the order is vacated after the ballot is counted, the appropriate board or boards of canvassers or the chairperson of the board or his or her designee shall reopen the canvass to discount any ballots that were counted pursuant to the vacated order and adjust the statements, certifications, and determinations accordingly.

§7.37 Inspectors' Duties (1) ADJOURN TO ANOTHER LOCATION

Whenever it becomes impossible or inconvenient to hold an election at the designated location, the inspectors, after assembling at or as near the designated polling place as practicable and before receiving any votes, may adjourn to the nearest convenient place for holding the election. The inspectors shall make a proclamation of the move and a law enforcement officer or other proper person designated by the municipal clerk shall be stationed at or as near as possible to the place where the adjournment was made, to notify all electors of the place to which the election adjourned. At the new location the inspectors shall immediately proceed with the election.

§166.03 Emergency management. (1) POWERS AND DUTIES OF THE GOVERNOR

(a) The governor shall:

4. Determine responsibilities of state departments and independent agencies in respect to emergency management and by order direct such departments and agencies in utilizing personnel, facilities, supplies and equipment before and during a state of emergency.

(b) The governor may:

1. Proclaim a state of emergency for the state or any portion of the state if he or she determines that an emergency resulting from enemy action or natural or man-made

RELEVANT STATUTES (continued)

disaster exists. If the governor determines that a public health emergency exists, he or she may declare a state of emergency related to public health and may designate the department of health and family services as the lead state agency to respond to that emergency. The duration of such state of emergency shall not exceed 60 days as to emergencies resulting from enemy action or 30 days as to emergencies resulting from natural or man-made disaster, unless either is extended by joint resolution of the legislature. A copy of the proclamation shall be filed with the secretary of state. The proclamation may be revoked at the discretion of either the governor by written order or the legislature by joint resolution.

(5a) Role of state agency in emergency. Unless otherwise specified by law, the role of any state agency, including the department of military affairs and its division of emergency government, in an emergency under this chapter, is to assist local units of government and local law enforcement agencies in responding to the emergency.

II. STATUS OF WISCONSIN STATE, REGIONAL, AND LOCAL ELECTION-RELATED CONTINGENCY PLANS

STATEWIDE

Currently, there is no explicitly established power for canceling or postponing an election in the event of a major catastrophe but rather, the responsibility in such a situation is implicit in statutory language. §166.03(1)(b)1, Wis. Stats. declares that the governor holds the power to “proclaim a state of emergency for the state or any portion of the state if he or she determines that an emergency resulting from enemy action or natural or man-made disaster exists.” The governor, per §166.03(1)(a)4, Wis. Stats., also is allocated the duty of determining the responsibilities of state departments and independent agencies in respect to emergency management. State agencies, such as the State Elections Board, in an emergency situation, serve to assist the local units of government in responding to the emergency, per §166.03(5a), Wis. Stats. Finally, the State Elections Board holds the responsibility for administering laws relating to elections and election campaigns and the Executive Director of the State Elections Board serves as the chief election officer for the State of Wisconsin, per §5.05(1), (a), Wis. Stats.

Additionally, no election-related statewide contingency plan exists for Wisconsin. In terms of general statewide disaster response planning, the Wisconsin Division of Emergency Management (WEM) has an extensive network of emergency response mechanisms in place to prevent and respond to a large-scale catastrophic event. In 2005, WEM released the *Review of Wisconsin’s Emergency Preparedness Plans*, which detailed the infrastructure of the emergency response network within Wisconsin.² This network includes a disaster response chain of communication from the local level up to the federal level.³ WEM serves as the state coordinator for emergency preparations and responses; however, they do not have a branch dedicated to the continuance of elections in an emergency scenario.⁴ Before the 2004 September partisan primary and November general election, the State Elections Board’s Executive Director met several times with WEM to brief emergency government personnel on critical election-related services.

In 2004, at the National Association of State Elections Directors summer conference, a coalition of nonpartisan and bipartisan associations whose members are involved in the administration and security of elections developed security planning recommendations for state government, homeland security, and emergency management officials for the 2004 general election. The report, entitled *Overview: Election Security Planning for States*,⁴ was published by the National Association of Secretaries of State and intended to encourage cooperation between emergency management and election administration

² Full text of this report can be viewed at: <http://www.wisgov.state.wi.us/docview.asp?docid=5082>

³ This brochure can be found online at: <http://emergencymanagement.wi.gov/docview.asp?docid=6598&locid=18>

⁴ More information about the Wisconsin Division of Emergency Management can be found at their website: <http://emergencymanagement.wi.gov/>

personnel to provide a communication bridge in the event of an Election Day threat.⁵ At this time, Wisconsin does not have an established line of communication between the Wisconsin Emergency Management Division and the State Elections Board other than the informal briefings of the Executive Director that occurred in 2004.

REGIONAL AND LOCAL

In 2004, the SEB encouraged counties and municipalities to develop election-related contingency plans but did not provide explicit requirements. Many county and municipal officials developed plans outlining their own necessary procedures in response to Election Day disasters. In response to the Wisconsin Act 451 requirement for an election-related contingency report, the SEB contacted every county and municipality in Wisconsin with a request for a copy of any existing election-day contingency plan.⁶

From the request, the SEB received five (5) county plans and thirty (30) municipal plans. The following chart details from where plans were received:⁷

County and Municipal Plans Received			
County Plans	City Plans	Village Plans	Town Plans
Dane	Appleton	Bagley	Oshkosh
Kenosha	Berlin	Bayside	Rib Mountain
Ozaukee	Brookfield	Hartland	Springfield
Outagamie	Cedarburg	Mount Horeb	Windsor
Rock	Chetek	Oregon	
	Chilton	Twin Lakes	
	Eagle River		
	LaCrosse		
	Lake Geneva		
	Madison		
	Menomonie		
	Mequon		
	Neenah		
	New Berlin		
	Omro		
	Onalaska		
	Rice Lake		
	Ripon		
	Wausau		
	Wauwatosa		
	West Bend		

⁵ A copy of the report can be found online at: <http://www.nass.org/Security%20Planning%20Guide.pdf>

⁶ See Appendix A for a copy of the memo

⁷ See Appendix B for sample copies of contingency plans

These plans ranged in scope and comprehensiveness. Our examination of these Election Day contingency plans confirmed that many regional and local administrators have put significant thought into developing emergency preparations. Our assessment also revealed that we have some significant gaps and areas for improvement. Some of the key trends noted were as follows:

County Plans:

- *Communication Network:*
Most plans had some sort of communication plan or a system of cell phones available to facilitate communication between the municipalities and the county office on Election Day. Additionally, many plans rely on the cooperation of Emergency Management communication systems. All the plans contained at least one emergency contact number or alternate contact for urgent situations.
- *Alternate County Tabulation Site:*
Most plans have established an alternate tabulation site as well as the process involved with performing the location transfer. These processes often include cooperation with the Regional Emergency Management staff and coordination with local law enforcement agents.
- *Instruction for Municipal Sites:*
All the plans provided some general guidance to municipalities contained within their county. Furthermore, all of these plans encouraged municipalities to develop local emergency plans, in particular the identification of alternate polling sites, and to share said plans with their poll workers.

Municipal Plans

- *Emergency Identification and Procedure:*
Nearly all the plans contained a breakdown of some of the most common emergency scenarios and procedures to follow: fire or fire alarm, inclement weather, and electrical outage. Some of the plans also contained procedures for medical emergencies, workplace violence, bomb threats, and hazardous material handling.
- *Ballot Handling Procedure*
Importantly, most of the plans identified the importance of safety first in the event of an extraordinary situation. With regard to personal safety, most plans contained a procedure for securing unmarked ballots and voting equipment in the event of an emergency event.
- *Relocation Procedure*
Many municipal plans detailed the process for relocation of a polling place. Per §7.37(1), Wis. Stats., these procedures almost always contained instruction to make the proclamation of the move and to have a law enforcement escort available.

EXAMPLE

In 2006, the contingency planning efforts for the City of Madison paid off when they needed to respond to a real-life Election Day emergency. Midmorning of the November 7, 2006 general election, the Madison East High School polling place received a bomb threat. The building evacuated at 11:40 am. The City of Madison attorney and the City of Madison clerk contacted Kevin Kennedy, Executive Director of the State Elections Board, for permission to move the polls outside. Kennedy granted permission and voting resumed by about 1:15 pm with the use of a secured ballot box. The poll returned to the building around 3:00 pm after the bomb squad deemed the building safe. The ballots cast in the secure ballot box outside were then fed through the tabulators upon returning to the building. At 5:00 pm, Dane County Circuit Court Judge Daniel Moser, granted the request to extend voting for one hour at Madison East High School polling location until 9:00 pm. Ballots cast after 8:00 pm were marked with “s. 6.96” and a notation was placed on the poll list to indicate those voting during the court-extended hours, per §6.96, Wis. Stats.

Fortunately, the City of Madison had provided their election workers with an election emergency contingency plan and necessary evacuation procedures. Additionally, they provided cell phones to every polling district which facilitated constant communication and perhaps expedited the return to normal operating procedures. The City Clerk had also identified an alternate location in the event that voting could not resume at the high school. This example illustrates the importance of proactive planning and open lines of communication in effectively responding to potential disturbances on Election Day.

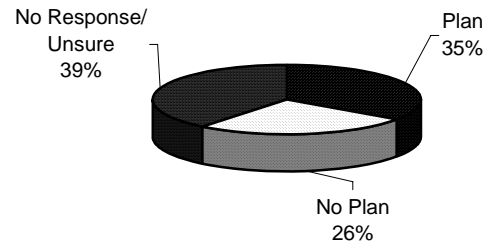
III. STATUS OF FEDERAL ELECTION-RELATED CONTINGENCY PLANNING EFFORTS

In addition to contacting every county and municipality in Wisconsin, every other state's Elections Division was contacted by telephone and/or email with a request for information regarding election-related contingency planning. The hope was to extract the best procedures currently being used by partnering states and attempt to apply them to Wisconsin's situation.

Sixteen (16) states indicated that they had some sort of established election contingency mechanism. Information was received from twelve (12) states. Information included statewide plans, state statutes, and training materials; additionally, Louisiana provided the *Secretary of State's Emergency Election Plan for Orleans Parish Municipal Elections* which was implemented following the Hurricane Katrina catastrophe. Eighteen (18) state Elections Divisions informed us that they did not have an emergency plan specific to elections. Fifteen (15) states did not respond or were unsure. The charts below reflect the information gathered during May and June 2006:

Survey of Election-Related Contingency Information by State			
Have Plan	Received Information	No Plan	No Response/ Unsure
Alabama	Alabama	Alaska	Idaho
Colorado	Colorado	Arizona	Indiana
Delaware	Delaware	Arkansas	Kansas
Florida	Florida	California	Massachusetts
Georgia	Iowa	Connecticut	Minnesota
Iowa	Kentucky	Hawaii	Nebraska
Kentucky	Louisiana	Illinois	New Jersey
Louisiana	Michigan	Maine	North Dakota
Maryland	Mississippi	Montana	Ohio
Michigan	Missouri	Nevada	Oregon
Mississippi	North Carolina	New Hampshire	Pennsylvania
Missouri	Washington	New Mexico	Tennessee
New York		Oklahoma	Vermont
North Carolina		Rhode Island	Virginia
Utah		South Carolina	West Virginia
Washington		South Dakota	
		Texas	
		Wyoming	

Status of National Election-Related Contingency Planning (by state)



Some of the information was not directly pertinent to Wisconsin as the organization of election administration is not exactly the same in all states. While the variety of material received was immense, there were some key trends noted as well as some particularly useful unique aspects that could be applied to Wisconsin state election-related contingency

planning. Information gathered from other state election-related contingency materials was as follows:

Alabama⁸

Type: Election Day Security and Operations Plan and Administrative Code

Summary: Alabama created an emergency operations plan which rests on the legal authority granted in the state's administrative code. The sheriff of each county is legally given authority to "preserve good order" for elections, the chief elections official in the state is the Secretary of State, and the judge of probate is the chief elections official for each county. These offices provide a security framework for election day incidences. The plan details a communication network between these offices.

Colorado⁹

Type: Administrative Rules

Summary: The Colorado Secretary of State has an administrative requirement for counties to have an extensive county security plan for elections. This plan is required to account for electronic voting equipment security, procedures for noticing elections, and a contingency plan. that fulfills the specific requisites denoted in the statutes. The contingency plan shall include: evacuation procedures, back-up plans for emergency situations, an emergency checklist for election inspectors, and emergency contact list.

Delaware¹⁰

Type: Emergency Procedures

Summary: Delaware has just eight (8) separate zones for elections thus their plan reflects more specific planning details, similar to Wisconsin county-wide contingency plans. This plan includes procedures in the event of an emergency, alternate locations, establishment of back-up works and recovery personnel.

Florida¹¹

Type: Administrative Rules

Summary: The Florida Administrative Rules designates the Secretary of State, county election supervisor or a municipal clerk as bodies authorized to request that the Governor suspend or delay an election. They establish a communication plan with the between election administrators and county emergency management agencies. Finally, the rules detail Florida's Comprehensive Emergency Suspension of Election Plan which directs procedures for notification, conduct of rescheduled election, absentee ballots, voting equipment, polling places, and certification of election results.

⁸ This administrative code can be found online at: <http://www.legislature.state.al.us/CodeofAlabama/1975/17-1-3.htm>

⁹ This rule, Rule 43.9 under the Secretary of State Rules, can be found online at: http://www.elections.colorado.gov/WWW/default/Rule%20Making/2006/8-CCR_1505-1_SOS_elec_rules_adopied_10-10-06.pdf

¹⁰ A copy of the emergency plan was obtained from directly from the Delaware Commissioner of Elections Office and is not available on their website.

¹¹ See Appendix X; These administrative rules can be found online at: <http://www.flrules.org/gateway/ChapterHome.asp?Chapter=1s-9>

Iowa¹²

Type: Administrative Code

Summary: Iowa's Administrative Code details the emergency election procedures. The Code delegates election-related emergency powers to the state Commissioner of Elections. Also, the Code provides definitions of disasters, the process for declaring an emergency, and a contingency plan for modified elections including: relocation of polling places, postponement procedures for emergencies both prior to and on Election Day, absentee voting, canvassing and record-keeping in emergency elections, and election contest emergency plans.

Kentucky¹³

Type: Administrative Rules

Summary: Kentucky Administrative rules detail the procedures for election officials to follow if an election has been suspended or delayed per an executive order by the Governor. These procedures encompass notification, polling places, election workers, procedures for elections rescheduled prior to original election day, absentee ballots, procedures for conducting an election rescheduled after commencement of original election day, release and certification of election returns, post-election deadlines, and written agreement form to establish local contingency plans.

Louisiana¹⁴

Type: Emergency Election Plan for New Orleans Municipal Election

Summary: This plan was developed in early January 2006 to anticipate the difficulties in handling the February 4 and March 4, 2006 New Orleans's municipal elections which were delayed in light of the devastation and displacement caused by Hurricane Katrina. The plan accounted for staffing and equipment needed for absentee voting by mail, early voting, election day voting and polling places. Also, it included a notification and outreach plan to reach displaced voters in through mail, email, print & electronic media.

Michigan¹⁵

Type: Training Materials: Emergency Planning PowerPoint Presentation

Summary: Michigan incorporates emergency planning steps into the training given to municipal clerks. The PowerPoint, from February 2006, provides definitions an emergency, 10 principles of emergency planning, tips for writing a local contingency plan, a polling location checklist, and a communication plan.

¹² See Appendix C; These administrative rules can be found online at:

<http://nxtsearch.legis.state.ia.us/NXT/gateway.dll/ACO/1/25817/25933/25934?f=templates&fn=defaultURLquerylink.htm>

¹³ See Appendix C; The rule detailing this plan can be found online at:

<http://www.lrc.state.ky.us/kar/031/004/160.htm>

¹⁴ This plan was received directly from the Louisiana Elections Division and is not available on their website.

¹⁵ This training presentation was provided directly by the Michigan Bureau of Elections and is not available on their website.

Mississippi¹⁶

Type: State Election Action Plan

Summary: Mississippi has a statewide security plan for Election Day that defines disasters or incidents, details a communication plan (including an internal communication network for clerks and election workers and an external communication plan for the voting public), provides short-term solutions to restore critical activities and continuity of business, recommends disaster recovery procedures for polling places, and provides a contact list for county emergency management directors.

Missouri¹⁷

Type: Election Administration Laws

Summary: In June 2006, Missouri passed a bill which modified current election administration laws. Included in this bill was a provision to process petitions for a move or postponement of elections in the event of an emergency or disaster situation from election authorities through a three-judge panel.

North Carolina¹⁸

Type: State Statutes

Summary: Gives emergency powers to the executive director of the elections agency in case of a disrupted election.

Washington¹⁹

Type: Disaster Recovery Plan Guidelines

Summary: The State of Washington issued these guidelines to assist the county election officials with developing their own disaster recovery plans. The recommendations for basic items include a call list, annual updates, review of plan, establishment of alternate polling locations, backup poll workers, and voting equipment storage procedures.

¹⁶ This plan can be found online at: <http://www.sos.state.ms.us/elections/MEAP.pdf>

¹⁷ A copy of this bill can be found online at:
http://www.senate.mo.gov/06info/BTS_Web/Bill.aspx?SessionType=R&BillID=83706

¹⁸ This statute can be found online at:
http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_163/GS_163-27.1.html

¹⁹ This plan was received directly from the Washington State Division of Elections and is not available on their website.

IV. RECOMMENDATIONS

After reviewing the status of the election-related contingency planning within Wisconsin in addition to comparing Wisconsin statewide efforts to those of other states, the State Elections Board submits the following recommendations:

Statewide:

- **Statutory Revisions:**
 - § 5.05(1), Wis. Stats, Powers should be given to the executive director, as chief election officer for the state, to have the flexibility to modify election administration provisions in the event of a postponed or rescheduled election under §166.03, Wis. Stats, or a special election for Representative in Congress under 2 U.S.C 8²⁰
 - §6.96, Wis. Stats, should be amended to allow for extended voting pursuant to circuit court order.
 - Currently, the statute allows for extension of voting hours through a federal court order. The past two general elections (2004 and 2006) have seen the petitioning of circuit courts for extending polling hours rather than federal courts. In the City of Cudahy in 2004, the petition was denied by the Milwaukee County Circuit Court. In 2006, the petition was granted and the Dane County Circuit Court ordered the polling hours extended for one hour at the Ward 32 Madison East High School polling place in the City of Madison.²¹
 - §166.03, Wis. Stats., should be revised to provide explicitly for governor or court-approved postponement of Election Day in an emergency situation.²²
 - Additionally, the statutes should incorporate the relevant process for requesting delay and rescheduling procedure including conduct of election and notification practices. The procedures for both conducting an election rescheduled prior to the original Election Day and the procedures for conducting an election rescheduled after the commencement of the original Election Day should be established.

²⁰ Text of Section 26 of the Revised Statutes of the United States 2 U.S.C. 8 can be found here: http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse_usc&docid=Cite:+2USC8 2 U.S.C. 8 is amended per the “Continuity in Representation Act of 2005,” H.R. 841. Full text can be found at <http://thomas.loc.gov/>.

²¹ In 2004, the a private citizen in the City of Cudahy petitioned the Milwaukee County Circuit Court for an extension of polling hours due to a late opening of one polling place. The Circuit Court Judge denied the petition on grounds that the delayed start was not sufficient basis for an extension of polling hours. In 2006, the Madison East High School polling place in the City of Madison received a bomb threat which impeded voting for approximately one hour. The City of Madison clerk petitioned for a one-hour extension and Dane County Circuit Court Judge Daniel Moser granted the request to extend voting at the Madison East High School until 9:00pm.

²² See Appendix C for related statutes and administrative rules from Kentucky, Florida, and Iowa.

It is recommended these processes be detailed as an administrative rule.

- **Statewide Election-Related Contingency Communication Plan**
 - A communication network for election-related emergencies should be published and distributed to county and municipal clerks.
 - This plan should include an integration of emergency contacts as established by WEM with chain of command contacts for state and county levels of election administration.
 - WEM should provide the State Elections Board with the contact list for all 72 County Emergency Management offices to include telecommunications and email contacts.
 - This network should be reviewed semi-annually with updates provided by WEM.
 - Local chain of command and contacts for emergency management on Election Day should be coordinated by the County Emergency Management and local election officials.

- **Wisconsin Statewide Intelligence Center Contact**
 - Contact should be established between the State Elections Board and the Wisconsin Statewide Intelligence Center through the Department of Justice to provide briefings on election or voter-related intelligence issues.

- **Threat to Voting Equipment Assessment**
 - Assessments specific to voting equipment used in the State of Wisconsin should be done to assess vulnerabilities including security, software, storage, and human factors such as poll worker training and voter use.
 - The National Institute of Standards and Technology has been working with a range of experts to research security of computers, computer networks, and computer data storage used in voting systems, methods to detect and prevent fraud, and protection of voter privacy and the role of human factors in the design and application of voting systems.²³
 - Much of their research could be applied to State of Wisconsin situations to learn how to mitigate the potential for a voting equipment disaster on or prior to Election Day including a breach of security, machine breakdown, and voter and poll worker ignorance on the use of voting equipment.
 - Already the State Elections Board has been proactive in this area by implementing the security recommendations for electronic voting systems on June 23, 2006.

²³ More information on the National Institute for Standards and Technology's work on improving U.S. voting systems can be found on their website at: <http://vote.nist.gov/docmap.htm>

Regional

○ **County Election-Related Contingency Plans**

○ Each county should incorporate election-related contingency plans into the framework of the county emergency procedures and pre-election planning. The plans should be reviewed annually or more frequently as needed. The plans should be shared with the municipal clerks and a copy sent to the State Elections Board. A sample outline should be provided by the State Elections Board to assist clerks in developing their own plans.²⁴ These plans should, at a minimum, provide for the following:

1. *Normal Operating Procedures*: the plans should include a briefing on the normal election-related processes especially for procedures that are specific to the county.
2. *Communication Network*: a county-wide communication network in the event of an emergency that establishes contact points for municipal clerks and municipal contacts for county clerks. Additionally, County and Regional Emergency Management should provide local emergency contacts with updates as required.
3. *Public Notification Plan*: a system in place for notifying voters of an alteration in the normal election process. This could include contact of major media sources such as print, television, and Internet.
4. *Alternate Tabulation Site*: establishment of an alternative site for county canvass and an evacuation plan for the primary site that includes appropriate security measures for transporting ballots and equipment.

Local

○ **Local Election Contingency Plan**

○ Each municipality should have an emergency response plan. The plans should be updated annually or more frequently as needed. A sample outline should be provided by the State Elections Board to assist clerks in developing their own plans.²⁵ These plans should, at a minimum, provide for the following:

1. *Normal Operating Procedures*: the plans should include a briefing on the normal election-related processes especially for procedures that are specific to the municipality and, if necessary, specific to the polling place.

²⁴ See Appendix D for a sample plan

²⁵ See Appendix D for a sample plan

2. *Troubleshooting For Common Emergency Scenarios:* The plan should provide appropriate responses to the most common emergency scenarios and emergency contact information. Plans should include evacuation and emergency shelter locations specific to each polling place. Contact numbers for local emergency response such as police and fire in addition to the polling locations' building maintenance personnel (if applicable) and the municipal clerk should be provided.
3. *Handling of Election Materials:* Plans should detail the proper handling procedure for securing unmarked ballots, election equipment and ballot boxes, and polling lists in an emergency situation. Responsibility for materials should be assigned prior to commencement of Election Day.
4. *Alternate Polling Locations:* Arrangements for alternate polling locations should be established prior to Election Day in the event of a permanent evacuation. Reasonable effort should be made to ensure accessibility and proximity to the original polling location. The procedure for adjournment to the alternate site is prescribed under §7.37(1), Wis. Stats.

- **Alternate Poll Workers**

- Efforts should be made to have back-up poll workers, who are knowledgeable about Election Day procedures, on call in the event of an illness or other unforeseen incident.

- **Training**

- Proper election training for the chief election inspector is a crucial starting point for ensuring a smooth and competent handling of both normal and extraordinary Election Day events.
 - The State Elections Board has plans to add a class on Election-Related Contingency Preparedness to its series of trainings offered for chief election inspectors.
 - Careful documentation of chief inspector training to ensure compliance with training is very important. Clerks should be documenting the names, dates, and number of hours for each of their chief inspectors.
- Sufficient training should be conducted so poll workers are able to properly work voting equipment including accessible voting machines.
 - Poll workers should be able to troubleshoot problems with equipment such as paper jams, calibration problems, etc., as well as have a contact for handling more complex issues that may arise.
- Contingency plans should be reviewed with poll workers as part of the clerk's pre-election training for election inspectors.

- Clerks should ensure that poll workers visit the polling location prior to Election Day and are familiar with the building evacuation and shelter procedures.
- The Election Day Manual issued by the State Elections Board currently contains a form located at the beginning of the manual for emergency contact numbers. Clerks should ensure this section is accurately filled in and poll workers should be sure to have an up-to-date copy of the Election Day Manual on hand.
- Election inspector trainings should instill the importance of detailed record-keeping and that all irregular activities should be recorded on the EB-104, Inspector's Statement.

V. CONCLUSION

The most effective response to any threat aimed at our electoral process is to honor the democratic principles of freedom on which this country is founded by preparing for the conduct of a transparent and fair election. This preparation begins at the local level with effective training for poll workers and clerks and pre-election planning to deal with a variety of situations that may arise including voting equipment troubles, personnel emergencies, and polling place disasters such as fire, electricity outing, or a bomb threat. At the regional level, these local efforts are reinforced with established communication networks incorporating county and state emergency management contacts and contingency plans accounting for notifying the electorate of alterations in Election Day procedures. Finally, at the statewide level, clear lines of authority and communication between state election officials and county and municipal counterparts serves as the final piece in disaster mitigation.

Ultimately, the spectrum of election-related contingency development culminates in providing our citizens with the opportunity to fully participate in an open and fair election. This honorable feat could not be accomplished without the dedicated efforts of county and municipal election officials and thousands of hardworking poll workers throughout the State of Wisconsin.

The State Elections Board would like to extend its gratitude to the county and municipal clerks who provided information for this report, the contacts from State Elections Divisions from around the nation who offered materials and insights into their own statewide efforts, our contacts at Wisconsin Division of Emergency Management, and, finally, the State Elections Board staff who contributed to this report.

Respectfully submitted,

State Elections Board



Kevin J. Kennedy
Executive Director

VI. APPENDIX A

From: Peterson, Steve (DMA)
Sent: Tuesday, January 16, 2007 10:23 AM
To: Ruder, Julie
Subject: FW: Election-Related Contingency Planning Report

Julie, I am forwarding the comments as provided to me from Rob Rude, the Bureau Director for Response and Recovery. WEM appreciates that you have taken on this initiative for election contingency planning and we will assist you in any way that we can. Regards.

-----Original Message-----

From: Rude, Rob (DMA)
Sent: Tuesday, January 16, 2007 10:17 AM
To: Peterson, Steve (DMA)
Subject: RE: Election-Related Contingency Planning Report

Steve:

After reviewing the report, the concepts and conclusions as related to the statutory citations appear to be appropriate as related to ss. 166.03. Under the recommendations for statutory revision within 166.03 the authority for postponement of Election Day could, and probably should, be added as an authority for the Governor with procedures set out by administrative rule. This issue could be referred to the Assembly Committee on Disaster Preparedness Planning, chaired by Representative Joan Ballweg. This committee is currently reviewing suggestions to emergency related statutory language.

With regard to development of the contingency communications plan, I would recommend that WEM provide the State Elections Board with the contact list for all 72 County Emergency Management offices including telecommunications as well as email contacts. This contact list should be provided as an update every 6 months by WEM. Chain of command contacts at the local level should be delineated as a County EM responsibility as they maintain the local contacts and updates as required.

The last suggestion that I would propose would be for the State Elections Board to establish contact with the Wisconsin Statewide Intelligence Center (WSIC) through the Department of Justice for any election or voter related intelligence starting 3 months prior to any scheduled election. This would provide an opportunity to initiate some proactive planning in the event there was chatter or reports indicating a potential disruption.

Rob Rude

VI. APPENDIX B

State of Wisconsin \ Elections Board

Post Office Box 2973
17 West Main Street, Suite 310
Madison, WI 53701-2973
Voice (608) 266-8005
Fax (608) 267-0500
E-mail: seb@seb.state.wi.us
<http://elections.state.wi.us>



JOHN C. SCHOBER
Chairperson

KEVIN J. KENNEDY
Executive Director

DATE: June 1, 2006

TO: Wisconsin County Clerks
Wisconsin Municipal Clerks

FROM: State Elections Board

SUBJECT: Disaster Preparedness Plans

Recently, much attention has been focused on the issue of outside threats to election day activities. Our goals must be to prepare effectively in order to ensure a complete, free and fair election. In response to the requirements of 2005 Wisconsin Act 451 (Senate Bill 612), Section 180(1), the State Elections Board (SEB) is researching the actions of other state election boards in developing state-wide emergency contingency plans as well as plans specific to Wisconsin's individual counties and municipalities. The ultimate goal is to prepare recommendations for counties and municipalities to refer to when developing or enhancing their election-related contingency efforts regarding natural disasters or terrorist activities that may occur at or near election time.

Previously, the SEB has encouraged counties and municipalities to develop emergency contingency plans but has not provided any specific recommendations; however, many local administrators have been proactive in developing plans outlining their own necessary procedures in response to election day disasters. Many of the plans already developed by you and your peers have utilized unique and innovative methods of encompassing the challenges of anticipating election day emergency situations. We would like to incorporate many of these positive steps in our future recommendations to Wisconsin's counties and municipalities.

Therefore, the SEB is issuing a request for copies of emergency contingency plans that have been developed at both a county-level and/or a municipal level. If you have a county or municipal plan, please forward a copy to the SEB. Plans can be sent to the attention of Julie Ruder via email at julie.ruder@seb.state.wi.us, via fax at (608) 267.0500., or mailed to P.O. Box 2973, Madison, WI 53701. If you have any questions or concerns, please contact Julie at (608) 267.0951.

VI. APPENDIX C

EXAMPLE COUNTY PLAN¹

INTRODUCTION AND PURPOSE:

This plan provides basic guidance for emergency operations during election day activities. The plan addresses critical incidents from an all-hazards approach. All election activities will take place on the designated voting day, unless Federal or State officials order otherwise. Should national or local events transpire that adversely affect a polling place(s), law enforcement and local election officials will work together to relocate the polling place to a safe location while preserving the integrity of the ballots, voted or un-voted. Emergency Management staff and equipment will also be available to assist with this process upon request. This Plan provides a simple checklist below to guide actions during an emergency, with more detailed information afterward.

- 1) Summon immediate assistance by dialing 9-1-1 and informing the dispatcher of the nature and location of the emergency.
- 2) Law enforcement and the Chief Elections Official shall coordinate any change in venue for voting activities.
- 3) Ballots (Voted & Un-voted), AccuVote and Tabulator units shall remain in the sight and custody of Election Officials at all times! Try to quickly collect poll lists, new registration forms, absentee envelopes and other election material if possible.
- 4) An Election Official should remove the AccuVote Unit and place it in a plastic garbage bag to protect it if raining. The Tabulators shall remain locked throughout this process.
- 5) Hand carry the AccuVote unit to the venue determined by the Chief Elections Official and municipal clerk.
- 6) Using the wheels on the Tabulators, roll the Tabulators to the nearest handicapped ramp and exit the building.
- 7) Tabulators should be moved to the new venue with the assistance of Public Works or law enforcement as soon as possible. At least one Election Official must remain with the Tabulator at all times.
- 8) Upon direction of the Chief Election Official, re-connect the AccuVote and Tabulator and proceed with the elections.
- 9) An Election Official should post a notice outside the original polling place noting the change in venue as well as informing the local media for dissemination to the public.
- 10) Note the times and nature of event on the Inspector Statement regarding any changes in venue, changes in voting times, or other irregularities such as fire alarms, evacuations or power outages. Be sure to note the time(s) voting stops and resumes following an event.

¹ Note: Identifying information has been removed.

EMERGENCIES:

Dial 9-1-1 to summon assistance from law enforcement, fire services or emergency medical services. If using facility phones, verify ahead of time whether an access code is necessary to connect to an outside phone line. You may need to dial 9-9-1-1, with the first digit being the outside line access number, then dial 9-1-1.

FIRE, FIRE ALARMS AND POWER OUTAGES:

If a fire or fire alarm occurs at a polling place, the primary objective is life safety of the personnel and voters on-site at the time, followed by protection of the ballots. Election officials shall take all un-voted ballots into their physical custody when leaving the building. Un-voted ballots are to remain in the custody of the Election Officials to prevent unauthorized persons from entering and voting on unauthorized ballots while the inspectors are out of the building.

The AccuVote and Tabulator containing voted ballots shall remain sealed and unplugged. The AccuVote should be turned off immediately. Uncounted, but voted ballots should be placed in the auxiliary compartment. These units have battery back-up features which will preserve the voting records for approximately 3 hours. The Tabulators have wheels and may be rolled from the building by Election Officials.

NATURAL DISASTERS OR INCLEMENT WEATHER:

Emergency Management, local fire and law enforcement agencies monitor severe weather. If severe weather approaches, the County Clerk will be advised as soon as possible. Safety precautions will be determined and communicated as necessary.

COMMUNICATIONS:

In the event normal communications systems or power supplies are disrupted, the County Clerk's office will be running on Battery Back-up and generator power as necessary. If phone lines are disrupted, Technology Resources will work to re-route telephone calls to viable extensions. Technology Resource personnel will be available via pagers if needed. Emergency Management personnel are available via pager and radio to assist with radio communications as necessary.

EMERGENCY TRANSFER OF BALLOTS:

In the event that the emergency transportation of ballots is necessary, County Emergency Management and the County Clerk's office will coordinate with law enforcement to ensure safe transportation of ballots to the County offices. Should some event render the County Administration Building inaccessible, County Clerk operations will move to the Justice Center. Information about the change of venue will be communicated to law enforcement for relay to local municipal clerks, who will inform their Election Officials.

EMERGENCY CONTACT NUMBERS:

For immediate access to emergency services, contact the Sheriff's Department Dispatch center to request the assistance required.

XXX-XXX-XXXX or XXX-XXX-XXXX

EXAMPLE MUNICIPAL PLAN²

GENERAL RESPONSIBILITIES

- Know where the primary and secondary exits are to the polling place facility. Know the safest evacuation routes from various areas in the building.
- Locate the fire extinguishers within the facility and understand the proper usage procedure.
- Be knowledgeable of how to dial 9-1-1 from the telephones in your facility and knowledge of how to use your cell phone and radio units to reach emergency personnel.
- Learn where to go in your facility in case of an emergency, severe weather or tornado.
- Have a specific point or location for all personnel to assemble, both inside and outside of the facility. The inside assembly point will be the north end of the dining/election polling place room in the community center. The outside assembly area will be the basketball court across the street from the front entrance of the community center.
- Report any unusual activity or persons at the polling location. You may notify the Clerk's Office at 555-5555, or Police Department at 555-5555 or dial 911 to reach emergency personnel.
- Document any evacuation or emergency activities on the Inspector Statement EB-104.

COMMUNICATIONS PLAN

A communications radio will be provided by the Clerk's Office to the polling place for your use in the event of an emergency situation. This radio should remain turned on all day and be placed within easy access and hearing range of election officials. Should the Clerk or any emergency personnel need to talk to you, this radio may be our only contact means available.

A personal cell phone may also be a valuable communications source. If you have a cell phone in your possession, you should also keep it within easy access and hearing range. A cell phone will be extremely helpful in the event of downed telephone lines or power outages.

The polling place has a multi-line telephone system for your use. Telephone extensions are located in the following areas. Three (3) telephone units are located in the front office space area, one (1) telephone unit is located in the second floor boiler room to the left of the rear stairwell, one (1) telephone unit is located in the kitchen area, one (1) telephone unit is located in the back office and one (1) telephone unit is located in the second floor medical room at the top of the front staircase.

The office computers at the polling place have access to internet and email services for your use in the event of an emergency.

Be sure to familiarize yourself with each of these communication devices. Your ability to reach the Clerk's Office, Police Department and other emergency personnel when a disruption in election-day activities occurs, could save the life of election officials, building employees and residents.

² Note: Identifying information has been removed.

ELECTION EQUIPMENT/BALLOT SECURITY

The most commonly asked questions in the event of a disruption at the polling place is where are the ballots that have been voted on, where are the ballots that have yet to be voted on, and what do we do with these ballots and election equipment.

The decision on what to do with ballots and election equipment will be directly proportionate to the type of emergency you are experiencing.

When you are dealing with a life-threatening situation, the evacuation and safety of human life will be the first concern. Please remember to inform any voters at your location of the safety evacuation route.

In case of the need to evacuate:

Temporary Evacuation – Temporary Evacuation would require leaving the polling place to seek alternate shelter due to a storm, tornado, etc. Secure all election materials and follow the evacuation procedures for the building you are in. The Election Inspectors will secure the election materials and take them to the evacuation site until it is clear to return to the polling place. After returning to the polling place, the Election Inspectors will return the AccuVote unit to the ballot box and proceed with the election. Note the time that the polling place reopens on the Inspector’s Statement.

Permanent Evacuation – If for any reason the polling place needs to be permanently evacuated during election day, all election materials should be brought to ALTERNATE LOCATION. Depending on the reason for the evacuation, a police escort will be provided. A notice should be posted on the entrance to the polling place notifying voters of the evacuation and that they should report to ALTERNATE LOCATION to vote.

- Remove the AccuVote unit from the ballot box and place it in the protective carrying case. The locked ballot box has wheels and should also be moved outside of the building to the designated assembly area. Be sure keep the ballot box sealed at all times.
- The Chief Election Inspector and the Election Inspectors should immediately take all un-voted ballots into custody. Remove the voted ballots from the ballot box and place them in a sealed ballot bag. The purpose for removing all un-voted ballots is to prevent anyone from entering and voting on unauthorized ballots while inspectors are out of the building.
- Election Inspectors will take the secured AccuVote unit and all ballots to the evacuation site, depending on the type of disaster.
- **AT NO TIME WILL THE BALLOT BOX OR BALLOTS BE OUT OF SIGHT OF THE ELECTION INSPECTORS.**
- If you are able, you may allow voting to continue in the paved basketball court area across the street from the building. This will be the designated outdoor emergency assembly point in the event an evacuation of the polling place becomes necessary. Designate a corner of the assembly area where voting can take place. The ballot box should be able to count and record ballots while on battery backup and will retain all election history until building re-entry can be obtained or until it can be

safely plugged in at another location. However, a power supply may be needed if this process would continue longer than 3 hours.

- If you are not able to complete the election in the designated assembly area, then a change of venue will be required. Changing the voting location will require an escort from the Police Department. The Clerk will determine if the event requires a change of venue. See Change of Venue below to see the procedure for moving the entire polling location.
- Elections may continue in the original polling place as soon as emergency personnel have cleared the building for reentry.
- Note the time of the evacuation and/or change of venue on the Inspector's Statement EB-104.

TYPE OF EMERGENCY

WORLDWIDE TERRORISM EVENT

In the event of a Terrorist Activity, the Federal Government may have a preliminary plan in place for moving activities of election days. However, if no plan exists, it will be the policy to act accordingly. All elections will continue unless Federal or State officials have ordered otherwise.

Although a worldwide terrorist event dramatically affects each voter on a personal level, it may not effect the daily operations of each polling location throughout the country. If there is no police order to take cover or remain indoors, all operations of the polling locations can remain in tact. If you are notified to evacuate the polling location, refer to the section Election Equipment/Ballot Security for evacuation procedures.

FIRE OR FIRE ALARMS

A fire in or near the polling place on an election day can severely hamper the operations and procedures necessary to carry out the election process. It is expected that fire department personnel will respond to fire calls as needed without interrupting the activities of the election; unless the polling place is the location of the fire or is near enough to another structure fire to make evacuation a necessity. In the event that a fire or fire alarm has disturbed the activities at the polling place, the following events will be used to effectively continue election processes.

- Stay Calm and Dial 911. Radio local police department for assistance.
- The evacuation and safety of human life will be the first concern. Please remember to inform any voters at your location of the safety evacuation route. Refer to Election Equipment/Ballot Security Section for directions on dealing with ballots and equipment during evacuation.
- Proceed to the designated assembly location. Be careful if crossing streets to the assembly area.
- Take a head count and note any missing people. Report any missing people to the Emergency Personnel.
- Stay in the designated area until you are directed to do otherwise.
- Do not attempt to re-enter the building until advised by Emergency Personnel.
- Do not speak to the media – refer them to Emergency Personnel.

- Receive all of your information from the Emergency Personnel.

TORNADO/SEVERE WEATHER

During inclement weather, the Fire Department and Police Department will be kept apprised of the severity to alert the Clerk of possible situations.

Should an evacuation occur, you should adhere to the evacuation procedures listed above. If a natural disaster such as a tornado warning occurs, which requires inspectors and voters to seek cover, all unvoted ballots and poll lists will be secured with the Chief Inspector. The Ballot Box can remain unplugged and locked. No ballots will be allowed into the ballot box, and no unvoted ballots will be released. After passage, regular business will resume and the Inspector will note on their inspector report the time from beginning to end.

- If a tornado is reported or seen in the immediate area, immediately seek shelter in a secure location. All Inspectors should know this location ahead of time. If time does not allow you to evacuate to a safe location, find shelter under a heavy object such as a table and protect your head.
- Do not stop for personal belongings, ballots, or election equipment.
- Take a head count of your group. Try to remain calm and quiet during the waiting period. Do not wander.
- If the building is struck by a tornado, remain in your location until it is safe to evacuate.
- It is important to stay away from all sources of power, power lines, phone lines, gas lines, and windows.
- Once you are clear of the area, do not re-enter the building without clearance from Emergency Personnel.

THREATENING PHONE CALL/BOMB THREAT/SUSPICIOUS OBJECT

If you receive a written threat, suspicious parcel, or if you find a suspicious object on the premises:

- Keep anyone from handling it or going near it. The object may be potentially dangerous. In addition, preservation of evidence is important for law enforcement.
- Stay calm and Call 9-1-1.
- Promptly write down everything you can remember about receiving the verbal or written threat, parcel, or if you find a suspicious object. Listen for background noise, the caller's voice and what he/she said. If the situation allows, ask questions pertaining to where the bomb is located, when will it explode, what does it look like or what the person's name and address is? Police interviewers will need this information. A Bomb Threat Checklist is attached to assist you with gathering information.

HAZARDOUS LEAK

- Many polling locations are located near railroad crossings or major roads. Hazardous substances are transported via both. A leak or spill is a possibility and a concern.
- If you are the first person to identify a leak or hazardous substance, call 9-1-1 to report the incident.
- The Fire Department and County Emergency Government will be the Emergency Personnel to assess the situation.

- Remain at the polling location unless notified otherwise by the Emergency Personnel. Close doors and windows if leak or spill is outside of your facility.
- Refer to Election Equipment/Ballot Security Section for directions on dealing with ballots and equipment.

POWER OUTAGE

Ballot Boxes contain power supply backups that will continue to operate in the event of a power outage. The AccuVote Internal battery should last approximately 3 – 4 hours. Turn off the AccuVote unit and have the voters deposit their ballots in the auxiliary compartment. Note the time of the power outage on the Inspector's Statement and contact the Clerk immediately. Maintenance personnel will deliver flashlights and any other supplies needed. After the power returns, turn the AccuVote unit on, remove the voted ballots from the auxiliary bin and process them through the ballot reader. Note the time that power was restored. If power is not restored before the end of election day, secure all of the voted ballots in a ballot bag and bring all of the election supplies to Alternate Location. Ballots will then be processed at Alternate Location.

In the event of a long-term power outage, a change of venue will be required. If there is a City-wide power outage, ballots shall be secured with the Inspectors at the polling location until 8:00PM.

If a power outage should occur:

- Remain calm.
- Provide assistance to visitors and staff in your immediate area.
- If you are in an area that does not have windows, proceed cautiously to an area that has emergency lights.
- The tabulator prom pack will retain all data in its memory and can be restarted after a power outage.

MEDICAL EMERGENCIES: STAFF MEMBERS AND VISITORS

If you observe a staff member or visitor who appears to be seriously ill or injured:

- Dial 9-1-1 immediately. Give the 9-1-1 Operator the location and type of emergency.
- Unless it is a life-threatening situation, do not render first aid until a qualified individual arrives.
- Do not offer to move a person who has fallen.
- Obtain from the injured person (if possible) his/her name, phone number, address, date of birth and a brief description of what happened.
- Avoid unnecessary conversation with, or about, the ill or injured person.
- Report any employee injury to the City Clerk.

WORKPLACE VIOLENCE

Be aware of the possibility of an incident occurring at your voting location. Please note the following:

- All threats of violence must be taken seriously
- Report any threats to the Chief Inspector to make a determination as to the next course of action.

- For any situation that involves immediate threat of violence, an Inspector should notify local law enforcement. Dial 9-1-1.
- In the event of a confrontation, do not panic.
- Do exactly what you are told – no more and no less. Do not do anything to surprise the individual.

CHANGE OF VENUE

When it is has been determined by the Clerk, Deputy Clerk, Chief Election Inspector or Emergency Personnel that a polling location needs to be moved to effectively respond to a disaster of any kind, the following process will be executed.

- The Election Inspectors will assist in packing up all voting equipment, ballots, poll lists, registration materials, and all election forms and information that needs to be relocated (election signs, posting materials, etc.)
- The Clerk, with Police escort, will report to the polling location to facilitate the move.
- See evacuation information in section Election Equipment / Ballot Security.
- All Election Inspectors will assist the Clerk in moving the election materials to the transport vehicle(s).
- The Ballot Box will remain locked at all times.
- The ballot box will be escorted to a City Vehicle for moving. A Police Officer will remain in view of this Ballot Box at all times. A Police Escort will take the ballot box (which holds all voted ballots) to Alternate Location. At this location, all inspectors and Clerk will set up the polling location as normal. The Ballot box arrives with Police Escort. The AccuVote has a battery backup so no information should be lost.
- All unvoted Ballots should remain in the presence of the Chief Election Inspector and at least one other inspector during this change of venue.
- A sign will be posted on the front entry doors at the original location designating the new polling place location. Likewise, if possible, a notice will be placed on Public Access Channel, or the local radio for directing Voters to the new polling location.
- Inspectors will note this change of location on the Inspector Statement EB-104.

EFFECT ON POLL WATCHERS

- Poll Watchers would be expected to exit any building that is evacuated.
- They may continue to watch the election processes without interruption.
- They will still be prohibited from interfering with the election process.
- If they are asked to leave and refuse to do so, they can be removed by the Police Department.

VI. APPENDIX E

Sample Election Day Contingency Plan

- I. Purpose
- II. General Election
- III. Emergency Procedures
 - a. Prior to Poll Opening
 - b. During Polling Hours
- IV. Handling Election Materials
- V. Alternate Locations
- VI. Notification Plan
- VII. Communication Plan

I. Purpose

The purpose of a Election-Related Contingency Plan is to ensure that effective preparations are made by state, county, and local election officials in order to maintain the integrity of the election process. These plans addresses how to prepare for, manage and mitigate, and recover from a sudden unexpected event that may disrupt the continuity of Election Day. This document is intended to assist individual counties and municipalities in building their own comprehensive plans by providing the framework for applying the guidelines as they pertain to their local emergency situations. Plans should be reviewed annually to maintain relevance and to keep election personnel current on emergency procedures.

II. General Election Procedures

- On Election Day, all polling places open at 7:00 am and all polls close at 8:00 pm.
- The election inspectors hold the responsibility for running the election. This includes checking in voters, answering questions, maintaining an orderly procession of the election process, and keeping accurate records of the proceedings of the day.
- Election inspectors should be familiar with voting equipment (if applicable) and should be able to troubleshoot tasks such as turning the machines on, printing zeros tapes, changing printer tapes, and casting a ballot.
- All irregular activities should recorded on the EB-104, Inspector's Statement.
- Following the close of the polls, the inspectors convene to publicly count the vote. Upon completion of the tally, the municipal clerk or an assigned inspector will call the results to the county clerk.
- All forms are to be filled out in their entirety and accurately. Election materials are to be received by the county clerk by 4:00pm on the day after the election.
- Complete Election Day responsibilities and procedures can be reviewed in the Election Day Manual posted on the SEB website at:
<http://elections.state.wi.us/docview.asp?docid=872&locid=47>.

III. Emergency Procedures

✓ Prior to Poll Opening

Should a natural or other disaster occur prior to Election Day that would not allow for an election to be conducted safely in the time or place for which the election is scheduled to be held, the county clerk should notify the SEB. The SEB would then notify the Governor who may, upon verification of the clerk's assessment, declare a state of emergency. If a state of emergency is declared, the SEB will provide modifications to be made to the method for conducting the election which may include relocation of the polling place, postponement of the hour of opening the polls, postponement of the date of the election if no candidates for federal offices are on the ballot, or other reasonable and prudent modifications that will permit the election to be conducted while protecting the integrity of the electoral process.

If a polling location is to be relocated, the substitute polling place shall be as close as possible to the established polling place and shall be within the same municipality if possible. Preference will be given to buildings which accommodate the accessibility provisions of the Help America Vote Act of 2002 (HAVA). It is recommended that each municipality have identified alternate polling locations prior to Election Day. A notice of the location of the substitute polling place shall be posted on the door of the former polling place. If time permits, notice of the relocation of the polling place shall be published in the same newspaper in which notice of the election was published. The clerk shall inform broadcast media and print news organizations serving the jurisdiction of the modification.

✓ During Polling Hours

Should an emergency situation develop after the opening of the polls on Election Day, the most important consideration must be the safety of the persons at the polling location(s). If the immediate danger to persons at the polling location can be mitigated, the concern should be placed on the security of the ballots and ballot box, registration records, and the tabulating equipment and/or voting machines and memory cards.

If it is necessary to adjourn to another location, the election materials should be secured and, per 7.37(1), Wis. Stats., the inspectors shall make a proclamation of the move. A law enforcement officer or other proper person designated by the municipal clerk shall be stationed at or as near as possible to the place where the adjournment was made to notify all electors of the place to which the election adjourned. At the new location, the inspectors shall immediately proceed with the election. The chief election inspector is in charge of the security of the ballots and should be sure to be in constant and consistent possession of the ballots. It is essential to document the time, persons involved, and the location to which the election was adjourned on the EB-104 Inspector's Statement. It is recommended that each municipality have identified alternate polling locations prior to Election Day. If it is not possible to adjourn to any alternate location, the municipal clerk should contact the SEB as soon as safely possible to receive direction.

✓ Suggested Emergency-specific Procedures

- i. Fire Evacuation/Power Outage
Remember SAFETY FIRST! Secure the election materials if possible and evacuate the building until emergency personnel can confirm the safety of the building. If it is not feasible to continue at the current location, adjourn to an alternate location. The event should be recorded on the EB-104.
- ii. Tornado/Inclement Weather
Remember SAFETY FIRST! Keep aware of changing weather conditions. Should an emergency situation arise, secure the election materials if possible and seek shelter. Election workers should know where the nearest shelter is located and direct persons at the polling place appropriately. Remain calm. After passage, regular election business can resume. The event should be recorded on the EB-104.
- iii. Bomb Threat/Suspicious Objects
Written threat or suspicious package: Remain calm. Do not handle or go near the package. Call 911. If you receive a written note, limit your handling and place in a plastic bag to salvage evidence. If necessary, secure election materials and evacuate the building until emergency personnel can confirm the safety of the building. The event should be recorded on the EB-104.
Threatening phone call¹: Remain calm. Write down everything you hear. Keep the person talking and try to obtain as much information as possible. Keep the line open. Have someone call 911. If necessary, secure election materials and evacuate the building until emergency personnel can confirm the safety of the building. The event should be recorded on the EB-104.
- iv. Other
These could include hazardous leak, medical emergencies, or workplace violence.

IV. Handling Election Materials

- ✓ It is recommended that each polling place assigns an election worker to be responsible for securing each type of the election material (ballots and ballot box, poll lists, and the tabulating equipment and/or voting machines and memory cards) in the event of an evacuation or suspension of election activities.

V. Alternate Locations

- ✓ It is recommended that each county have an alternate tabulation site and municipality have identified alternate polling locations prior to Election Day. This may include combining locations within the municipality or neighboring municipalities and/or back-up locations that can be utilized in the event of an emergency. Additionally, offices should identify the minimum essential equipment needed to conduct an election at the alternate location.

¹ Refer to the Bomb Threat Checklist attached at the end of this plan.

VI. Notification Plan

- ✓ Arrangements should be made to update websites (if applicable), post signs on polling place doors, and contact media outlets such as newspaper and television in order to notify electors of potential changes to alterations on Election Day.

VII. Communication Plan

- ✓ Election workers should be provided with the appropriate contact numbers for the municipal clerk, county clerk, the State Election Board, and any other relevant emergency personnel.
 - i. *Police/Fire/Medical:* 911
 - ii. *Municipal Clerk:* (XXX) XXX-XXXX
 - iii. *Local Utilities (Gas/Elec):* (XXX) XXX-XXXX
 - iv. *Sheriff's Office:* (XXX) XXX-XXXX
 - v. *County Clerk:* (XXX) XXX-XXXX
 - vi. *Regional WEM contact* (XXX) XXX-XXXX
 - vii. *State Elections Board:* (608) 266-8005
 - viii. *Others (including alternate pollworkers)*

Sample Bomb Threat Checklist

Time and Date of Call Received _____ **Time Caller Hung Up** _____

Exact Words of Caller:

Questions to Ask:

1. When is the bomb going to explode? _____
2. Where is the bomb located? _____
3. What kind of bomb is it? _____
4. What does it look like? _____
5. Why did you place the bomb? _____
6. Where are you calling from? _____
7. Who are you? _____

Description of Caller's Voice:

Male___ Female___ Young___ Middle Age___ Old___ Accent___
Tone_____ Unusual Speech?_____ Familiar Voice?_____

Background Noises: _____

Person receiving the call: _____

Home address: _____

Contact Number: _____

Date: _____