



The Commonwealth of Massachusetts

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Elections Division

Write-In and Sticker Campaigns: **A Summary Guide for Campaigning Counting for Candidates**

A person can seek nomination and election without filing nomination papers to have their name printed as a candidate on the ballot by conducting a write-in or sticker campaign. This document is intended to provide candidates with an overview of election day activities as well as counting of votes after the polls close. Ballots have an area under each office on the ballot that allows a voter to physically include the name of a person other than those names already printed on the ballot and thereby obtain a vote.

Write-In vs. Sticker:

A write-in campaign is when the candidate asks the voters to write the candidate name on the ballot for the office they seek. A “sticker campaign” is when a candidate provides voters with stickers containing the candidate’s name as registered to affix on the ballot in the area for write-ins.

Campaign Outreach:

Candidates running for office as a write-in or sticker candidate should notify the local election official in writing that they are running as a write-in/sticker candidate. When notified, the local election officials can inform precinct officials to carefully count all write-ins or stickers and include declared candidates on the tally sheet. Informing the public of your candidacy will be your primary activity. To vote for a write-in or sticker candidate, voters are being asked to extend themselves beyond customary voting practices of simply filling in an oval, connecting an arrow or marking an ‘X’ next to a name on the ballot. As such, you must inform voters of the procedures to follow so that their votes are valid and counted. It is important for you to give clear instructions to

voters about the office which you are seeking and where to write in your name or place the sticker. Please note that write-in and sticker votes are counted *for the office where the name is written or sticker placed*.

Campaign Materials:

No person can remain inside the polling place or within 150 feet of the entrance to the polling place who is soliciting votes for or against a candidate, or who is otherwise promoting or opposing, any person or political party or position on a ballot question to be voted for at the current election. **This includes the handing out of stickers or other write-in materials by campaigns.**

Voters may bring in their own materials. This includes informational brochures and stickers.

During the voting hours, poll workers will “sweep” the voting booths for any materials that may have been left by voters.

Observers:

Observers are permitted inside the polling place, outside the guardrail, unless they are disorderly or obstruct the access of voters. An observer must comply with the applicable laws and regulations and observing must be done in a manner so as not to interfere with the voter or voting process and in conformity with the instructions of local officials.

Observers must be allowed into the polling place at least one half hour before the polls open so that they can observe the public inspection of the voting equipment or test results where scanning equipment is used. During the voting hours, observers may remain inside the polling place but behind the guardrail. Observers must be allowed to remain within the polling place after the polls close to watch the voting lists and all ballots being removed from the ballot box. Only election officers may take part in the actual process of counting and sealing the voting materials. During this process, the observers must stand outside the guardrail.

Although there is no requirement that observers notify the local election official that they will be at the polls, it is strongly recommended that observers notify the local

election official in writing prior to Election Day. Pursuant to 950 C.M.R. § 54.04(23)(b), if the polling place is not large enough to accommodate all observers, to the extent possible, priority will be given to those individuals representing candidates appearing on the ballot and to those who provided written notice to the local election official prior to the election. Local election officials may limit the number of observers in a polling place. If there are so many observers in the polling place that they obstruct voters, they may be asked to cooperate in collecting information.

Observers may keep notes including marked voting lists. If there are so many observers in the polling place that they obstruct voters, they may be asked to cooperate in collecting information. The warden may exclude from the polling place any person who is disorderly or who obstructs the access of voters.

Observers are to have absolutely no interaction with voters. An observer may not:

- 1) Speak directly to voters;
- 2) Speak to each other;
- 3) Talk on cell phones;
- 4) Take pictures of individual voters checking-in;
- 5) Take pictures of voters marking their ballots or depositing their marked ballots into the ballot box in a manner in which the secrecy of the ballot may be compromised;
- 6) Record audio of the check-in process;
- 7) Converse with election workers; or
- 8) Ask election officials to repeat or speak louder. (If election officials are not announcing the name and address of the voter loud enough, the observer should contact the warden.).

An observer located at the check-in table may only speak when making a challenge or when requesting to speak with the warden. For all other observers, any communications must be made only to the warden.

General Requirements:

All write-in or sticker votes should include the correct name and address of the candidate. If using stickers, they should include your name and address, as registered to vote. They should NOT include a party designation or any other information.

Courts have ruled that a vote should be counted whenever the intent of the voter can reasonably be determined, even if a voter omits the candidate's address or makes a mistake in the name or address. This includes where a voter fails to complete the vote indicator next to the write-in space—the write-in or sticker vote will still be counted.

After the Polls Close:

After the polls close, all ballots will be removed from the ballot box, segregated by party and examined for write-in or sticker votes. All ballots are counted at the polling place. Any person can observe the closing process, including the counting of votes, but must remain behind the guardrail. Observers cannot interact with poll workers as they are counting ballots, they can only observe. If an Observer has a question, they should be directed to the Warden.

Ballots are counted in teams of two with one election officer reading the name and office and the other recording the vote on the tally sheet.

Standards for Counting:

Courts have ruled that a vote should be counted whenever the intent of the voter can reasonably be determined, even if a voter omits the candidate's address or makes a mistake in the name or address. This includes where a voter fails to complete the vote indicator next to the write-in space—the write-in or sticker vote should still be counted.

The vote is counted for the candidate for the office where it is located, not for the office the candidate has declared his or her intention to run in.

Completing Election Results:

All write-in votes will be documented on the tally sheet. Unofficial results must be announced at each precinct. The tally sheets must be returned to the local election official for final tally.

Number of Votes Necessary to be Nominated at a Primary:

To be nominated in a primary, a write-in or sticker candidate must be the top vote getter among the other candidates for the office and the number of write-in votes for the candidate must at least equal the number of signatures required on nomination papers to qualify to be printed on the primary ballot as a candidate. For example, a write-in candidate for state representative would have to get at least 150 write-in votes (plus more than any other candidate) to win the nomination because that is the number of signatures on nomination papers required for a candidate to have their name printed on the ballot.

Required Filings:

If a write-in or sticker candidate wins the primary, he or she must file a written acceptance of the nomination and a receipt from the State Ethics Commission, showing that the candidate has filed a statement of financial interest, with the Secretary of the Commonwealth.