2018 Election Observer Training

Presented by the Jefferson County Auditor’s Office

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Welcome to our office.
Our doors are ALWAYS OPEN.
Introduction

- The role of observers is to provide objective observation of the procedures to help ensure the integrity of our elections.

- This training is intended to explain the process of issuing, processing and counting ballots by our election team.
Election Information

- **Primary**

The Primary is held on the first Tuesday in August. The purpose of a Primary is to narrow the number of candidates for each office down to two. The Top 2 Primary allows voters to choose among all candidates running for each office. Voters do not declare a party affiliation to vote.

The two candidates receiving the most votes in the Primary will qualify for the General Election. Other rules apply to judicial races, Superintendent of Public Instruction, and Precinct Committee Officers.

Partisan and non-partisan offices have different rules for Primary Elections.
Presidential Primary

In addition, a Presidential Primary may be held during a presidential election year on the fourth Tuesday in May or possibly an alternate date proposed by the Office of the Secretary of State. Voters have the opportunity to demonstrate to the political party chairs which candidate they would like to see their party endorse for the presidential election.
**General**

The General is held on the first Tuesday after the first Monday in November. Candidates receiving the most votes in the General are elected to office.

**Special**

State law allows for additional dates at which special elections may be held:
- The 2nd Tuesday in February
- The 4th Tuesday in April
Request for Political Party Observers

Prior to an election, the County Auditor shall:

- Notify major political party chairs of the date processing mail ballots begins.
- Request observers for the processing and tabulation of mail ballots.
- Absence of observers will not prevent the county from their duties with conducting the election.
Political Party Observers

- Anyone has the right to observe any part of the election process.
- Major political parties have a responsibility to provide observers to monitor the election process.
Political Party Observers – cont.

- Election Observers:
  - Serve by appointment of a major political party.
  - Represent a major political party.
    - Must be identified by identification badges.
    - Must sign a sign-in sheet.
  - Protect the integrity of the election by impartially observing process activities.
Observers may not:
- Obstruct the process.
- Touch ballots.
- Touch ballot containers.
- Operate vote tallying systems.
- Be an election worker hired to process ballots.

Observers should
- Question and discuss their observations with the Elections Coordinator and/or Auditor.
Political Party Observers – cont.

- They should observe every aspect of the process
  - Logic and accuracy test.
  - Processing mail-in ballots.
  - Signature comparison.
  - Opening and pre-inspection of ballots.
  - Ballot duplication.
  - Counting Center activities.
  - Storing and securing ballots.
  - Reconciliation of ballots and ballot totals.
  - Canvassing Board Meeting / Certification of the election.
  - Recounts (if applicable).
  - Any other times when ballots are handled.
Election Personnel

- Before each Primary or General Election County Auditors must train counting center personnel regarding:
  - Specific procedures.
  - Equipment.
  - Conduct of the observers duties.

- Training may be waived for personnel who have been previously trained.

- Two staff **ALWAYS** work together when working with voted ballots.
Logic and Accuracy Test

An official test of the tabulating system:

- Conducted for any Primary, Special, or General Election.
- Verifies the ballot counting system and programming correctly counts each style of ballot and produces cumulative totals for all candidates and measures.
Logic and Accuracy Test – con’t

- Official Election Observers from each major political party should attend.
- Test will be conducted even if requested observers do not attend.
- Observers cannot obstruct testing.
- The County is solely responsible for L&A testing for special elections.
- The OSOS certifies tests for the Primary and General elections when there is a state or Federal office/measure on the ballot.
Logic and Accuracy Test – con’t

Signing the logic and accuracy certificate as an observer does not mean you are responsible for:

- Ballot counting.
- Programming.

- Your signature attests you observed the completion of the test.
What is Tested?

- Every ballot style.
- All responses for all candidates/issues.
- Over-votes and under-votes.
- Responses for write-ins.
- Ensure all candidates/issues appear on the appropriate ballot style.
Secretary of State’s Role

- Certify the test complies with law.
- Assist in resolving discrepancies.
- Retain copies of L&A certification.
Mailing Ballots

- Ballots must be available in the Auditor’s Office at least 20 days prior to an election.
- Regular Domestic Ballots must be mailed 18 days prior to an election.
- Military and Overseas ballots must be mailed 30 / 45 days prior to an election, depending on the type of election.
Provisional Ballots

- A type of ballot issued when the voter’s name is not on the voter list, has already returned a voted ballot, or any other reason when a voter cannot vote a regular ballot.
Each county must have an AVU for each processing center.

The AVU is a tool – an “electronic pen” equipped with audio and visual technology – to assist voters who have a difficult time seeing and/or marking a ballot with a regular pen. It allows voters to vote a secret ballot independently.

Jefferson County’s AVU is an AutoMARK.

- It is available 20 days prior to each election and located in the hallway outside the Auditor’s Office.
- We also have one available as a back-up.
Secure Storage

- Secure storage employs the use of numbered seals and logs or any other security measures which will detect inappropriate access to secured materials. Some of the materials in secure storage include:
  - Voted ballots.
  - Return envelopes / security sleeves.
  - Programming materials.
  - Testing materials.
  - Unused ballots.
  - Program, back-up and L&A disks.
Ballot Drop Sites

- Ballot drop sites are open prior to ballot mailing.
- The number of open sites depends on the scope of the election.
- Ballots are collected by two staff and will be picked up several times during the 20 day voting period.
- The sites are closed at exactly 8:00 p.m. Election Night by staff. Although only one person is needed to lock the box closed if ballots are not removed that night, we have historically used two people for the closing process. We currently use one staff and one volunteer from the Sheriff’s Office.
Processing Mail Ballots

When voted ballots are returned, the Auditor’s Office does the following:

- Verify signature and post-mark.
- Opening the envelopes is done in two distinct steps to prevent the identity of voter being connected to a ballot.
  - Open the outer envelopes.
  - Remove ballots from the security sleeves.
- Pre-Inspect ballots to make sure they are marked in a way the tabulator can read them.
- Duplicate ballots as needed.

The County Canvassing Board delegates these tasks to the Auditor’s staff for each election.
Ballot Processing
Checking Post Mark and Signature

- Post mark is verified as valid.
  - For Overseas and Service Voters (UOCAVA), the date of signature on the envelope is considered the date of mailing.

- Voter’s signature is checked.
  - If the signature on the envelope is missing or does not match the signature on the registration file, the voter is notified via a challenge letter. They have until the end of business (4:30 p.m.) the day prior to certification to resolve the challenge.
Ballot Processing
Reconciliation – 1st time

- After post mark and signatures are verified, prior to opening envelopes and removing ballots, the number of ballots accepted as “good” and “challenged” in the Election Information Management System (EIMS) are reconciled with the physical number of ballots going to the next step.
Ballot Processing

Opening Envelopes / Removing Ballots

- Ballots are removed from envelopes in two distinct steps to prevent the identity of a voter being connected to a ballot.
  - Step 1, outer envelopes are opened and inner security sleeves are removed and placed in a tray.
    - Staff verify outer envelopes do not have any ballots remaining in them by looking through the hole in the center.
    - Outer envelopes are secured away from the immediate work area prior to the next step.
  - Step 2, ballots are removed from security sleeves.
Ballot Processing

Reconciliation – 2nd time

- Staff count the number of ballots removed from each group of sleeves and compare it to the number on the group slip to verify all ballots in that group have been removed from the envelopes.
Ballot Processing
Pre-Inspection

- The process of inspecting each response position on each voted ballot prior to tabulation to determine whether the ballot is readable by the vote tabulating system, as marked by the voter.

- Inspecting for:
  - Physically damaged ballots.
  - Corrections by the voter as directed in the instructions.
  - Unreadable ballots.
  - Marks different from those specified in the voting instructions.
  - Stray marks.
  - Write-in votes.
Ballot Processing
Reconciliation – 3rd time

- All groups of ballots are totaled:
  - Ready to tab + Need to duplicate + Write-ins outstacked.

- This number is verified against the number of ballots initially brought in for opening based on the total on each group slip.

- Ballots do not go to the next step until this process is reconciled.


**Ballot Processing**

**Duplicating**

“**Ballot duplication**” is making a true copy of valid votes from ballots that will not properly count by the vote tallying system.

- Ballot duplication is done by a team of two people.
- Assigned the same unique control number with the number marked on the face of each ballot, to ensure each duplicate ballot may be tied back to the original ballot.
- A log is kept of all control numbers and initials of the two people who conduct the duplication.
Ballot Processing
Duplicating – cont.

- If voter intent is clear (based on the statewide standards on what is a vote) ballot must be duplicated and tracked on a log.
- If voter intent is unclear (based on the statewide standards on what is a vote) the ballot is sent to the Canvassing Board for determination and tracked on a log.
Voter Intent
Statewide Standards

- Published by the OSOS C&T program; created in cooperation with County Auditors and County Canvassing Boards; adopted into the WAC.
- Pictorial examples of voted ballots which represent all types of ballots currently used in WA State.
- Provides rules for the canvassing boards.
- Strives for consistency statewide.
Manual Count of Precincts / Groups

- Official political party election observers may request randomly selected ballots in a precinct or group to be manually counted.
  - The request must be received by Election Day.
  - Observers must mutually agree upon which precincts or groups to count.
  - Up to three precincts or six groups may be selected.
The random check will be limited to one office or issue on the ballots in the precincts or groups selected.

The check must be completed no later than forty-eight hours after Election Day.
Jefferson County has a security plan filed with OSOS allowing us to start scanning ballots the day before election.

Results of the scanned ballots cannot be printed or released until 8:00 p.m. Election Night.

Ballots are scanned in groups with the group slip attached indicating how many ballots are in each group.

Ongoing reconciliation is done after each group is scanned. There are usually between 35 – 40 ballots in each group.
Tabulation and Security – cont.

- A back-up is created for every 500 ballots scanned.
  - If there is a discrepancy during the process, previously scanned ballots can be restored back onto the tabulator so we won’t have to re-scan possibly thousands of previously scanned ballots.

- After the ballots have been scanned, they are secured in a container with numbered seals.

- Daily reconciliation is done at the end of scanning each day. The number of ballots scanned is verified against the number of valid signatures accepted in the EIMS.

- With the exception of adding additional scanned ballots to fill a container, the sealed containers may only be opened by the Canvassing Board, to conduct recounts or by court order.
Reconciliation

The reconciliation report must demonstrate that the number of ballots received equals the number of ballots counted plus the number rejected. If the numbers do not match, then the report shall include the detailed steps taken to balance the numbers. The following information must be included in the reconciliation report:

- Number of registered voters.
- Regular and UOCAVA ballots issued, counted and rejected.
- Provisional ballots issued, counted and rejected.
Election Certification

The County Canvassing Board consists of the County Auditor, County Prosecuting Attorney, and the chair of the County Commissioners (or their designee).

They will certify the results in an open public meeting:

- 10 days after Special Elections.
- 14 days after Primary Elections.
- 21 days after the General Elections.

Typically, one day prior to certification, the Canvassing Board, in an open public meeting, will meet to resolve any ballots referred to them (IE, questionable signatures, voter intent, etc.). Only the Canvassing Board has the authority to reject ballots or parts of ballots.
Election Certification – cont.

The official final results of an election is the total of all valid ballots cast.

An election is certified during a public meeting of the County Canvassing Board. At that time, the chair of the County Commission administers an oath to the County Auditor attesting to the accuracy of the results. The County Auditor presents a final copy of the results, the oath, and the reconciliation report to the Canvassing Board.
Election Certification – cont.

- If the County Canvassing Board is satisfied with the results, the board signs the certification. A copy of the certification must be electronically transmitted immediately after certification to the Office of the Secretary of State along with the reconciliation report.
Mandatory Recounts

- An automatic recount applies to candidates and statewide measures and will occur if less than 2,000 votes AND also less than ½ of 1% of the votes cast for that race separate candidates or issues. The recount is applicable only to candidates apparently nominated or elected and the closest defeated opponent. The automatic recount will tally only votes for the position or measure in question and will be conducted without charge to any candidate.

- All questions of voter registration, voter qualification, and voter intent previously considered will not be reconsidered during a recount of the original ballots.
Mandatory Recounts – con’t

- **For statewide elections**, if the difference in the number of votes cast for the apparent winner and the closest apparently defeated opponent is less than 1,000 votes AND also less than ¼ of 1% of the total number of votes cast for both candidates, the votes shall be recounted manually.

- For all other elections, if the difference is less than 150 votes AND also less than ¼ of 1%, the votes shall be recounted manually. An alternate counting method may be used if both candidates agree in writing.

State law does not provide for a mandatory recount of a local issue, such as levy, bond or other questions or issues. However, there can be a requested recount.
Requested Recount

All requested recounts must be submitted no later than two business days after the certification of the election. A deposit equal to $.15 (machine recount) or $.25 (manual recount) per ballot by certified check or cash is required. Final cost of the recount will be determined by the canvassing board and may be less or more than the deposit. If the results change, the money is refunded.
Elections Ending in a Tie

Whenever there is a tie between candidates, a mandatory recount will be conducted. If the race is still tied after the recount, the winner is decided by lot by the appropriate filing office. “By lot” may be a flipping of a coin, drawing a number, or something similar.
Certify Recount

Once all results have been recalculated, the County Canvassing Board will certify the results and amend the official abstract of the election with the new totals, if they changed.
Glossary

- **Accessible Voting Unit (AVU).** A touch screen, or other device, which allows disabled voters to vote without assistance. Also known Direct Recording Equipment (DRE).

- **Ballot Duplication.** The process of making an exact copy of a ballot to make sure it will be counted correctly by the ballot counting system.

- **Ballot Counter.** A machine that tabulates votes in a readable format. Also known as a vote tallying system or ballot tabulator.

- **Ballot Inspection.** Each ballot must be inspected for corrections or damage that would prevent the votes to be counted as the voter intended.

- **Canvass.** Final determination of questionable ballots by the County Canvassing Board.

- **County Canvassing Board.** Consisting of the County Auditor, County Prosecuting Attorney, and the chair of the County Commissioners.

- **Election Observer.** Official observer appointed by one of the major political parties.

- **Logic and Accuracy Test.** An official test to verify that the ballot counter and programming correctly counts each style of ballot and produces cumulative totals.
Glossary — cont.

- **Major Political Party.** A political party is designated as a major party if one of its nominees received more than 5% of the total votes cast for President, United States Senator, or a statewide office in a General Election in an even numbered year.

- **Overvote.** More than the allowable number of votes cast for any one race or measure by a voter on a ballot.

- **Provisional Ballots.** A ballot issued when the voter’s name is not on the voter list, already returned a voted ballot, or any other reason when a regular ballot cannot be issued.

- **Reconciliation Report.** A report by the County Auditor used to reconcile total votes cast with total number of ballots issued, returned, rejected & counted.

- **Recount.** The process for re-tabulating the votes for a specific office or issue on all valid ballots cast in the election.

- **Secure Storage.** Employs the use of numbered seals and logs or any other security measures which will detect inappropriate access to secured materials.

- **Tabulate.** To total votes in a readable format.

- **Undervote.** A race or measure with no vote cast by a voter on a valid ballot.

- **UOCAVA.** Acronym for the Federal Uniformed and Overseas Citizens Absentee Voting Act.
Applicable RCW’s & WAC’s

Revised Code of Washington (RCW)
The compilation of all permanent laws now in force. It is a collection of Session Laws (enacted by the Legislature, and signed by the Governor, or enacted via the initiative process).

- 29A.12.120 – Counting center personnel – Instruction, requirements
- 29A.12.130 – Tallying systems – Programming tests
- 29A.40.100 – Observers
- 29A.60.170 – List of observers – Counting center, direction and observation of proceedings – Manual count of certain precincts
- 29A.64.041 – Procedure – Request to stop – Observers (Recount)

Washington Administrative Code (WAC)
Regulations of executive branch agencies issued by authority of statutes. Like legislation and the Constitution, regulations are a source of primary law in Washington State.

- 434-261-020 – Political party observers
- 434-335-290 – Logic and accuracy test observers
- 434-335-330 – Logic and accuracy test certification
Questions?