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4.1 BALLOT AND ELECTION SECURITY

RCW 29A.40 & 29A.60

DEFINITION

WAC 434-250 & 261

Secure storage employs the use of numbered seals and logs, or other security measures that detect any inappropriate access to secured materials. When access is detected, security methods detect which election materials were accessed.

Multiple layers of safeguards create the most effective security. Evaluate the security of your office by answering five questions.

1. How does the elections department restrict public access to critical areas?
2. How do you restrict access to records, computers containing data, and tabulation, processing and storage areas?
3. Do you log/document who accesses ballots – every time?
4. Who reviews the access log/documentation and how often?
5. Can your security measures identify the materials accessed and by whom?

SECURITY LAYERS

Security layers may include:

- Seals
 - Uniquely numbered
 - Destroyed when accessing ballots/secured areas
- Logs record
 - Chronological dates of application and removal
 - Seal number
 - Identifying information of persons attaching or removing seal
 - Documentation as to why a seal was removed after tabulation
- Electronic surveillance
- Electronic keycard systems with automatic logs
- Other methods that detect and document access to secured materials



November 6, 2012 General Election		
Seal Access Log		
Time	Date	Seal # Off

NOTES: _____

WHICH MATERIALS MUST BE SECURED?

BALLOTS

The term “ballots” is not restricted to printed ballots. Ballots may mean:

- Any voted ballot
- Scanned ballot images
- Emails, including “deleted” emails, containing voted ballots
- Tally documents
- Data, such as mobile ballot boxes (MBBs, Zip Drives, Vdrives)
- Programmed tabulators

Voted ballots and ballot images must be in secure storage except during:

- Initial and final processing
- Duplication
- Inspection by the Canvassing Board

Following tabulation, seal ballots in containers that identify the primary or election. Only open containers sealed after tabulation for the following reasons:

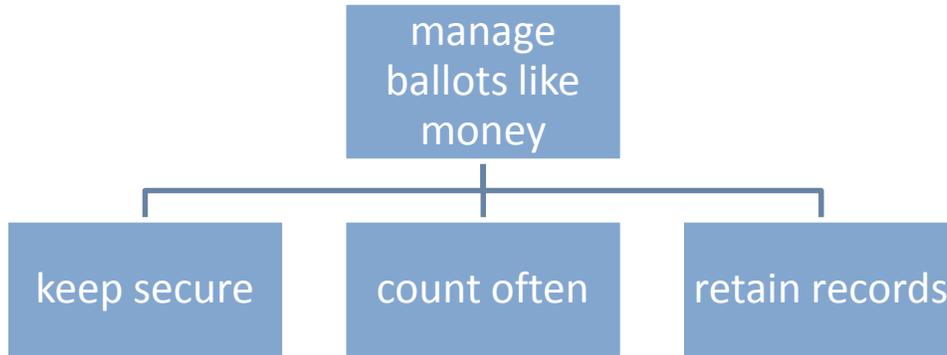
- Canvass of ballots prior to certification
- Conduct recounts per Canvassing Board directive
- Manual audit per RCW 29A.60.170 (3)
- Order of the superior court
- Consolidated into one storage container for storage purposes

Be sure to document access.

When the Canvassing Board opens a ballot container, include a full record of the additional tabulation or examination of ballots in the Canvassing Board documents.

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Notify political parties and request observers whenever unsealing ballots.



VOTING DEVICES

Preparation of a voting device for a primary or election should include:

- Making a record of the ballot format installed in each device and the precinct the voting device will serve.
- Sealing the device with a uniquely numbered seal.

Record the seal number on a log. From the time of receipt until opening, secure all returned ballot envelopes with voted ballots.

BALLOT DEPOSIT SITES

During an election, keep ballot deposit boxes locked and sealed at all times.

Document each time a box is sealed and/or a seal is broken.

Two people, either employees or appointees of the County Auditor, must empty ballot deposit boxes.

At exactly 8:00 pm on Election Day, all ballot boxes must be either:

- Emptied, or
- Secured with a numbered seal to prevent deposit of ballots after 8:00 p.m.

Transport ballots to the counting/processing center either:

- In the company of at least two authorized people, or
- If only one person, in transport containers secured with a seal and log.

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BALLOT TABULATION PROGRAMMING

Security measures apply to ballot tabulators. Secure tabulation equipment (including AVUs), databases and programming. Limit access to authorized personnel only and document all access.

 *Optical scan systems must follow an approved security plan when scanning before Election Day.*

NOTES: _____

4.2 ISSUING AND RECEIVING

RCW 29A.40 & WAC 434-235

ISSUING BALLOTS

In Washington State, we deliver a ballot packet to every active registered voter.

A voter may request his or her ballot be delivered to:

- The voter’s residence,
- A mailing address, or
- An address specific to the election (may be electronic).

The County Auditor must record the ballot issue date and report the total number of ballots issued by legislative & congressional district for every election.

PROTECTING VOTER SECRECY

If a voting system prints sequential numbers on ballots, the County Auditor must prevent *issuing* ballots to voters sequentially.

If necessary, change the sequential order of ballots by shuffling prior to inserting them into envelopes. See [Clearinghouse 13-05](#), “Protecting Secrecy of the Vote.”

UOCAVA (UNIFORMED AND OVERSEAS VOTERS)

Send UOCAVA ballots 30 days before a special election or 45 days before a primary or general election.

Under UOCAVA, an overseas or service voter may request the delivery method of his or her ballot (postal mail, email/fax). This preference applies to every election until the voter changes the information, or the ballot is undeliverable.

If the voter does not indicate a preference, mail the ballot through the US Postal Service.

“There is no time to contact a UOCAVA voter for an address. What do I do?”

If the voter is not currently registered to vote, place the voter in the precinct encompassing the County Auditor's office for the current election.

- Count only federal races and countywide offices/issues.
- If the voter's precinct is still undetermined following the primary or election, place the voter on inactive status and send confirmation notices to obtain the voter’s correct Washington residential address.



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“How do I handle an undeliverable ballot sent electronically (i.e. bad email address)?”

If the voter has not provided an alternate email address, then send the ballot by postal mail.

SPECIAL ABSENTEE

Issue a special absentee ballot when:

- A voter submits a [Special Absentee Ballot Application](#) (available on the OSOS website) or the applicant indicates the official ballot will not reach him/her in time to vote, and
- The election is within 90 days or less.

Special absentee ballots simply list offices and measures if a regular ballot is not available.

- Do not wait to issue special ballots; provide the voter with something as soon as you receive a request. Issue the official ballot, if available. If not, list known races and measures that the County Auditor believes will be in the election.
- Include a ballot with blank lines for the voter to write-in their votes.
- Include a listing of any candidates who have filed and a list of issues that have been referred to the ballot before the time of the application.
- Instructions accompanying a special absentee ballot must state the voter may also cast a regular ballot that, if received, will count in lieu of the special absentee ballot.

The voter is entitled to request a regular ballot in addition to the special absentee ballot.

INACTIVE VOTER REQUESTS A BALLOT

When an *inactive* voter requests a ballot, issue an **official** ballot (not a provisional) for the precinct listed on the current registration.

Place the voter on *active* status, but wait until after the election to update the voter’s address for the next election.

IDENTIFICATION REQUIRED

WAC 434-250

When the County Auditor has not yet verified a voter’s identification, issue the provisionally registered voter an **official** ballot.

The return ballot envelope should indicate the voter is provisionally registered. An “Identification Notice,” in compliance with WAC 434-250-045, must be included with the official ballot informing the voter:

- How to include a driver license number, state ID card number, the last four digits of SSN number, or a photocopy of valid identification (include a list) with the voted ballot.
- How to return the required identification without compromising the security of the ballot.

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Notify voter, "If you fail to provide identification, your ballot will not be counted."

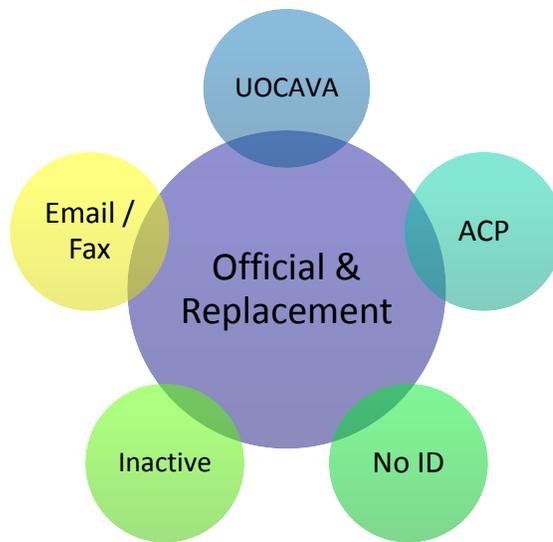
REPLACEMENT

Issue replacement ballots to **both** active and inactive voters until 8:00 pm on Election Day.

Voters may request replacement ballots by telephone, in writing, electronically, by the voter or a family member.

Keep a record of each replacement ballot issued, including the date requested.

Do not issue replacement ballots if the applicant is ineligible to vote or when you cannot find the record. (In this case, offer a provisional ballot if the voter is requesting in person.)



ADDRESS CONFIDENTIALITY PROGRAM

Send official ballots to Address Confidentiality Program (ACP) participants no later than 18 days before the election.

Mark the return envelope for delivery to authorized county personnel.

BALLOT PACKETS

WAC 434-230 & 235

POSTAL MAIL PACKETS

For All Voters

- Ballot – specific to a voter’s precinct.
- Security envelope.

NOTES: _____

- Pre-addressed return envelope with ballot declaration.
- Outer mailing envelope with required postal information. If forwarded, provide postal endorsements that send updated address information and undeliverable ballots to the County Auditor. County Auditor may decide to resend returned ballots to the new address provided by the USPS. Send the same ballot even if the voter's address has changed.
- Instructions – specific to the election, how to mark the ballot, and type of ballot.
- State specific amount of first class postage required to return voted ballot. Find additional information and exceptions to this rule in WAC 434-250-200.

UOCAVA Voters

Packets mailed to UOCAVA voters have additional requirements.

Use special return envelopes that provide free *return* postage when mailing through US mailing services. The regular ballot declaration may be used.

Two additional items must be included:

- A ballot privacy (secrecy) sheet; election information printed on this sheet must not verify nor identify the voter in any way.
- A space for the voter to provide a telephone number.

UOCAVA voting instructions must specify:

- How to return the ballot by email/fax or postal mail.
- How to use the ballot privacy sheet when returning a voted ballot by electronic means.
- The need to sign the ballot declaration by Election Day.
- How to obtain information about the election—i.e. county website and email addresses.
- How to confirm that a voted ballot is received by the elections office.
- County Auditor's complete contact information: website, mailing address, email address, phone number, fax number.

E-BALLOTS | ELECTRONICALLY DELIVERED BALLOT PACKETS

Any voter may request issuance of a ballot delivered electronically. UOCAVA voters require different balloting materials than those given to all other voters.

UOCAVA Voters

UOCAVA voters may choose to receive ballots via email/fax. All ballots must include:

- Information required for every mail ballot packet, with the addition of a postage paid return envelope.
- A ballot declaration.
- Voting instructions specific to voting an email/fax ballot.

NOTES: _____

- A privacy sheet to separate the voted ballot from the signed declaration.
- Website information for the County Auditor.
- Instruction for returning the ballot electronically by 8:00 p.m. PST Election Day or by mail.

Non-UOCAVA Voters

Requirements differ from UOCAVA voters because the return envelope is not postage paid and these **additional** instructions must be included:

- The voter must return both the electronically delivered ballot *and* paper ballot.
- The ballot cannot be counted without the paper ballot.
- The County Auditor must receive the original voted paper ballot no later than 13 days following a primary/special election, or 20 days following a general election. Meaning, the eBallot instructions should inform voters of the date prior to Certification Day.

UNDELIVERABLE BALLOTS

An undeliverable ballot is one that the USPS could not deliver to the voter.

The USPS may return mailed ballots to the elections office as “undeliverable.” You must request address change information from the USPS. Use the USPS information to update voter registration records. This information qualifies under the Federal National Voter Registration Act (NVRA) for changing the status of a voter.

If the address is within your county, you may resend the original ballot to the new address. Wait until after the election certification to transfer the voter.

If the voter has permanently moved, out of the county or out of the state, or lacks a new address, do not resend the ballot. Follow procedures to change the voter’s status from active to inactive.

Undeliverable ballots are not reported as “ballots returned” in election reports. They are just blank forms that, sadly, did not reach voters.

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DEADLINES FOR MAILING BALLOTS

Days prior to an election	Type of ballot mailing	Requirements for requests received after deadline
90 days	Special absentee ballots	<i>Requests outside of 90 days</i> – return application or hold until deadline <i>Requests inside 90 days</i> – issue immediately. Provide write-in ballots if official ballots are unavailable
45 days	Primary and general election ballots to overseas and military voters	Requests for overseas or military ballots inside 45 days – issue immediately
30 days	Special election ballots to overseas and military voters	Requests for overseas or military ballots inside 30 days – issue immediately
18 days	Ballots for all elections are available and mailed to regular voters Ballots mailed to ACP voters AVUs available for use	Ballots requested inside 18 days – issue as soon as possible
8:00 pm Election Day	Ballots issued for requests received prior to 8:00 pm	Requests received after 8 pm will not be honored

CERTIFICATE OF MAILING

WAC 434-250

Fifteen days before a primary or election, counties must certify ballot-mailing dates to the Secretary of State. The certification verifies your county mailed UOCAVA ballots no later than:

NOTES: _____

- The 30th day prior to spring special elections
- The 45th day prior to primary and general elections
- All other ballots by the 18th day, or as soon as possible for all subsequent voter registration changes.

Blank [certification forms](#) are available on the OSOS Administrators web page.

RECEIVING BALLOTS

You may receive voted ballots by mail, electronically, or at a ballot deposit site. From the time of receipt until opening, place all received return envelopes in secure storage.

For ballots deposited by voters at deposit sites or voting centers, see requirements in our [Clearinghouse 14-04](#), “Voting Centers and Ballot Deposit Sites.”

BALLOT DEPOSIT SITES

Eighteen days before every election, the County Auditor must open a minimum of **two** ballot deposit sites in different geographical locations. These locations may be either a ballot deposit site or a voting center.

At least one voting center, typically the County Auditor’s Office, must be open during normal business hours starting 18 days before an election through 8:00 pm Election Day.

State law prohibits electioneering, campaigning, or petitioning within twenty-five feet of any ballot deposit site.

Procedures for managing ballot boxes is the same at deposit sites and voting centers:

- Secure boxes at all times with a lock *and* uniquely numbered seal. The seal, in conjunction with a seal log, documents access to the ballots. Seal logs must record opening of the box and by whom.
- Deposited ballots must be accessible only to the County Auditor, assigned staff, or people appointed by the County Auditor.
- Transport ballots by at least two authorized people or, in carriers secured by a seal and log, to the counting/processing center.
- At exactly 8:00 pm, **empty or seal** all ballot drop boxes to prevent late ballot delivery on Election Day.
- Allow voters in line at 8:00 pm to vote (or finish voting) and accept such ballots.

 *Review deposit site seal logs immediately following Election Day. Are you missing a log or is the log incomplete? It is important to verify that the ballot deposit box is empty.*

NOTES: _____

UNSTAFFED SITES

Availability

Unstaffed deposit sites are available beginning 18 days prior to the election. The County Auditor may set specific hours of availability. Many unstaffed boxes are available 24 hours per day.

Secure an unstaffed ballot deposit box located in a building with a lock, seal, and seal log.

Outdoor unstaffed deposit box requirements:

- Tamper proof
- Weather proof
- Anchored to prevent removal
- Located in convenient, well light areas
- Accessible

Operations

Empty the deposit boxes:

- Frequently enough to prevent damage to ballots
- Frequently enough to prevent the box from becoming too full
- Frequently enough to prevent unauthorized access
- With no fewer than two staff members or appointees

STAFFED SITES

Availability

Deposit sites do not issue ballots.

- The presence of a DRE (Direct Recording Electronic voting device) upgrades the location to a voting center. An ES&S AutoMark® does not change a staffed deposit site to a voting center.

The County Auditor establishes the dates and times that staffed deposit sites are available to voters. Staffed deposit sites open on Election Day must remain open until 8:00 pm.

Operations

At least two people must staff each site.

- Employees of the County Auditor's office, or
- Representatives of different major political parties appointed by the County Auditor
- Deposit site staff must subscribe to an oath regarding the discharge of duties

NOTES: _____

Staff must record the seal number of the box prior to the first deposit. The seal must be intact when returned to the Auditor.

Send ballots delivered after 8:00 pm Election Day to the Canvassing Board for rejection.

- Deliver the sealed, unopened ballot box to the County Auditor upon closing

BALLOTING IN PERSON

IS IT A VOTING CENTER OR A STAFFED DEPOSIT SITE?

Any location that issues replacement ballots, provisional ballots, or DRE voting is a voting center.

VOTING CENTER REQUIREMENTS

AVAILABILITY

At least one voting center must be open during regular business hours during the entire voting period, starting 18 days prior to the election and ending at 8:00 pm Election Day. The County Auditor may determine the days and hours of any additional voting centers.

OPERATIONS

Requirements for staffed deposit sites apply to voting centers.

Additionally, voting centers must:

- Be in an accessible location (ADA)
- Be marked with signage outside the building indicating it is a place for voting
- Issue ballots - including a ballot declaration
- Offer disability access voting, ensuring voter privacy
- Provide provisional ballots
- Require identification or a signed ballot declaration prior to voting on a DRE
- Provide either a voters' pamphlet or a sample ballot
- Provide voter registration forms
- Display a HAVA voter information poster (with election-specific information)
- On the HAVA poster, display an example of an actual ballot or a sample ballot in substantially the same format as an actual ballot
- Display appropriate partisan office notice
- Provide instructions on how to properly mark the ballot
- Provide election materials in alternative languages, if required

NOTES: _____

- Provide assistance to voters
- Provide a ballot deposit box
- Secure the ballot box at exactly 8:00 pm on Election Day, or after all voters in line have cast a ballot.

ELECTRONIC VOTING ON A DRE

Prior to voting on a direct recording electronic voting device (DRE):

- Staff must verify in real time that the voter has not already returned a voted ballot by accessing the county's voter registration system. Voting centers not located at the County Auditor's Office must still access the county voter registration system.
- All voters who vote on a DRE must sign the ballot declaration.
- To vote, the voter must provide valid photo identification, or, the county may compare the signature on the ballot declaration to the voter registration record. (Neither confirmation nor identification of a voter is required before using an ES&S AutoMark®.)

Immediately after casting a ballot on a DRE, prevent double voting by crediting or flagging the voter's registration as having already voted in the election.



ID REQUIRED FOR VOTING A DRE

Valid photo identification for voting on a DRE:

- Driver's license
- State ID card
- Student ID card
- Tribal ID card
- Employer ID Card

You may either verify the voter's signature on the declaration to the voter registration signature OR require the voter to provide photo identification prior to casting the ballot.



A voter registration card is not photo identification.

NOTES: _____

“What if the signature does not match and the voter has no identification?” Offer the voter a provisional ballot.

PROVISIONAL BALLOTS

Issue a provisional ballot to voters if the voter is:

- Not able to provide identification
- Not listed as active or inactive

WHEN TO ISSUE A PROVISIONAL BALLOT?

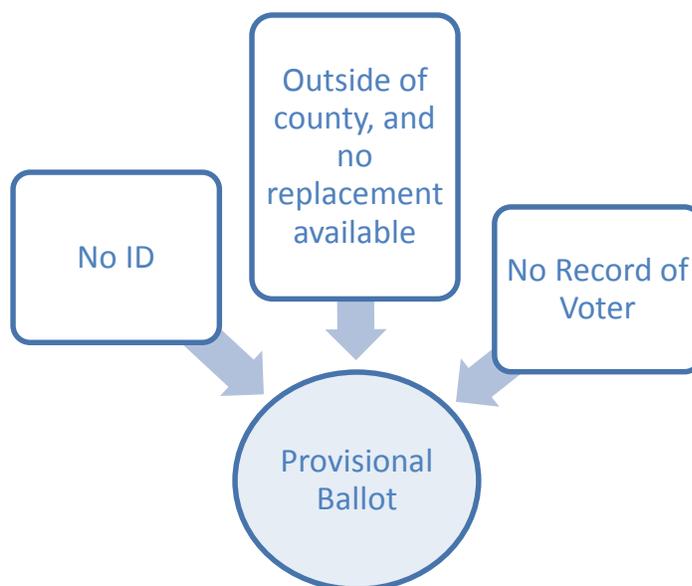
- A voter’s registration is in question
- An in-person voter cannot provide acceptable photo ID or the signature is not verifiable
- A voter is registered in another county, but unable to vote a home county replacement ballot

A provisional ballot packet also includes:

- A secrecy envelope
- A provisional ballot outer envelope
- Written notice about the free access system

The voter must:

- Sign the declaration
- Provide addresses (registered address, both present and former if applicable)
- Include date of birth
- Insert the ballot inside the secrecy and outer envelopes and return to the elections staff



Elections staff will verify that all required information is on the outer envelope of the provisional ballot.

FREE ACCESS SYSTEM

At the time of voting, provide a provisional voter with written information on how to use a free access system. A free system must be in place for the voter to ascertain the status of his or her vote. Access to the system must be restricted to the voter and not open to view by others.

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4.3 INITIAL PROCESSING RCW 29A.40 & 29A.60; WAC 434-250 & 261

The three phases of ballot processing: **initial**, **final**, and **tabulation**.

Initial processing refers to all steps taken to prepare ballots for tabulation. Remember, the first voted ballot received is the ballot to count.

Initial processing begins upon receipt of the ballot, including:

- Postmark verification
- Signature verification
- Crediting voters
- Opening and separating envelopes
- Manual inspection of ballots
- Scanning (if applicable)
- Duplication, resolution, or adjudication
- Any additional steps required to prepare the ballots for tabulation

POSTMARK VERIFICATION

A valid mailed ballot requires a postmark date of Election Day or before. Refer any ballot envelope postmarked after Election Day or deposited later than 8 p.m. to the County Canvassing Board.

Exceptions to the postmark requirement:

- Instead of a postmark, UOCAVA ballots require the signature date on or before Election Day.
- When the postmark is illegible, use the date the voter signed the declaration.
- Postage that prints a date (metered or printed stickers) does not qualify as a postmark-- use the date the voter signed the declaration.
- Original ballots from non-UOCAVA do not require a valid postmark. Count the eBallot if it arrives no later than 8:00 pm PST on Election Day **and** the original documents arrive prior to certification day.

SIGNATURE VERIFICATION

Every valid ballot requires a signed declaration. Staff verifies that the signature accompanying the ballot matches the signature on the voter's registration record. (Voters on a DRE have the option of providing photo identification.)

NOTES: _____

Before verifying signatures, staff must:

- Attend signature verification training
- Sign an oath

Every county should have written procedures for accepting or suspending ballots based on signature verification.

WHAT IF THE VOTER. . .?

Is unable to sign?

If a voter is unable to sign the declaration, he or she may make a mark witnessed by two people. The return ballot envelope must have spaces for the signatures of the witnesses. Do not verify signatures of witnesses.

Uses a common nickname?

Accept common nicknames or initials as long as the handwriting and the last name are the same.

Signs a different name?

As long as the handwriting is CLEARLY the same:

- The last name may differ provided the first name has not changed
- The first name may differ as long as the last name is the same

Uses a Power of Attorney (POA)?

POA does not apply to voting. Do not accept signatures by a POA.

What if the ballot was not issued to the voter who signed?

Count the ballot for the registered voter who actually signed the ballot declaration provided:

- The voter who signed the declaration can be identified
- The signature on the declaration matches the signature on the voter registration record
- The voter who signed the declaration has not returned another ballot.

 ***Check the precinct! You must count only the races and measures the voter is eligible to vote.***

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CURE AN UNSIGNED DECLARATION (MISSING SIGNATURE)

When a returned ballot lacks a mark or signature to the declaration, take the voter may “cure” the unsigned declaration.

No less than three days before certification, notify the voter by first class mail of the steps the voter must take:

- Appear in person and sign the declaration no later than the day before certification; or,
- Sign a copy of the declaration or mark in front of two witnesses and return it to the County Auditor no later than the day before certification. See [Missing Signature Form](#). Accept forms returned by email/fax, mail, or in person.
- We do not recommend sending a copy of the voter’s signature with the form.
- If the voter has not responded by three days before certification, telephone the voter. Keep a record of the following:
 - The date of contact or the notice sent.
 - The date the voter signed the envelope.
 - A copy of any supporting documents such as the envelope, new registration form, or change of name form.

CURING UNSIGNED DECLARATIONS		
Actions available to voter	Deadline	Count the ballot when...
Appear in person to sign declaration	The day before certification	Signature on declaration matches the signature on voter registration record
Sign a copy of the declaration and return it to the County Auditor’s Office	The day before certification	Signature on copy of declaration matches signature on voter registration record

NOTES: _____

CURE A SIGNATURE THAT DOES NOT MATCH

Voters must cure questioned or mismatched signatures by the day prior to certification of the election or primary.

CURING NO MATCH/MISMATCH SIGNATURES			
Actions available to voter	Deadline	Count the ballot if	Signature valid for
Sign a new registration form or signature update form (includes both ballot declaration and voter registration oath)	The day before certification	Signature on new registration or update form matches signature on ballot declaration	Current and future elections Registration will be updated with the new signature

If the person whose name is on the ballot envelope does not sign the ballot, the ballot may be counted for the signer if he or she can be identified. In this case,

- the signature on envelope must match voter registration record
- voter who signed must not have returned another ballot
- only issues that the voter is qualified to vote upon will be counted

A voter may not cure a signature after certification of the election just to qualify for recount.

SPECIAL CIRCUMSTANCE BALLOTS

REPLACEMENT BALLOTS

Both active and inactive voters may receive replacement ballots. If the voter returns two ballots, process the first valid ballot received.

If the voter returns additional ballots, send all but the first valid ballot to the Canvassing Board for rejection.

FEDERAL WRITE-IN ABSENTEE BALLOTS (FWAB)

Intended for military or overseas voter who did not receive a regular ballot. Any military or overseas elector may use an FWAB for any election.

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UOCAVA voters may also be registered from a voted ballot, when a signed declaration accompanies the ballot.

Prior to processing a Federal Write-In Absentee Ballot (FWAB), refer to [Clearinghouse 14-05](#), "Service and Overseas Voters."

Clearinghouse 14-05 answers the following questions:

- Who qualifies as a service voter?
- What should I do if the voter is not registered?
- What should I do if the voter also returns an official ballot?
- What should I do if a military or overseas voter does not provide a Washington State residential address?

E-BALLOTS

Accept voted ballots returned by electronic transmission, must be no later than 8:00 pm Pacific time.

Non-UOCAVA ballots:

- A copy of the ballot and ballot declaration, signed by the voter, must be included
- The original ballot and ballot declaration must be received by the day before certification
- If the original ballot is not received, the eBallot must be rejected

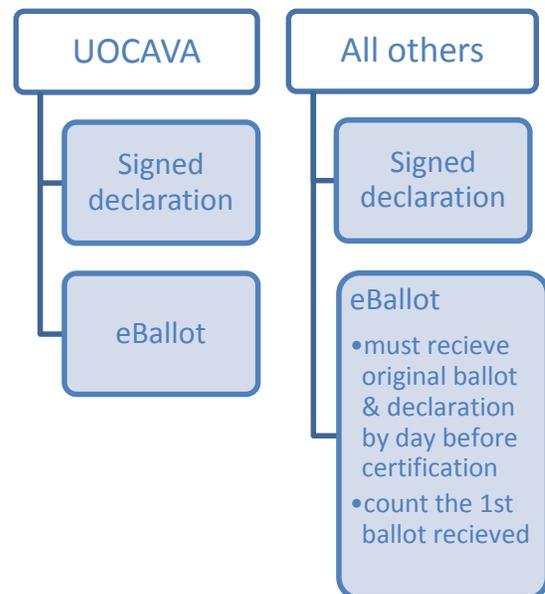
UOCAVA ballots:

- A copy of the signed declaration must be included
- The original ballot is not required.

Duplicate the eBallot if the signature on the declaration matches the voter registration record.

Secrecy of the eBallot:

- Print the eBallot and attachments
- Separate the declaration from the voted ballot by a privacy sheet or envelope
- Apply public disclosure exemptions
- eBallot is not compared to the hard copy



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NOT AN OFFICIAL BALLOT?

Voting responses by mail on any form other than the ballot are acceptable.

- Only the votes for offices and measures for which the voter is eligible will be counted
- Candidate/measure must be clearly identified
- The official ballot issued has not been returned
- A valid signature on a ballot declaration must accompany the voting responses. If a signed declaration is not included, treat it as an unsigned ballot

Duplicate the voted onto the correct precinct ballot.

PROVISIONAL BALLOTS

Before processing a provisional ballot, check the voter's registration on the VRDB.

- If registered in another county?
 - Send the ballot to that county.
- If registered in your county:
 - If the correct ballot was voted, process
 - If the incorrect ballot was voted, process & duplicate the ballot to correct ballot style with the office and issues for which the voter was eligible
- If not registered to vote in Washington:
 - Voter was canceled in error, reinstate registration, process
 - Voter canceled correctly or never registered, ballot does not count
 - Registered in another state, treat as if not registered and do not send ballot to the state

Free Access System

Using a free access system, every provisional voter must be able to learn whether his or her provisional ballot counted. Requirements:

- Instructions on free access system given to voter at time of casting a provisional ballot
- Information must be available on the system one week after certification
- Must be free to voter
- Must be exclusively available to voter
- Information on the system should show the disposition of the ballot. The system shows or explains if the ballot was determined as valid and counted, not counted, or an explanation of why it was rejected, or sent to another county for determination.

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CREDITING VOTERS

Credit all voters with valid ballots before certifying the election or primary. Crediting usually occurs automatically when logging receipt of valid ballots into the election management system.

Do not credit voters with rejected ballots.

OPENING AND SEPARATING ENVELOPES

In order to protect the secrecy of ballots, use a two-step process:

1. Separate the security envelopes/sleeves from the outer declaration envelopes
2. Isolate the declaration envelopes prior to removing ballots from the security envelopes/sleeves

Store the declaration envelopes in a logical manner – you may need to find them later.

Confirm ballots do not remain in the envelopes by doing one of the following:

- Look through the envelope hole, or
- Insert an object through the hole, such as a zip tie

 *Be prepared. Envelopes do not always contain the correct ballot or any ballot at all! Anticipate problems when writing office procedures.*

MANUAL INSPECTION

Ensure correct tabulation by manually inspecting ballots for voter intent issues.

Inspect all ballots manually:

- Both sides of the ballot
- Each response position

Training for ballot inspectors should include:

- An explanation of what the county tabulation system will and will not read.
- A copy and thorough explanation of the “Statewide Standards on What is a Vote” (WAC [434-261-086](#)).
- Any special rules that apply to the specific primary or election (e.g. Presidential Primary).
- Office procedures for write-in votes.

When manually inspecting ballots, look for anything that prevents correct tabulation of the ballot.

NOTES: _____

DIGITAL SCANNING

Scanning into a digital scan voting system does NOT tabulate votes. Unlike optical scanners, digital scan voting systems use scanning as part of initial processing, not part of the final processing.

Counties with digital scan systems must still manually inspect ballots.

Digital scan voting systems require inspection before scanning ballots into the tabulation system. Each ballot image is stored in the system ready for resolution or adjudication and tally of votes.

DUPLICATING AND RESOLVING

Duplication is the process of creating a true, readable (by the tabulators) copy of valid votes onto an official blank ballot. A readable ballot is any ballot that the county vote tabulation system can accept and read *as the voter intended*. When a ballot is unreadable by the tabulator, you must duplicate the votes to a blank ballot.

Include ballot duplication situations and procedures in the County Canvassing Board manual.

Resolving ballots is the process of telling a digital scan voting system how to interpret voter intent issues, known as ‘adjudication’ in some counties.

Whether a county is duplicating or resolving, there are specific requirements that apply.

- Duplication and resolution must be done in teams of at least two staff members
- A log must be kept of the ballots duplicated or resolved
- A unique control number must be assigned to the original ballot and corresponding copy
- The duplication log must include the total number of ballots duplicated and the initials of the duplication team members
- Resolving, because it is electronic, requires a resolution log from the system to be printed and signed by the two staff members who resolved the ballots

When using an automated duplication program, you must compare the duplicate ballot to the original eBallot to ensure the votes match the original ballot.

NOTES: _____

UOCAVA BALLOTS

Duplication of FWABs, Electronically Received Ballots

Honor the voter's intent. Some voters may not know the name of a candidate and will simply write in the name of a political party. In this case, party preference is the same as political party of a candidate. Count votes as instructed if the Canvassing Board can discern the candidate's party preference.

If unable to determine the voter precinct, duplicate the ballot as if the voter resides at the County Auditor's Office. In this case, only count the votes for countywide issues and congressional positions.

CHALLENGES

RCW [29A.08](#)

If a voter challenges another voter's registration record *before* a voted ballot is received by the County Auditor's Office, the ballot will be set aside with a record of pertinent information, and then presented for determination to the Canvassing Board.

NOTES: _____

4.4 FINAL PROCESSING

RCW 29A.60; WAC 434-250 & 261

DEFINITION

Final Processing: “The reading of ballots by an optical scan voting system for the purpose of producing returns of votes cast, but does not include tabulation.” This translates to the votes on the ballot are record, but results are not totaled in a readable form.

For optical scan tabulation, final processing must wait until 7:00 a.m. on Election Day.

- If the county has pre-approved security procedure, optical scan systems may begin the day before Election Day.

 *At no time should observers handle ballots. Only authorized staff may handle ballots.*

TABULATION

Definition: “Production of returns of votes cast for candidates or ballot measures in a format that can be read by a person, whether precinct totals, partial cumulative totals, or final cumulative totals.” Translation, this is that step that produces readable results.

Tabulation, regardless of the type of vote tallying system, may not begin before 8:00 pm on Election Day.

 *Prior to every election, confirm that all computer and support systems are accurately displaying the correct times and dates.*

DUPLICATION/RESOLUTION

During final processing, ballots may need duplicating or resolving:

- The tabulator damages the ballot
- Manual inspection did not detect final processing issues

Whether discovering a ballot reading issue during initial or final processing, apply the duplication or resolution procedures consistently.

At all times, seal original and duplicate ballots in secure storage, except during duplication, inspection by the Canvassing Board, or during tabulation.

NOTES: _____

WRITE-IN VOTES

Write-ins are complex to administer, especially in a primary or in races with a single candidate.

THESE POINTS APPLY TO ANY ELECTION OR PRIMARY.

- Reference the Election Administrators web page especially [Clearinghouse 12-04, "Write-in Voting."](#)
- Election results should include the total write-in votes for each office.
- Manage write-in votes, overvotes, and undervotes during tabulation so that you may easily revisit these ballots.
- Tally write-in votes for individual candidates of a race only if the sum of write-ins, overvotes, and undervotes is sufficient to change the outcome of that race.

PRIMARY RACES

When only one candidate appears on the ballot, examine write-in votes for possible candidates that may qualify for the general election.

In a primary race, to advance to the general election ballot, a write-in candidate needs to meet both these qualifications:

- Have at least 1% of the total votes cast
 - Of the total votes cast for that office. Total votes cast includes votes for candidates printed and total write-in votes.
 - Overvotes and undervotes are not valid votes cast for candidates and are not used in determining whether a candidate meets the 1% requirement.
- Be one of the top two vote-getters

What is a valid write-in vote?

Any name written in a race is a valid vote, even if the response mark is incomplete or not marked, with these exceptions.

- Exception 1: If a candidate's appears on the ballot, yet the voter writes in the name of the same candidate, count the vote for the candidate. This is not a write-in or an overvote.
- Exception 2: Only in the General Election - names of a candidates losing in the Primary are not valid votes.

NOTES: _____

When do we tally votes for candidates?

- Tally votes for individual candidates only when it could make a difference in the outcome of the election.
- You are not required to tally or duplicate individual votes for write-in candidates not registered to vote in the district. (These votes must be included in the *total* votes cast when determining the 1% threshold.)

Do we need to tally for all candidates?

- You may reject write-in votes for anyone not registered to vote in a district. Be careful, however and verify that there are no voters with that name before you reject the vote.
- Remember to allow for nicknames. For example, Mickey Mouse may actually be a nickname for a voter with the first name of Michael. A vote for Mickey Mouse would count for Michael Mouse, but only if he is registered to vote in the jurisdiction.

FAQS ABOUT WRITE-IN VOTING**Q. What are write-in votes?**

Each office has a write-in spot where the voter may place their vote. A voter may write in the name of anyone for an office.

Q. What is a declared write-in candidate?

A write-in candidate who submits a declaration of candidacy form and pays the appropriate filing fee no later than the 18th day before the election or primary.

Q. What is an undeclared write-in candidate?

Any name written in by a voter without filing a declaration of candidacy.

Q. Can anyone be a declared write-in candidate?

Declared write-in candidates must possess the same qualifications as regular candidates. Candidates running losing the Primary or candidates already appearing on the ballot for another office are ineligible as declared write-in candidates.

Q. Are votes for fictitious characters valid?

NOTES: _____

The voter cast them as valid write-in votes and the votes are totaled the same as other write-in votes. Winning an election, however, does not mean the winning candidate is qualified to take office. For this reason, if unqualified because the names are not registered voters, account for fictitious names as a group.

Q. Is the vote valid if the voter did not fill in the response position on the ballot?

Yes. If the voter writes anything on the write-in line, it is a valid vote, even without a marked response position is not marked. Consider this when manually inspecting ballots; if tabulated, write-in votes without a marked response area will record as under voted (Refer to the question, “Should a ballot with a write-in vote be duplicated if the response position is not marked?”).

Q. If the voter votes for a candidate printed on the ballot plus writes in a vote for the same office, is it an overvote?

Yes, *unless* the voter voted for the same candidate and wrote the same candidate’s name as a write-in. In that case, the vote is valid for that candidate.

Q. Must I tally individual votes for declared write-in candidates?

No. Apply the same rules to all write-in candidates, declared or not. (Refer to the question, “When do you tally write-in votes?”)

Q. When do you tally write-in votes?

Report the total number of write-in votes cast for each *office*. Tally the votes for *individual candidates by name* only if those votes could make a difference in the outcome of the election.

“These votes need not be tabulated unless: (a) The difference between the number of votes cast for the candidate apparently qualified to appear on the general election ballot or elected and the candidate receiving the next highest number of votes is less than the sum of the total number of write-in votes cast for the office plus the overvotes and undervotes recorded by the vote tabulating system; or (b) a manual recount is conducted for that office.” *RCW 29A.60.021*

Check the results of each race to determine if you must tally for individual write-in candidates.

NOTES: _____

For offices with only one candidate appearing on the ballot, a write-in candidate only needs to receive the next highest number of votes AND only 1% of the total votes cast to appear on the general election ballot. In multi-county legislative and judicial offices, federal, and statewide offices, individual tallies for all write-ins for single candidate races must be included in the certification report sent to the Office of the Secretary of State.

Q. Should I duplicate a ballot with a write-in vote if the response position is not marked?

It is not required to duplicate ballots with write-ins. State law only requires that individual votes be tallied when the sum of write-ins, overvotes, and undervotes are enough to affect the outcome of the election.

Exception: The number of votes cast for Governor, including write-in votes, determines the number of signatures required for state initiatives and referenda. This total refers to all votes cast for Governor, including write-in votes. In this case, all write-in votes, including those not filling in a response position, to the Secretary of State.

Q. For digital scan tabulation systems, should I enter the write-in vote into my system when resolving ballots?

You are not required to record the candidate's name unless there are enough to tally individual votes. If you are required to tally these votes later, however, you will need to pull the ballots to tally the votes. To avoid this situation, some digital scan counties record the individual names of all write-in candidates during the process of resolving.

Q. Are write-in vote tallies included in the official results of the election?

Yes. A, usually as a total for the write-in category. After all, a write-in vote is a valid, recordable vote.

Q. Should declared write-in candidates be included in the voters' pamphlet?

Not for the election or primary that they are write-ins. If the candidate was declared for the primary and qualified for the General, then the candidate is no longer a write-in, and will be printed on the ballot and be included in the General Election Voters' pamphlet.

NOTES: _____

FINAL STORAGE

Secure all ballots immediately after tabulation. You may separate ballots according to precinct or batch.

If a single container stores multiple precincts or batches:

- Clearly separate the precincts or batches (i.e., with a piece of colored paper)
- Note which precincts or batches are in the box on the outside label

Only open the storage containers when directed by the Canvassing Board or court order.

 *In a close race, it may be necessary to re-examine ballots with undervotes, overvotes and write-in votes. Consider this when storing ballots.*

RESULTS

Report election and primary results as:

- Cumulative
- By precinct

After every tabulation session is completed, results are:

- Uploaded to the WEI system (before you leave for the day). Verify results are showing on your public website
- Printed out for the record
- Transmitted by email/fax to media and other interested parties

CHECK IT OUT!

Within two days after Election Day, review results for anomalies by comparing precinct-by-precinct results for each race, measure and jurisdiction. Look for any anomalies such as:

- Abnormal number of overvotes
- Abnormal number of undervotes
- Odd vote distribution (especially within a jurisdiction)
- Unlikely patterns of voter turnout



NOTES: _____

Investigate and document the cause of any anomaly. Correct any identified errors.

POST-ELECTION

Ballot counting continues after Election Day through to the final day of canvassing, because you may receive valid ballots any time during that period. Valid ballots are defined as:

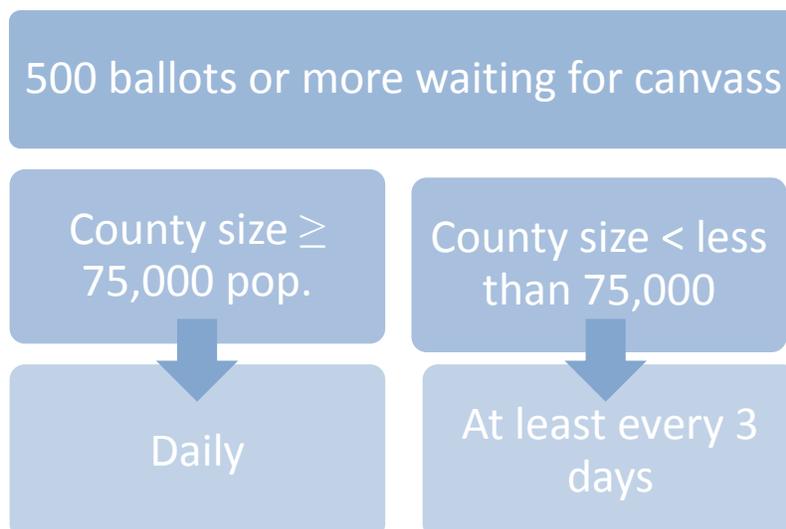
- Ballots with a valid postmark received between Election Day until the end of the day prior to certification
- Ballots from UOCAVA voters that are signed no later than the day of the election and received by the day prior to certification
- Valid provisional ballots, including those from other counties
- Ballots canvassed and determined valid by the County Canvassing Board
- Ballots duplicated after Election Day

WHEN TO TABULATE AFTER ELECTION DAY?

The number of ballots, the length of time, and the population of the county determines when to tabulate following Election Day.

RCW 29A.60.160 mandates, "...the county auditor, as delegated by the County Canvassing Board, shall process ballots and canvass the votes cast at that primary or election on a daily basis in counties with a population of seventy-five thousand or more, or at least every third day for counties with a population of less than seventy-five thousand, if the county auditor is in possession of more than five hundred ballots that have yet to be canvassed." ... HUH?

Important—Update results in the WEI system immediately following every count.



NOTES: _____

