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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

ALASKANS FOR MARY, Plaintiff, v. NANCY DAHLSTROM, in her official capacity as Lieutenant Governor of Alaska; CAROL BEECHER, in her official capacity as Director of the Alaska Division of Elections; and the ALASKA DIVISION OF ELECTIONS, Defendants.	Case No. 3AN-26-10304CI

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Pursuant to Alaska Civil Rule 56, Plaintiff Alaskans for Mary moves the Court for summary judgment declaring that Plaintiff has the right to inspect and obtain copies of the public

records it requested pursuant to the Alaska Public Records Act and ordering Defendants Nancy Dahlstrom, in her official capacity as Lieutenant Governor of Alaska, Carol Beecher, in her official capacity as Director of the Alaska Division of Elections, and the Alaska Division of Elections to produce copies of the requested records in electronic format to Plaintiff, or make the public records available to Plaintiff to inspect and copy, without further delay.

This motion is supported by the Memorandum in Support of Plaintiff's Motion for Summary Judgment and proposed order. For the reasons set forth in the Memorandum in Support of Plaintiff's Motion for Summary Judgment, Plaintiff is entitled to judgment as a matter of law.

DATED this 8th day of November, 2026 at Anchorage, Alaska.

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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

ALASKANS FOR MARY, Plaintiff, v. NANCY DAHLSTROM, in her official capacity as Lieutenant Governor of Alaska; CAROL BEECHER, in her official capacity as Director of the Alaska Division of Elections; and the ALASKA DIVISION OF ELECTIONS, Defendants.	Case No. 3AN-26-10304CI

MEMORANDUM IN SUPPORT OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Plaintiff Alaskans for Mary moves the Court for summary judgment declaring that Plaintiff has the right to inspect and obtain copies of the public records it requested pursuant to the Alaska

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Public Records Act ("APRA") and ordering Defendants Nancy Dahlstrom, in her official capacity as Lieutenant Governor of Alaska, Carol Beecher, in her official capacity as Director of the Alaska Division of Elections, and the Alaska Division of Elections to produce copies of the requested records in electronic format to Plaintiff, or make the public records available to Plaintiff to inspect and copy, without further delay.

Plaintiff requested "a copy of the Absentee Register showing the accept or reject code for each absentee ballot returned for the 2026 General Election, or any other documents sufficient to show the identities of voters whose absentee ballots for the 2026 General Election have been rejected as well as the reasons for each rejection." During the conferral process Defendants have identified three reasons for withholding these documents, none of which has any basis in law.

First, they say no such records exist. But these records do exist in at least three forms: the Absentee Register itself, which Plaintiff explicitly requested; the Absentee Review Board Report Details; and the Voter Registration & Election Management System ("VREMS") database, as updated after each absentee ballot review board hearing.

Second, they say that the records need not be produced because they contain confidential information. But the Absentee Register does not contain *any* confidential information, and confidential fields in the Absentee Review Board Report Details and VREMS can be mass-redacted before production.

Third, they say that Plaintiff already has access to all the information it needs through the observers that Plaintiff assigns to absentee ballot review board hearings. That is also incorrect. Observers have not been permitted to take any notes, retain a copy of the Absentee Register, or otherwise communicate with Plaintiff about the names of voters whose absentee ballots are

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rejected. And there are many instances where it is impossible for observers to confirm the propriety of absentee ballot rejections during absentee ballot review board hearings. For example, observers have no way to contemporaneously determine whether an absentee ballot was completed by someone other than the voter, whether the voter properly applied for the absentee ballot, or whether the voter also voted in person.

While the reasons for Plaintiff's request are not legally relevant, Plaintiff seeks the requested information to confirm that absentee ballots are being counted (or rejected) consistently and accurately. By necessity, this independent quality control must be completed before final certification of the election. Far from prohibiting this public review of the ballot review process, the Alaska Public Records Act and Election Code *require* transparency and public oversight.

Plaintiff respectfully asks this Court to grant judgment for Plaintiff and order Defendants to promptly produce the requested records.

BACKGROUND

A. Factual and Legal Background

Every day, election officials are tabulating ballots cast in the November 3, 2026, General Election for U.S. Senate. By statute, the local canvass of in-person ballots was completed on November 4;[1] the questioned ballot board began review of questioned ballot envelopes on November 5;[2] early vote ballots voted the Friday before Election Day through Election Day are to

[1] AS 15.15.370.
[2] AS 15.20.205(a).

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be counted by November 10;[3] and district absentee and questioned ballot counting boards must certify results by November 18.[4]

Alaksa has no-excuse absentee voting, meaning that any qualified voter may request and vote an absentee ballot for any reason.[5] Absentee ballots are initially pre-processed by one of five regional offices of the Division of Elections. First, division staff at each regional office match each ballot with a voter registration record. At that time, staff "make the initial determination to accept or reject the ballot based on what is required on the envelope, the information in the voter record, and the type of ballot received."[6] After the regional staff have reviewed a ballot, it goes to the absentee ballot review board. The absentee ballot review board's review entails splitting into teams of two and reviewing each voted ballot envelope to verify that the voter is qualified to vote in the election and to determine if the ballot was properly cast.[7] The board does so by referring to staff notes in the form of a report called the Absentee Review Board Report Details.[8] The absentee review board confirms each voter's name and registration status, district ballot issued, residence and mailing address, ballot sequence number, district and precinct registered, registration dates, district/precinct number where voting took place, and the accept or reject code assigned.[9] After its review, the absentee review board completes an Absentee Ballot Audit Report that tracks the

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[3] Alaska Div. of Elections, *Alaska's Ballot Counting System and Schedule*, https://perma.cc/V58M-29Y3 (last visited Nov. 8, 2026).
[4] AS 15.20.201(c), 15.20.205(c).
[5] AS 15.20.010.
[6] Alaska Div. of Elections, Alaska's Election Process at 4 (rev. Jan. 25, 2022), https://www.elections.alaska.gov/doc/info/Alaska%27s%20Election%20Process%201.25.2022.pdf.
[7] AS 15.20.203(a).
[8] Alaska Div. of Elections, Alaska's Election Process, *supra* note 6, at 5.
[9] *Id.*

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number of ballot envelopes reviewed and the accept or reject codes.[10] The state review board makes the final determination on whether to accept or reject absentee ballots, based on the review of the absentee review board, by November 18.[11]

Observers appointed by candidates may attend meetings of the absentee review board.[12] Observers representing a candidate are entitled to receive an Absentee Register, which, similar to the Absentee Review Board Report Details, "lists the voter's name, party affiliation, district and precinct number of where the voter resides, mailing address, type of absentee ballot, date application received, date ballot sent to voter, date ballot was received in the election's office from the voter, district and precinct ballot the voter voted, date the ballot was reviewed, sequence tracking number, and the accept or reject code."[13] While none of this information is confidential under Alaska law,[14] observers must sign a confidentiality agreement stating that they will not reveal confidential information to a third party or use it for any purpose.[15] While voter names are not confidential, observers have been prohibited from sharing information identifying voters whose absentee ballots are rejected.

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[10] *Id.*
[11] Alaska Div. of Elections, *Alaska's Ballot Counting System*, *supra* note 3.
[12] *Id.*; AS 15.10.170. Plaintiff has appointed observers for each of the five regional absentee review board meetings.
[13] Alaska Div. of Elections, Election Observers' Handbook at 11–12 (rev. Oct. 3, 2024) [hereinafter *Election Observers' Handbook*] (attached as Exhibit 1).
[14] *See* AS 15.07.195.
[15] Election Observers' Handbook, *supra* note 13, at 7.

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B. Procedural History

On October 27, 2026, Plaintiff submitted a written request to each regional office of the Division of Elections seeking "a copy of the Absentee Register showing the accept or reject code for each absentee ballot returned for the 2026 General Election, or any other documents sufficient to show the identities of voters whose absentee ballots for the 2026 General Election have been rejected as well as the reasons for each rejection."[16] Plaintiff did not receive a response to its request.

On November 4, Plaintiff submitted additional correspondence demanding the requested records by Thursday, November 5, and stating that Plaintiff would deem any failure to provide the records by that deadline as constructive denial.[17] During a telephonic conferral and subsequent email correspondence on November 5th, counsel for Defendants rejected Plaintiff's request to immediately provide the records at issue.

Plaintiff filed its complaint and moved for a temporary restraining order and preliminary injunction on November 6. That afternoon the Court held a preliminary hearing, where Defendants indicated they objected to producing the requested records because ballot determinations made before absentee ballot review boards were subject to change and because Defendants did not want Plaintiff to contact voters about the status of their absentee ballots.

At the Court's direction, the parties conferred again on November 7. Plaintiff repeated its need for the names of voters whose absentee ballots are flagged for rejection, along with the corresponding rejection code, to ensure that any ballot rejections are conducted accurately and

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[16] *See* Compl. Ex. 1.
[17] *See* Compl. Ex. 2. Note the demand letters at Exhibit 2 were inadvertently dated November 5, 2026, but were transmitted to parties via email at 9:15 p.m. Alaska Standard Time.

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consistently with state and federal law. In attempt to reach agreement, Plaintiff indicated willingness to accept the requested information in whatever format is easiest to Defendants—whether that is the Absentee Register produced before the absentee review board hearings, the Absentee Review Board Report Details, or snapshots of the VREMS database as updated after those hearings. Defendants reiterated their unwillingness to provide this information, regardless of format or timing.

Per Defendants' request during the conferral, Plaintiff agreed to seek relief through cross-motions for summary judgment rather through its motion for temporary restraining order and preliminary injunction.

LEGAL STANDARD

Summary judgment is appropriate "where 'there is no genuine issue as to any material fact' and 'the moving party is entitled to judgment as a matter of law.'"[18] Questions of "statute interpretation and public policy . . . are issues of law" properly decided on summary judgment.[19] On a motion for summary judgment, "[w]hen interpreting a statute, courts look to the plain meaning of the statute, the legislative purpose, and the intent of the statute."[20] Here, the parties' only dispute is a legal question: whether Defendants may refuse to produce records that Plaintiff requested under the Alaska Public Records Act ("APRA").

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[18] *Christensen v. Alaska Sales & Serv., Inc.*, 335 P.3d 514, 517 (Alaska 2014) (quoting Alaska Civ. R. 56(c)).
[19] *Farquhar v. Alaska Nat. Ins. Co.*, 20 P.3d 577, 578 (Alaska 2001).
[20] *Premera Blue Cross v. State*, 171 P.3d 1110, 1115 (Alaska 2007) (citing *W. Star Trucks v. Big Iron Equip. Serv.*, 101 P.3d 1047, 1050 (Alaska 2004)).

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ARGUMENT

I. The requested records are "public records" that Defendants are obligated to produce.

The APRA provides: "Unless specifically provided otherwise, the public records of all public agencies are open to inspection by the public under reasonable rules during regular office hours. The public officer having the custody of public records shall give on request and payment of the [required] fee . . . a certified copy of the public record."[21] The APRA "articulate[s] a broad policy of open records."[22] "[P]ublic records" are defined broadly under APRA to include "books, papers, files, accounts, writings, including drafts and memorializations of conversations, and other items, regardless of format or physical characteristics, that are developed or received by a public agency, or by a private contractor for a public agency, and that are preserved for their informational value or as evidence of the organization or operation of the public agency."[23] "Unless specifically provided otherwise, the public records of all public agencies are open to inspection by the public," and "[t] he public officer having the custody of public records shall give on request and payment of the fee . . . a certified copy of the public record."[24] APRA therefore "creates a presumption in favor of disclosure," in recognition of "Alaska's strong commitment to ensuring broad public access to government records."[25]

The Division of Elections, regional offices, and absentee ballot review boards that process absentee ballots are public agencies, and the records they develop indicating whether a voter's

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[21] AS 40.25.110(a).
[22] *Gwich'in Steering Comm. v. State, Off. of the Governor*, 10 P.3d 572, 578 (Alaska 2000) (further characterizing public access rights as "fundamental" in Alaska) (citations omitted).
[23] AS 40.25.220(3).
[24] AS 40.25.110(a).
[25] *Fuller v. City of Homer*, 75 P.3d 1059, 1061–62 (Alaska 2003).

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absentee ballot should be or has been rejected are "public records." This is true even if the information is recorded in an electronic database, such as VREMS, because the APRA provides that "public records maintained in electronic form are subject to disclosure and copying."[26]

Over the course of the parties' conferrals, Defendants have not identified any basis for their refusal to disclose the requested documents. For instance, Defendants cannot avoid their duty to produce VREMS records by arguing that the requested information is not a final, static dataset. The APRA's implementing regulations expressly define the term "database" to include information "compiled by a public agency or its agent to support the public agency's primary business or responsibility and that contains a set of interrelated data or data files in a computerized form organized so the data can be *expanded, updated*, and retrieved rapidly."[27] Furthermore, the fact that Defendants may need to redact confidential fields in the VREMS database before production does not defeat its status as a public record—the governing regulations explicitly require that where a "record contains both disclosable and nondisclosable information, the nondisclosable information must be segregated and withheld and the disclosable information must be disclosed."[28]

Defendants' claim that the Absentee Register is destroyed after the daily absentee review board meetings also does not prevent the record from being a "public record" under the APRA. For the same reasons that it is a "public record" under the APRA, the Absentee Register—reflecting the decision making process, procedures, and activities of the absentee review boards—

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[26] 2 AAC 96.355(a).
[27] 2 AAC 96.900(3) (emphasis added).
[28] 2 AAC 96.330(a). To do so, the public agency must "delete or mask the nondisclosable information before releasing the requested record" or "write a program to extract the requested disclosable public records from the electronic file or data base." 2 AAC 96.330(b).

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is a "record" that is "appropriate for preservation" under the Alaska Records Management Act.[29] "State agency records preserved or *appropriate for preservation* under the Records Management Act are public records subject to review under the Public Records Act."[30] Defendants cannot evade their duty to produce the Absentee Register simply because they claim that they do not retain the documents even when they are subject to both the Records Management Act and the APRA.[31]

II. The requested records are not exempt from disclosure.

No Alaska statute protects the requested information from disclosure. Alaska law provides that six specific identifiers in a voter's registration data should remain confidential: the voter's (1) age or date of birth, (2) Social Security number or any part thereof, (3) driver's license number, (4) voter identification number, (5) place of birth, and (6) signature.[32] Neither a voter's name nor a voter's ballot status appears among these specifically protected categories, which must be "narrowly construe[d]."[33] Moreover, the Court of Appeals has made clear in other contexts "that

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[29] AS 40.21.150(6) (defining a "record" as "any document, paper, book, letter, drawing, map, plat, photo, photographic file, motion picture film, microfilm, microphotograph, exhibit, magnetic or paper tape, punched card, electronic record, or other document of any other material, regardless of physical form or characteristic, developed or received under law or in connection with the transaction of official business and preserved or *appropriate for preservation* by an agency or a political subdivision, *as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the state or political subdivision or because of the informational value in them*") (emphasis added).

[30] *McLeod v. Parnell*, 286 P.3d 509, 515 (Alaska 2012) (emphasis added).

[31] *Id.* at 516 (rejecting the "State's contentions that any records it failed to preserve were not 'public records' because records 'appropriate for preservation,' whether or not originally preserved by the State, were also incorporated in the court's definition of 'public records'" for purposes of the APRA).

[32] *See* AS 15.07.195(a).

[33] *Fuller*, 75 P.3d at 1062.

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a person's name and address, by themselves, do not constitute information about which a person can have a reasonable expectation of privacy."[34]

Indeed, far from requiring secrecy, Alaska law provides that "the names and addresses of persons who voted absentee" shall be available for public inspection.[35] Alaska law also treats the status of a voter's ballot and the reasons for its rejection as public information by allowing observers appointed by candidates and parties to attend absentee ballot review board meetings.[36] In other words, Alaska law expressly contemplates that members of the public will be able to learn firsthand the names of absentee voters and whether a specific voter's ballot is accepted or rejected; the Request seeks nothing more than the public records that document those public determinations.

Defendants contend that observer access is sufficient to satisfy their obligations under the APRA. But ballot-review processes reflect decentralized decision-making under expedited timelines, which results in an opportunity for human error. By accessing records documenting voter names and ballot rejection codes for their own quality-control investigation before final election certification, campaigns like Plaintiff can ensure that close races are decided accurately and fairly.

Finally, Defendants have indicated that they oppose disclosing the names of voters whose absentee ballots have been slated for rejection because they do not want voters to be told that their

---

[34] *State v. Chryst*, 793 P.2d 538, 542 (Alaska Ct. App. 1990); *cf. Int'l Ass'n of Fire Fighters, Loc. 1264 v. Mun. of Anchorage*, 973 P.2d 1132, 1136 (Alaska 1999) (concluding release of public employee name and salary information did not violate right to privacy).

[35] AS 15.20.180.

[36] *See* AS 15.10.170(a); *see also* AS 15.15.400 (allowing public purchase of voter list containing voter name, party affiliation, and voting history). Alaska Secretary of State regulations likewise provide that the Absentee Register "may be reviewed by interested persons at any time during the election process at the regional elections offices." 6 AAC 25.040(b).

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ballots may not be counted and become upset. But the APRA does not contain any exception whereby public agencies may withhold public records whenever they believe that transparency would be a bad idea. Alaska's legislature already resolved this dispute in favor of disclosure—the APRA trusts voters with access to information about how their ballot is being processed. That information empowers voters and allows for additional oversight of the ballot counting process.

III. Plaintiff is entitled to prompt production of the requested records.

As the requested materials are public records not subject to any exception from disclosure, Defendants have a duty to "promptly fulfill requests" and must "disclose public records . . . in an expeditious manner."[37] While the APRA's implementing regulations set an *outer* deadline of 10 working days to respond to a request, they also make clear that agencies have an obligation to produce responsive materials "*as soon as practicable*."[38] Here, the requested records can be readily produced but have been withheld from Plaintiff for reasons that appear to have nothing to do with the practicability of production. At most, Defendants have indicated that they must redact the residential address information for voters who request that their residential address remain confidential. Plaintiff does not request residential information, however, so that field may be omitted entirely from any records produced.

CONCLUSION

The Court should grant Plaintiff's Motion for Summary Judgment, issue a judgment declaring that Plaintiff has the right to inspect and obtain copies of the public records it requested pursuant to the APRA, and order Defendants to produce copies of the requested records in

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[37] *Basey v. Dep't of Pub. Safety, Div. of Alaska State Troopers, Bureau of Investigations*, 462 P.3d 529, 534 (Alaska 2020) (quoting 2 AAC 96.200(a)).
[38] 2 AAC 96.325(a) (emphasis added).

electronic format to Plaintiff or make the public records available to Plaintiff to inspect and copy without further delay.

DATED this 8th day of November, 2026 at Anchorage, Alaska.

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Exhibit 1

Election Observers' Handbook

State of Alaska
DIVISION OF ELECTIONS

B14 (Rev: 10/03/2024)

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Region I Elections Office
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PO Box 110018
Juneau, Alaska 99811-0018

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Region II Elections Office
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Anchorage, Alaska 99503-2838

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Fax: (907) 522-2341
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675 7th Avenue, Suite A1
Fairbanks, Alaska 99701-4531

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Fax: (907) 451-2832
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Region IV Elections Office
Sitnasuak Office Building
214 Front Street, Suite 130
PO Box 577
Nome, Alaska 99762-0577

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Fax: (907) 443-2973
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North Fork Professional Building
1700 E Bogard Road, Suite B102
Wasilla, Alaska 99654-6565

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Fax: (907) 373-8953
Email: electionsr5@alaska.gov

Absentee and Petition Office
By-Mail, Electronic Voting and Petition Programs
3651 Penland Pkwy Floor 2
Anchorage, Alaska 99508-2034

Phone: (907) 270-2700
Fax: (907) 270-2780
Toll Free: 1-877-375-6508
Email: akabsentee@alaska.gov

Language Assistance

Toll Free: 1-866-954-8683

Administrative Complaint/Fraud

Toll Free: 1-888-465-5857

Becoming an Observer

Introduction

This Division of Elections created this handbook to familiarize election observers, and those authorized to appoint observers, with relevant election laws and define the responsibilities and limitations of both.

The integrity of elections is a concern of all citizens. Although you as an observer may represent a particular candidate, political party, political group, organization or organized group, your principal interest is in the conduct of a fair and honest election by observing the review board and counting processes.

This handbook serves as an overview intended to help you understand your basic responsibilities. Before assuming your duties as an observer, review this handbook to gain an understanding of the review board and counting processes.

If you have any questions regarding the review board and counting processes, please contact the regional election supervisor for your area.

Appointments

A candidate, political party, political group, organization or organized group may appoint one or more observer at each absentee and questioned ballot review location for an election.

Each candidate, group or organization may assign only *one* observer per table that will be reviewing ballots. The Election Supervisor will notify the primary contact person of the number of tables that will be reviewing ballots for each scheduled review.

Observers MUST be a citizen of the United States.

Observers are appointed by:

- A candidate *(a candidate may also serve as an observer in addition to assigning observers.)*
- The state, precinct or district chair for a political party or group assigns observers.
- An organization or organized group that sponsors or opposes an initiative, referendum, or recall MUST receive authorization from the Director of Elections before assigning observers.

Responsibilities of Those Making Appointments

❖ Primary Contact Person

Those authorized to appoint observers MUST establish a primary contact person and provide that name to the Election Supervisor. A candidate may serve as the primary contact person or choose another individual for that purpose.

- The Election Supervisor will only be required to contact the primary contact person with schedules and information regarding the specific race or issue.
- Each candidate, political party or group, organization or organized group must provide, in writing to the Election Supervisor, the primary contact person's name, telephone number(s), fax number(s), and mailing address.
- If preferred method of contact is email, the candidate, party/group, organization or organized group may provide an email address of the primary contact person.

❖ Submitting Names of Observers

- 24 hours prior to the first ballot review, each candidate, political party or group, or organization authorized to appoint observers MUST provide in writing, a list of all their observers to the Election Supervisor.
- Each candidate, political party or group, or organization authorized to appoint observers MUST notify the Election Supervisor in writing, of any changes or additional observer names.
- Organizations or organized groups that sponsor or oppose an initiative, referendum, or recall MUST receive authorization from the Director of Elections before assigning observers.

❖ Notification of Ballot Review

The Election Supervisor will notify the primary contact person 24 hours in advance the time of the ballot review of the particular race and the number of tables that will be reviewing ballots.

❖ Requests for Information

The primary contact person must present any requests for public information in writing. All requests for public information will be shared with all parties who have submitted a primary contact person for a particular race or issue.

Observer Guidelines

Confidentiality Agreements

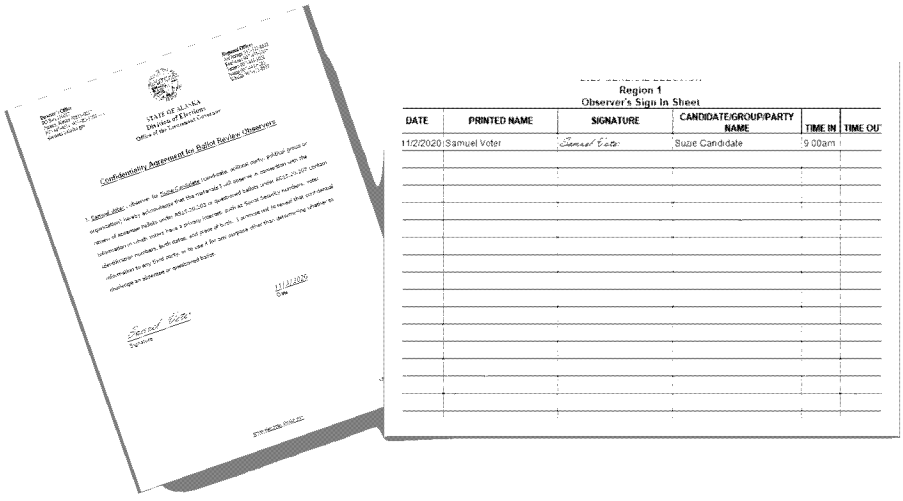
During the review of ballots, observers will see information that is maintained as confidential information under Alaska Statute 15.07.195.

This information is the voter number, social security number or last four digits of social security number, date of birth, Alaska driver's license or state identification number, place of birth, private residences as well as telephone numbers and email addresses. Observers will sign a confidentiality agreement stating that they will not reveal the confidential information to a third party or use it for any purpose.

Sign In

Each time an observer participates in the review process, he or she will be required to sign in at the public reception area. The observer must sign their name, whom they represent, and the date. A badge stating this information will be prepared, in advance, for the observer to wear in the review room. While in the review room, the observer must always wear the badge in a noticeable location.

Upon signing in, a division employee will escort the observer from the public reception area to the room where the ballot review will take place. Upon completion of the review or if the observer needs to leave the review room at any time, an election employee must escort the observer from the review room to the public reception area. At no time is the observer allowed to go to the review room or leave the review room without an escort.



Region 1
Observer's Sign In Sheet

DATE	PRINTED NAME	SIGNATURE	CANDIDATE/GROUP/PARTY NAME	TIME IN	TIME OUT
11/2/2020	Samuel Voter	Samuel Voter	Suzie Candidate	9:00am	

Conduct in Ballot Review Room

The following rules must be observed at all times. The Election Supervisor will monitor and ensure that proper conduct is followed in the review room.



While in the review room, observers MUST adhere to the following guidelines:

- Discussions among observers must be conducted in a quiet tone. Lengthy discussions must take place in the public reception area of the office or outside the election's office.
- Telephone calls are not permitted in the review rooms. Cell phones must be turned off or silenced. All calls must take place from the public reception area or outside of the election's office. Telephones are not provided by the elections office(s).
- Laptop computers, cell phones or other electronic devices are not allowed in the review rooms. Usage of these devices must take place from the public reception area or outside of the election's office. Computers are not provided by the election's office for use.
- Coats and large bags are not allowed in the review room area. The regional office will establish an area for these items.
- Brief questions may be asked of the review board members regarding information in the computer system or on the ballot envelope. Other questions are to be directed to the Election Supervisor. Interruptions to the review board members must be minimal.
- Observers are not allowed to handle ballots, election materials or computers in the review board space.
- Observers must maintain a reasonable distance so as not to impede the review board from completing its task.
- Observers are not allowed to be disruptive or impolite to the review board members.
- Observers may not have food or opened beverages near ballots or election materials.
- Once a scheduled time is established, the review board will begin conducting the review precisely at the scheduled time. All observers are required to be at the election's office punctually. There will be no delays in the scheduled review time.

Absentee and Questioned Review Boards (ARB and QRB)

Review Board Composition 

Each board is comprised of no less than four members.

- One member must be of the same political party or political group with the largest number of registered voters at the time of the preceding gubernatorial election; AND
- At least one member of each board must be a member of the political party or political group with the second largest number of registered voters at the time of the preceding gubernatorial election.

Review Board Timelines

The Election Supervisor will designate the days and times the review will be conducted.

Absentee Review Board (ARB) - Begins no less than seven days preceding the day of the election. Review will continue at times designated by each regional supervisor. Review of all absentee ballots must be complete no later than 10 days following a Primary Election and no later than 15 days following a General or REAA Election.

Questioned Review Board (QRB) – Begins two days following the election. Review will continue at times designated by each regional supervisor. Review of all questioned ballots must be complete no later than 10 days following a Primary Election and no later than 15 days following a General or REAA Election.

Review Board Responsibilities & Procedures

Alaska law sets out specific requirements that must be met for an absentee (in-person, special needs, by-mail and electronic transmission) and questioned ballot to be counted or not counted.

❖ **Procedures for Reviewing Ballots**

- Ensure ballots are stored in a secure location with limited access.
- Review each ballot envelope and determine 1) the voter's eligibility and 2) if the ballot has been properly cast.
- If the ballot has been properly cast, the review boards determine the count of the ballot. A ballot may be a full count, partial count or rejected ballot, based upon established laws.
- During the review, each board must compare the ballot envelopes to the register to verify they have an envelope for each voter appearing on the register.
- When comparing ballot envelopes to the register, board members must ensure that the appropriate accept or reject code appears on both the ballot envelope and register.

- Each board is responsible for maintaining ballot accountability. The boards must verify that the number of ballots received equals the number of ballots reviewed and counted.
- Open and prepare ballots for counting.

Absentee Ballot Review – Review Process

Absentee Ballot Count Schedule

Counting of absentee ballots begins at 8:00 p.m. on Election Night and includes only those absentee ballots where review is complete. Subsequent counts will continue after Election Day at times designated by the Election Supervisor for all remaining ballots eligible to be counted by the deadline for that election.

❖ **Counting Deadlines**

- Primary Election Count Deadline – 10 days after Election Day.
- Regional Attendance Area Election (REAA) Count Deadline – 15 days after Election Day.
- General Election Count Deadline – 15 days after Election Day.

Types of Absentee Ballots

By Mail Ballots: Ballot is applied for by the voter and sent directly to voter. Voter returns voted ballot to the division. Ballots must be postmarked by Election Day and received within 10 days following a Primary Election and within 15 days following a General or REAA election.

Electronic Transmission Ballots: Ballot is applied by voter, voter waives right to privacy, and the ballot is electronically transmitted to the voter via fax or online. Voter returns the voted ballot by fax or by mail to the division. Ballots returned by fax to the division must be received by 8:00 p.m. Alaska Time on Election Day. Ballots returned by mail must be postmarked by Election Day.

In Person Ballots: Ballot is voted in person by the voter at an absentee voting location. Voted ballot remains in the custody of the election official at the absentee voting location until returned to the division as instructed by the Election Supervisor.

Special Needs Ballots: Ballot is delivered to the voter by a representative chosen by the voter. Ballot may be picked up at an absentee or early voting location or on, Election Day, at a precinct. Voted ballots must be returned to the absentee or early voting location or precinct by 8:00 p.m. on Election Day.

Absentee Register

Prior to the absentee ballot review, the observer(s) representing a candidate or issue will be provided one (1) register of the district per table where the review is being conducted. The absentee register lists the voter's name, party affiliation, district and precinct number of where the voter resides, mailing address, type of absentee ballot, date application received, date ballot sent to voter, date ballot was received in the election's office from the voter, district and

precinct ballot the voter voted, date the ballot was reviewed, sequence tracking number, and the accept or reject code.

Absentee Ballot Review Procedures

The Absentee Review Board begins reviewing ballots at least 7 days before Election Day.

The review will be conducted in sequential order using the sequence number from the register. Since absentee ballots for districts arrive daily, the district may be reviewed several times during the scheduled review period. Therefore, the absentee review board will begin with the first number after the last number that was previously reviewed. The beginning number will be announced to all observers. The Absentee Review Board will then verify the following information:

- Voter's name and residence address.
- If the ballot envelope was signed by the voter and witnessed correctly.
- District where voter is registered.
- District ballot the voter received and voted.
- Voter's registration status.
- District registration date.
- The accept or reject code determined.
- Ballot Sequence number.
- Date the ballot was received for by mail ballots.
- If received after Election Day, the date the ballot was postmarked. If no postmark, the date the ballot was witnessed.

Determining Absentee Ballot Eligibility

Eligibility

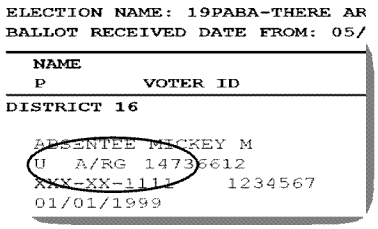
A voter must be registered 30 days before Election Day in the same district where the voter voted in order for the voter's ballot to be counted in full.

The information the voter provides on the ballot envelope will be compared to the voter's record to determine if the voter is eligible to vote.

Is the Voter Properly Registered?

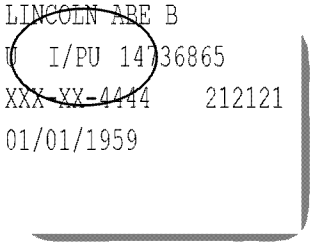
When reviewing ballots, board members must determine the voter's status and condition on the details report.

- Voters in an active status will have an 'A' and voters in an inactive status will have an 'I' on the details report. Each voter's status will be followed by a two-letter condition code.


ELECTION NAME: 19PABA-THERE AR
BALLOT RECEIVED DATE FROM: 05/
NAME
P VOTER ID
DISTRICT 16
ABSENTEE MICKEY M
U A/RG 1473 612
XXX-XX-1111 1234567
01/01/1999

- For a ballot to count, the voter's status must be:
  - **'A'** = with any condition code however, voters with a condition code of 'ID' must provide a copy of his or her identification in order for the ballot to be counted.

    When a voter's condition code is 'ID', when voting by-mail, electronic transmission or special needs ballot, the voter must also provide a copy of their identification for their ballot to be counted. If voting an in-person ballot, the voter must have presented a piece of identification to the absentee official at the time of voting, which is notated on the ballot envelope by the absentee official.
  - **'I'** = with the condition code 'PU' or 'RP'. This means the voter's record was purged due to inactivity or, during reapportionment, inactivated when the voter did not respond to a residence clarification letter and their address was on a district or precinct boundary. Voters are still eligible to vote and are to be reviewed using the same ballot determinations as an active voter. After the election, their voter record will be updated with the information provided on their ballot envelope and re-activated.


LINCOLN ABE B
U I/PU 14736865
XXX-XX-4444 212121
01/01/1959

Did the Voter Register in Time?

A voter must be registered 30 days before Election Day in the same district that the voter votes to have the ballot count in full. Verification of a voter's registration date is determined by the following date fields on the voter record:

- **REGISTRATION DATE:**

  This date represents the last date a change was made to the voter's record. If this date is before the 30-day registration deadline, the voter is registered in time.

If the registration date is **after** the 30-day deadline, the following dates must be reviewed:

- **ORIGINAL REG DATE:** This date represents the date that the voter initially registered to vote. If this date is after the 30-day registration deadline, the voter's ballot may not be counted, except for the presidential race during a presidential election.
- **DISTRICT REG DATE:** This date represents the date that the voter registered in the district appearing on the voter's record. If the ORIGINAL REG DATE is before the 30-day deadline but the REGISTRATION DATE is **after** the deadline, look at the DISTRICT REG DATE to determine what portions of the ballot may be counted.

  If the voter's DISTRICT REG DATE is before the deadline, the voter's ballot will count in full. If the voter's DISTRICT REG DATE is after the deadline, the HOUSE, SENATE and JUDICIAL DIST fields will need to be compared to determine which portions of the voter's ballot may be counted.
- **PRIOR:** This field represents the district the voter was previously registered. The DISTRICT REG DATE field represents the date that the voter moved from the district in the PRIOR field to the new district listed on the voter's record.

```
DST/PRC  16-350
DIST  05/01/2019
REG   05/01/2019
ORG   07/12/1986
PRIOR  07
```

Is the Voter Registered in the Proper District?

A comparison is made of the district where the voter is registered and the district ballot that the voter voted. The ballot may only count in full if the voter registered 30 days before the election in the same district.

The residence address on the ballot envelope is compared to the residence address appearing on the voter's record. The residence address provided by the voter on the ballot envelope is used to determine what portions of the ballot may be counted.

- The voter's residence address provided on the ballot envelope is compared with the residence address on the voter's record. If they are the same and the voter was

registered on or before the 30-day deadline, all races on the ballot will count.

If the residence address on the ballot envelope is different than what appears on the voter's record, then the following actions will be taken:

- A determination will be made if a new residence is enough information to overturn the presumption of the residence address on the voter's record.
- If the new residence overturns the address on the voter's record, the district of the new residence address will be determined. A comparison will be made of the district for the new residence with the House, Senate, and Judicial district assignment on the voter's record to determine which portions of the ballot can be counted.

Determining Presumptive Residence

In Person & Special Needs Ballots: A determination is made if the residence address on the ballot envelope is enough to overturn the presumption of the residence address appearing on the voter record.

Refer to the following table to determine presumptive residence:

Example	Overturn	Count	No Count
Voter leaves residence address blank.	**NO**	**X** Count based on district registration and district ballot voted.	
Voter provides a new street address or other physical location which appears nowhere on the voter's registration record.	**YES**	**X** Count based on district registration and district ballot voted.	
Voter provides street address or other physical location outside Alaska which appears nowhere on the voter's registration record.	**YES**		**X**
Voter states he or she does not have a residence address in Alaska.	**YES**		**X**
Voter states he or she is not a resident of Alaska.	**YES**		**X**
Voter provides a PO Box, PSC Box, Rural Route #, or Mail Stop number for residence address.	**NO**	**X** Count based on district registration and district ballot voted.	

Did the Voter Properly Apply for the Ballot?

By Mail Ballots: To vote by mail, a voter must apply for a ballot no later than ten days prior to Election Day. By mail ballots are recorded on each voter's record.

Electronic Transmission Ballots: To vote absentee by electronic transmission, a voter must apply for a ballot no later than 5:00pm the day before Election Day.

Did the Voter Complete the Ballot Envelope?

In Person Ballots: If the voter is already registered, the required information on the ballot envelope is the voter's name, voter's signature, and the election official's witnessing signature.

In-Person Scenarios – Ballot Envelope Complete	Count	No Count
Voter checked no to the 18 years of age question but provided a date of birth that confirms the voter is 18 years of age or older.	**X**	
Voter is a qualified registered voter on the details report (VREMS record) but did not answer certification questions.	**X**	
Voter did not print name on envelope.	**X**	
Voter provided a new name but did not provide their previous name on the envelope.	**X**	
Voter is registered but left residence address field blank on the envelope.	**X**	
Voter is registered but did not provide any identifiers on the envelope.	**X** **See ID Section**	
Voter did not provide their gender on the envelope.	**X**	
Voter did not give party affiliation on the envelope.	**X**	
Voter checked 'No' to U.S. citizen question on the envelope.		**X**
In presidential election, when registering to vote using the envelope, the voter did not select 'Yes' to U.S. citizen, did not provide an identifier, date of birth and/or residence address on the envelope (includes inactive voters requiring registration).		**X**
In presidential election, when registering to vote, voter provides a city or community name as a residence address on the envelope.	**X** **City is within a wholly contained precinct**	**X** **City contains more than one precinct**

Did the Voter Sign the Ballot Envelope?

Verify that the voter who signed the ballot envelope certificate is the same voter who voted the ballot. At times, a husband and wife may mix up their ballot envelopes. As long as the person signing the ballot envelope has properly applied, is eligible to receive the ballot, and has properly completed the ballot envelope, the ballot may be counted.

By Mail Ballots: The voter that signed the ballot envelope must be the same voter that applied for the ballot.

By-Mail Scenarios – Signature	Count	No Count
Voter signed the envelope.	X	
Voter wrote initials on the envelope.	X	
Voter printed their name in signature block of the envelope.	X	
Voter made a mark (X, symbol, etc.) on the envelope.	X	
Voter signed with a new name or similar name on the envelope, but the identifier(s) provided match the details report.	X	
Voter signed in the wrong area of the envelope or signed in the witnessing area.	X	
Voter's caretaker signs for voter and writes "signed by aid – quadriplegic, etc."	X	
Voter used a stamp on the envelope that is a facsimile of their signature.	X	
Voter used an electronic signature on the envelope that is an image of their hand-written signature.	X	
Voter did not sign the envelope.		X
Voter signed the envelope using an electronic typed font from Word or Adobe that does not match their hand-written signature.		X
Voter signed the envelope using a digital signature verification program.		X

Electronic Transmission Ballots: The voter who signed the ballot certificate must be the same as the voter who applied for the electronic transmission ballot.

Electronic Transmission Scenarios - Signature	Count	No Count
Voter signed the certificate.	X	
Voter wrote initials on the certificate.	X	
Voter printed their name in signature block of the certificate.	X	
Voter made a mark (X, symbol, etc.) on the certificate.	X	
Voter signed with a new name or similar name on the certificate, but the identifier(s) provided match the details report.	X	

Voter signed in the wrong area of the certificate or signed in the witnessing area.	X	
Voter's caretaker signs for voter and writes, "signed by aid – quadriplegic, etc."	X	
Voter used a stamp on the certificate that is a facsimile of their signature.	X	
Voter used an electronic signature on the certificate that is an image of their hand-written signature.	X	
Voter did not sign the certificate.		X
Voter signed the certificate using an electronic typed font from Word, Adobe, etc. that does not match their hand-written signature.		X
Voter signed the certificate using a digital signature verification program.		X
The voter returns their ballot and certificate by fax, and the signature area is cut-off.		X

In Person Ballots: The voter who signed the ballot envelope must be the same as the voter's name printed on the top of the ballot envelope.

In-Person Scenarios – Signature	Count	No Count
Voter signed the envelope.	X	
Voter wrote initials on the envelope.	X	
Voter printed their name in signature block of the envelope.	X	
Voter made a mark (X, symbol, etc.) on the envelope.	X	
Voter signed a new name or similar name on the envelope, but the identifier(s) provided match the details report.	X	
Voter signed at the top of the envelope but not on the signature line or the voter signed in the wrong place such as the witnessing area of the envelope.	X	
Voter's caretaker signs for the voter and writes "signed by aid – quadriplegic, etc."	X	
Voter used a stamp on the envelope that is a facsimile of their signature.	X	
Voter did not sign the envelope or the absentee register.		X
Voter modifies the certification of the envelope by crossing off U.S. citizen and writing a different nationality such as 'American Freeholder'.		X
Voter modifies the certification of the envelope by crossing off 'a resident of Alaska' and/or indicating that they are a resident in another state. *This is typically voters wanting to vote in the presidential race from outside Alaska.*		X

Voter modifies the certification of the ballot envelope by indicating they are felon on the certificate. *If there is an indication that this has been researched by staff, continue ballot review. If there is no indication, bring this to the attention of the election supervisor.*	**X**	**X**

Did the Voter Provide ONE Identifier and/or Identification?

By Mail and Electronic Transmission: At least one identifier must be provided for the ballot to count. A match is made of the identifier provided by the voter to the voter's record.

By-Mail Scenarios – Identifiers/Identification	Count	No Count
Identifier(s) on the envelope *(by mail)* or on certificate *(electronic transmission)* match the details report.	**X**	
Identifier(s) provided on the envelope or certificate are not on the details report (VREMS record) for the voter. Verify in DMV, HAVA or by signature that the identifier provided belongs to the voter.	**X**	
Identifier(s) provided do not match the voter's identifiers on the details report (VREMS record) and may belong to someone else.		**X**
Voter provided an identifier but then uses white-out to cover it up. The witness provides an identifier in its place however, the voter's identifier is still legible through the white-out.	**X**	
Voter does not provide an identifier but the address box on the envelope or certificate has the printed voter number.		**X**
Voter's registration record is in A/ID status and condition and the voter provided a copy of their identification.	**X**	
Voter's registration record is in an A/ID status and condition. Voter did NOT provide a copy of their identification however, the voter provided their ADL or State ID number, full SSN or DOB and Last 4 of SSN on the envelope and the voter was verified in DMV or HAVV.	**X Count if verified**	**X No count if ID cannot be verified**

In Person: If a voter is already registered, the only thing needed on the envelope are name and signature as they would have provided ID to the Absentee Voting Official or was personally known, unless the official clearly indicates on the ballot envelope that ID was not presented.

In-Person Scenarios – Identifiers/Identification	Count	No Count
Voter failed to provide an identifier but provided an identifier on the Absentee In-Person Register.	**X**	
Voter did not provide a piece of identification to the official but provided an identifier on the envelope. The official did not clearly indicate on the envelope that 'No Identification Presented'.	**X**	
Voter's registration record is in A/ID status and condition and the official did NOT check the 'No Identification Presented' box. *Since it was not checked, it is assumed that the voter presented ID.*	**X**	

Voter's registration record is in A/ID status and the official checked the 'No Identification Presented' box on the envelope however, the voter provided ADL or State ID, full SSN or DOB and Last 4 of SSN on the envelope and the voter was verified in DMV or HAVV.	**X Count if verified**	**X No count if ID cannot be verified**
Voter is not registered and failed to provide an identifier on the ballot envelope, or the Absentee In-Person register.		**X**
Voter did not provide an identifier on the envelope and the official checked the 'No Identification Presented' box on the envelope.		**X**

Was the Voter's Signature Witnessed?

By Mail & Electronic Transmission Ballots:

The voter's signature must be witnessed using the requirements listed under the Witness Affidavit on the ballot envelope. There MUST be a witness signature to count the ballot.

By-Mail Scenarios – Witnessing	Count	No Count
Ballot was witnessed by an authorized official or witness.	**X**	
Absentee official, election worker or registrar serve as witness.	**X**	
Authorized official or witness prints their name.	**X**	
Authorized official or witness sign with mark or symbol.	**X**	
Authorized official or witness writes their initials.	**X**	
Authorized official or witness sign in the wrong area of the envelope or certificate.	**X**	
Authorized official or witness does not provide date of witnessing.	**X**	
Authorized official or witness does not provide place where witnessing took place.	**X**	
Authorized official or witness signature is in one area and the date and place are in another area of the envelope or certificate.	**X**	
Authorized official gives title different than those identified in law such as utility clerk, spouse, clerk, etc.	**X**	
Notarized by an Alaska Notary or a Notary outside Alaska and Notary does not seal/stamp envelope.	**X**	
Notary does not give date commission expires.	**X**	
Stamped with an official USPS postal stamp but is not signed.	**X**	
The envelope or certificate was not witnessed.		**X**
The witness signature is the voter's signature.		**X**
Voter provides a different signature date than the witness's date of signature.		**X**
Electronic Transmission Only – The voter returns their ballot and certificate by fax, and the witnessing area is cut-off.		**X**

In Person: If the election official failed to sign the ballot envelope or the register, Alaska law allows the ballot to still count.

In-Person Scenarios - Witnessing	Count	No Count
Absentee official did not witness the envelope or the absentee register. *Since error was by the official, the ballot will be counted.*	X	
Absentee official writes or prints name.	X	
Absentee official signs with mark or symbol.	X	
Absentee official does not write date of witnessing.	X	
Absentee official does not provide site ID where the ballot was voted.	X	
Absentee official signs in the wrong place.	X	
Absentee official is the voter and witnessed own envelope		X
Absentee official is the voter and did not witness own envelope		X

Was the Ballot Postmarked and Received on Time?

By Mail Ballots: Ballots must be postmarked on or before Election Day. During a Primary or Special Primary Election, all ballots must be received within 10 days after the election. During a General, REAA or Statewide Special Election, ballots mailed within the United States must be received within 10 days after the election, and ballots mailed from overseas must be received within 15 days after the election.

By-Mail Scenarios – Received Date	Count	No Count
Ballot was received in the mail on or before Election Day.	X	
Ballot was received after the election and was not postmarked but was witnessed on or before Election Day.	X	
No postmark or witness date was on the ballot, but it was received on or before Election Day.	X	
Ballot was postmarked on or before Election Day, mailed domestically, and received by the 10-day after Election Day receive deadline.	X	
Ballot was postmarked on or before Election Day, mailed from overseas, and received by the 10-day after Election Day deadline for a primary or special primary election or, in a general, REAA or statewide special election, by the 15-day receive deadline. This includes military AA, AE and AP addresses.	X	
Ballot was postmarked after Election Day.		X
Ballot was hand-delivered after Election Day.		X

The ballot has no postmark or witness date and it was received after Election Day.	**X**
In a primary election, the ballot was postmarked on or before Election Day but received after the 10-day receive deadline.	**X Except in Recount**
In a general election or statewide special election, the ballot was postmarked on or before Election Day, mailed domestically, but received after the 10-day receive deadline.	**X Except in Recount**
In a general election or statewide special election, the ballot was postmarked on or before Election Day, mailed from overseas, but received after the 15-day deadline. This includes military AA, AE and AP addresses.	**X Except in Recount**

Electronic Transmission Ballots: Voters may return voted ballot electronically or by mail to the Division. Ballots returned electronically to the Division must be received by 8:00 p.m. on Election Day. When the ballot is received, elections staff will date stamp and indicate if the ballot was received on time. Ballots returned by mail must be postmarked by Election Day. During a Primary or Special Primary Election, all ballots must be received within 10 days after the election. During a General, REAA or Statewide Special Election, ballots mailed within the United States must be received within 10 days after the election, and ballots mailed from overseas must be received within 15 days after the election.

Electronic Transmission Scenarios – Received Date	Count	No Count
Ballot was received by-mail on or before Election Day or, if returned by-fax, on or before the 8:00 p.m. Election Day fax deadline.	**X**	
Ballot was received by-mail after the election and was not postmarked but was witnessed on or before Election Day.	**X**	
No postmark or witness date was on the envelope or voter information sheet, but when returned by-mail, the ballot was received on or before Election Day or, when sent by-fax, the ballot was received by the 8:00 p.m. Election Day receive deadline.	**X**	
Ballot was postmarked on or before Election Day, mailed domestically, and received by the 10-day after Election Day receive deadline.	**X**	
Ballot was postmarked on or before Election Day, mailed from overseas, and received by the 10-day after Election Day receive deadline for a primary or special primary election or, in a general, REAA or statewide special election, by the 15-day receive deadline. This includes military AA, AE and AP addresses.	**X**	
Ballot was faxed and received on or before the 8:00 p.m. Election Day by-fax receive deadline however the date and time stamp generated by the voter's fax shows a date after Election Day.	**X**	
Ballot was received by-fax after the 8:00 p.m. Election Day by-fax receive deadline or hand-delivered after Election Day.		**X**

Ballot was postmarked after Election Day.	**X**
The ballot has no postmark or witness date and it was received after Election Day.	**X**
In a primary election, by-mail ballot was postmarked on or before Election Day but received after the 10-day receive deadline.	**X Except in Recount**
In a general election or statewide special election, the by-mail ballot was postmarked on or before Election Day, mailed domestically, but received after the 10-day receive deadline.	**X Except in Recount**
In a general election or statewide special election, the by-mail ballot was postmarked on or before Election Day, mailed from overseas, but received after the 15-day receive deadline. This includes military AA, AE and AP addresses.	**X Except in Recount**

Determining Ballot Eligibility – Special Needs Ballots

Did the Personal Representative Complete Step 1?

The personal representative must complete each line and sign in Step 1.

Special Needs Scenarios – Step 1 – Personal Representative	Count	No Count
Personal representative provided all required information in Step 1.	X	
Personal representative information is in Step 2 and the voter's information is in Step 1, but the voter is registered to vote.	X	
Personal representative did not print or write their name in Step 1, but they completed the register.	X	
Personal representative did not provide an identifier.		X
Personal representative did not provide a residence address.		X
Personal representative did not provide a mailing address. *If the representative provided a physical address that can be used as a mailing address, count. If the residence provided cannot be used as a mailing address, such as 'park bench' the ballot is to be rejected.*	X	X
Personal representative did not provide the name of the voter.		X
Personal representative did not sign in Step 1, but they completed the register.	X	

Did the Voter Complete Step 2?

The required voter's information on the ballot envelope is the voter's name, one identifier, voter's signature, and the representative's witnessing signature. The other information in Step 2 is used to register or update the voter's registration record.

Special Needs Scenarios – Step 2 – Voter (See exceptions listed under AS 15.20.072(f))	Count	No Count
Voter checked no to the 18 years old question but provided a date of birth that confirms the voter is 18 years of age or older.	X	
Voter is qualified registered voter on the details report (VREMS record) but did not answer certification questions.	X	
Voter did not print name on envelope.	X	
Voter provided new name but did not provide their previous name on the envelope.	X	
Voter is registered but left residence address field blank on the envelope.	X	
Voter is registered but did not provide any identifiers on the envelope.	X **Only if ID was presented**	X **If ID was NOT presented**
Voter did not provide their gender on the envelope.	X	

Voter did not give party affiliation on the envelope.	**X**	
Voter checked 'No' to U.S. citizen question on the envelope.		**X**
In a presidential election, when registering to vote using the envelope, the voter did not select 'Yes' to U.S. citizen, did not provide an identifier, date of birth and/or residence address on the envelope (includes inactive voters requiring registration).		**X**
In a presidential election, when registering to vote, voter provides only a city or community name as a residence address on the envelope.	**X** **City is within a wholly contained precinct**	**X** **City contains more than one precinct**

Did the Voter Provide an Identifier or Identification?

Special Needs Scenarios – Identifier/Identification See exceptions listed under AS 15.20.072(f)	Count	No Count
Identifier(s) on envelope matches details report.	**X**	
Identifier(s) provided on the envelope are not on the details report (VREMS record) for the voter. Verify in DMV, HAVA or by signature that the identifier provided belongs to the voter.	**X**	
Identifier(s) provided on the envelope does not match the voter's identifiers on the details report (VREMS record) and may belong to someone else.		**X**
Voter provides an identifier but then uses white-out to cover it up. The witness provides an identifier in its place however, the voter's identifier is still legible through the white-out.		**X**
Voter does not provide an identifier, but an official wrote the number on the envelope.		**X**
Voter's registration record is in A/ID status and condition and provided a copy of their identification.	**X**	
Voter's registration record is in an A/ID status and condition. Voter did NOT provide a copy of their identification however, the voter provided their ADL or State ID number, full SSN or DOB and Last 4 of SSN on the envelope and the voter was verified in DMV or HAVV.	**X** **Count if verified**	**X** **No count if ID cannot be verified**

In Step 2, Did the Voter Sign the Ballot Envelope?

Special Needs Scenarios See exceptions listed under AS 15.20.072(f)	Count	No Count
Voter signed the envelope.	**X**	
Voter wrote initials on the envelope.	**X**	

Voter printed their name in signature block of the envelope.	X	
Voter made a mark (X, symbol, etc.) on the envelope.	X	
Voter signed a new name or new name on the envelope, but the identifier(s) provided match the details report.	X	
Voter signed at the top of the envelope but not on the signature line or the voter signed in the wrong place such as the witnessing area of the envelope.	X	
Voter's caretaker signs for voter and writes "signed by caretaker – quadriplegic." See exceptions	X	
Voter used a stamp on the envelope that is a facsimile of their signature.	X	
Voter did not sign the envelope. See exceptions	X	X
Voter modifies the certification of the ballot envelope by crossing off U.S. citizen and writing a different nationality such as 'American Freeholder'.		X
Voter modifies the certification of the envelope by crossing off 'a resident of Alaska' and/or indicating that they are a resident in another state. *This is typically voters wanting to vote in the presidential race from outside Alaska.*		X
Voter modifies the certification of the ballot envelope by indicating they are felon on the certificate. *If there is an indication that this has been researched by staff, continue ballot review. If there is no indication, bring this to the attention of the election supervisor.*	X	X

In Step 2, Did the Representative Sign as a Witness?

Special Needs Scenarios – Witnessing in Step 2	Count	No Count
Personal representative signed as witness.	X	
Personal representative writes or prints name.	X	
Personal representative signs with mark or symbol.	X	
Personal representative does not write date of witnessing.	X	
Personal representative did not sign as witness in Step 2.		X
Personal representative who signed as witness is Step 2 is not the same personal representative who completed Step 1.		X

Was the Ballot Received Timely?

Special Needs Scenarios – Received Timely	Count	No Count
Ballot was received on or before 8:00 p.m. Election Day at a polling place, early or absentee voting site.	X	
Ballot was received AFTER 8:00 p.m. Election Day at a polling place, early or absentee voting site.		X

Questioned Ballot Review Procedures

Questioned Ballot Count Schedule

Counting of questioned ballots begins on the 7th day following Election Day and includes only those questioned ballots where review is complete. Subsequent counts continue through the deadline to count ballots for that election and includes all remaining questioned ballots.

❖ **Counting Deadlines**

- Primary Election Count Deadline – 10 days after Election Day.
- Regional Attendance Area Election (REAA) Election Count Deadline – 15 days after Election Day.
- General Election Count Deadline – 15 days after Election Day.

Questioned Register

Prior to the questioned ballot review, the observer(s) representing a candidate or issue will be provided one (1) register of the district per table where the review is being conducted. The questioned register is broken down by precinct where the ballot was voted. The questioned register lists the voter's name, party affiliation, district and precinct number of where the voter resides, mailing address, district and precinct where the voter voted, date the ballot was reviewed, sequence tracking number, and the accept or reject code.

Questioned Ballot Review Procedures

The Questioned Review Board begins reviewing ballots Two (2) days after Election Day.

The review will be conducted using the register in sequential order by precinct in which the ballot was voted. The beginning district number will be announced to all observers. The Questioned Review Board will then verify the following information:

- Name and registration status.
- Residence and mailing address.
- District and precinct where voter is registered.
- Registration dates.
- Accept or reject code assigned.
- District ballot issued.
- Ballot sequence number
- Party affiliation
- District and precinct number where voting took place.

Determining Questioned Ballot Eligibility

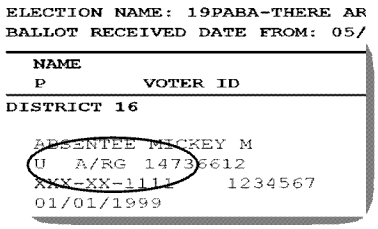
Eligibility

A voter must be registered 30 days before Election Day in the same district where the voter voted in order for the voter's ballot to be counted in full.

The information the voter provides on the ballot envelope will be compared to the voter's record to determine if the voter is eligible to vote.

Is the Voter Properly Registered?

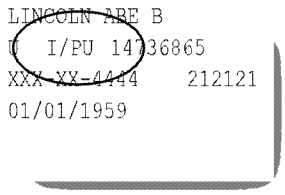
When reviewing ballots, board members must determine the voter's status and condition on the details report.



- Voters in an active status will have an 'A' and voters in an inactive status will have an 'I' on the details report. Each voter's status will be followed by a two-digit condition code.

- For a ballot to count, the voter's status must be:
  - **'A'** = with any condition code however, voters with a condition code of 'ID' will need additional review.

    When a voter's condition code is 'ID', the voter must have presented a piece of identification to the election official at the time of voting, which is notated on the ballot envelope by the election official.
  - **'I'** = with the condition code 'PU' or 'RP'. This means the voter's record was purged due to inactivity or, during reapportionment, inactivated when the voter did not respond to a residence clarification letter and their address was on a district or precinct boundary. Voters are still eligible to vote and are to be reviewed using the same ballot determinations as an active voter. After the election, their voter record will be updated with the information provided on their ballot envelope and re-activated.



Did the Voter Register in Time?

A voter must be registered 30 days before Election Day in the same district that the voter votes to have the ballot count in full. Verification of a voter's registration date is determined by the following date fields on the voter record:

- **REGISTRATION DATE:**

  This date represents the last activity initiated by the voter. If this date is before the 30-day registration deadline, the voter is registered in time.

  If the registration date is **after** the 30-day deadline, the following dates must be reviewed:

  - **ORIGINAL REG DATE:** This date represents the date that the voter initially registered to vote. If this date is after the 30-day registration deadline, the voter's ballot may not be counted, except for the presidential race during a presidential election.
  - **DISTRICT REG DATE:** This date represents the date that the voter registered in the district appearing on the voter's record. If the ORIGINAL REG DATE is before the 30-day deadline but the REGISTRATION DATE is **after** the deadline, look at the DISTRICT REG DATE to determine what portions of the ballot may be counted.

    If the voter's DISTRICT REG DATE is before the deadline, the voter's ballot will count in full. If the voter's DISTRICT REG DATE is after the deadline, the HOUSE, SENATE and JUDICIAL DIST fields will need to be compared to determine which portions of the voter's ballot may be counted.
  - **PRIOR:** This field represents the district the voter was previously registered. The DISTRICT REG DATE field represents the date that the voter moved from the district in the PRIOR DISTRICT RES field to the new district listed on the voter's record.

    ```
    DST/PRC  16-350
    DIST  05/01/2019
    REG   05/01/2019
    ORG   07/12/1986
    PRIOR  07
    ```
  - **PRIOR PRECINCT OR PREC REG:** These reflect when the voter moved precincts and what the prior precinct was and only applies to house districts with split judicial districts during a general election only.

Is the Voter Registered in the Proper District?

A comparison is made of the district where the voter is registered and the district ballot that the voter voted. The ballot may only count in full if the voter registered 30 days before the election in the same district.

The residence address on the ballot envelope is compared to the residence address appearing on the details report (voter's record). The residence address provided by the voter on the ballot envelope is used to determine what portions of the ballot may be counted.

- The voter's residence address provided on the ballot envelope is compared with the residence address on the voter's record. If they are the same and the voter was registered on or before the 30-day deadline, all races on the ballot will count.

If the residence address on the ballot envelope is different than what appears on the voter's record, then the following actions will be taken:

- A determination will be made if a new residence is enough information to overturn the presumption of the residence address on the voter's record.
- If the new residence overturns the address on the voter's record, the district of the new residence address will be determined. A comparison will be made of the district for the new residence with the House, Senate, and Judicial district assignment on the voter's record to determine which portions of the ballot can count.

Determining Presumptive Residence

- A determination is made if the residence address on the ballot envelope is enough to overturn the presumption of the residence address appearing on the voter record. You may refer to the following table to determine presumptive residence:

Example	Overturn	Count	No Count
Voter leaves residence address blank.	**NO**	**X** Count based on district registration and district ballot voted.	
Voter provides a new street address or other physical location which appears nowhere on the voter's registration record.	**YES**	**X** Count based on district registration and district ballot voted.	
Voter provides street address or other physical location outside Alaska which appears nowhere on the voter's registration record.	**YES**		**X**

Voter states he or she does not have a residence address in Alaska.	**YES**		**X**
Voter states he or she is not a resident of Alaska.	**YES**		**X**
Voter provides a PO Box, PSC Box, Rural Route #, or Mail Stop number for residence address.	**NO**	**X** Count based on district registration and district ballot voted.	

Did the Voter Complete the Ballot Envelope?

If the voter is already registered, the required information on the ballot envelope is the voter's name, voter's signature, and the election official's witnessing signature.

In-Person Scenarios – Ballot Envelope Complete	Count	No Count
Voter checked no to the 18 years of age question but provided a date of birth that confirms the voter is 18 years of age or older.	**X**	
Voter is a qualified registered voter on the details report (VREMS record) but did not answer certification questions.	**X**	
Voter did not print name on envelope.	**X**	
Voter provided a new name but did not provide their previous name on the envelope.	**X**	
Voter is registered but left residence address field blank on the envelope.	**X**	
Voter is registered but did not provide any identifiers on the envelope.	**X** **Count only if ID was shown to election Official**	
Voter did not provide their gender on the envelope.	**X**	
Voter did not give party affiliation on the envelope.	**X**	
Voter checked 'No' to U.S. citizen question on the envelope.		**X**
In presidential election, when registering to vote using the envelope, the voter did not select 'Yes' to U.S. citizen, did not provide an identifier, date of birth and/or residence address on the envelope (includes inactive voters requiring registration).		**X**
In presidential election, when registering to vote, voter provides a city or community name as a residence address on the envelope.	**X** **City is within a wholly contained precinct**	**X** **City contains more than one precinct**

Did Voter Present Identification?

It is assumed that the voter presented ID to the election official unless the official clearly indicates on the ballot envelope that identification was not presented. If the voter failed to provide an identifier on the ballot envelope or on the register, check to see if the election official marked "No ID Presented" on the ballot envelope.

In-Person Scenarios – Identifiers/Identification	Count	No Count
Voter did not provide an identifier on the envelope and the official checked the 'No Identification Presented' box on the envelope.		X
Voter did not provide a piece of identification to the official but provided an identifier on the envelope. The official did not clearly indicate on the envelope that 'No Identification Presented'.	X	
Voter's registration record is in A/ID status and condition and the official did NOT check the 'No Identification Presented' box. *Since it was not checked, it is assumed that the voter presented ID.*	X	
Voter's registration record is in A/ID status and the official checked the 'No Identification Presented' box on the envelope however, the voter provided ADL or State ID, full SSN or DOB and Last 4 of SSN on the envelope and the voter was verified in DMV or HAVV.	X **Count if verified**	X **No count if ID cannot be verified**
Voter failed to provide an identifier on the ballot envelope or the questioned register.		X
Voter failed to provide an identifier but provided an identifier on the questioned register.	X	

Did the Voter Sign the Ballot Envelope?

If the voter did not sign the ballot envelope, the review board checks to see if the voter signed the questioned register. If the voter failed to sign the ballot envelope but the voter's signature appears on the questioned register, the ballot may count.

In-Person Scenarios – Signature	Count	No Count
Voter signed the envelope.	X	
Voter wrote initials on the envelope.	X	
Voter printed their name in signature block of the envelope.	X	
Voter made a mark (X, symbol, etc.) on the envelope.	X	
Voter signed a new name or similar name on the envelope, but the identifier(s) provided match the details report.	X	
Voter signed at the top of the envelope but not on the signature line or the voter signed in the wrong place such as the witnessing area of the envelope.	X	

Voter's caretaker signs for the voter and writes "signed by aid – quadriplegic, etc."	X	
Voter used a stamp on the envelope that is a facsimile of their signature.	X	
Voter did not sign the envelope or the questioned register.		X
Voter modifies the certification of the envelope by crossing off U.S. citizen and writing a different nationality such as 'American Freeholder'.		X
Voter modifies the certification of the envelope by crossing off 'a resident of Alaska' and/or indicating that they are a resident in another state. *This is typically voters wanting to vote in the presidential race from outside Alaska.*		X
Voter modifies the certification of the ballot envelope by indicating they are felon on the certificate. *If there is an indication that this has been researched by staff, continue ballot review. If there is no indication, bring this to the attention of the election supervisor.*	X	X

Was the Voter's Signature Witnessed?

Questioned Scenarios - Witnessing	Count	No Count
Election official did not witness the envelope or questioned register. *Since error was by the official, the ballot will be counted.*	X	
Election official writes or prints name.	X	
Election official signs with mark or symbol.	X	
Election official does not write date of witnessing.	X	
Election official does not provide district and precinct where the ballot was voted.	X	
Election official signs in the wrong place.	X	

Ballot Challenges

Challenge Process

Alaska law allows observers to challenge the name of an absentee or questioned voter if the person has good reason to suspect that the challenged voter is not qualified to vote or has already voted in the same election. Challenges are only allowed at the time the ballot envelope is being reviewed (challenges cannot be made retroactively); challenges are not allowed during ballot counting. The observer making the challenge must specify the basis of the challenge in writing. The following information must appear on the letter of challenge:

▪ The name of the person whom the observer is representing.	▪ Ballot sequence number.
▪ Name of the voter whose ballot is being challenged.	▪ The date of the challenge.
▪ Absentee challenges: the district number of the ballot the voter voted.	▪ The reason for the challenge.
▪ Questioned challenges: the district and precinct number of where the voter voted.	▪ The name of the observer who is making the challenge.

Ballot challenges will be shared with all parties who have submitted a primary contact person for a particular race or issue.

Responses to Ballot Challenges

Upon receipt of the ballot challenge request, the challenged ballot(s) will be separated from the group of ballots and placed in a secure location until a decision is made. The Director will respond to the challenges, in writing, to the primary contact person prior to the final ballot count. *(See form on next page)*

BALLOT CHALLENGE FORM

BALLOT TYPE (CIRCLE ONE)

ABSENTEE OR QUESTIONED

NAME OF CHALLENGER: _____

NAME OF WHOM REPRESENTING: _____

DATE: _____

BALLOT INFORMATION:

DISTRICT #: _____ SEQUENCE #: _____

NAME OF VOTER WHOSE BALLOT IS BEING CHALLENGED:

_____

(FIRST NAME, MIDDLE INITIAL, LAST NAME)

REASON FOR CHALLENGE:

_____

_____

_____

State Review Board Procedures and Election Certification

Review of Absentee and Questioned Regional Review Board Materials

The State Review Board will begin reviewing the tallies of the recorded vote to check for mathematical error and comparing the totals to the district results upon completion of the Absentee and Questioned Review Boards. The Absentee and Questioned Review Boards will forward materials to the State Review Board. The State Review Board will continue until review of all 40 districts has been completed.

Hand Count Verification

In addition to the review of the absentee and questioned voting materials, the State Review Board will conduct a hand count verification of ballots from one randomly selected precinct in each election district that accounts for at least five percent of the ballots cast in that district.

Certification

Upon the completion of the State Review procedure, the Director shall certify the election.

Recount Procedures

Procedures for conducting a recount follow Alaska Statutes 15.20.430-530.

In addition, the Division of Elections created a Recount Procedures Handbook which provides a brief overview of the recount process.

Ballot Accept Codes and Definitions

Code	Description
A	**Count all races on the ballot** This code is used when all races on the ballot can be counted on the ballot. It has been determined that the voter was registered to vote in their district by the 30-day registration deadline and provided all required information for voting.
F	**Count Federal races only** This code is used when only the federal races (President, Vice President, U.S. Senate and U.S. Representative) can be counted. There are only two sets of circumstances for which this code applies: 1. Former residents of Alaska who reside overseas may register and vote in federal races only, even if they no longer have a residence address in Alaska. 2. In Federal elections, the federal government provides a federal write-in absentee ballot which may be used by overseas voters.
H	**Count presidential race only – General Election** Use this code when only the presidential race may be counted on the ballot. It has been determined that the voter either registered to vote after the 30-day registration deadline or, during the act of voting, provided enough information on the ballot envelope to register to vote.
J	**Count statewide and judicial races only – General Election** Use this code when only the statewide, judicial and ballot measure(s) races can be counted on the ballot. It has been determined that the voter moved from one state senate district to another within the same judicial district. The state senate and house district races will not be counted.
L	**Count statewide and state senate races only** Use this code when the statewide, state senate and ballot measure(s) races can be counted on the ballot. It has been determined that a voter has moved between state house districts that share the same state senate district but have crossed judicial districts.
M	**Count all but superior and district court races – General Election** Use this code when everything but the superior and district court races can be counted on the ballot. It has been determined that the voter has moved within a house district that is split by two or more judicial districts that places them into a new judicial district. The superior and district court races will not be counted.
N	**Count Statewide, Judicial and Senate – General Election** This code is used when only the statewide, judicial and senate races can be counted. It has been determined that the voter has moved between house districts that share the same senate and judicial district.
P	**Hold – Check with director**

	Use this code when there is an issue with the voter's ballot information and the ballot is under review and determination by the director. All 'P' codes ballots must be resolved as either accept or reject before review is complete.
S	**Count statewide only** Use this code when only the statewide and ballot measure(s), (if applicable), races can be counted on the ballot. It has been determined that the voter has moved outside the state senate district, house district, and superior and district court races. None of these races will be counted on the ballot.

Ballot Reject Codes and Definitions

Code	Description
C	**No affidavit with online ballot** Use this code if the voter did not return a voter certificate and identification sheet with voted electronic transmission ballot.
D	**Duplicate ballot voted** Use this code when it has been determined, after researching the voter's information, that more than one ballot was received from a single voter.
E	**Ballot envelope is empty** Use this code when a ballot envelope does not contain a voted ballot or, when voting an electronic transmission ballot, only the voter certificate and identification sheet was received.
G	**Voter failed to provide required identifier** Use this code when a voter does not provide an identifier such as a voter number, Alaska driver's license number, last-4 of social security number or date of birth when voting by-mail, electronic transmission or FWAB ballot.
I	**Voter is in an inactive status** Use this code when a voter's record is in an inactive status with the condition codes of FC, FD, **IA, NC, RE, or VR. However, during a presidential election, voters in an FD, IA, NC, RE or VR inactive condition** code who have supplied enough information on the ballot envelope to register to vote should be reviewed to determine if they should have accept count code H for the presidential race.
K	**Voter did not properly apply for a ballot** Use this code if a ballot was received from a person who did not apply for a by-mail or electronic transmission ballot. **Example**: One person in a household applied for a ballot but another person in the same household voted the ballot but did not apply for one. **Example**: Voter votes a special needs ballot but, the personal representative did not properly complete Step 1 of the ballot envelope.

	Example: Voter submits a Federal Write-In Absentee Ballot (FWAB) but did not register to vote by the 30-day registration deadline or submitted the FWAB after the 10 day by-mail deadline or the 5:00 p.m. day prior to Election Day electronic transmission deadline.
O	**Voter does not meet certification requirements** Use this code if the voter marked through any of the certification requirements in the oath on the envelope, indicate that they are not a resident, or checked 'No' to the U.S. citizenship box.
P	**Hold – Check with director** Use this code when there is an issue with the voter's ballot information and the ballot is under review and determination by the director. All 'P' codes ballots must be resolved as either accept or reject before review is complete.
T	**Voter registered after the deadline** To participate in an election, a voter must be registered to vote 30-days before an election. Use this code if the voter is in VREMS but whose original registration date is after the registration deadline and there isn't a presidential race on the ballot.
U	**Ballot not dated or postmarked and received after Election Day** Use this code when there isn't a postmark or witnessing date on the ballot envelope and the ballot was received after Election Day.
V	**Ballot received too late** Use this code if the ballot was postmarked on or before Election Day and is mailed domestically but not received by the 10th day following the election deadline. Or, if the ballot was mailed from overseas, use this code if the ballot was not received by the 10th day following the primary election or 15 days following a general or statewide special election.
W	**Postmarked or witnessed after Election Day** Use this code if the postmark date after Election Day or, if no postmark, the ballot was witnessed after Election Day.
X	**Voter not registered to vote** Use this code if the voter is not registered and is not in VREMS or, if in VREMS, is in the status and condition code of I/AV or I/QU.
Y	**Inadequate witnessing** Use this code if the ballot was not witnessed or witnessing was insufficient.
Z	**Voter failed to sign** Use this code if the voter failed to sign the ballot envelope.
1	**Voter resides in different jurisdiction** Use this code during REAA elections when a voter does not reside or is not registered in the REAA that the voter voted. If the voter is registered in another jurisdiction, but the ballot envelope provides a residence address that would place the voter in the REAA, use reject code T.
2	**Identifier does not match voter record.** Use this code when the identifier provided does not match the voter's record.

3	**Ballot hand delivered after Election Day.** This code is used if a by mail ballot was hand delivered after Election Day.
4	**Ballot voted by somebody other than the voter** Use this code if it is clear on the ballot envelope that somebody other than the voter voted the ballot.
7	**No identification provided at the time of voting** Use this code when the voter's record is in an A/ID status and condition that requires the voter to present identification at the time of voting and identification was not presented. **Example**: When the official checks the 'No Identification Presented' on the ballot envelope or when voting by-mail or by electronic transmission, the voter did not send in a copy of their required identification.

Accept and Partial Count Codes

Count Code	Description
A	Full count ballot
F	Count federal races only
H	Count Presidential/VP only
J	Count statewide and judicial only
L	Count statewide and senate only
M	Count all but superior and district court
N	Count statewide, judicial and senate only
P	Hold – Check with Director
S	Count statewide only

Reject Codes

Reject Code	Description
C	No affidavit with online ballot
D	Duplicate ballot
E	Ballot envelope is empty
G	No identifier on by mail, electronic transmission or FWAB ballot envelope.
I	Voter is in an inactive status
K	Ballot not properly applied for as required by law.
O	Voter did not meet certification requirements.
P	Hold – Check with Director
T	Voter registered too late.
U	Ballot not dated or postmarked and received after Election Day
V	Ballot received too late
W	Postmarked or witnessed after Election Day
X	Voter not registered to vote
Y	Improper or insufficient witnessing

Z	Voter did not sign
1	Voter resides in different jurisdiction
2	Identifiers do not match on voter record
3	Ballot hand delivered after Election Day
4	Ballot voted by somebody other than voter
7	No identification provided at the time of voting