Received 10/16/2020 4:33:33 PM Supreme Court Middle District

Filed 10/16/2020 4:33:00 PM Supreme Court Middle District
149 MM 2020

IN THE SUPREME COURT OF PENNSYLVANIA

No. 149 MM 2020

IN RE NOVEMBER 3, 2020 GENERAL ELECTION

REPUBLICAN INTERVENORS' SUPPLEMENTAL BRIEF

PORTER WRIGHT MORRIS & ARTHUR LLP
Kathleen A. Gallagher
PA I.D. #37950
Ronald L. Hicks, Jr.
PA. I.D. #49520
Russell D. Giancola
PA. I.D. #200058
6 PPG Place, Third Floor
Pittsburgh, PA 15222
Phone: (412) 235-4500

JONES DAY
John M. Gore (*pro hac vice*)
E. Stewart Crosland *
51 Louisiana Avenue, N.W.
Washington, DC 20001
Phone: (202) 879-3939

**Pro hac vice application forthcoming*

Counsel for Intervenor-Respondents Donald J. Trump for President, Inc.; Republican Party of Pennsylvania; Republican National Committee; and National Republican Congressional Committee

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All parties agree that the Election Code authorizes—and, in some instances, even *requires*—county boards of elections to verify signatures on absentee and mail-in ballots. Despite issuing non-binding guidance claiming that the Code "does not authorize the county board of elections to set aside returned absentee or mail-in ballots based solely on signature analysis,"[1] Secretary Boockvar now tells the Court that she "is not advocating that signatures on applications and ballots must be ignored." App. 20 n.15. Rather, even in the Secretary's view, if an "examination of a voter's *signed* declaration" leads a "county elections official" to develop a "good faith belie[f that] the ballot was voted by someone other than the qualified elector who applied for the ballot or is fraudulent, the ballot should be set aside and investigated." *Id.* (emphasis added). The Secretary, however, provides no explanation as to how the statutory text can *require* county boards to conduct such an "examination of a voter's signed declaration" but somehow *preclude* them from engaging in signature verification. The Secretary, moreover, also fails to explain how a watcher or representative, or any other qualified elector, is not permitted under the Election Code to challenge at a pre-canvass or canvass the validity of a voter's

[1] Pennsylvania Department of State, Guidance Concerning Examination of Absentee and Mail-In Ballot Return Envelopes at 3 (Sept. 11, 2020), https://www.dos.pa.gov/VotingElections/OtherServicesEvents/Documents/Examination%20of%20Absentee%20and%20Mail-In%20Ballot%20Return%20Envelopes.pdf.

signature on an absentee or mail-in ballot when there is reason to believe that the signature is not genuine.

Nor could she. The plain statutory text both authorizes and requires "county election boards to reject voted absentee or mail-in ballots during pre-canvassing and canvassing based on signature analysis." Oct. 14, 2020 Order at 1. Indeed, the Election Code is clear that "[t]he elector shall . . . sign the declaration printed on" the outer envelope of an absentee or mail-in ballot. 25 P.S. §§ 3146.6(a), 3150.16(a). This directive is "mandatory," and noncompliance "renders the ballot invalid." *Pa. Democratic Party v. Boockvar*, No. 133 MM 2020, 2020 WL 5554644, at *26 (Pa. Sept. 17, 2020). This signature mandate thus contemplates the "enforcement mechanism" of county boards engaging in—and invalidating ballots during the pre-canvass or canvass based upon—verification of the voter's signature. *Id.* at *24, *26.

If more were somehow needed, 25 P.S. § 3146.8(g)(3) underscores this obligation of county boards. That provision requires a "county board" not only to "verif[y] the proof of identification as required under this act," but also to "examine the [signed] declaration on the envelope of each ballot" in order to "satisf[y]" itself that the "declaration is sufficient." 25 P.S. § 3146.8(g)(3). And a "declaration is sufficient," *id.*, only if it has been "sign[ed]" *by* "[*t*]*he elector*" in compliance with the signature mandate, *id.* §§ 3146.6(a), 3150.16(a) (emphasis added). Accordingly, once again, the required "examin[ation]" of the declaration's "sufficien[cy]"

necessarily encompasses signature analysis and verification by county boards. *Id.* § 3146.8(g)(3).

This construction makes perfect sense—and gives effect to the General Assembly's "clear" intent. *Pa. Democratic Party*, 2020 WL 55546444, at *26. Indeed, the General Assembly's imposition of the signature mandate on voters and the declaration-examination mandate on county boards is "supported by [the] weighty interest [of] fraud prevention." *Id.* After all, in the Secretary's words, such signature analysis could lead officials to develop a "good faith belie[f]" that the ballot "is fraudulent" or "was voted by someone other than the qualified elector who applied for the ballot." App. 20 n.15.

The Secretary offers no coherent alternative reading of the Election Code, overlooks the mandatory requirements it imposes on voters and county boards, and ignores an unbroken line of Pennsylvania case law upholding the use of signature verification to challenge ballots. *See, e.g.*, *Appeal of Orsatti*, 598 A.2d 1341, 1343 (Pa. Commw. Ct. 1991), *appeal denied*, 600 A.2d 956 (Pa. 1991); *In re City of Wilkes-Barre Election Appeals*, 44 Pa. D. & C.2d 535, 541 (Pa. C.P. Luzerne 1967); *In re Canvass of Absentee Ballots of Nov. 2, 1965, Gen. Election*, 39 Pa. D. & C.2d 429, 441 (Pa. C.P. Montgomery 1965); *Fogleman Appeal*, 36 Pa. D. & C.2d 426, 428 (Pa. C.P. Juniata 1964). The Court should reject the Secretary's proposed construction and reaffirm that the Election Code authorizes and requires "county

election boards to reject voted absentee or mail-in ballots during pre-canvassing and canvassing based on signature analysis." Oct. 14, 2020 Order at 1.

ARGUMENT

The Secretary's Application is yet another not-so-thinly-veiled attempt to secure a judicial rewrite of the Election Code on the eve of the upcoming general election. The Secretary invites this Court to endorse a novel interpretation of the Election Code that contravenes the plain statutory text, threatens to upend decades of practice across the Commonwealth, and raises serious constitutional concerns. This Court should reject that invitation.

I. THE COURT SHOULD DENY DECLARATORY RELIEF

As the Republican Intervenors have previously explained, both state and federal law require this Court to uphold the Election Code's plain language and the General Assembly's "clear" intent. *See* Ans. 19–24. Accordingly, the Court should reaffirm that the Election Code authorizes and requires county boards of elections to engage in, and to invalidate ballots based upon, signature verification. The Secretary's proposed construction runs afoul of this Court's obligation to adhere to the plain text of the Election Code, *see id.* at 19–21, would trigger Act 77's non-severability clause, *see id.* at 21–23, and creates a federal constitutional question under the Elections and Electors Clauses, *see id*. at 23–24. The Court therefore

should reject the Secretary's proposed construction and deny her request for declaratory relief.

A. The Election Code Authorizes and Requires County Boards to Perform Signature Verification, to Permit and Hear Challenges about Mismatched Signatures, and to Provide Notice and a Hearing to Aggrieved Voters

The Election Code's use of the word "shall" carries "an imperative or mandatory meaning." *In re Canvass of Absentee Ballots of Nov. 4, 2003 Gen. Election*, 843 A.2d 1223, 1231 (Pa. 2004); *see also Pa. Democratic Party*, 2020 WL 5554644, at *25–*26; *see also id.* at *36 (Wecht, J., concurring). Two uses of this term are of particular relevance here. *First*, the signature mandate requires that "[t]he elector *shall* . . . fill out, date and sign the declaration printed on" the outside envelope of the absentee or mail-in ballot. 25 P.S. §§ 3146.6(a), 3150.16(a) (emphasis added). *Second*, the declaration-examination mandate directs that county boards "*shall* examine the declaration on the envelope of each ballot" and "satisf[y]" themselves that the "declaration is sufficient." *Id.* § 3146.8(g)(3).

Individually and in tandem, these provisions create a "clear mandate[]" for county boards to engage in signature verification. *In re Canvass of Absentee Ballots of Nov. 4, 2003 Gen. Election*, 843 A.2d at 1231; *see also Pa. Democratic Party*, 2020 WL 5554644, at *25–*26; 1 Pa.C.S. § 1922(4) ("[W]hen a court of last resort has construed the language used in the statute, the General Assembly in subsequent statutes on the same subject matter intends the same construction to be placed upon

such language."). In the first place, because a voter's noncompliance with the signature mandate "renders the ballot invalid," that mandate necessarily contemplates the "enforcement mechanism" of county boards engaging in—and invalidating ballots during the pre-canvass or canvass based upon—verification of the voter's signature. *Pa. Democratic Party*, 2020 WL 5554644, at *24–*26. Therefore, that mandate alone authorizes and requires signature verification and invalidation of ballots based upon signature mismatches. *See id.*; *see also* 25 P.S. §§ 3146.6(a), 3150.16(a). Moreover, because a "declaration is sufficient," *id.* § 3146.8(g)(3), only if it has been "sign[ed]" *by* "[*t*]*he elector*," *id.* §§ 3146.6(a), 3150.16(a) (emphasis added), the declaration-examination mandate also encompasses the enforcement mechanism of signature analysis and verification during the pre-canvass and canvass, *id.* § 3146.8(g)(3); *see also Pa. Democratic Party*, 2020 WL 5554644, at *24–*26.

Even if the Court did not think these provisions sufficiently "express" in their authorization and requirement for signature verification, it still should adopt this construction. *Pa. Democratic Party*, 2020 WL 5554644, at *26; *see also* 1 Pa.C.S. § 1921(c)(3), (4), & (6) ("When the words of the statue are not explicit, the intention of the General Assembly may be ascertained by considering, among other things, . . . [t]he mischief to be remedied[,] [t]he object to be attained[,] and "[t]he consequences of a particular interpretation."). To read the Election Code not to

authorize and require signature verification "would be unreasonable" because it would render the "concrete" signature and declaration-examination mandates "ineffective." *Pa. Democratic Party*, 2020 WL 5554644, at *26. Indeed, the Secretary never explains *why* the General Assembly would have mandated that voters sign absentee and mail-in ballot declarations *if* county boards were precluded from verifying those signatures. In fact, the General Assembly's "intent is clear and supported by [the] weighty interest [of] fraud prevention": the signature mandate protects the right to vote and the Commonwealth's elections against fraud and is buttressed by the "deterrent [and] enforcement mechanism" of the declaration-examination mandate. *Id.*

Unsurprisingly, therefore, decisions from courts across the Commonwealth reflect a longstanding—and utterly uncontroversial—practice of county boards verifying signatures on by-mail ballots and applications. Indeed, in decisions dating back to at least the 1960s, Pennsylvania courts have repeatedly indicated that by-mail ballot applications and completed ballots lacking genuine signatures are invalid and can be challenged. *See, e.g.*, *Appeal of Orsatti*, 598 A.2d at 1343 (noting the propriety of voiding ballots where signatures had been forged because the election code "clearly requires *the voter* . . . to sign the application for an absentee ballot" (emphasis added)); *In re City of Wilkes-Barre Election Appeals*, 44 Pa. D. & C.2d at 541 (rejecting challenges to by-mail ballots where the evidence adduced at the

hearing failed to support the claim that the signature was not "genuine"); *In re Canvass of Absentee Ballots of Nov. 2, 1965, Gen. Election*, 39 Pa. D. & C.2d at 441 (noting that "challenges . . . should have been sustained" "where ballots were signed in a different fashion from the registration cards . . . and where applications were not totally completed by the applicant, but obviously filled in by another, in all these cases"); *Fogleman*, 36 Pa. D. & C.2d at 427 (sustaining challenges where declarations contained "printed signature[s]" that did not match the "written signature[s]" on the voters' registration cards").

This practice of signature verification continues today in some counties. Chester County has promulgated and produced signature-verification procedures. *See* Chester County Absentee/Mail-In Signature Matching Procedures (Ex. A). Moreover, the Department of State's own March 2020 Mail-In Application Processing User Guide illustrates—in both text and screenshots—that when a county elections official scans the barcode on a completed absentee or mail-in ballot, the Statewide Uniform Registry of Electors (SURE) system automatically populates the voter's "signature" on the official's computer screen, along with other information. *See* Department of State, Mail-In Application Processing User Guide at 70–72, 75, 77–78 (Ex. B). Thus, the Department of State *itself* makes the voter's signature available to county election officials, *see id.*—and there would be no reason to do so if the Election Code did not authorize and require signature verification.

Finally, prior Pennsylvania decisions also confirm that Pennsylvania law protects the due process rights of voters whose signatures are challenged by providing them notice, a hearing, and a right to judicial review. *See, e.g.*, *In re City of Wilkes-Barre Election Appeals*, 44 Pa. D. & C.2d at 541. So, too, does present practice: Chester County's signature-verification procedures expressly require notice and an opportunity to cure to any voter whose signature cannot be verified. *See* Chester County Absentee/Mail-In Signature Matching Procedures at 1, 4–5 (Ex. A).

Indeed, the Election Code provides that "[b]allots received whose applications have been challenged and ballots which have been challenged" are to be set aside until the county board "shall fix a time and place for a formal hearing of all such challenge." 25 P.S. § 3146.8(g)(5). "[N]otice" of this hearing—which is to be held "not . . . later than seven (7) days after the deadline for all challenges to be filed"—"shall be given where possible to all absentee electors and mail-in electors thus challenged and to every individual who made a challenge." *Id.* After hearing "testimony," the county board must render a decision "upholding or dismissing any challenge." *Id.* § 3146.8(g)(5)–(6). Those decisions, in turn, "may be reviewed by the court of common pleas of the county upon a petition filed by any person aggrieved by the decision of the county board." *Id.* § 3146.8(g)(6). Accordingly, the Election Code expressly safeguards voters against a mistaken signature

verification by guaranteeing a formal hearing, "notice . . . where possible," and a right to judicial review. *Id.* § 3146.8(g)(5)–(7). The Court should thus uphold the Election Code's signature-verification and challenge process.

B. The Secretary's Arguments Fail to Support a Contrary Reading of the Election Code

The Secretary disclaims any argument that "signatures on applications and ballots must be ignored." App. 20 n.15. In fact, she *agrees* that "[i]f, based on examination of a voter's signed declaration, a county elections official in good faith believes the ballot was voted by someone other than the qualified elector who applied for the ballot or is fraudulent, the ballot should be set aside and investigated." *Id*. But she nowhere explains what might trigger a "good faith" basis to suspect voter fraud other than a comparison of the voter's signature against the board's records. *See id.* And she also does not explain how county election officials are supposed to distinguish between potentially fraudulent ballots subject to "investigat[ion]" under her statutory reading and ballots that she believes should not be "investigated." *Id.*

Rather, the Secretary takes the categorical position that the Election Code prohibits county election officials from "reject[ing] *validly* cast and voted ballots based on signature variances." *Id.* (emphasis added). But she never explains why, if her position is correct, the SURE system displays the voter's signature to county election officials when they scan a returned ballot's barcode. *See* Department of

State, Mail-In Application Processing User Guide at 70–72, 75, 77–78 (Ex. B). And she also never reconciles her position with her acknowledgement that signatures may not be "ignored" in cases of suspected fraud. App. 20 n.15.

In all events, the Secretary misses the point: the entire question is *how* the Election Code directs county officials to determine whether a ballot is, in fact, "*validly* cast and voted." *Id.* (emphasis added). Thus, it is unsurprising that none of the Secretary's arguments supports her claim that the Election Code prohibits county officials from engaging in, and invalidating absentee and mail-in ballots based upon, signature verification.

First, the Secretary argues that such a prohibition can be inferred from the fact that the Election Code does not expressly require signature verification for absentee and mail-in ballots, but *does* expressly require such verification for in-person voters. *See* App. 20–21. To that end, she invokes the recent decision of the U.S. District Court for the Western District of Pennsylvania in *Donald J. Trump for President, Inc. v. Boockvar*, No. 2:20-cv-966 (W.D. Pa Oct. 10, 2020). *See* Letter from Donna A. Walsh to Irene Bizzoso Exh. A (Oct. 11, 2020) (hereinafter "Dist. Ct. Op."). But there was no reason for the General Assembly to specify such a procedure for absentee and mail-in ballots: that procedure is part and parcel of the Election Code's signature mandate for voters, 25 P.S. §§ 3146.6(a), 3150.16(a), and declaration-examination mandate for county boards, *id.* § 3146.8(g)(3); *see supra* Part I.A. In

fact, signature-matching has been an integral part of Pennsylvania's election-administration scheme for decades—but the Secretary fails even to mention the unbroken line of Pennsylvania case law reflecting this reality. *See, e.g.*, *Appeal of Orsatti*, 598 A.2d 1341; *In re Canvass of Absentee Ballots of Nov. 2, 1965, Gen. Election*, 39 Pa. D. & C.2d 429; *Fogleman*, 36 Pa. D. & C.2d 426; *In re City of Wilkes-Barre Election Appeals*, 44 Pa. D. & C.2d 535; *see also* App. 20–21.[2]

The Secretary also offers no explanation as to why county boards would be precluded from verifying signatures as part of their obligation to ensure that the

[2] The district court's attempt to distinguish two of these cases misses the mark. *See* Dist. Ct. Op. 104–05 n.17. For example, the court claimed that *Fogleman* stands for nothing more than the proposition that "the declaration must be signed (*i.e.*, completed)." *Id.* But in *Fogleman*, *it was signature matching* that lead to the conclusion that the declarations at issue had not been "completed." *See Fogleman*, 36 Pa. D. & C.2d at 427 ("The registration card of Lavina Page shows her signature to be in writing. The application for an absentee ballot shows her signature to be in writing. The absentee elector's declaration has no written signature as required by law but merely a printed signature."); *id.* at 428 (noting "the additional difference . . . that the name of Pauline Haubert . . . is printed and not a signature as determined by a comparison with her application for an absentee ballot and her registration"). Likewise, the court dismissed *In re Canvass of Absentee Ballots of November 2, 1965, General Election* on the grounds that it purportedly did not involve "a universal and mandatory signature comparison requirement." Dist. Ct. Op. 104–05 n.17. This, however, ignores the court's pronouncement that "all those who seek the special privilege of casting an absentee ballot must follow all the procedures which are required" and that "challenges" should be "sustained" "where ballots were signed in a different fashion from the registration cards." *In re Canvass of Absentee Ballots of Nov. 2, 1965, Gen. Election*, 39 Pa. D. & C.2d at 441. At a minimum, these cases—like others cited by Intervenors—show that county boards have long engaged in signature verification. Nothing in the Election Code purports to strip them of this longstanding authority, and this Court should not do so either.

voter's declaration "is sufficient." 25 P.S. § 3146.8(g)(3). Instead, recognizing that the Election Code's signature-verification requirement is "clear and supported by a weighty interest like fraud prevention," *Pa. Democratic Party*, 2020 WL 5554644, at *26, the Secretary attempts to carve out a fraud exception to her cramped statutory reading, *see* App. 20 n.15. But the Secretary cannot have it both ways: either the Election Code authorizes and requires county boards to inspect signatures on the declaration or it does not. There is no plausible interpretation of the Code that can bear the Secretary's situational reading of the obligation to ensure that a declaration was "sign[ed]" by "[t]he elector." 25 P.S. §§ 3146.6(a), 3150.16(a).

In addition, the Secretary's proposed construction would raise significant constitutional issues. In particular, under the Secretary's reading, the Election Code would invalidate in-person votes due to a signature mismatch but require counting absentee and mail-in votes *notwithstanding* such a mismatch. *See, e.g.*, App. 21. By arbitrarily creating two classes of voters whose votes carry different weights, the Secretary's reading would raise Equal Protection and Due Process concerns. *See, e.g.*, *Bush v. Gore*, 531 U.S. 98, 104–05 (2000) (per curiam); *Pierce v. Allegheny Cnty. Bd. of Elections*, 324 F. Supp. 2d 684, 697 (W.D. Pa. 2003). The Court therefore should avoid the Secretary's construction. *See, e.g.*, 1 Pa.C.S. § 1922(3)

(codifying the presumption that "the General Assembly does not intend to violate the Constitution of the United States or of this Commonwealth"). [3]

Second, the Secretary and the district court reason that Section 3146.8(g)(3)'s "verification" requirement relates only to "the proof of identification as required under" the Election Code. 25 P.S. § 3146.8(g)(3). Cross-referencing the statute, the Secretary and the district court point out that the Election Code defines "proof of identification" to mean "the elector's driver's license number," "the last four digits of the elector's Social Security number," or other official identification, but not the voter's signature. 25 P.S. § 2602(z.5)(3); *see also* App. 19–20: Dist. Ct. Op. 98–99 & n.15. This reasoning misses the point: Section 3146.8(g)(3) requires election officials not only to "verif[y] the proof of identification as required under" the Election Code, *but also* to determine "that the declaration is sufficient," 25 P.S. § 3146.8(g)(3), which necessarily requires them to confirm that it was "sign[ed]" by "[t]he elector," *id.* §§ 3146.6(a), 3150.16(a). The Secretary and the district court

[3] To be sure, some distinctions between in-person and by-mail balloting processes may be permissible. But as the district court acknowledged, the Secretary must provide a valid justification for any differential treatment. Dist. Ct. Op. 112; *cf. ACLU of N.M. v. Santillanes*, 546 F.3d 1313, 1320 (10th Cir. 2008) (different treatment between in-person and absentee voters justified where there existed a separate, equally effective process in place to confirm the absentee voter's identify). Here, however, the justification offered by the Secretary—that only the "in person voter is notified of his or her signature deficiency, and afforded an opportunity to cure," Dist. Ct. Op. 113—fails to pass muster. As detailed herein, mail-in voters are provided similar due process protections. *See supra* pp. 9; *infra* pp. 18–20.

gloss over the Election Code's signature mandate and barely even mention its declaration-examination mandate. *See* App. 19–20: Dist. Ct. Op. 98–99 & n.15. But ignoring these mandates will not make them go away. Instead, the Court must "give effect to all" of the Election Code's "provisions." 1 Pa.C.S. § 1921(a); *see also Berner v. Montour Twp. Zoning Hearing Bd.*, 217 A.3d 238, 248 (Pa. 2019) ("[I]t is presumed 'that the legislature did not intend any statutory language to exist as mere surplusage.'").

Third, to the extent that the Secretary and the district court address Section 3146.8(g)(3)'s declaration-examination mandate, they offer competing interpretations, neither of which is persuasive. For her part, the Secretary suggests that Section 3146.8(g)(3) limits such an assessment to the "voter's name and address," App. 19–20, but she offers no explanation as to why the voter's signature—which also is *required* to appear on the declaration and automatically populates in the SURE system, *see* 25 P.S. §§ 3146.6(a), 3150.16(a); Department of State, Mail-In Application Processing User Guide at 70–72, 75, 77–78 (Ex. B)—would be singularly exempted from that examination, *see* App. 19–20.[4]

[4] The Secretary suggests that the only "information" contained on "the approved mail-in voter list is the voter's name and address." App. 19 n.14. Section 3146.8(g)(3), in fact, continues to refer to a "Registered Absentee and Mail-In Voters File," which at one time comprised voters' "temporary registration cards" but whose organic provision was removed from the Election Code by Act 12. *See* 25 P.S. § 3146.2c(a) & Historical and Statutory Notes. Regardless, the voter's signature *does* automatically populate in the SURE system, *see* Department of State, Mail-In

For its part, the district court recognized that "sections 3150.16(a) and 3146.6(a)" require the declaration to be "fill[ed] out, date[d], and sign[ed]." Dist. Ct. Op. 99 (citing 25 P.S. §§ 3146.6(a), 3150.16(a)). But in the district court's view, the county board's examination is limited to whether the declaration was completed "at all," and does not encompass "checking to see if the provided signature is sufficiently authentic." *Id.* This cramped construction contravenes the clear language of the Election Code because it ignores that Sections 3146.6(a) and 3150.16(a) require the declaration to be "fill[ed] out, date[d], and sign[ed]" *by* "[*t*]*he elector*," 25 P.S. §§ 3146.6(a), 3150.16(a) (emphasis added). Thus, a "declaration is sufficient," *id.* § 3146.8(g)(3), only if it is signed *by the voter*, *id.* §§ 3146.6(a), 3150.16(a) (emphasis added), not merely if it is signed "at all," Dist. Ct. Op. 99.

Moreover, the district court's cramped construction would lead to absurd results. *See Pa. Democratic Party*, 2020 WL 5554644, at *26 ("We must in all instances assume that the General Assembly does not intend a statute to be interpreted in a way that leads to an absurd or unreasonable result."). Under the district court's reading, a declaration would purportedly be sufficient even if it were obvious that it was not the voter who "signed" the declaration. *But cf. Fogleman*,

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Application Processing User Guide at 70–72, 75, 77–78 (Ex. B), and the Secretary's argument pertains only to Section 3146.8(g)(3)'s requirement that county boards "compare" declarations against certain forms of information, not its separate declaration-examination mandate, 25 P.S. § 3146.8(g)(3); *see* App. 19 n.14.

36 Pa. D. & C.2d at 427 (sustaining challenges where declarations contained "printed signature[s]" that did not match the "written signature[s]" on the voters' registration cards"). Likewise, a declaration would apparently be sufficient even if the name and signature fields *used entirely different names*. After all, even if the voter's name were listed as "Sue Smith" and the voter's signature read "John Jones," the declaration still would be "fill[ed] out" and "sign[ed]." Dist. Ct. Op. 99. Thus, neither the Secretary nor the district court offers any persuasive reading of the Election Code's signature and declaration-examination mandates that excludes the county boards' longstanding practice of signature verification.

Fourth, the Secretary and the district court assert that their construction of Section 3146.8(g)(3) is warranted by the Pennsylvania Constitution's special solicitude for the right to vote. *See* App. 22; Dist. Ct. Op. 102–03. As an initial matter, where, as here, the General Assembly has spoken to a question of election law, such "expressions" fail to consider "the extent to which the [Pennsylvania] Constitution could, consistent with [the Elections Clause], 'circumscribe the legislative power.'" *Bush v. Palm Beach Cnty. Canvassing Bd.*, 531 U.S. 70, 77 (2000) (per curiam) (criticizing the Supreme Court of Florida for appealing to the Florida Constitution for the principle that "[b]ecause election laws are intended to facilitate the right of suffrage, such laws must be liberally construed in favor of the citizens' right to vote" (citation omitted)). Moreover, "[i]t must be remembered that

'the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise.'" *Bush*, 531 U.S. at 105 (quoting *Reynolds v. Sims*, 377 U.S. 533, 555 (1964)). Both the Secretary and the district court *agree* that the General Assembly may impose a signature-verification requirement. *See* App. 20–21; Dist. Ct. Op. 98–102. Thus, their paean to the right to vote simply begs the question of what constitutes a "validly cast and voted ballot[]" under Pennsylvania law. App. 20 n.15.

Finally, a major premise of the Secretary's proposed construction is the assertion that the Election Code "does not require that voters be afforded notice and an opportunity to cure before their absentee or mail-in ballots are rejected due to any perceived signature variations." *Id.* at 13. But the Secretary never even mentions—let alone attempts to reconcile her assertion with—Section 3146.8(5)–(7)'s notice, hearing, and judicial review guarantees. *See id.* Nor does the Secretary mention the robust body of Pennsylvania case law upholding signature verification by county boards subject to those guarantees. *See id.*

The Secretary thus ignores that the Election Code's signature-verification regime *resolves*, rather than raises, "constitutional concerns" and *provides*, rather than violates, "due process." *Id.* at 23–24. Indeed, courts have upheld signature verification performed by laypersons when, as now, the signature-verification regime provides the voter with notice and an opportunity to be heard before the ballot

is excluded from the final tally. *See, e.g.*, *Ne. Ohio Coal. for the Homeless v. Husted*, 837 F.3d 612, 635 (6th Cir. 2016); *League of Women Voters of Ohio v. LaRose*, No. 2:20-cv-3843, 2020 WL 5757453 (S.D. Ohio Sept. 27, 2020). And the Secretary's cited cases all involved signature-verification regimes that provided no such process.[5] Those cases, therefore, are of no moment here.

The district court likewise proposed a narrow reading of section 3146.8(g)(5)–(7)'s notice, hearing, and judicial review guarantees, suggesting that they are available only where a ballot has been individually challenged "on the grounds that the elector is not a 'qualified elector'" or where proof of identification "has not been received or could not be verified." Dist. Ct. Op. 104. This reading, however, assumes that the district court is correct that the Election Code's mandates do not encompass signature verification. *See id.* at 97–104.

This reading, moreover, is also based on an interpretation of only Section 3146.8*(g)(4)*. *See id.* at 104. That provision indeed references ballots whose applications have been challenged "under §§ 3146.2b or 3150.12b . . . on the grounds

[5] *See, e.g.*, *Richardson v. Tex. Sec'y of State*, No. SA-19-cv-00963, 2020 WL 5367216, at *24–*25 (W.D. Tex. Sept. 8, 2020), *appeal docketed*, No. 20-50774 (5th Cir. Sept. 10, 2020); *Frederick v. Lawson*, No. 1:19-cv-01959, 2020 WL 4882696, at *15 (S.D. Ind. Aug. 20, 2020); *Democracy N.C. v. N.C. State Bd. of Elections*, No. 1:20CV457, 2020 WL 4484063 (M.D.N.C. Aug. 4, 2020); *Self Advocacy Sols. N.D. v. Jaeger*, No. 3:20-cv-00071, 2020 WL 2951012 (D.N.D. June 3, 2020); *Martin v. Kemp*, 341 F. Supp. 3d 1326 (N.D. Ga. 2018); *Democratic Exec. Comm. of Fla. v. Detzner*, 347 F. Supp. 3d 1017, 1030–31 (N.D. Fla. 2018); *Saucedo v. Gardner*, 335 F. Supp. 3d 202, 222 (D.N.H. 2018).

that the elector applying for a mail in or absentee ballot wasn't qualified." *Id.* But the notice, hearing, and judicial review guarantees of Sections 3146.8(g)(5)–(7) are not so limited: they apply *both* to "[b]allots received whose applications have been challenged *and* ballots which have been challenged." 25 P.S. § 3146.8(g)(5) (emphasis added). The use of these two different categories makes clear that ballots can be challenged *beyond* the circumstances laid out in Sections 3146.2b or 3150.12b. In other words, ballots can be challenged not only on the grounds that the applicant is not a qualified elector, but also due to other deficiencies that arise *after* the application process—a fact confirmed by decades of Pennsylvania case law providing judicial review where ballots have been challenged on the grounds that they were not "sign[ed]" by "[*t*]*he elector*," *id.* §§ 3146.6(a), 3150.16(a), 3146.8(g)(3) (emphasis added); *see supra* pp. 7–8.

* * * * * *

This is not the first time that guidance issued by the Secretary has misstated Pennsylvania law. Prior to the June primary election, the Secretary told county boards that they were to count, and not treat as invalid, mail-in ballots returned without a secrecy envelope. This Court, however, held that any mail-in ballots returned without the inner secrecy envelope are invalid and may not be counted. *See Pa. Democratic Party*, 2020 WL 5554644, at *24–*26. This Court should reach exactly the same outcome here and declare that the Secretary's Guidances

contravene the Election Code's clear and mandatory signature-verification requirements.

CONCLUSION

The Court should to reject the Secretary's proposed construction and hold instead that the Election Code authorizes and requires "county election boards to reject voted absentee or mail-in ballots during pre-canvassing and canvassing based on signature analysis." Oct. 14, 2020 Order at 1.

Dated: October 16, 2020

Respectfully submitted,

/s/ John M. Gore
John M. Gore (*pro hac vice*)
E. Stewart Crosland *
JONES DAY
51 Louisiana Avenue, N.W.
Washington, D.C. 20001
Phone: (202) 879-3939
jmgore@jonesday.com
scrosland@jonesday.com

/s/ Kathleen A. Gallagher
Kathleen A. Gallagher
PA I.D. #37950
Ronald L. Hicks, Jr.
PA. I.D. #49520
Russell D. Giancola
PA. I.D. #200058
PORTER WRIGHT MORRIS & ARTHUR LLP
6 PPG Place, Third Floor
Pittsburgh, PA 15222
(412) 235-4500
kgallagher@porterwright.com
rhicks@porterwright.com
rgiancola@porterwright.com

Counsel for Intervenor-Respondents Donald J. Trump for President, Inc.; Pennsylvania Republican Party; Republican National Committee; and National Republican Congressional Committee

**Pro hac vice application forthcoming*

CERTIFICATION OF WORD COUNT

Pursuant to Rule 2135 of the Pennsylvania Rules of Appellate Procedure, I certify that this Brief contains 5,160 words, exclusive of the supplementary matter as defined by Pa.R.A.P. 2135(b).

/s/ John M. Gore
Counsel for Intervenor-Respondents Donald J. Trump for President, Inc.; the Republican Party of Pennsylvania; Republican National Committee; and National Republican Congressional Committee

CERTIFICATE OF COMPLIANCE

I hereby certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

/s/ John M. Gore
Counsel for Intervenor-Respondents Donald J. Trump for President, Inc.; the Republican Party of Pennsylvania; Republican National Committee; and National Republican Congressional Committee

EXHIBIT A

Absentee/Mail-In Signature Matching Procedures

- Separate your envelopes by Mail-In and Absentee
- In Sure, click on the "Reports" tab
- Click on "Record Mailings"
- Select letter type
    - Absentee Ballot Label
    - Mail-In Ballot Label
- Select response type
    - Record-Ballot Returned
- Check the box next to auto record
- Place your cursor in the box under "Bar Code"
- Using your handheld scanner, scan the barcode located on the front or back of envelope
- When the voters information comes up on the screen:
    - Check off the envelope as a double-check
    - Ensure that the information on the screen matches the information notated above the barcode
    - Check the signature to ensure that it matches what is on file
- If the signature matches, place the envelope in the "Scanned ballots bin" so that it can be sorted into the correct precinct to await central scan
- If the signature DOES NOT match:
    - Click the "Clear Last Response" button
    - "Clear only the last response" box will come up, click "OK"

If a signature does not match

- Look the voter up in "Correct Voter"
    - Check "Documents" to see if there is anything scanned in with a matching signature
        - If there is, capture the signature to update it
    - Check "Votes" tab to see the last time they voted
        - If it was within the last two years, check the poll books for a signature match
            - If signature in poll books matches the signature on the envelope, scan the update signature into SURE
- Set envelope aside to be double-checked by a supervisor
- If the supervisor still cannot match the signature, the supervisor will check the voter record and absentee application for a phone number and/or email address
    - If there is contact information, reach out to the voter to explain the signature mismatch.
        - Either send new ballot or send voter verification letter
        - Notate on envelope initials, date, and which you are doing per voters request
    - If you cannot get ahold of the voter, send the a voter verification letter
        - Scan copy of letter into voter record
        - Keep a copy of letter with ballot

EXHIBIT

09/29/20 Boockvar Ex8

Ballot Inquiries

Ballot inquiries are sent in to a mailbox reserve specifically for voters looking to get information regarding their ballot and are submitted online at the Chester County Voter Services website.

- From Outlook, check out the section labeled "Ballot Info"
- Start with the earliest inquiry received
- Call the voter to assist them with their inquiry
- Move the email to the "Resolved emails" folder

Missing Signatures

- Look the voter up in Correct Voter
    - Check voter registration and absentee/mail-in app for contact information
- If there is contact information, reach out to voter with the following method of reconciling:
    - Voter can come in and sign ballot envelope with identification
    - Ballot label can be cancelled and a new ballot can be mailed out
- If no contact information, send voter a missing signature letter asking them to contact our office.
- To cancel a ballot label for missing signature:
    - Click on "Reports" tab
    - Click on "Record Mailings"
    - Letter type
        - Absentee Ballot Label
        - Mail-In Ballot Label
    - Response Type
        - Canc – No Signature
    - Check the box next to auto record
    - Place your cursor in the box under "Bar Code"
    - Using your handheld scanner, scan the barcode located on the front or back of envelope

Undeliverable ballots

- Click on "Reports" tab
- Click on "Record mailings"
- Letter type
    - Absentee Ballot Label
    - Mail-In Ballot Label
- Response Type
    - Canc – Undeliverable
- Check the box next to auto record
- Place your cursor in the box under "Bar Code"
- Using your handheld scanner, scan the barcode located on the front or back of envelope

- From the main SURE screen, click on "Correct Voter" tab
- Search the voter by name
- Check voter record and/or absentee/mail-in application for contact information
- Reach out to voter to notify them of undeliverable ballot and verify address
    - Update any changes that need to be made
    - Resend ballot out to voter
    - Notate on envelope method of contact, date, initials, and outcome
        - Resent per voter, left vm, sent email etc.

VERIFICATION OF BALLOT SIGNATURE

I, _____, by this verification, swear and/or affirm that my signature executed on my mail-in/absentee ballot previously submitted to the Chester County Office of Voter Services is my signature for purposes of Voter Services' verification as required by the Pennsylvania Election Code. I understand Voter Services is performing an official function in determining whether I am a qualified elector for purposes of my voting in the Primary Election of 2020. I submit this verification pursuant to the requirements of 18 Pa.C.S.A. Section 4904 Unsworn falsification to authorities statute.

By: _____
Signature

Date: _____

THE COUNTY OF CHESTER

COMMISSIONERS:
Marian Moskowitz
Josh Maxwell
Michelle Kichline

CHESTER COUNTY VOTER SERVICES
Government Services Center
601 Westtown Road, Suite 150
P.O. Box 2747
West Chester, PA 19380-0990
(610) 344-6410 FAX: (610) 344-5682

SANDRA BURKE
Director

June 2, 2020

Mr./Ms. X
Address
Address

RE: Please contact us immediately regarding your mail-in ballot

Dear _____:

Thank you for participating in the June 2, 2020 Primary Election by mailing your ballot to Chester County Voter Services. Voter Services has received your mail-in ballot but, unfortunately, we are unable to verify your identity because your signature on file does not match your signature on your ballot.

We genuinely want your vote to count. Please sign and return the enclosed signature verification form to Voter Services immediately, which must be received in our offices no later than 4:30 pm on Monday, June 8, 2020, to provide proof of identification so that we can confirm that your vote is valid. Alternatively, you can make an appointment to appear in person at our offices prior to this deadline. If you do not do this, we will not be able to count your vote.

Please contact us by phone at 610-344-6410, or by email ccelectionofficials@chesco.org. We are counting on you to help us make your vote count.

Thank you.

Chester County Voter Services

EXHIBIT B

Pennsylvania Department of State
Statewide Uniform Registry of Electors (SURE)

Mail-In Application Processing User Guide

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MAIL-IN PROCESSING

In this module, users will learn to:

- Process an Online Mail-In application
- Process a Paper Mail-In Application for a Voter
- Make a Voter a Permanent Mail-In
- Process an Online Mail-In with Pre-existing Permanent Status
- Identifying an Online Mail-In Application Submitted from Online Vote Registration (OVR)
- Print Mail-In Ballot Labels
- Record Mail-In Ballots as Being Returned

Mail-In Applications

The SURE VR system can accept the electronically submitted online mail-in applications into an Online Mail-In Batch Type: OLMAILV and can be accessed through the ***Applications*** tab in SURE VR. This application batch contains new applications received through the **Online Mail-In Application** where the data was verified by PennDOT and the digitized signature will be attached to the application.

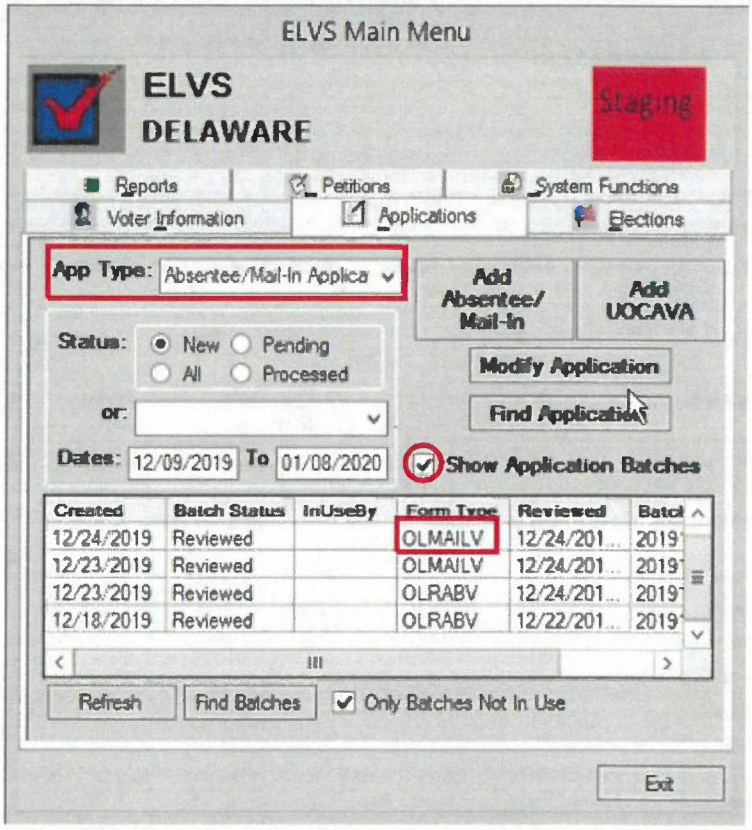
The SURE VR system allows paper mail-in applications to be processed and maintained in two different ways. A SURE VR user can designate a voter as a mail-in voter by accessing the **Process Absentee/Mail-In Wizard** from the ***Voter Information*** tab or by creating a mail-in application for the voter via the ***Applications*** tab. These materials detail the two ways in which mail-ins can be processed as well as give guidance as to what process should be used in each situation.

When processing a group of mail-in applications, it is easiest to use the ***Applications*** tab method. When processing single mail-in applications, it is easiest to use the ***Voter Information*** method.

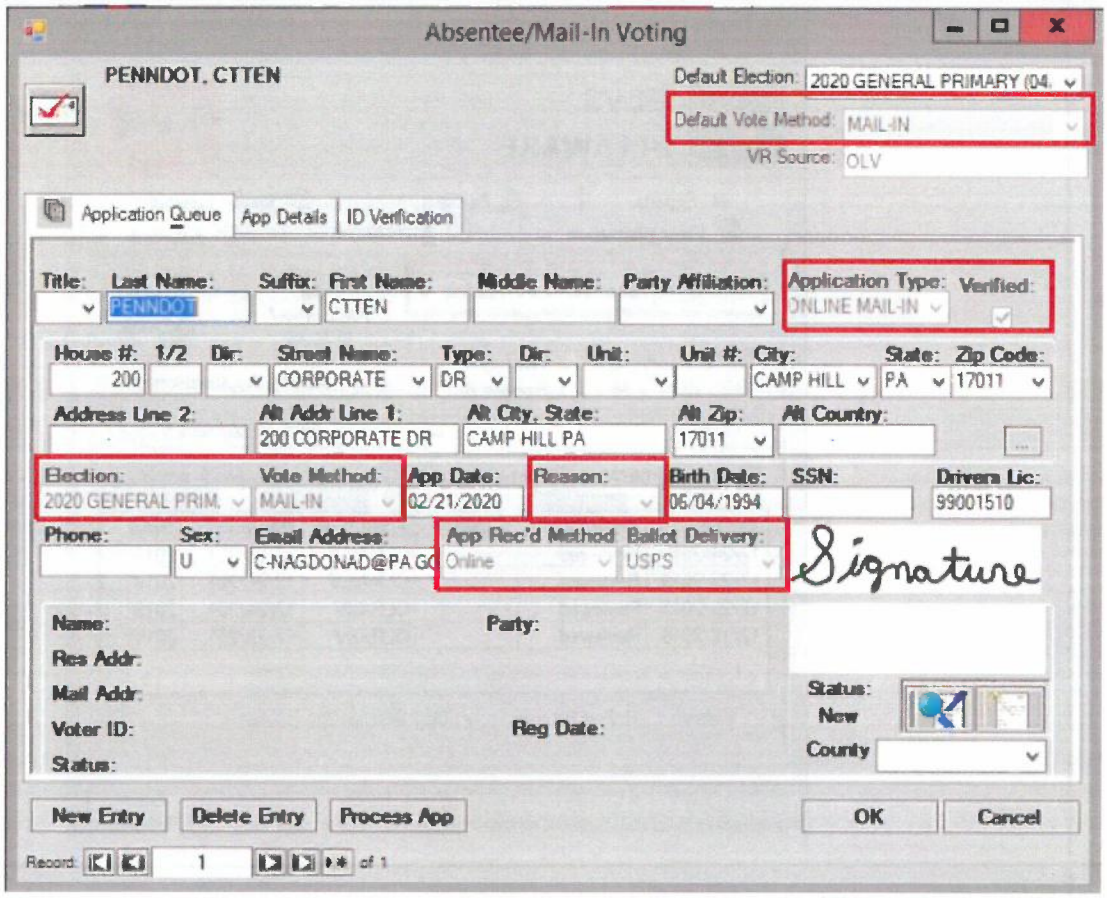
Processing Online Mail-In Applications

Approving Online Mail-In Applications

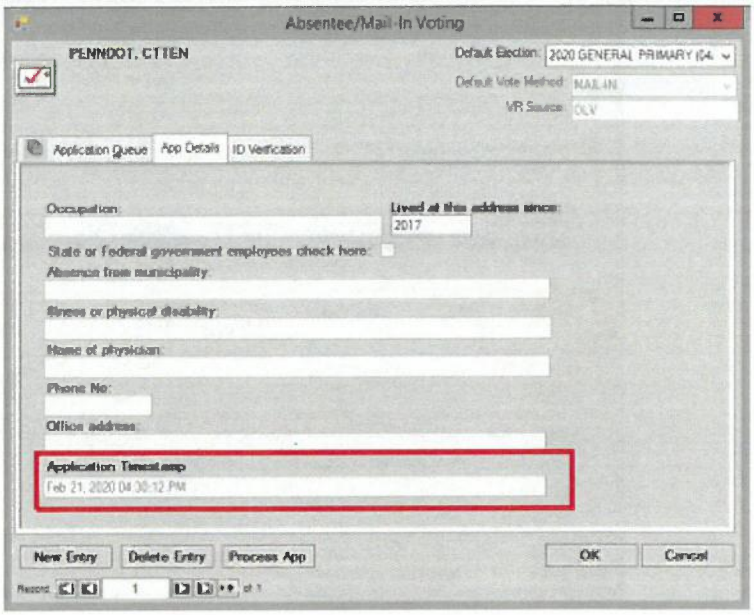
Steps	Actions
1.	From the **SURE VR Main Menu,** click the ***Applications*** tab.
2.	Select the 'Absentee/Mail-In Application' App Type.
3.	Check the 'Show Application Batches' checkbox to display the application batches received from the **Mail-In Ballot Application**. Double click on one of the batches, with a 'Form Type' of 'OLMAILV'.

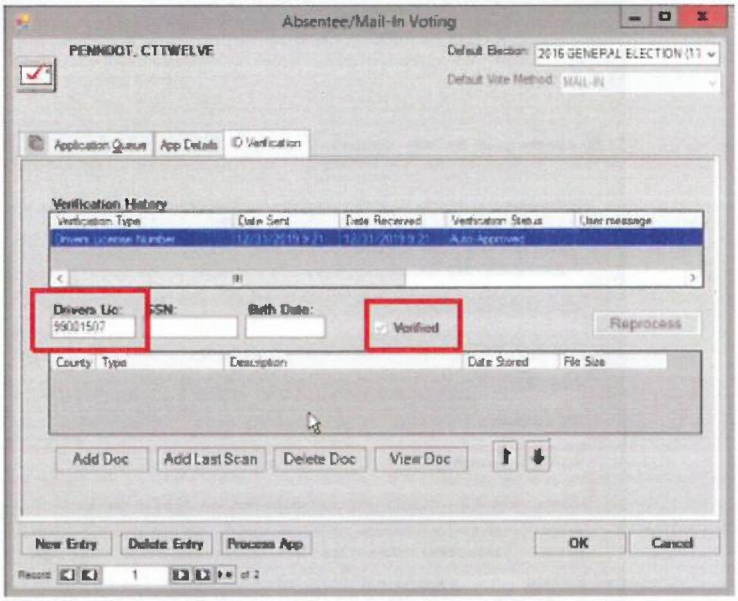
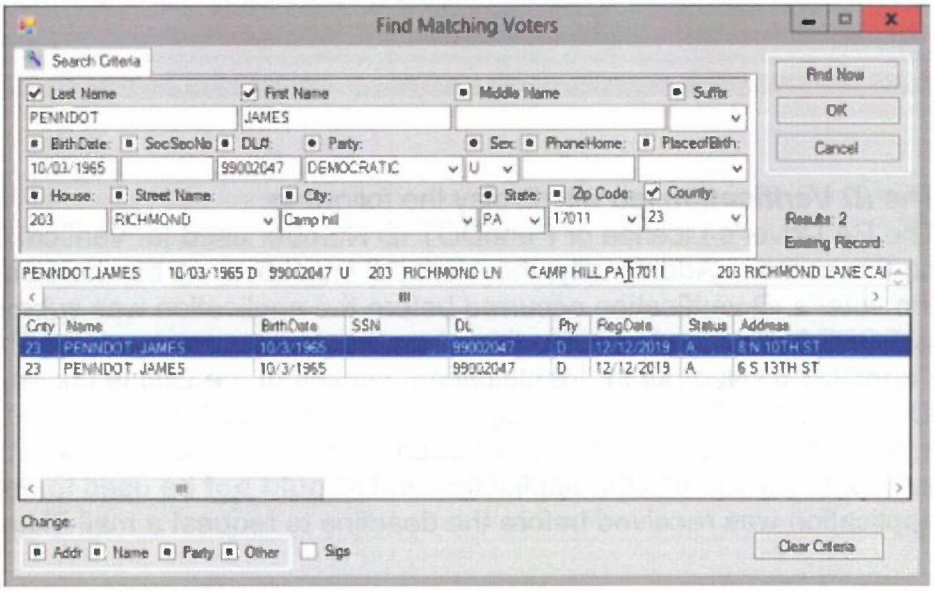
Steps	Actions
	
4.	The **Absentee/Mail-In Voting** screen displays the first application in the batch. All the information entered in the mail-in ballot application will be populated. The 'Application Type' will be "ONLINE MAIL-IN VERIFIED". The following fields will be disabled and cannot be modified. ☐ Default Vote Method = "MAIL-IN" ☐ VR Source = "OLV" ☐ Application Type = "ONLINE MAIL-IN VERIFIED" ☐ Verified Checkbox = Checkbox is checked ☐ Election = Current election ☐ Vote Method = "MAIL-IN" ☐ Reason = Blank ☐ App Rec'd Method = Online ☐ Ballot Delivery = "USPS"

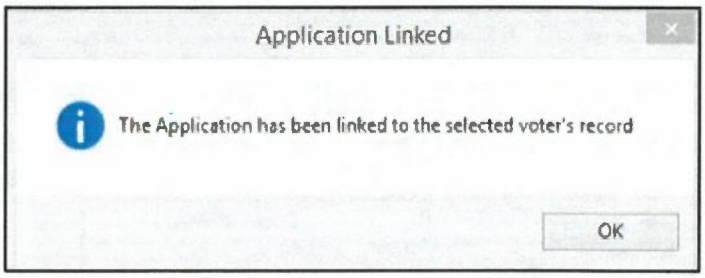
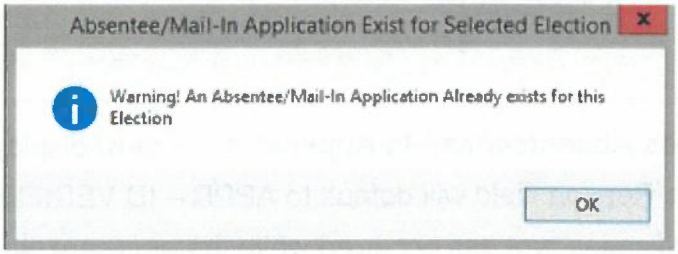
Steps	Actions

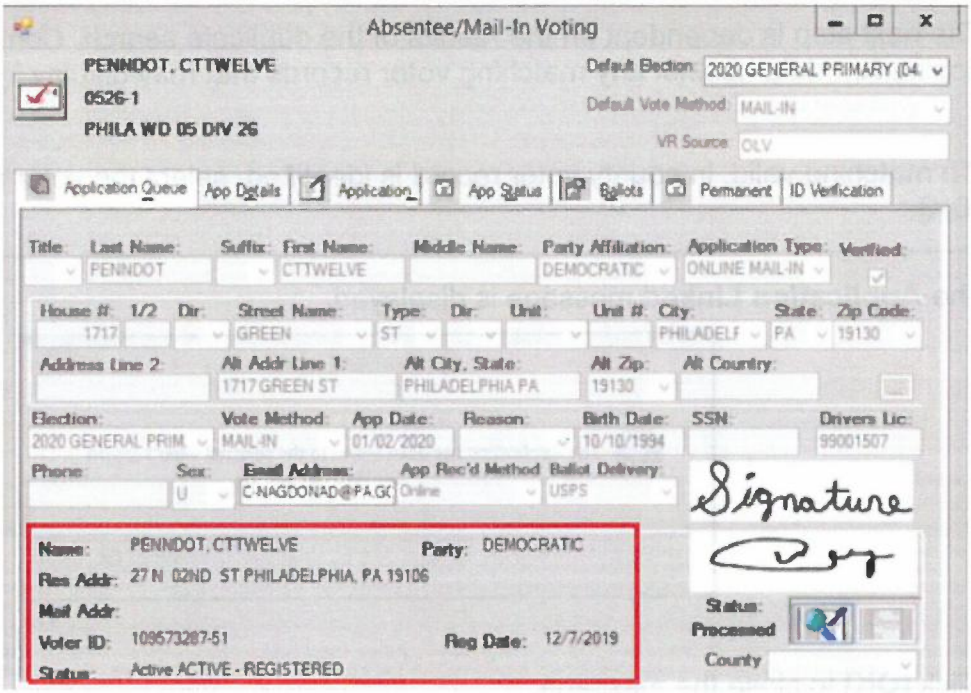


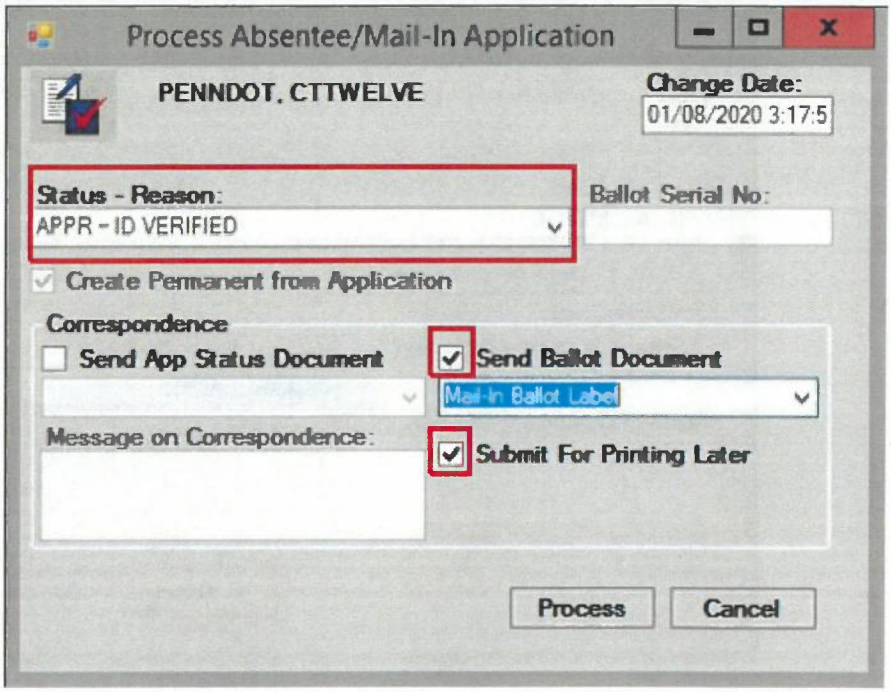
The ***App Details*** tab will be auto-populated based on the information entered by the applicant. Only the Lived at this address since will be populated. Occupation, State or Federal government employees check here, Absence from municipality, Illness or physical disability, Name of physician, Phone No, and Office address fields will be disabled as these fields are not on the application for Mail-In Ballots.

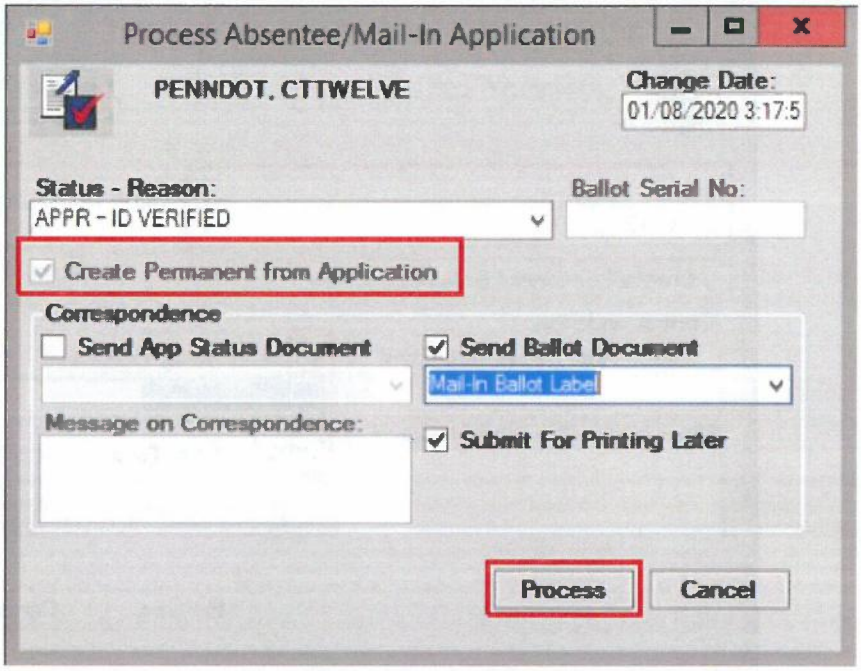
Steps	Actions
	 The 'Application Timestamp' field will be disabled and cannot be modified. The date and time of when the application was submitted will appear in this field. **This is the date and time county election officials should reference to determine if the application was submitted before the deadline to request a mail-in ballot.** The ***ID Verification*** tab will display the following. The PA Driver's License or PennDOT ID Number used for verification will be populated on this screen. Additionally, the 'Verified' checkbox will be checked and disabled since the voter's ID verification occurred before the application was submitted. **IMPORTANT:** The 'Date Sent' is when the applicant entered the PA Driver's License or PennDOT ID Number in "Identification" section of the Online Mail-In Application. The 'Date Received' is when the response from PennDOT was returned to the applicant indicating their ID information has been verified. These dates and times occur **before** the applicant submits the application and **should not** be used to determine if the application was received before the deadline to request a mail-in ballot.

Steps	Actions
	
5.	Press the **[F6]** function key on the keyboard to perform a duplicate check. The **Find Matching Voters** window is displayed. The results shown in this window will display voters in your county whose last name and first name match the applicant's.  Users have the option to perform additional duplicate checks by editing the search criteria and pressing **[F6]** or clicking **[Find Now]**.

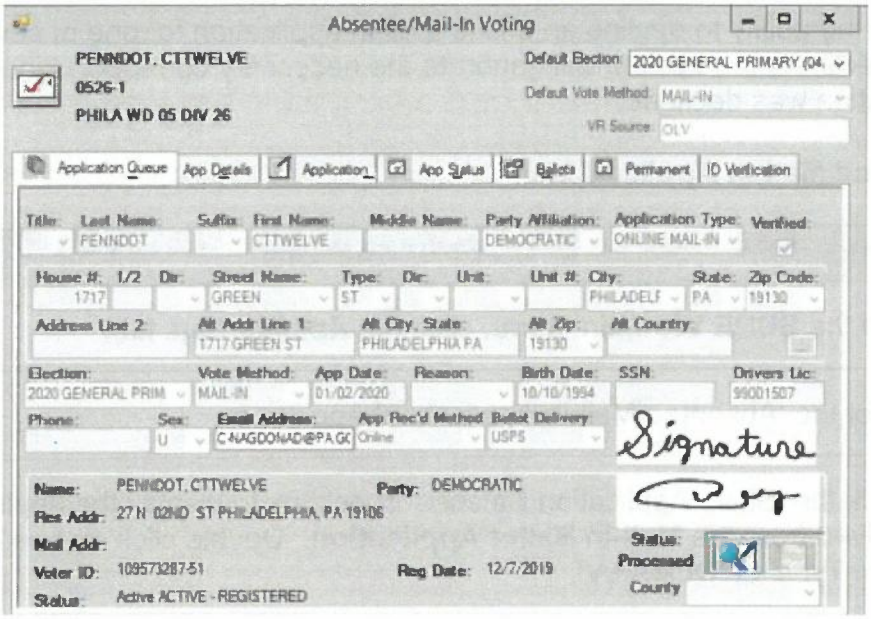
Steps	Actions
6.	The next step is dependent on the results of the duplicate search. Compare the application data against any matching voter records that may display in the results. If a matching valid, in county voter record is identified, select the voter record and click **[OK]**.
7.	The **Application Linked** message is displayed.  Click **[OK]** to close the message. Note: If the voter already has a mail-in or absentee application attached to their voter record, the existing warning message will display. 
8.	Upon linking the application to a voter record, the system will auto-populate fields in the lower half of the ***Application Queue*** tab with the voter record data and the voter's signature will appear in the signature block area.

Steps	Actions
	
9.	Click **[Process App]** to approve the application.
10.	The **Process Absentee/Mail-In Application** window displays. The 'Status-Reason' field will default to APPR – ID VERIFIED. The ID Verification process occurred while the applicant was completing the application online. Therefore, upon approving the application, the 'Status' will become 'Processed' and the mail-in data will not be sent for ID verification. The 'Send Ballot Document' and 'Submit for Printing Later' checkboxes are defaulted as checked.

Steps	Actions
	 **Notes:** ☐ If the 'Send Ballot Document' checkbox is checked and the 'Submit For Printing Later' checkbox is cleared, the ballot label will print immediately. ☐ If both the 'Send Ballot Document' and the 'Submit For Printing Later' checkboxes are checked, the ballot label will be queued to **Correspondence Batches** where it can be printed and confirmed at a later time. ☐ If both the 'Send Ballot Document' and the 'Submit For Printing Later' checkboxes are unchecked, users must generate the ballot label through the ***Process Abs/Mail-In*** utility where the label(s) will be queued to **Correspondence Batches** where it can be printed and confirmed at a later time.
11.	Click **[Process]**.

Steps	Actions
	 If the Voter has indicated on their application that they want to be added to the annual mail-in voter list, the "Create Permanent from Application" checkbox will be checked and disabled. When the application is processed, the **Mail-In Ballot; Perm** flag is displayed on the voter record. When the **Absentee/Mail-In Voting** icon is clicked, the details will be displayed on the ***Permanent*** tab and the Ballot details will be displayed on the ***Ballots*** tab. The application is processed, and the ***Application Queue*** tab is displayed.

Steps	Actions



An email will be sent to the applicant to inform him/her that their mail-in ballot application was approved if an email was provided on the application.

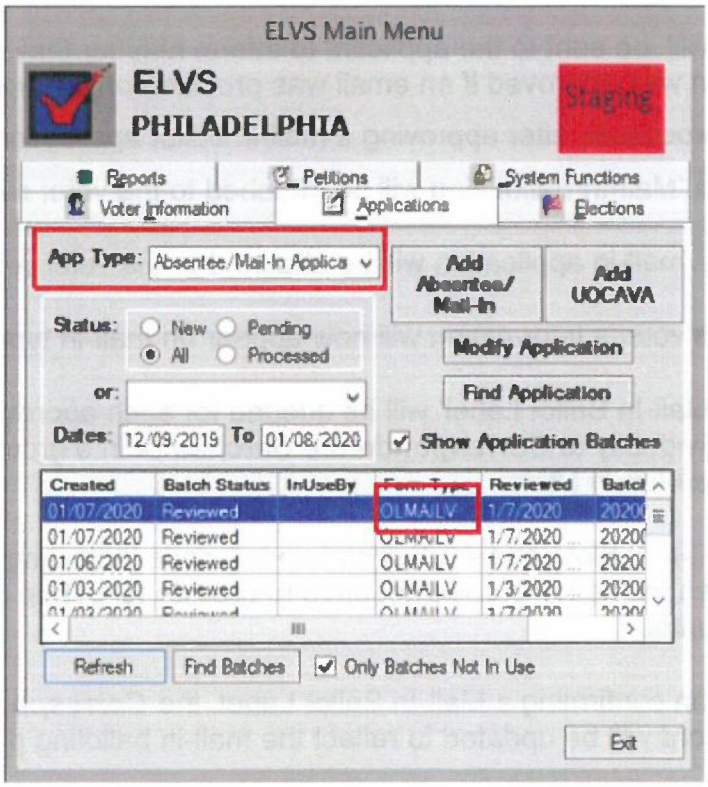
Existing processes after approving a mail-in ballot application remain the same.

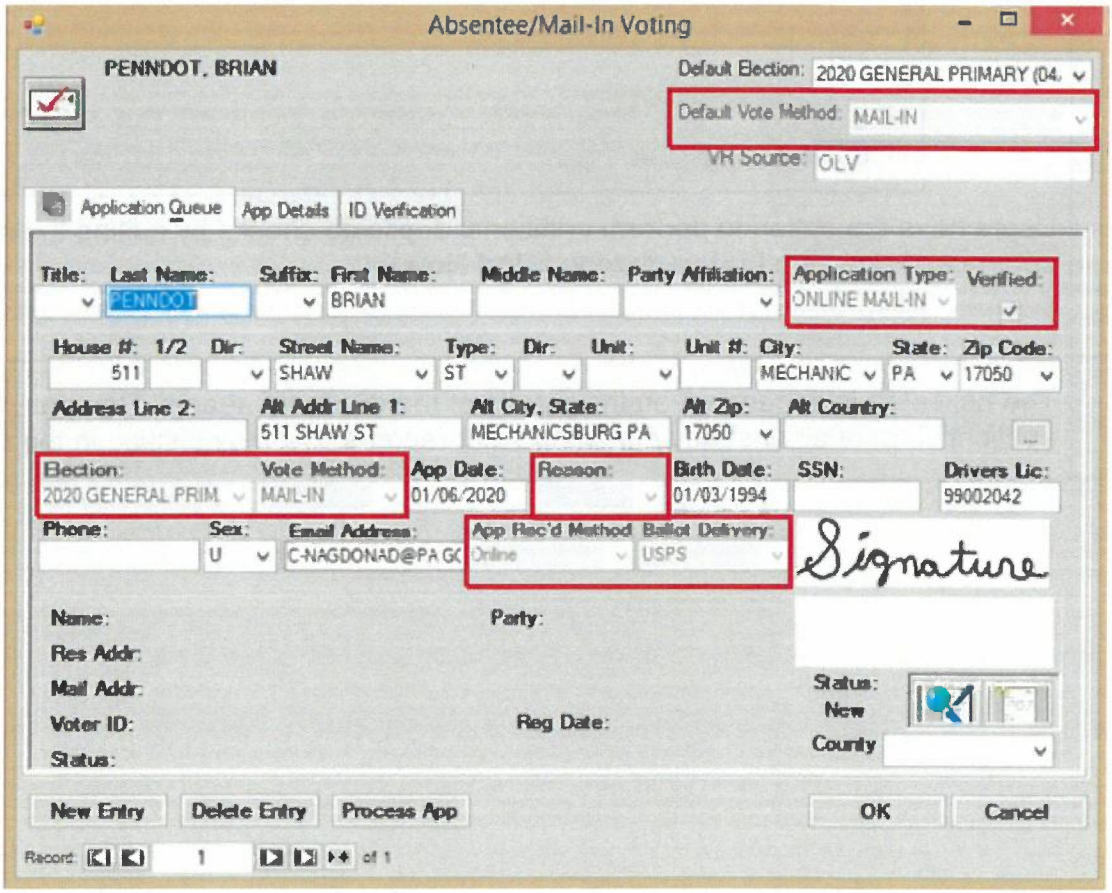
- The 'Mail-In Ballot' flag will be attached to the voter record.
- The mail-in application will be attached to the voter record.
- The voter's information will now appear on mail-in type reports.
- A 'Mail-In Ballot Label' will be queued for each approved application whether individually to **Correspondence Batches** or in a group through the *Process Abs/Mail-In Utility*.
- Mail-In Ballot Labels will contain a bar code indicating the voter information has been verified and does not have to provide ID before their ballot can be counted.
- Upon confirming a Mail-In Ballot Label, the ***Correspondence*** tab on the voter record will be updated to reflect the mail-in balloting package has been sent.
- The **Record Mailings** functionality will allow for any returned ballots to be entered in the system and will update the voter record accordingly based on the 'Response Type'.

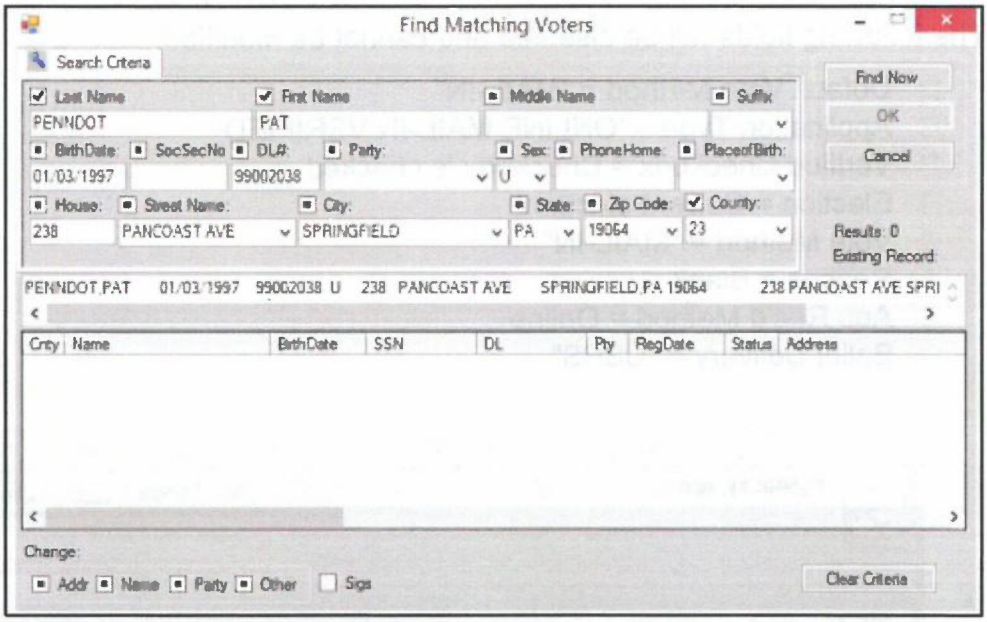
Users will have the ability to decline an online mail-in application for one of several reasons. When an application is declined, the system will generate the necessary correspondence to advise the applicant why the application was declined.

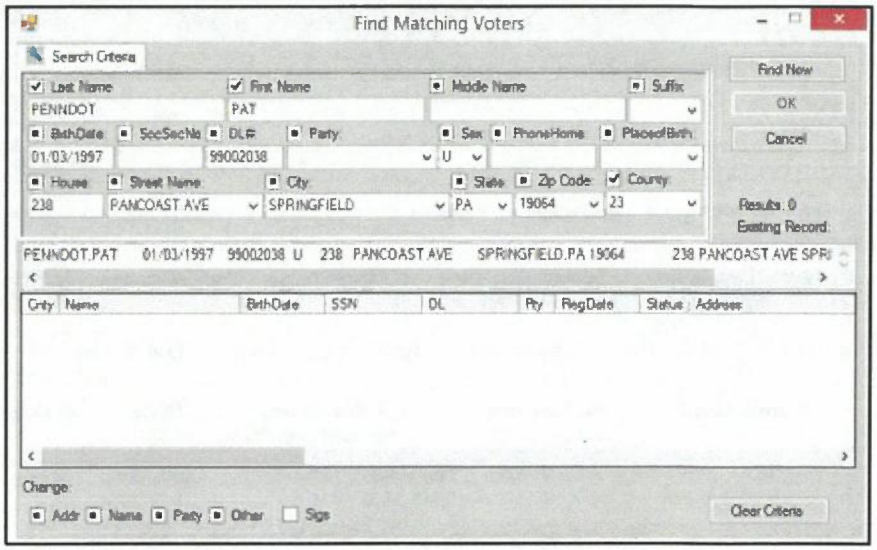
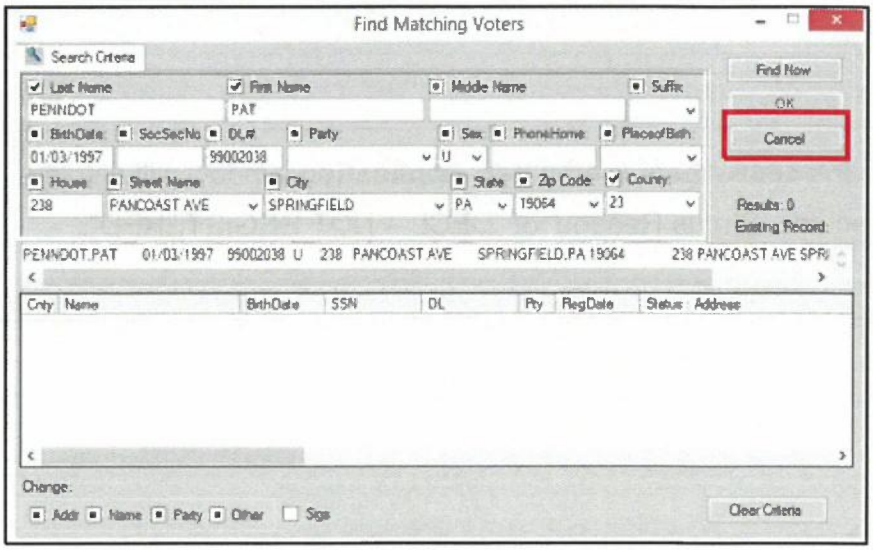
Declining Online Mail-In Applications

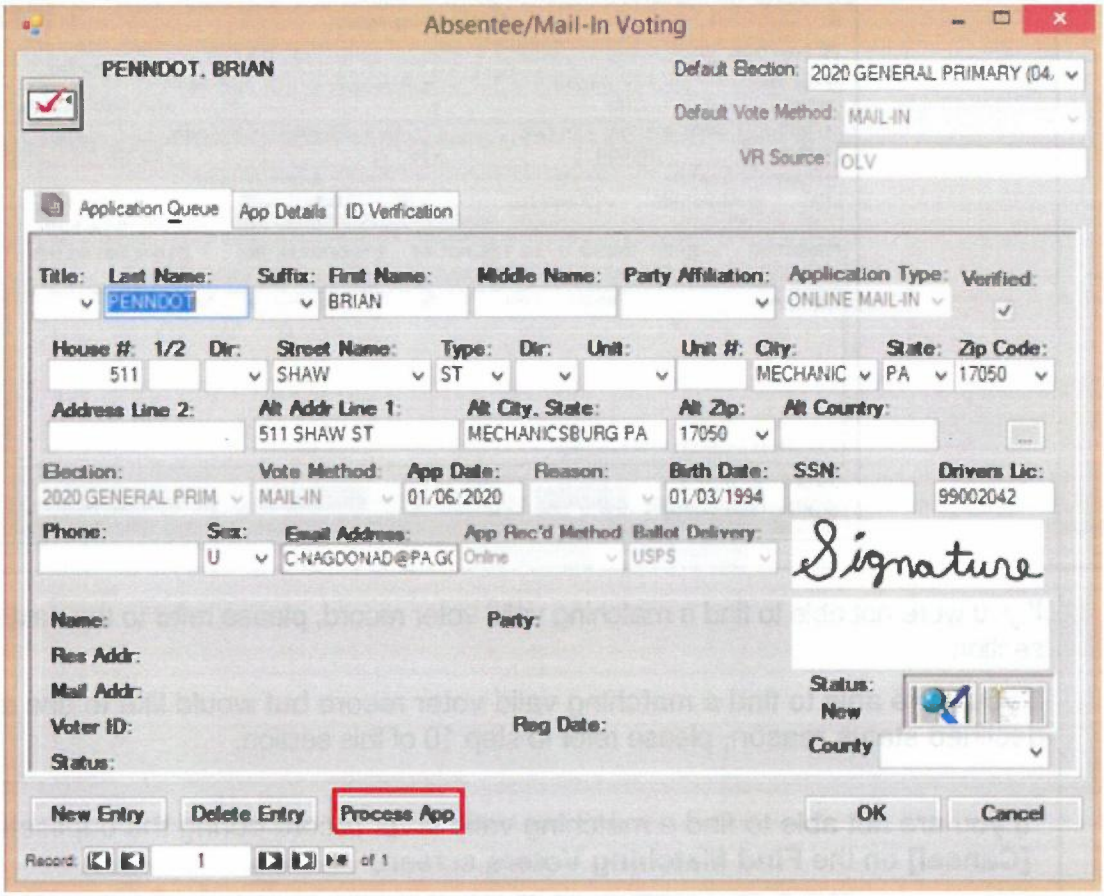
Steps	Actions
1.	From the **SURE VR Main Menu,** click the ***Applications*** tab.
2.	Select the 'Absentee/Mail-In Application' App Type.
3.	Check the 'Show Application Batches' checkbox to display the application batches received from the **Mail-In Ballot Application**. Double click on one of the batches, with a 'Form Type' of 'OLMAILV'.

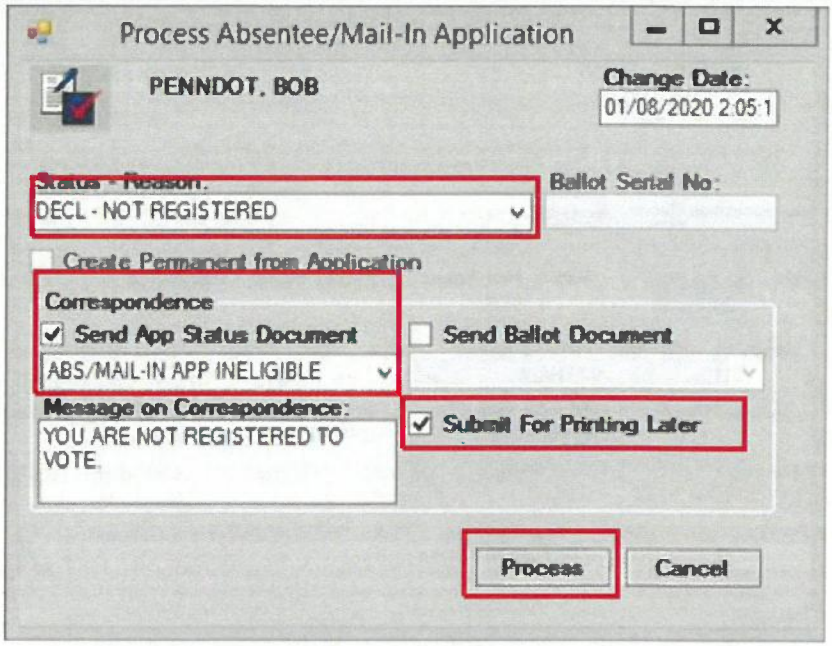


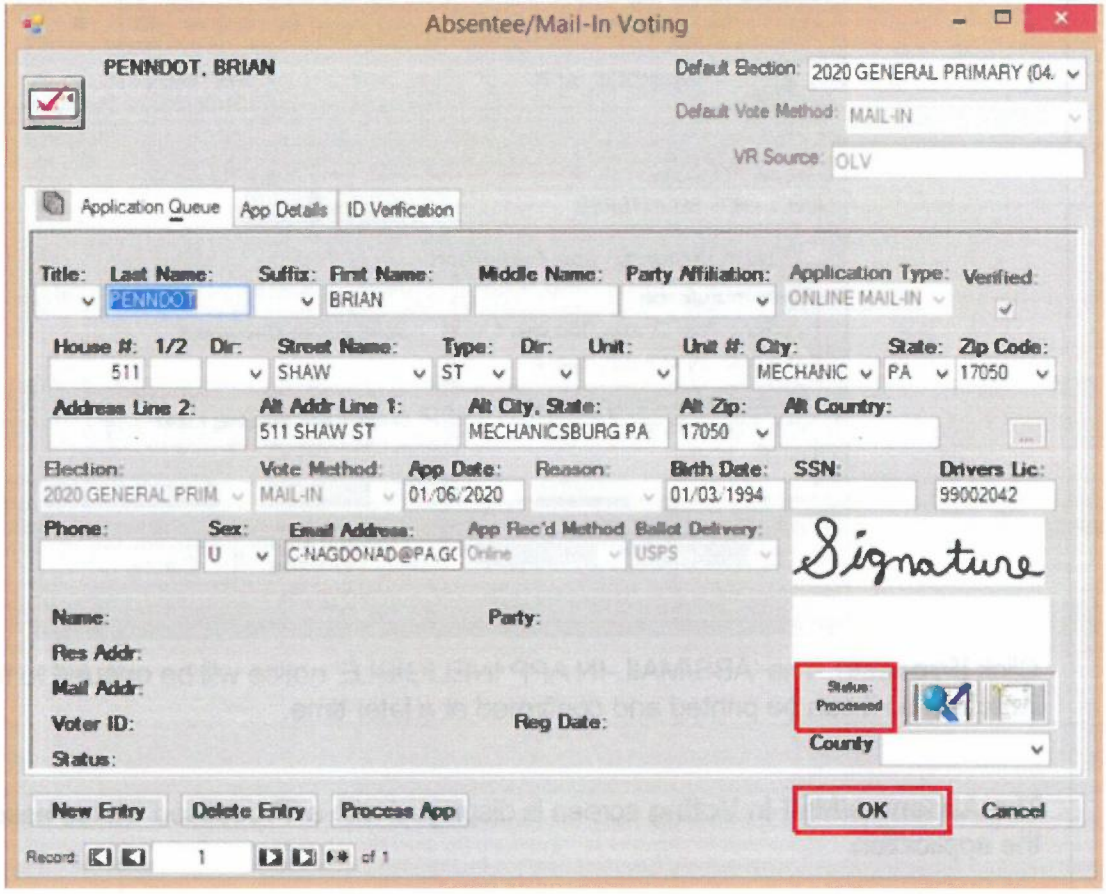
Steps	Actions
4.	The **Absentee/Mail-In Voting** screen displays the first application in the batch. All the information entered in the mail-in ballot application will be populated. The 'Application Type' will be "ONLINE MAIL-IN VERIFIED". The following fields will be disabled and cannot be modified. ☐ Default Vote Method = "MAIL-IN" ☐ Application Type = 'ONLINE MAIL-IN VERIFIED" ☐ Verified Checkbox = Checkbox is checked ☐ Election = Current election ☐ Vote Method = "MAIL-IN" ☐ Reason = Blank ☐ App Rec'd Method = Online ☐ Ballot Delivery = "USPS" 

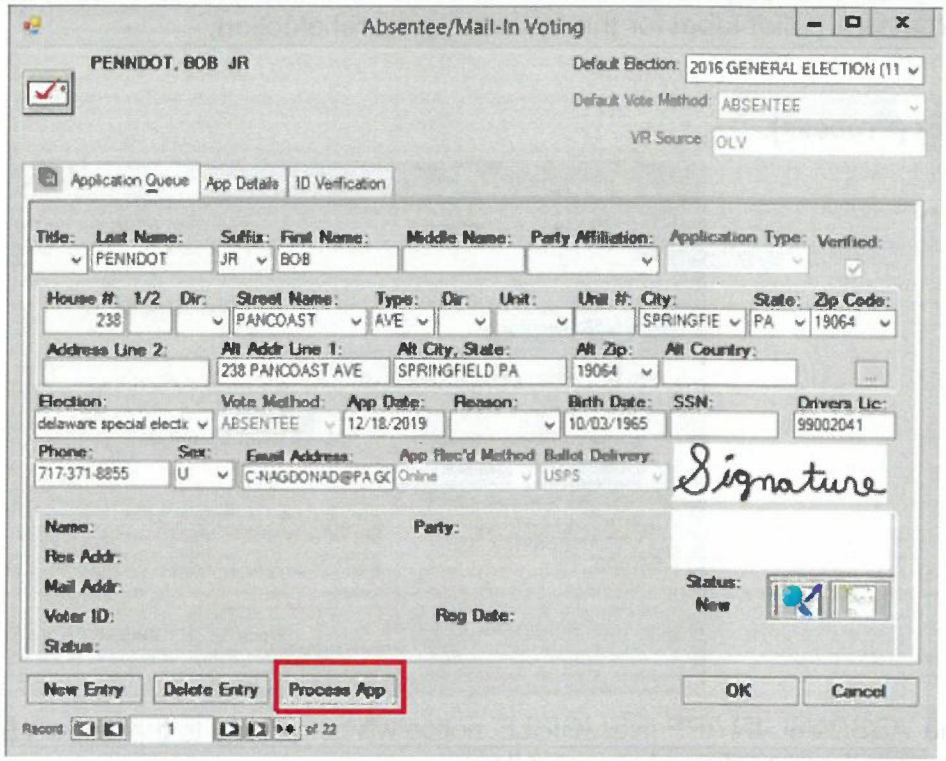
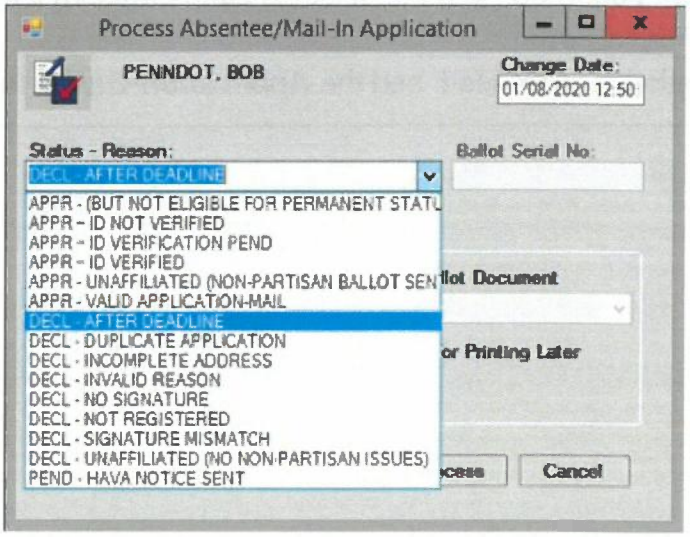
Steps	Actions
5.	Press the **[F6]** function key on the keyboard to perform a duplicate check. The **Find Matching Voters** window is displayed. The results shown in this window display voters in your county whose last name and first name match the applicant's.  Users have the option to perform additional duplicate checks by editing the search criteria and pressing **[F6]** or clicking **[Find Now]**.
6.	The next step is dependent on the results of the duplicate search. Compare the application data against any matching voter records that may display in the results.

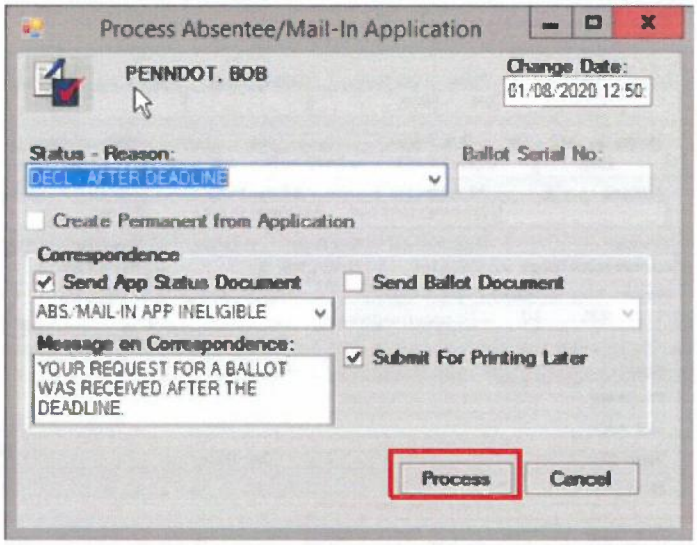
Steps	Actions
	
7.	If you were not able to find a matching valid voter record, please refer to the next step of this section. If you were able to find a matching valid voter record but would like to use a different declined status reason, please refer to step 10 of this section.
8.	If you are not able to find a matching valid voter record during the duplicate check, click **[Cancel]** on the **Find Matching Voters** screen.  The **Absentee/Mail-In Voting** screen will appear. Click **[Process App]**.

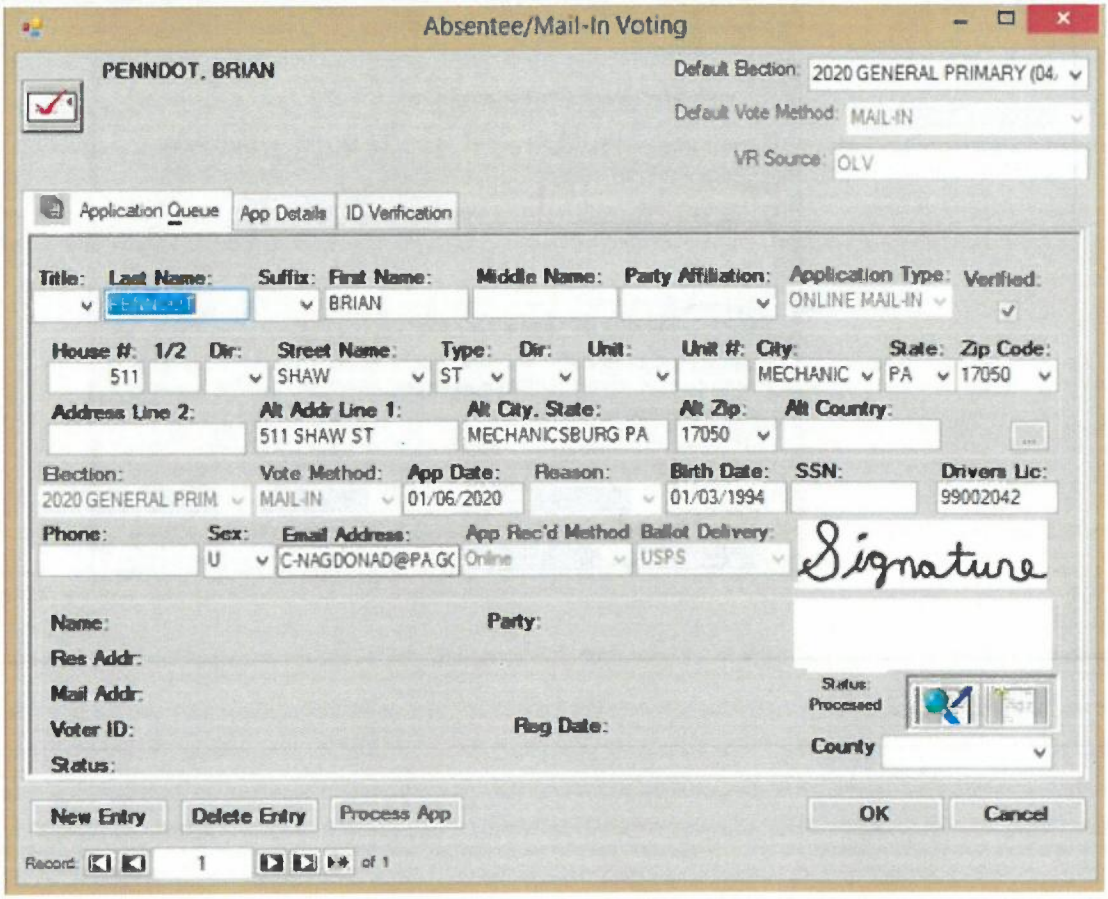
Steps	Actions
	
9.	The **Process Absentee/Mail-In Application** window will display. Select the 'Status Reason' of "DECL – NOT REGISTERED".

Steps	Actions
	 Click **[Process]**. The 'ABS/MAIL-IN APP INELIGIBLE' notice will be queued to the **Report Batches** so it can be printed and confirmed at a later time. The **Absentee/Mail-In Voting** screen is displayed with a 'Processed' status associated to the application. Click **[OK]** to close the **Absentee/Mail-In Voting** screen.

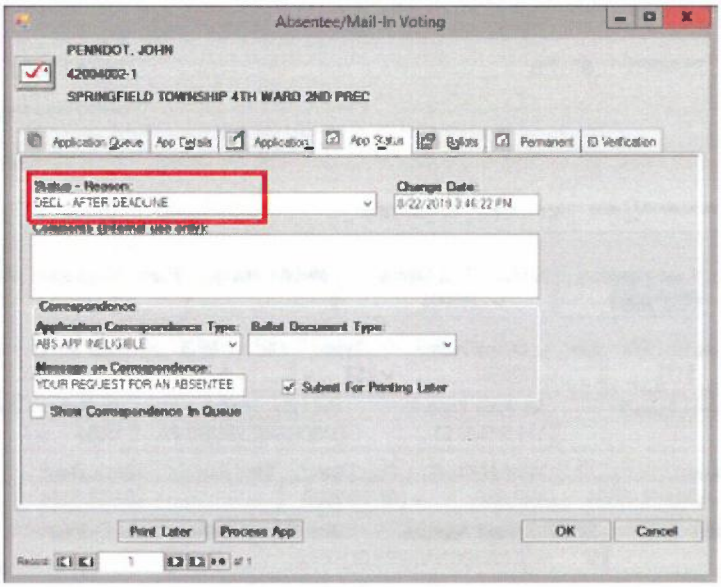
Steps	Actions
	
10.	If you were able to locate a matching valid voter record during the duplicate check and wish to process the application with a different decline status, click **[Cancel]** on the **Find Matching Voters** screen.
11.	Click **[Process App]** on the **Absentee/Mail-In Voting** screen.

Steps	Actions
	
12.	Select the appropriate 'Status – Reason'.  **Note:** If a permanent absentee or permanent mail-in application is declined for the primary due to the voter's not being affiliated with an eligible party, then SURE VR

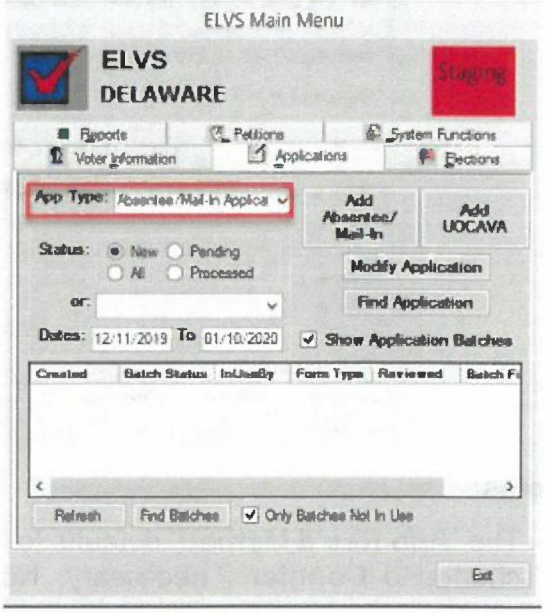
Steps	Actions
	creates a ballot label for the following general election. Click **[Process]**.  The 'ABS/MAIL-IN APP INELIGIBLE' notice will be queued to the **Report Batches** so it can be printed and confirmed at a later time. Additionally, an email will be sent to the applicant to inform him/her their mail-in application was declined (with the declined status reason) if an email was provided on the application. The application is processed, and the ***Application Queue*** tab is displayed.

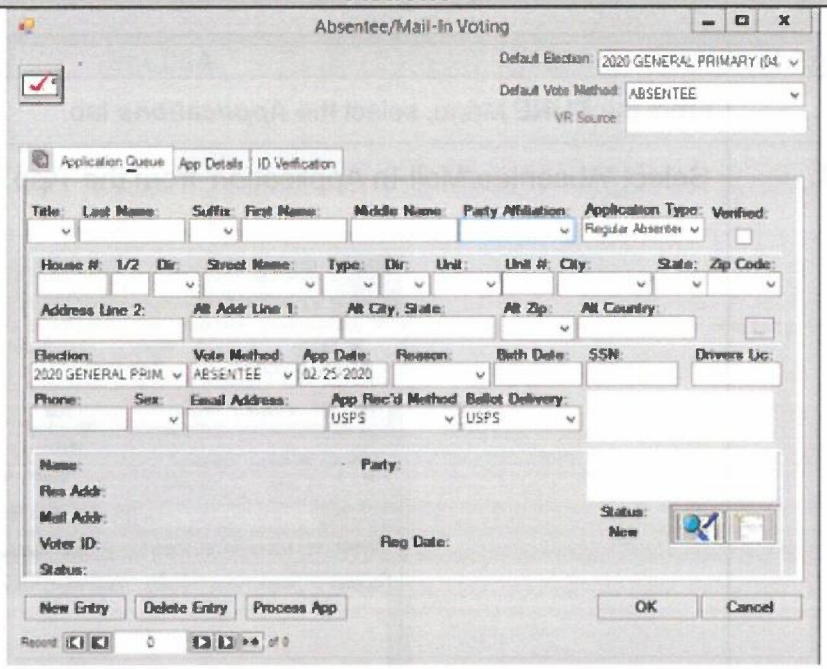
Steps	Actions
	

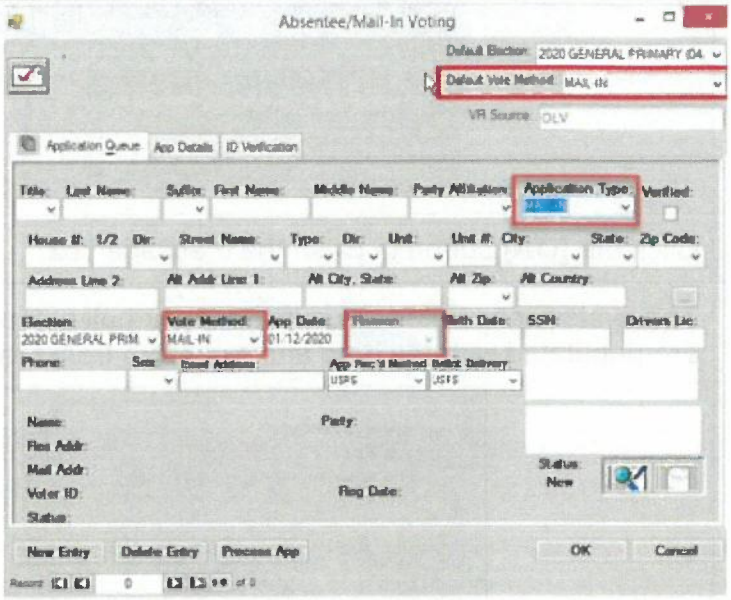
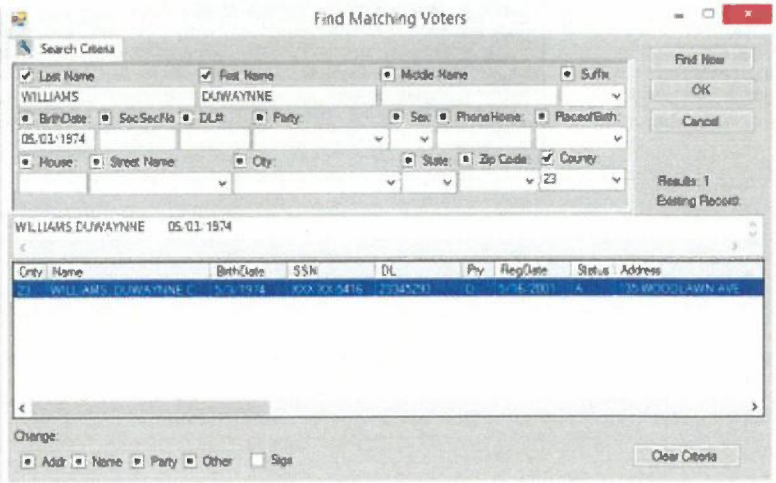
The ***App Status*** tab has been updated with the selected status reason.

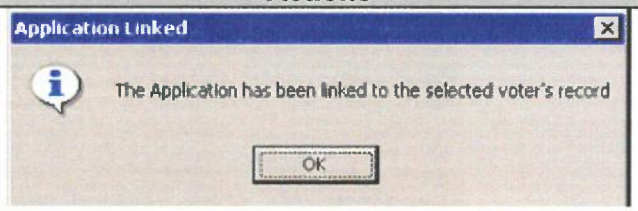
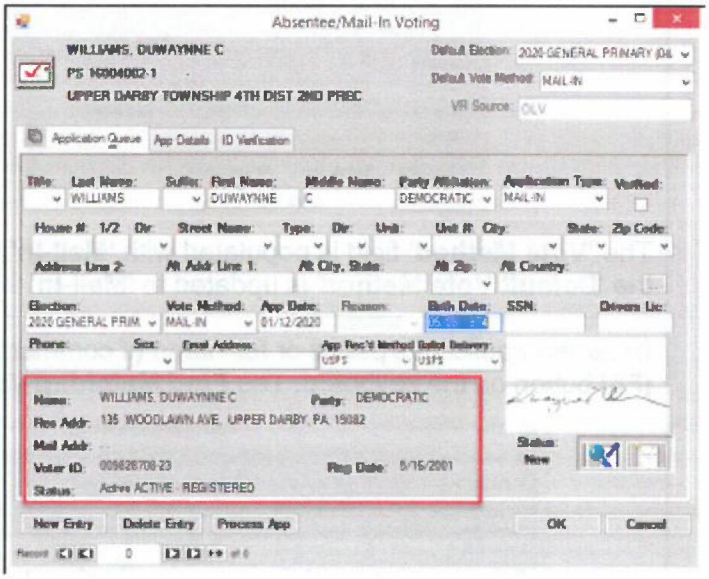
Steps	Actions
	
13.	Click **[OK]**.

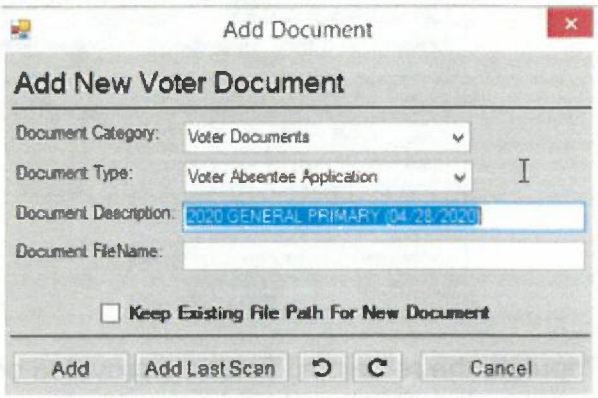
Processing Mail-In Applications via the Applications Tab

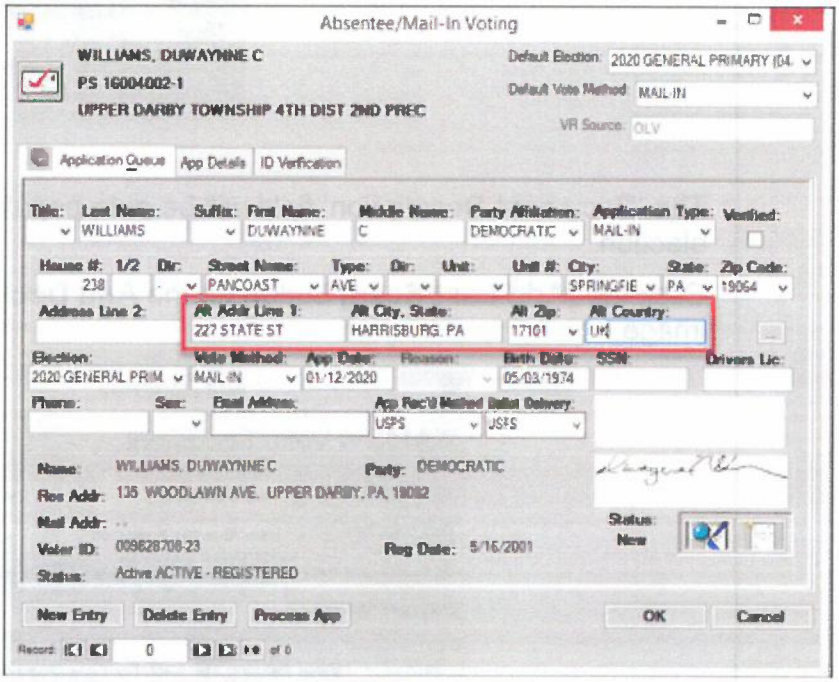
Steps	Actions
1.	From the **SURE** Menu, select the ***Applications*** tab.
2.	Select 'Absentee/Mail-In Application' from the 'App Type' drop-down. 
3.	Click the **[Add Absentee/Mail-In Application]** button. The **Absentee/Mail-In Voting** window is displayed.

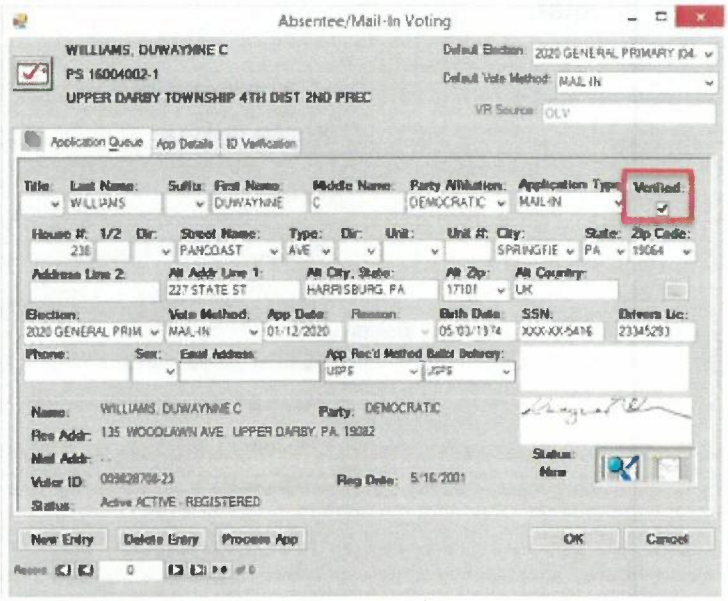
Steps	Actions
	 **Notes:** ☐ The '**App Rec'd Method**' defaults to '**USPS**' and should allow user to change to '**Counter**' if necessary. No other values are available. ☐ The '**Ballot Delivery**' field defaults to '**USPS**' and should not be changed for 'Absentee/Mail-In' applications.
4.	The next active election is displayed in the '**Election**' drop-down list. Select '**Mail-In**' from the '**Application Type**' drop-down.

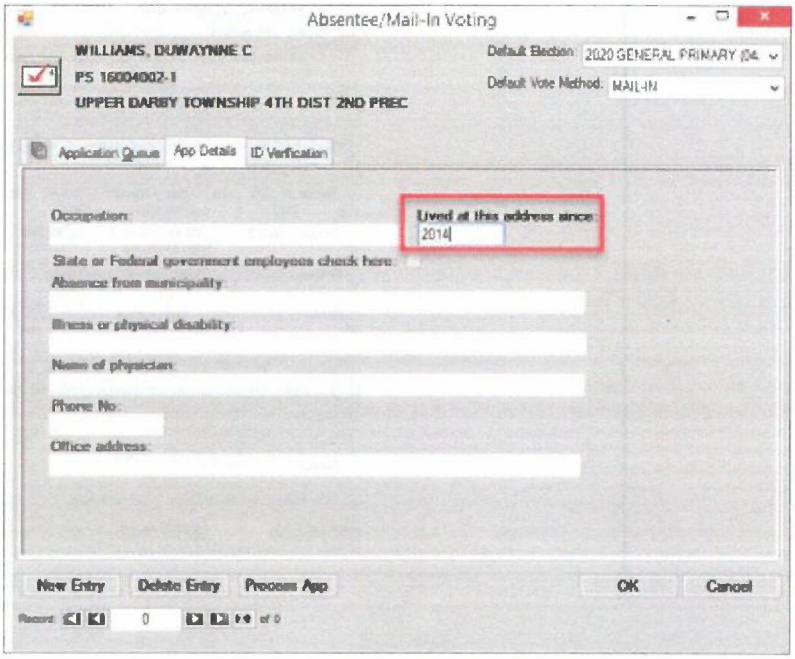
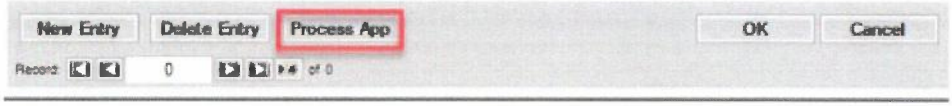
Steps	Actions
	 The **'Vote Method'** field is populated with **'Mail-In',** the **'Reason'** field is disabled, and the '**Default Vote Method**' is updated to '**Mail-In**'
5.	Enter the applicant's partial or full name (if common name) and date of birth. Press the **[F6]** button on the keyboard. The **Find Matching Voters** screen is displayed.  If necessary, press the **[F6]** button again and/or use the search options on the **Find Matching Voters** screen to perform a second search for the voter's record.
6.	Double-click on the row containing the voter who wishes to vote Mail-In. A message box is displayed, stating the application has been linked to the voter's record.

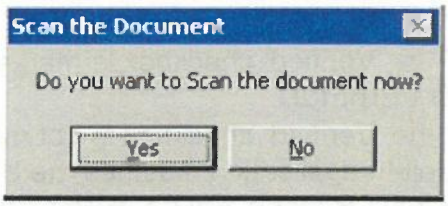
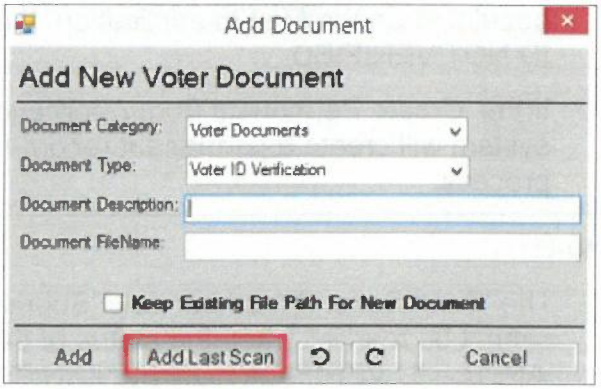
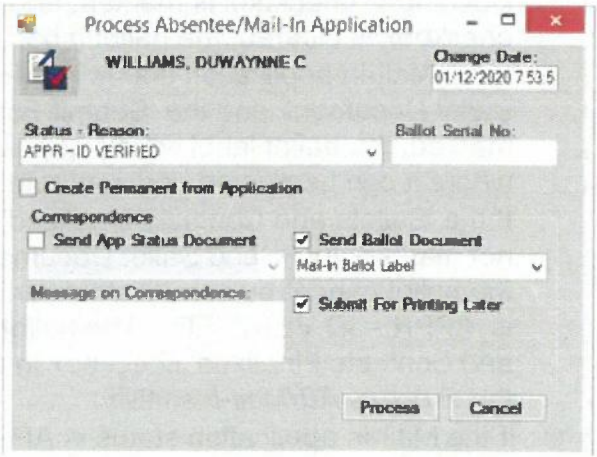
Steps	Actions
	
7.	Click the **[OK]** button to close the message box.
8.	The system-populated fields in the lower half of the ***Application Queue*** tab are populated with the data and signature from the voter's record. 

Steps	Actions
9.	To add the MAIL-IN application to the ***Documents*** tab in the voter's record, scan the MAIL-IN application and click the **[Add Last Scanned]** icon to open **the Add Document** window. The 'Document Description' field will be auto populated with the name of the election. Click the **[Add Last Scan]** button on the **Add Document** window to save the image.  The document is saved to the ***Documents*** tab in the voter's record.

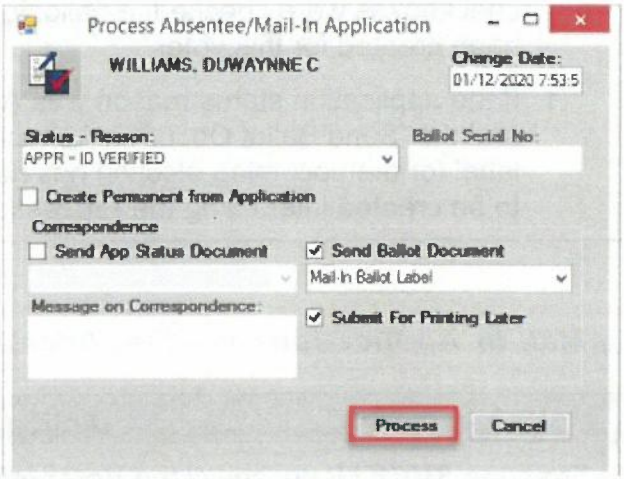
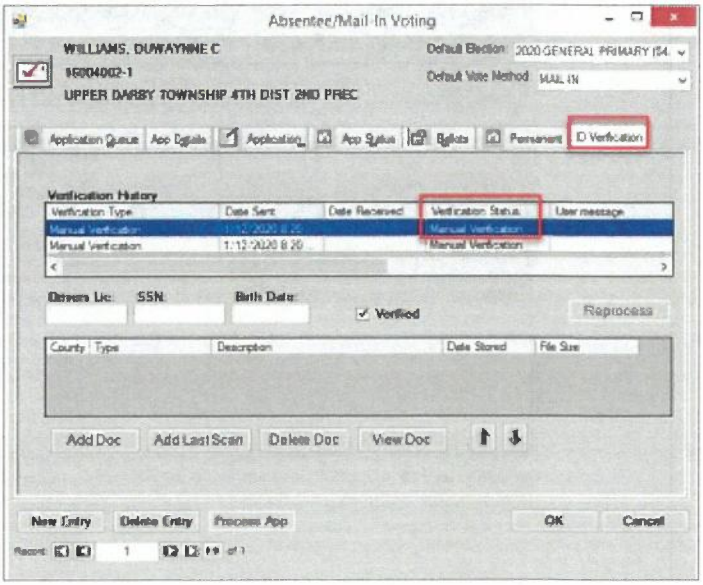
Steps	Actions
10.	If the voter is requesting the ballot be mailed to an address other than his/her residential address, enter the address into the 'Alt Address' fields. If these fields are left blank, the ballot label will reflect the voter's residential address unless a mailing address is indicated on the voter record. 
11.	Populate the remaining fields as provided on the MAIL-IN application, including the 'SSN' and 'DL' if provided.

Steps	Actions
12.	If the voter provided acceptable ID other than an SSN and/or DL and it can be verified, click the 'Verified' checkbox. 

Steps	Actions
13.	Click the ***App Details*** tab. Each of the fields are disabled except for the **'Lived at this address since'** field. Enter the year if one was provided by the voter. 
14.	Click the **[Process App]** button.  The **Manual Verification** screen appears. Select **'Yes'** to the message.

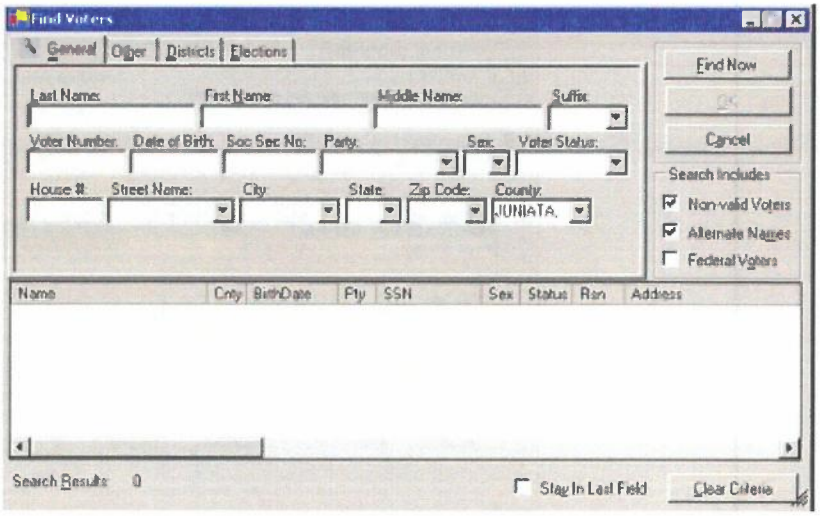
Steps	Actions
	If the 'Verified' checkbox is marked, the **Scan the Document** message is displayed.  Click **[Yes]** to open the **Add Document** windows.
15.	Scan the verified ID and attach it to the MAIL-IN application by clicking **[Add Last Scan]** in the **Add Document** window.  The scanned document is attached to the Mail-In application.
16.	The **Process Absentee/Mail-In Application** window is displayed.  The '**Status-Reason**' field is populated based on the status of the '**Verified**' checkbox or the values in the SSN and/or DL fields. The '**Send Ballot**

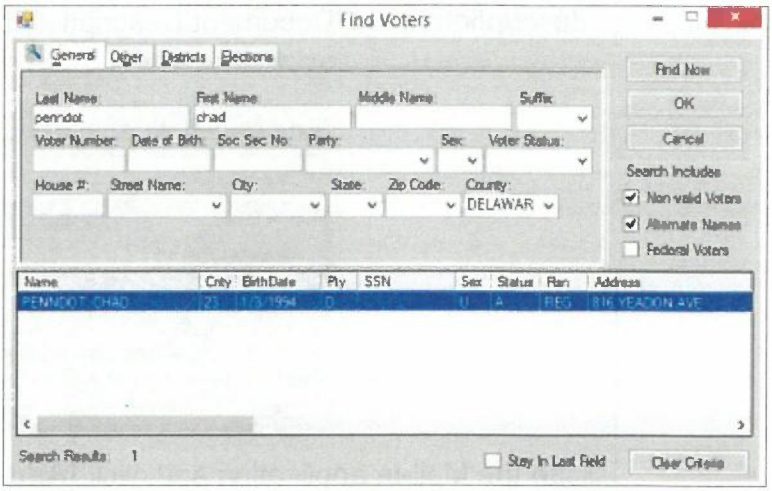
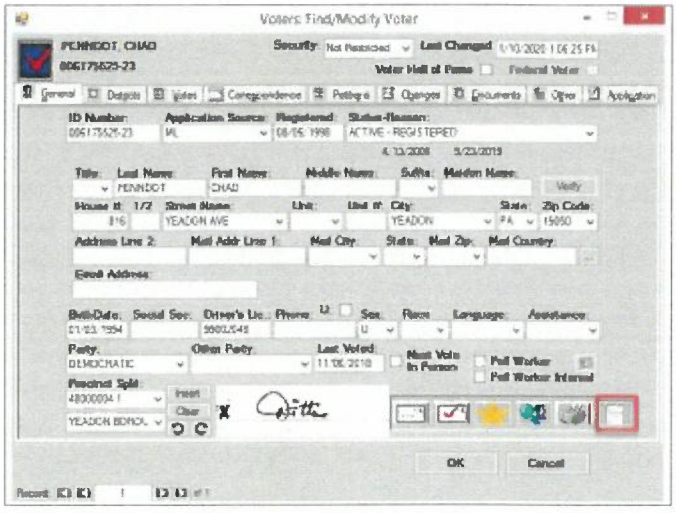
Steps	Actions
	Document' checkbox will be checked and the **'Send Ballot Document'** drop-down will default to **'Mail-In Ballot Label'** **Note:** ☐ If the 'Verified' checkbox is marked, the 'Status-Reason' will be APPR – ID VERIFIED. ☐ If the 'Verified' checkbox is not marked and either the SSN or DL on the Mail-In application matches the SSN or DL on the voter's record, the 'Status-Reason' will be APPR – ID VERIFIED. ☐ If the 'Verified' checkbox is not marked and neither the SSN nor DL on the Mail-In application matches the SSN or DL on the voter's record, the 'Status-Reason' will be APPR – ID VERIFICATION PEND. ☐ If the 'Verified' checkbox is not marked and neither the SSN nor DL is populated on the Mail-In application, the 'Status-Reason' will be APPR – ID NOT VERIFIED. ☐ If the 'Create Permanent from Application' checkbox is checked, the system will create a permanent record for the voter following the existing process.
17. **DECISION POINT**	**Note**: ☐ The 'Send Ballot Document' and 'Submit For Printing Later' checkboxes cannot be marked when the status of the Mail-In application status is 'APPR – ID VERIFICATION PENDING'. The ballot label will queue to **Correspondence Batches** after the result of the verification is received, even if the ID is not verified. ☐ If the Mail-In application status is 'APPR – ID VERIFIED', the 'Send Ballot Document' checkbox is marked, and the 'Submit For Printing Later' checkbox is cleared, the ballot label will print immediately. ☐ If the Mail-In application status is 'APPR – ID VERIFIED', and the 'Send Ballot Document' and the 'Submit For Printing Later' checkboxes are marked, the ballot label will be queued to **Correspondence Batches** where it can be printed and confirmed. ☐ If the 'Ballots and Contests Finalized' checkbox on the election record is not marked, the 'Send Ballot Document' checkbox will not be marked, and the ballot cannot be immediately sent even if the Mail-In application status is 'APPR – ID VERIFIED'. The ballot label can be queued after the 'Ballots and Contests Finalized' checkbox in the election record is marked by using the *Process AB/Mail-Ins* utility. ☐ If the Mail-In application status is APPR – ID VERIFICATION PEND, the ballot label will be queued to **Correspondence Batches** after the verification is received. If the verification failed, the ballot label will contain

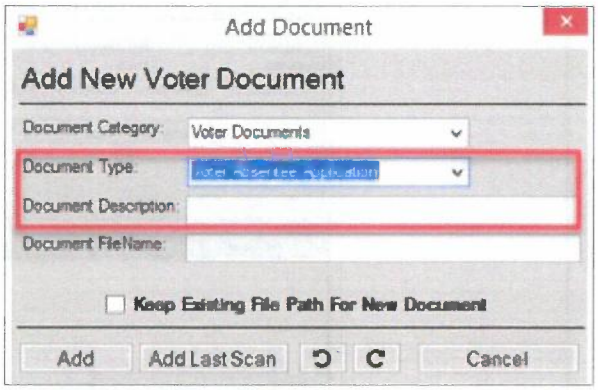
Steps	Actions
	an ID watermark. The ID watermark will not appear if the verification passes. ☐ Ballot labels cannot be recorded until an ID is verified.
18.	Click the **[Process]** button.  The **Process Absentee/Mail-In Application** window is closed, and the ***Application Queue*** tab is displayed. Click on the ***ID Verification*** tab to view the **Verification Status.**  **Note:** ☐ If the application status reason was APPR – ID VERIFICATION PEND, the voter's SSN and/or DL will be simultaneously sent for

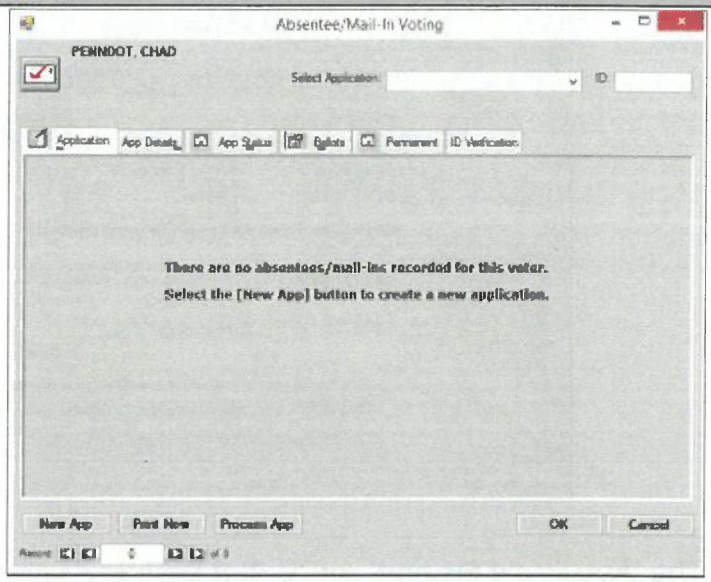
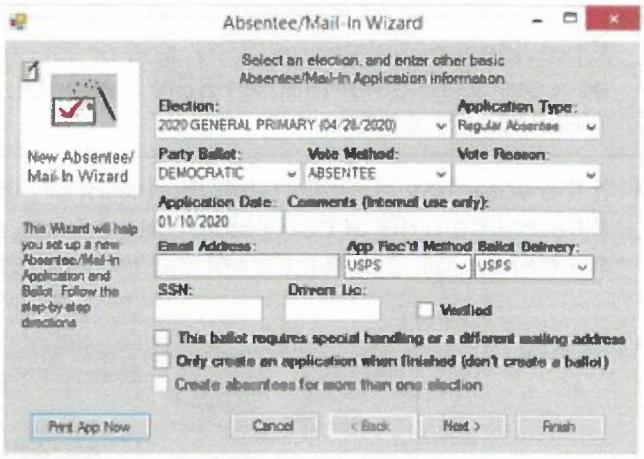
Steps	Actions
	verification. If the verification passes, the application status will automatically update to APPR – ID VERIFIED. If the verification fails, the application will be placed into the Mail-In application verification exception link on the ***Voter Information*** tab. □ If the application status reason was APPR – ID VERIFICATION PEND and the 'Send Ballot Document' and 'Submit For Printing Later' checkboxes were checked, a ballot label for the upcoming election has been created for this voter. □ If the application status reason was APPR – ID VERIFICATION PEND and the 'Send Ballot Document' checkbox was unchecked, a ballot label for the upcoming election has not yet been created and will need to be created later using the *Process AB/Mail-Ins* utility.

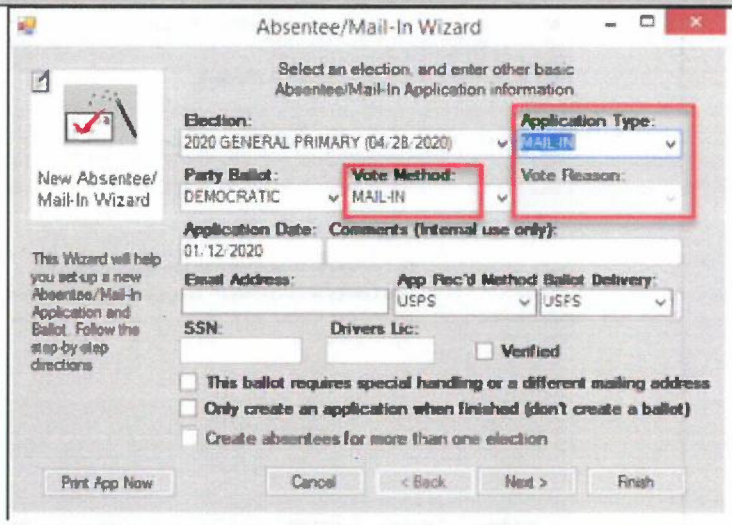
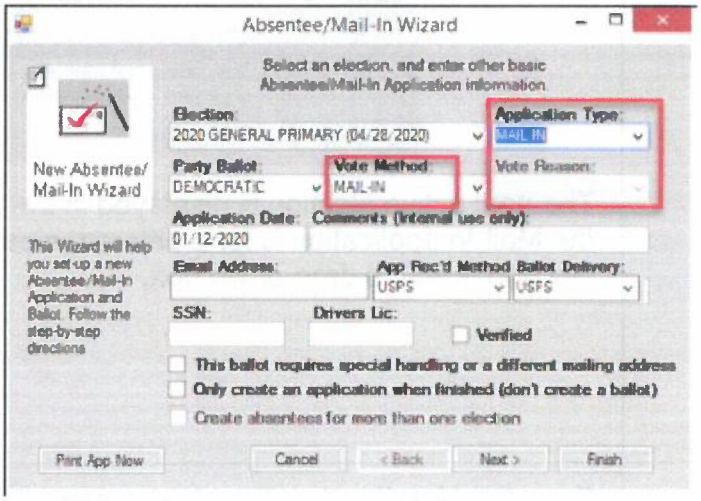
Processing Mail-In Applications via the Voter's Record

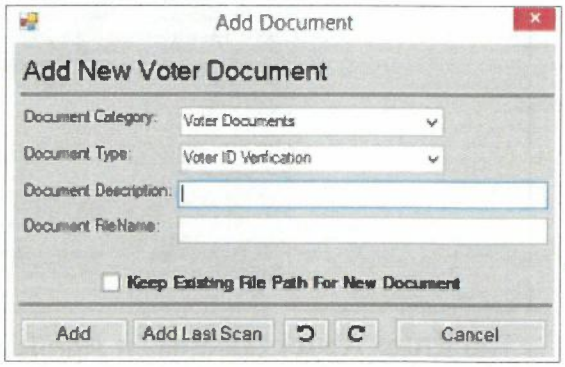
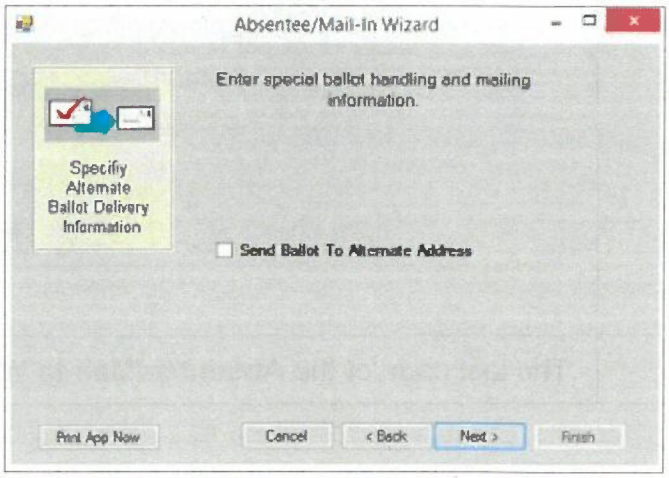
Steps	Actions
1.	From the ***SURE*** Menu, select the ***Voter Information*** tab.
2.	Press the **[Find/Modify Voter]** button. The **Find Voters** screen is displayed. 
3.	Enter the name (and birthdate, if common name) of the voter who is applying to be a Mail-In voter. Press the **[Find Now]** button. Voters that

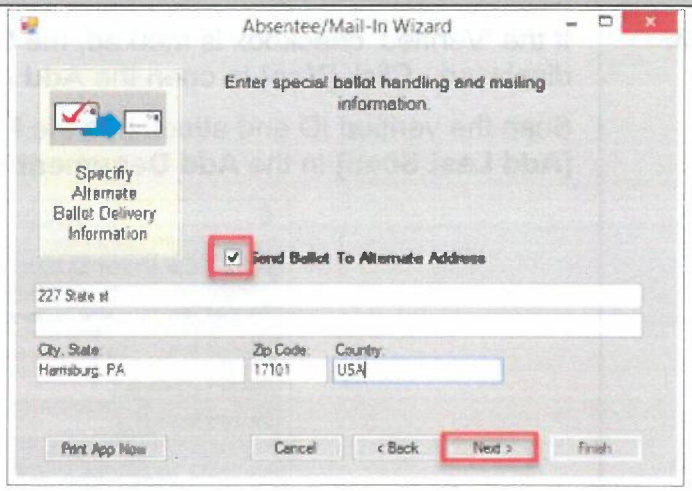
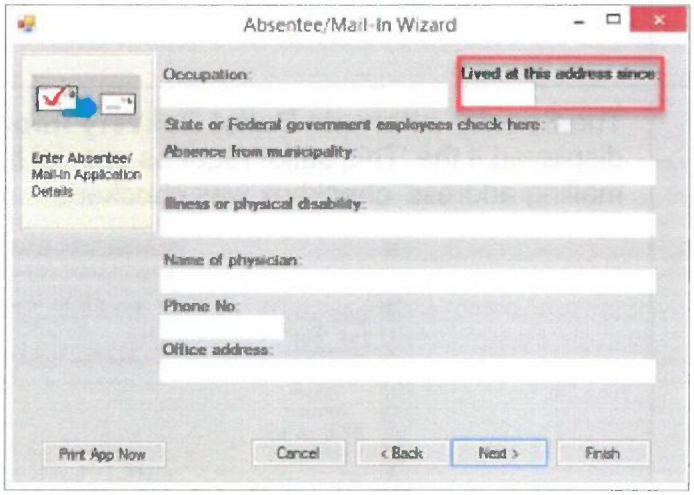
Steps	Actions
	match the search criteria entered are returned in the results list box. 
4.	Select the correct voter from the results list box by double-clicking on the record or highlighting the record and clicking the **[OK]** button. The selected voter's record opens with the ***General*** tab displayed.
5.	To add the Mail-In application to the ***Documents*** tab in the voter's record, click the **[Add Last Scan]** button to open the **Add Document** window. 

Steps	Actions
6.	Select the desired option from the 'Document Type' field and enter a description in the 'Document Description' field.  Scan the Mail-In application and click **[Add Last Scan].** The document is saved to the ***Documents*** tab in the voter's record.
7.	Click the **[Absentee/Mail-In Voting]** icon The **Absentee/Mail-In Voting** screen is displayed.

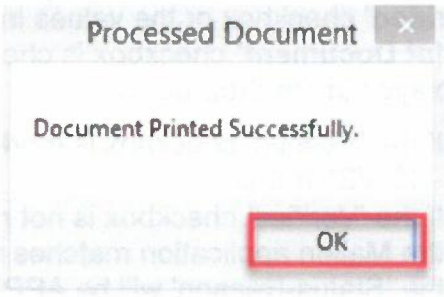
Steps	Actions
	
8.	Click the **[New App]** button. The **Absentee/Mail-In Wizard** is displayed.  The next active election is displayed in the '**Election**' drop-down list. If the Mail-In application is for a different election, choose the correct election from the drop-down box.
9.	From the **'Application Type'** drop-down list, select **'Mail-In'**. The **'Vote Method'** is defaulted to **'Mail-In'** and the **'Vote Reason'** field is now disabled.

Steps	Actions
	
10.	The '**App Rec'd Method**' and '**Ballot Delivery**' fields will default to 'USPS' for Mail-In applications. Either or both fields can be changed to 'Counter' for walk-in applicants.
11.	If provided, populate the 'SSN' and or 'DL' fields. If the voter provided acceptable ID other than an SSN and/or DL and it can be verified, click the 'Verified' checkbox.
12.	If the voter has specified that the ballot should be mailed to an address different from his or her residential address, check the 'This ballot requires special handling or a different mailing address' checkbox.  Click the **[Next]** button.

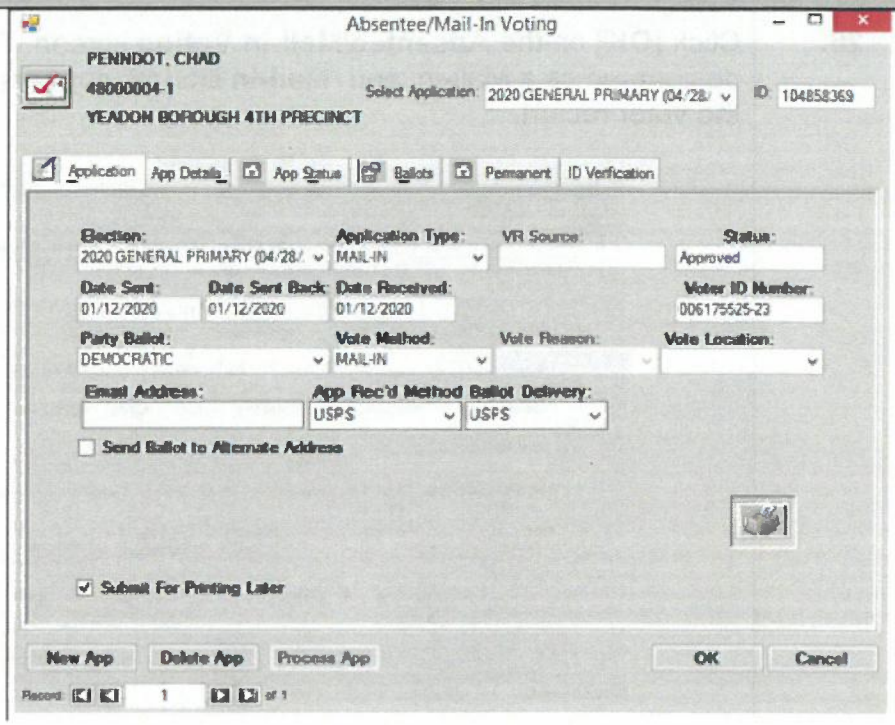
Steps	Actions
13.	If the 'Verified' checkbox is marked, the **Scan the Document** message is displayed. Click **[Yes]** to open the **Add Document** windows. Scan the verified ID and attach it to the Mail-In application by clicking **[Add Last Scan]** in the **Add Document** window.  The scanned document is attached to the Mail-In application.
14.	The **Specify Alternate Ballot Delivery Information** screen is displayed if the 'This ballot requires special handling or a different mailing address' checkbox was checked: 
15.	Check the 'Send Ballot to Alternate Address' checkbox. Additional address fields are displayed. Enter the address where the voter has indicated they would like the Mail-In ballot to be sent and click **[Next]**.

Steps	Actions
	
16.	The **Enter Absentee/Mail-In Application Details** screen is displayed. Each of the fields are disabled on the screen except the **'Lived at this address since'** field. Click the **[Next]** button. 
17.	The last page of the **Absentee/Mail-In Wizard** is displayed.

Steps	Actions
	 The '**Status-Reason'** field is populated based on the status of the '**Verified**' checkbox or the values in the SSN and/or DL fields. The **'Send Ballot Document'** checkbox is checked and **'Mail-In Ballot Label'** is displayed in the drop-down. ☐ If the 'Verified' checkbox is marked, the 'Status-Reason' will be APPR – ID VERIFIED. ☐ If the 'Verified' checkbox is not marked and either the SSN or DL on the Mail-In application matches the SSN or DL on the voter's record, the 'Status-Reason' will be APPR – ID VERIFIED. ☐ If the 'Verified' checkbox is not marked and neither the SSN nor DL on the Mail-In application matches the SSN or DL on the voter's record, the 'Status-Reason' will be APPR – ID VERIFICATION PEND. ☐ If the 'Verified' checkbox is not marked and neither the SSN nor DL is populated on the Mail-In application, the 'Status-Reason' will be APPR – ID NOT VERIFIED. ☐ If the 'Create Permanent from Application' checkbox is checked, the system will create a permanent record for the voter following the existing process.
18. **DECISION POINT**	**Note:** ☐ The 'Send Ballot Document' and 'Submit For Printing Later' checkboxes cannot be marked when the status of the Mail-In application status is 'APPR – ID VERIFICATION PENDING'. The ballot label will queue to **Correspondence Batches** after the result of the verification is received, even if the ID is not verified. ☐ If the Mail-In application status if 'APPR – ID VERIFIED', the 'Send Ballot Document' checkbox is marked, and the 'Submit For Printing Later' checkbox is cleared, the ballot label will print immediately.

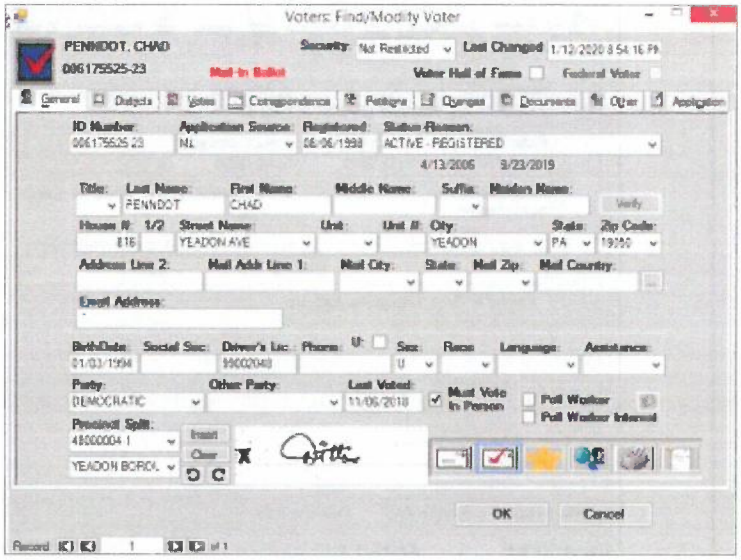
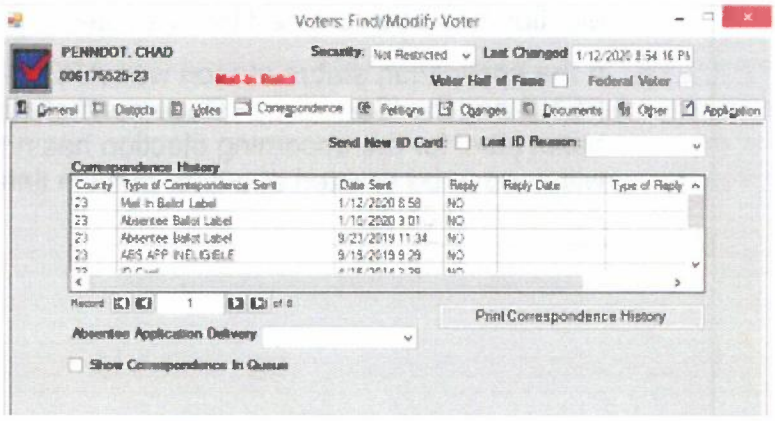
Steps	Actions
	☐ If the Mail-In application status if 'APPR – ID VERIFIED', and the 'Send Ballot Document' and the 'Submit For Printing Later' checkboxes are marked, the ballot label will be queued to **Correspondence Batches** where it can be printed and confirmed. ☐ If the 'Ballots and Contests Finalized' checkbox on the election record is not marked, the 'Send Ballot Document' checkbox will not be marked, and the ballot cannot be immediately sent even if the Mail-In application status is 'APPR – ID VERIFIED'. The ballot label can be queued after the 'Ballots and Contests Finalized' checkbox in the election record is marked by using the *Process AB/Mail-Ins* utility. ☐ Ballot labels cannot be recorded until an ID is verified.
19.	Click the **[Finish]** button on the wizard. Click **[OK]** to the **Processed Document** pop-up message.  Click **[Yes]** to the **Record New Mailings** message. The **Absentee/Mail-In Wizard** closes and returns the user to the ***Application*** tab of the **Absentee/Mail-In Voting** screen.

Steps	Actions



Note:

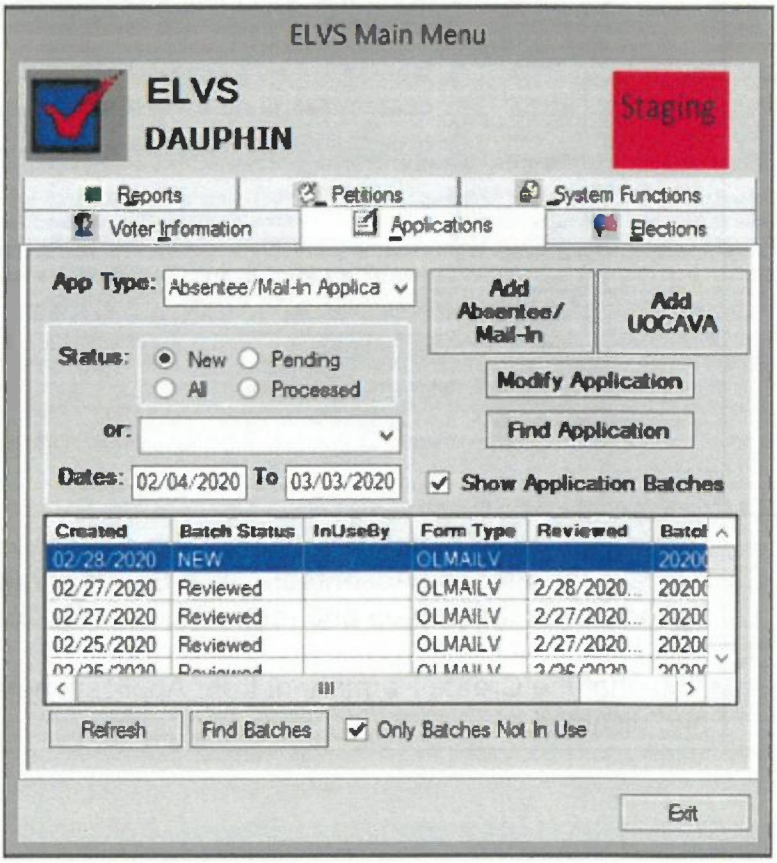
- If the application status reason was APPR – ID VERIFICATION PEND, the voter's SSN and/or DL will be simultaneously sent for verification. If the verification passes, the application status will automatically update to APPR – ID VERIFIED. If the verification fails, the application will be placed into the Mail-In application verification exception link on the Voter Information tab.
- If the application status reason was APPR – ID VERIFICATION PEND and the 'Send Ballot Document' and 'Submit For Printing Later' checkboxes were checked, a ballot label for the upcoming election has been created for this voter.
- If the application status reason was APPR – ID VERIFICATION PEND and the 'Send Ballot Document' checkbox was unchecked, a ballot label for the upcoming election has not yet been created and will need to be created at a later point in time using the *Process AB/Mail-Ins* utility.

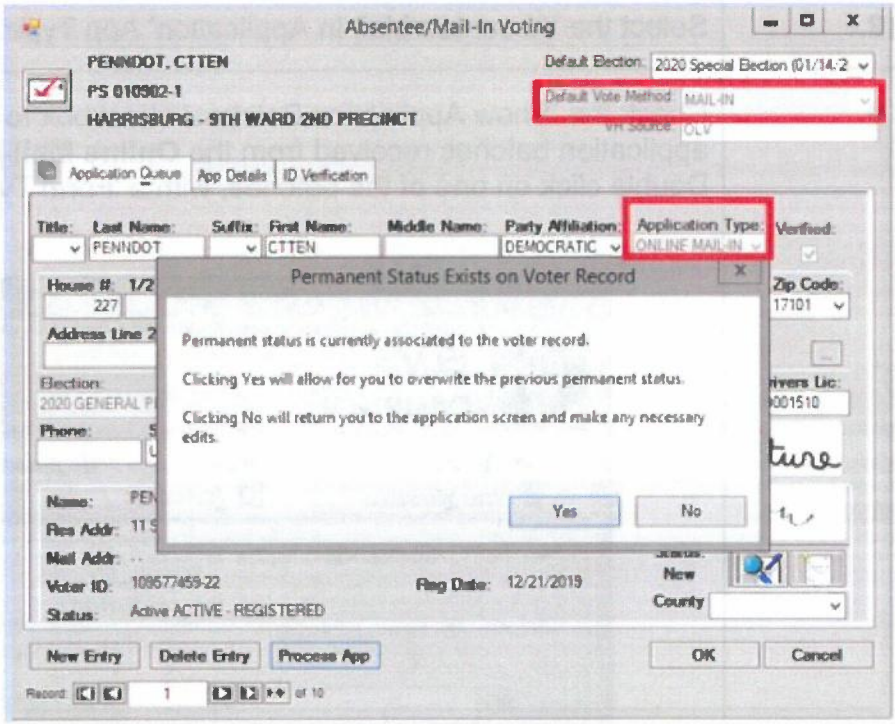
Steps	Actions
20.	Click **[OK]** on the **Absentee/Mail-In Voting** screen. The voter is now designated as a Mail-In, and **"Mail-In Ballot"** appears in red at the top of the voter record. 
21.	Click on the ***Correspondence*** tab. The **'Mail-In Ballot Label'** is marked as sent with today's date and the **'Reply'** as **'No'** 

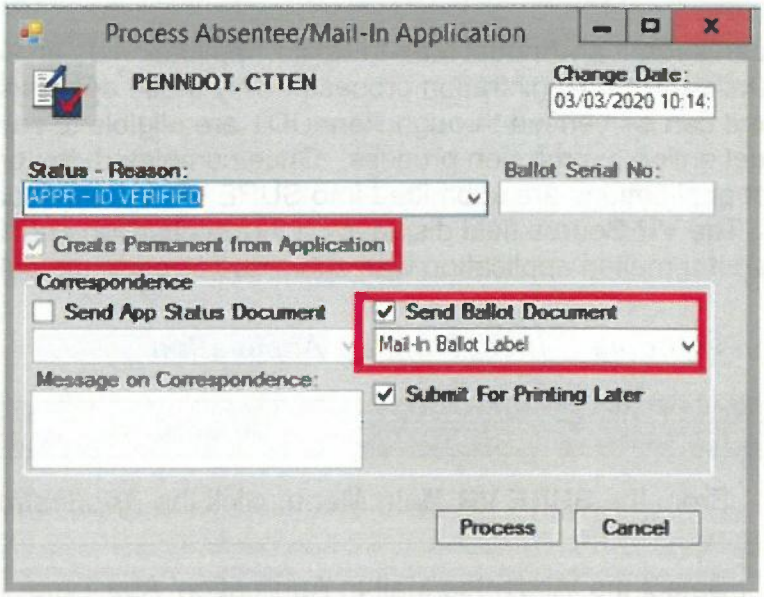
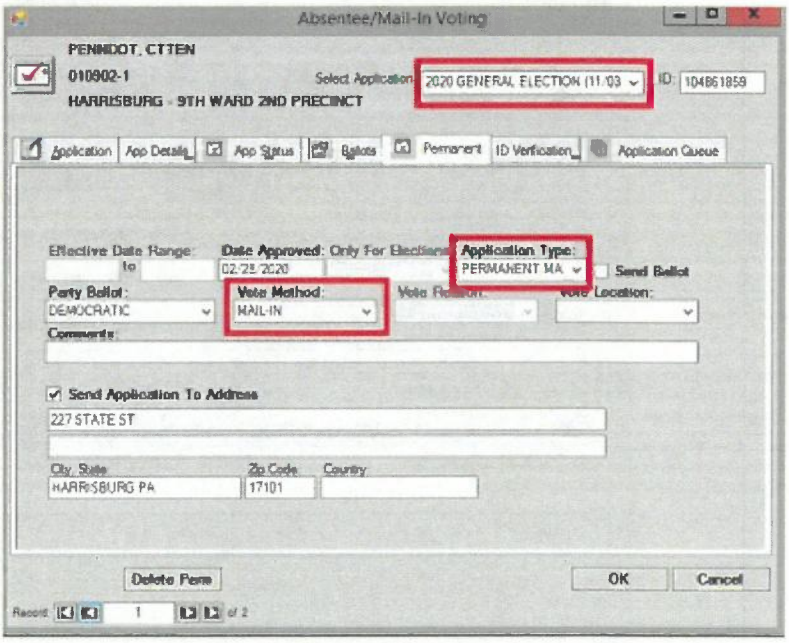
Processing Online Mail-In Applications with Pre-existing Permanent Status

If the voter currently has permanent status when processing a new Mail-In Application, the Process Absentee/Mail-In Application screen will automatically check the 'Create Permanent from Application' checkbox and disable the box from further editing.

Steps	Actions
1.	From the **SURE VR Main Menu,** click the ***Applications*** tab.
2.	Select the 'Absentee/Mail-In Application' App Type.
3.	Check the 'Show Application Batches' checkbox to display the application batches received from the **Online Mail-In Application**. Double click on one of the batches, with a 'Form Type' of 'OLMAILV'.



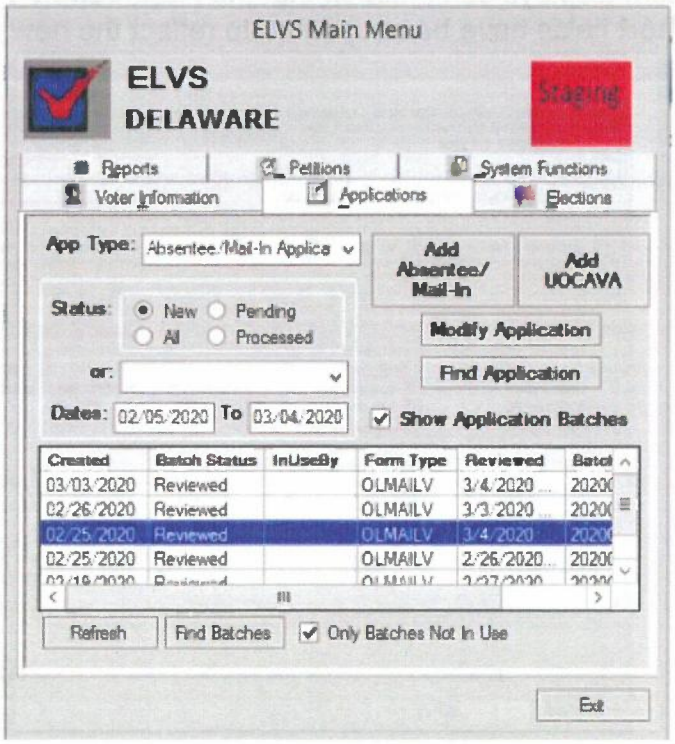
Steps	Actions
4.	System displays the Application/Mail-In Voting. Press the [**Process App**] button and system checks to determine if an existing Permanent status is associated with the voter record and displays the message: *Permanent status is currently associated to the voter record. Clicking Yes will allow for you to overwrite the previous permanent status. Clicking No will return you to the application screen and make necessary edits* 
5.	Pressing the **Yes** button from the pop-up message redirects to and displays the Process Absentee/Mail-In Status screen. Pressing the **No** button closes the pop-up and returns the user to the application. Note that the Create Permanent from Application field is pre-checked and disabled.

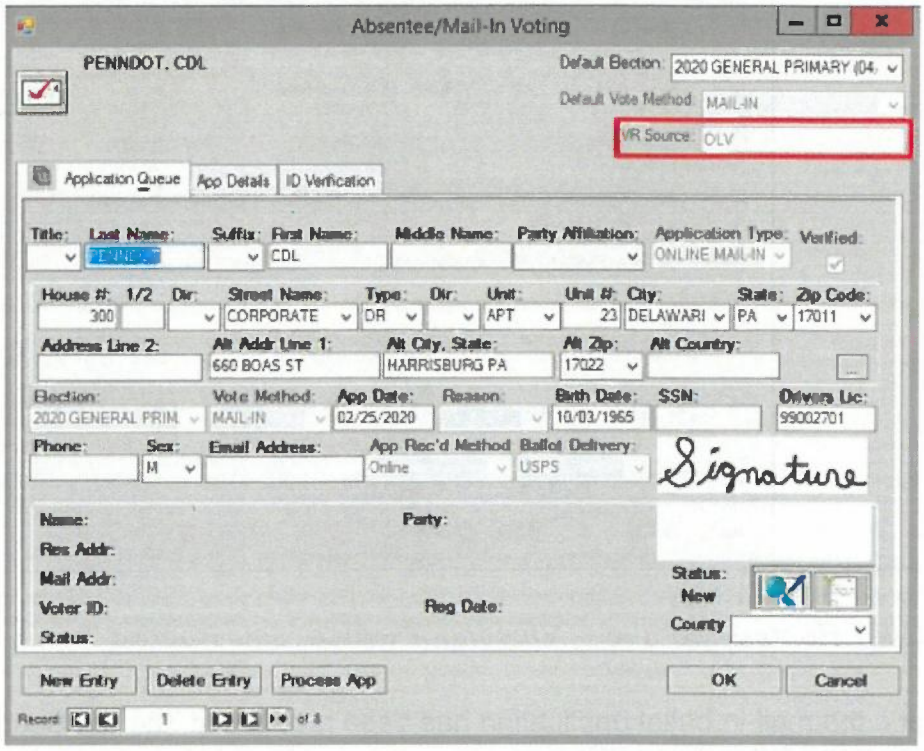
Steps	Actions
	 Press the **[Process]** button
6.	System displays confirmation that the **Application Type** and **Vote Method** fields have been updated to reflect the new status 

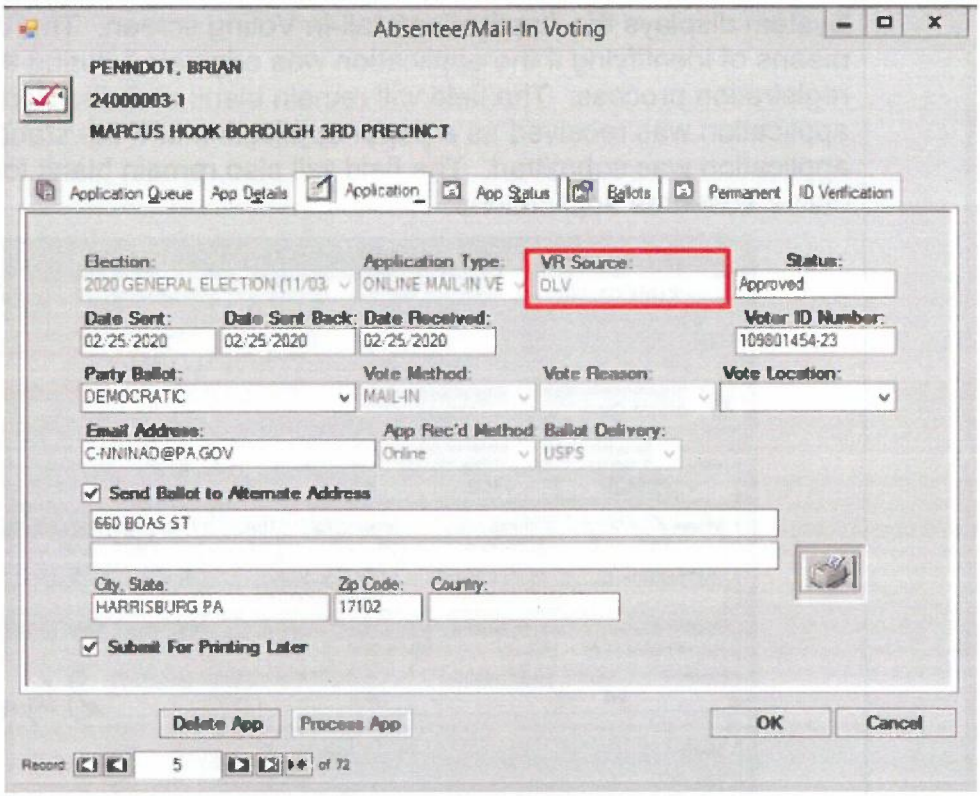
Identifying Online Mail-In Applications Submitted with Online Voter Registration

Applicants can submit an Annual Mail-In Ballot Application as an accompanying application during the Online Voter Registration process. Only those applicants with a permanent residence and can be verified through PennDOT are eligible to submit the mail-in application using the dual online submission process. Once completed, the online voter registration and mail-in ballot applications are submitted into SURE VR as two separate applications for further processing. The VR Source field displays on the Application and Voter Record as a mechanism for identifying if a mail-in application was submitted through the online voter registration process.

Applications Module – Identifying an Application

Steps	Actions
7.	From the **SURE VR Main Menu,** click the ***Applications*** tab.
8.	Select the 'Absentee/Mail-In Application' App Type.
9.	Check the 'Show Application Batches' checkbox to display the application batches received from the **Online Mail-In Application**. Double click on one of the batches, with a 'Form Type' of 'OLMAILV'. 

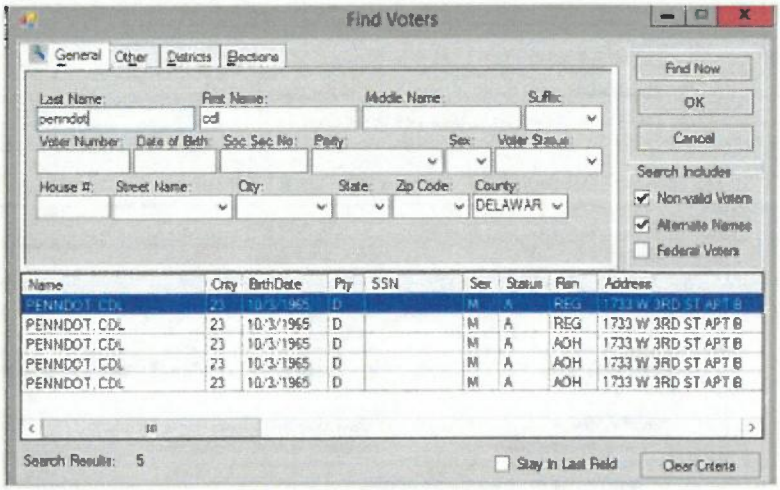
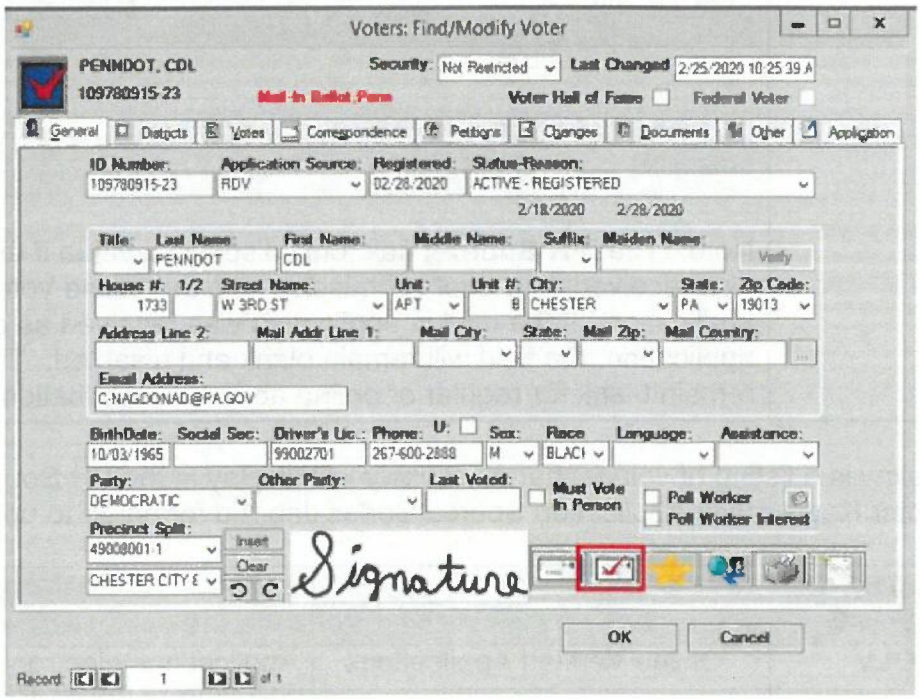
Steps	Actions
10.	System displays the Application/Mail-In Voting screen. The **VR Source** is a means of identifying if the application was originated during the online voter registration process. The field will remain blank and disabled if the mail-in application was received as a paper application or if the standalone mail-in application was submitted. The field will also remain blank for regular or online absentee applications  Note: If the VR Source field reflects a value, a dual application has been submitted from an originating agency or OVR. Validate that the Online Voter Registration application has been processed before processing the Mail-In Ballot Application.
11.	Process the application through the current mail-in application procedures
12.	Once processed, the **VR Source** field displays on the Application tab

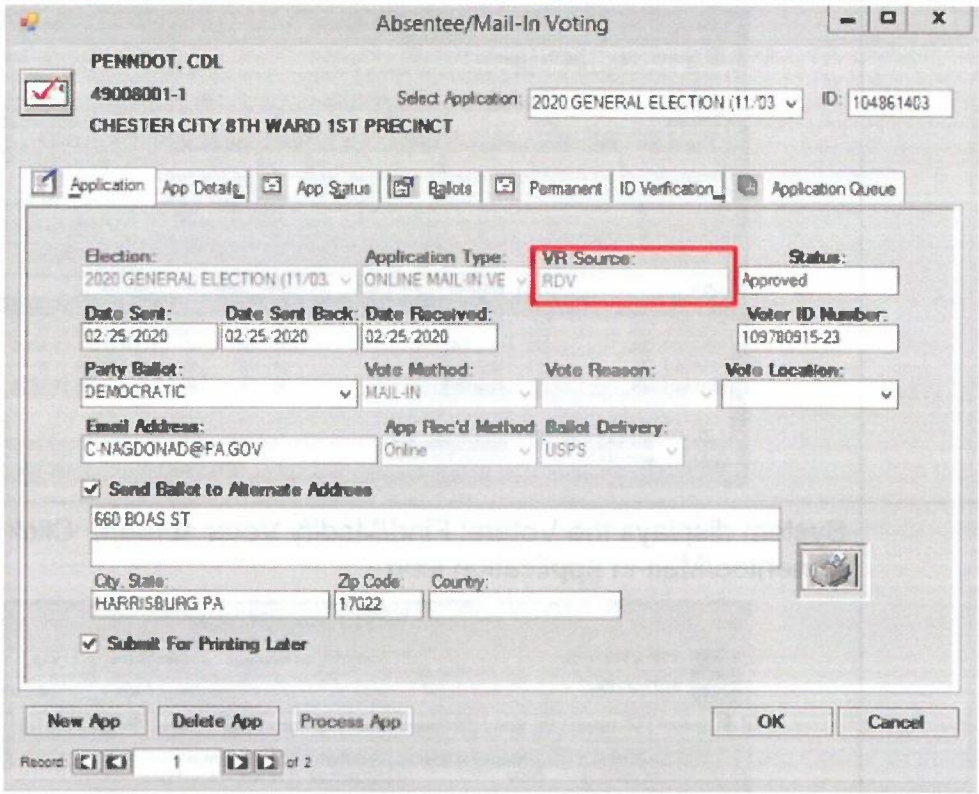
Steps	Actions
	

Voter Record Module – Viewing A Processed Record

Once the mail-in ballot application has been processed, the VR Source field displays in the Absentee/Mail-In Voting Screen

Steps	Actions
1.	From the **SURE VR Main Menu,** click the ***Voter Information*** tab.
2.	Select the 'Find/Modify' Voter button.
	Enter the search criteria for finding voter information and double click on a record form the search results

Steps	Actions
	
3.	System displays the Voters: Find/Modify Voter screen. Click on the Absentee/Mail-In application icon 
4.	System displays the Absentee/Mail-In Voting screen. The **VR Source** is a means of identifying if the application was originated during the online voter registration process – Refer to list of originating agencies.

Steps	Actions
	 Note: The **[VR Source]** field only displays a value if the mail-in application was received as a dual submission with the online voter registration application. If the mail-in application was received as a standalone or paper application, the field will remain blank and disabled. The field will also remain blank for regular or online absentee applications.

Below is a listing of values that most likely will display in the VR Source field. Refer to the Voter Registration Application Source Codes Job Aid for an up to update list of source codes.

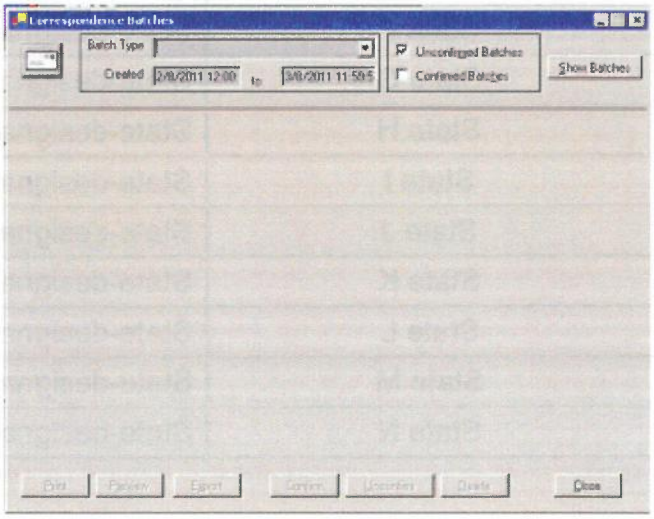
SOURCE CODE	DESCRIPTION	DEFINITION
OLV	Online Verified Applications	Applications electronically submitted to SURE from the SURE Public Portal that have been verified by PENNDOT.
S1	State 1	State-designated Agency.
S2	State 2	State-designated Agency.
S3	State 3	State-designated Agency.
S4	State 4	State-designated Agency.

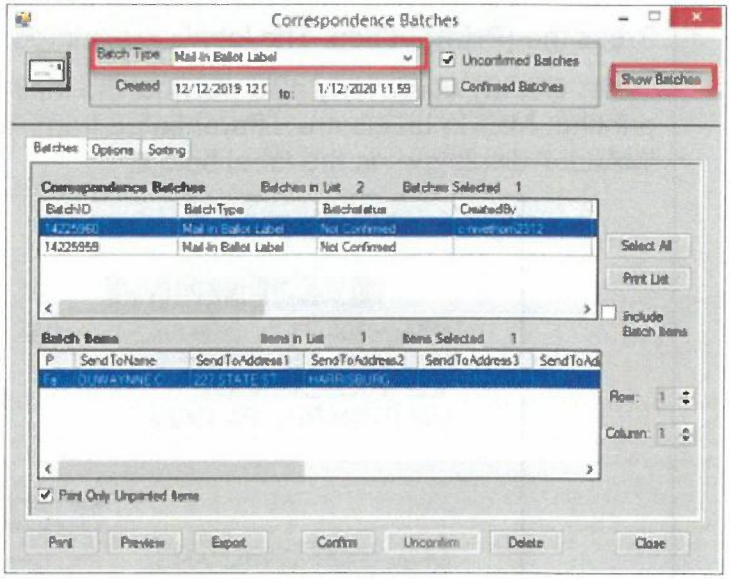
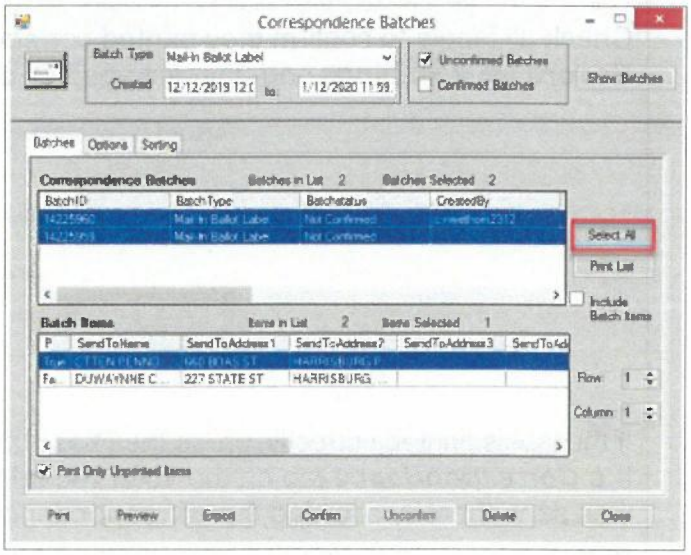
SOURCE CODE	DESCRIPTION	DEFINITION
SA	State A	State-designated Agency.
SA1	State A-1	State-designated Agency.
SA2	State A-2	State-designated Agency.
SA3	State A-3	State-designated Agency.
SA4	State A-4	State-designated Agency.
SB	State B	State-designated Agency.
SB1	State B-1	State-designated Agency.
SC	State C	State-designated Agency.
SD	State D	State-designated Agency.
SE	State E	State-designated Agency.
SF	State F	State-designated Agency.
SG	State G	State-designated Agency.
SH	State H	State-designated Agency.
SI	State I	State-designated Agency.
SJ	State J	State-designated Agency.
SK	State K	State-designated Agency.
SL	State L	State-designated Agency.
SM	State M	State-designated Agency.
SN	State N	State-designated Agency.

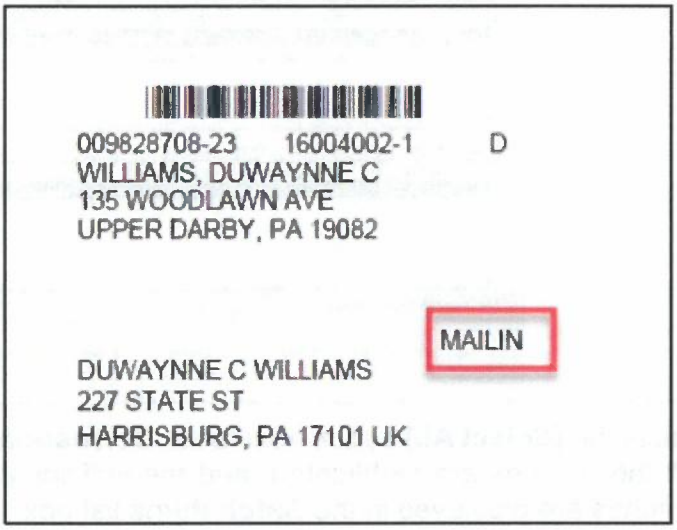
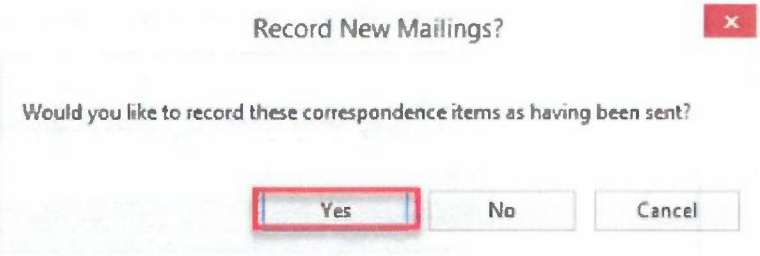
Printing Mail-In Ballot Labels

The SURE VR system allows users to select batches of the same type to be printed together, thus maximizing the number of voters on a sheet of labels. The default sort order for all Mail-In Ballot Labels is by Precinct Split and the voter's Last Name. Users can override these default sort options (see below for specific steps).

Use the steps outlined below to print the mail-in ballot labels queued to the **Correspondence Batches** screen.

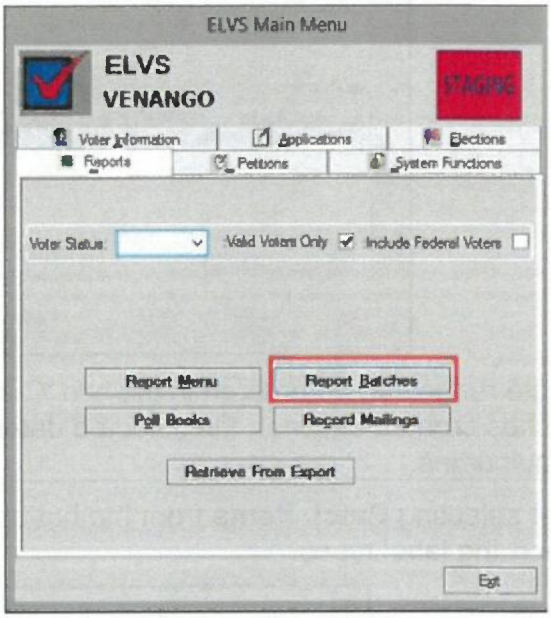
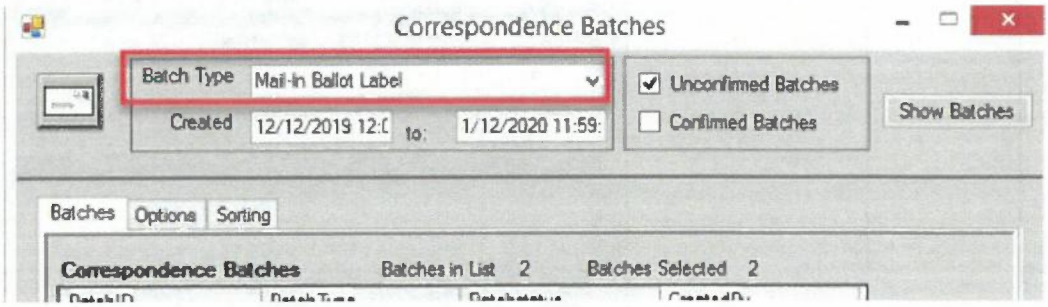
Steps	Actions
1.	From the **SURE** menu, click on the ***Reports*** tab.
2.	Press the **[Report Batches]** button. The **Correspondence Batches** screen is displayed. 

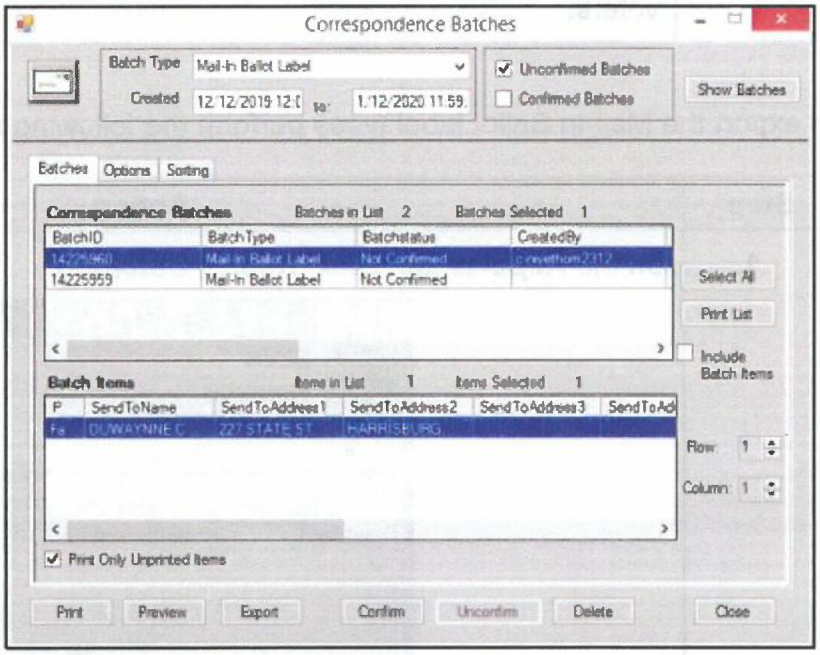
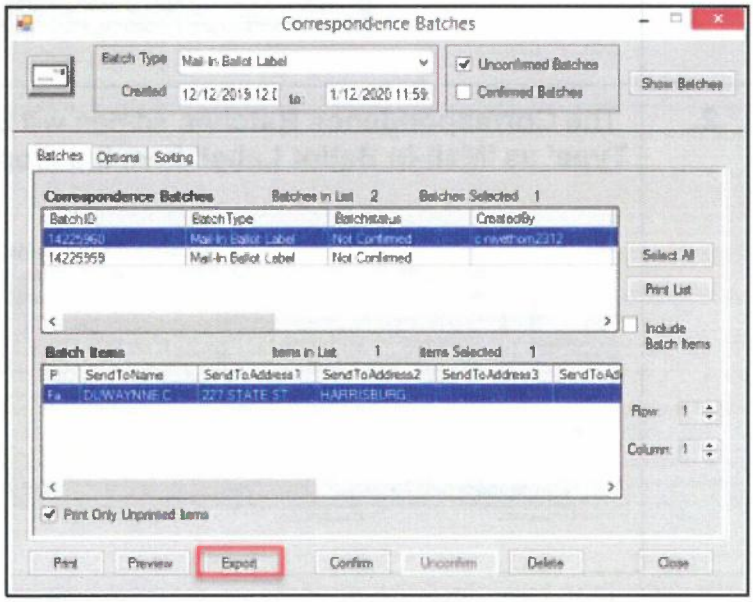
Steps	Actions
3.	Click the 'Batch Type' drop-down and select the 'Mail-In Ballot Label'. Press the **[Show Batches]** button. All Mail-In ballot label batches are displayed in the **Correspondence Batches** grid. 
4.	Press the **[Select All]** button next to the **Correspondence Batches** list box. All the batches are highlighted, and the individual voters contained in the batches are displayed in the **Batch Items** list box. 
5.	If desired, the user can change the default sort order by click on the

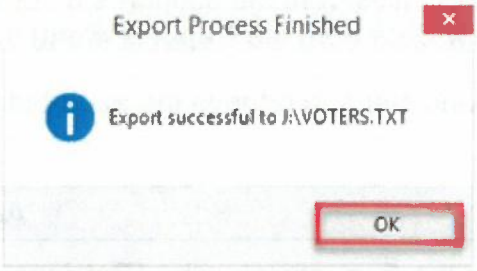
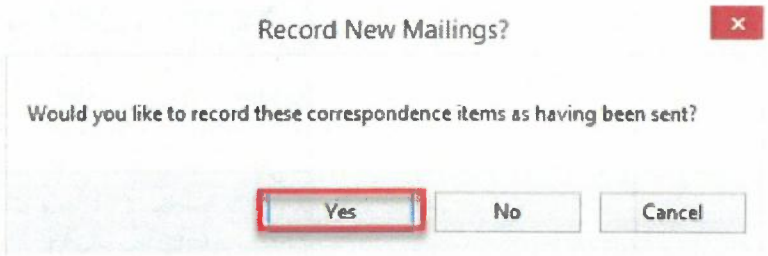
Steps	Actions
	Sorting tab and selecting the desired sort options.
6.	Before performing the next step, ensure the appropriate label stock is loaded in the default printer based on the type of labels selected. Press the **[Print]** button. The labels are printed to the default printer. **Note:** County users may also preview the Mail-In ballot labels before printing. Mail-In labels are differentiated from Absentee Ballot labels by the 'MAILIN' displayed on the label below. 
7.	Check all labels to confirm they printed correctly. After labels are printed, a **Record New Mailings** pop-up message box displayed.  If the labels printed correctly, press the **[Yes]** button. This action updates the ***Correspondence*** tab on the voter record to reflect the Mail-In ballot was sent, thereby allowing the correspondence to be recorded as returned. If the labels did not print correctly, press the **[No]** button. Reload the labels into the printer, and repeat steps 1 – 6 above.
8.	Labels can now be affixed to the ballot envelopes and mailed to Mail-In

Steps	Actions
	voters.

To export the Mail-In Ballot label types perform the following steps.

Step	Action
1.	On the ***Reports*** tab, click **[Report Batches].** 
2.	The **Correspondence Batches** screen will be displayed. Select the **'Batch Type'** as **'Mail-In Ballot Label'** from the drop-down. 
3.	Click **[Show Batches],** The Mail-In batches will be displayed.

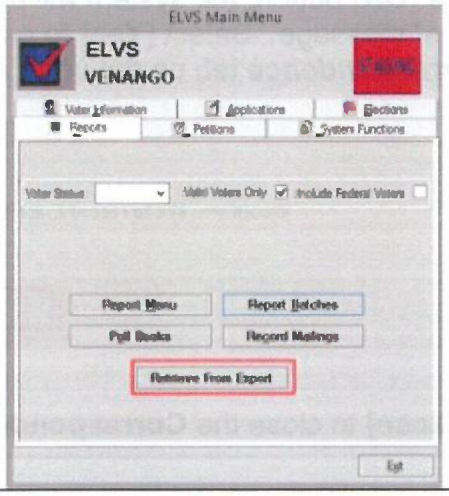
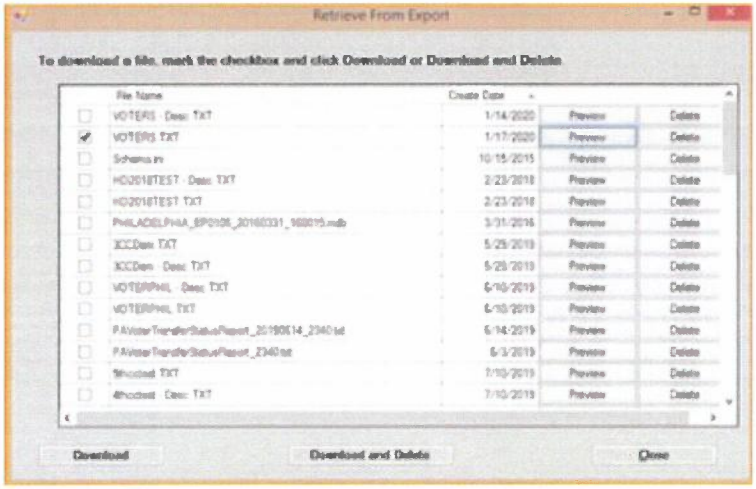
Step	Action
	 A date range can be entered in the two 'Created' fields to limit the viewing to batches created between the selected dates; the SURE system will create default dates.
4.	After selecting **Batch Items** from the bottom grid, click **[Export]** to export the label types.  **Note:** Click on the ***Options*** tab to make any changes to the export location

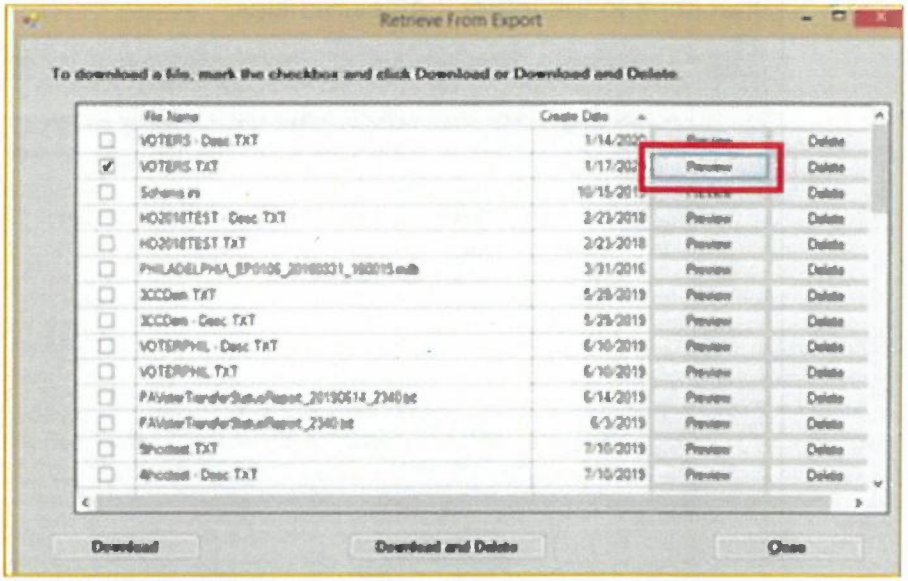
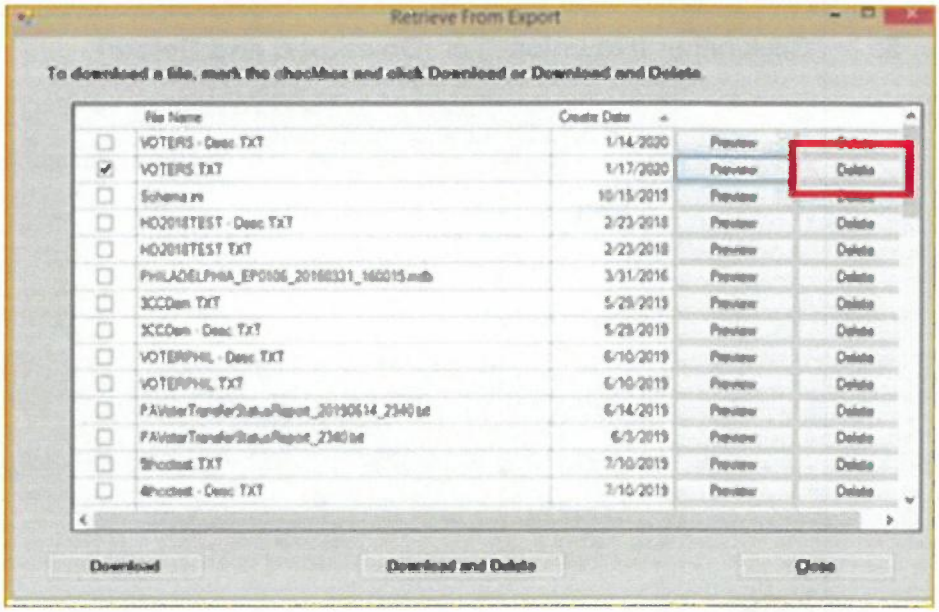
Step	Action
	for the file and what the filename should be.
5.	The **Export Process Finished** message is displayed.  Click the **[OK]** button, the system will present the **'Record New Mailings'** message. Select **[Yes]** to confirm the batch(es) and to update the ***Correspondence*** tab on the voter record as being sent. 
6.	Click **[Close]** to close the **Correspondence Batches** screen.

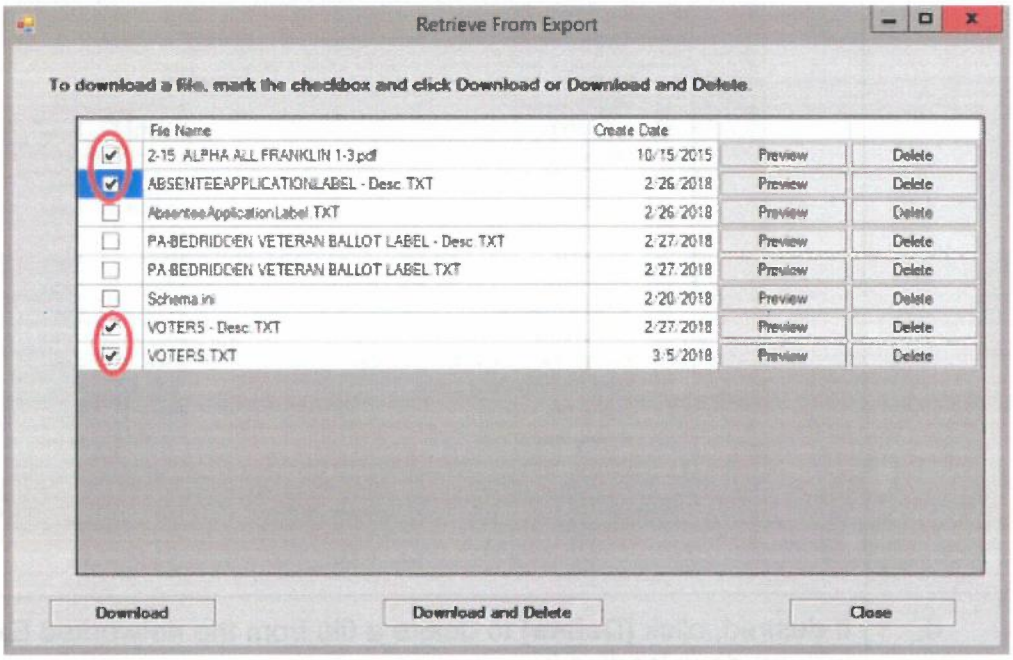
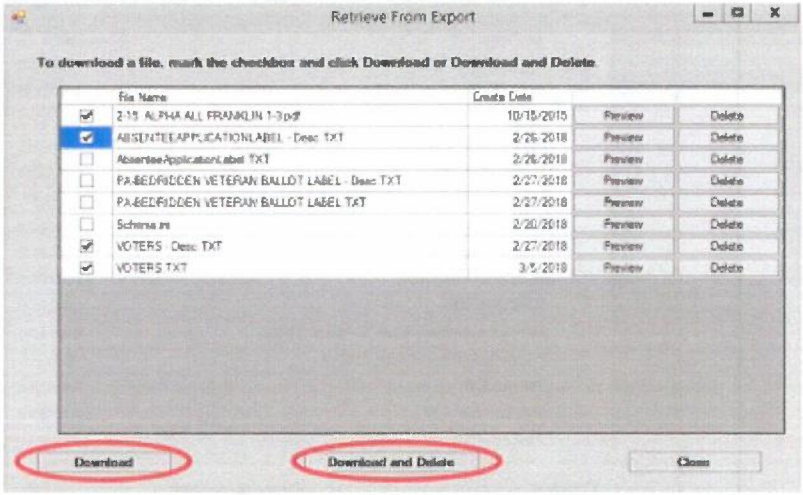
Retrieve From Export

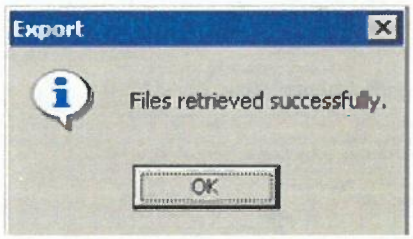
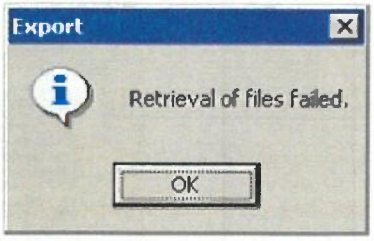
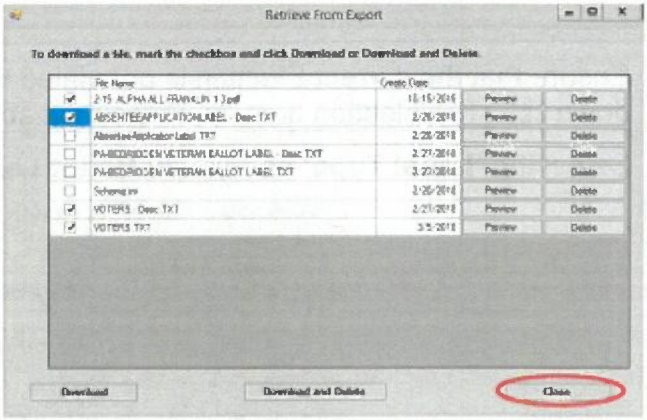
Ballot labels raw data that are exported can be retrieved using the **Retrieve From Export** screen. This screen is used to download files from the networked Export folder to the Export folder on the local winterm. Files are placed in the networked Export folder when a county makes a request for files from the support staff or when the **[Export]** button is used to export a Ballot Labels Raw Data from the **Reports Menu** screen in SURE VR.

Follow the following steps to retrieve the exported ballot labels raw data.

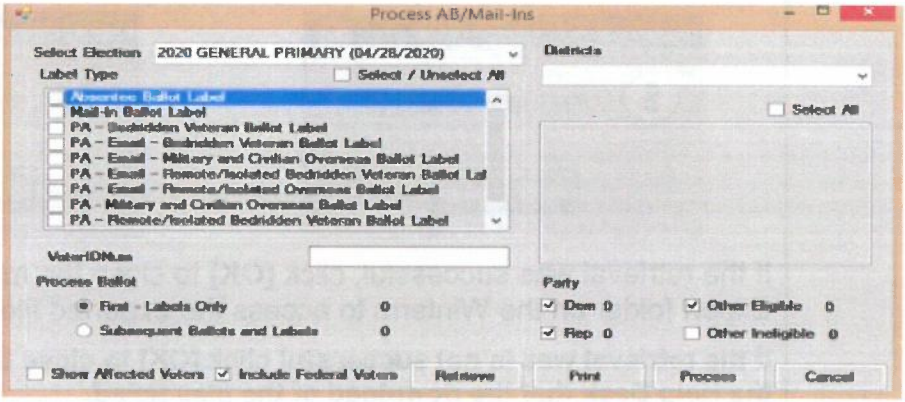
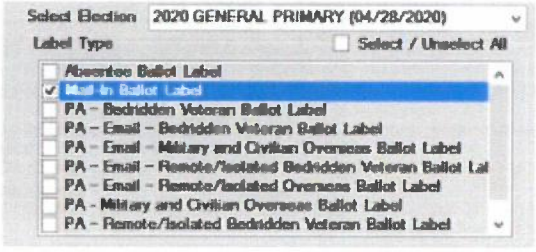
Step	Action
1.	On the ***Reports*** tab, click **[Retrieve From Export].** 
2.	The **Retrieve From Export** window is displayed. 

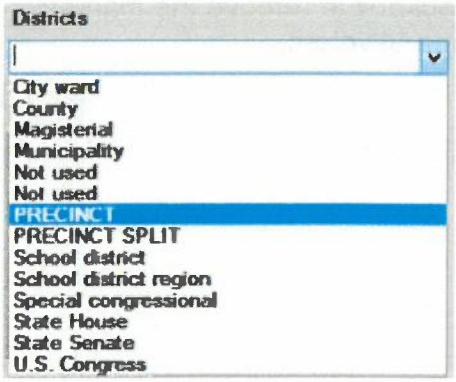
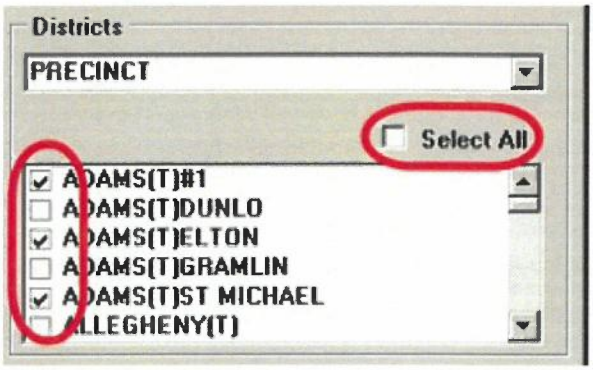
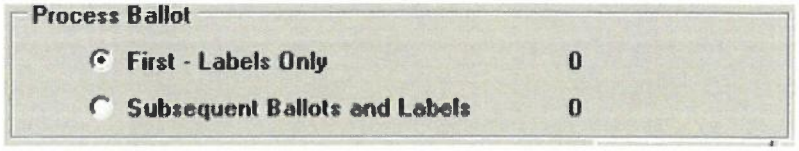
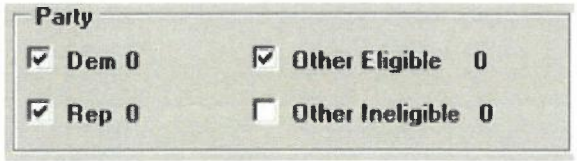
Step	Action
3.	If desired, click **[Preview]** to preview a file before downloading it. The file will open. Close the file after previewing it. 
4.	If desired, click **[Delete]** to delete a file from the networked Export folder without downloading it.  **Note**: Deleted files cannot be recovered. If an exported SURE VR report was deleted in error, run and then export the report again. If a file created by the support team was deleted in error, contact the Help Desk and

Step	Action
	request the file again.
5.	Select the files to be downloaded into the local Export folder by marking the checkbox to the left of the desired files. 
6.	Click either **[Download]** or **[Download and Delete]**.  **Note**: - Clicking **[Download and Delete]** will download the selected files to the Export folder on the winterm and delete them from the networked

Step	Action
	Export folder. If the file is open when **[Download and Delete]** is clicked, the file will download, but will not be deleted. Clicking **[Download]** downloads the selected files to the Export folder on the winterm but does not delete them from the networked Export folder.
7.	A message titled **Export** indicates if the retrieval was successful. If the download was successful, the message will be 'Files retrieved successfully'; if the download was not successful, the message will be 'Retrieval of files failed'.   If the retrieval was successful, click **[OK]** to close the message. Open the Export folder on the Winterm to access the exported files. **If the retrieval was is not successful click [OK] to close the message. Inform the Help Desk that the download of the files failed.**
8.	Close the **Retrieve From Export** window by clicking **[Close]**. 

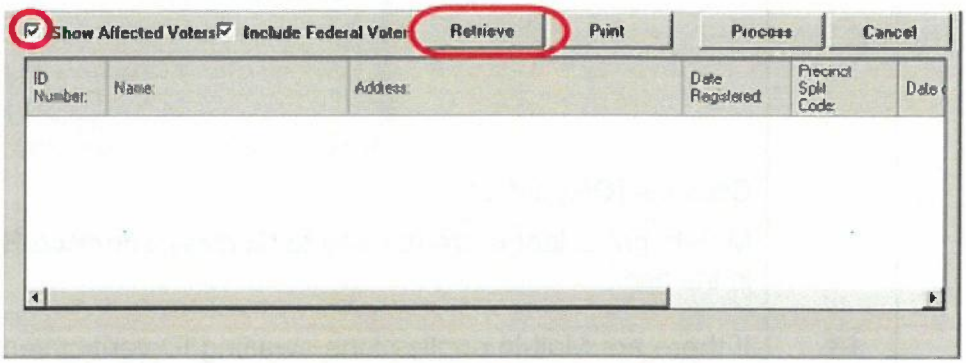
Process AB/Mail-Ins Utility

Steps	Actions
1.	From the **SURE** menu, select the ***System Functions*** tab.
2.	Press the **[Utilities]** button. The **Utilities** screen is displayed.
3.	Click the **[Process AB/Mail-Ins]** button. The ***Process AB/Mail-Ins*** screen is displayed. 
4.	Ensure that the correct Election is populated from the 'Select Election' drop-down list. (The election defaults to the next active election.)
5.	Select the **'Label Type'** as **'Mail-In Ballot Label'**. 
6. **Optional**	If the ballot label is to be created for a specific voter, the voter ID should be entered in the 'VoterIDNum' field.

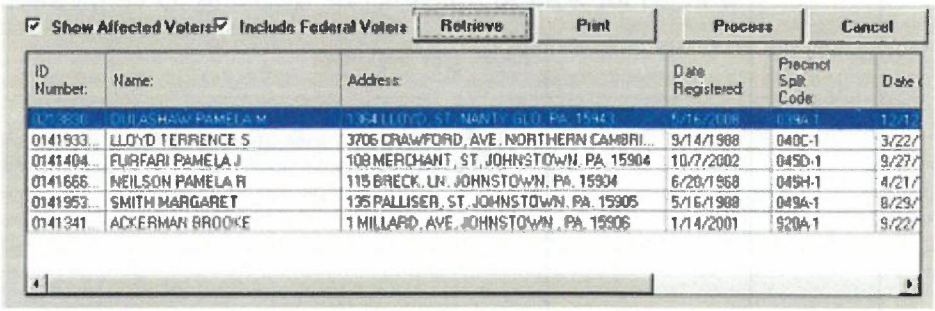
Steps	Actions
7.	If applicable, select a District from the **'Districts'** drop-down list for which to queue ballot labels.  Click the 'Select All' checkbox to select or deselect the district options. Click the checkbox to the left of the district options to select one or more district.  **Note**: Clicking the 'Select All' checkbox when it is marked will deselect all the district options.
8.	By default, the 'First – Labels Only' option is selected. If subsequent labels need to be queued, click the 'Subsequent Ballots and Labels' option. 
9.	By default, labels will be queued for Democratic, Republican and all other eligible voters. Click the checkboxes to remove or add the checkmark as necessary. 

Steps	Actions
10.	By default, the 'Include Federal Voters' checkbox is marked to ensure labels are created for Federal (Unregistered) voters. If necessary, click the checkbox to remove the mark; this will prevent ballot labels from queuing for Federal voters.

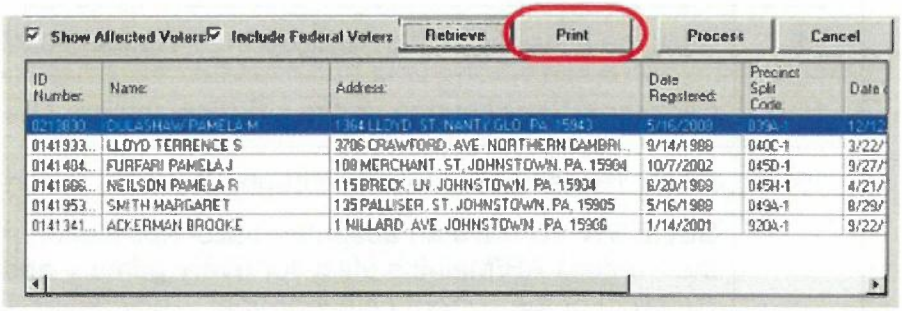
Steps	Actions
11.	Select the 'Show Affected Voters' checkbox and click **[Retrieve]**. The names of all affected voters will appear in the grid below. The data returned in the list for each voter includes: ID Number, Name, Address, Date Registered, Precinct Split Code, Date of Birth, Political Party, and Mail-In Application Type. This can be printed if the user so desires by clicking on the **[Print]** button.

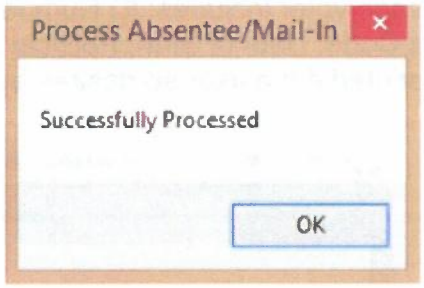
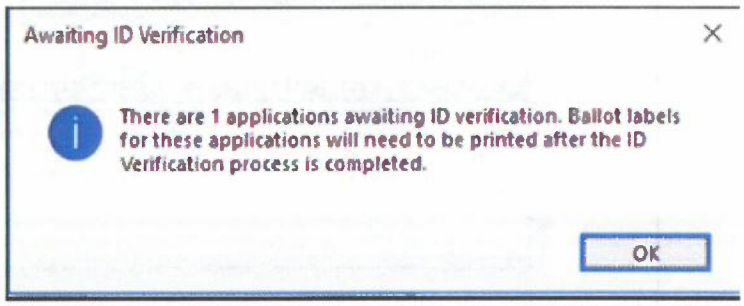


The list of voters for whom a ballot label will be queued is displayed.



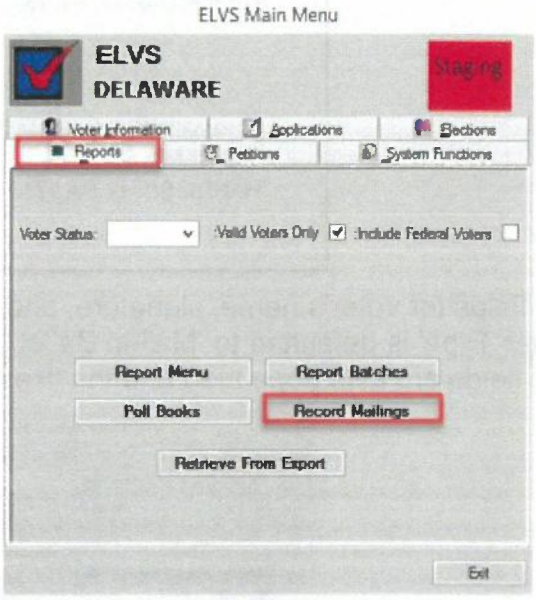
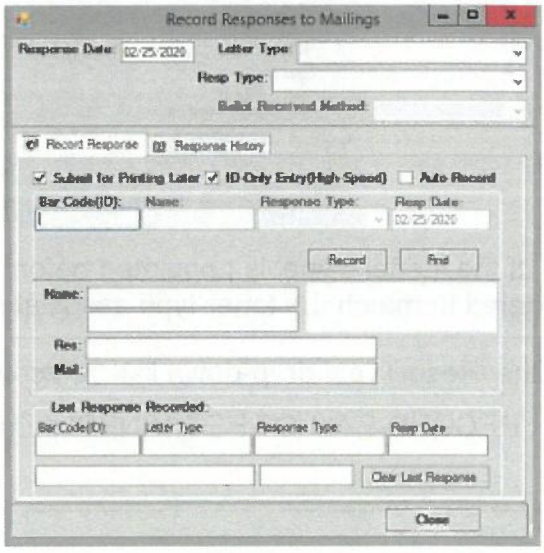
Note: The list of voters can be printed by clicking the **[Print]** button.

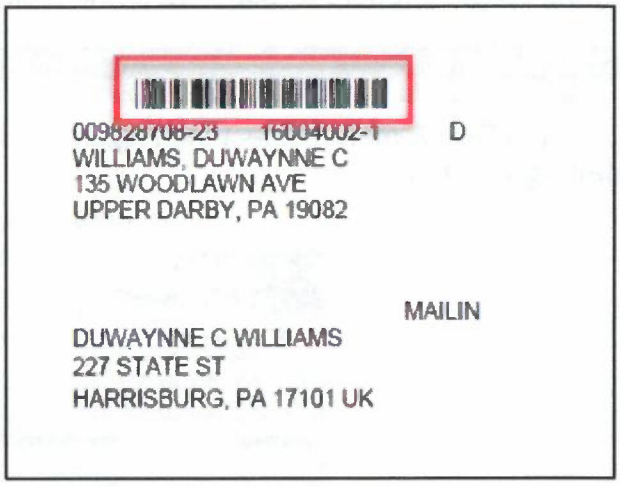
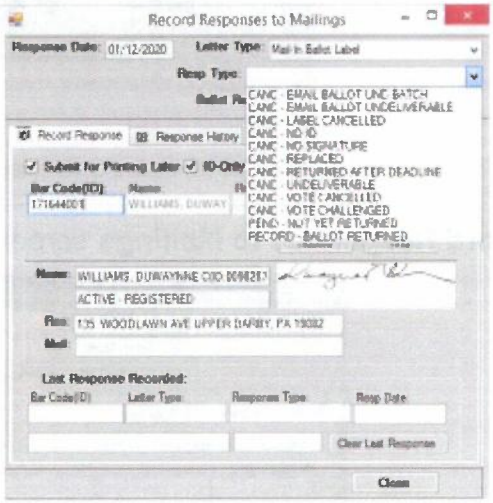


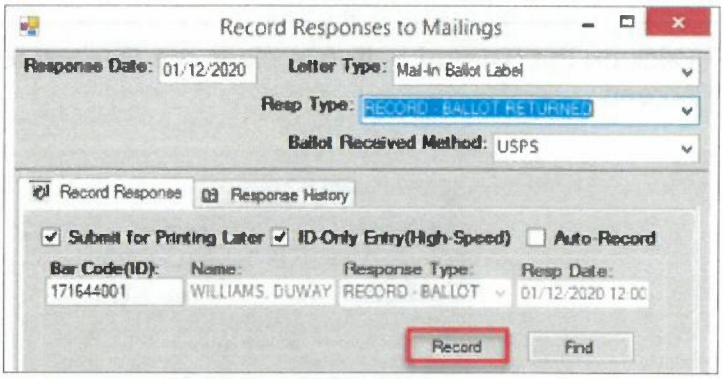
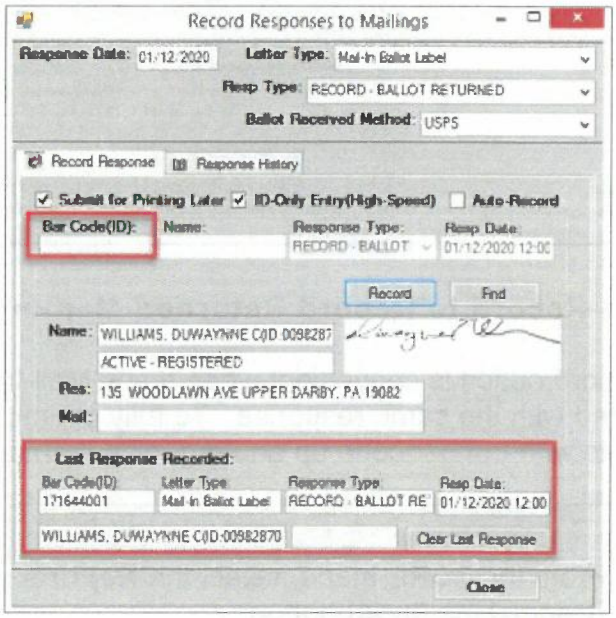
Steps	Actions
12.	Click the **[Process]** button. The **Process Absentee/Mail-In** confirmation message appears.  Click the **[OK]** button. Mail-In ballot labels are queued to **Correspondence Batches** for the voters listed in the grid.
13.	If there are Mail-In applications awaiting ID verification, the **Awaiting ID Verification** message displays. It is a reminder that ballot labels will need to be printed for Mail-In applications awaiting ID verification.  Click the **[OK]** button.
14.	Click the **[Cancel]** button to close the ***Process AB/Mail-Ins*** screen.
15.	Click the **[Close]** button on the **Utilities** screen. The **Utilities** screen is closed.
16.	**Note:** This step is in effect through 12/31/20. It can be deleted on 1/2/21. SURE VR will have an absentee ballot application processed and label sent to the Process AB/Mail-Ins utility for every primary and general election up until 12/31/20 of the current calendar year -- whenever the absentee application is processed with the Application Type as Civilian.

Recording Returned Mail-In Ballots

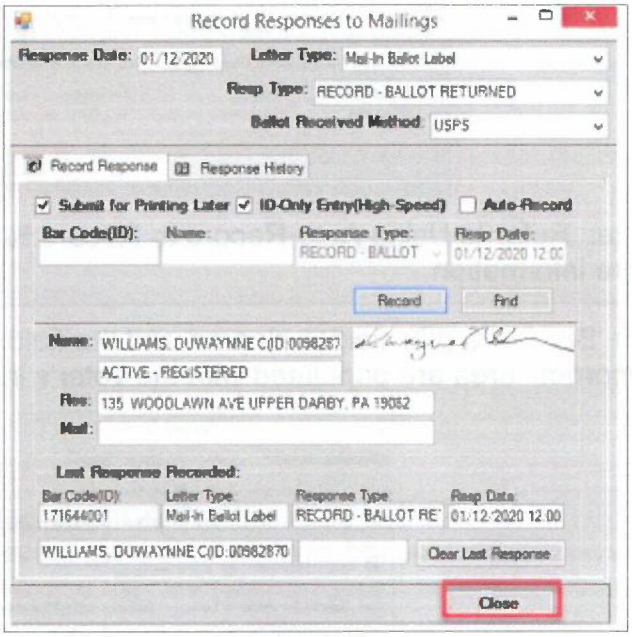
Use the following steps to record a response to the Mail-In ballot label.

Steps	Actions
1.	From the **SURE** menu, select the ***Reports*** tab and then click the **[Record Mailings]** button. 
2.	The **Record Responses to Mailings** screen is displayed. 

Steps	Actions
3.	Using the bar code reader, scan the bar code on the returned Mail-In ballot envelope.  The fields for voter's name, signature, and address are populated. The 'Letter Type' is defaulted to 'Mail-In Ballot Label', 'Resp Date' and 'Bar Code (ID)' fields are also populated and the 'Resp Type' options are displayed.  **Note**: If the 'Letter Type' is populated before the bar code is scanned, it will be updated to match the letter type associated to the scanned bar code.
4.	From the 'Resp Type' drop-down list, select the appropriate response type: ☐ 'RECORD-BALLOT RETURNED' if the voter returned an official ballot

Steps	Actions
5.	Click on the **[Record]** button after populating the '**Resp Type**' field.  **Note**: Refer to Using Auto-Record to Record Returned Mail-In Ballots for more information.
6.	The 'Bar Code (ID)' field is cleared and the fields on the 'Last Response Recorded' area are populated with the voter's information.  The following will occur: ☐ The ***Votes*** tab of the voter record is updated to include vote history for the current election. ☐ The ***Ballots*** tab on the ***Absentee/Mail-In Voting*** screen will show the ballot status as 'Record – Ballot Returned' and display the date the ballot was received. ☐ The ***Correspondence*** tab of the voter record is updated.

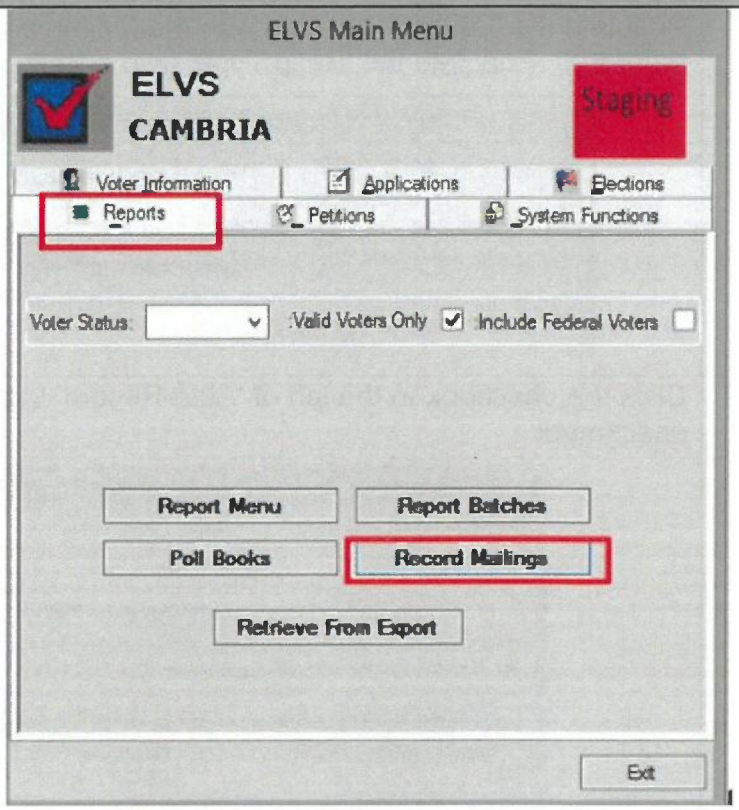
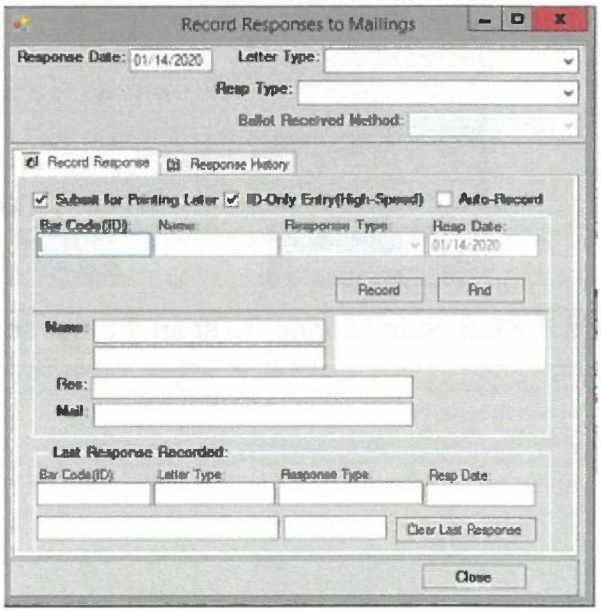
Steps	Actions
	☐ The 'Last Voted' field on the voter's record will be updated with the current election date.
7.	Click on the **[Close]** button to close the ***Record Responses to Mailings*** screen.

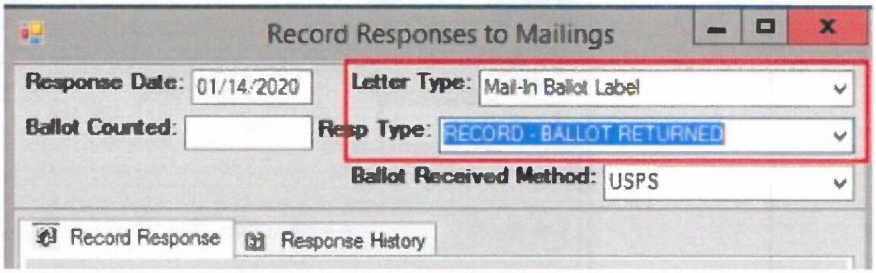
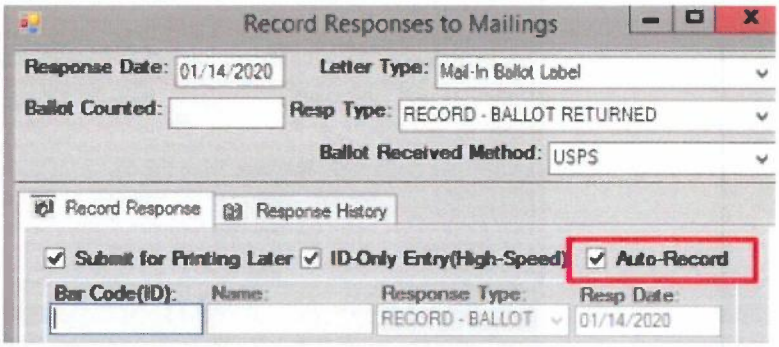
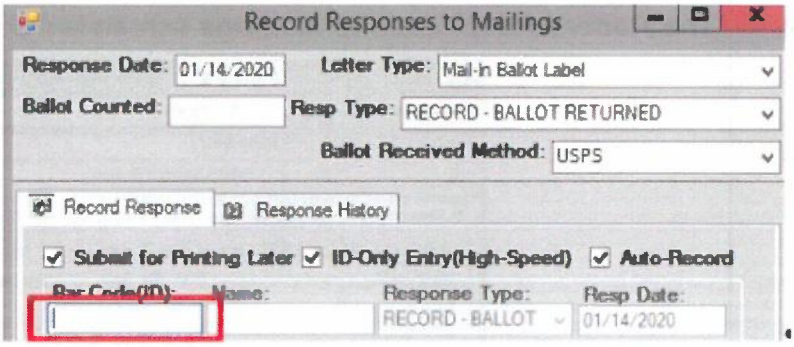


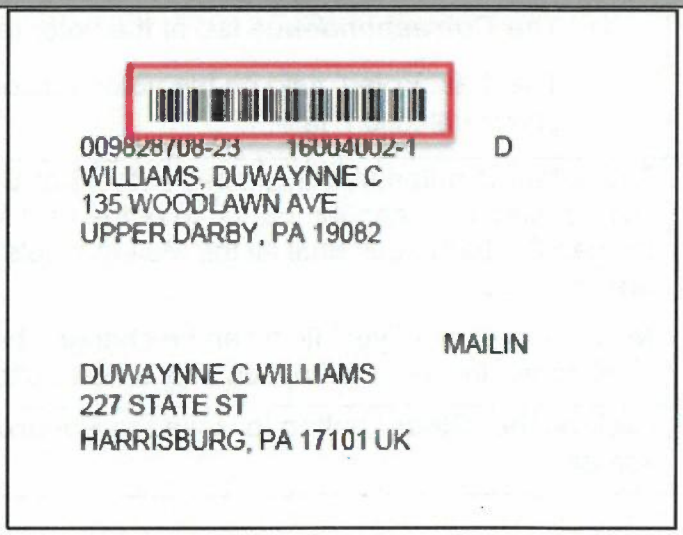
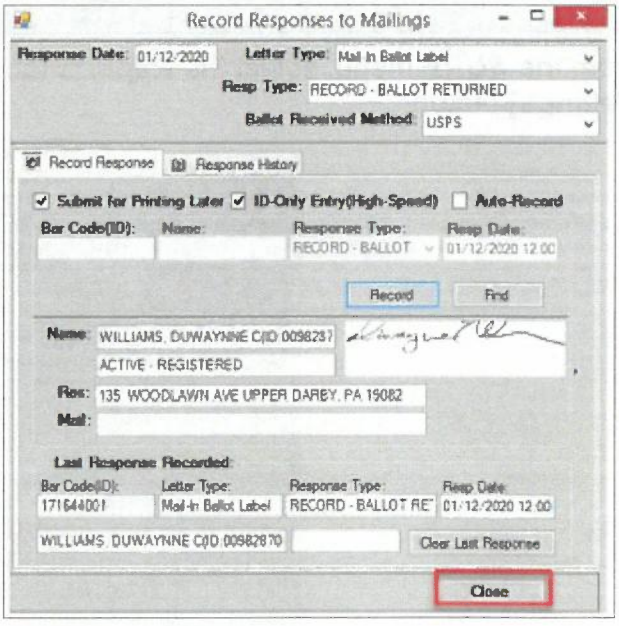
Using Auto-Record to Record Returned Mail-In Ballots

The auto-record option is convenient when many Mail-In ballots of the same type need to be recorded with the same response. To fully optimize the process, face all the Mail-In ballots with the bar code up and organize them by response.

Steps	Actions
1.	From the **SURE** menu, select the ***Reports*** tab and then click on the **[Record Mailings]** button.

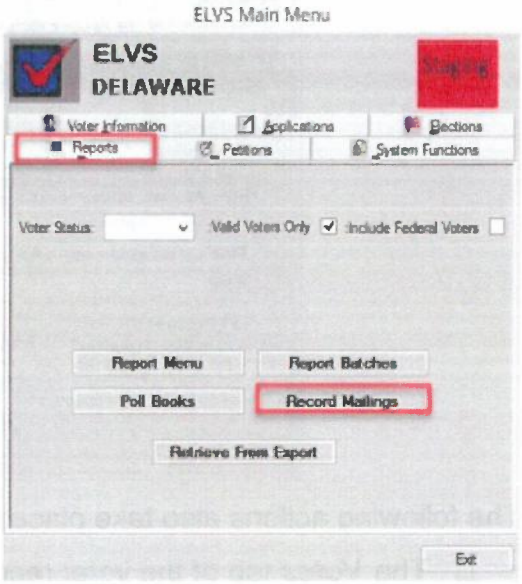
Steps	Actions
	
2.	The ***Record Responses to Mailings*** screen is displayed. 

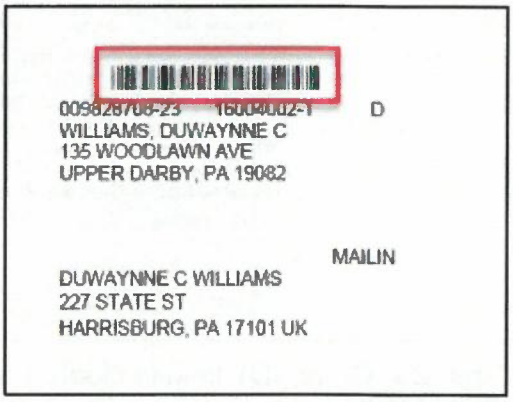
Steps	Actions
3.	Populate the 'Letter Type' field with the Mail-In ballot label type being recorded. Populate the 'Resp Type' field with the appropriate response. 
4.	Click the checkbox to the left of 'Auto-Record' to populate it with a checkmark. 
5.	If necessary, put the cursor in the 'Bar Code (ID)' field by clicking in it. 
6.	Use the bar code scanner to scan the bar code on the Mail-In label.

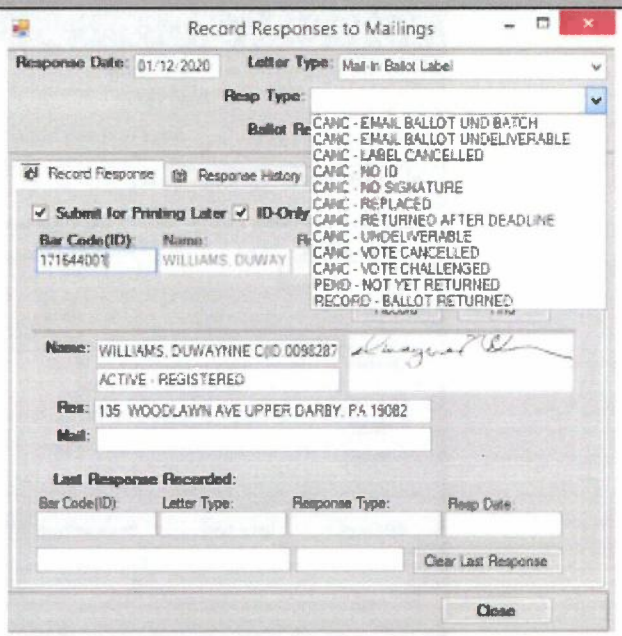
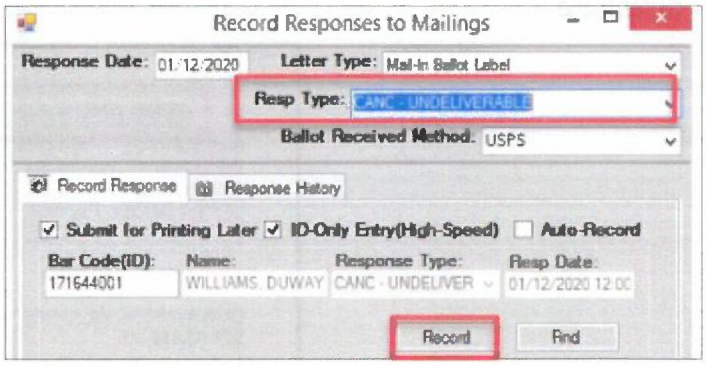
Steps	Actions
	
7.	The fields for voter's name, signature, and address are populated. The fields in the 'Last Response Recorded' area are also populated, indicating the response was recorded.  The following actions also take place: ☐ The ***Votes*** tab of the voter record is updated to include vote history for the current election. ☐ The ***Ballots*** tab on the ***Absentee/Mail-in Voting*** screen will show the ballot status as 'Record – Ballot Returned' and display the date the ballot was received.

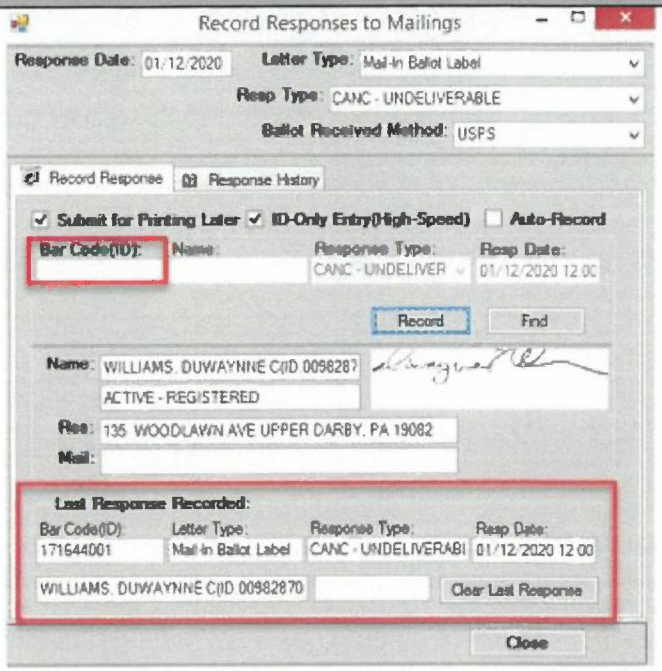
Steps	Actions
	☐ The ***Correspondence*** tab of the voter record is updated. ☐ The 'Last Voted' field on the voter's record will be updated with the current election date.
8.	The cursor is automatically placed in the 'Bar Code (ID)' field. Use the bar code scanner to scan the bar code of the next Mail-In ballot label. Continue to scan the bar codes until all the Mail-In labels needing the same response are scanned. **Note**: The 'Resp Type' field can be changed before scanning a bar code. It will retain the selected option until a new option is selected.
9.	Click on the **[Close]** button to close the ***Record Responses to Mailings*** screen.

Recording Mail-In Ballots Returned as Undeliverable by USPS

Steps	Actions
1.	From the ***SURE*** menu, select the ***Reports*** tab and then click on the **[Record Mailings]** button. 
2.	The ***Record Responses to Mailings*** screen is displayed.

Steps	Actions
3.	Using the bar code reader, scan the bar code on the returned Mail-In ballot envelope.  The fields for voter's name, signature, and address are populated. The 'Letter Type' is defaulted to 'Mail-In Ballot Label', 'Resp Date' and 'Bar Code (ID)' fields are also populated and the 'Resp Type' options are displayed.

Steps	Actions
	
4.	From the 'Resp Type' drop-down list, select 'CANC - UNDELIVERABLE' and then click on the **[Record]** button. 
5.	The 'Bar Code (ID)' field is cleared and the fields on the 'Last Response Recorded' area are populated with the voter's information. The ballot has been recorded as undeliverable.

Steps	Actions
	
6.	Click on the **[Close]** button to close the ***Record Responses to Mailings*** screen.