



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

BOARD MEETING

Monday, November 16, 2015
General Assembly Building
Room C
1:00PM

SBE Board Working Papers



**STATE BOARD OF ELECTIONS
AGENDA**

DATE: November 16, 2015
LOCATION: General Assembly Building, Room C
TIME: 1:00 p.m.

- I. CALL TO ORDER** *James B. Alcorn*
SBE Chair
- II. APPROVAL OF MINUTES** *SBE Board Members*
October 6, 2015 & November 3, 2015
- III. COMMISSIONER'S REPORT** *Edgardo Cortés*
ELECT Commissioner
- IV. OLD BUSINESS** *Edgardo Cortés*
ELECT Commissioner
A. Recount Step by Steps -Final Approval
- V. NEW BUSINESS**
- A. November 3, 2015 Election Certification *Reiko Doğu*
Senior Elections Administrator
1. Winchester City & City of Virginia Beach Recap *Edgardo Cortés*
ELECT Commissioner
- B. Electronic Poll Books Certification *Edgardo Cortés*
- C. Campaign Finance –Violations *Brooks Braun*
ELECT Policy Analyst
- D. SB11 Workgroup –Pre Final Discussion *James Alcorn*
SBE Chairman
- E. Electronic Signatures on Absentee Ballots *Edgardo Cortés*
- VI. REPORT FROM LEGAL COUNSEL** *Anna Birkenheier*
SBE & ELECT
Legal Counsel
- VII. OTHER BUSINESS & PUBLIC COMMENT**
Next SBE Meeting-December 16, 2015 @ 10a.m.
- VIII. ADJOURNMENT**



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Call to Order

BOARD WORKING PAPERS



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STATE BOARD *of* ELECTIONS

Minutes Approval October 6, 2015 & November 3, 2015

BOARD WORKING PAPERS
SBE Board Members



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STATE BOARD *of* ELECTIONS

Minutes Approval October 6, 2015

BOARD WORKING PAPERS
SBE Board Members

1 MINUTES

2

3 The State Board of Elections Board Meeting was held on Tuesday, October 6,
4 2015. The meeting was held in the General Assembly Building, Richmond, Virginia –
5 Room D. In attendance, representing the State Board of Elections (SBE) was James
6 Alcorn, Chairman; Clara Belle Wheeler, Vice Chair; and Singleton McAllister, Secretary.
7 Also in attendance, representing the Department of Elections (ELECT) was Edgardo
8 Cortés, Commissioner; Brooks Braun, ELECT Policy Analyst; and Rose Mansfield,
9 Clerk. Heather Hays Lockerman, Senior Assistant Attorney General and Counsel to SBE
10 and ELECT and Anna Birkenheier, Assistant Attorney General and Counsel to SBE and
11 ELECT attended. Chairman Alcorn called the meeting to order at 2:00PM. Secretary
12 McAllister departed the meeting at 6:20PM.

13 The first order of business was the approval of the Minutes from the State Board
14 of Elections Board Meeting held on September 1, 2015. Chairman Alcorn asked if Board
15 Members had any additions or corrections to the Board Meeting Minutes presented and
16 there were none. Secretary McAllister moved *to adopt the Minutes for the September 1,*
17 *2015 meeting.* Vice Chair Wheeler second the motion. The Board unanimously approved
18 the motion.

19 The second order of business was the Commissioner Report. Commissioner
20 Cortés stated that the electronic pollbook certification (EPB) process is occurring at the
21 ELECT offices. The Virginia Information Technologies Agency (VITA) has begun their
22 vulnerability testing on the systems submitted for certification. Commissioner Cortés
23 stated that ELECT provided to the localities reimbursements for accessibility voting
24 equipment for their central absentee voting precincts noting that 47 localities applied for
25 the resources and qualified for a total of reimbursement of \$165,000. Commissioner
26 Cortés stated that emergency requests for changing polling locations have been approved
27 by ELECT and the general registrar's are following their protocol for notifying their
28 voters of those changes.

29 Commissioner Cortés stated that there have been late candidate withdraws for the
30 November 3, 2015, election and withdraws occurred, after the ballots were printed.
31 Notices were sent with absentee ballots and posted and will be handed to voters on

32 Election Day. Commissioner Cortés stated that Mecklenburg County had a candidate
33 withdraw after four absentee ballots were cast and asked board members for guidance on
34 a resolve. Ms. Birkenheier stated that §24.2-612.1 states that the Board does have
35 authority to decide in the situation were a candidate withdraws. Chairman Alcorn stated
36 that since the locality had not printed the ballots to be utilized on Election Day the
37 candidate name, who withdrew late, will be removed from the ballot. Vice Chair Wheeler
38 moved *that Mecklenburg County update their ballots to reflect the removal of the*
39 *candidate from the school board office for in-person voting.* Secretary McAllister
40 seconded the motion and the Board unanimously approved the motion.

41 The next order of business was the Recount Standards for final approval presented
42 by Edgardo Cortés, ELECT Commissioner. Commissioner Cortés stated that the recount
43 document has been removed of redundant information and now presents with clarity on
44 the procedures of how to conduct a recount. Commissioner Cortés acknowledged the
45 efforts of Myron McClees, ELECT Policy Analyst for his efforts on the presented
46 materials. Commissioner Cortés stated that the information was originally presented at
47 the September 1, 2015, SBE meeting to members and the objective is to have the
48 document adopted, at this meeting, to be available for the November 3, 2015, election.

49 Vice Chair Wheeler asked if the document could be sent to the general registrars
50 for review prior to the election and before the Board members take a vote on adoption of
51 the document. Commissioner Cortés stated that the document was posted on the website
52 prior to the September 1, 2015, meeting and has remained for available for review.
53 Chairman Alcorn inquired if comments had been received by ELECT from the elections
54 community. Commissioner Cortés stated that ELECT did not receive comments
55 regarding the proposed recount document. Secretary McAllister noted that the process of
56 conducting a recount is important, and a review of the document indicates it is a good
57 document, however: it is always important to have the review of those individuals who
58 will be utilizing the materials in the event of a recount. Vice Chair Wheeler stated that
59 notice should be sent to the general registrars requesting a review of the document with a
60 firm deadline for review established. Chairman Alcorn confirmed with the clerk and the
61 commissioner that the materials have been posted for review prior to the meeting.
62 Chairman Alcorn stated that comments have not been received and a delay would lead to

63 a period of uncertainty regarding procedures for recounts. Commissioner Cortés review
64 the posting procedures for all board materials and the time frames for which materials are
65 available for review. Public comments were received. Vice Chair Wheeler moved *that a*
66 *directive be sent to all general registrar’s and electoral board members stating that the*
67 *recount standards have been presented to the State Board of Elections and have been*
68 *reviewed and posted on the website and if you would like to make comments, please do*
69 *so, because: the Board members will take a final vote at the next appropriate board*
70 *meeting.* Vice Chair McAllister second the motion. A voice roll vote was taken:
71 Chairman Alcorn: Nay, Vice Chair Wheeler: Yae, and Secretary McAllister: Yae. The
72 motion passed two to one.

73 The next order of business was the Hand Count Standards for Final Approval
74 presented by Commissioner Cortés. Commissioner Cortés stated that issue of hand
75 counting ballots has become more frequent with localities transitioning to paper ballots
76 after the WinVote decertification. Commissioner Cortés reviewed the Hand Count
77 document provided in the Board Working Papers, stating that the document has not been
78 revised since 2007. ELECT has revised the document to increase legibility and ease of
79 use. Commissioner Cortés stated that the materials included an example of a ballot where
80 the voter has written in the name of an individual whose name is printed on the ballot and
81 marked that same candidates name as their selection. This scenario has occurred and has
82 come into question during recent recounts and is included in the example of ballots that
83 would be counted. Commissioner Cortés stated that this example requires a policy
84 decision by board members.

85 Chairman Alcorn stated that it is important to be clear on procedures to be utilized
86 in a recount and the direction that localities are provided during hand counts on Election
87 Day. Chairman Alcorn stated that *Code* does not state how to handle the example
88 presented. Vice Chair Wheeler stated that it is important to follow the *Code*, §24.2-644
89 regarding write-ins. Vice Chair Wheeler stated that the *Code* states that no ballot shall
90 be counted when the voter writes-in the name of a person that is printed on the ballot.
91 Commissioner Cortés explained the different ways the example provided would be
92 handled during a hand count or recount. ELECT staff and the Board Members reviewed
93 the different examples in the hand count document and the particulars associated to each

94 of the examples in detail. Secretary McAllister stated that it is important to follow the
95 *Code* and the intent of the voter and it is important that the Board Members provide solid
96 guidance.

97 Secretary McAllister inquired about the incident in 2013, concerning Alexandria
98 and Chesapeake. Commissioner Cortés explained that those localities do not have
99 equipment, which in a recount situation, will count only the race in question which is a
100 *Code* requirement. In this scenario, a hand count must occur during the recount.
101 Commissioner Cortés stated that the issue of equipment limitations is not a new topic but
102 rather identifying the situation so that in the event of a recount that requires a handcount
103 the document presented could provide guidance. Commissioner Cortés stated that
104 anytime a handcount would occur the recount document would be utilized pending board
105 approval. The Board received input from attending general registrars. Chairman Alcorn
106 asked if there were public comments and comments were received by the Board.

107 Chairman Alcorn moved *that the last ballot sample on page six of the Hand*
108 *Count Standards proposed document be stricken from the document and directed ELECT*
109 *to letter and number each of the examples.* Vice Chair Wheeler seconded the motion and
110 the Board unanimously approved the motion. Chairman Alcorn moved *that the amended*
111 *Hand Count Standards document be adopted for use in the Commonwealth.* Secretary
112 McAllister seconded the motion and the Board unanimously approved the motion.
113 Chairman Alcorn stated that the ballot sample on page six should be presented to board
114 members at a future date.

115 The next order of business was a Pre-Election Update presented by Commissioner
116 Cortés. Commissioner Cortés stated that absentee voting has begun for the November 3,
117 2015, general election. Commissioner Cortés stated that two localities experienced an
118 issue relating to their absentee ballots and the general registrars of those localities have
119 connected with those voters to inform them of the resolve. Commissioner Cortés
120 explained a map provided in the Board Working Papers that identifies the localities that
121 are in transition either with a new registrar or are currently operating without a general
122 registrar. ELECT has been working with those localities to ensure that they are prepared
123 for the November election by providing training and support. ELECT will be offering a
124 one day training event for those registrars on October 22, 2015, with a focus of Election

125 Day issues. Commissioner Cortés stated that ELECT has been working with our Election
126 Day partners; Virginia State Police, Capitol Police, Virginia Department of
127 Transportation, and The Department of Mines of Minerals (Power Companies). Chairman
128 Alcorn asked about the two localities that had issues with the absentee ballots and asked
129 that the two associated electoral boards explain to SBE the particulars of their incident.
130 Commissioner Cortés stated that the two localities with absentee ballot issues were
131 Winchester City and Virginia Beach City. Chairman Alcorn moved *that Winchester City
132 and Virginia Beach City provide information to SBE concerning the causes of not
133 meeting the statutory requirements for sending absentee ballots and for providing
134 information for their plan to be proactive in the future.* Vice Chair Wheeler seconded the
135 motion and the Board unanimously approved the motion.

136 The next order of business was the Protocol for handling Campaign Finance
137 Complaints presented by Brooks Braun, ELECT Policy Analyst. Mr. Braun presented a
138 power-point presentation on the subject matter and explained the basics of campaign
139 finance complaints and how they are received by ELECT and when they are presented to
140 the Board. Mr. Braun explained that the Board approves campaign finance forms, hears
141 appeals when penalties have been assessed, and has the ability to extend campaign filling
142 deadlines. Mr. Braun explained the nuances of the fines and how they are assessed.
143 Board Members exchanged questions and answers regarding the particulars of campaign
144 finance. Mr. Braun explained that the third party complaints are directed to the local
145 commonwealth attorney under the authority of §24.2-1019. Mr. Braun explained the
146 frequency of complaints received by ELECT. Mr. Braun stated that it has been a long
147 standing policy of the Board to hear complaints after the election as the Board historically
148 does not want to be involved in any election contests. Mr. Braun explained the procedure
149 for conducting a hearing for campaign complaints. Mr. Braun asked if the Board
150 Members had any questions.

151 Secretary McAllister stated that the option to hear complaints before an election
152 should be a decision that the current board members can decide and should be
153 considered. Chairman Alcorn stated that balancing the need to be responsive to
154 complaints and maintaining a non-partisan approach would require some discussion
155 among board members and a decision on future actions. Chairman Alcorn stated that the

156 Board Members will revisit this concern at a future meeting. Secretary McAllister stated
157 that researching the best practices of other state election boards could provide in-sight to
158 future handling of complaints by SBE. Vice Chair Wheeler suggested that an approach to
159 hearing complaints prior to an election would be to receive the details of the complaint
160 with the name(s) redacted. Chairman Alcorn directed Mr. Braun to send the members the
161 complaints, with the names redacted, to the members and stated that there is a desire to
162 review the entire process by SBE. Chairman Alcorn asked that some historical data be
163 gathered and a data base be established to handle future complaints.

164 The next order of business was the Request for Full-Time Status for Bath and
165 King & Queen Counties presented by Commissioner Cortés. Commissioner Cortés stated
166 that the Virginia Budget authorizes and funds general registrars with a population in most
167 counties under 10,000 and cities under 7,500 to work on a part-time basis for most of the
168 year. The budget does provide funding for the registrars to be compensated to work full-
169 time for the months surrounding each year's May General Election (March through
170 May), the Budget does not account for other elections, including local elections and
171 primaries. The request from the Bath County Electoral Board is for the period of January
172 1, 2016 through April 30, 2016. The request from the King & Queen Electoral Board is
173 for the period of January 1, 2016 through February 29, 2016. Chairman Alcorn moved
174 *that the Board approve the requests from the Electoral Boards of the Counties of Bath*
175 *and King & Queen.* Vice Chair Wheeler seconded the motion. Chairman Alcorn asked if
176 there were any public comments and there was none. The Board unanimously approved
177 the motion.

178 The next order of business was the Other Business and Public Comment
179 period. Vice Chair Wheeler stated that she received numerous communications
180 regarding the use of electronic typed names on absentee ballot requests. Vice Chair
181 Wheeler stated that she was concerned about this issue that SBE reviewed and
182 approved in May, 2015. Chairman Alcorn stated that the Board should not take action
183 on this issue, this close to the election, without listing the item on the agenda, and or
184 without given public notice. Secretary McAllister stated that she concurred about not
185 taken any action for the same reasons cited by the Chairman. SBE discussed the
186 particulars of this subject matter and stated that the subject should be revisited at a

187 future meeting. Commissioner Cortés stated that ELECT has been following the
188 directives given by the Board since May, 2015. Commissioner Cortés stated that
189 ELECT has not been notified or been made aware of any situation were an electronic
190 absentee ballot application has been submitted with the intent of fraud. Commissioner
191 Cortés stated that making any changes half-way through the absentee ballot period
192 would not be responsible. Chairman Alcorn asked if there were any public comments.
193 General Public comments were received by the Board.

194 Discussion returned to the Board Members regarding electronic signatures on
195 absentee ballot applications. Commissioner Cortés reviewed the requirements for
196 processing an absentee application electronically and stated that the process that is in
197 place for verifying electronic absentee ballot requests is functioning. Commissioner
198 Cortés stated that ELECT was currently working to provide an online absentee ballot
199 application process utilizing the ELECT website. Vice Chair Wheeler stated that a
200 resolution to the typed signature question should occur at this board meeting.
201 Chairman Alcorn stated that the process could be improved; however I am concerned
202 about enacting any changes today without input from the elections community.
203 Commissioner Cortés stated that ELECT will present information at a post-election
204 SBE meeting regarding suggested changes to the electronic absentee application
205 request program/process. Board members welcomed the presentation of future
206 information from ELECT. Chairman Alcorn asked if there were additional comments
207 and there were none.

208 Vice Chair Wheeler moved *that the Board adjourn*. Chairman Alcorn seconded
209 the motion and without further comment the Board voted unanimously to adjourn. The
210 meeting was adjourned at approximately 7:40PM.

211 The Board shall reconvene on November 3, 2015 at 8:00AM in the Washington
212 Building, 1100 Bank Street, Room B27, Richmond, Virginia 23219.

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Secretary

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Chair

Vice Chair

DRAFT



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STATE BOARD *of* ELECTIONS

Minutes Approval November 3, 2015

BOARD WORKING PAPERS
SBE Board Members

1 MINUTES

2

3 The State Board of Elections Board Meeting was held on Tuesday, November 3,
4 2015. The meeting was held in the Washington Building, Richmond, Virginia – Room
5 B27. In attendance, representing the State Board of Elections (SBE) was James Alcorn,
6 Chairman; Clara Belle Wheeler, Vice Chair, and Singleton McAllister, Secretary. Also in
7 attendance, representing the Department of Elections (ELECT) was Edgardo Cortés,
8 Commissioner; Elizabeth Howard, Deputy Commissioner; Martin Mash, Policy Advisor,
9 and Rose Mansfield, Clerk. Anna Birkenheier, Assistant Attorney General and Counsel to
10 SBE and ELECT attended. Chairman Alcorn called the meeting to order at 8:30AM.

11 The first order of business was the Commissioner’s Report delivered by
12 Commissioner Cortés. Commissioner Cortés provided Board members with an Election
13 Day update. Commissioner Cortés reported that ELECT staff members were available to
14 provide assistance prior to the polls opening. Commissioner Cortés reported that the City
15 of Richmond experienced electronic pollbook issues at the opening of the polls. Eugene
16 Burton, Voting Technology Coordinator, assisted the City of Richmond to resolve the
17 situation. Commissioner Cortés stated that when the city set up their electronic pollbooks
18 they selected a setting that is designed for a central absentee precinct (CAP) that prompts
19 for the entry of a code, when a voter checks-in, to indicate the ballot style. This code was
20 accidentally entered during the programing stage. Commissioner Cortés stated that the
21 election officers were not trained on utilization of this code. The City of Richmond took
22 the appropriate corrective action and at this time their systems are functioning correctly.

23 Chairman Alcorn asked if any voters left the polls without voting. Commissioner
24 Cortés stated that there was one report of a voter leaving and the general registrar is
25 attempting to make contact with this voter. Chairman Alcorn asked if ELECT tracked
26 the election day issues to include the volume of calls received by ELECT. Commissioner
27 Cortés stated that a comprehensive tracking system is not in place; however, we can
28 report the volume rather than the content of the calls. Secretary McAllister stated that a
29 reporting system on the types of calls received by ELECT would benefit the elections
30 community and help to focus training efforts of election officers. Commissioner Cortés
31 stated that ELECT has requested funding for an outside agency to establish a call center

32 as the staffing levels at ELECT would not be able to handle the volume especially around
33 a presidential election.

34 The next order of business was the Legal Report presented by Anna Birkenheier,
35 Assistant Attorney General. Ms. Birkenheier stated that there were no updates to provide
36 members.

37 The next order of business was the public comment period. Chairman Alcorn
38 asked if there were any public comments and there were none.

39 Chairman Alcorn moved *that the Board recess until 12:30PM*. Secretary
40 McAllister seconded the motion and without further comment the Board voted
41 unanimously to recess. Chairman Alcorn moved that the Board reopen the meeting at
42 12:40PM. Secretary McAllister seconded the motion. The Board unanimously approved
43 the motion. Chairman Alcorn asked Commissioner Cortés to provide an election day
44 update.

45 Commissioner Cortés reported that Campbell County had an issue with three
46 precincts, that are split precincts, and each precinct is running low on a particular ballot
47 style. Campbell County is making emergency ballots and has notified the vendor, Hart
48 Voting Equipment. The vendor has sent a PDF to the locality which will allow additional
49 printing of the ballot at their main office. Chairman Alcorn asked if ELECT provides
50 guidance/training to the localities on how to order ballots and how to estimate the number
51 of ballots needed during a particular election. Commissioner Cortés stated that the
52 general registrars utilize previous elections as a guide.

53 Commissioner Cortés reported that Norfolk City had an issue with the TSX
54 machines. ELECT received a complaint that a voter was having issue with a machine that
55 kept switching the vote to the unselected candidate. As a result, Norfolk City has
56 requested a technician to recalibrate the machine. Chairman Alcorn inquired if this was
57 the same issue and equipment that experience problems in Virginia Beach City.
58 Commissioner Cortés acknowledged that it was the same issue on the same equipment.
59 Commissioner Cortés noted that Manassas City had a minor equipment issue and that the
60 issue has been resolved. Commissioner Cortés stated that Roanoke City had issues related
61 to their connectivity between their electronic pollbook units. The units were not
62 communicating with each other correctly in locations that have multiple pollbooks.

63 Voters were offered the opportunity to vote provisionally while the issue was resolved.
64 ELECT spoke with the locality and directed Roanoke City to conduct alphabet splits
65 similar to the handling of paper pollbooks. The software vendor, DemTech, has been
66 contacted. Commissioner Cortés reported that Mecklenburg County had a precinct that
67 needed to replace a scanning machine. The equipment needing replaced is new and is
68 being tested. The equipment is under warranty and will be replaced. Commissioner
69 Cortés reported that Richmond had several equipment issues because the officer of
70 election did not remove the stabilizing bar placed in the back of the equipment during the
71 storage process. This bar blocked the entry of the ballots and the issue was resolved as it
72 was an election officer error rather than an equipment malfunction. Commissioner Cortés
73 reported that Giles County experienced a power outage that affected three precincts. The
74 Department of Mines & Minerals, Eileen Carson and Rose Mansfield, SBE Clerk
75 coordinated a rapid response team and power was restored within the hour. Generators
76 were utilized to keep the polling location fully functional during the outage.
77 Commissioner Cortés noted that Fairfax County had a power outage in one precinct for a
78 brief moment; however, voting operations remained totally functional.

79 Commissioner Cortés stated that ELECT has been encouraging the localities to
80 replace this equipment. Vice Chair Wheeler emphasized that the inaugural testing of new
81 voting equipment, in those localities that need to replace aging voting equipment, should
82 not be delayed until the November, 2016, federal election. Commissioner Cortés stated
83 that several localities have indicated that unless they are mandated to cease utilizing their
84 existing equipment that they have no plans and or resources to purchase new equipment.
85 Vice Chair Wheeler requested that ELECT provided SBE a list of the localities that are
86 still using the non-optical scan equipment. Commissioner Cortés stated that the ability to
87 input this information into VERIS is an option for the general registrar and if utilized
88 provides an avenue for ELECT to track voting equipment inventory across the
89 Commonwealth. Commissioner Cortés stated that ELECT website contains a list of
90 equipment utilized by the localities. ELECT will be sending a survey to the general
91 registrars that will inquire about the types of issues that their voting equipment
92 experienced on Election Day. Commissioner Cortés reported that The Daily Show-

93 Comedy Central came to ELECT and filmed an interview on the subject of aging voting
94 equipment. The segment is due to air in the near future.

95 Chairman Alcorn moved *that the Board recess until 6:30PM*. Secretary
96 McAllister seconded the motion and without further comment the Board voted
97 unanimously to recess. Chairman Alcorn moved that the Board reopen the meeting at
98 6:40PM. Vice Chair Wheeler seconded the motion. The Board unanimously approved the
99 motion. Ms. Mansfield conducted the roll call and noted the absence of Secretary
100 McAllister. Chairman Alcorn asked Commissioner Cortés to provide an Election Day
101 update.

102 Commissioner Cortés stated that Greene, Wise, and Washington counties have
103 experienced machine failures in some of their precincts. The voting equipment that
104 experienced difficulties was taken out-of-service. The Edge Voting Systems, utilized by
105 these localities, is a touch screen type unit and the units in question stopped working.

106 Commissioner Cortés stated that ELECT has been notified that Richmond City, in
107 their split-precinct locations, was issuing the wrong ballot style. Gary Fox, Election
108 Supervisor, stated that ELECT has made contact with the general registrar. Voters in
109 precincts 206 & 307, which are split-precincts, were given the wrong ballot to cast.
110 Chairman Alcorn asked if ELECT had the number of incorrect ballots that were given to
111 voters. Mr. Fox stated that Richmond City cannot calculate the error. Mr. Fox stated that
112 Richmond City did not program their pollbooks correctly and did not account for the
113 split-precinct. Chairman Alcorn stated that Richmond City should come to the SBE
114 meeting in December, 2015, to discuss the issues that occurred on Election Day.
115 Commissioner Cortés stated that overall Election Day went well with only a handful of
116 localities having difficulties with some of those being technology based. Chairman
117 Alcorn asked if there were any public comments and there were none.

118 Vice Chair Wheeler moved *that the Board adjourn*. Chairman Alcorn seconded
119 the motion and without further comment the Board voted unanimously to adjourn. The
120 meeting was adjourned at approximately 7:00PM.

121 The Board shall reconvene on November 16, 2015, at 1:00PM in the General
122 Assembly Building, 1100 Bank Street, Room C, Richmond, Virginia.

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Secretary

Chair

Vice Chairman

DRAFT



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STATE BOARD *of* ELECTIONS

Commissioner's Report

BOARD WORKING PAPERS
Edgardo Cortés
Commissioner
Department of Elections



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Old Business

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Recount Step by Steps Final Approval

BOARD WORKING PAPERS
Edgardo Cortés
ELECT Commissioner



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Recount Standards

BOARD WORKING PAPERS
Edgardo Cortés
ELECT Commissioner

Table of nonsubstantive revisions to Recount Step by Step Instructions and related forms

Edited:

Recount Step By Step Instructions FINAL
Recount Step By Step Instructions TRACKED CHANGES
Recount Precinct Results SBE-802-PR FINAL
Recount Precinct Results SBE-802-PR CURRENT
Recount Certification County or City Results by Precinct SBE-802-LS FINAL
Recount Certification County or City Results by Precinct SBE-802-LS TRACKED CHANGES

Informational:

Certification of Recount Form (SBE 802-CC)
Manual Precinct Tally Sheet Rev 802-MA
Challenged Ballots 802-CB
Reimbursement Recount Official or Alternate 802-F

Summary of Changes to Recount Step By Step Instructions

1. Multiple edits to reduce redundancy, cure anachronisms, and create internal organization throughout the document.
2. Addition of “Terminology” section addressing the consistent usage of terms and edited all terms throughout the document to coincide.
3. Included full explanation of difference between manually counted machine-readable ballots and paper ballots
4. Re-ordered the sections regarding DRE ballots to coincide with the 802-PR order..
5. Clearly outlined parties involved in the state-level recount procedure and documented their recount procedures in an outline form

Summary of Changes to Recount Precinct Results SBE-802-PR

1. General reorganization of individual table cells to improve clarity
2. Reordered the document so that oath was forefront and scanner ballots are addressed prior to DRE ballots
3. Updated terminology
4. Added line number designations to both sides of each row of tables
5. Vertical columns within Table C are designated with Roman numerals instead of A, B, C, and D to avoid confusion.
6. Reworded row C7 to focus on overvotes.
7. Included cells in Part D to clearly show the total within cell C10

Summary of Changes to Recount Certification County or City Results by Precinct SBE-802-LS

1. Removed superfluous “Provisional Ballot Precinct” and CAP from pages 2 – 4



Virginia Election Recounts Step-by-Step Instructions



Includes:

- Overview of Recounts and Contests
- Preparations for the Recount
- Precinct Instructions for Recount Coordinators and Officials-All Voting Systems
- Suggested Steps for the Court's Review and Compilation of Recount Results
- After the Recount



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A Message to General Registrars and Electoral Board Members

*Please carefully review this document as soon as you know that a recount is possible in one of your elections. Also provide a copy to your local Clerk of Court. These instructions accompany the **RECOUNT PRECINCT RESULTS For All Voting Systems** (form SBE-802-PR)*

If you have any questions about this information, please do not hesitate to contact a Department of Elections policy analyst.

Overview -- Election Recounts and Contests

Recounts

A recount is a simple redetermination (retabulation) of all of the votes cast on Election Day. Recount officials only count the ballots that were previously cast. A voter's eligibility to vote or any alleged irregularities cannot be called into question during a recount (only in a contest, see below).

In Virginia, there are no automatic recounts. Only an apparent losing candidate can ask for a recount, and only if the difference between the apparent winning candidate and that apparent losing candidate is not more than one percent (1%) of the total votes cast for those two candidates.

As of 2009, a losing candidate may request a recount if the difference is not more than five percent (5%) of the total votes cast for those two candidates if one of those candidates was a write-in candidate for that office. (§ 24.2-800, Code of Virginia)

The apparent losing candidate cannot request a recount until after the election is certified. (§ 24.2-801) The Department of Elections certifies primary and election results for all federal offices (Presidential Electors, U.S. Senate, and U.S. Congress), state offices (Governor, Lt. Governor, and Attorney General and General Assembly seats) and any offices shared by two or more localities.

An apparent losing candidate requesting a recount of a primary or general election for statewide office files the petition requesting a recount with the Circuit Court of the City of Richmond. A candidate requesting a recount for any other office files the recount petition with the Circuit Court where the candidate being challenged resides.

Local electoral boards certify all other election results for local offices. Each electoral board meets in the days following the election to canvass and certify these results. To request a recount, an apparent losing candidate for a local election must file a petition for a recount with the Circuit Court where the challenged candidate resides within ten days after the electoral board certifies the election results. Any local candidate seeking a recount should



check with their local general registrar or electoral board to determine the actual date of certification for these local offices.

The Chief Judge of the Circuit Court where the recount petition was filed and two other judges appointed by the Chief Justice of Supreme Court of Virginia make up the recount court. The recount court, outlines all procedures and the manner in which the recount will be conducted for each type of voting equipment used (pursuant to § 24.2-802 of the Code of Virginia).

The recount court appoints recount officials from among the officers of election who served in the locality during the election. These recount officials are appointed to represent the respective parties to the recount. In setting the procedures for the recount, the court will also decide if the actual recounting of votes cast will take place in the various localities or in a central location. After all of the votes cast are recounted, the court will certify the candidate with the most votes as the winner.

The counties and cities involved in a recount are responsible for paying their own costs for the recount if the margin between the two candidates who are parties to the recount is one-half percent or less, or if the candidate requesting the recount is declared the winner by the recount court. Otherwise, the candidate who requested the recount must pay the costs for conducting the recount. Any candidate requesting a recount who may be assessed with costs shall post a bond with surety with the court in the amount of \$10 per precinct in the area subject to the recount. (More information about recount costs is available in § 24.2-802(E) and (F) of the Code of Virginia).

Because of the federal deadline for the seating of the state's presidential electors, Virginia law provides an accelerated schedule for any recount of such election (see § 24.2-801.1). The presidential candidate represents the vice presidential candidate and the candidates for electors (§ 24.2-800). The deadline for filing of notice of intent to contest is 5:00 PM on the second calendar day following certification of the election by the Department of Elections. The recount "shall be held promptly" and must be concluded at least six days before the time fixed for the convening of the electors. If a *contest* of an election for Virginia's presidential electors is also filed, they would proceed simultaneously (§ 24.2-805).

Contests

An unsuccessful candidate in the election may file a notice of intent to contest the election. The notice must state the grounds for the contest, which must include one of the following:

- (i) objections to the eligibility of the contestee based on specific allegations, OR
- (ii) objections to the conduct or results of the election accompanied by specific allegations which, if proven true, would have a probable impact on the outcome of the election, OR
- (iii) both.

Contests of elections for most offices in Virginia may be filed only within 30 days of the election or 10 days of the date of the primary or a special election held on a date other than that of a general election. A contest may also be filed after a recount under Va. Code § 24.2-814 within 10 days after the recount court's order declaring a winner under Va. Code § 24.2-802(D).

If a recount has been held for an election to the House of Delegates, State Senate, Governor, Lieutenant Governor, or Attorney General, the apparent losing candidate for that



office who also loses the recount has until 3 days after the conclusion of the recount (or 30 days after Election Day, whichever date is later) to file notice of intent to contest. A candidate who was originally declared the winner and loses as a result of a recount may file notice of intent to contest the election within 10 days following the conclusion of the recount.

In elections for a Member of the U.S. Senate or U.S House of Representatives, [Article I, section 5](#) of the U.S. Constitution provides that "Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members." [Article IV, section 7 of the Virginia Constitution](#) has a nearly identical provision. [Virginia Code § 24.2-803](#) requires that contests for elections of General Assembly members must be filed with the respective clerks for decision by the affected body.

To contest an election for the House of Representatives, a notice of intent to contest the election must be filed with the Clerk within 30 days after the result of the election has been certified by the Department of Elections, or if there is a recount, within 30 days after the recount court certifies the election result. ([2 USC Chapter 12, particularly Sections 384 and 392](#))

The contestant "would have to formally petition the U.S. Senate for a probe into the election, and the Rules Committee has broad authority to investigate election cases, including conducting its own recount. The Rules panel, however, would have to vote to begin the inquiry, and historically, those probes have taken months if not years to complete. Any findings — such as whether an election was legitimate — would be forwarded to the full Senate with a recommendation on what, if any, action to take, which the Senate could then decide whether to take up."¹ A deadline for filing such a contest is not stated in federal law.²

As with recounts of elections for presidential electors, Virginia law provides an accelerated schedule for any contests of such presidential elections as well. The presidential candidate represents the vice presidential candidate and the candidates for electors (§ [24.2-807](#)). The deadline for filing of the notice of intent to contest is 5:00 PM on the second calendar day following certification of the election by the Department of Elections. The contest "shall not wait upon the results of any recount" and must be concluded at least 6 days before the time fixed for the convening of the electors (§ [24.2-805](#)). Any recount or contest for an election for presidential electors would proceed simultaneously.

Office *Notice of intent to contest is filed with*

Election of Presidential Electors	Circuit Court, City of Richmond
Primary for U.S. Senate or Statewide Office	Circuit Court, City of Richmond
Presidential Primary	No contest provisions in Code of Virginia

¹ David M. Drucker & Emily Pierce, "Democrats May Join Minnesota Fray," Roll Call, 12/8/08

² In the event of a U.S. Senate recount in Virginia, Department of Elections would ask the Parliamentarian of the Senate (through the state's other Senator(s)) if the rules at that time specify a deadline for filing a contest after the conclusion of a recount.



Election for Governor, Lt. Governor or Attorney General	Clerk of the House of Delegates
Election for House of Delegates	Clerk of the House of Delegates
Election for State Senate	Clerk of the State Senate
Primary for U.S. House of Representatives, House of Delegates or State Senate	Circuit Court where challenged candidate resides
Primary or Election for any county, city, town or district office	Circuit Court where challenged candidate resides

Persons Involved in the Recount

Electoral Boards – Give court and parties a list of all Officers of Election who served in the last election, with their party affiliations, etc. One electoral board member representing each party will be selected by the Recount Court to serve as one of the pair of **Recount Coordinators** for the locality.

Recount Officials – Each candidate or petitioner and governing body/chief executive officer (in the case of a referendum) involved in the recount may select an equal number of officers of election to serve as recount officials. Recount officials have the duty of counting the ballots, or redetermining the vote (if DREs). Recount officials will work in groups or pairs with the parties to the recount being equally represented.

Registrars – Permit parties to make copies of statements of results, machine tapes, printed return sheets, pollbooks (whether paper or in electronic format), and abstract of votes (original and corrected) for the election at issue, etc.

Recount Court – Upon receipt of the petition for recount, the Chief Judge of the court in which it was filed must alert the Chief Justice of the Virginia Supreme Court, who will thereafter appoint two judges to serve on the Recount Court. These three judges will constitute the Recount Court. The Recount Court will determine the procedures to be followed during the recount, what information will be accessible to the parties, and for which candidate, if any, a challenged ballot should be counted.

Clerks of Court – Secure election materials and certify security to recount court; be present and administer oaths on the day of the recount; deliver election materials to State Police after the recount for delivery to the Court.

Clerk of Recount Court – In addition to duties of all clerks (above), summons Recount Officials and is present at all hearings of the Recount Court.

Candidates – May be present. They are responsible for selecting which officers of election will serve as the recount officials representing their interest, based on the number established by the Recount Court. They may also send one authorized representative per team of recount officials to observe the process.



Preparations for the Recount

Department of Elections, General Registrar(s), and Electoral Board Members

The Department of Elections' Standards for Recounts in Virginia Elections (and accompanying Ballot Examples) provides details and guidance to help carry out Virginia's recount laws (§§ 24.2-800 - 24.2-802). The Code of Virginia directs:

A. The Department of Elections shall promulgate standards for (i) the proper handling and security of voting and counting devices, ballots, and other materials required for a recount, (ii) accurate determination of votes based upon objective evidence and taking into account the counting device and form of ballots approved for use in the Commonwealth, and (iii) any other matters that will promote a timely and accurate resolution of the recount. The chief judge of the circuit court or the full recount court may, consistent with Department of Elections standards, resolve disputes over the application of the standards and direct all other appropriate measures to ensure the proper conduct of the recount.

The recount procedures to be followed throughout the election district shall be as uniform as practicable, taking into account the types of ballots and voting devices in use in the election district. (§ 24.2-802)

As soon as it appears that a recount in a local, district, or state election may be possible, the General Registrar and Electoral Board Members from the impacted locality(ies) must begin making preparations.

Electoral Boards should first create a list of names of officers of election who served in the precincts subject to the recount. The political parties involved in the recount need this list to appoint *recount officials* from this group of officers of election. The number of recount officials necessary will be determined by the Recount Court.

General registrars should also begin assembling all appropriate forms for conducting the recount and ensure that these forms are delivered to the Recount Coordinators.

Duties of Clerk(s) of Court

Section § 24.2-802 of the Code of Virginia directs the Clerks of Court in a jurisdiction where there may be a recount to secure the ballots and election materials until the recount. This should be done under normal circumstances, but it is added into the recount laws for emphasis. Also, the Clerk is required to certify to the chief judge in the recount, as directed, that the proper security measures have been taken.

In preparation for the recount, the clerks of the circuit courts shall (a) secure all printed ballots and other election materials in sealed boxes; (b) place all of the sealed boxes in a vault or room not open to the public or to anyone other than the clerk and his staff; (c) cause such vault or room to be securely locked except when access is necessary for the clerk and his staff; and (d) certify that these security measures have been taken in whatever form is deemed appropriate by the chief judge. (§ 24.2-802(A))



Duties of the Chief Judge of the Recount Court

The Chief Judge must hold a preliminary hearing within 7 calendar days of the petition for recount unless the recount is requested for a presidential election, in which case it must be held within 5 calendar days. The Chief Judge will rule on motions and establish rules of procedure during the preliminary hearing, but such decisions are subject to review by the full Recount Court. The security measures adopted to secure materials after Election Day, and those going forward must be examined and established by the Chief Judge. The Chief Judge may also allow parties to examine election materials. The Chief Judge may also set the locations for the recount and may order the delivery of election materials to a central location, but such action is subject to review by the full Recount Court.

Duties of the Recount Court

Once established, the Recount Court will hold a hearing. All motions and rules of procedure shall be finalized at this hearing. The parties (or their counsel) shall meet and confer and submit a proposed "Recount Procedural Order" and eventual "Final Order" for consideration by the three-judge Recount Court. If the parties do not agree, they will file competing legal memoranda and proposed orders. The Recount Court will also allow parties to the recount to select an equal number of officers of election to be Recount Officials. The date for submissions will be included in the Preliminary Order by the Recount Court.

The three-judge Recount Court shall supervise the recount and redetermination of the vote, with assistance from the Department of Elections and the local electoral boards.

Terminology

Throughout this document the terms "machine-readable ballot," "paper ballot," and "printed ballot" are used to describe physical ballots. The usage of terms is consistent with the definitions provided in Va Code § 24.2-101:

"*Machine-readable ballot*" means a tangible ballot that is marked by a voter or by a system or device operated by a voter and then fed into and scanned by a counting machine capable of reading ballots and tabulating results;

"*Paper ballot*" means a tangible ballot that is marked by a voter and then manually counted; and

"*Printed ballot*" means a tangible ballot that is printed on paper and includes both machine-readable ballots and paper ballots.

A ballot's designation is based on **how it was counted on election day**. A machine-readable ballot that is manually counted during the recount should not be tallied as a *paper ballot* upon the recount paperwork.

The terms "ballot scanner machine," "ballot scanner," and "scanner" are used interchangeably throughout this document and within the recount forms.



"Part One" - Recount Day in the City or County

Check in and Logistics

The offices or other facilities for the recount will be provided or arranged by the Clerks of Court and shall be of sufficient size for the purposes of the recount and shall allow for direct and proximate observation of the recount officials by the recount observers.

All participants at the recount, whether as officials or observers, should check in with the Clerk of Court, and a record should be kept of all attendees.

Precinct Instructions for Recount Coordinators & Officials - All Voting Systems

Use appropriate instructions for any combination of

- ✓ MACHINE-READABLE BALLOTS AND BALLOT SCANNER MACHINES
- ✓ DIRECT RECORDING ELECTRONIC (DRE) MACHINE PRINTOUTS
- ✓ PAPER BALLOTS

Each Recount Team will complete one precinct at a time, under the supervision of Recount Coordinators.

Materials

A copy of each of these instructions (SBE-802-SBS, this entire document) should have been provided previously to each Recount Coordinator and to the Clerk of Court.

The Recount Coordinators should have already provided a copy of the following to each Recount Official during training for the recount:

- The full section of this document titled "Part One" - Recount Day in the City or County" which includes the Precinct Instructions
- A sample copy of SBE-802-PR - Recount Precinct Results for All Voting Systems
- A copy of the Ballot Examples for Hand Counting Printed Ballots for Virginia Elections or Recounts

The following materials prepared for the recount must be provided for each precinct:

- **SBE-802-PR - Recount Precinct Results for All Voting Systems** (1 set per precinct. If no DRE was used in the precinct, the two pages with Parts B-1 through B-3 should not be provided to the Recount Officials. The other four pages will be used for all precincts.)
- **SBE-802-CB - Challenged Ballot Forms** (4 per page; multiple copies may be needed)
- **Challenged Ballots envelope** (have one per precinct on hand)
- **SBE-802-MA - Precinct Manual Tally Sheet** (an optional form that can be used when hand counting printed ballots) (4 or more copies per precinct recommended, to keep paper and machine-readable ballot counts separate, and so each officer can



- prepare tally while other officer counts ballots)
- **The memory card, cartridge, or other data storage medium (one per precinct)** that has been prepared especially for the recount if machine-readable ballots are to be rerun through a tabulator during the recount.
 - It is recommended that the prepared cards, cartridges, or media be placed in the custody of the Clerk, to be released to the Recount Coordinators one precinct at a time with the other materials below.

The following materials will be released by the Clerk of Court to a Recount Coordinator upon request, one precinct at a time. The Coordinator will deliver them to the Recount Team that will recount that precinct.

- **Envelope #2** containing the
 - **POLLBOOKS and POLLBOOK COUNT Forms (all divisions)** (if paper pollbooks were used),
 - one copy of the **Statement of Results with machine tapes attached** (General Registrar will have the second copy, available for public inspection, after the canvass),
 - **Write-Ins Certification** (if cast on printed ballots or voting systems that do not include the names written-in and votes cast for each), and
 - **Incident Report**
- **Box/Envelope #3** containing the **COUNTED BALLOTS** (Envelope 3 may be combined with Envelope 5 so as to also contain outside poll envelopes).

And the following envelopes if used in the election:

- **Envelope #7B** containing the voting equipment keys for scanners and DRE dial/touchscreen voting systems
- **Envelope #7/7C** containing the voting equipment keys and memory cartridges for AVC Advantage DRE equipment and the data storage units and seals for scanners and DRE dial/touch screen equipment;

If Machine-readable ballots are to be rerun through a tabulator during the recount

- **The memory card, cartridge, or other data storage medium** that will be used for the precinct, and has been prepared specifically for the recount.
 - It is programmed to count, as required by law, only the votes cast for the office or issue in question in the recount and to set aside all ballots containing write-in votes, overvotes, and undervotes for that office or issue for hand counting.
 - (If the card, cartridge, or medium could not be reprogrammed as required by the recount law, all machine-readable ballots for the precinct will be hand counted by the recount team.)
- One memory card, cartridge, or other data storage medium for each precinct will be used to recount the ballots cast at the polling places in the district (including absentee ballots if counted at the precincts).
- If a Central Absentee Precinct (CAP) was used, one **memory card, cartridge, or other data storage medium** will be used to count the machine-readable ballots of absentee voters whose ballots were originally handled by the tabulator for the CAP.
- NOTE: The **memory card, cartridge, or other data storage medium** used in the precinct (or Central Absentee Precinct) on Election Day to count machine-readable ballots will remain sealed and in the custody of the Clerk. It should not be needed during the recount.



- (Counted provisional votes, even if voted on machine-readable ballots, were originally hand counted by the electoral board and will be treated in the recount as paper ballots. Provisional Ballots will be counted as a separate precinct, which is the same manner in which they were originally counted after Election Day).

General Instructions

The Recount Officials will be divided into teams consisting of equal representatives for each party. Teams will be tasked with recounting printed ballots or redetermining votes cast on DREs. At least one team will insert ballots into electronic counting devices programmed to count only those votes cast for parties to the recount or for or against the question in a referendum recount.

There are only two Recount Coordinators appointed per locality. One Coordinator may need to supervise multiple teams. Coordinators may offer advice to the Recount Officials.

The Recount Officials may either enter the required data on the Recount Precinct Results form or may read each total aloud to the Recount Coordinator who will enter it and read it back for verification by the Recount Officials. (Recount Officials must sign the first page, certifying the precinct results for each precinct that they recount.)

Only the Recount Officials may handle ballots. Recount Coordinators will deliver sealed election materials from the Clerk of Court, and return the resealed materials, one precinct at a time.

Each party to the recount (candidate) is allowed one observer per recount team. The observer may stand behind or sit to the outside of the Recount Officials as they work and may only watch and take notes. Observers must be close enough to see and hear what is happening. No observer may handle ballots, election materials, or recount materials. If an Observer has a question, it should be directed to the supervising Recount Coordinator -- not the Recount Officials -- without disturbing the proceedings.

Members of the news media and the general public may also be in the room, but are not allowed to handle any official materials or disturb the proceedings in any way.

Some suggested table layouts --

1. Observer Official Official Observer
 [-----Table-----]
 [-----]
 [-----]
 [-----]

2. Observer Official Official Observer
 [-----Table-----]
 [-----]
 [-----]



3.

Official	[----Table-----]	Official
Observer	[-----]	
	[-----]	Observer
	[-----]	

For each precinct, the Recount Coordinators will ensure as the work progresses that the following data is entered on each form page as required work begins (if not previously entered):

1. The name of the county or city
2. The name/number of the precinct in which the election was conducted
3. The date of the election
4. The name of the office and the names of the two candidates involved in the recount (in the same order that they appeared on the ballot in the election)³

The Recount Coordinators will provide the necessary materials to the Recount Officials, one precinct at a time.

Instructions for the SBE-802-PR – Recount Precinct Results

- A highlighted line indicates a number is to be filled in during this sequence of steps.
- A highlighted box with a hand and pencil means that this is a calculation.



A note inside the field/data box provides instructions or crosschecks:

- "Carry to C1(i)" means to copy that figure to line C1, Column (i) (Line numbers begin with the same letters as sections, so line C1 is in section C.)
- "Should = C1(ii)" is a crosscheck letting the official know that the numbers should be the same. (If not, the official should recheck data entry and math before going any further).
- "Line A2 Total" tells the source of the number for that box -- copy it from there.
- A column titled "calculation or source" identifies the math or source used to fill in the next column.
- And "=B4+B5" and "=B2-B3" are instructions to arrive at the calculated number.

Part B - 2 – Certification of DRE Machine Results for Precinct		Calculation or Source	VM-1 or Consolidation Tape*	VM-2	VM-3	VM-4	VM-5	VM-6	Candidate Totals	
B3	Candidate Name ()	Machine Tape							Should = C4(ii)	B3
B4	Candidate Name ()	Machine Tape							Should = C4(iii)	B4
B5	Total votes for both candidates on DRE(s)	= B3 + B4	✂	✂	✂	✂	✂	✂	Should = C4(iv)	B5
B6	DRE ballots undervoted or voted for other candidates (this office)	= B2 - B5	✂	✂	✂	✂	✂	✂	Carry to C8(iii)	B6

³ If the recount is for a referendum, insert title of the question involved in the recount and its two separate responses, instead of the office and candidate names.



A. Preparing for and Evaluating Machine-readable Ballots

i. If Machine-readable ballots are to be rerun, prepare the ballot scanner machine.

1. Insert the **MEMORY CARD, CARTRIDGE, OR OTHER DATA STORAGE MEDIUM** for the precinct to be counted.
3. Turn the machine **ON**.
4. Produce a **ZERO** printout.
5. Verify that all totals on the **ZERO** printout, including the ballots cast, and the total on the Public Counter on the front of the machine read **0000**.
6. Record the **Serial Number** from this scanner in the **Recount Precinct Results, Part A, line A1** under "**Scanner 1.**"
7. Read the number from the **Public Counter** aloud and enter it in the **Recount Precinct Results, Part A, line A3 ("Before Recount")** under "**Scanner 1.**"
8. If two scanners are used, repeat steps 1-7, filling in under "**Scanner 2**" for steps 6 and 7.
9. Feed ballots.

ii. Insert Machine-readable ballots for precinct into ballot scanner machines

1. Open **Box/Envelope #3** containing **COUNTED BALLOTS** for the precinct being counted.
2. As they are removed from the box/envelope, **set aside the paper ballots for separate hand counting** (face down); "Paper ballots" in a precinct that also uses ballot scanner machines may include:
 - traditional paper ballots
 - official reproductions of paper ballots or machine-readable ballots
 - ballots sent to military or overseas voters by email or fax and printed by the voters (if absentee ballots are counted in the precinct -- or if precinct being recounted is the CAP)
 - Federal Write-In Absentee Ballots (FWABs) from military or overseas voters (if absentee ballots are counted in the precinct -- or if precinct being recounted is the CAP). See 11.2.2010 Emergency Declaration of Secretary of Department of Elections.

All paper ballots were originally counted by hand, and must be recounted by hand, separately from the machine-readable ballots.

3. Feed all **Machine-readable** ballots into the scanner without examination of any ballot.



- If the scanner indicates that for the office being recounted the ballot was **overvoted or undervoted**, or the ballot contains a **write-in** vote for that office, it must be **separated out to be counted by hand**. The scanner should have been programmed to reject these ballots so that they can separately hand counted. If so, simply set that ballot aside (face down) for hand counting.

If the machine is instead programmed to accept the **write-in** ballots, but automatically divert them into a separate "write-in" bin, do not include these ballots in the number provided on **Line A5** for "*Number of Manually Counted Machine-readable Ballots.*" These ballots will be accounted for on paperwork in the total number of ballots scanned. The ballots **must still be hand-counted** the same as overvoted and undervoted ballots **after separation**, but should not be accounted for twice on the paperwork.

Part A - 2 – Certification of Precinct Manual Count		Calculation or Source	Total	
A5	Number of <i>Manually Counted</i> Machine-readable Ballots ²	Count	Carry to C2(i)	A5

If any **Machine-readable ballot** is so **damaged** that the counting device will not accept it, it must also be set aside for hand counting.

- Both Recount Officials must verify that the **Box/Envelope #3** container is empty, that all **Machine-readable ballots** have been inserted in the scanner, and that all **paper ballots** have been **set aside** for separate hand counting.
- Repeat steps 1 - 5 above for any additional **Box/Envelope #3** containers of **COUNTED BALLOTS** for that precinct.

iii. Obtain results determined by the electronic counting device

- When all Machine-readable ballots for the precinct have been inserted in the scanner, read the number from the **Public Counter** aloud and enter it in the **Recount Precinct Results, Part A, line A2** ("After Recount"). Subtract **line A3** from **line A2**, and enter it on the form in **line A4** (public counter difference).

If two scanners are used, enter values for both "**Scanner 1**" and "**Scanner 2**." Then **add** the values for "**Scanner 1**" and "**Scanner 2**" on **line A2**, and enter the total on **line A2**, under "**Total (Scanner 1 + Scanner 2)**." Repeat for **lines A3 and A4**.

Part A - 1 – Certification of Precinct Ballot Scanner Machine Counter		Calculation or Source	Scanner 1	Scanner 2 ¹	Total (Scanner 1 + Scanner 2)	
A1	Ballot Scanner Machine Serial Number (used to recount this precinct, if applicable)	From Machine				A1
A2	Number on This Scanner's Public Counter – After Recount (if applicable)	Public Counter				A2
A3	Number on This Scanner's Public Counter – Before Recount (if applicable)	Public Counter				A3
A4	Public Counter Difference (Must Equal the Number of Ballots Read By the Scanner During Recount [From Tape])	= A2 – A3			Carry to C1(i)	A4

- Run one printout to obtain the recount results for the precinct:



- a) Produce the **FINAL RESULTS** tape.
 - b) Remove the **MACHINE-READABLE ballots** from the ballot compartments, return them to the **COUNTED BALLOTS** container(s), and seal it (them).
 - c) Remove the printout with **ZERO** report and the **FINAL RESULTS** intact.
3. **Record the data from the ballot scanner machine tape** on the **Recount Precinct Results** form:
- a) Enter the **total Machine-readable ballots read** in **Part C, line C1, column (i)**. **This number must match** the public counter difference previously entered in **Part A, line A4**. If the numbers do not match, first recheck the counter numbers and number of ballots entered on the form, and the math. If they still do not match, ask for the advice of the Recount Coordinator.
 - b) Read aloud the name of the first candidate involved in the recount and the number of votes cast for first candidate and enter the total in **line C1, column (ii)**, double-checking that each number is copied to the column for the appropriate candidate.
 - c) Read aloud the name of the second candidate involved in the recount and the number of votes cast for the second candidate and enter the total in **line C1, column (iii)**, double-checking that each number is copied to the column for the appropriate candidate.
 - d) Add together the number of machine-readable ballots counted by the scanner for **both** candidates and enter the total in **line C1, column (iv)**.

Part C - Certification of Official Ballots						
VOTES CAST FOR CANDIDATES IN RECOUNT		(i)	(ii)	(iii)	(iv)	
IMPORTANT: - Lines C1-C5 include only recount parties [listed to the right under (ii) and (iii)] - Lines C6-C9 include all other ballots		Total Number Voting	Candidate Name	Candidate Name	Total Cast for Candidates (ii) + (iii)	
			()	()		
C1	Total Ballots Read by Ballot Scanner Machine in Recount (From tape; when finished attach tape to back of page with Part A.)	A4 Total = _____				C1

- e) Enter the precinct code on the **BALLOT SCANNER MACHINE RECOUNT TAPE** and **staple it** to the back (behind the top right) of the **RECOUNT - PRECINCT RESULTS** page containing **Part A**. (See instructions at the top of that page.)

iv. Hand count Machine-readable ballots previously set aside

Any Machine-readable ballots set aside from the steps above must be counted by hand.

A second team of Recount Officials may be used to count the ballots by hand.



- Count **all** set aside **Machine-readable** ballots (preferably with the office being recounted face down) without examining how they were cast. When both officials agree on the total count, enter the total on the **Recount Precinct Results** in **Part A, line A5**. Enter the same total in **Part C, line C2, column (i)**.

(Remember that write-in ballots *should not* be included in this number if the scanner accepted the ballots and diverted them to a separate write-in bin).

(Remember that paper ballots must be counted separately. If any are found among the set aside Machine-readable ballots, put them with the other paper ballots.)

A5	Number of <i>Manually</i> Counted Machine-readable Ballots ²	Count	Carry to C2(i)	A5
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- Examine each of the **Machine-readable ballots** to be counted and separate them into the following stacks (refer to the ballot examples in the "Hand Counting Printed Ballots for Virginia Elections or Recounts" if there is any question about how to count a mark).

During the sort, an official should lay each ballot face up on the table in the following stacks so that both officials and all observers can clearly see each ballot as it is sorted.

- (1) and (2) One stack each for ballots clearly voted for either candidate involved in the recount
- (3) Ballots either not voted for the office (undervoted) or not voted for candidates in the recount
- (4) Ballots clearly voided by the voter for the office per [§ 24.2-663](#) (overvoted or title of office erased)
- (5) Ballots challenged by either Recount Official (or the Officials cannot initially determine or agree how to count it)

After the first sort, re-examine the ballots in stacks 1-4 to make sure that each ballot is in the appropriate stack.

SBE-802-MA Precinct Manual Recount Tally Sheet is an optional form that may help Recount Officials when there are many ballots to hand count. If using it, complete the appropriate blanks/boxes at the top of the form and the candidates' names if not already completed. It covers each of the separate categories represented by the "stacks" and those counted/recorded in the procedures below. The final counts must still be recorded on the Recount Precinct Results form, as directed below.

The basic procedure for manually counting each stack (separately, when directed to do so below) is:

- a. One Recount Official should count the ballots while the other closely observes.



- b. Count the ballots by laying each ballot with the office being recounted face up on the table so that both officials and all observers can clearly see each ballot as it is counted.
 - c. Then the other official should count the same ballots while being closely observed by the first.
 - d. The official observing may use Department of Elections' Manual Recount Tally Sheet.
 - e. If the two officials do not arrive at the same number, repeat.
3. Re-examine all **Machine-readable ballots** in the "challenge" stack. Refer to the Ballot Examples. If the two Recount Officials agree on how to count the ballot, place the ballot in the appropriate other stack (1-4 above).

If both Recount Officials cannot agree, or they cannot determine how or whether to count a ballot, at least one of them must officially "challenge" the ballot.

- a. For each challenged ballot, complete the form entitled **STATEMENT OF RECOUNT OFFICIAL - CHALLENGED BALLOT (SBE-802CB)**, setting forth the reason(s) for the challenge. The officer challenging must sign the form and attach it to the ballot. This ballot will go to the Recount Court for a decision.
 - b. When all the ballots remaining in the "challenge" stack have been officially challenged, count the **Machine-readable ballots** being challenged and, when both officials agree on the number, enter total in **Part C, line C9, column (i)** of the **Recount Precinct Results** form.
 - c. Place the signed challenged ballot statements and attached ballots in the **Challenged Ballots envelope** for the precinct, and enter the name/number of the precinct. DO NOT enter the number of challenged ballots on the envelope at this time. DO NOT SEAL IT at this time. Set the envelope containing **CHALLENGED BALLOTS** aside.
4. Count all **Machine-readable ballots** overvoted or voided and, when both officials agree on the count, enter total in **line C7, column (i)** of the Recount Precinct Results form. Return voided ballots to **Box/Envelope #3**.
 5. Count all **Machine-readable ballots** not voted (undervoted) or not voted for candidates involved in the recount and, when both officials agree on the count, enter total in **line C8, column (i)**. Return these ballots to **Box/Envelope #3**.

C7	Overvoted Ballots (plus ballots otherwise <u>voided by Voter</u>) § 24.2-663	Machine-readable	Paper		C7(i) + C7(ii) =	C7
C8	Ballots Undervoted or Voted for Other Candidates	Machine-readable	Paper	DRE	C8(i) + C8(ii) + C8(iii) =	C8
C9	Challenged Ballots (enclosed in attached envelope)	Machine-readable	Paper		C9(i) + C9(ii) =	C9

6. Now count the **Machine-readable ballots** voted for each of the two candidates in the recount (stacks 1 & 2). Count one candidate's ballots at a time.



When both officials agree on the count, enter each count on **Line C3, in either Column (ii) or (iii), as appropriate** of the **Recount Precinct Results** form, double-checking that each count is listed under the appropriate candidate.

7. Add together the number of **Machine-readable ballots** voted for **both** candidates and enter the total in **line C2, column (iv)**.

Part C - Certification of Official Ballots				
VOTES CAST FOR CANDIDATES IN RECOUNT IMPORTANT: - Lines C1-C5 include only recount parties [listed to the right under (ii) and (iii)] - Lines C6-C9 include all other ballots	(i) Total Number Voting	(ii) Candidate Name _____ _____ ()	(iii) Candidate Name _____ _____ ()	(iv) Total Cast for Candidates (ii) + (iii)
C2 Total Machine-readable Ballots <i>Manually</i> Counted in Recount	A5 Total =			

B. Count the paper ballots

Take the paper ballots that were set aside as they were removed from **Box/Envelope #3** and **count the paper ballots** as follows.

If a second team of Recount Officials was used to count the Machine-readable ballots by hand, this second team should also count the paper ballots.

1. Count **all paper ballots** that have the office being recounted listed without examining how or whether the voter voted for the office. When both officials agree on the total number, enter the total in **Part C, line C3, column (i)** of the **Recount Precinct Results** form.

		(i) Total Number Voting
C3	Total Paper Ballots Counted in Recount	A6 Total =

Enter the same number in **Part A, line A6**.

A6	Number of Paper Ballots Counted in Recount ² (DOES NOT INCLUDE MANUALLY COUNTED MACHINE-READABLE BALLOTS)	Count	Carry to C3(i) ³	A6
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2. If the number entered in **Part A, line A6** is not the same as the numbers entered in **A7 and A8**, recount officials should explain the reasons for the difference -- as best they know or can determine -- on the reverse side of the page containing Part A. (For example, if the difference is due to X number of federal only ballots and the recount is for a state or local office.)

(Recent recount court orders have required all the pollbooks and ballots for the precinct to be referred to the court if the number of paper ballots actually cast is not the same as the number of paper ballots indicated on the pollbook. The



Recount Coordinator should be immediately informed if the numbers are not the same, and will know if the court order in the current recount contains instructions regarding this matter.)

3. If the total number of **paper ballots** in **Part A, line A6** does not exceed the total number voting by paper ballot in **Part A, line A7**, enter ZERO (0) in **Part C, line C6, column (iv) (paper ballots drawn)**;
4. If the total number of **paper ballots** in **Part A, line A6** exceeds the total number voting on paper ballots in **Part A, line A7** and no error is found, first consult with your Recount Coordinator. Recent recount orders have directed that the materials be sent to the Recount Court in this situation, not drawn down. The Recount Coordinator will know if the court order in the current recount contains instructions regarding this matter. If the court order is silent on this situation, the following procedures must be followed (§ 24.2-662):
 - a. Return all **paper ballots** to a container.
 - b. Have one of the Recount Officials, blindfolded, draw out the number of **paper ballots** necessary to reduce the total number to the number reported voting on paper ballots.
 - c. Mark the drawn **paper ballots** "**DRAWN AND NOT COUNTED**", and return them to **Box/Envelope #3**. Enter number drawn in **Part C, line C6, column (iv)**.
5. **To count the paper ballots, follow the same procedures described above in Section A under "iv. Hand count Machine-readable ballots previously set aside" with the differences below.** (The only difference for most of the "stacks" -- other than challenged ballots -- is where the information for the paper ballots is recorded on the Recount Precinct Results form.)
 - a. Place the **signed, challenged ballot statements** and **attached paper ballots** in the **Challenged Ballots envelope** for the precinct, and enter the name/number of the precinct if not previously entered. Enter the total number of challenged ballots (machine-readable and paper) on the envelope and complete any other information required. **SEAL** the Challenged Ballots envelope. Set the envelope containing **CHALLENGED BALLOTS** aside.

Enter the number of **challenged paper ballots** in Part C of the Recount Precinct Results form in **line C9, column (ii) (paper)**.
 - b. Enter total number of **paper ballots overvoted or voided** in **line C7, column (ii)** of the Recount Precinct Results form. Return voided paper ballots to **Box/Envelope #3**.
 - c. Enter the total number of **paper ballots not voted or not voted for candidates involved in the recount** in **line C8, column (ii)**. Return these paper ballots to **Box/Envelope #3**.



	(i)	(ii)	(iii)	(iv)	
C6	Paper Ballots Drawn (during recount) (§ 24.2-802)				C6
C7	Machine-readable	Paper		C7(i) + C7(ii) =	C7
C8	Machine-readable	Paper	DRE	C8(i) + C8(ii) + C8(iii) =	C8
C9	Machine-readable	Paper		C9(i) + C9(ii) =	C9
C10	TOTAL [Add C5 through C9 in column (iv) **Should equal C5 column (i)**			Carry to D5 and D10	C10

d. Now count the **paper** ballots voted for each of the two candidates in the recount (stacks 1 & 2). Count one candidate's ballots at a time.

When both officials agree on the count enter each count on **Line C3, in either Column (ii) or (iii), as appropriate** of the **Recount Precinct Results** form, double-checking that each count is listed under the appropriate candidate.

e. Add together the number of **Paper ballots** voted for **both** candidates and enter the total in **line C3, column (iv)**.

Part C - Certification of Official Ballots					
VOTES CAST FOR CANDIDATES IN RECOUNT		(i)	(ii)	(iii)	(iv)
IMPORTANT: - Lines C1-C5 include only recount parties [listed to the right under (ii) and (iii)] - Lines C6-C9 include all other ballots		Total Number Voting	Candidate Name	Candidate Name	Total Cast for Candidates (ii) + (iii)
C3	Total Paper Ballots Counted in Recount	A6 Total =			

C. One precinct at a time, Open Envelope #2; Record DRE Results

Open the **Envelope #2** and remove the *Statement of Results* with the attached **DRE** machine results printouts (tapes). Fold the *Statement of Results* back so only the *Consolidated* printout is visible. (If there is no *Consolidated* printout, or it does not include all DRE machines used in the precinct, see 1-e below.)

Both Recount Officials should examine the *Consolidated* printout for the precinct (also letting the observers see it clearly, but not handle it) and:

1. From that printout, enter the following information on the **SBE-802-PR -- Recount Precinct Results for All Voting Systems** form.
 - a. In **Part B-1, DRE Voting Machines**, enter the number of votes recorded as voting on all machines (from Consolidation printout) under **VM-1 (voting machine 1), line B2;**



- b. In **Part B-2, Certification of DRE Machine Results for Precinct**, enter the votes cast for each of the two candidates in the recount under **VM-1 (voting machine 1), lines B3 and B4**;
- c. Enter the **serial number** of each machine from which results were added by the *Consolidation* machine in the blanks provided at the bottom of the page below Part B-2. ↓

* If **consolidation tape** available, list total number of voters and results for recount candidates from consolidation tape under **VM-1 above** and **list all serial numbers for DREs included in the consolidation tape below**. If any DRE is not included in the consolidation tape, list the serial number and results for each such machine under VM-2, etc. Use additional copies of page if needed.

If the Recount Officials have any doubt that the *Consolidated* printout includes the results from every DRE used in the precinct in the election, they should check the machine serial numbers on the *Consolidated* printout against the serial numbers listed on the back of **Envelope # 7/7C**. If any DRE used in the election is not listed on the *Consolidated* printout, follow steps under "e" below.

- d. If the *Consolidated* printout is not clear, contact the Recount Coordinator and, if so advised by the Recount Coordinator, reprint the *Consolidated* printout if possible.
- e. If there is no Consolidated printout or it is not clear, and it cannot be reprinted, or it does not include the results for every machine in the precinct -- proceed as follows:

If the *Consolidated* printout does not include the results from every DRE used in the precinct in the election:

- ✓ Enter the *Consolidated* printout results under VM-1, lines B2, B3 and B4 (number of voters, and votes cast for the two candidates);
- ✓ Enter the serial numbers of every machine with results included in the *Consolidated* printout at the bottom of the page below Part B-2 in the blanks provided.
- ✓ For each machine not included in the *Consolidated* printout, from the individual DRE machine tapes, enter the machine serial number, number of voters who voted on this DRE and votes for each candidate in the recount on the appropriate lines under columns VM-2, VM-3, etc., until the results for all machines not listed on the *Consolidated* printout have been recorded. If an additional page is needed, continue to another copy of the *Recount Precinct Results* page containing Parts B-1 and B-2, manually crossing out and renumbering the machine number headings on the second page (VM-1 becomes VM-7 on page 2, etc.).

If there is no *Consolidated* printout and it cannot be reprinted, list the results from each DRE machine from the individual printouts under columns V-1, etc. (rows B1 through B4) as described above.

- ✓ Double check the machine serial numbers listed on the *Recount Precinct Results* (Parts B-1 and B-2) against the serial numbers listed



on the back of the 7/7C envelope to make sure that all of the machines have been listed.

- If an individual or *Consolidated* machine tape is not clear or not available and the Recount Coordinator advises that it must be rerun from the machine, complete the questions in **Part B-3**. Then, only examine the seals of the machines from which tapes are being rerun, comparing them to the information recorded on election night on the back of **Envelope # 7/7C**. ↓

Part B - 3 -- If DRE Tape(s) Must Be Rerun

Complete this part if any DRE tape from the precinct was missing or not clear, and the recount officers were directed to rerun the tape(s). Compare the seal on the each machine opened to the to the final seal number listed for that machine on the key envelope.

I. Do the seal and key envelope numbers for the reopened machine(s) agree? YES NO

If **NO**, mark the serial number of the machine on which a discrepancy was found with a check (✓) in Part B-1 on previous page and complete A through E below. Attach the precinct Statement of Results from the election (including all pages and attached tapes).

A. Machine#: _____
 B. _____ C. _____ D. _____ E. _____
 Number on Protective Counter Number on Public Counter # on key envelope # on machine seal

II. Seal(s) intact? YES NO

If **NO**, mark that machine number with an asterisk (*) in Part B-1 on previous page. Enter, on the reverse side of this page, a description of the machine condition and complete lines F through H below. Attach the precinct Statement of Results from the election (including all pages and attached tapes).

F. Machine#: _____ G. _____ H. _____
 Number on Protective Counter Number on Public Counter

- Calculate the total votes cast for the two candidates in the recount, under each **VM** column, in **line B5 (B3 + B4)**. Then calculate the Total Voters on DREs in **line B2** (adding across), the DRE totals for each respective candidate in **lines B3 and B4** (adding across), and the total votes cast on DREs for both candidates in **line B5** (adding across).

✓ Double-check: the total votes on all DRE machines for the two candidates in the recount, calculated in the last column of line **B5** by adding across that line, must equal the totals for the two candidates adding down the last column of totals from rows **B3** and **B4**.

Now calculate the number of voters who undervoted this office or voted for another candidate by **subtracting B5 from B2 in each column** and put the result in the field **B6**. Add across that line and enter the total in the last column.

- From **Part B-1**, carry the total number of voters from the **last (total) column of line B2** over to **Part C, line C4, column (i), (Total DRE Machine Count/Total Number Voting)**.
- From **Part B-2**, carry the candidate totals from the **last (total) column in lines B3 and B4** over to **Part C, line C4, columns (ii) and (iii)**, double-checking that each number is copied to the column for the appropriate candidate.



- i. The candidates should have already been listed in both forms in the same order -- B3 should be the same candidate in Part C, column (ii), and B4 the same as column (iii) -- but check that they are actually properly placed. If not, correct the references to Lines B3 and B4 in line C4 and initial the change (both officers). Do not change or move the candidate names already listed on the pages.
6. Add the candidate totals entered **line C4, columns (ii) and (iii)** for the two candidates and enter the total in **line C4, column (iv)**. Check that this total is the same number entered in the **total column of line B5**.

Part C - Certification of Official Ballots					
VOTES CAST FOR CANDIDATES IN RECOUNT		(i)	(ii)	(iii)	(iv)
IMPORTANT: - Lines C1-C5 include only recount parties [listed to the right under (ii) and (iii)] - Lines C6-C9 include all other ballots		Total Number Voting	Candidate Name	Candidate Name	Total Cast for Candidates (ii) + (iii)
			()	()	
C4	Total DRE Machine Count [If no DREs used, mark each "0".]	B2 Total =	SHOULD = LINE B3 TOTAL	SHOULD = LINE B4 TOTAL	SHOULD = LINE B5 TOTAL
					C4

7. From **Part B-1**, carry over the total number of voters who undervoted this office, or voted for another candidate (**last column of line B6**) and enter the number in **Part C, line C8** (ballots undervoted...), **column (iii) (DRE)**.

C8	Ballots Undervoted or Voted for Other Candidates	Machine-readable	Paper	DRE	C8(i) + C8(ii) + C8(iii) =	C8
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8. Set the Statement of Results with its attachments aside for now. Return any machine printouts not attached to the SOR to **Envelope #2**.

D. Paper Pollbooks: Verify pollbook count and number of paper ballots cast

If paper pollbooks were used, remove the **pollbook(s)** and the **Pollbook Count** forms from **Envelope #2** and examine them one at a time:

1. In **Part D-1 (Paper Pollbook Count and Reconciliation)** enter the division section (example "A-L") on the first line under the first "Division" column. Then enter the number of voters in the pollbook for the first pollbook division [this figure is shown on the bottom of the reverse side of the **Pollbook Count** form].

If a second team of recount officials will be used to hand count the paper and machine-readable ballots, that second team should perform steps 2 and 8 for each division of the pollbook.

2. Determine number of voters voting on **paper ballots** by examining each page of the first pollbook division, and enter the total number of paper ballots in the first **Part D-1 (Paper Pollbooks) line D1-PB** under the first pollbook division. (If a second team of recount officials is being used, the number should be provided to first team to enter on the form, and the entry verified by the second team.)



Paper ballot voters are those marked in the pollbook with a "P."

Outside Polls voters (marked with "OP") may have voted by paper ballot or on a portable DRE. If it is not clear from the pollbooks whether the OP voters voted on paper or machine, check the **Statement of Results** which will indicate each time a machine was removed from the precinct.

If the locality used a CAP to count absentee ballots, do not include the voters marked "AB" in the precinct counts unless they are also marked with a **pollbook count (PBC) number**.

When recounting the results for the CAP, refer to the final absentee ballot list (which serves in lieu of the pollbook) to determine the number of voters voting on DRE and by printed ballot.

Part D - 1 – Paper Pollbook Count (PBC) and Reconciliation		Division	Division	Calculation or Number	Total Pollbook Count	
D1	Enter last PBC Number for each division from PBC Count Sheet			Total of Division Counts		D1
D1-PB	Enter number of Paper Ballots cast (from Pollbooks by division)			Total of Division Counts		D1-PB

- RETURN the pollbook and pollbook count sheet to **Envelope #2**. Do not reseal Envelope #2 at this time.
- If more than one paper pollbook division was used in the precinct, repeat Steps 1, 2 and 3 for each such pollbook division.
- When all pollbook divisions have been entered, **add across Line D1** (Paper Pollbooks) to total the division counts and enter the total in the last column, Total Pollbook Count.
- Add across line D1-PB** to total the paper ballot counts from the pollbook divisions and carry this number over to **Part A, line A7**.
- From **Part A** of the **Statement of Results** (previously set aside), the number of paper ballot voters in the precinct is indicated in **line A9** (A18 if absentee ballots were counted in the precinct). Enter this number in **Part A, line A8** of the **Recount Precinct Results**.



A7	Number of Paper Ballot Voters as indicated on all paper pollbooks for the precinct, or on Electronic Pollbook (EPB)	Pollbooks	<input type="text"/>	³
A8	Number of Paper Ballot Voters as indicated by line A9 of SOR (A18 if absentee ballots were counted in the precinct)	SOR line A9	<input type="text"/>	³

8. *If A7 and A8 are not the same number*, ask for the advice of the Recount Coordinator. If the reason for the difference is known or can be determined by to the Recount Officials, it should be explained on the reverse of the Recount Precinct Results page containing Part A.

The Recount Coordinator may direct that the SOR and Incident Report be examined to determine possible variations in the number of paper ballots indicated on the pollbook and the SOR, and that the pollbook count sheets be examined if the pollbook officer noted paper or OP ballots.

Any other information contained in **Envelope #2** may be examined by the Recount Officials at the direction of the Recount Coordinator to determine the reason for the difference.

The Recount Coordinator may also direct that the pollbooks be re-examined to redetermine the number of paper ballots cast. If the re-examination yields a different number for any division, the correction should be entered in **line D1-PB** under the appropriate division. When the re-examination is complete, as determined by the Recount Coordinator, the line D1-PB total must be recalculated if any division entry changed, and the figure carried over to **line A7**. The changes must be explained by the Recount Officials on the reverse of both changed pages.

9. From **Part C1 of the Statement of Results** enter the number of canceled DRE ballots in the Recount Precinct Results, **Part D-1 (Paper Pollbooks), line D2** and the number of voided machine-readable and paper ballots in **line D3**. **Add D2 and D3**, and enter the total in **line D4**.
10. **Subtract line D4** (total canceled and voided ballots) **from D1** (total of division counts), and enter the figure in **line D5**.

Part D - 1 – Paper Pollbook Count (PBC) and Reconciliation		Division	Division	Division	Division	Calculation or Number	Total Pollbook Count	
		___ - ___	___ - ___	___ - ___	___ - ___			
D1	Enter last PBC Number for each division from PBC Count Sheet					Total of Division Counts	<input type="text"/>	D1
D1-PB	Enter number of Paper Ballots cast (from Pollbooks by division)					Total of Division Counts	<input type="text"/>	D1-PB
D2	Number of cancelled DRE Ballots – (DRE ballots that were CANCELLED because the voter left the booth without casting his/her ballot. Copy from precinct SOR.)					<input type="text"/>	<input type="text"/>	D2
D3	Number of voided Machine-readable and Paper Ballots - (Ballots that were VOIDED because the voter left the booth without casting his/her ballot. <u>DO NOT</u> include ballots spoiled by voter and replaced. Copy number from precinct SOR.)					<input type="text"/>	<input type="text"/>	D3
D4	Total Number of Cancelled DRE and VOIDED Machine-readable and Paper Ballots					= D2 + D3	<input type="text"/>	D4
D5	Pollbook Count Reconciliation - Subtract Total number of CANCELLED DRE and VOIDED Machine-readable and Paper ballots from Total Pollbook Count. **D5 should not be more than C10**					C10 = = D1 – D4	<input type="text"/>	D5

11. The Recount Officials must verify the totals entered.



12. Return all pollbooks, pollbook count sheets, the Statement of Results and any other materials removed from **Envelope #2** to that envelope. RESEAL **Envelope #2**, with both Recount Officers signing the seal. Set Envelope #2 aside.

E. Electronic Pollbooks: Verify pollbook count and number of paper ballots cast

If electronic pollbooks were used, leave the first part D-1 (for paper pollbooks) blank, and use **Part D-2 - Electronic Pollbook Count and Reconciliation**.

1. If a printer was used with the EPB, remove the open/close poll report from the **Envelope #2** and enter the total voters Checked-In COUNT from the report in D-2 (EPB), line D6 (total voters Checked-in Count).

If the report includes the number of voters checked in as voting paper ballots, enter that number in **Part A, line A7**.

2. If there is no EPB open/close poll report, it will be necessary to obtain the information from the EPB data thumbdrive sealed on election night in **Envelope #2**. The General Registrar, EPB manager, Equipment Technician or other person designated by the Recount Coordinators will have already loaded the precinct manager software onto a laptop and set it up in the recount room with an attached printer. (Person performing this function should also be sworn at the beginning of the recount.) One member of the Recount Team, a Recount Coordinator, and the observer from the side not being represented by that Recount Coordinator will take the precinct thumbdrive to the designated person who can bring up the data from the precinct and print the appropriate reports. The other team member and observer will remain with the precinct materials while this is done.

If the number of paper ballot voters was not recorded by the Officers in the EPB data, or cannot be retrieved, **line A7 of Part A** must be left blank. On the back of that page of the Precinct Recount Results, the Recount Officials must explain -- to the best of their ability-- why the data is unavailable.

3. From **Part C1 of the Statement of Results** (previously set aside) enter the number of canceled DRE ballots in **Part D-2 (Electronic Pollbooks), line D7** and the number of voided machine-readable and paper ballots in **line D8**. **Add D7 and D8**, and enter the total in **line D9**.
4. **Subtract line D9** (total cancelled and voided ballots) **from D6** (Total EPB pollbook count), and enter the figure in **line D10**.
5. The Recount Officials must verify the totals entered.
6. RETURN the EPB open/close report (if applicable) and thumbdrive to **Envelope #2**, along with the Statement of Results and any other materials removed from **Envelope #2**. If a printout/report was produced from the thumbdrive during the recount, that printout/report should also be sealed inside **Envelope #2** (in the



event of a later contest). RESEAL **Envelope #2**, with both Recount Officers signing the seal. Set Envelope #2 aside.

F. Finish the paperwork

1. Return all ballots except the challenged ballots to **Box/Envelope #3** (if not previously done). If manual tally sheets were used, put them in **Box/Envelope #3**, on top of the ballots (in case there is a contest following the recount). Then RESEAL it.
 - a. In **Part C** of the Recount Precinct Results, **find the totals for lines C1 through C4 in each vertical column (i - iv)** and enter the column totals in the corresponding column on **line C5**.

Part C - Certification of Official Ballots					
VOTES CAST FOR CANDIDATES IN RECOUNT IMPORTANT: - Lines C1-C5 include only recount parties [listed to the right under (i) and (iii)] - Lines C6-C9 include all other ballots	(i)	(ii)	(iii)	(iv)	
	Total Number Voting	Candidate Name	Candidate Name	Total Cast for Candidates (ii) + (iii)	
C1 Total Ballots Read by Ballot Scanner Machine in Recount (From tape; when finished attach tape to back of page with Part A.)	A4 Total = ↓	↓	↓	↓	C1
C2 Total Machine-readable Ballots <i>Manually</i> Counted in Recount	A5 Total = ↓	↓	↓	↓	C2
C3 Total Paper Ballots Counted in Recount	A6 Total = ↓	↓	↓	↓	C3
C4 Total DRE Machine Count (If no DREs used, mark each "0")	B2 Total = ↓	SHOULD = LINE B3 TOTAL ↓	SHOULD = LINE B4 TOTAL ↓	SHOULD = LINE B5 TOTAL ↓	C4
C5 Total Votes (Add C1 through C4 in each column)	⚡	⚡	⚡	⚡	C5

- b. In **Part C**, add together the number of machine-readable, paper and DRE ballots (**columns (i), (ii), and (iii)**) in each category listed on lines **C7 through C9**. Enter the respective totals in **Column (iv)** on the same line.
- c. In **Part C**, Enter the **total of column (iv), lines C5 through C9** on **Line C10**.
- d. Is the number in **line C5, column (i)** the same as the number in **line C10, column (iv)**? If not, recheck math and recheck numbers entered. Ask Recount Coordinator for guidance.

	(i)	(ii)	(iii)	(iv)	
C5 Total Votes (Add C1 through C4 in each column)	⚡	⚡	⚡	⚡	C5
C6	Paper Ballots Drawn (during recount) (§ 24.2-802)			↓	C6
C7 <i>Manually</i> Counted Ballots Voided by Voter (includes Overvoted; § 24.2-663) [For C7 - C9, list separately by ballot voting system]	Machine-readable →	Paper →		C7(i) + C7(ii) = ↓	C7
C8 Ballots Undervoted or Voted for Other Candidates	Machine-readable →	Paper →	DRE →	C8(i) + C8(ii) + C8(iii) = ↓	C8
C9 Challenged Ballots (enclosed in attached envelope)	Machine-readable →	Paper →		C9(i) + C9(ii) = ↓	C9
C10	TOTAL [Add C5 through C9 in column (iv) **Should equal C5 column (i)**			Carry to D5 and D10	C10



- e. Also enter the number on **line C10, column (iv)** in the proper box in Part D-1 line D5 or Part D-2 line D10 (depending on whether paper pollbooks or an electronic pollbook was used).

Paper Pollbook:

D5	Pollbook Count Reconciliation - Subtract Total number of CANCELLED DRE and VOIDED Machine-readable and Paper ballots from Total Pollbook Count. **D5 should not be more than C10**	C10 =	= D1 - D4	D5
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Electronic Pollbook:

D10	Pollbook Count Reconciliation - Subtract the number of CANCELLED DRE and VOIDED Machine-readable and Paper ballots from Total Pollbook Count. **D5 should not be more than C10**	C10 =	= D6 - D9	D10
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- If machine-readable ballots for this precinct were rerun through a counter during the recount, **make sure that the BALLOT SCANNER MACHINE TAPE for the ballots rerun during the RECOUNT is stapled to the back** (behind the top right -- see instructions on page) **of the Recount Precinct Results page with Part A.** Make sure that the precinct code is written on the tape.
- Make sure that the pages of the Recount Precinct Results are complete (including all information at the top of the pages if not previously filled in) and put them in order by "Part" letter. Number the pages if this has not been previously done, or if an additional page had to be added (for example, for more individual DRE tapes than the columns available).
- Each Recount Official must verify the totals entered and **sign and date the form** in the **CERTIFICATION (Part E – page 1)**. (If a second team of Recount Officials was used to hand count the ballots, those officials must also sign the form.)

PART E - "DO NOT SIGN UNTIL ALL OTHER MATERIALS ARE COMPLETE"	
CERTIFICATION — We hereby swear/affirm, under felony penalty for making willfully false material statements or entries, that all of the information entered heron is true and correct.	
<small>WARNING: INTENTIONALLY MAKING A MATERIALLY FALSE STATEMENT ON THIS FORM CONSTITUTES THE CRIME OF ELECTION FRAUD, WHICH IS PUNISHABLE UNDER VIRGINIA LAW AS A FELONY. VIOLATORS MAY BE SENTENCED TO UP TO 10 YEARS IN PRISON, OR UP TO 12 MONTHS IN JAIL AND/OR FINED UP TO \$2,500. (Va. Code § 24.2-1016)</small>	
<p>1. _____ Recount Official's Signature - Team 1</p> <p>_____</p> <p style="text-align: center;">Printed Name</p>	<p>3. _____ Recount Official's Signature - Team 2 (if applicable)</p> <p>_____</p> <p style="text-align: center;">Printed Name</p>
<p>2. _____ Recount Official's Signature - Team 1</p> <p>_____</p> <p style="text-align: center;">Printed Name</p>	<p>4. _____ Recount Official's Signature - Team 2 (if applicable)</p> <p>_____</p> <p style="text-align: center;">Printed Name</p>

- Staple the set of Recount Precinct Results pages together in the top left corner. If there were any challenged ballots in this precinct, staple the set of Results pages to the top left corner of the completed, sealed **Challenged Ballots envelope** (making sure not to staple through any ballots).**

If there were NOT any challenged ballots in this precinct, DO NOT staple the Recount Precinct Results to the empty **Challenged Ballots envelope**. Keep the envelope until needed for a precinct that has one or more challenged ballots. (The instructions preprinted on your Challenged Ballot envelope may say to complete and seal the envelope, and staple the precinct results to it even if there were no challenged ballots in the precinct. These instructions revise those instructions.)



6. Let the Recount Coordinator know that you have completed the precinct. The Coordinator should review the completeness of the Recount Precinct Results at that time, ensuring that all entries appear to be legible (to the Coordinator), and the pages are sequentially numbered and complete.

The Recount Officials will now give the Recount Coordinator:

(1) The completed Recount Precinct Results set

- with attached ballot scanner machine tape if machine-readable ballots were rerun during the recount
- attached to Challenged Ballots envelope ONLY if there was a challenged ballot

(2) All of the election materials received from the precinct, properly resealed in their envelope/box (with any Manual Tally Sheets that were used placed/sealed inside Box/Envelope #3 on top of the ballots)

(3) The resealed memory card/cartridge used to rerun the machine-readable ballots (if applicable).

7. The Recount Coordinator will then give the Clerk of Circuit Court the **completed Recount Precinct Results set** with the attached tape (if applicable) and attached **Challenged Ballots envelope** (if used), and **all other election materials for the precinct** and receive the packages for the next precinct.

G. Repeat for next precinct

Repeat the above steps until all assigned precincts have been completed.



Finishing the Locality's Results; Sealing and Delivery of Material

The following steps are recommended by the Department of Elections for security, accuracy and uniformity, subject to the direction and authority of the Recount Court.

The Recount Coordinator receiving materials from the recount officials should make sure that the materials are complete.

- ✓ If machine-readable ballots were rerun through a scanner for the precinct:
 - is the **recount ballot scanner machine tape** stapled to the back of the Recount Precinct Results page containing **Part B**?
 - If any **Challenged Ballots** are listed in **Part C, line C9** of the Recount Precinct Results form:
 - Is the **Challenged Ballot Envelope** attached to the Recount Precinct Results set, and has the envelope been sealed, signed, and completed?
 - Is the **total number of challenged ballots listed on the envelope the same** as the **total listed on line C9, column (iv)**?
- ✓ Do the entries on the Recount Precinct Results form set appear to be legible (to the Clerk), and are the pages sequentially numbered and complete?

The Clerk of Court for the locality will check in the materials received from the Recount Coordinator for the completed precinct. While the Recount Coordinator is present, the Clerk will make sure that the materials appear to be complete.

- ✓ Did all the election and recount envelopes/materials checked out by the Recount Coordinator for the precinct come back?
- ✓ Have all sealed materials opened during the recount been properly resealed?

Any questions should be addressed at that time to the Recount Coordinator and, if either the Clerk of Court or Recount Coordinator believes it necessary:

- The Clerk of Court will not accept the materials in question from the Recount Coordinator at that time (checking in only those not in question), and
- The Recount Coordinator will return to the Recount Team that prepared the materials, with the materials in question, to resolve any issues.

Once the precinct's recount materials are all accepted by the Clerk, if the locality's recount results are to be conveyed to another location after completion of all precincts, the Recount Coordinator for the locality, in the view of the Clerk of Court, will **enter the total number of votes for each of the two candidates in the recount and the number of challenged ballots referred to the Court in the first line for the precinct** on the **Locality Summary** form. **Enter ZERO "0" if there were no challenged ballots. Leave the second line for the precinct blank** ("challenged ballots counted by the Court").

Note: In the past this has been entirely done at the Recount Court level. In the revised process for a "two day" or "two part" recount, the Recount Coordinator will complete the first line for the precinct. The results will be checked by the Recount Court and tabulated after all challenges have been decided.

The Clerk of Court will place the recount materials to be conveyed to the Court for the locality as a whole in precinct number order, to be placed in the Locality Results Envelope when completed.



The Clerk of Court will then give the Recount Coordinator the materials for the next precinct (checking them out as given).

The Clerk of Court will replace the sealed materials for the election that will remain in the locality in a secure place with the other completed materials.

The Recount Court may be in session in the same room while the recount is underway, and may choose to review the precinct results and any challenged ballots (or just the challenged ballots) as each precinct is completed. If the Clerk of Court is instructed to convey these immediately to the Recount Court, it is recommended that the Clerk note on the materials check in/out record what was given to the Court, when it was received, and who received it.

If the Recount Court decides to review precinct results and challenged ballots as the precincts complete them, the Court or its designee would enter the total number of votes for each of the two candidates in the recount and the number of challenged ballots referred to the Court in the first line for the precinct on the Locality Summary form, entering ZERO "0" in the last column if there were no challenged ballots. The court would record its decision(s) on the challenged ballots on the second line for the precinct ("challenged ballots counted by the Court") on the Locality Summary form.

If the Recount Court decides to review only the challenged ballots as the precincts are completed, the Clerk would give that envelope to them with the attached precinct results. After reviewing the challenged ballots (without reviewing the Results), the Court would note its decision on the outside of the envelope by candidate (for example "Smith - 2, Jones - 1, not counted - 1), reseal the envelope and return it to the Clerk for the locality to put with the other completed recount precinct results.

Repeat the above steps until all assigned precincts have been completed.



"Part Two" - Court Review and Compilation of Results -- Suggested Steps

Check in and Logistics

Make sure you have the following documents and materials:

- ✓ *Locality Summary of Recount Results (SBE-802-LS)*
(one form has been prepared for each locality)
- ✓ *Court Certification of Recount Form (SBE-802-CC)*
(lists results by locality)
- ✓ Locality Results envelope/box for each locality
- ✓ Stickers to reseal the envelopes
- ✓ Notepads
- ✓ Pens

Officials and Authorized Representatives

Floor Teams:

- One Department of Elections Staff Member,
- One representative of the accounting firm,
- One representative of each campaign.

Duties: Open locality results envelope/box received from **runner** one locality at a time. Handle challenged ballots. Report challenged ballots. Determine precinct results from the materials submitted by the locality. Complete *Recount Certification – County or City Results by Precinct (SBE 802-LS)* form for the locality being examined.

Floor Attorneys:

- Attorneys for each campaign

Duties: Available to Floor Teams to answer questions and resolve issues.

Appeals Team:

- Lead attorneys for both candidates,
- Department of Elections senior staff,
- Member of the Clerk's staff (at Clerk's option).

Duties: Resolves any issues raised by **Floor Teams**. Issues are resolved if the two party attorneys are in agreement, and the Department of Elections senior staff member bears witness to the agreement. Any issues not resolved by the Appeals Team will go to the **Recount Court** for a decision. Examine challenged ballots that could not be resolved by the **Floor Team** and refer to **Recount Court** for its decision (with recommendation if one is reached). Examine materials (pollbooks, ballots, etc.) referred to the **Recount Court** when number of paper ballots in a precinct does not equal the number of paper ballot voters on the pollbooks, or there are other problems.

Summary Team:

- One Department of Elections Staff member,
- One representative of the accounting firm,
- One representative from each campaign.

Duties: Examine *Recount Certification – County or City Results by Precinct (SBE 802-LS)* for each locality as received from the **runner**. Total columns and enter totals on *Summary*



form for the locality. If any challenged ballots that could not be resolved by the **Floor Teams** are later counted by the Court, add them to the *Summary* form under the locality (not on the *Results by Precinct* form) and recalculate totals.

Runner:

- One Department of Elections Staff member

Duties: Take the materials from the **Clerk**, one locality at a time to the **Floor Teams**, pick them up when the **Floor Team** is finished, return the materials to the **Clerk**, and deliver the tabulation sheets to the **Summary Team**.

Clerk

Duties: Clerk or Deputy Clerk should maintain control of the recount room, including press and general public, hand out locality documents and receive them back when completed, and transport any challenged ballots unresolved by the **Floor Team** or **Appeals Team** to the three judges of the **Recount Court** for their decision.

Floor Team Step-by-Step

Guidelines

- ONLY **ELECT STAFF** may handle ballots or other materials.
- Ensure all members of **Floor Team** and any observers are able to see the materials clearly.
- If, at any time, the packet is missing information or does not comply with the requirements set forth below, notify the **Appeals Team** (ELECT Executive/Policy Staff or Campaign Attorneys).

Review and Compilation of Results

Local Results envelopes/boxes received from localities should be alphabetized by locality to make sure that they are present and clearly marked. If a county and city have the same name they should be marked to show the county or city designation before the recount begins.

1) **Floor Team** Receives Locality Materials from the Runner

- a. Check to ensure the **Clerk** or Deputy Clerk of the Locality's Circuit Court **has signed** in the space provided in the lower right hand corner of the package.
- b. Check for SBE-802 LS form: "Recount Certification County or City Results by Precinct" (tabulation sheet).
 - i. If there is **no 802 LS form, the accountant will have to create** a form from a blank 802 LS.
- c. Count the number of SBE-802 PR forms "Recount Precinct Results for All Voting Systems".
 - i. Number of forms should equal number of precincts listed on tabulation sheet (SBE-802 LS + 2 for CAP and provisional ballots, if locality has a CAP).
 - ii. Also confirm precincts with spreadsheet of precincts provided.



- 2) **Open Recount Precinct Results** to Part C (SBE-802 PR).
 - a. Confirm **Line C5, column (ii) and (iii) of SBE-802 PR** correspond with precinct totals entered on Recount Certification (SBE-802 LS) for each candidate.
 - b. Confirm number of challenged ballots entered on **Line C9 of SBE-802 PR** correspond with number of challenged ballots entered on SBE-802 LS.
- 3) If any information does not match, please notify a member of the Appeals Team.

Dealing with Challenged Ballots

- 4) **Open** the package.
 - a. Remove one envelope at a time.
 - b. Ensure there is an 802-CB attached to a Challenged Ballot (CB) Envelope.
 - c. Ensure the 802-CB is signed by the Recount Officials for that precinct.
 - d. Identify precinct and locate the precinct on the Recount Certification – County or City Results by Precinct form.
- 5) **Examine** the CB Envelope
 - a. **If zero indicated on front of envelope**, hold envelope to the light and ensure envelope it is empty.
 - i. **Accountant** shall enter ZERO on the 802-LS
 - b. **If a number is indicated on front of envelope**, open the envelope and verify the number of ballots included equals the number indicated on the form.
 - i. **Accountant** should enter the number of ballots challenged on 802-LS
 1. Ensure each challenged ballot has an 802-CB attached to it.
 - ii. Allow each party to examine, but not handle, the challenged ballot one at a time. (if there is any question, refer to the [Department of Elections Ballot Examples](#))
 1. If the two **Party Representatives agree** on which candidate the ballot should be counted for, then mark on the back of the 802-CB the name of the candidate the candidate for which the ballot shall be counted for.
 2. If the two **Party Representatives do NOT agree**, then request the **Appeals Team** over to review the ballot.
 - a. If **parties agree**, then follow procedure above for counting the ballot.



- b. If **parties do NOT agree**, then provide the ballot to the Runner who will take it to the Clerk for review by the Court.
- c. **If no number is entered on front of envelope**, open to verify if the envelope is empty.
 - i. Review 802-PR to find the number of ballots challenged.
 - ii. Accountant should enter the number found on 802-LS.
 - iii. If a challenged ballot is present, allow each party to examine, but not handle, the challenged ballot one at a time. (if there is any question, refer to the [Department of Elections Ballot Examples](#))
 1. If the two **party representatives agree** on which candidate the ballot should be counted for, then mark on the back of the 802-CB the name of the candidate the candidate for which the ballot shall be counted for.
 2. If the two **party representatives do NOT agree**, then request the **Appeals Team** over to review the ballot.
 - a. If **parties agree**, then follow procedure above for counting the ballot.
 - b. If **parties do NOT agree**, then provide the ballot to the Runner who will take it to the Clerk for review by the Court

6) **Finalize** the Locality Results

- a. Once all ballots have been determined, the accountant will complete the 802-LS.
 - i. ELECT staff and the party reps should confirm the 802-LS is entered correctly and initial under the totals.
- b. Call a **Runner** to take the **802-LS** to one of the **Summary Teams**.
- c. Call a **Runner** to take the **locality materials** back to the **Clerk**.

Final Certification of Results: Re-seal material

After the **Floor Team** has completed the 802-LS *Recount Certification – County or City Results by Precinct*, the materials are transported to the **Summary Team**.

- 1) The **Summary Team** checks the math and completeness of the *Locality Summary of Recount Results (SBE-802-LS)*.
- 2) The **Summary Team** transfers the vote totals for each candidate in each locality from the *Locality Summary of Recount Results (SBE-802-LS)* to the *Court Certification of Recount (SBE-802-CC)* form.
- 3) The **Summary Team** transfers any information regarding challenged ballots (SBE-802-CB) received from the **Appeals Team** or the **Recount Court** on the *Court Certification of Recount (SBE-802-CC)* form.
- 4) The accountant on the **Summary Team** verifies the accuracy of the *Court Certification of Recount (SBE-802-CC)* form.
- 5) The *Court Certification of Recount (SBE-802-CC)* form is submitted to the **Recount Court** for their certification.



After the Recount

Issuance of Certificate of Election

The person having the highest number of votes shall be deemed to have been elected to such office and shall receive a certificate of election. The Attorney General's office has determined that the certificate of election should be issued by the local electoral board even though an election is being recounted. There are no provisions of §24.2-802 that would delay the local electoral board's issuance of the certificate of election as required by §24.2-676.

If the Court's certification of the recount declares the losing candidate the winner, a new certificate of election must be issued, making the original certificate null and void.

Update Results on Department of Elections Website

Localities involved in a recount may need to change their election results. §24.2-671 requires there to be a record of all changes to vote totals made after Election Day. Therefore, all localities must enter a "Reason for Change" in VERIS before they can change their vote totals. These changes will be reflected on the Department of Elections website. The Department of Elections generally does not publish local results since they are not the certifying agent. However, since most local elections are held on an Election Day in which the Department of Elections is the certifying agent, local office results are included. The website will be updated accordingly.

Return and Final Retention of Material

All of the recount material received from each city or county comprising the district being recounted should be resealed and signed by the Recount Court's designated officers tabulating the results, and preferably also by representatives for the parties to the recount if present, and then securely stored by the Clerk of Court for the Circuit Court in which the recount was held. These materials should remain secured and sealed until the time for the candidate losing the recount to initiate a contest has expired. See [Contests](#) near the beginning of this document and § 24.2-814 allowing 10 days from recount court order declaring winner to file contest.

If the recount was for a primary or election for a General Assembly seat, statewide office or federal office, the Department of Elections will check with the appropriate office to determine if a contest has been filed by the deadline, and then notify the Clerk. If no contest is pending, the records for the Clerk's own locality should then be treated as prescribed by law for other records from that same election date that are in the custody of the Clerk.

Materials sent from any other localities in the district to be recounted should be returned to the Clerks for those localities, again to be treated in the same manner as other records from that election date that are in the custody of the Clerk. The other Clerks may want to pick up the records, or the sending Clerk may have them delivered personally or by a method



that includes tracking of delivery. If the materials are picked up or delivered personally, both Clerks should keep a record documenting the transaction.

In the case of a primary or election for a county, city or town office, or local district office, any contest would be filed with the Circuit Court where the challenged candidate resides. Unless the recount was for a shared local office, the Clerk of the Court that conducted the recount will receive any contest filed, or should check with the Clerk where the winning candidate resides to determine if a contest has been filed by the deadline.



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Virginia Election Recounts Step-by-Step Instructions

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Includes:

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- Overview of Recounts and Contests
- Preparations for the Recount
- Precinct Instructions for Recount Coordinators and Officials-All Voting Systems
- Suggested Steps for the Court's Review and Compilation of Recount Results
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A Message to General Registrars and Electoral Board Members

*Please carefully review this document as soon as you know that a recount is possible ~~or likely~~ in one of your elections. Also provide a copy to your local Clerk of Court. These instructions accompany the **RECOUNT PRECINCT RESULTS For All Voting Systems** (form SBE-802-PR), ~~a set of forms which replaces all previous Virginia recount forms for tabulating and reporting individual precinct results. Likewise, this document replaces all previous Department of Elections instructions for recount coordinators and recount officials. The Appendix shows the conversion from the most recent recount document names and titles to the 2011 versions.~~*

If you have any questions about this information, please do not hesitate to contact a Department of Elections policy analyst.

Overview -- Election Recounts and Contests

Recounts

A recount is a simple redetermination (retabulation) of all of the votes cast on Election Day. Recount officials only count the ballots that were previously cast. A voter's eligibility to vote or any alleged irregularities cannot be called into question during a recount (only in a contest, see below).

In Virginia, there are no automatic recounts. Only an apparent losing candidate can ask for a recount, and only if the difference between the apparent winning candidate and that apparent losing candidate is not more than one percent (1%) of the total votes cast for those two candidates.

~~A law change effective 7/1/2009 allows~~ As of 2009, a losing candidate may request a recount ~~to be requested~~ if the difference is not more than five percent (5%) of the total votes cast for those two candidates ~~if one of those candidates was a write-in candidate for that office.~~ (§ 24.2-800, Code of Virginia)

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The apparent losing candidate cannot request a recount until after the election is certified. (§ 24.2-801) The Department of Elections certifies primary and election results for all federal offices (Presidential Electors, U.S. Senate, and U.S. Congress), state offices (Governor, Lt. Governor, and Attorney General and General Assembly seats) and any offices shared by two or more localities.

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An apparent losing candidate requesting a recount of a primary or general election for statewide office files the petition requesting a recount with the Circuit Court of the City of Richmond. A candidate requesting a recount for any other office files the recount petition with the Circuit Court where the candidate being challenged resides.



Virginia Election Recounts Step-by-Step Instructions

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Local electoral boards certify all other election results for local offices. Each electoral board meets in the days following the election to canvass and certify these results. To request a recount, an apparent losing candidate for a local election must file a petition for a recount with the Circuit Court where the challenged candidate resides within ten days after the electoral board certifies the election results. Any local candidate seeking a recount should check with their local general registrar or electoral board to determine the actual date of certification for these local offices.

The Chief Judge of the Circuit Court where the recount petition was filed and two other judges appointed by the Chief Justice of Supreme Court of Virginia make up the recount court. The recount court, outlines all procedures and the manner in which the recount will be conducted for each type of voting equipment used (pursuant to § 24.2-802 of the Code of Virginia).

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The recount court appoints recount officials from among the officers of election who served in the locality during the election. These recount officials are appointed to represent the respective parties to the recount. In setting the procedures for the recount, the court will also decide if the actual recounting of votes cast will take place in the various localities or in a central location. After all of the votes cast are recounted, the court will certify the candidate with the most votes as the winner.

The counties and cities involved in a recount are responsible for paying their own costs for the recount if the margin between the two candidates who are parties to the recount is ~~a one-half of a~~ percent or less, or if the candidate requesting the recount is declared the winner by the recount court. Otherwise, the candidate who requested the recount must pay the costs for conducting the recount. Any candidate requesting a recount who may be assessed with costs shall post a bond with surety with the court in the amount of \$10 per precinct in the area subject to the recount. (More information about recount costs is available in § 24.2-802(E) and (F) of the Code of Virginia).

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Because of the federal deadline for the seating of the state's presidential electors, Virginia law provides an accelerated schedule for any recount of such election (see § 24.2-801.1). The presidential candidate represents the vice presidential candidate and the candidates for electors (§ 24.2-800). The deadline for filing of notice of intent to contest is 5:00 PM on the second calendar day following certification of the election by the Department of Elections. The recount "shall be held promptly" and must be concluded at least six days before the time fixed for the convening of the electors. If a *contest* of an election for Virginia's presidential electors is also filed, they would proceed simultaneously (§ 24.2-805).

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Contests

An unsuccessful candidate in the election may file a notice of intent to contest the election.

The notice must state the grounds for the contest, which must include one of the following:

- (i) objections to the eligibility of the contestee based on specific allegations, OR
- (ii) objections to the conduct or results of the election accompanied by specific allegations which, if proven true, would have a probable impact on the outcome of the election, ~~or~~ OR
- (iii) both.

Contests of elections for most offices in Virginia may be filed only within 30 days of the election or ~~ten~~ 10 days of the date of the primary or a special election held on a date other than that of a general election. A contest may also be filed after a recount under Va. Code §



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[24.2-814](#) within 10 days after the recount court's order declaring a winner under [Va. Code § 24.2-802\(D\)](#).

If a recount has been held for an election to the House of Delegates, State Senate, Governor, Lieutenant Governor, or Attorney General, the apparent losing candidate for that office who also loses the recount has until 3 days after the conclusion of the recount (or ~~the~~ 30 days [after Election Day](#), whichever date is later) to file notice of intent to contest. A candidate who was originally declared the winner and loses as a result of a recount may file notice of intent to contest the election within 10 days following the conclusion of the recount.

In elections for a Member of the U.S. Senate or U.S. House of Representatives, [Article I, section 5](#) of the U.S. Constitution provides that "Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members." ~~Similarly, Article IV, section 7 of the Virginia Constitution has a nearly identical provision. Va-irginia Code § 24.2-803~~ requires that contests for elections of General Assembly members must be filed with the respective clerks for decision by the affected body. ~~(Each house shall judge of the election, qualification, and returns of its members....; Va. Code § 24.2-803.~~

Comment [JK1]: This is in the Code, not the Const.

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To contest an election for the House of Representatives, a notice of intent to contest the election must be filed with the Clerk within ~~thirty 30~~ days after the result of the election has been certified by the Department of Elections ~~or Elections~~, or if there is a recount, within ~~thirty 30~~ days after the recount ~~Court-court~~ certifies the election result. ([2 USC Chapter 12, particularly Sections 384 and 392](#))

The contestant "would have to formally petition the U.S. Senate for a probe into the election, and the Rules Committee has broad authority to investigate election cases, including conducting its own recount. The Rules panel, however, would have to vote to begin the inquiry, and historically, those probes have taken months if not years to complete. Any findings — such as whether an election was legitimate — would be forwarded to the full Senate with a recommendation on what, if any, action to take, which the Senate could then decide whether to take up."¹ A deadline for filing such a contest is not stated in federal law.²

As with recounts of elections for presidential electors, Virginia law provides an accelerated schedule for any contests of such presidential elections as well. The presidential candidate represents the vice presidential candidate and the candidates for electors ([§ 24.2-807](#)). The deadline for filing of the notice of intent to contest is 5:00 PM on the second calendar day following certification of the election by the Department of Elections. The contest "shall not wait upon the results of any recount" and must be concluded at least ~~six 6~~ days before the time fixed for the convening of the electors ([§ 24.2-805](#)). Any recount or contest for an election for presidential electors would proceed simultaneously.

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Office

Notice of intent to contest is filed with

Election of Presidential Electors

Circuit Court, City of Richmond

¹ David M. Drucker & Emily Pierce, "Democrats May Join Minnesota Fray," Roll Call, 12/8/08

² In the event of a U.S. Senate recount in Virginia, Department of Elections would ask the Parliamentarian of the Senate (through the state's other Senator(s)) if the rules at that time specify a deadline for filing a contest after the conclusion of a recount.



Primary for U.S. Senate* or Statewide Office	Circuit Court, City of Richmond
Presidential Primary	No contest provisions in Code of Virginia
Election for Governor, Lt. Governor or Attorney General	Clerk of the House of Delegates
Election for House of Delegates	Clerk of the House of Delegates
Election for State Senate	Clerk of the State Senate
Primary for U.S. House of Representatives*, House of Delegates or State Senate	Circuit Court where challenged candidate resides
Primary or Election for any county, city, town or district office	Circuit Court where challenged candidate resides

Persons Involved in the Recount

Electoral Boards – Give court and parties a list of all Officers of Election who served in the last election, with their party affiliations, etc. One electoral board member representing each party will be selected by the Recount Court to serve as one of the pair of **Recount Coordinators** for the locality.

Recount Officials – Each candidate or petitioner and governing body/chief executive officer (in the case of a referendum) involved in the recount may select an equal number of officers of election to serve as recount officials. Recount officials have the duty of counting the ballots, or redetermining the vote (if DREs). Recount officials will work in groups or pairs with the parties to the recount being equally represented.

Registrars – Permit parties to make copies of statements of results, machine tapes, printed return sheets, pollbooks (whether paper or in electronic format), and abstract of votes (original and corrected) for the election at issue, etc.

Recount Court – Upon receipt of the petition for recount, the Chief Judge of the court in which it was filed must alert the Chief Justice of the Virginia Supreme Court, who will thereafter appoint two judges to serve on the Recount Court. These three judges will constitute the Recount Court. [The Recount Court will determine the procedures to be followed during the recount, what information will be accessible to the parties, and for which candidate, if any, a challenged ballot should be counted. ~~which challenged ballots should be counted for a specific candidate.~~](#)

Clerks of Court – Secure election materials, and certify security to recount court; be present and administer oaths on the day of the recount; deliver election materials to State Police after the recount for delivery to the Court.

Clerk of Recount Court – In addition to duties of all clerks (above), summons Recount Officials and is present at all hearings of the Recount Court.

Candidates – May be present. They are responsible for selecting which officers of election will serve as the recount officials representing their interest, based on the number established by the [recount eCourt](#). They may also send one authorized representative per team of recount officials to observe the process.



Preparations for the Recount

Department of Elections, General Registrar(s), and Electoral Board Members

The Department of Elections' Standards for Recounts in Virginia Elections, (and accompanying Ballot Examples), provides details and guidance to help carry out Virginia's recount laws (§§ 24.2-800 - 24.2-802). The Code of Virginia directs:

A. The Department of Elections shall promulgate standards for (i) the proper handling and security of voting and counting devices, ballots, and other materials required for a recount, (ii) accurate determination of votes based upon objective evidence and taking into account the counting device and form of ballots approved for use in the Commonwealth, and (iii) any other matters that will promote a timely and accurate resolution of the recount. The chief judge of the circuit court or the full recount court may, consistent with Department of Elections standards, resolve disputes over the application of the standards and direct all other appropriate measures to ensure the proper conduct of the recount.

The recount procedures to be followed throughout the election district shall be as uniform as practicable, taking into account the types of ballots and voting devices in use in the election district. (§ 24.2-802)

As soon as it appears that a recount in a local, district, or state election may be possible, the General Registrar and Electoral Board Members from the impacted locality(ies) must begin making preparations.

Electoral Boards should first create a list of names of officers of election who served in the precincts subject to the recount. The political parties involved in the recount need this list to appoint *recount officials* from this group of officers of election. The number of recount officials necessary will be determined by the Recount Court.

General registrars should also begin assembling all appropriate forms for conducting the recount, and ensure that these forms are delivered to the Recount Coordinators.

Duties of Clerk(s) of Court

Section § 24.2-802 of the Code of Virginia directs the Clerks of Court in a jurisdiction where there may be a recount to secure the ballots and election materials until the recount. This should be done under normal circumstances, but it is added into the recount laws for emphasis. Also, the Clerk is required to certify to the chief judge in the recount, as directed, that the proper security measures have been taken.



In preparation for the recount, the clerks of the circuit courts shall (a) secure all [paper printed](#) ballots and other election materials in sealed boxes; (b) place all of the sealed boxes in a vault or room not open to the public or to anyone other than the clerk and his staff; (c) cause such vault or room to be securely locked except when access is necessary for the clerk and his staff; and (d) certify that these security measures have been taken in whatever form is deemed appropriate by the chief judge. (§ [24.2-802\(A\)](#))

Duties of the Chief Judge of the Recount Court

The Chief Judge must hold a preliminary hearing within 7 calendar days of the petition for recount unless the recount is requested for a presidential election, in which case it must be held within 5 calendar days. The Chief Judge will rule on motions and establish rules of procedure during the preliminary hearing, but such decisions are subject to review by the full Recount Court. The security measures adopted to secure materials after Election Day, and those going forward must be examined and established by the Chief Judge. The Chief Judge may also allow parties to examine election materials. The Chief Judge may also set the locations for the recount and may order the delivery of election materials to a central location, but such action is subject to review by the full Recount Court.

Duties of the Recount Court

Once established, the Recount Court will hold a hearing. All motions and rules of procedure shall be finalized at this hearing. The parties (or their counsel) shall meet and confer and submit a proposed "Recount Procedural Order" and eventual "Final Order" for consideration by the three-judge Recount Court. If the parties do not agree, they will file competing legal memoranda and proposed orders. The Recount Court will also allow parties to the recount to select an equal number of officers of election to be Recount Officials. The date for submissions will be included in the Preliminary Order by the Recount Court.

The three-judge Recount Court shall supervise the recount and redetermination of the vote, with assistance from the Department of Elections and the local electoral boards.

Terminology

[Throughout this document the terms "machine-readable ballot," "paper ballot," and "printed ballot" are used to describe physical ballots. The usage of terms is consistent with the definitions provided in Va Code § 24.2-101:](#)

["*Machine-readable ballot*" means a tangible ballot that is marked by a voter or by a system or device operated by a voter and then fed into and scanned by a counting machine capable of reading ballots and tabulating results;](#)

["*Paper ballot*" means a tangible ballot that is marked by a voter and then manually counted; and](#)

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"Printed ballot" means a tangible ballot that is printed on paper and includes both machine-readable ballots and paper ballots.

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A ballot's designation is based on **how it was counted on election day**. A machine-readable ballot that is manually counted during the recount should not be tallied as a *paper ballot* upon the recount paperwork.

The terms "ballot scanner machine," "ballot scanner," and "scanner" are used interchangeably throughout this document and within the recount forms.

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"Part One" - Recount Day in the City or County

Check in and Logistics

The offices or other facilities for the recount will be provided ~~by~~ or arranged by the Clerks of Court and shall be of sufficient size for the purposes of the recount and shall allow for direct and proximate observation of the recount officials by the recount observers. All participants at the recount, whether as officials or observers, should check in with the Clerk of Court, and a record should be kept of all attendees.

Precinct Instructions for Recount Coordinators & Officials - All Voting Systems

Use appropriate instructions for any combination of

- ✓ ~~OPTICAL-SCANMACHINE-READABLE BALLOTS AND TABULATOR~~ BALLOT SCANNER MACHINES
- ✓ DIRECT RECORDING ELECTRONIC (DRE) MACHINE PRINTOUTS
- ✓ ~~OPTICAL-SCAN BALLOTS AND TABULATOR~~
- ✓ PAPER BALLOTS

Each Recount Team will complete one precinct at a time, under the supervision of Recount Coordinators.

Materials

A copy of each of these instructions (SBE-802-SBS, this entire document) should have been provided previously to each Recount Coordinator and to the Clerk of Court.

The Recount Coordinators should have already provided a copy of the following to each Recount Official during training for the recount:

- The full section of this document titled "Part One" - Recount Day in the City or County" which includes the Precinct Instructions
- A sample copy of ~~SBE-802-PR - Recount Precinct Results for All Voting Systems~~ SBE-802-PR - Recount Precinct Results for All Voting Systems
- A copy of the ~~Ballot Examples for Hand-Counting Paper or Paper-based Ballots for Virginia Elections or Recounts~~ Ballot Examples for Hand-Counting Paper or Paper

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Virginia Election Recounts Step-by-Step Instructions

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[Printed Ballots for Virginia Elections or Recounts](#)

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The following materials prepared for the recount must be provided for each precinct:

- **SBE-802-PR - Recount Precinct Results for All Voting Systems** (1 set per precinct. If no DRE was used in the precinct, the two pages with [sections-Parts AB-1](#) through [AB-3](#) should not be provided to the Recount Officials. The other four pages will be used for all precincts.)
- **SBE-802-CB - Challenged Ballot Forms** (4 per page; multiple copies may be needed)
- **Challenged Ballots envelope** (have one per precinct on hand)
- **SBE-802-MA - Precinct Manual Tally Sheet** (an optional ~~new~~-form ~~which that~~ can be used when hand counting ~~paper or optical scan~~[printed](#) ballots) (4 or more copies per precinct recommended, to keep paper and [optical scan machine-readable ballot](#) counts separate, and so each officer can prepare tally while other officer counts ballots)
- **The memory card, cartridge, or other data storage medium (one per precinct)** ~~which that~~ has been prepared especially for the recount if ~~optical scan machine-readable~~ ballots are to be rerun through a tabulator during the recount.
 - It is recommended that the prepared cards, cartridges, or media be placed in the custody of the Clerk, to be released to the Recount Coordinators one precinct at a time with the other materials below.

The following materials will be released by the Clerk of Court to a Recount Coordinator upon request, one precinct at a time. The Coordinator will deliver them to the Recount Team that will recount that precinct.

- **Envelope #2** containing the
 - **POLLBOOKS and POLLBOOK COUNT Forms (all divisions)** (if paper pollbooks were used),
 - one copy of the **Statement of Results with machine tapes attached** (General Registrar will have the second copy, available for public inspection, after the canvass),
 - **Write-Ins Certification** (if cast on [paper-printed](#) ballots or voting systems that do not include the names written-in and votes cast for each), and
 - **Incident Report**
- **Box/Envelope #3** containing the **COUNTED BALLOTS** (Envelope 3 may be combined with Envelope 5 so as to also contain outside poll envelopes).

And the following envelopes if used in the election:

- **Envelope #7B** containing the voting equipment keys for [optical scans](#)scanners and DRE dial/touchscreen voting systems
- **Envelope #7/7C** containing the voting equipment keys and memory cartridges for AVC Advantage DRE equipment and the data storage units and seals for [optical scans](#)scanners and DRE dial/touch screen equipment;

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If [Optical Scan Machine-readable](#) ballots are to be rerun through a tabulator during the recount --

- **The memory card, cartridge, or other data storage medium** ~~which that~~ will be used for the precinct, ~~and~~ has been prepared ~~especially~~[specifically](#) for the recount.



- It is programmed to count, as required by law, only the votes cast for the office or issue in question in the recount and to set aside all ballots containing write-in votes, overvotes, and undervotes for that office or issue for hand counting.
- (If the card, cartridge, or medium could not be reprogrammed as required by the recount law, all optical scan machine-readable ballots for the precinct will be hand counted by the recount team.)
- One memory card, cartridge, or other data storage medium for each precinct will be used to recount the ballots cast at the polling places in the district (including absentee ballots if counted at the precincts).
- If a Central Absentee Precinct (CAP) was used, one **memory card, cartridge, or other data storage medium** will be used to count the optical scan machine-readable ballots ~~cards~~ of absentee voters whose ballots ~~cards~~ were originally handled by the tabulator for the CAP.
- NOTE: The **memory card, cartridge, or other data storage medium** used in the precinct (or Central Absentee Precinct) on Election Day to count optical scan machine-readable ballots will remain sealed and in the custody of the Clerk. It should not be needed during the recount.
- (Counted provisional votes, even if voted on optical scan machine-readable ballots, were originally hand counted by the ~~Electoral electoral Board board~~ and will be hand counted/treated in the recount as paper ballots. Provisional Ballots will be counted as a separate precinct, which is the same manner in which they were originally counted after Election Day).

General Instructions

The Recount Officials will be divided into teams consisting of equal representatives for each party. Teams will be tasked with recounting paper-printed ballots or redetermining votes cast on DREs. At least one team will insert ballots into electronic counting devices programmed to count only those votes cast for parties to the recount or for or against the question in a referendum recount.

There are only two Recount Coordinators appointed per locality. One Coordinator may need to supervise multiple teams. Coordinators may offer advice to the Recount Officials.

The Recount Officials may either enter the required data on the Recount Precinct Results form or may read each total aloud to the Recount Coordinator who will enter it and read it back for verification by the Recount Officials. (Recount Officials must sign the ~~last~~ first page, certifying the precinct results for each precinct that they recount.)

Only the Recount Officials may handle ballots. Recount Coordinators will deliver sealed election materials from the Clerk of Court, and return the resealed materials, one precinct at a time.

Each party to the recount (candidate) is allowed one observer per recount team. The observer may stand behind or sit to the outside of the Recount Officials as they work and may only watch and take notes. Observers must be close enough to see and hear what is happening. No observer may handle ballots, election materials, or recount materials. If an Observer has a question, it should be directed to the supervising Recount Coordinator -- not the Recount Officials -- without disturbing the proceedings.



Members of the news media and the general public may also be in the room, but are not allowed to handle any official materials or disturb the proceedings in any way.

Some suggested table layouts --

1.

Observer	Official	Official	Observer
[-----Table-----]			
[-----]			
[-----]			
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2.

Observer	Official	Official	Observer
[-----Table-----]			
[-----]			
[-----]			

3.

	Official	
	[---Table---]	Official
Observer	[-----]	
	[-----]	Observer
	[-----]	

For each precinct, the Recount Coordinators will ensure as the work progresses that the following data is entered on each form page as required work begins (if not previously entered):

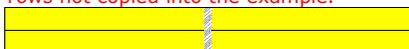
1. The name of the county or city
2. The name/number of the precinct in which the election was conducted
3. The date of the election
4. The name of the office and the names of the two candidates involved in the recount (in the same order that they appeared on the ballot in the election)³

The Recount Coordinators will provide the necessary materials to the Recount Officials, one precinct at a time.

Instructions for the SBE-802-PR – Recount Precinct Results for Fall Voting Systems Form

- A highlighted line  indicates a number is to be filled in during this sequence of steps.
- A highlighted box with a hand and pencil means that this is a calculation. 

• A wavy line indicates columns or rows not copied into the example.



A note inside the field/data box provides instructions or crosschecks:

³ If the recount is for a referendum, insert title of the question involved in the recount and its two separate responses, instead of the office and candidate names.



Virginia Election Recounts Step-by-Step Instructions

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- "Carry to C1(A_i)" means to copy that figure to line C1, Column A-(i) (Line numbers begin with the same letters as sections, so line C1 is in section C.)
- "Should = C1(B_{ii})" is a crosscheck letting the official know that the numbers should be the same. (If not, the official should recheck data entry and math before going any further).
- "Line A2 Total" tells the source of the number for that box -- copy it from there.
- A column titled "calculation or source" identifies the math or source used to fill in the next column.
- And "=B4+B5" and "=B2-B3" are of course, instructions to arrive at the calculated number.

Part A - 1 -- DRE Voting Machines (Serial # and Number of Voters)		Calculation or Source	VM-1 or Consolidation Tape*	VM-2 [etc....]	
A1	Machine Serial Number	Machine Tag or Tape	=====	=====	Total Voters
A2	Total Number of Voters Who Voted on This DRE	Public Counter or Tape	=====	=====	Carry to C1(A) Z
Part A - 2 -- Certification of DRE Machine Results for Precinct		Calculation or Source	VM-1 or Consolidation Tape*	VM-2 [etc....]	Candidate Totals
A3	Candidate Name ----- (-)	Machine Tape	=====	=====	Carry to C1(C) ----- Z
A4	Candidate Name ----- (-)	Machine Tape	=====	=====	Carry to C1(D) Z
A5	Total votes for both candidates on DRE(s)	= A3 + A4	Z	Z	Should=C1(B) ----- Z
A6	DRE ballots undervoted or voted for other candidates (this office)	= A2 - A5	Z	Z	Carry to C8(G) Z



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Part B - 2 - Certification of DRE Machine Results for Precinct		Calculation or Source	VM-1 or Consolidation Tape ²	VM-2	VM-3	VM-4	VM-5	VM-6	Candidate Totals	
B3	Candidate Name ()	Machine Tape							Should = C4(ii)	B3
B4	Candidate Name ()	Machine Tape							Should = C4(iii)	B4
B5	Total votes for both candidates on DRE(s)	= B3 + B4							Should = C4(iv)	B5
B6	DRE ballots undervoted or voted for other candidates (this office)	= B2 - B5							Carry to C8(iii)	B6

Part B - 1 - DRE Voting Machines (Serial # and Number of Voters)		Calculation or Source	VM-1 or Consolidation Tape ²	VM-2	
B1	Machine Serial Number	Machine Tag or Tape			Total Voters
B2	Total Number of Voters Who Voted on This DRE	Public Counter or Tape			Carry to C4(i)
Part B - 2 - Certification of DRE Machine Results for Precinct		Calculation or Source	VM-1 or Consolidation Tape ²	VM-2	Candidate Totals
B3	Candidate Name ()	Machine Tape			Should = C4(ii)
B4	Candidate Name ()	Machine Tape			Should = C4(iii)
B5	Total votes for both candidates on DRE(s)	= B3 + B4			Should = C4(iv)
B6	DRE ballots undervoted or voted for other candidates (this office)	= B2 - B5			Carry to C8(iii)

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A. Preparing for and Evaluating Optical-Scan Machine-readable Ballots

i. If Optical-Scan Machine-readable ballots are to be rerun, prepare the electronic counting device ballot scanner machine.

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1. Insert the MEMORY CARD, CARTRIDGE, OR OTHER DATA STORAGE MEDIUM for the precinct to be counted.
3. Turn the device machine ON.
4. Produce a ZERO printout.
5. Verify that all totals on the ZERO printout, including the ballots cast, and the total on the Public Counter on the front of the device machine read 0000.
6. Record the Serial Number from this Optical-Scanner in the Recount Precinct Results, Part A, line A1 under "Scanner 1."
7. Read the number from the Public Counter aloud and enter it in the Recount Precinct Results, Part A, line A3 ("Before Recount") under "Scanner 1."



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8. If two scanners are used, repeat steps 1-7, filling in under "Scanner 2" for steps 6 and 7.

9. Feed ballots.

ii. ~~Insert Optical-ScanMachine-readable ballots cards for precinct into electronic counting deviceballot scanner machines~~

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1. Open **Box/Envelope #3** containing **COUNTED BALLOTS** for the precinct being counted.

2. As they are removed from the box/envelope, **set aside the paper ballots for separate hand counting** (face down); "Paper ballots" in a precinct that also uses an optical scan tabulatorballot scanner machines may include:

- > traditional paper ballots
- > official reproductions of paper ballots or optical scanmachine-readable ballots
- > ballots sent to military or overseas voters by email or fax and printed by the voters (if absentee ballots are counted in the precinct -- or if precinct being recounted is the CAP)
- > Federal Write-In Absentee Ballots (FWABs) from military or overseas voters (if absentee ballots are counted in the precinct -- or if precinct being recounted is the CAP). See 11.2.2010 Emergency Declaration of Secretary of Department of Elections.

All pPaper ballots were originally counted by hand, and must be recounted by hand, separately from the optical scanmachine-readable ballots.

3. Feed all **Optical-ScanMachine-readable** ballots cards into the counting device scanner without examination of any ballot card.

4. If the counting devicescanner indicates that for the office being recounted the ballot was **overvoted or undervoted**, or the ballot contains a **write-in** vote for that office, it must be **separated out to be counted by hand**. The tabulatorscanner wshould have been programmed to sortreject these ballots so that they can separately hand counted. If so, simply set that ballot aside (face down) for hand counting.

If the machine is instead programmed to accept the **write-in** ballots, but automatically divert them into a separate "write-in" bin, do not include these ballots in the number provided on **Line A5** for "Number of Manually Counted Machine-readable Ballots." These ballots will be accounted for on paperwork in the total number of ballots scanned. The ballots **must still be hand-counted** the same as overvoted and undervoted ballots **after separation**, but should not be accounted for twice on the paperwork.

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Part A - 2 - Certification of Precinct Manual Count		Calculation or Source	Total	
A5	Number of Manually Counted Machine-readable Ballots ²	Count	Carry to C2(i)	A5

~~these into the "write-in" bin automatically if possible, but may have been programmed to alert the operator in some cases instead. If so, simply set that ballot aside (face down) for hand counting.~~



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If any **Optical Scan Machine-readable ballot card** is so **damaged** that the counting device will not accept it, it must also be set aside for hand counting.

5. Both Recount Officials must verify that the **Box/Envelope #3** container is empty, that all **Optical Scan Machine-readable ballots cards** have been inserted in the **counting device scanner**, and that all **paper ballots** have been **set aside** for separate hand counting.

6. Repeat steps 1 - 5 above for any additional **Box/Envelope #3** containers of **COUNTED BALLOTS** for that precinct.

iii. Obtain results determined by the electronic counting device

1. When all **Optical Machine-readable Scan** ballots for the precinct have been inserted in the **counting device scanner**, read the number from the **Public Counter** aloud and enter it in the **Recount Precinct Results, Part A, line A2** ("After Recount"). Subtract **line A3** from **line A2**, and enter it on the form in **line A4** (public counter difference).

If two scanners are used, enter values for both "**Scanner 1**" and "**Scanner 2**." Then **add** the values for "**Scanner 1**" and "**Scanner 2**" on **line A2**, and enter the total on **line A2**, under "**Total (Scanner 1 + Scanner 2)**." Repeat for **lines A3 and A4**.

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Part A - 1 – Certification of Precinct Optical Scan Ballot Counter		Calculation or Source	Scanner 1	Scanner 2 ¹	Total (Scanner 1 + Scanner 2)
A1	Optical Scanner Serial Number (used to recount this precinct, if applicable)	From Machine			
A2	Number on This Scanner's Public Counter – After Recount (if applicable)	Public Counter			
A3	Number on This Scanner's Public Counter – Before Recount (if applicable)	Public Counter			
A4	Public Counter Difference (Must Equal the Number of Ballots Read By the Optical Scanner During Recount (From Tape))	= A2 – A3			Carry to C1(i)

Part A - 1 – Certification of Precinct Ballot Scanner Machine Counter		Calculation or Source	Scanner 1	Scanner 2 ¹	Total (Scanner 1 + Scanner 2)
A1	Ballot Scanner Machine Serial Number (used to recount this precinct, if applicable)	From Machine			A1
A2	Number on This Scanner's Public Counter – After Recount (if applicable)	Public Counter			A2
A3	Number on This Scanner's Public Counter – Before Recount (if applicable)	Public Counter			A3
A4	Public Counter Difference (Must Equal the Number of Ballots Read By the Scanner During Recount (From Tape))	= A2 – A3			Carry to C1(i)

2. Run one printout to obtain the recount results for the precinct:

a) Produce the **FINAL RESULTS** tape.



b) Remove the **OPTICAL-SCANMACHINE-READABLE ballots** cards from the ballot compartments, — return them to the **COUNTED BALLOTS** container(s), and seal it (them).

c) Remove the printout with **ZERO** report and the **FINAL RESULTS** intact.

3. Record the data from the counting device ballot scanner machine tape on the **Recount Precinct Results form:**

a) Enter the **total Optical-ScanMachine-readable ballots cards** read in **Part C, line C1, column (i)**. **This number must match** the public counter difference previously entered in **Part A, line A4**. If the numbers do not match, first recheck the counter numbers and number of ballots entered on the form, and the math. If they still do not match, ask for the advice of the Recount Coordinator.

b) Read aloud the name of the first candidate involved in the recount and the number of votes cast for first candidate and enter the total in **line C1, column (ii)**, double-checking that each number is copied to the column for the appropriate candidate.

c) Read aloud the name of the second candidate involved in the recount and the number of votes cast for the second candidate and enter the total in **line C1, column (iii)**, double-checking that each number is copied to the column for the appropriate candidate.

d) Add together the number of **optical-scanmachine-readable** ballots counted read by the **counting device scanner** for **both** candidates and enter the total in **line C1, column (iv)**.

Part C - Certification of Official Ballots					
VOTES CAST FOR CANDIDATES IN RECOUNT		(i)	(ii)	(iii)	(iv)
IMPORTANT: - Lines C1-C5 include only recount parties (listed to the right under (ii) and (iii)) - Lines C6-C9 include all other ballots		Total Number Voting	Candidate Name	Candidate Name	Total Cast for Candidates (ii) + (iii)
			()	()	
C1	Total Ballots Read by Optical Scanner in Recount (From tape, when finished attach tape to back of page with Part A.)	A4 Total = _____	_____	_____	_____

Part C - Certification of Official Ballots					
VOTES CAST FOR CANDIDATES IN RECOUNT		(i)	(ii)	(iii)	(iv)
IMPORTANT: - Lines C1-C5 include only recount parties (listed to the right under (ii) and (iii)) - Lines C6-C9 include all other ballots		Total Number Voting	Candidate Name	Candidate Name	Total Cast for Candidates (ii) + (iii)
			()	()	
C1	Total Ballots Read by Ballot Scanner Machine in Recount (From tape, when finished attach tape to back of page with Part A.)	A4 Total = _____	_____	_____	_____ C1

e) Enter the precinct code on the **OPTICAL-BALLOT SCANNER MACHINE RECOUNT TAPE** and **staple it** to the back (behind the top right) of the **RECOUNT - PRECINCT RESULTS page containing Part A**. (See instructions at the top of that page.)



Virginia Election Recounts Step-by-Step Instructions

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iv. Hand count ~~Optical ScanMachine-readable~~ ballots previously set aside

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Any ~~Optical ScanMachine-readable~~ ballots set aside from the steps above must be counted by hand.

A second team of Recount Officials may be used to count the ballots by hand.

1. ~~1.~~ Count **all** set aside ~~Optical ScanMachine-readable~~ ballots (preferably with the office being recounted face down) without examining how they were cast. When both officials agree on the total count, enter the total on the **Recount Precinct Results** in **Part A, line A5**. Enter the same total in **Part C, line C2, column (i)**.

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(Remember that write-in ballots *should not* be included in this number if the scanner accepted the ballots and diverted them to a separate write-in bin).

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(Remember that paper ballots must be counted separately. If any are found among the set aside ~~Optical ScanMachine-readable~~ ballots, put them with the other paper ballots.)

A5	Number of <i>Manually</i> Counted Optical Scan Ballots ¹	Count	Carry to C2(i)
A5	Number of <i>Manually</i> Counted Machine-readable Ballots ²	Count	Carry to C2(i) A5

2. Examine each of the ~~Optical ScanMachine-readable~~ ballots to be counted and separate them into the following stacks (refer to the ~~ballot examples~~ ballot examples in the "[Standards for Recounts of Virginia Elections](#)Hand Counting Printed Ballots for Virginia Elections or Recounts" if there is any question about how to count a mark).

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During the sort, an official should lay each ballot face up on the table in the following stacks so that both officials and all observers can clearly see each ballot as it is sorted.

- (1) and (2) One stack each for ballots clearly voted for either candidate involved in the recount
- (3) Ballots either not voted for the office (undervoted) or not voted for candidates in the recount
- (4) Ballots clearly voided by the voter for the office per § 24.2-663 (overvoted or title of office erased)
- (5) Ballots challenged by either Recount Official (or the Officials cannot initially determine or agree how to count it)

After the first sort, re-examine the ballots in stacks 1-4 to make sure that each ballot is in the appropriate stack.



SBE-802-MA Precinct Manual Recount Tally Sheet is an optional form that may help Recount Officials when there are many ballots to hand count. If using it, complete the appropriate blanks/boxes at the top of the form and the candidates' names if not already completed. It covers each of the separate categories represented by the "stacks" and those counted/recorded in the procedures below. The final counts must still be recorded on the Recount Precinct Results form, as directed below.

The basic procedure for manually counting each stack (separately, when directed to do so below) is:

- a. One Recount Official should count the ballots while the other closely observes.
- b. Count the ballots by laying each ballot with the office being recounted face up on the table so that both officials and all observers can clearly see each ballot as it is counted.
- c. Then the other official should count the same ballots while being closely observed by the first.
- d. The official observing may use Department of Elections' Manual Recount Tally Sheet.
- e. If the two officials do not arrive at the same number, repeat.

3. Re-examine all **Optical-ScanMachine-readable ballots** in the "challenge" stack. Refer to the ~~Ballot Examples~~, Ballot Examples. If the two Recount Officials agree on how to count the ballot, place the ballot in the appropriate other stack (1-4 above).

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If both Recount Officials cannot agree, or they cannot determine how or whether to count a ballot, at least one of them must officially "challenge" the ballot.

- a. For each challenged ballot, complete the form entitled **STATEMENT OF RECOUNT OFFICIAL - CHALLENGED BALLOT (SBE-802CB)**, setting forth the reason(s) for the challenge. The officer challenging must sign the form and attach it to the ballot. This ballot will go to the Recount Court for a decision.
- b. When all the ballots remaining in the "challenge" stack have been officially challenged, count the **Optical-ScanMachine-readable ballots** being challenged and, when both officials agree on the number, enter total in **Part C, line C9, column (i)** of the **Recount Precinct Results** form.
- c. Place the signed challenged ballot statements and attached ballots in the **Challenged Ballots envelope** for the precinct, and enter the name/number of the precinct. DO NOT enter the number of challenged ballots on the envelope at this time. DO NOT SEAL IT at this time. Set the envelope containing **CHALLENGED BALLOTS** aside.

4. Count all **Optical-ScanMachine-readable ballots** overvoted or voided and, when both officials agree on the count, enter total in **line C7, column (i)** of the Recount Precinct Results form. Return voided ballots to **Box/Envelope #3**.



Virginia Election Recounts Step-by-Step Instructions

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5. Count all **Optical Scan Machine-readable ballots** not voted (undervoted) or not voted for candidates involved in the recount and, when both officials agree on the count, enter total in **line C8, column (i)**. Return these ballots to **Box/Envelope #3**.

C7	Overvoted Ballots (plus ballots otherwise voided by Voter) § 24.2-663	Machine-readable	Paper		C7(i) + C7(ii) =	C7
C8	Ballots Undervoted or Voted for Other Candidates	Machine-readable	Paper	DRE	C8(i) + C8(ii) + C8(iii) =	C8
C9	Challenged Ballots (enclosed in attached envelope)	Machine-readable	Paper		C9(i) + C9(ii) =	C9

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		(i)	(ii)	(iii)	(iv)
C7	Manually Counted Ballots Voided by Voter (Includes Overvoted; § 24.2-663) [For C7 - C9, list separately by ballot voting system]	Optical Scan	Paper		C7(i) + C7(ii) =
C8	Ballots Undervoted or Voted for Other Candidates	Optical Scan	Paper	DRE	C8(i) + C8(ii) + C8(iii) =
C9	Challenged Ballots (enclosed in attached envelope)	Optical Scan	Paper		C9(i) + C9(ii) =

6. Now count the **Optical Scan Machine-readable ballots** voted for each of the two candidates in the recount (stacks 1 & 2). Count one candidate's ballots at a time.

When both officials agree on the count, enter each count on **Line C3, in either Column (ii) or (iii), as appropriate** of the **Recount Precinct Results** form, double-checking that each count is listed under the appropriate candidate.

7. Add together the number of **Optical Machine-readable Scan ballots** voted for **both** candidates and enter the total in **line C2, column (iv)**.

Part C - Certification of Official Ballots				
VOTES CAST FOR CANDIDATES IN RECOUNT	(i)	(ii)	(iii)	(iv)
IMPORTANT: - Lines C1-C5 include only recount parties [listed to the right under (ii) and (iii)] - Lines C6-C9 include all other ballots	Total Number Voting	Candidate Name	Candidate Name	Total Cast for Candidates (ii) + (iii)
		()	()	
C2 Total Optical Scan Ballots <i>Manually</i> Counted in Recount	A5 Total =			

Part C - Certification of Official Ballots				
VOTES CAST FOR CANDIDATES IN RECOUNT	(i)	(ii)	(iii)	(iv)
IMPORTANT: - Lines C1-C5 include only recount parties [listed to the right under (ii) and (iii)] - Lines C6-C9 include all other ballots	Total Number Voting	Candidate Name	Candidate Name	Total Cast for Candidates (ii) + (iii)
		()	()	
C2 Total Machine-readable Ballots <i>Manually</i> Counted in Recount	A5 Total =			C2

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B. Count the paper ballots



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Take the paper ballots ~~which~~ that were set aside as they were removed from **Box/Envelope #3** and count the paper ballots as follows.

If a second team of Recount Officials was used to count the ~~Optical Scan~~ Machine-readable ballots by hand, this second team should also count the paper ballots.

1. Count **all paper ballots** that have the office being recounted listed without examining how or whether the voter voted for the office. When both officials agree on the total number, enter the total in **Part C, line C3, column (i)** of the **Recount Precinct Results** form.

		(i)
		Total Number Voting
C3	Total Paper Ballots Counted in Recount	A6 Total =

Enter the same number in **Part A, line A6**.

A6	Number of Paper Ballots Counted in Recount? (DOES NOT INCLUDE MANUALLY COUNTED OPTICAL SCAN BALLOTS)	Count	Carry to C3(i) ³
A6	Number of Paper Ballots Counted in Recount? (DOES NOT INCLUDE MANUALLY COUNTED MACHINE-READABLE BALLOTS)	Count	Carry to C3(j) ³ A6

2. If the number entered in **Part A, line A6** is not the same as the numbers ~~previously~~ entered in A7 and A8, recount officials should explain the reasons for the difference -- as best they know or can determine -- on the reverse side of the page containing Part A. (For example, if the difference is due to X number of federal only ballots and the recount is for a state or local office.)

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(Recent recount court orders have required all the pollbooks and ballots for the precinct to be referred to the court if the number of paper ballots actually cast is not the same as the number of paper ballots indicated on the pollbook. The Recount Coordinator should be immediately informed if the numbers are not the same, and will know if the court order in the current recount contains instructions regarding this matter.)

3. If the total number of **paper ballots** in **Part A, line A6** does not exceed the total number voting by paper ballot in **Part A, line A7**, enter ZERO (0) in **Part C, line C6, column (iv) (paper ballots drawn)**:
4. If the total number of **paper ballots** in **Part A, line A6** exceeds the total number voting on paper ballots in **Part A, line A7** and no error is found, first consult with your Recount Coordinator. Recent recount orders have directed that the materials be sent to the Recount Court in this situation, not drawn down. The Recount Coordinator will know if the court order in the current recount contains instructions



regarding this matter. If the court order is silent on this situation, the following procedures must be followed (§ 24.2-662):

- a. Return all **paper ballots** to a container.
- b. Have one of the Recount Officials, blindfolded, draw out the number of **paper ballots** necessary to reduce the total number to the number reported voting on paper ballots.
- c. Mark the drawn **paper ballots** "**DRAWN AND NOT COUNTED**", and return them to **Box/Envelope #3**. Enter number drawn in **Part C, line C6, column (iv)**.

5. To count the paper ballots, follow the same procedures described above in Section A under "Giv. Hand count ~~Optical-Scan-Machine-readable~~ ballots previously set aside" with the differences below. (The only difference for most of the "stacks" -- other than challenged ballots -- is where the information for the paper ballots is recorded on the Recount Precinct Results form.)

- a. Place the **signed, challenged ballot statements** and **attached paper ballots** in the **Challenged Ballots envelope** for the precinct, and enter the name/number of the precinct if not previously entered. Enter the total number of challenged ballots (~~optical scanmachine-readable~~ and paper) on the envelope and complete any other information required. **SEAL** the Challenged Ballots envelope. Set the envelope containing **CHALLENGED BALLOTS** aside.

Enter the number of **challenged paper ballots** in Part C of the Recount Precinct Results form in **line C9, column (ii) (paper)**.

- b. Enter total number of **paper ballots overvoted or voided** in **line C7, column (ii)** of the Recount Precinct Results form. Return voided paper ballots to **Box/Envelope #3**.
- c. Enter the total number of **paper ballots** not voted or not voted for candidates involved in the recount in **line C8, column (ii)**. Return these paper ballots to **Box/Envelope #3**.



Virginia Election Recounts Step-by-Step Instructions

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		(i)	(ii)	(iii)	(iv)
C6		Paper Ballots Drawn (during recount) (§ 24.2-802)			
C7	Manually Counted Ballots Voided by Voter (Includes Overvoted; § 24.2-663) [For C7 - C9, list separately by ballot voting system]	Optical Scan	Paper		C7(i) + C7(ii) =
C8	Ballots Undervoted or Voted for Other Candidates	Optical Scan	Paper	DRE	C8(i) + C8(ii) + C8(iii) =
C9	Challenged Ballots (enclosed in attached envelope)	Optical Scan	Paper		C9(i) + C9(ii) =

		(i)	(ii)	(iii)	(iv)	
C6		Paper Ballots Drawn (during recount) (§ 24.2-802)				C6
C7	Overvoted Ballots (plus ballots otherwise voided by Voter) § 24.2-663	Machine-readable	Paper		C7(i) + C7(ii) =	C7
C8	Ballots Undervoted or Voted for Other Candidates	Machine-readable	Paper	DRE	C8(i) + C8(ii) + C8(iii) =	C8
C9	Challenged Ballots (enclosed in attached envelope)	Machine-readable	Paper		C9(i) + C9(ii) =	C9
C10		TOTAL [Add C5 through C9 in column (iv) <small>**Should equal C5 column (i)**</small>			Carry to D5 and D10	C10

d. Now count the **paper** ballots voted for each of the two candidates in the recount (stacks 1 & 2). Count one candidate's ballots at a time.

When both officials agree on the count enter each count on **Line C3**, in either **Column (ii) or (iii)**, as appropriate of the **Recount Precinct Results** form, double-checking that each count is listed under the appropriate candidate.

e. Add together the number of **Paper ballots** voted for **both** candidates and enter the total in **line C3, column (iv)**.

Part C - Certification of Official Ballots				
VOTES CAST FOR CANDIDATES IN RECOUNT	(i)	(ii)	(iii)	(iv)
IMPORTANT: - Lines C1-C5 include only recount parties (listed to the right under (i) and (iii)) - Lines C6-C9 include all other ballots	Total Number Voting	Candidate Name	Candidate Name	Total Cast for Candidates (ii) + (iii)
C3 Total Paper Ballots Counted in Recount	A6 Total =			

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CA. One precinct at a time, Open Envelope #2; Record DRE Results

Open the **Envelope #2** and remove the *Statement of Results* with the attached **DRE** machine results printouts (tapes). Fold the *Statement of Results* back so only the *Consolidated* printout is visible. (If there is no *Consolidated* printout, or it does not include all DRE machines used in the precinct, see 1-e below.)



Both Recount Officials should examine the *Consolidated* printout for the precinct (also letting the observers see it clearly, but not handle it) and:

1. From that printout, enter the following information on the **SBE-802-PR -- Recount Precinct Results for All Voting Systems** form.
 - a. In **Part AB-1, DRE Voting Machines**, enter the number of votes recorded as voting on all machines (from Consolidation printout) under **VM-1 (voting machine 1), line A2B2**;
 - b. In **Part AB-2, Certification of DRE Machine Results for Precinct**, enter the votes cast for each of the two candidates in the recount under **VM-1 (voting machine 1), lines A3-B3 and A4B4**;
 - c. Enter the **serial number** of each machine from which results were added by the *Consolidation* machine in the blanks provided at the bottom of the page below Part **AB-2**. ↓

* If **consolidation tape** available, list total number of voters and results for recount candidates from consolidation tape under **VM-1 above** and **list all serial numbers for DREs included in the consolidation tape below**. If any DRE is not included in the consolidation tape, list the serial number and results for each such machine under VM-2, etc. Use additional copies of page if needed.

If the Recount Officials have any doubt that the *Consolidated* printout includes the results from every DRE used in the precinct in the election, they should check the machine serial numbers on the *Consolidated* printout against the serial numbers listed on the back of **Envelope # 7/7C**. If any DRE used in the election is not listed on the *Consolidated* printout, follow steps under "e" below.

- d. If the *Consolidated* printout is not clear, contact the Recount Coordinator and, if so advised by the Recount Coordinator, reprint the *Consolidated* printout if possible.
- e. If there is no Consolidated printout or it is not clear, and it cannot be reprinted, or it does not include the results for every machine in the precinct -- proceed as follows:

If the *Consolidated* printout does not include the results from every DRE used in the precinct in the election:

- ✓ Enter the *Consolidated* printout results under VM-1, lines **A2B2, A3B3** and **A4B4** (number of voters, and votes cast for the two candidates);
- ✓ Enter the serial numbers of every machine with results included in the *Consolidated* printout at the bottom of the page below Part **AB-2** in the blanks provided.
- ✓ For each machine not included in the *Consolidated* printout, from the individual DRE machine tapes, enter the machine serial number, number of voters who voted on this DRE and votes for each candidate in the recount on the appropriate lines under columns VM-2, VM-3, etc., until the results for all machines not listed on the



Consolidated printout have been recorded. If an additional page is needed, continue to another copy of the *Recount Precinct Results* page containing Parts **AB-1** and **AB-2**, manually crossing out and renumbering the machine number headings on the second page (VM-1 becomes VM-7 on page 2, etc.).

If there is no *Consolidated* printout and it cannot be reprinted, list the results from each DRE machine from the individual printouts under columns V-1, etc. (rows **A1-B1** through **A4B4**), as described above.
 ✓ Double check the machine serial numbers listed on the *Recount Precinct Results* (Parts **AB-1** and **AB-2**) against the serial numbers listed on the back of the 7/7C envelope to make sure that all of the machines have been listed.

- If an individual or *Consolidated* machine tape is not clear or not available and the Recount Coordinator advises that it must be rerun from the machine, complete the questions in **Part AB-3**. Then, only examine the seals of the machines from which tapes are being rerun, comparing them to the information recorded on election night on the back of **Envelope # 7/7C**. ↓

Part AB-3 -- If DRE Tape(s) Must Be Rerun

Complete this part if any DRE tape from the precinct was missing or not clear, and the recount officers were directed to rerun the tape(s). Compare the seal on the each machine opened to the to the final seal number listed for that machine on the key envelope.

I. Do the seal and key envelope numbers for the reopened machine(s) agree? YES NO

If **NO**, mark the serial number of the serial-machine on which a discrepancy was found with a check (✓) in Part **AB-1** on previous page and complete A through E below. Attach the precinct Statement of Results from the election (including all pages and attached tapes).

A. Machine#: _____
 B. _____ C. _____ D. _____ E. _____
 Number on Protective Counter Number on Public Counter # on key envelope # on machine seal

II. Seal(s) intact? YES NO

If **NO**, mark that machine number with an asterisk (*) in Part **AB-1** on previous page. Enter, on the reverse side of this page, a description of the machine condition and complete lines F through H below. Attach the precinct Statement of Results from the election (including all pages and attached tapes).

F. Machine#: _____ G. _____ H. _____
 Number on Protective Counter Number on Public Counter

- Calculate the total votes cast for the two candidates in the recount, under each **VM** column, in **line A5-B5 (A3-B3 + A4B4)**. Then calculate the Total Voters on DREs in **line A2-B2** (adding across), the DRE totals for each respective candidate in **lines A3-B3 and A4-B4** (adding across), and the total votes cast on DREs for both candidates in **line A5-B5** (adding across).
 ✓ Double-check: the total votes on all DRE machines for the two candidates in the recount, calculated in the last column of line **A5-B5** by adding across that line, must equal the totals for the two candidates adding down the last column of totals from rows **A3-B3** and **A4B4**.



Now calculate the number of voters who undervoted this office or voted for another candidate by **subtracting A5-B5 from A2-B2 in each column** and put the result in the field **A6B6**. Add across that line and enter the total in the last column.

4. From **Part AB-1**, carry the total number of voters from the **last (total) column of line A2-B2** over to **Part C, line C1C4, column A(i), (Total DRE Machine Count/Total Number Voting)**.
5. From **Part AB-2**, carry the candidate totals from the **last (total) column in lines A3-B3 and A4-B4** over to **Part C, line C1C4, columns C(ii) and D(iii)**, double-checking that each number is copied to the column for the appropriate candidate.
 - i. The candidates should have already been listed in both forms in the same order -- **A3-B3** should be the same candidate in Part C, column **C(ii)**, and **A4-B4** the same as column **D(iii)** -- but check that they are actually properly placed. If not, correct the references to Lines **A3-B3** and **A4-B4** in line **C1-C4** and initial the change (both officers). Do not change or move the candidate names already listed on the pages.
6. Add the candidate totals entered **line C1C4, columns C(ii) and D(iii)** for the two candidates and enter the total in **line C1C4, column B(iv)**. Check that this total is the same number entered in the **total column of line A5B5**.

Part C - Certification of Official Ballots				
VOTES CAST FOR CANDIDATES IN RECOUNT IMPORTANT: - Lines C1-C5 include only recount parties [listed to the right under (ii) and (iii)] - Lines C6-C9 include all other ballots	(i) Total Number Voting	(ii) Candidate Name	(iii) Candidate Name	(iv) Total Cast for Candidates (ii) + (iii)
		_____	_____	
		_____	_____	
		()	()	
C Total DRE Machine Count [If no DREs used, mark each "0".]	B2 Total =	SHOULD = LINE B3 TOTAL	SHOULD = LINE B4 TOTAL	SHOULD = LINE B5 TOTAL

Part C - Certification of Official Ballots				
VOTES CAST FOR CANDIDATES IN RECOUNT IMPORTANT: - Lines C1-C5 include only recount parties [listed to the right under (ii) and (iii)] - Lines C6-C9 include all other ballots	(i) Total Number Voting	(ii) Candidate Name	(iii) Candidate Name	(iv) Total Cast for Candidates (ii) + (iii)
		_____	_____	
		_____	_____	
		()	()	
C4 Total DRE Machine Count [If no DREs used, mark each "0".]	B2 Total =	SHOULD = LINE B3 TOTAL	SHOULD = LINE B4 TOTAL	SHOULD = LINE B5 TOTAL

Part C - Certification of Official Ballots				
VOTES CAST FOR CANDIDATES IN RECOUNT (In lines C1 through C5, include only ballots cast for candidates who are parties to the recount and whose names are listed at right. Account for all other ballots in lines C6 through C9.)	(A) Total Number Voting	(B) Total Cast for Candidates (C + D)	(C) Candidate Name	(D) Candidate Name
			_____	_____
			_____	_____
			()	()



Virginia Election Recounts Step-by-Step Instructions

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C1	Total DRE Machine Count (Copy A, C and D for this line from Parts A-1 and A-2 – voter and candidate totals; If no DREs used, mark each "0".)	Line A2 Total	(CHECK: SHOULD = LINE A5 TOTAL)	Line A3 Total	Line A4 Total

7. From **Part AB-1**, carry over the total number of voters who undervoted this office, or voted for another candidate (**last column of line A6B6**) and enter the number in **Part C, line C8** (ballots undervoted...), **column G-(iii)** (DRE).

			(E) Op. Scan	(F) Paper	(G) DRE	Line A6 Total
C8	Ballots Undervoted or Voted for Other Candidates	= E + F + G				

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		(i)	(ii)	(iii)	(iv)	
C	Ballots Undervoted or Voted for Other Candidates	Optical Scan	Paper	DRE	C8(i) + C8(ii) + C8(iii) =	
C8	Ballots Undervoted or Voted for Other Candidates	Machine-readable	Paper	DRE	C8(i) + C8(ii) + C8(iii) =	C8

8. Set the Statement of Results with its attachments aside for now. Return any machine printouts not attached to the SOR to **Envelope #2**.

BD. Paper Pollbooks: Verify pollbook count and number of paper ballots cast

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If paper pollbooks were used, remove the **pollbook(s)** and the **Pollbook Count** forms from **Envelope #2** and examine them one at a time:

1. In ~~the first~~ **Part D-1 (Paper Pollbook Count and Reconciliation)** enter the division section (example "A-L") on the first line under the first "Division" column. Then enter the number of voters in the pollbook for the first pollbook division [this figure is shown on the bottom of the reverse side of the **Pollbook Count** form].

If a second team of recount officials will be used to hand count the paper and optical scan machine-readable ballots, that second team should perform steps 2 and 8 for each division of the pollbook.

2. Determine number of voters voting on **paper ballots** by examining each page of the first pollbook division, and enter the total number of paper ballots in the first **Part D-1 (Paper Pollbooks) line D1-PB** under the first pollbook division. (If a second team of recount officials is being used, the number should be provided to first team to enter on the form, and the entry verified by the second team.)

Paper ballot voters are those marked in the pollbook with a "P."



Virginia Election Recounts Step-by-Step Instructions

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Outside Polls voters (marked with "OP") may have voted by paper ballot or on a portable DRE. If it is not clear from the pollbooks whether the OP voters voted on paper or machine, check the **Statement of Results** which will indicate each time a machine was removed from the precinct.

If the locality used a CAP to count absentee ballots, do not include the voters marked "AB" in the precinct counts unless they are also marked with a **pollbook count (PBC) number**.

When recounting the results for the CAP, refer to the final absentee ballot list (which serves in lieu of the pollbook) to determine the number of voters voting on machine-DRE and by paper-printed ballot.

Part D - 1 – Paper Pollbook Count (PBC) and Reconciliation		Division	Division	Calculation or Number	Total Pollbook Count
D4	Enter last PBC Number for each division from PBC Count Sheet			Total of Division Counts	
D1-PB	Enter number of Paper Ballots cast (from Pollbooks by division)			Total of Division Counts	

Part D - 1 – Paper Pollbook Count (PBC) and Reconciliation		Division	Division	Calculation or Number	Total Pollbook Count
D1	Enter last PBC Number for each division from PBC Count Sheet			Total of Division Counts	D1
D1-PB	Enter number of Paper Ballots cast (from Pollbooks by division)			Total of Division Counts	D1-PB

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- RETURN the pollbook and pollbook count sheet to **Envelope #2**. Do not reseal Envelope #2 at this time.
- If more than one paper pollbook division was used in the precinct, repeat Steps 1, 2 and 3 for each such pollbook division.
- When all pollbook divisions have been entered, **add across Line D1** (Paper Pollbooks) to total the division counts and enter the total in the last column, Total Pollbook Count.
- Add across line D1-PB** to total the paper ballot counts from the pollbook divisions and carry this number over to **Part BA, line B6A7**.
- From **Part A** of the **Statement of Results** (previously set aside), the number of paper ballot voters in the precinct is indicated in **line A9** (A18 if absentee ballots



Virginia Election Recounts Step-by-Step Instructions

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were counted in the precinct). Enter this number in **Part BA, line B7-A8** of the **Recount Precinct Results**.

B6	Number of Paper Ballot Voters as indicated on all paper pollbooks for the precinct, or on Electronic Pollbook (EPB)	
B7	Number of Paper Ballot Voters as indicated by line A9 of SOR <i>(A18 if absentee ballots were counted in the precinct)</i>	

A7	Number of Paper Ballot Voters as indicated on all paper pollbooks for the precinct, or on Electronic Pollbook (EPB)	Pollbooks		3
A8	Number of Paper Ballot Voters as indicated by line A9 of SOR (A18 if absentee ballots were counted in the precinct)	SOR line A9		3

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8. *If B6-A7 and B7-A8 are not the same number*, ask for the advice of the Recount Coordinator. If the reason for the difference is known or can be determined by to the Recount Officials, it should be explained on the reverse of the Recount Precinct Results page containing Part **BA**.

The Recount Coordinator may direct that the SOR and Incident Report be examined to determine possible variations in the number of paper ballots indicated on the pollbook and the SOR, and that the pollbook count sheets be examined if the pollbook officer noted paper or OP ballots.

Any other information contained in **Envelope #2** may be examined by the Recount Officials at the direction of the Recount Coordinator to determine the reason for the difference.

The Recount Coordinator may also direct that the pollbooks be re-examined to redetermine the number of paper ballots cast. If the re-examination yields a different number for any division, the correction should be entered in **line D1-PB** under the appropriate division. When the re-examination is complete, as determined by the Recount Coordinator, the line D1-PB total must be recalculated if any division entry changed, and the figure carried over to **line B6A7**. The changes must be explained by the Recount Officials on the reverse of both changed pages.

9. From **Part C1 of the Statement of Results** enter the number of canceled DRE ballots in the Recount Precinct Results, **Part D-1 (Paper Pollbooks), line D2** and the number of voided ~~optical scan~~ machine-readable and paper ballots in **line D3**. **Add D2 and D3**, and enter the total in **line D4**.
10. **Subtract line D4** (total canceled and voided ballots) **from D1** (total of division counts), and enter the figure in **line D5**.

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Virginia Election Recounts Step-by-Step Instructions

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Part D - 1 – Paper Pollbook Count (PBC) and Reconciliation		Division	Division	Calculation or Number	Total Pollbook Count
D1	Enter last PBC Number for each division from PBC Count Sheet			Total of Division Counts	
D1-PB	Enter number of Paper Ballots cast (from Pollbooks by division)			Total of Division Counts	
D2	Number of cancelled DRE Ballots – (DRE ballots that were CANCELLED because the voter left the booth without casting his/her ballot. Copy from precinct SOR.)				
D3	Number of voided Optical Scan and Paper Ballots - (Ballots that were VOIDED because the voter left the booth without casting his/her ballot. DO NOT include ballots spoiled by voter and replaced. Copy number from precinct SOR.)				
D4	Total Number of Cancelled DRE and VOIDED Optical Scan and Paper Ballots			= D2 + D3	
D5	Pollbook Count Reconciliation - Subtract Total number of CANCELLED DRE and VOIDED Optical Scan and Paper ballots from Total Pollbook Count. **D5 should not be more than C10**		C10 =	= D1 – D4	

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Part D - 1 – Paper Pollbook Count (PBC) and Reconciliation		Division	Division	Division	Division	Calculation or Number	Total Pollbook Count	
D1	Enter last PBC Number for each division from PBC Count Sheet					Total of Division Counts		D1
D1-PB	Enter number of Paper Ballots cast (from Pollbooks by division)					Total of Division Counts		D1-PB
D2	Number of cancelled DRE Ballots – (DRE ballots that were CANCELLED because the voter left the booth without casting his/her ballot. Copy from precinct SOR.)							D2
D3	Number of voided Machine-readable and Paper Ballots - (Ballots that were VOIDED because the voter left the booth without casting his/her ballot. DO NOT include ballots spoiled by voter and replaced. Copy number from precinct SOR.)							D3
D4	Total Number of Cancelled DRE and VOIDED Machine-readable and Paper Ballots					= D2 + D3		D4
D5	Pollbook Count Reconciliation - Subtract Total number of CANCELLED DRE and VOIDED Machine-readable and Paper ballots from Total Pollbook Count. **D5 should not be more than C10**				C10 =	= D1 – D4		D5

Part D - 1 – Paper Pollbook Count (PBC) and Reconciliation		Division	Division	Calculation or Number	Total Pollbook Count
D1	Enter last PBC Number for each division from PBC Count Sheet			Total of Division Counts	
D1-PB	Enter number of Paper Ballots cast (from Pollbooks by division)			Total of Division Counts	
D2	Number of cancelled DRE Ballots – (DRE ballots that were CANCELLED because the voter left the booth without casting his/her ballot. Copy from Part C1 of precinct SOR.)				
D3	Number of voided Optical Scan and Paper Ballots - (Ballots that were VOIDED because the voter left the booth without casting his/her ballot. DO NOT include ballots spoiled by voter and replaced. Copy number from Part C1 of precinct SOR.)				
D4	Total Number of Cancelled DRE and VOIDED Optical Scan and Paper Ballots			= D2 + D3	
D5	Pollbook Count Reconciliation – Subtract Total number of CANCELLED DRE and VOIDED Optical Scan and Paper ballots from Total Pollbook Count. (Cross check: D5 should not be more than C10)			= D1 – D4	

11. The Recount Officials must verify the totals entered.



12. Return all pollbooks, pollbook count sheets, the Statement of Results and any other materials removed from **Envelope #2** to that envelope. RESEAL **Envelope #2**, with both Recount Officers signing the seal. Set Envelope #2 aside.

EE. Electronic Pollbooks: Verify pollbook count and number of paper ballots cast

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If electronic pollbooks were used, leave the first part D-1 (for paper pollbooks) blank, and use **Part D-2 - Electronic Pollbook Count and Reconciliation**.

1. If a printer was used with the EPB, remove the open/close poll report from the **Envelope #2** and enter the total voters Checked-In COUNT from the report in D-2 (EPB), line ~~D1~~**D6** (total voters Checked-in Count).

If the report includes the number of voters checked in as voting paper ballots, enter that number in **Part BA, line B6A7**.

2. If there is no EBP open/close poll report, it will be necessary to obtain the information from the EPB data thumbdrive sealed on election night in **Envelope #2**. The General Registrar, EPB manager, Equipment Technician or other person designated by the Recount Coordinators will have already loaded the precinct manager software onto a laptop and set it up in the recount room with an attached printer. (Person performing this function should also be sworn at the beginning of the recount.) One member of the Recount Team, a Recount Coordinator, and the observer from the side not being represented by that Recount Coordinator will take the precinct thumbdrive to the designated person who can bring up the data from the precinct and print the appropriate reports. The other team member and observer will remain with the precinct materials while this is done.

~~If~~ If the number of paper ballot voters was not recorded by the Officers in the EPB data, or cannot be retrieved, **line B6-A7 of Part B-A** must be left blank. On the back of that page of the Precinct Recount Results, the Recount Officials must explain -- to the best of their ability-- why the data is unavailable.

3. From **Part C1 of the Statement of Results** (previously set aside) enter the number of canceled DRE ballots in **Part D-2 (Electronic Pollbooks), line ~~D2~~**D7**** and the number of voided ~~optical scan~~**machine-readable** and paper ballots in **line ~~B3~~**D8****. **Add ~~D2~~**D7** and ~~B3~~**D8****, and enter the total in **line ~~D4~~**D9****.
4. **Subtract line ~~D4~~**D9**** (total canceled and voided ballots) **from ~~D1~~**D6**** (Total EPB pollbook count), and enter the figure in **line ~~B5~~**D10****.
5. The Recount Officials must verify the totals entered.
6. RETURN the EPB open/close report (if applicable) and thumbdrive to **Envelope #2**, along with the Statement of Results and any other materials removed from **Envelope #2**. If a printout/report was produced from the thumbdrive during the recount, that printout/report should also be sealed inside **Envelope #2** (in the



Virginia Election Recounts Step-by-Step Instructions

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event of a later contest). RESEAL **Envelope #2**, with both Recount Officers signing the seal. Set Envelope #2 aside.

F. Finish the paperwork

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1. Return all ballots except the challenged ballots to **Box/Envelope #3** (if not previously done). If manual tally sheets were used, put them in **Box/Envelope #3**, on top of the ballots (in case there is a contest following the recount). Then RESEAL it.

a. In **Part C** of the Recount Precinct Results, find the totals for lines **C1 through C4** in each vertical column (**Ai - Div**) and enter the column totals in the corresponding column on **line C5**.

Part C - Certification of Official Ballots				
VOTES CAST FOR CANDIDATES IN RECOUNT	(i)	(ii)	(iii)	(iv)
IMPORTANT: - Lines C1-C5 include only recount parties [listed to the right under (ii) and (iii)] - Lines C6-C9 include all other ballots	Total Number Voting	Candidate Name _____ _____ ()	Candidate Name _____ _____ ()	Total Cast for Candidates (ii) + (iii)
C1 Total Ballots Read by Optical Scanner in Recount (From tape; when finished attach tape to back of page with Part A.)	A4 Total = ↓	↓	↓	↓
C2 Total Optical Scan Ballots <i>Manually</i> Counted in Recount	A5 Total = ↓	↓	↓	↓
C3 Total Paper Ballots Counted in Recount	A6 Total = ↓	↓	↓	↓
C4 Total DRE Machine Count [If no DREs used, mark each "0".]	B2 Total = ↓	SHOULD = LINE B3 TOTAL ↓	SHOULD = LINE B4 TOTAL ↓	SHOULD = LINE B5 TOTAL ↓
C5 Total Votes (Add C1 through C4 in each column)				

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Part C - Certification of Official Ballots				
VOTES CAST FOR CANDIDATES IN RECOUNT	(i)	(ii)	(iii)	(iv)
IMPORTANT: - Lines C1-C5 include only recount parties [listed to the right under (ii) and (iii)] - Lines C6-C9 include all other ballots	Total Number Voting	Candidate Name _____ _____ ()	Candidate Name _____ _____ ()	Total Cast for Candidates (ii) + (iii)
C1 Total Ballots Read by Ballot Scanner Machine in Recount (From tape; when finished attach tape to back of page with Part A.)	A4 Total = ↓	↓	↓	↓
C2 Total Machine-readable Ballots <i>Manually</i> Counted in Recount	A5 Total = ↓	↓	↓	↓
C3 Total Paper Ballots Counted in Recount	A6 Total = ↓	↓	↓	↓
C4 Total DRE Machine Count [If no DREs used, mark each "0".]	B2 Total = ↓	SHOULD = LINE B3 TOTAL ↓	SHOULD = LINE B4 TOTAL ↓	SHOULD = LINE B5 TOTAL ↓
C5 Total Votes (Add C1 through C4 in each column)				

b. In **Part C**, add together the number of ~~optical scan~~ machine-readable, paper and DRE ballots (**columns (i), (ii), and (iii)**) in each category listed on lines **C7 through C9**. Enter the respective totals in **Column (iv)** on the same line.

c. In **Part C**, Enter the **total of column (iv), lines C5 through C9** on **Line C10**.

d. Is the number in **line C5, column (i)** the same as the number in **line C10**,



column (iv)? If not, recheck math and recheck numbers entered. Ask Recount Coordinator for guidance.

	(i)	(ii)	(iii)	(iv)
C5 Total Votes (Add C1 through C4 in each column)				⬇
C6	Paper Ballots Drawn (during recount) (§ 24.2-802)			⬇
C7 Manually Counted Ballots Voided by Voter (Includes Overvoted, § 24.2-863) [For C7 - C9, list separately by ballot voting system]	Optical Scan ➡	Paper ➡		C7(i) + C7(ii) = ⬇
C8 Ballots Undervoted or Voted for Other Candidates	Optical Scan ➡	Paper ➡	DRE ➡	C8(i) + C8(ii) + C8(iii) = ⬇
C9 Challenged Ballots (enclosed in attached envelope)	Optical Scan ➡	Paper ➡		C9(i) + C9(ii) = ⬇
C10	TOTAL [Add C5 through C9 in column (iv)] **Should equal C5 column (i)**			Carry to D5 and D10

	(i)	(ii)	(iii)	(iv)	
C5 Total Votes (Add C1 through C4 in each column)					C5
C6	Paper Ballots Drawn (during recount) (§ 24.2-802)			⬇	C6
C7 Manually Counted Ballots Voided by Voter (Includes Overvoted, § 24.2-863) [For C7 - C9, list separately by ballot voting system]	Machine-readable ➡	Paper ➡		C7(i) + C7(ii) = ⬇	C7
C8 Ballots Undervoted or Voted for Other Candidates	Machine-readable ➡	Paper ➡	DRE ➡	C8(i) + C8(ii) + C8(iii) = ⬇	C8
C9 Challenged Ballots (enclosed in attached envelope)	Machine-readable ➡	Paper ➡		C9(i) + C9(ii) = ⬇	C9
C10	TOTAL [Add C5 through C9 in column (iv)] **Should equal C5 column (i)**			Carry to D5 and D10	C10

e. Also enter the number on **line C10, column (iv)** in the proper box in Part D-1 line D5 or Part D-2 line D10 (depending on whether paper pollbooks or an electronic pollbook was used).

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Paper Pollbook:

D5	Pollbook Count Reconciliation - Subtract Total number of CANCELLED DRE and VOIDED Machine-readable and Paper ballots from Total Pollbook Count. **D5 should not be more than C10**	C10 =	= D1 - D4		D5
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Electronic Pollbook:

D10	Pollbook Count Reconciliation - Subtract the number of CANCELLED DRE and VOIDED Machine-readable and Paper ballots from Total Pollbook Count. **D5 should not be more than C10**	C10 =	= D6 - D9		D10
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2. If optical scan machine-readable ballots for this precinct were rerun through a counter during the recount, **make sure that the OPTICAL SCAN BALLOT SCANNER MACHINE TAPE for the ballots rerun during the RECOUNT is stapled to the back** (behind the top right -- see instructions on page) of the **Recount Precinct Results page with Part A**. Make sure that the precinct code is written on the tape.

3. Make sure that the pages of the Recount Precinct Results are complete (including all information at the top of the pages if not previously filled in) and put them in



order by "Part" letter. Number the pages if this has not been previously done, or if an additional page had to be added (for example, for more individual DRE tapes than the columns available).

4. Each Recount Official must verify the totals entered and **sign and date the form in the CERTIFICATION (Part E – page 1).** (If a second team of Recount Officials was used to hand count the ballots, those officials must also sign the form.)

PART E - "DO NOT SIGN UNTIL ALL OTHER MATERIALS ARE COMPLETE"	
CERTIFICATION — We hereby swear/affirm, under felony penalty for making willfully false material statements or entries, that all of the information entered hereon is true and correct.	
<small>WARNING: INTENTIONALLY MAKING A MATERIALLY FALSE STATEMENT ON THIS FORM CONSTITUTES THE CRIME OF ELECTION FRAUD, WHICH IS PUNISHABLE UNDER VIRGINIA LAW AS A FELONY. VIOLATORS MAY BE SENTENCED TO UP TO 10 YEARS IN PRISON, OR UP TO 12 MONTHS IN JAIL, AND/OR FINED UP TO \$2,500. (Va. Code § 24.2-1916)</small>	
1. _____ Recount Official's Signature - Team 1 _____ Printed Name	3. _____ Recount Official's Signature - Team 2 (if applicable) _____ Printed Name
2. _____ Recount Official's Signature - Team 1 _____ Printed Name	4. _____ Recount Official's Signature - Team 2 (if applicable) _____ Printed Name

5. **Staple the set of Recount Precinct Results pages together in the top left corner. If there were any challenged ballots in this precinct, staple the set of Results pages to the top left corner of the completed, sealed Challenged Ballots envelope (making sure not to staple through any ballots).**

If there were NOT any challenged ballots in this precinct, DO NOT staple the Recount Precinct Results to the empty **Challenged Ballots envelope**. Keep the envelope until needed for a precinct that has one or more challenged ballots. (The instructions preprinted on your Challenged Ballot envelope may say to complete and seal the envelope, and staple the precinct results to it even if there were no challenged ballots in the precinct. *These instructions revise those instructions.*)

6. Let the Recount Coordinator know that you have completed the precinct. The Coordinator should review the completeness of the Recount Precinct Results at that time, ensuring that all entries appear to be legible (to the Coordinator), and the pages are sequentially numbered and complete.

The Recount Officials will now give the Recount Coordinator:

(1) The completed Recount Precinct Results set

- with attached optical scan ballot scanner machine tape if optical scan machine-readable ballots were rerun during the recount
- attached to Challenged Ballots envelope ONLY if there was a challenged ballot



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- (2) All of the election materials received from the precinct, properly resealed** in their envelope/box (with any Manual Tally Sheets that were used placed/sealed inside Box/Envelope #3 on top of the ballots)
- (3) The resealed memory card/cartridge used to rerun the optical scan machine-readable ballots** (if applicable).

7. The Recount Coordinator will then give the Clerk of Circuit Court the **completed Recount Precinct Results set** with the attached tape (if applicable) and attached **Challenged Ballots envelope** (if used), and **all other election materials for the precinct** and receive the packages for the next precinct.

G. Repeat for next precinct

Repeat the above steps until all assigned precincts have been completed.

D. If Optical Scan ballots are to be rerun, prepare the electronic counting device.

1. Insert the **MEMORY CARD, CARTRIDGE, OR OTHER DATA STORAGE MEDIUM** for the precinct to be counted.
3. Turn the device **ON**.
4. Produce a **ZERO** printout.
5. Verify that all totals on the **ZERO** printout, including the ballots cast, and the total on the Public Counter on the front of the device read **0000**.
6. Record the **Serial Number** from this Optical Scanner in the **Recount Precinct Results, Part B, line B1**.
7. Read the number from the **Public Counter** aloud and enter it in the **Recount Precinct Results, Part B, line B3 ("before recount")**.
8. Feed ballots.

E. Insert Optical Scan ballot cards for precinct into electronic counting device

1. Open **Box/Envelope #3** containing **COUNTED BALLOTS** for the precinct being counted.
2. As they are removed from the box/envelope, **set aside the paper ballots for separate hand counting** (face down); "Paper ballots" in a precinct that also uses an optical scan tabulator may include:
 - traditional paper ballots
 - official reproductions of paper ballots or optical scan ballots
 - ballots sent to military or overseas voters by email or fax and printed by the voters (if absentee ballots are counted in the precinct — or if precinct being recounted is the CAP)
 - Federal Write-In Absentee Ballots (FWABs) from military or overseas voters (if absentee ballots are counted in the precinct — or if precinct being recounted is the CAP). **See 11.2.2010 Emergency Declaration of Secretary**

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of Department of Elections:

- Paper ballots were originally counted by hand, and must be recounted by hand, separately from the optical-scan ballots.
- 3. Feed all **Optical Scan** ballot cards into the counting device without examination of any ballot card.
- 4. If the counting device indicates that for the office being recounted the ballot was **overvoted or undervoted**, or the ballot contains a **write-in** vote for that office, it must be **separated out to be counted by hand**. The tabulator would have been programmed to sort these into the "write-in" bin automatically if possible, but may have been programmed to alert the operator in some cases instead. If so, simply set that ballot aside (face down) for hand counting.
- If any **Optical Scan ballot** card is so **damaged** that the counting device will not accept it, it must also be set aside for hand counting.
- 5. Both Recount Officials must verify that the **Box/Envelope #3** container is empty, that all **Optical Scan ballot** cards have been inserted in the counting device, and that all **paper ballots** have been **set aside** for separate hand counting.
- 6. Repeat steps 1—5 above for any additional **Box/Envelope #3** containers of **COUNTED BALLOTS** for that precinct.

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F. Obtain results determined by the electronic counting device

- 1. When all Optical Scan ballots for the precinct have been inserted in the counting device, read the number from the **Public Counter** aloud and enter it in the **Recount Precinct Results, Part B, line B2** ("after recount"). Subtract **line B3** from **line B2**, and enter it on the form in **line B4** (public counter difference).

Part B — Certification of Precinct Optical Scan Ballot Counter and Manual Count	Calculation or Source	
B1 Optical Scanner Serial Number (used to recount this precinct, if applicable)	From Machine	
B2 Number on This Scanner's Public Counter — After Recount (if applicable)	Public Counter	
B3 Number on This Scanner's Public Counter — Before Recount (if applicable)	Public Counter	
B4 Public Counter Difference (Must Equal the Number of Ballots Read By the Optical Scanner During Recount [From Tape])	=B2-B3	

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- 2. Run one printout to obtain the recount results for the precinct:

- a) Produce the **FINAL RESULTS** tape.
- b) Remove the **OPTICAL SCAN ballot** cards from the ballot compartments, return them to the **COUNTED BALLOTS** container(s), and seal it (them).
- c) Remove the printout with **ZERO** report and the **FINAL RESULTS** intact.

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~~3. Record the data from the counting device tape on the Recount Precinct Results form:~~

- ~~a) Enter the total Optical Scan ballot cards read in Part C, line C2, column A. This number must match the public counter difference previously entered in Part B, line B4. If the numbers do not match, first recheck the counter numbers and number of ballots entered on the form, and the math. If they still do not match, ask for the advice of the Recount Coordinator.~~
- ~~b) Read aloud the name of the first candidate involved in the recount and the number of votes cast for first candidate and enter the total in line C2, column C, double-checking that each number is copied to the column for the appropriate candidate.~~
- ~~c) Read aloud the name of the second candidate involved in the recount and the number of votes cast for the second candidate and enter the total in line C2, column D, double-checking that each number is copied to the column for the appropriate candidate.~~

~~d) Add together the number of optical scan ballots counted read by the counting device for both candidates and enter the total in line C2, column B.~~

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Virginia Election Recounts Step-by-Step Instructions

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Part C—Certification of Official Ballots					
VOTES CAST FOR CANDIDATES IN RECOUNT <small>(In lines C1 through C5, include only ballots cast for candidates who are parties to the recount and whose names are listed at right. Account for all other ballots in lines C6 through C9.)</small>		(A) Total Number Voting	(B) Total Cast for Candidates (C + D)	(C) Candidate Name	(D) Candidate Name
C2	Total Ballots Read by Optical Scanner in Recount <small>(From tape; when finished attach tape to back of page with Part B.)</small>	Line B4		()	()

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e) Enter the precinct code on the **OPTICAL SCANNER RECOUNT TAPE** and **staple it** to the back (behind the top right) of the **RECOUNT—PRECINCT RESULTS page containing Part B.** (See instructions at the top of that page.)

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G. Hand-count Optical Scan ballots previously set aside

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- Any Optical Scan ballots set aside from the steps above must be counted by hand.
- A second team of Recount Officials may be used to count the ballots by hand.

1. Count **all** set-aside **Optical Scan** ballots (preferably with the office being recounted face down) without examining how they were cast. When both officials agree on the total count, enter the total on the **Recount Precinct Results in Part B, line B5.** Enter the same total in **Part C, line C2, column A.** (Remember that **paper** ballots must be counted separately. If any are found among the set aside Optical Scan ballots, put them with the other paper ballots.)

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B5	Number of Manually Counted Optical Scan Ballots*	Count	
----	--	-------	--

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2. Examine each of the **Optical Scan ballots** to be counted and separate them into the following **stacks** (refer to the ballot examples in the "Standards for Recounts of Virginia Elections" if there is any question about how to count a mark).

During the sort, an official should lay each ballot face up on the table in the following stacks so that both officials and all observers can clearly see each ballot as it is sorted:

- (1) and (2) One stack each for ballots clearly voted for either candidate involved in the recount
- (3) Ballots either not voted for the office (undervoted) or not voted for candidates in the recount
- (4) Ballots clearly voided by the voter for the office per (overvoted or title of office erased)
- (5) Ballots challenged by either Recount Official (or the Officials cannot initially determine or agree how to count it)

After the first sort, re-examine the ballots in stacks 1-4 to make sure that each ballot is in the appropriate stack.



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~~**SBE-802-MA Precinct Manual Recount Tally Sheet** is an optional form that may help Recount Officials when there are many ballots to hand count. If using it, complete the appropriate blanks/boxes at the top of the form and the candidates' names if not already completed. It covers each of the separate categories represented by the "stacks" and those counted/recorded in the procedures below. The final counts must still be recorded on the Recount Precinct Results form, as directed below.~~

~~The basic procedure for manually counting each stack (separately, when directed to do so below) is:~~

- ~~a. One Recount Official should count the ballots while the other closely observes.~~
- ~~b. Count the ballots by laying each ballot with the office being recounted face up on the table so that both officials and all observers can clearly see each ballot as it is counted.~~
- ~~c. Then the other official should count the same ballots while being closely observed by the first.~~
- ~~d. The official observing may use Department of Elections's new Manual Recount Tally Sheet.~~
- ~~e. If the two officials do not arrive at the same number, repeat.~~

- ~~3. Re-examine all **Optical Scan ballots** in the "challenge" stack. Refer to the Ballot Examples. If the two Recount Officials agree on how to count the ballot, place the ballot in the appropriate other stack (1-4 above).~~

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~~If both Recount Officials cannot agree, or they cannot determine how or whether to count a ballot, at least one of them must officially "challenge" the ballot.~~

- ~~a. For each challenged ballot, complete the form entitled **STATEMENT OF RECOUNT OFFICIAL - CHALLENGED BALLOT (SBE-802CB)**, setting forth the reason(s) for the challenge. Sign the form and attach it to the ballot. This ballot will go to the Recount Court for a decision.~~
- ~~b. When all the ballots remaining in the "challenge" stack have been officially challenged, count the **Optical Scan ballots** being challenged and, when both officials agree on the number, enter total in **Part C, line C9, column E** of the **Recount Precinct Results** form.~~
- ~~c. Place the signed, challenged ballot statements and attached ballots in the **Challenged Ballots envelope** for the precinct, and enter the name/number of the precinct. **DO NOT** enter the number of challenged ballots on the envelope at this time. **DO NOT SEAL IT** at this time. Set the envelope containing **CHALLENGED BALLOTS** aside.~~

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- ~~4. Count all **Optical Scan ballots** voided and, when both officials agree on the count, enter total in **line C7, column E** of the Recount Precinct Results form. Return voided ballots to **Box/Envelope #3**.~~

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- ~~5. Count all **Optical Scan ballots** not voted (undervoted) or not voted for candidates involved in the recount and, when both officials agree on the count, enter total in **line C8, column E**. Return these ballots to **Box/Envelope #3**.~~

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Virginia Election Recounts Step-by-Step Instructions

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C6	Paper Ballots Drawn (during recount) (§ 24.2-662)		(E) Op-Scan	(F) Paper	(G) DRE
C7	Manually-Counted Ballots Voided by Voter (Includes Overvoted; § 24.2-663) (For C7 - C9, list separately by ballot voting system)	=E+F z	<u> </u>		
C8	Ballots Undervoted or Voted for Other Candidates	=E+F+G z	<u> </u>		Line A6 Total
C9	Challenged Ballots (enclosed in attached envelope)	=E+F z	<u> </u>		

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6. Now count the **Optical Scan ballots** voted for each of the two candidates in the recount (stacks 1 & 2). Count one candidate's ballots at a time.

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When both officials agree on the count, enter each count on **Line C3**, in either **Column C or D**, as appropriate of the **Recount Precinct Results** form, double-checking that each count is listed under the appropriate candidate.

7. Add together the number of **Optical Scan ballots** voted for **both** candidates and enter the total in **line C3, column B**.

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Part C - Certification of Official Ballots				
VOTES CAST FOR CANDIDATES IN RECOUNT (In lines C1 through C5, include only ballots cast for candidates who are parties to the recount and whose names are listed at right. Account for all other ballots in lines C6 through C9.)	(A) Total Number Voting	(B) Total Cast for Candidates (C+D)	(C) Candidate Name	(D) Candidate Name
C3 Total Optical Scan Ballots Manually Counted in Recount	Line B5 <u> </u>	<u> </u> z	<u> </u> (-)	<u> </u> (-)

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H. Count the paper ballots

Take the paper ballots which were set aside as they were removed from **Box/Envelope #3** and **count the paper ballots** as follows:

If a second team of Recount Officials was used to count the Optical Scan ballots by hand, this second team should also count the paper ballots.

- Count **all paper ballots** that have the office being recounted listed without examining how or whether the voter voted for the office. When both officials agree on the total number, enter the total in **Part C, line C4, column A** of the **Recount Precinct Results** form.



Virginia Election Recounts Step-by-Step Instructions

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		(A) Total Number Voting
C4	Total Paper Ballots Counted in Recount	Line B8

— Enter the same number in **Part B, line B8**. Add lines **B5** and **B8** and enter the total in **line B9**.

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B5	Number of Manually Counted Optical Scan Ballots*	Count	
B6	Number of Paper Ballot Voters as indicated on all paper pollbooks for the precinct, or on Electronic Pollbook (EPB)	**	
B7	Number of Paper Ballot Voters as indicated by line A9 of SOR <small>(A18 if absentee ballots were counted in the precinct)</small>	**	
B8	Number of Paper Ballots Counted in Recount*	Count	**
B9	Total Optical Scan and Paper Ballots Counted in Recount	= B5 + B8	**

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** If B6 and B7 are different, or B8 is not the same as both B6 and B7, recount officers should explain the reasons for the difference — as best they know or can determine — on the reverse side of this page.

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2. If the number entered in **Part B, line B8** is not the same as the numbers previously entered in **B6** and **B7**, recount officials should explain the reasons for the difference — as best they know or can determine — on the reverse side of the page containing Part B. (For example, if the difference is due to X number of federal-only ballots and the recount is for a state or local office.)

— (Recent recount court orders have required all the pollbooks and ballots for the precinct to be referred to the court if the number of paper ballots actually cast is not the same as the number of paper ballots indicated on the pollbook. The Recount Coordinator should be immediately informed if the numbers are not the same, and will know if the court order in the current recount contains instructions regarding this matter.)

3. If the total number of **paper** ballots in **Part B, line B8** does not exceed the total number voting by paper ballot in **Part B, line B6**, enter ZERO (0) in **Part C, line C6 (column B) (paper ballots drawn)**;

4. If the total number of **paper ballots** in **Part B, line B8** exceeds the total number voting on paper ballots in **Part B, line B6** and no error is found, first consult with your Recount Coordinator. Recent recount orders have directed that the materials be sent to the Recount Court in this situation, not drawn down. The Recount Coordinator will know if the court order in the current recount contains instructions regarding this matter. If the court order is silent on this situation, the following procedures must be followed (§):

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a. Return all **paper ballots** to a container.

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Virginia Election Recounts Step-by-Step Instructions

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b. Have one of the Recount Officials, blindfolded, draw out the number of **paper ballots** necessary to reduce the total number to the number reported voting on paper ballots.

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c. Mark the drawn **paper ballots "DRAWN AND NOT COUNTED"**, and return them to **Box/Envelope #3**. Enter number drawn in **Part C, line C6 (column B)**.

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5. ~~To count the paper ballots, follow the same procedures described above under "G. Hand count Optical Scan ballots previously set aside" with the differences below.~~ (The only difference for most of the "stacks" — other than challenged ballots — is where the information for the paper ballots is recorded on the Recount Precinct Results form.)

a. Place the **signed, challenged ballot statements** and **attached paper ballots** in the **Challenged Ballots envelope** for the precinct, and enter the name/number of the precinct if not previously entered. Enter the **total number** of challenged ballots (optical scan and paper) on the envelope and complete any other information required. **SEAL** the Challenged Ballots envelope. Set the envelope containing **CHALLENGED BALLOTS** aside.

— Enter the number of **challenged paper ballots** in Part C of the Recount Precinct Results form in **line C9, column F (paper)**.

b. Enter total number of **paper ballots voided** in **line C7, column F** of the Recount Precinct Results form. Return voided paper ballots to **Box/Envelope #3**.

c. Enter the total number of **paper ballots not voted or not voted for candidates involved in the recount** in **line C8, column F**. Return these paper ballots to **Box/Envelope #3**.

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C6	Paper Ballots Drawn (during recount) (§ 24.2-662)		(E) Op. Scan	(F) Paper	(G) DRE
C7	Manually Counted Ballots Voided by Voter (Includes Overvoted; § 24.2-663) [For C7–C9, list separately by ballot voting system]	=E+F Z			
C8	Ballots Undervoted or Voted for Other Candidates	=E+F+G Z			Line A6 Total
C9	Challenged Ballots (enclosed in attached envelope)	=E+F Z			

d. Now count the **paper** ballots voted for each of the two candidates in the recount (stacks 1 & 2). Count one candidate's ballots at a time.

— When both officials agree on the count enter each count on **Line C4, in either Column C or D, as appropriate** of the **Recount Precinct Results** form, double-checking that each count is listed under the appropriate candidate.

e. Add together the number of **Paper ballots** voted for **both** candidates and enter the total in **line C4, column B**.

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Virginia Election Recounts Step-by-Step Instructions

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Part C – Certification of Official Ballots

VOTES CAST FOR CANDIDATES IN RECOUNT (In lines C1 through C5, include only ballots cast for candidates who are parties to the recount and whose names are listed at right. Account for all other ballots in lines C6 through C9.)		(A) Total Number Voting	(B) Total Cast for Candidates (C+D)	(C) Candidate Name _____ _____ _____ (-)	(D) Candidate Name _____ _____ _____ (-)
C4	Total Paper Ballots Counted in Recount	Line B8 _____	_____	_____	_____

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I. Finish the paperwork

1. Return all ballots except the challenged ballots to **Box/Envelope #3** (if not previously done). If manual tally sheets were used, put them in **Box/Envelope #3**, on top of the ballots (in case there is a contest following the recount). Then RESEAL it.

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a. In **Part C** of the Recount Precinct Results, **find the totals for lines C1 through C4 in each vertical column (A–D)** and enter the column totals in the corresponding column on **line C5**.

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Part C – Certification of Official Ballots

VOTES CAST FOR CANDIDATES IN RECOUNT (In lines C1 through C5, include only ballots cast for candidates who are parties to the recount and whose names are listed at right. Account for all other ballots in lines C6 through C9.)		(A) Total Number Voting	(B) Total Cast for Candidates (C+D)	(C) Candidate Name _____ _____ _____ (-)	(D) Candidate Name _____ _____ _____ (-)
C1	Total DRE Machine Count	↓	↓	↓	↓
C2	Total Ballots Read by Optical Scanner in Recount	↓	↓	↓	↓
C3	Total Optical Scan Ballots Manually Counted in Recount	↓	↓	↓	↓
C4	Total Paper Ballots Counted in Recount	↓	↓	↓	↓
C5	Total Votes (Add C1 through C4 in each column)	_____	_____	_____	_____

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b. In **Part C**, add together the number of optical scan, paper and DRE ballots (**columns E, F and G**) in each category listed on lines **C7 through C9**. Enter the respective totals in **Column B** on the same line.

c. In **Part C**, Enter the **total of column B, lines C5 through C9** on **Line C10**.

d. Is the number in **line C5, column A** the same as the number in **line C10, column B**? If not, recheck math and recheck numbers entered. Ask Recount Coordinator for guidance.

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Virginia Election Recounts Step-by-Step Instructions

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		(A)	(B)	(C)	(D)	(E)
C5	Total Votes		↓			
C6	Paper Ballots Drawn (during recount) (§ 24.2-662)		↓	(E) Op.Scan	(F) Paper	(G) DRE
C7	<i>Manually Counted Ballots Voided by Voter (Includes Overvoted: § 24.2-663) [For C7-C9, list separately by ballot voting system]</i>		= E + F ↓	←	←	
C8	Ballots Undervoted or Voted for Other Candidates		= E + F + G ↓	←	←	Line A6 Total ←
C9	Challenged Ballots (enclosed in attached envelope)		= E + F ↓	←	←	
C10	TOTAL (Add C5 through C9 in Column B) (Crosscheck: Should equal Column A, line C5)		↓			

2. If optical scan ballots for this precinct were rerun through a counter during the recount, **make sure that the OPTICAL SCAN TAPE for the ballots rerun during the RECOUNT is stapled to the back** (behind the top right — see instructions on page) **of the Recount Precinct Results page with Part B.** Make sure that the precinct code is written on the tape.
3. Make sure that the pages of the Recount Precinct Results are complete (including all information at the top of the pages if not previously filled in) and put them in order by "Part" letter. Number the pages if this has not been previously done, or if an additional page had to be added (for example, for more individual DRE tapes than the columns available).
4. Each Recount Official must verify the totals entered and **sign and date the form** in the **CERTIFICATION (Part E)**. (If a second team of Recount Officials was used to hand count the ballots, those officials must also sign the form.)

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PART E-

CERTIFICATION — We hereby swear/affirm, under felony penalty for making willfully false material statements or entries, that all of the information entered is true and correct.



Virginia Election Recounts Step-by-Step Instructions

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WARNING: INTENTIONALLY MAKING A MATERIALLY FALSE STATEMENT ON THIS FORM CONSTITUTES THE CRIME OF ELECTION FRAUD, WHICH IS PUNISHABLE UNDER VIRGINIA LAW AS A FELONY. VIOLATORS MAY BE SENTENCED TO UP TO 10 YEARS IN PRISON, OR UP TO 12 MONTHS IN JAIL AND/OR FINED UP TO \$2,500. (Va. Code § 24.2-1016)

1.

Recount Official's Signature - Team 1

Printed Name

3.

Recount Official's Signature - Team 2 (if applicable)

Printed Name

2.

Recount Official's Signature - Team 1

Printed Name

4.

Recount Official's Signature - Team 2 (if applicable)

Printed Name



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~~All Recount Officials who participated in recounting the votes in this precinct must sign the certification.~~

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~~5. Staple the set of Recount Precinct Results pages together in the top left corner. If there were any challenged ballots in this precinct, staple the set of Results pages to the top left corner of the completed, sealed Challenged Ballots envelope (making sure not to staple through any ballots).~~

~~— If there were NOT any challenged ballots in this precinct, DO NOT staple the Recount Precinct Results to the empty Challenged Ballots envelope. Keep the envelope until needed for a precinct that has one or more challenged ballots. (The instructions preprinted on your Challenged Ballot envelope may say to complete and seal the envelope, and staple the precinct results to it even if there were no challenged ballots in the precinct. These instructions revise those instructions.)~~

~~6. Let the Recount Coordinator know that you have completed the precinct. The Coordinator should review the completeness of the Recount Precinct Results at that time, ensuring that all entries appear to be legible (to the Coordinator), and the pages are sequentially numbered and complete.~~

~~The Recount Officials will now give the Recount Coordinator:~~

~~(1) The completed Recount Precinct Results set~~

- ~~— with attached optical scan tape if optical scan ballots were rerun during the recount~~
- ~~— attached to Challenged Ballots envelope ONLY if there was a challenged ballot~~

~~(2) All of the election materials received from the precinct, properly resealed in their envelope/box (with any Manual Tally Sheets that were used placed/sealed inside Box/Envelope #3 on top of the ballots)~~

~~(3) The resealed memory card/cartridge used to rerun the optical scan ballots (if applicable).~~

~~7. The Recount Coordinator will then give the Clerk of Circuit Court the completed Recount Precinct Results set with the attached tape (if applicable) and attached Challenged Ballots envelope (if used), and all other election materials for the precinct and receive the packages for the next precinct.~~

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~~J. Repeat for next precinct~~

~~Repeat the above steps until all assigned precincts have been completed.~~

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Finishing the Locality's Results; Sealing and Delivery of Material

The following steps are recommended by the Department of Elections for security, accuracy and uniformity, subject to the direction and authority of the Recount Court.

The Recount Coordinator receiving materials from the recount officials should make sure that the materials are complete.

- ✓ If machine-readable ballots were rerun through a scanner for the precinct:



- is the **recount ballot scanner machine tape** stapled to the back of the Recount Precinct Results page containing **Part B**?
- If any **Challenged Ballots** are listed in **Part C, line C9** of the Recount Precinct Results form:
 - Is the **Challenged Ballot Envelope** attached to the Recount Precinct Results set, and has the envelope been sealed, signed, and completed?
 - Is the **total number of challenged ballots listed on the envelope** the same as the **total listed on line C9, column (iv)**?
- ✓ Do the entries on the Recount Precinct Results form set appear to be legible (to the Clerk), and are the pages sequentially numbered and complete?

The Clerk of Court for the locality will check in the materials received from the Recount Coordinator for the completed precinct. While the Recount Coordinator is present, the Clerk will make sure that the materials appear to be complete.

- ✓ Did all the election and recount envelopes/materials checked out by the Recount Coordinator for the precinct come back?
- ✓ Have all sealed materials opened during the recount been properly resealed?
- ✓ ~~If optical scan ballots were rerun through a tabulator for the precinct:~~
 - ~~is the **recount optical scanner tape** stapled to the back of the Recount Precinct Results page containing **Part B**?~~
 - ✓ ~~If any **Challenged Ballots** are listed in **Part C, line C9** of the Recount Precinct Results form:~~
 - ~~Is the **Challenged Ballot Envelope** attached to the Recount Precinct Results set, and has the envelope been sealed, signed, and completed?~~
 - ~~Is the **total number of challenged ballots listed on the envelope** the same as the **total listed on line C9, (column (iv)B)**?~~
 - ✓ ~~Do the entries on the Recount Precinct Results form set appear to be legible (to the Clerk), and are the pages sequentially numbered and complete?~~

Any questions should be addressed at that time to the Recount Coordinator and, if either the Clerk of Court or Recount Coordinator believes it necessary:

- The Clerk of Court will not accept the materials in question from the Recount Coordinator at that time (checking in only those not in question), and
- The Recount Coordinator will return to the Recount Team that prepared the materials, with the materials in question, to resolve any issues.

Once the precinct's recount materials are all accepted by the Clerk, if the locality's recount results are to be conveyed to another location after completion of all precincts, the ~~Clerk of Court~~ Recount Coordinator for the locality, in the view of the ~~Recount Coordinator~~ Clerk of Court, will **enter the total number of votes for each of the two candidates in the recount and the number of challenged ballots referred to the Court in the first line for the precinct** on the **Locality Summary** form. **Enter ZERO "0" if there were no challenged ballots. Leave the second line for the precinct blank** ("challenged ballots counted by the Court").

Note: In the past this has been entirely done at the Recount Court level. In the revised process for a "two day" or "two part" recount, the Clerk/Recount Coordinator will complete the first line for the precinct. The results will be checked by the Recount Court and tabulated after all challenges have been decided.



The Clerk of Court will place the recount materials to be conveyed to the Court for the locality as a whole in precinct number order, to be placed in the Locality Results Envelope when completed.

The Clerk of Court will then give the Recount Coordinator the materials for the next precinct (checking them out as given).

The Clerk of Court will replace the sealed materials for the election that will remain in the locality in a secure place with the other completed materials.

The Recount Court may be in session in the same room while the recount is underway, and may choose to review the precinct results and any challenged ballots (or just the challenged ballots) as each precinct is completed. If the Clerk of Court is instructed to convey these immediately to the Recount Court, it is recommended that the Clerk note on the materials check in/out record what was given to the Court, when it was received, and who received it.

If the Recount Court decides to review precinct results and challenged ballots as the precincts complete them, the Court or its designee would enter the total number of votes for each of the two candidates in the recount and the number of challenged ballots referred to the Court in the first line for the precinct on the Locality Summary form, entering ZERO "0" in the last column if there were no challenged ballots. The court would record its decision(s) on the challenged ballots on the second line for the precinct ("challenged ballots counted by the Court") on the Locality Summary form.

If the Recount Court decides to review only the challenged ballots as the precincts are completed, the Clerk would give that envelope to them with the attached precinct results. After reviewing the challenged ballots (without reviewing the Results), the Court would note its decision on the outside of the envelope by candidate (for example "Smith - 2, Jones - 1, not counted - 1), reseal the envelope and return it to the Clerk for the locality to put with the other completed recount precinct results.

Repeat the above steps until all assigned precincts have been completed.



"Part Two" - Court Review and Compilation of Results -- Suggested Steps

Check in and Logistics

Make sure you have the following documents and materials:

- ✓ *Locality Summary of Recount Results (SBE-802-LS)*
(one form has been prepared for each locality)
- ✓ *Court Certification of Recount Form (SBE-802-CC)*
(lists results by locality)

- ✓ Locality Results envelope/box for each locality
- ✓ Stickers to reseal the envelopes
- ✓ Notepads
- ✓ Pens

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Officials and Authorized Representatives

Floor Teams:

- One Department of Elections Staff Member,
- One representative of the accounting firm,
- One representative of each campaign.

Duties: Open locality results envelope/box received from **runner** one locality at a time. Handle challenged ballots. Report challenged ballots ~~with the County or City Results by Precinct form.~~ Determine precinct results from the materials submitted by the locality. Complete *Recount Certification - County or City Results by Precinct (SBE 802-LS)* form for the locality being examined.

Floor Attorneys:

- Attorneys for each campaign

Duties: Available to Floor Teams to answer questions and resolve issues.

Appeals Team:

- Lead attorneys for both candidates,
- Department of Elections senior staff,
- Member of the Clerk's staff (at Clerk's option).

Duties: Resolves any issues raised by **Floor Teams**. Issues are resolved if the two party attorneys are in agreement, and the Department of Elections senior staff member bears witness to the agreement. Any issues not resolved ~~at that level~~ by the Appeals Team will go to the **Recount Court** for a decision. Examine challenged ballots ~~which that~~ could not be resolved by the **Floor Team** and refer to **Recount Court** for its decision (with recommendation if one is reached). Examine materials (pollbooks, ballots, etc.) referred to the **Recount Court** when number of paper ballots in a precinct does not equal the number of paper ballot voters on the pollbooks, or there are other problems.

Summary Team:

- One Department of Elections Staff member,
- One representative of the accounting firm,
- One representative from each campaign.



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Duties: Examine *Recount Certification – County or City Results by Precinct* ([SBE 802-LS](#)) for each locality as received from the **runner**. Total columns and enter totals on *Summary* form for the locality. If any challenged ballots which that could not be resolved by the **Floor Teams** are later counted by the Court, add them to the *Summary* form under the locality (not on the *Results by Precinct* form) and recalculate totals.

Runner:

- One Department of Elections Staff member

Duties: Take the materials from the **Clerk**, one locality at a time to the **Floor Teams**, pick them up when the **Floor Team** is finished, return the materials to the **Clerk**, and deliver the tabulation sheets to the **Summary Team**.

Clerk

Duties: Clerk or Deputy Clerk should maintain control of the recount room, including press and general public, hand out locality documents and receive them back when completed, and transport any challenged ballots unresolved by the **Floor Team** or **Appeals Team** to the three judges of the **Recount Court** for their decision.

Floor Team Step-by-Step

Guidelines

- ONLY ELECT STAFF may handle ballots or other materials.
- Ensure all members of Floor Team and any observers are able to see the materials clearly.
- If, at any time, the packet is missing information or does not comply with the requirements set forth below, notify the Appeals Team (ELECT Executive/Policy Staff or Campaign Attorneys).

Review and Compilation of Results

Local Results envelopes/boxes received from localities should be alphabetized by locality to make sure that they are present and clearly marked. If a county and city have the same name they should be marked to show the county or city designation before the recount begins.

~~The Floor Team receives materials from the Runner containing all of the documents for one locality and a blank "Recount Certification County or City Results by Precinct" (tabulation sheet) specific to that locality. Only the Department of Elections staff member on the Floor Team should handle any ballots or other recount materials, received from the locality, but all Floor Team members must be able to see them clearly. This package should contain all of the materials from that locality that will be needed to complete the tabulation form for the locality. This package should be identified as the "Locality Precinct Results for the County/City of _____"~~

~~The number of envelopes contained in the package should equal at least the number of precincts listed on the tabulation sheet, however, this figure would not include a CAP precinct or Provisional Ballot precinct.~~

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Virginia Election Recounts Step-by-Step Instructions

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~~Check to make sure that the **Clerk** or Deputy Clerk of the Circuit Court in the locality of origin has signed in the space provided in the lower right hand corner of the package:~~

~~1) **Floor Team** Receives Locality Materials from the Runner~~

~~a. Check to ensure the **Clerk** or Deputy Clerk of the Locality's Circuit Court **has signed** in the space provided in the lower right hand corner of the package.~~

~~b. Check for SBE-802 LS form: "Recount Certification County or City Results by Precinct" (tabulation sheet).~~

~~i. If there is **no 802 LS form, the accountant will have to create a form from a blank 802 LS.**~~

~~c. Count the number of SBE-802 PR forms "Recount Precinct Results for All Voting Systems".~~

~~i. Number of forms should equal number of precincts listed on tabulation sheet (SBE-802 LS + 2 for CAP and provisional ballots, if locality has a CAP).~~

~~ii. Also confirm precincts with spreadsheet of precincts provided.~~

~~2) **Open Recount Precinct Results** to Part C (SBE-802 PR).~~

~~a. Confirm **Line C5, column (ii) and (iii) of SBE-802 PR** correspond with precinct totals entered on Recount Certification (SBE-802 LS) for each candidate.~~

~~b. Confirm number of challenged ballots entered on **Line C9 of SBE-802 PR** correspond with number of challenged ballots entered on SBE-802 LS.~~

~~3) If any information does not match, please notify a member of the Appeals Team.~~

Dealing with Challenged Ballots

~~I. ~~Open the *Locality Precincts Results* package. This material should be opened by the Department of Elections staff member on the **Floor Team**. The package should contain the precinct results for each precinct in the locality, attached to a *Challenged Ballot Envelope*. The *Challenged Ballot Envelope* should be signed by the recount officials for that precinct. Each precinct's materials should be examined in the order that they are removed from the envelope/box.~~~~

~~II. ~~Identify the precinct and find it on the *Recount Certification - County or City Results by Precinct* form for its locality.~~~~

~~III. ~~Examine the *Challenged Ballot Envelope*.~~~~

If zero Challenged Ballots indicated:

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~~Examine the *Challenged Ballot Envelope (SBE-802-CB)*. If the number of Challenged Ballots indicated on the front of the *Challenged Ballot Envelope (SBE-802-CB)* is zero, verify that the envelope is empty by holding it up to the light, then the **accountant** should enter zero in the column labeled "No. of Challenged Ballots" for that precinct on the *Locality Summary of Recount Results (SBE-802-LS)* form for this locality.~~

~~If a number of Challenged Ballots indicated:~~

~~If a number of Challenged Ballots is indicated on the front of the *Challenged Ballots Envelope (SBE-802-CB)*, open the envelope and verify that the number of ballots enclosed equals the number entered on the envelope and that a challenge slip is attached to each one. The **accountant** should enter the verified number in the column labeled "No. of Challenged Ballots" for that precinct on the *Locality Summary of Recount Results (SBE-802-LS)* form for this locality.~~

~~If no number of Challenged Ballots indicated:~~

~~If no number of Challenged Ballots is indicated on the front of the *Challenged Ballot Envelope (SBE-802-CB)*, the envelope must be opened to verify whether or not it is empty. Also, check the precinct supporting forms attached to the *Challenged Ballot Envelope* to find the number of optical scan and/or paper ballots listed as challenged. The **accountant** should enter the verified number in the column labeled "No. of Challenged Ballots" for that precinct on the *Locality Summary of Recount Results (SBE-802-LS)* form for this locality.~~

~~If any discrepancy is discovered, the **party lawyers** should be notified immediately; the issue shall be noted on the *Challenged Ballot Envelope (SBE-802-CB)*; and the envelope shall be signed by the Department of Elections representative and the two party representative on the **Floor Team**. The number of paper and optical scan ballots challenged can be re-checked by examining the supporting documents.~~

~~IV. — Examine each Challenged Ballot one at a time.~~

~~Check the information on the "*Statement of Recount Official*" included in the *SBE-802-CB* form attached to the ballot to be sure that it has been completed and signed. If the form has not been signed by a recount official, the ballot cannot be counted for any candidate.~~

- ~~— **After this initial review, both party representatives should be allowed to carefully examine the ballot, without handling it.**~~
- ~~— **If there is any question about the voter's intent, please refer to the Department of Elections ballot examples.**~~
- ~~— **If both party representatives agree on whether the challenged ballot is to be counted and for which candidate in the recount, then on the back of the "*Statement of Recount Official*" the Department of Elections staff member on the Floor Team should either write "not counted for any candidate" or should indicate for which candidate it is to be counted.**~~
- ~~— **When all the challenged ballots have been examined, if there are any on which the two party representatives have not agreed, the Floor Attorneys for the two sides should be summoned to the table.**~~
- ~~— **If the Floor Attorneys for both sides agree, the form should be marked according to their decision.**~~
- ~~— **If they do not agree, the form will be marked with the locality name, precinct name and precinct number then referred to the Appeals Team, through the Runner.**~~

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Virginia Election Recounts Step-by-Step Instructions

~~The Department of Elections staff member on the Floor Team will count the challenged ballots, in full view of the observers, and the accountant should enter the number for each candidate on the Locality Summary of Recount Results (SBE 802-LS) form for this precinct and locality. Note on the Challenged Ballot Envelope the number of ballots that have been referred to the Appeals Team, if any, and reseal the Challenged Ballot Envelope with a paper seal signed and dated by both candidate representatives and the Department of Elections staff member on the Floor Team.~~

4) **Open** the package.

- a. Remove one envelope at a time.
- b. Ensure there is an 802-CB attached to a Challenged Ballot (CB) Envelope.
- c. Ensure the 802-CB is signed by the Recount Officials for that precinct.
- d. ~~Identify~~ Precinct and locate the precinct on the Recount Certification – County or City Results by Precinct form.

5) **Examine** the CB Envelope

- a. **If zero indicated on front of envelope**, hold envelope to the light and ensure envelope it is empty.
 - i. **Accountant** shall enter ZERO on the 802-LS
- b. **If a number is indicated on front of envelope**, open the envelope and verify the number of ballots included equals the number indicated on the form.
 - i. **Accountant** should enter the number of ballots challenged on 802-LS
 - 1. Ensure each challenged ballot has an 802-CB attached to it.
 - ii. Allow each party to examine, but not handle, the challenged ballot one at a time. (if there is any question, refer to the Department of Elections Ballot Examples)
 - 1. If the two **Party Representatives agree on which candidate the ballot** should be counted for, then mark on the back of the 802-CB the name of the candidate the candidate for which the ballot shall be counted for.
 - 2. If the two **Party Representatives do NOT agree**, then request the **Appeals Team** over to review the ballot.
 - a. If **parties agree**, then follow procedure above for counting the ballot.
 - b. If **parties do NOT agree**, then provide the ballot to the Runner who will take it to the Clerk for review by the Court.
- c. **If no number is entered on front of envelope**, open to verify if the envelope is empty.
 - i. Review 802-PR to find the number of ballots challenged.

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Virginia Election Recounts Step-by-Step Instructions

ii. Accountant should enter the number found on 802-LS.

iii. If a challenged ballot is present, allow each party to examine, but not handle, the challenged ballot one at a time. (if there is any question, refer to the Department of Elections Ballot Examples)

1. If the two party representatives agree on which candidate the ballot should be counted for, then mark on the back of the 802-CB the name of the candidate the candidate for which the ballot shall be counted for.

2. If the two party representatives do NOT agree, then request the Appeals Team over to review the ballot.

a. If parties agree, then follow procedure above for counting the ballot.

b. If parties do NOT agree, then provide the ballot to the Runner who will take it to the Clerk for review by the Court

6) Finalize the Locality Results

a. Once all ballots have been determined, the accountant will complete the 802-LS. i. ELECT staff and the party reps should confirm the 802-LS is entered correctly and initial under the totals.

b. Call a Runner to take the 802-LS and 802-CC to one of the Summary Teams.

c. Call a Runner to take the Locality materials back to the Clerk.

Final Certification of Results: Re-seal material

After the Floor Team has completed the 802-LS Recount Certification - County or City Results by Precinct, the materials are transported to the Summary Team.

- 1) The Summary Team checks the math and completeness of the Locality Summary of Recount Results (SBE-802-LS).
- 2) The Summary Team transfers the vote totals for each candidate in each locality from the Locality Summary of Recount Results (SBE-802-LS) to the Court Certification of Recount (SBE-802-CC) form.
- 3) The Summary Team transfers any information regarding challenged ballots (SBE-802-CB) received from the Appeals Team or the Recount Court on the Court Certification of Recount (SBE-802-CC) form.
- 4) The accountant on the Summary Team verifies the accuracy of the Court Certification of Recount (SBE-802-CC) form.
- 5) The Court Certification of Recount (SBE-802-CC) form is submitted to the Recount Court for their certification.

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After the Recount

Issuance of Certificate of Election

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The person having the highest number of votes shall be deemed to have been elected to such office and shall receive a certificate of election. The Attorney General's office has determined that the certificate of election should be issued by the local electoral board even though an election is being recounted. There are no provisions of §24.2-802 [which that](#) would delay the local electoral board's issuance of the certificate of election as required by §24.2-676.

If the Court's certification of the recount declares the losing candidate the winner, a new certificate of election must be issued, making the original certificate null and void.

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Update Results on Department of Elections Website

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Localities involved in a recount may need to change their election results. §24.2-671 requires there to be a record of all changes to vote totals made after Election Day. Therefore, all localities must enter a "Reason for Change" in VERIS before they can change their vote totals. These changes will be reflected on the Department of Elections website. The Department of Elections generally does not publish local results since they are not the certifying agent. However, since most local elections are held on an Election Day in which the Department of Elections is the certifying agent, local office results are included. The website will be updated accordingly.

Return and Final Retention of Material

All of the recount material received from each city or county comprising the district being recounted should be resealed and signed by the Recount Court's designated officers tabulating the results, and preferably also by representatives for the parties to the recount if present, and then securely stored by the Clerk of Court for the Circuit Court in which the recount was held. These materials should remain secured and sealed until the time for the candidate losing the recount to initiate a contest has expired. See [Contests](#) near the beginning of this document and § 24.2-814 allowing 10 days from recount court order declaring winner to file contest.

If the recount was for a primary or election for a General Assembly seat, statewide office or federal office, the Department of Elections will check with the appropriate office to determine if a contest has been filed by the deadline, and then notify the Clerk. If no contest is pending, the records for the Clerk's own locality should then be treated as prescribed by law for other records from that same election date [which that](#) are in the custody of the Clerk.

Materials sent from any other localities in the district to be recounted should be returned to the Clerks for those localities, again to be treated in the same manner as other records from that election date [which that](#) are in the custody of the Clerk. The other Clerks may want to



pick up the records, or the sending Clerk may have them delivered personally or by a method that includes tracking of delivery. If the materials are picked up or delivered personally, both Clerks should keep a record documenting the transaction.

In the case of a primary or election for a county, city or town office, or local district office, any contest would be filed with the Circuit Court where the challenged candidate resides. Unless the recount was for a shared local office, the Clerk of the Court [which that](#) conducted the recount will receive any contest filed, or should check with the Clerk where the winning candidate resides to determine if a contest has been filed by the deadline.

Appendix

Conversion to 11/2011 Versions of Department of Elections Recount Forms and Instructions

2011	SBE-802-PR Source: § 24.2-802(D)	Recount Precinct Results For All Voting Systems
	<i>REPLACES</i>	
2008	654R-DE	DRE AND paper OR optical scan precinct results form (with consolidated DRE results)
2008	654R-DE2	DRE and paper ballots results form (without consolidation tapes)
2008	654R-DE3 (added 2008)	DRE and paper AND optical scan precinct results form (with consolidated DRE results) (NEW 12/11/08)
2008	654R1	Pollbooks and paper ballots form
2008	654R1-PB	Precinct results — paper ballots
2008	654R-OS	Precinct results — pollbooks and optical scan
2011	SBE-802-SBS Source: § 24.2-802(D)	Virginia Election Recounts: Step-by-Step Instructions (Includes Precinct Instructions for Recount Officials & Coordinators—All Voting Systems)
	<i>REPLACES</i>	
2008	DE-I-OS-2008	Recount Official Inst. DRE and Optical Scan
2008	DE-II-OS-2008	Coordinator. Inst. DRE and Optical Scan
2008	DE-I-OS-PAPER—2008 (added 12/2008)	Recount Official Inst. DRE and Optical Scan and Paper Ballots (new 12/11/08)
2008	DE-II-OS-PAPER—2008 (added 2008)	Coordinator. Inst. DRE and Optical Scan and Paper Ballots (new 12/11/08)
2008	DE-I-PAPER-2008	Recount Official Inst. DRE and Paper ballots
2008	DE-II-PAPER-2008	Coordinator. Inst. DRE and Paper ballots
2008	OS-I-2008	Recount Official Inst. Optical Scan
2008	OS-II-2008	Coordinator. Inst. Optical Scan

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Virginia Election Recounts Step-by-Step Instructions

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2008	PB-I 2008	Recount Official Inst. Paper ballots only
2008	PB-II 2008	Coordinator. Inst. Paper ballots only
2011	SBE-802-MA (New)	Precinct Manual Recount Tally Sheet (optional)
2011	SBE-802-CB	Challenged Ballots
	Source: § 24.2-802(D)(2nd paragraph after subsection (3))	
	<u>RENAMES</u>	
2008	654R2	Challenged ballots form
2011	SBE-802-F	Recount Reimbursement for Official/Alternate
	Source: § 24.2-802(F)	
	<u>REPLACES</u>	
2008	653R6	Reimburse recount official form
2008	654R7	Reimburse alternate form
2011	SBE-802-LS	Locality Summary of Recount Results (Completed by the Court)
	Source: § 24.2-802(D)(3rd paragraph after subsection (3))	
	<u>RENAMES</u>	
2008	654R4	County or City Results by Precinct (Completed by the Court)
2011	SBE-802-CC	Court Certification of Recount Results (District Summary) (Completed by the Court)
	Source: § 24.2-802(D)(3rd paragraph after subsection (3))	
	<u>RENAMES</u>	
2008	654R5 (222R5)	Certification of Recount (Completed by the Court)
	<u>UPDATED</u>	
2011	Appendix C to Recount Standards	Recount Instructions (SBE-802-SBS) (current list proposed for adoption by Board and incorporation by reference into Recount Standards)

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there's a discrepancy between Chris Piper's step-by-step and the original recount guidance. Piper's version doesn't include the additional step of having the Floor Attorneys review challenged ballots that are not agreed upon. Since Piper's version is more current, his was the version I used.		
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★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

**RECOUNT
PRECINCT
REPORT**

Precinct || Office || District:
Election Date:
Recount Date:

County/City of: _____

Election Date: _____

Precinct: _____

Election Type: _____

Date of Recount: _____

Office: _____

District: _____

PART E - **DO NOT SIGN UNTIL ALL OTHER MATERIALS ARE COMPLETE**

CERTIFICATION — We hereby swear/affirm, under felony penalty for making willfully false material statements or entries, that all of the information entered heron is true and correct.

WARNING: INTENTIONALLY MAKING A MATERIALLY FALSE STATEMENT ON THIS FORM CONSTITUTES THE CRIME OF ELECTION FRAUD, WHICH IS PUNISHABLE UNDER VIRGINIA LAW AS A FELONY. VIOLATORS MAY BE SENTENCED TO UP TO 10 YEARS IN PRISON, OR UP TO 12 MONTHS IN JAIL AND/OR FINED UP TO \$2,500. (Va. Code § 24.2-1016)

1. _____
Recount Official's Signature - Team 1

3. _____
Recount Official's Signature - Team 2 (if applicable)

Printed Name

Printed Name

2. _____
Recount Official's Signature - Team 1

4. _____
Recount Official's Signature - Team 2 (if applicable)

Printed Name

Printed Name

All Recount Officials who participated in recounting the votes in this precinct must sign the certification.



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DEPARTMENT of ELECTIONS

RECOUNT
PRECINCT
REPORT

Precinct || Office || District:
Election Date:
Recount Date:

***ATTACH BALLOT SCANNER MACHINE TAPE FOR RECOUNT OF THIS PRECINCT TO BACK OF THIS PAGE (STAPLE TOP RIGHT ▲ ▲)
AFTER COMPLETING ENTRY OF SCANNER MACHINE RESULTS IN PARTS B AND C.***

Part A - 1 – Certification of Precinct Ballot Scanner Machine Counter		Calculation or Source	Scanner 1	Scanner 2 ¹	Total (Scanner 1 + Scanner 2)	
A1	Ballot Scanner Machine Serial Number (used to recount this precinct, if applicable)	From Machine				A1
A2	Number on This Scanner's Public Counter – After Recount (if applicable)	Public Counter				A2
A3	Number on This Scanner's Public Counter – Before Recount (if applicable)	Public Counter				A3
A4	Public Counter Difference (Must Equal the Number of Ballots Read By the Scanner During Recount [From Tape])	= A2 – A3			Carry to C1(i)	A4
Part A - 2 – Certification of Precinct Manual Count			Calculation or Source	Total		
A5	Number of <i>Manually</i> Counted Machine-readable Ballots ²		Count	Carry to C2(i)	A5	
A6	Number of Paper Ballots Counted in Recount (DOES NOT INCLUDE MANUALLY COUNTED MACHINE-READABLE BALLOTS)		Count	Carry to C3(i) ³	A6	
A7	Number of Paper Ballot Voters as indicated on all paper pollbooks for the precinct, or on Electronic Pollbook (EPB)		Pollbooks	³	A7	
A8	Number of Paper Ballot Voters as indicated by line A9 of SOR (A18 if absentee ballots were counted in the precinct)		SOR line A9	³	A8	

¹ If only one scanner is being used, enter "0" in each of the second column cells.

² This includes all manually counted machine-readable ballots, including ballots examined from Box/Envelope #3 (Counted Ballots) but voided by voter (including overvoted), undervoted, voted for other candidates, drawn or challenged by a recount official (also see Part C).

³ If A7 and A8 are different, or A6 is not the same as *both* A7 and A8, recount officers should explain the reasons for the difference -- as best they know or can determine -- on the reverse side of this page.



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DEPARTMENT of ELECTIONS

RECOUNT
PRECINCT
REPORT

Precinct || Office || District:
Election Date:
Recount Date:

A9	Total Machine-readable and Paper Ballots Manually Counted in Recount	= A5 + A6		A9
-----------	--	-----------	--	-----------

Part B - 1 – DRE Voting Machines (Serial # and Number of Voters)		Calculation or Source	VM-1 or Consolidation Tape ⁴	VM-2	VM-3	VM-4	VM-5	VM-6			
B1	Machine Serial Number	Machine Tag or Tape								Total Voters	B1
B2	Total Number of Voters Who Voted on This DRE	Public Counter or Tape								Carry to C4(i)	B2
Part B - 2 – Certification of DRE Machine Results for Precinct		Calculation or Source	VM-1 or Consolidation Tape ⁴	VM-2	VM-3	VM-4	VM-5	VM-6		Candidate Totals	
B3	Candidate Name _____ ()	Machine Tape								Should = C4(ii)	B3
B4	Candidate Name _____ ()	Machine Tape								Should = C4(iii)	B4
B5	Total votes for both candidates on DRE(s)	= B3 + B4								Should = C4(iv)	B5

⁴ If consolidation tape available, list total number of voters and results for recount candidates from consolidation tape under **VM-1 above** and list all serial numbers for DREs included in the consolidation tape below. If any DRE is not included in the consolidation tape, list the serial number and results for each such machine under VM-2, etc. Use additional copies of page if needed.



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

RECOUNT
PRECINCT
REPORT

Precinct || Office || District:
Election Date:
Recount Date:



★ VIRGINIA ★
DEPARTMENT of ELECTIONS

**RECOUNT
PRECINCT
REPORT**

Precinct || Office || District:
Election Date:
Recount Date:

Part C - Certification of Official Ballots					
VOTES CAST FOR CANDIDATES IN RECOUNT IMPORTANT: - Lines C1-C5 include only recount parties [listed to the right under (ii) and (iii)] - Lines C6-C9 include all other ballots	<u>(i)</u> Total Number Voting	<u>(ii)</u> Candidate Name _____ _____ _____ ()	<u>(iii)</u> Candidate Name _____ _____ _____ ()	<u>(iv)</u> Total Cast for Candidates (ii) + (iii)	
C1 Total Ballots Read by Ballot Scanner Machine in Recount (From tape; when finished attach tape to back of page with Part A.)	A4 Total =			✍	C1
C2 Total Machine-readable Ballots <i>Manually</i> Counted in Recount	A5 Total =			✍	C2
C3 Total Paper Ballots Counted in Recount	A6 Total =			✍	C3
C4 Total DRE Machine Count [If no DREs used, mark each "0".]	B2 Total =	SHOULD = LINE B3 TOTAL	SHOULD = LINE B4 TOTAL	SHOULD = LINE B5 TOTAL	✍ C4
C5 Total Votes (Add C1 through C4 in each column)	✍	✍	✍	✍	C5
C6	Paper Ballots Drawn (during recount) (§ 24.2-802)				C6
C7 Overvoted Ballots (plus ballots otherwise <u>voided by Voter</u>) § 24.2-663	Machine-readable	Paper		C7(i) + C7(ii)=	✍ C7
C8 Ballots Undervoted or Voted for Other Candidates	Machine-readable	Paper	DRE	C8(i) + C8(ii) + C8(iii) =	✍ C8
C9 Challenged Ballots (enclosed in attached envelope)	Machine-readable	Paper		C9(i) + C9(ii) =	✍ C9
C10	TOTAL [Add C5 through C9 in column (iv)] **Should equal C5 column (i)**			Carry to D5 and D10	✍ C10



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DEPARTMENT of ELECTIONS

**RECOUNT
PRECINCT
REPORT**

Precinct || Office || District:
Election Date:
Recount Date:

Part D - 1 – Paper Pollbook Count (PBC) and Reconciliation			Division ____ - ____	Division ____ - ____	Division ____ - ____	Division ____ - ____	Calculation or Number	Total Pollbook Count	
D1	Enter last PBC Number for each division from PBC Count Sheet						Total of Division Counts		D1
D1-PB	Enter number of Paper Ballots cast (from Pollbooks by division)						Total of Division Counts		D1-PB
D2	Number of cancelled DRE Ballots – (DRE ballots that were CANCELLED because the voter left the booth without casting his/her ballot. Copy from precinct SOR.)								D2
D3	Number of voided Machine-readable and Paper Ballots - (Ballots that were VOIDED because the voter left the booth without casting his/her ballot. <u>DO NOT</u> include ballots spoiled by voter and replaced. Copy number from precinct SOR.)								D3
D4	Total Number of Cancelled DRE and VOIDED Machine-readable and Paper Ballots						= D2 + D3		D4
D5	Pollbook Count Reconciliation - Subtract Total number of CANCELLED DRE and VOIDED Machine-readable and Paper ballots from Total Pollbook Count. **D5 should not be more than C10**					C10 =	= D1 – D4		D5
Part D - 2 – Electronic Pollbook (EPB) Count and Reconciliation							Calculation or Number	Total Pollbook Count	
D6	Enter the total voters Checked-In Count from the EPB								D6
D7	Number of cancelled DRE Ballots - (DRE Ballots that were CANCELLED because the voter left the booth without casting his/her ballot. Copy number from Part C1 of precinct SOR.)								D7
D8	Number of voided Machine-readable and Paper Ballots - (Ballots that were VOIDED because the voter left the booth without casting his/her ballot. <u>DO NOT</u> include ballots spoiled by voter and replaced. Copy number from precinct SOR.)								D8
D9	Total Number of cancelled DRE and voided Machine-readable and Paper Ballots						= D7 + D8		D9
D10	Pollbook Count Reconciliation - Subtract the number of CANCELLED DRE and VOIDED Machine-readable and Paper ballots from Total Pollbook Count. **D5 should not be more than C10**					C10 =	= D6 – D9		D10



★ VIRGINIA ★
DEPARTMENT of ELECTIONS

RECOUNT PRECINCT RESULTS FOR ALL VOTING SYSTEMS

County/City of: _____

Election Date: _____

Precinct : _____

Election Type: _____

Date of Recount: _____

Office: _____

District: _____

Part A - 1 – DRE Voting Machines (Serial # and Number of Voters)		Calculation or Source	VM-1 or Consolidation Tape*	VM-2	VM-3	VM-4	VM-5	VM-6	
A1	Machine Serial Number	Machine Tag or Tape							Total Voters
A2	Total Number of Voters Who Voted on This DRE	Public Counter or Tape							Carry to C1(A)

Part A - 2 -- Certification of DRE Machine Results for Precinct		Calculation or Source	VM-1 or Consolidation Tape*	VM-2	VM-3	VM-4	VM-5	VM-6	Candidate Totals
A3	Candidate Name _____ ()	Machine Tape							Carry to C1(C)
A4	Candidate Name _____ ()	Machine Tape							Carry to C1(D)
A5	<i>Total votes for both candidates on DRE(s)</i>	= A3 + A4	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	Should=C1(B)
A6	<i>DRE ballots undervoted or voted for other candidates (this office)</i>	= A2 - A5	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	<i>/</i>	Carry to C8(G)

* If consolidation tape available, list total number of voters and results for recount candidates from consolidation tape under VM-1 above and list all serial numbers for DREs included in the consolidation tape below. If any DRE is not included in the consolidation tape, list the serial number and results for each such machine under VM-2, etc. Use additional copies of page if needed.



Part A - 3 -- If DRE Tape(s) Must Be Rerun

Complete this part if any DRE tape from the precinct was missing or not clear, and the recount officers were directed to rerun the tape(s). Compare the seal on each machine opened to the final seal number listed for that machine on the key envelope.

I. Do the seal and key envelope numbers for the reopened machine(s) agree? YES NO

If **NO**, mark the number of the serial machine on which a discrepancy was found with a check (%) in Part A-1 on previous page and complete A through E below. Attach the precinct Statement of Results from the election (including all pages and attached tapes).

A. Machine#: _____

B. _____
Number on Protective Counter

C. _____
Number on Public Counter

D. _____
seal # on key envelope

E. _____
seal # on machine

II. Seal(s) intact? YES NO

If **NO**, mark that machine number with an asterisk (*) in Part A-1 on previous page. Enter, on the reverse side of this page, a description of the machine condition and complete lines F through H below. Attach the precinct Statement of Results from the election (including all pages and attached tapes).

F. Machine#: _____

G. _____
Number on Protective Counter

H. _____
Number on Public Counter



RECOUNT PRECINCT RESULTS FOR ALL VOTING SYSTEMS

***ATTACH OPTICAL SCANNER TAPE FOR RECOUNT OF THIS PRECINCT TO BACK OF THIS PAGE (STAPLE TOP RIGHT ▲▲)
AFTER COMPLETING ENTRY OF OPTICAL SCAN MACHINE RESULTS IN PARTS B AND C.***

Part B – Certification of Precinct Optical Scan Ballot Counter and Manual Count			Calculation or Source	
B1	Optical Scanner Serial Number (used to recount this precinct, if applicable)		From Machine	
B2	Number on This Scanner's Public Counter – After Recount (if applicable)		Public Counter	
B3	Number on This Scanner's Public Counter – Before Recount (if applicable)		Public Counter	
B4	Public Counter Difference (Must Equal the Number of Ballots Read By the Optical Scanner During Recount [From Tape])		= B2 – B3	✍
B5	Number of <i>Manually</i> Counted Optical Scan Ballots *		Count	
	B6	Number of Paper Ballot Voters as indicated on all paper pollbooks for the precinct, or on Electronic Pollbook (EPB)	**	
	B7	Number of Paper Ballot Voters as indicated by line A9 of SOR (A18 if absentee ballots were counted in the precinct)	**	
B8	Number of Paper Ballots Counted in Recount*		Count	**
B9	Total Optical Scan and Paper Ballots Counted in Recount		= B5 + B8	✍

* This includes all ballots of this type which are manually counted in the recount. This includes any ballots examined from Box/Envelope #3 (Counted Ballots), but voided by voter (including overvoted), undervoted, voted for other candidates, drawn or challenged by a recount official (also see Part C).

** If B6 and B7 are different, or B8 is not the same as both B6 and B7, recount officers should explain the reasons for the difference -- as best they know or can determine -- on the reverse side of this page.



★ VIRGINIA ★
DEPARTMENT of ELECTIONS

**RECOUNT PRECINCT RESULTS
FOR ALL VOTING SYSTEMS**

Part C - Certification of Official Ballots						
VOTES CAST FOR CANDIDATES IN RECOUNT <small>(In lines C1 through C5, include <u>only</u> ballots cast for candidates who are parties to the recount and whose names are listed at right. Account for all other ballots in lines C6 through C9.)</small>		(A) Total Number Voting	(B) Total Cast for Candidates (C + D)	(C) Candidate Name _____ _____ _____ ()	(D) Candidate Name _____ _____ _____ ()	
C1	Total DRE Machine Count (Copy A, C and D for this line from Parts A-1 and A-2 - voter and candidate totals ; If no DREs used, mark each "0".)	Line A2 Total	(CHECK: SHOULD = LINE A5 TOTAL)	Line A3 Total	Line A4 Total	
C2	Total Ballots Read by Optical Scanner in Recount (From tape; when finished attach tape to back of page with Part B.)	Line B4	<input type="checkbox"/>			
C3	Total Optical Scan Ballots <i>Manually</i> Counted in Recount	Line B5	<input type="checkbox"/>			
C4	Total Paper Ballots Counted in Recount	Line B8	<input type="checkbox"/>			
C5	Total Votes (Add C1 through C4 in each column)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C6	Paper Ballots Drawn (during recount) (§ 24.2-662)			(E) Op.Scan	(F) Paper	(G) DRE
C7	<i>Manually</i> Counted Ballots Voided by Voter (Includes Overvoted; § 24.2-663) [For C7 - C9, list separately by ballot voting system]		= E + F <input type="checkbox"/>			
C8	Ballots Undervoted or Voted for Other Candidates		= E + F + G <input type="checkbox"/>			Line A6 Total
C9	Challenged Ballots (enclosed in attached envelope)		= E + F <input type="checkbox"/>			
C10	TOTAL (Add C5 through C9 in column B) (Crosscheck: Should equal column A, line C5)		<input type="checkbox"/>			



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DEPARTMENT *of* ELECTIONS

RECOUNT PRECINCT RESULTS FOR ALL VOTING SYSTEMS

Part D - 1 – Paper Pollbook Count (PBC) and Reconciliation		Division ____ - ____	Division ____ - ____	Division ____ - ____	Division ____ - ____	Calculation or Number	Total Pollbook Count
D1	Enter last PBC Number for each division from PBC Count Sheet					Total of Division Counts	
D1-PB	Enter number of Paper Ballots cast (from Pollbooks by division)					Total of Division Counts	
D2	Number of cancelled DRE Ballots – (DRE ballots that were CANCELLED because the voter left the booth without casting his/her ballot. Copy from precinct SOR.)						
D3	Number of voided Optical Scan and Paper Ballots - (Ballots that were VOIDED because the voter left the booth without casting his/her ballot. <u>DO NOT</u> include ballots spoiled by voter and replaced. Copy number from precinct SOR.)						
D4	Total Number of Cancelled DRE and VOIDED Optical Scan and Paper Ballots					= D2 + D3	
D5	Pollbook Count Reconciliation - Subtract Total number of CANCELLED DRE and VOIDED Optical Scan and Paper ballots from Total Pollbook Count. (Cross check: D5 should not be <i>more</i> than C10.)					= D1 – D4	

Part D - 2 – Electronic Pollbook (EPB) Count and Reconciliation						Calculation	Total Pollbook Count
D1	Enter the total voters Checked-In Count from the EPB						
D2	Number of cancelled DRE Ballots - (DRE Ballots that were CANCELLED because the voter left the booth without casting his/her ballot. Copy number from Part C1 of precinct SOR.)						
D3	Number of voided Optical Scan and Paper Ballots - (Ballots that were VOIDED because the voter left the booth without casting his/her ballot. <u>DO NOT</u> include ballots spoiled by voter and replaced. Copy number from precinct SOR.)						
D4	Total Number of cancelled DRE and voided Optical Scan and Paper Ballots					= D2 + D3	
D5	Pollbook Count Reconciliation - Subtract the number of CANCELLED DRE and VOIDED Optical Scan and Paper ballots from Total Pollbook Count. (Cross check: D5 should not be <i>more</i> than C10.)					= D1 – D4	



PART E -

CERTIFICATION — We hereby swear/affirm, under felony penalty for making willfully false material statements or entries, that all of the information entered heron is true and correct.

WARNING: INTENTIONALLY MAKING A MATERIALLY FALSE STATEMENT ON THIS FORM CONSTITUTES THE CRIME OF ELECTION FRAUD, WHICH IS PUNISHABLE UNDER VIRGINIA LAW AS A FELONY. VIOLATORS MAY BE SENTENCED TO UP TO 10 YEARS IN PRISON, OR UP TO 12 MONTHS IN JAIL AND/OR FINED UP TO \$2,500. (Va. Code § 24.2-1016)

1. _____
Recount Official's Signature - Team 1

Printed Name

3. _____
Recount Official's Signature - Team 2 (if applicable)

Printed Name

2. _____
Recount Official's Signature - Team 1

Printed Name

4. _____
Recount Official's Signature - Team 2 (if applicable)

Printed Name

All Recount Officials who participated in recounting the votes in this precinct must sign the certification.



[TO BE APPROVED BY THE COURT]

County City of _____

Date _____ of _____ Election:

Number of Precincts: _____

Office: _____

Date of Recount: _____

District: _____

Precinct Number	Precinct Name	NUMBER OF VOTES CAST		
		CANDIDATE NAME	CANDIDATE NAME	NO. OF CHALLENGED BALLOTS
CAP	Central Absentee Precinct			
	Challenged Ballots Counted by Court			
PV	Provisional Ballots (From those originally counted by the Electoral Board)			
	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			
PAGE 1 TOTAL				



[TO BE APPROVED BY THE COURT]

County City of _____

Date of Election: _____

Number of Precincts: _____

Office: _____

Date of Recount: _____

District: _____

		NUMBER OF VOTES CAST		
Precinct Number	Precinct Name	CANDIDATE NAME	CANDIDATE NAME	NO. OF CHALLENGED BALLOTS

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			
PAGE 2 TOTAL				



[TO BE APPROVED BY THE COURT]

County City of _____

Date _____ of _____ Election:

Number of Precincts: _____

Office: _____

Date of Recount: _____

District: _____

Precinct Number	Precinct Name	NUMBER OF VOTES CAST		
		CANDIDATE NAME	CANDIDATE NAME	NO. OF CHALLENGED BALLOTS
_____	_____			
	Challenged Ballots Counted by Court			
_____	_____			
	Challenged Ballots Counted by Court			
_____	_____			
	Challenged Ballots Counted by Court			
_____	_____			
	Challenged Ballots Counted by Court			
_____	_____			
	Challenged Ballots Counted by Court			
_____	_____			
	Challenged Ballots Counted by Court			
_____	_____			
	Challenged Ballots Counted by Court			
PAGE 3 TOTAL				



[TO BE APPROVED BY THE COURT]

County City of _____

Date of Election: _____

Number of Precincts: _____

Office: _____

Date of Recount: _____

District: _____

Precinct Number	Precinct Name	NUMBER OF VOTES CAST		
		CANDIDATE NAME	CANDIDATE NAME	NO. OF CHALLENGED BALLOTS
_____	_____			
	Challenged Ballots Counted by Court			
_____	_____			
	Challenged Ballots Counted by Court			
_____	_____			
	Challenged Ballots Counted by Court			
_____	_____			
	Challenged Ballots Counted by Court			
_____	_____			
	Challenged Ballots Counted by Court			
_____	_____			
	Challenged Ballots Counted by Court			
_____	_____			
	Challenged Ballots Counted by Court			
PAGE 4 TOTAL				



[TO BE APPROVED BY THE COURT]

County City of _____

Date of Election: _____

Number of Precincts: _____

Office: _____

Date of Recount: _____

District: _____

TOTAL FROM PAGE 1			
TOTAL FROM PAGE 2			
TOTAL FROM PAGE 3			
TOTAL FROM PAGE 4			
LOCALITY TOTAL			

Chief Judge of Recount Court

Recount Judge

Recount Judge



[TO BE APPROVED BY THE COURT]

County City of _____

Date of Election: _____

Number of Precincts: _____

Office: _____

Date of Recount: _____

District: _____

		NUMBER OF VOTES CAST		
Precinct Number	Precinct Name	CANDIDATE NAME	CANDIDATE NAME	NO. OF CHALLENGED BALLOTS
CAP	Central Absentee Precinct			
	Challenged Ballots Counted by Court			
PV	Provisional Ballots (From those originally counted by the Electoral Board)			
	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			

	Challenged Ballots Counted by Court			
PAGE 1 TOTAL				



[TO BE APPROVED BY THE COURT]

County City of _____

Date of Election: _____

Number of Precincts: _____

Office: _____

Date of Recount: _____

District: _____

TOTAL FROM PAGE 1			
TOTAL FROM PAGE 2			
TOTAL FROM PAGE 3			
TOTAL FROM PAGE 4			
LOCALITY TOTAL			

Chief Judge of Recount Court

Recount Judge

Recount Judge



[TO BE COMPLETED BY THE COURT]

SUMMARY

Date of Election: _____

Number of Localities: _____

Office: _____

District: _____

COUNTY OR CITY NAME	CANDIDATE NAME	CANDIDATE NAME
Counties:		
TOTAL COUNTIES		
CONTINUE ON NEXT PAGE		

Revise number of rows/pages as needed for each recount.



[TO BE COMPLETED BY THE COURT]

SUMMARY

Date of Election: _____

Number of Localities: _____

Office: _____

District: _____

COUNTY OR CITY NAME	CANDIDATE NAME	CANDIDATE NAME
Cities:		
TOTAL CITIES		
TOTAL COUNTIES (from Page 1)		
DISTRICT TOTAL		

SIGNATURES OF JUDGES:

COMMONWEALTH OF VIRGINIA
STATEMENT OF RECOUNT OFFICIAL
CHALLENGED BALLOT

Precinct: _____

Reason: _____

Signature: _____

Printed Name: _____

SBE-802-CB Challenged Ballot 12/12

COMMONWEALTH OF VIRGINIA
STATEMENT OF RECOUNT OFFICIAL
CHALLENGED BALLOT

Precinct: _____

Reason: _____

Signature: _____

Printed Name: _____

SBE-802-CB Challenged Ballot 12/12

COMMONWEALTH OF VIRGINIA
STATEMENT OF RECOUNT OFFICIAL
CHALLENGED BALLOT

Precinct: _____

Reason: _____

Signature: _____

Printed Name: _____

SBE-802-CB Challenged Ballot 12/12

COMMONWEALTH OF VIRGINIA
STATEMENT OF RECOUNT OFFICIAL
CHALLENGED BALLOT

Precinct: _____

Reason: _____

Signature: _____

Printed Name: _____

SBE-802-CB Challenged Ballot 12/12



Precinct Manual Tally Sheet

Start a new tally sheet for each precinct; use additional sheets if necessary. Use separate sheets for paper ballots and for manually counted optical scan. Make a hash mark for each vote cast for the candidate in the grid, like this: /. Mark the 5th vote like this: ///. Use one box for each set of five marks. Combine all tallies in appropriate rows/boxes in **Part C** of *Recount Precinct Results*.

Election Date: _____ **Office:** _____ **Precinct #/Name:** _____

Type of Ballots (check only one): Paper Manually Counted Optical Scan

CANDIDATE NAME	5	10	15	20	25	30	35	40	45	50	
											50
											100
											150
											200
											250
											300
											350
											400
											450
											500
Candidate Name	5	10	15	20	25	30	35	40	45	50	
											50
											100
											150
											200
											250
											300
											350
											400
											450
											500
Other	5	10	15	20	25	Total					
Manually Counted Ballots Voided by Voter (includes Overvoted)											
Manually Counted Ballots Undervoted or Voted for Other Candidates											
Challenged Ballots (complete/sign challenge form, attach ballot & enclose in CB envelope)											



To be Completed by Official or Alternate:

Residence to Courthouse and Return,
Miles Traveled: _____ miles x \$.565* = \$ _____

Please check one: ___Official ___Alternate ___Alternate who serves as Official

To be Completed by Official or Alternate who serves:

Any Additional Mileage Incurred
in Recount: _____ miles x \$ ____* = \$ _____

To be Completed by Electoral Board:

Per Diem for Official or Alternate who serves: \$ _____

Total Expenses for Official or Alternate \$ _____

OFFICER'S/ALTERNATE'S SIGNATURE

PRINTED NAME

MAILING ADDRESS

_____ VA _____ - _____
CITY/TOWN ZIP CODE

*Mileage rate must be updated to rate in effect at time of recount.

§ 24.2-802, Code of Virginia: F. The court shall determine the costs of the recount subject to the following limitations: (i) no per diem payment shall be assessed for salaried election officials; (ii) no per diem payment to officers of election serving as recount officials shall exceed two-thirds of the per diem paid such officers by the county or city for service on election day; and (iii) per diem payments to alternates shall be allowed only if they serve.



[TO BE COMPLETED BY THE COURT]

SUMMARY

Date of Election: _____

Number of Localities: _____

Office: _____

District: _____

COUNTY OR CITY NAME	CANDIDATE NAME	CANDIDATE NAME
Counties:		
TOTAL COUNTIES		
CONTINUE ON NEXT PAGE		

Revise number of rows/pages as needed for each recount.



[TO BE COMPLETED BY THE COURT]

SUMMARY

Date of Election: _____

Number of Localities: _____

Office: _____

District: _____

COUNTY OR CITY NAME	CANDIDATE NAME	CANDIDATE NAME
Cities:		
TOTAL CITIES		
TOTAL COUNTIES (from Page 1)		
DISTRICT TOTAL		

SIGNATURES OF JUDGES:

COMMONWEALTH OF VIRGINIA
STATEMENT OF RECOUNT OFFICIAL
CHALLENGED BALLOT

Precinct: _____

Reason: _____

Signature: _____

Printed Name: _____

SBE-802-CB Challenged Ballot 12/12

COMMONWEALTH OF VIRGINIA
STATEMENT OF RECOUNT OFFICIAL
CHALLENGED BALLOT

Precinct: _____

Reason: _____

Signature: _____

Printed Name: _____

SBE-802-CB Challenged Ballot 12/12

COMMONWEALTH OF VIRGINIA
STATEMENT OF RECOUNT OFFICIAL
CHALLENGED BALLOT

Precinct: _____

Reason: _____

Signature: _____

Printed Name: _____

SBE-802-CB Challenged Ballot 12/12

COMMONWEALTH OF VIRGINIA
STATEMENT OF RECOUNT OFFICIAL
CHALLENGED BALLOT

Precinct: _____

Reason: _____

Signature: _____

Printed Name: _____

SBE-802-CB Challenged Ballot 12/12



Precinct Manual Tally Sheet

Start a new tally sheet for each precinct; use additional sheets if necessary. Use separate sheets for paper ballots and for manually counted optical scan. Make a hash mark for each vote cast for the candidate in the grid, like this: /. Mark the 5th vote like this: ///. Use one box for each set of five marks. Combine all tallies in appropriate rows/boxes in **Part C** of *Recount Precinct Results*.

Election Date: _____ **Office:** _____ **Precinct #/Name:** _____

Type of Ballots (check only one): Paper Manually Counted Optical Scan

CANDIDATE NAME	5	10	15	20	25	30	35	40	45	50	
											50
											100
											150
											200
											250
											300
											350
											400
											450
											500
Candidate Name	5	10	15	20	25	30	35	40	45	50	
											50
											100
											150
											200
											250
											300
											350
											400
											450
											500
Other	5	10	15	20	25	Total					
Manually Counted Ballots Voided by Voter (includes Overvoted)											
Manually Counted Ballots Undervoted or Voted for Other Candidates											
Challenged Ballots (complete/sign challenge form, attach ballot & enclose in CB envelope)											



To be Completed by Official or Alternate:

Residence to Courthouse and Return,
Miles Traveled: _____ miles x \$.565* = \$ _____

Please check one: ___Official ___Alternate ___Alternate who serves as Official

To be Completed by Official or Alternate who serves:

Any Additional Mileage Incurred
in Recount: _____ miles x \$ ____* = \$ _____

To be Completed by Electoral Board:

Per Diem for Official or Alternate who serves: \$ _____

Total Expenses for Official or Alternate \$ _____

OFFICER'S/ALTERNATE'S SIGNATURE

PRINTED NAME

MAILING ADDRESS

CITY/TOWN

VA _____ - _____
ZIP CODE

*Mileage rate must be updated to rate in effect at time of recount.

§ 24.2-802, Code of Virginia: F. The court shall determine the costs of the recount subject to the following limitations: (i) no per diem payment shall be assessed for salaried election officials; (ii) no per diem payment to officers of election serving as recount officials shall exceed two-thirds of the per diem paid such officers by the county or city for service on election day; and (iii) per diem payments to alternates shall be allowed only if they serve.



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

New Business

BOARD WORKING PAPERS



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

November 3, 2015 General Election Certification

BOARD WORKING PAPERS
Reiko Doğu
ELECT Senior Elections Administrator



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Memorandum

To: Members of the State Board of Elections
From: Reiko Doğu, Senior Elections Administrator
Date: November 16, 2015
Re: Certification of November 3, 2015 General

Suggested motion for a Board member to make:

“I move that the Board certify the results of the November 3, 2015 general election as presented.”

Applicable Code Section: § 24.2-679A.

Background:

Following the steps prescribed in §24.2.679A of the code of the Commonwealth of Virginia “...The Board members shall certify the statements to be correct and sign the statements. The Board shall then determine those persons who received the greatest number of votes and have been duly elected to each office. The Board members shall endorse and subscribe on such statements a certificate of their determination. The Board shall record each certified statement and determination in a suitable book to be kept by it in its office.”



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Recap
Winchester City
&
City of Virginia Beach

BOARD WORKING PAPERS
Edgardo Cortés
ELECT Commissioner



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Electronic Pollbook Certification

BOARD WORKING PAPERS
Edgardo Cortés
ELECT Commissioner



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Memorandum

To: Members of the State Board of Elections

From: Eugene Burton, Voting Technology Specialist

Date: November 16, 2015

Re: Certification of Dominion Voting Systems Democracy Suite 4-14-E voting system

Suggested motion for a Board member to make:

I move that the Board certify Dominion Voting Systems Democracy Suite 4-14-E voting systems for use in elections in the Commonwealth of Virginia, pursuant to the *State Certification of Voting Systems: Requirements and Procedures*.

Applicable Code Section: § 24.2-629.

Attachments:

Your Board materials include the following:

- Virginia State Certification Test Report for Democracy Suite 4-14-E voting systems.
- Technical Data Package and Information Supporting Documentation

Background:

Following the steps prescribed in the *Virginia State Certification of Voting Systems: Requirements and Procedures*, Dominion Voting Systems initiated the certification evaluation to the Department of Elections on September 28, 2015. Dominion Voting Systems provided their Technical Data Package and Corporate Information (required under step 2 of the *Requirements and Procedures*). Both of these submissions were deemed complete and in sufficient detail to warrant Step 3, the Preliminary Review. During the preliminary review, the state-designated evaluation agent conducted a preliminary analysis of the TDP, Corporate Information, and other materials provided and prepared an Evaluation Proposal (i.e. Test Plan). Upon Dominion Voting Systems agreement with the test plan, the evaluation was conducted on October 13, 2015 through October 14, 2015, in the Department of Elections offices in Richmond, Virginia. In addition the system was successfully piloted in an election in Bedford County on November 3, 2015. The Dominion Voting Systems Democracy Suite 4-14-E voting system successfully completed Virginia State Certification.

REQUEST FOR CERTIFICATION SUPPORTING DOCUMENTATION DEMOCRACY SUITE 4.14-E

Below is the supporting documentation for the Virginia Request for Certification checklist. Each item number below corresponds to the item number in the checklist.

1. Identification of the specific voting system

Below is a table that identifies each component and its version number. Please note that "COTS" is an acronym for "Commercial Off The Shelf". This table includes recent EAC ECO approvals on COTS computers. This table also includes COTS hardware to support additional state specific functionality.

System Component	Software or Firmware Version	Hardware Version	Operating System or COTS	Comments
ImageCast Precinct	4.14.20-US	320A	uClinux	
ImageCast Precinct	4.14.20-US	320C	uClinux	
ImageCast Evolution	4.14.25	410A	Ubuntu linux	
ImageCast Central	4.14.17	Canon DR-X10C Canon DR-G1130	COTS	Windows 7 Professional x64
Democracy Suite election management system	4.14.38	N/A (application software)	Windows Server 2008 R2	
Adjudication*	2.4.1.3201	N/A (application software)	Windows 7 Professional x64 or Windows Server 2008 R2	
Server Hardware		Dell PowerEdge R610 or T610	Windows Server 2008 R2	Processor: Intel Xeon E5-2620 2.4 GHz, Memory: 8x 4GB 1333MHz DDR3, Hard Drive Capacity: 2x 500GB
Server Hardware		Dell PowerEdge R620 or T620	Windows Server 2008 R2	Processor: Intel Xeon E5-2620 2.0 GHz, Memory: 2x 4GB 1333MHz DDR3, Hard Drive Capacity: 2x 500GB
Server Hardware		Dell PowerEdge R630 or T630	Windows Server 2008 R2	Processor: Intel Xeon E5-2630 2.4 GHz, Memory: 2x 16GB 2133MHz DDR4, Hard Drive Capacity: 1x 1TGB; 1x 2TB
Server Hardware		Dell PowerEdge R720 or T720	Windows Server 2008 R2	Processor: Intel Xeon E5-2620 2.0 GHz, Memory: 2x 4GB 1333MHz DDR3, Hard Drive Capacity: 2x 500GB
Client Hardware		Dell Precision T1500	Windows 7	Processor: Intel Core i7-860 2.8GHz, Memory: 4x 1GB

System Component	Software or Firmware Version	Hardware Version	Operating System or COTS	Comments
			Professional	1333MHz DDR3, Hard Drive Capacity: 500 GB
Client Hardware		Dell Precision T1700	Windows 7 Professional	Processor: Intel Core i5-4570@3.2GHz, Memory: 1x 8GB RAM, Hard Drive Capacity: 1x 500GB
Client Hardware		DELL Latitude e6530	Windows 7 Professional x64	Processor: Intel Core i5-3210M 2.5 GHz, Memory: 8GB 16000MHz DDR3, Hard Drive Capacity: 500GB
Client Hardware		DELL Latitude e6540	Windows 7 Professional x64	Processor: Intel Core i7-4810MQ@2.8GHz, Memory: 8GB RAM, Hard Drive Capacity: 1x 500GB
Client Hardware		DELL Latitude e7450	Windows 7 Professional x64	Processor: Intel Core i5-5300U@2.3GHz, Memory: 2x 8GB RAM, Hard Drive Capacity: 1 x 256GB
ICC Workstation Hardware		DELL Inspiron 2305	Windows 7 Professional x64	Processor: AMD Athlon II X2 240e2.8 GHz, Memory: 8GB Dual Channel 1333MHz DDR3, Hard Drive Capacity: 1 TB
ICC Workstation Hardware		DELL Optiplex 9010 All in One	Windows 7 Professional x64	Processor: Intel Core i7-3770 3.9 GHz, Memory: 8GB 16000MHz DDR3, Hard Drive Capacity: 500GB
ICC Workstation Hardware		DELL Optiplex 9010 All in One	Windows 7 Professional x64	Processor: Intel Core i7-3220 3.39 GHz, Memory: 4x 1GB 1333MHz DDR3, Hard Drive Capacity: 500GB
ICC Workstation Hardware		DELL Optiplex 9020 All in One	Windows 7 Professional x64	Processor: Intel Core i7-4770S@3.1GHz, Memory: 1x 8GB RAM, Hard Drive Capacity: 1x 500GB
ICC Workstation Hardware		DELL Optiplex 9030 All in One	Windows 7 Professional x64	Processor: Intel Core i5-4590S@3.0GHz Memory: 1x 8GB RAM, Hard Drive Capacity: 1x 500GB
NAS disk array		Rocstor Guardian 4RM	COTS	4TB or 8TB size
ICE external LCD monitor		AOC E1649FWU	COTS	
ICP BMD-Audio printer		HP7110	COTS	
Additional data storage		Rocstor Commander 2UE or Hawker HX	COTS	500GB or 1TB
iButton (SHA-1) with USB Reader/Writer		USB R/W: DS9490R# with DS1402-RP8+ iButton: DS1963S	COTS	MAXIM/Dallas Semiconductor

System Component	Software or Firmware Version	Hardware Version	Operating System or COTS	Comments
LCD monitor		DELL 1909W or DELL N445N or Soyo 18.5" wide LCD or Samsung 23" wide LCD	COTS	
Audio Adapter		Soundwave 7.1 USB Audio Adapter	COTS	
PCI Software	Soundwave 7.1		COTS	
USB software	Soundwave 7.1 USB		COTS	For audio adapter
Network switch		5-Port Switch: D-Link DES-1105	COTS	Also can use DGS-108 if 8-port needed
Mouse		Dell or Microsoft	COTS	With rollerball
Keyboard		Kensington, Microsoft, or IBM	COTS	USB enabled
Compact Flash Reader/Writer		SanDisk or GGI Gear	COTS	
Accessible Tactile Interface (ATI)		1.10		
Headphones		Cyber Acoustics	COTS	Cyber Acoustics ACM-70
eSATA PCI card		SIIG, Inc	COTS	eSATA II PCIe Pro Card
Sip and Puff		Origin Instruments	COTS	Origin Instruments AirVoter
Disposable Sip and Puff Mouthpieces		Origin Instruments	COTS	Origin Instruments AC-310
Footswitch Pair		Kinesis	COTS	#971
Compact Flash cards		SanDisk Extreme; Sandisk, or RiData	COTS	SanDisk SDCFX-016G, SDCFX-032G RiData CFC-14A, RDCF8G-233XMCB2-1, RDCF16G-233XMCB2-1, RDCF32G-233XMCB2-1
Machine Tape rolls			COTS	Available from Dominion Voting
Tamper Evident Seals			COTS	Available from Dominion Voting
Ballot Privacy Sleeves		Various lengths to fit the ballot		Available from Dominion Voting
Machine cleaning kit		For ImageCast Precinct, Evolution, and Central		Available from Dominion Voting

2. **Federal compliance documents**

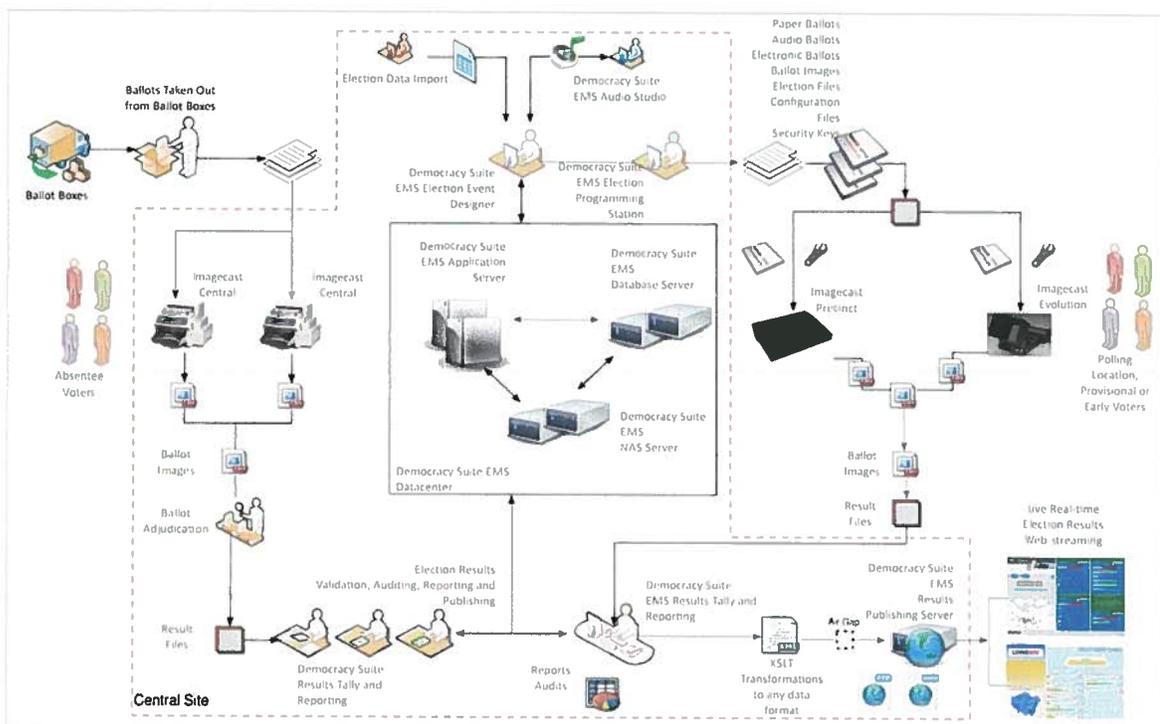
Please see the National Technical Systems (NTS) test report for Democracy Suite 4.14-E.

3. **Any denials or withdrawals of certification**

Democracy Suite 4.14-B was denied certification by the State of Arizona as the central count system did not meet the needs of the state. Democracy Suite was withdrawn from certification in the State of Maryland after the state contract was awarded to a competitor.

4. **Brief overview of the voting system**

Below is a high level block diagram that illustrates the components and workflow for the Democracy Suite 4.14-E system and a description of the system.



The Dominion Voting Systems Democracy Suite Version 4.14-E Voting System is a paper-based, optical scan voting system. The Democracy Suite Version 4.14-E Voting System hardware consists of four major components:

- Election Management System
- ImageCast Evolution (ICE) precinct scanner with optional ballot marking capabilities
- ImageCast Precinct (ICP) precinct scanner
- ImageCast Central (ICC) central count scanner

Below is a description of each of the four major components.

Election Management System

The Dominion Voting Systems Democracy Suite 4.14-E EMS consists of ten components running as either a front-end/client application or as a back-end/server application. Below is a list and brief description of each.



- Democracy Suite 4.14-E EMS Election Event Designer client application (EED) – integrates election definition functionality and represents a main pre-voting phase end-user application.
- Democracy Suite 4.14-E EMS Results Tally and Reporting client application (RTR) – integrates election results acquisition, validation, tabulation, reporting and publishing capabilities and represents a main post-voting phase end-user application.
- Democracy Suite 4.14-E EMS Adjudication application (ADJ) – optional client and server side applications that review voter intent on a ballot by ballot basis from the ImageCast Central device utilized during either the absentee voting or post-voting activity phases.
- Democracy Suite 4.14-E EMS Audio Studio client application (AS) – represents an end-user helper application used to record audio files for a given election project. As such, it is utilized during the pre-voting phase of the election cycle.
- Democracy Suite 4.14-E EMS File System Service client application is a stand-alone service that runs on client machines, enabling access to low level operating system API for partitioning CF cards, reading raw partition on ICP CF card, etc.
- Democracy Suite 4.14-E EMS Election Data Translator (EDT) – represents an end-user application to export election data from an election project and import election data into an election project.
- Democracy Suite 4.14-E EMS Data Center Manager client application – represents a system level configuration application used in EMS back-end data center configuration.
- Democracy Suite 4.14-E EMS Application Server application – represents a server side application responsible for executing long running processes, such as rendering ballots, generating audio files and election files.
- Democracy Suite 4.14-E EMS Network Attached Storage (NAS) Server application – represents a server side file repository for election project file based artifacts, such as ballots, audio files, reports, log files, and election files.
- Democracy Suite 4.14-E EMS Database Server application – represents a server side RDBMS repository of the election project database which holds all the election project data, such as districts, precincts, candidates, contests, ballot layouts, tabulators, vote totals, and poll status.
- The EMS platform is available in two deployable physical hardware configurations:
 - **EMS Express hardware configuration** - all EMS software components were installed on a single physical PC or laptop. This is a stand-alone configuration.
 - **EMS Standard hardware configuration** - the EMS server components are installed on a single physical server, in addition to the Local Area Network (LAN) switch devices, while the EMS client components are installed on one or more physical PCs or laptops. All system components are interconnected in a client-server local LAN environment.

ImageCast Evolution (ICE) precinct scanner with optional ballot marking capabilities

The Dominion Democracy Suite ImageCast Evolution system employs a precinct-level optical scan Ballot Counter (tabulator) in conjunction with an external ballot box. This tabulator is designed to mark and/or scan paper ballots printed on standard or secure paper stock, interpret voting marks, communicate these interpretations back to the voter (either visually through the integrated LCD display or optionally an external LCD display, or audibly via integrated headphones), and upon the voter's acceptance, deposit the ballots into the secure ballot box. The unit also features an Audio Tactile Interface (ATI) which permits voters who cannot negotiate a paper ballot to generate a synchronously human and machine-readable ballot from elector-input vote selections. In this sense, the ImageCast Evolution acts as a ballot marking device. The ATI can also accept input from sip and puff and other personal assistive technologies. The use of the external LCD display allows for simultaneous ADA and manually-marked ballot casting sessions.

ImageCast Precinct (ICP) precinct scanner

The ImageCast Precinct Ballot Counter is a precinct-based optical scan ballot tabulator that is used in conjunction with ImageCast compatible external ballot boxes. The system is designed to scan marked paper ballots printed on standard or secure paper stock, interpret voter marks on the paper ballot and safely store and tabulate each vote from each paper ballot. In addition, the ImageCast Precinct supports enhanced accessibility voting which may be accomplished via an Audio Tactile Interface (ATI) connected to the ImageCast unit. The ATI can also accept input from sip and puff and other personal assistive technologies. As an additional state specific functionality, the ICP can be configured with a COTS printer attached to support BMD-Audio functionality where a paper ballot is marked as a result of an accessible voting session.

ImageCast Central (ICC) central count scanner

The Dominion Democracy Suite ICC Ballot Counter system is a high-speed, central ballot scan tabulator based on Commercial off the Shelf (COTS) hardware, coupled with the custom-made ballot processing application software. It is used for high speed scanning and counting of paper ballots. For the Canon brand scanners, the central scanning system hardware consists of a combination of two COTS devices used together to provide the required ballot scanning processing functionality; a scanner, which is used to provide ballot scanning and image transfers to the local ICC Workstation, and a COTS computer, which is the ICC Workstation used for ballot image and election rules processing and results transfer to the EMS Datacenter. The COTS scanners supported by D-Suite 4.14-E are:

- Canon DR-X10C Scanner
- Canon DR-G1130 Scanner

5. **Current use in Virginia**

The proposed system is not currently in use in Virginia. An earlier version of the system configuration (D-Suite 4.14) is in use in several counties in the Commonwealth.

6. **Certification Fee**

A check for the non-refundable certification fee will be forwarded to the state office prior to the beginning of any certification testing.

Virginia State Board of Elections | **Technical Data Package and Corporate Information Checklist**

In accordance with the State Certification of Voting Systems *Requirements and Procedures*, the vendor shall submit the Technical Data Package (TDP), Corporate Information, and other material to an the State Board of Elections or an evaluation agent selected by the Commonwealth (hereafter, referred to as the Reviewer). At its discretion, the State Board may have multiple parties review the submitted information.

Each item in the package must be clearly identified. If the TDP or Corporate Information is incomplete or the items in the package are not clearly identified, the entire package may be returned to the vendor and the evaluation of the voting system rescheduled.

VENDOR INSTRUCTIONS:

The Technical Data Package and Corporate Information should be submitted to the Virginia State Board of Elections with a copy sent to the evaluation agent if one has been designated. Upon submission, use the checklist below to ensure that all of the required information is provided and initial in the vendor column next to each item in the checklist to signify its inclusion. If the information required is not applicable for this voting system submission, complete the row with "not required". Finally, sign and date the signature block and enclose this checklist with your submission.

REVIEWER INSTRUCTIONS:

To ensure the Technical Data Package and Corporate Information is complete, first check that the vendor has initialed the checklist next to each requirement and signed the checklist. If not, the request should be deemed incomplete. Next, ensure that the information required is contained within the submission and is provided with sufficient detail to adequately perform testing. For each item, initial in the reviewer column and then complete the reviewer information at the end of this checklist. If any items are marked "not required", verify the requirement is not applicable for this submission and initial the reviewer column. If the requirement is applicable and the vendor completed it with "not required", the submission shall be deemed incomplete and returned to the vendor. Return a copy of this checklist to the vendor at their preferred address and retain this completed checklist.

Vendor Name: Dominion Voting Systems Voting System: Democracy Suite 4.14-E

The <i>Technical Data Package</i> provided to the VSTL and the following documents if they were not already included in the TDP submitted to the VSTL:	Vendor	Reviewer
1. <i>Hardware Schematic Diagrams</i> . Schematic diagrams of all hardware.		
2. <i>Hardware Theory of Operations</i> . Documentation describing the theory of operation of the hardware.		
3. <i>Customer Maintenance Documentation</i> . Documentation describing any maintenance that the vendor recommends can be performed by a customer with minimal knowledge of the system.		

Technical Data Package and Corporate Information Checklist

Updated: January 2012

v. 2012.01

<p>4. <i>Operations Manual.</i> Operations documentation that is normally supplied to the customer for use by the person(s) who will operate the equipment.</p>		
<p>5. <i>Recommended Use Procedures.</i> Specific election administration procedures recommended for use with the system.</p>		
<p>6. <i>Software License Agreement.</i> The software license agreement must be perpetual. An annual renewable support fee may be included as an option.</p>		
<p>7. <i>Software Source Code.</i> Source code of the software and firmware is <u>not required</u>, as long as it was submitted pursuant to federal certification. <i>{If source code is required to be submitted, it shall be supplied in the form of a listing <u>and</u> in a machine-readable form on media that is readable by the voting system. If there is any chance of ambiguity, the required compiler must be specified.}</i></p>	<p>N/R</p>	
<p>8. <i>Software System Design.</i> Documentation describing the logical design of the software. This documentation should clearly indicate the various modules of the software, their functions, and their interrelationships with each other. The minimum acceptable documentation is a system flowchart.</p>		
<p>9. <i>Customer Documentation.</i> A complete set of all documentation which is available to the purchaser/user of the voting system. Clearly identify the documentation which is included in the cost of the system and the documentation which is available for an additional charge.</p>		
<p>10. <i>Standard Contract.</i> Statement of deliverables to include: verification statement that equipment purchased is identical to equipment certified by the State Board of Elections, software licenses, warranties, support services provided, etc.</p>		
<p>11. <i>Warranty.</i> The period and extent of the warranty and the method of repair/replacement for all hardware items; the circumstances under which equipment is replaced rather than repaired and the method by which a user requests such replacement; additional warranties that are available over and above the standard warranty, what these warranties cover, and their costs; the period and extent of warranty and the method of correction or replacement for all software provided as part of the voting system; and the technical documentation provided with all hardware and software that is used to certify that the individual component will perform in the manner and for the specified time.</p>		

Technical Data Package and Corporate Information Checklist

Updated: January 2012

v. 2012.01

<p>12. <i>Test Data/Software (Optional)</i>. Any available test data, ballot decks, and/or software that can be used to demonstrate the various functions of the voting system or verify that the version of the applications submitted are identical to the versions certified by the EAC (i.e. hash testing tools). Although optional, these items can significantly reduce the effort, and hence the time and cost, involved in the evaluation of the system.</p>		
<p>13. <i>Recommended Security Practices</i>. Documentation of the practices recommended by the vendor to ensure the optimum security and functionality of the system.</p>		

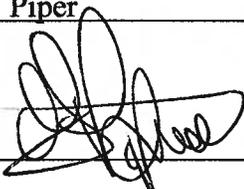
<p>The Corporate Information shall contain the following items:</p>	<p>Vendor</p>	<p>Reviewer</p>
<p>1. History and description of the business including year established, products and services offered, areas served, branch offices and subsidiary and/or parent companies.</p>		
<p>2. Management and staff organization, number of full time employees by category, number of part-time employees by category, resumes of key employees who will assist Virginia localities in acquiring the system if it is authorized for use.</p>		
<p>3. Audited Report of the business' most current fiscal year. Multiple reports may need to be submitted depending on the business' fiscal calendar and the length of time to complete the certification process. Certification can take as long as a year.</p>		
<p>4. Comfort letter from the business' primary bank. If the business uses more than one, multiple comfort letters must be submitted.</p>		
<p>5. Financial history of the business including a financial statement for the past three (3) fiscal years. If the vendor is not the manufacturer of the equipment for which application is made, include a financial statement for the manufacturer for the past three (3) fiscal years.</p>		
<p>6. Gross sales in voting products and services for the past three (3) years and the percent that is representative of the total sales of the business and its subsidiaries.</p>		
<p>7. The location and manufacturing capability of each manufacturing facility that is used to fabricate and assemble all or any component part of the voting and/or tabulating system being submitted for certification.</p>		
<p>8. The location and servicing capability of each service facility that will be used to service the voting and/or counting system for certification and the service limitation of the facility.</p>		
<p>9. If publicly traded, indexes rating the business debt.</p>		
<p>10. Quality assurance process used in the manufacturing of the voting system.</p>		
<p>11. Configuration management process used with the voting system.</p>		

Vendor Truth and Accuracy Statement

The information provided in the Technical Data Package and Corporate Information is true and accurate. I understand that if this information is found to be inaccurate, the Virginia State Board of Elections may choose to terminate this certification testing.

Name: Ian S. Piper

Title: Director, Federal Certification

Signature: 

Submitted Date: Sep. 28, 2015

Virginia State Board of Elections Review

Checklist reviewed by (indicate if more than one reviewer)

Name: _____

Title: _____

Name: _____

Title: _____

Date(s) of Review: _____

Copy Sent to vendor on: _____

Outcome of Review: Accepted

Rejected

Reviewer's Comments:



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Campaign Finance Violations

BOARD WORKING PAPERS
Brooks Braun
ELECT Policy Analyst



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SB11 Workgroup Pre-Final Discussion

BOARD WORKING PAPERS
James Alcorn
SBE Chairman



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Electronic Signatures On Absentee Ballots

BOARD WORKING PAPERS
Edgardo Cortés
ELECT Commissioner



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Legal Report

BOARD WORKING PAPERS
Anna Birkenheier
Assistant Attorney General



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Other Business & Public Comment

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Adjournment

BOARD WORKING PAPERS



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BOARD MEETING

Monday, November 16, 2015
General Assembly Building
Room C
1:00PM

SBE Board Working Papers
Prepared by Rose Mansfield
SBE Clerk