

**THE CITY OF FREDERICK**  
**BOARD OF SUPERVISORS OF ELECTIONS**

**Rules Regarding Write-In Votes**

**PURPOSE**

The purpose of this document is to provide the Board of Supervisors of Elections (the "Board") with guidelines to use in determining whether a valid write-in vote has been cast as well as the reporting and counting of such votes.

**REFERENCE**

**City Charter**

**§ 12. Write-in votes.**

*Write-in votes are permitted in the City's general election but prohibited in the primary election. For purposes of this section, "write-in vote" means a vote cast, in a contest at a general election, for an individual whose name is not on the ballot for that contest.*

**REPORTING AND COUNTING OF WRITE-IN VOTES**

Write-in votes will be reported by listing the name of the individual as written by the voter. If a sufficient number of write-in votes appear to have been cast for a particular individual, such that there exists the reasonable potential to affect the outcome of the election, then the Board will determine the final number of votes to be ascribed to that individual.

**VALIDATION OF WRITE-IN VOTES**

The overriding consideration for the Board to use in reviewing a particular write-in vote or attempted write-in vote is ascertaining the intent of the voter. A write-in vote will be deemed to have been cast for an individual if the name as written leaves no reasonable doubt as to the voter's intention.

Write-in votes may not be counted when cast in conflict with ballot instructions, even when voter intent is reasonably clear. For example, failure to mark an oval would result in the optical scanner not reading the vote and thus that write-in vote would not be counted.

A vote for an individual whose name is on the ballot for that contest is, by definition, not a write-in vote. Therefore if, for example, the name of a candidate for mayor is written in on the write-in vote line of the ballot, that vote will be counted neither as a write-in vote nor, because of failure to follow ballot instructions, as a regular vote for the candidate.

**INSTRUCTIONS TO ELECTION JUDGES**

If a voter asks an election judge for assistance in properly casting a write-in vote for an individual, the judge should encourage the voter to include the individual's first and last name and to darken the appropriate oval on a paper ballot or to write in per the

instructions on the ballot marking device. Judges shall not provide information regarding appropriate spelling, identity of an individual, qualifications of an individual, or any other information that may reasonably be perceived as influencing the voter's vote in any manner.

**APPROVED BY THE BOARD OF SUPERVISORS OF ELECTIONS ON:** October 12, 2017



---

Marc Mitchell  
President  
Board of Supervisors of Elections