



# **Introduction to County Canvassing Boards**

## Washington State Elections



Secretary of State

*Kim Wyman*

## Introduction

Many people assume the election results they see on election night are the final results, when, in fact, the outcome is not official until the election is canvassed and certified several weeks after Election Day.

The purpose of canvassing is to account for every ballot cast and ensure that every valid vote is included in the election totals.

Election results must account for every type of ballot received. All mailed ballots, provisional ballots, challenged ballots, and every military or overseas ballot is reported to the County Canvassing Board.

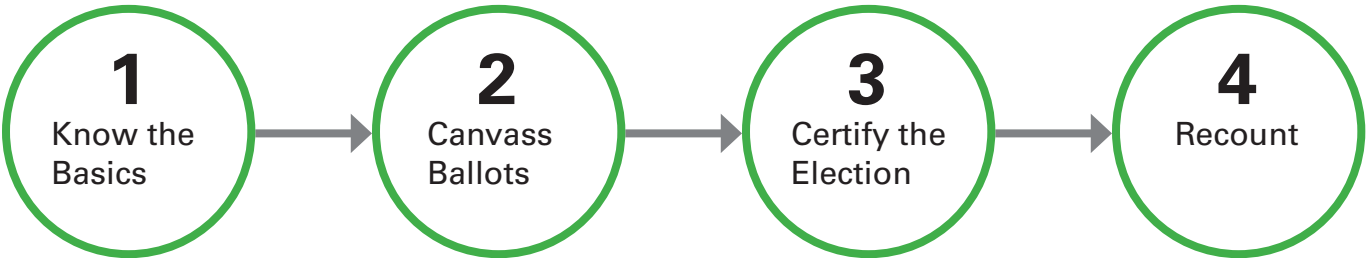
**RCW 29A.04.013: Canvassing** means the process of examining ballots or groups of ballots, subtotals, and cumulative totals in order to determine the official returns of a primary, special, or general election and includes the tabulation of any votes that were not previously tabulated.

**WAC 434-262-010: Canvassing** is that process of examining in detail a ballot, groups of ballots, election subtotals, or grand totals, in order to determine the final official returns of a primary, special, or general election, and to safeguard the integrity of the election process.

## Voting in Washington State

Each election, a ballot is mailed to every eligible registered voter by the local County Auditor's Office. Mail elections are an alternative to polling place voting. The voter receives a packet of ballot materials consisting of the ballot, an inner secrecy sleeve/envelope to protect the ballot, and an outer return envelope which has a ballot declaration printed on it. The voter must sign the declaration and return the ballot either by mail or at a ballot deposit site. The ballot must either be postmarked or deposited by the voter no later than 8 p.m. on Election Day. The County Auditor's Office does not **tabulate** votes until after 8 p.m. on Election Day.

# Table of Contents



|          |                         |           |                                       |           |                       |           |                               |
|----------|-------------------------|-----------|---------------------------------------|-----------|-----------------------|-----------|-------------------------------|
| <b>4</b> | Role of the Board       | <b>9</b>  | Valid Postmarks                       | <b>16</b> | Election Dates        | <b>21</b> | The Board’s Role in a Recount |
| <b>4</b> | Responsibilites         | <b>10</b> | Signature Verification                | <b>16</b> | Certification Period  | <b>22</b> | When to Recount               |
| <b>5</b> | Members                 | <b>12</b> | Statewide Standards on What is a Vote | <b>17</b> | Reconciliation Report | <b>22</b> | Which Race to Recount         |
| <b>6</b> | Training                | <b>13</b> | Voter Intent                          | <b>17</b> | Abstract of Votes     | <b>23</b> | Recount Thresholds            |
| <b>6</b> | Alternate Members       | <b>15</b> | Write-in Votes                        | <b>17</b> | County Canvass Report | <b>23</b> | Tied Race                     |
| <b>7</b> | Limitations             |           |                                       | <b>19</b> | Certification Day     | <b>23</b> | Certifying a Recount          |
| <b>7</b> | Open Public Meetings    |           |                                       |           |                       | <b>24</b> | <b>Glossary</b>               |
| <b>7</b> | Administrative Rules    |           |                                       |           |                       |           |                               |
| <b>8</b> | Delegation of Authority |           |                                       |           |                       |           |                               |

# 1

## Know the Basics

### Role of the Board

The County Canvassing Board is an impartial 3-member body that determines the official returns and prepares the certification for a primary or election.

While the County Auditor conducts elections, the Board canvasses the returns. Every county in Washington State has a Board.

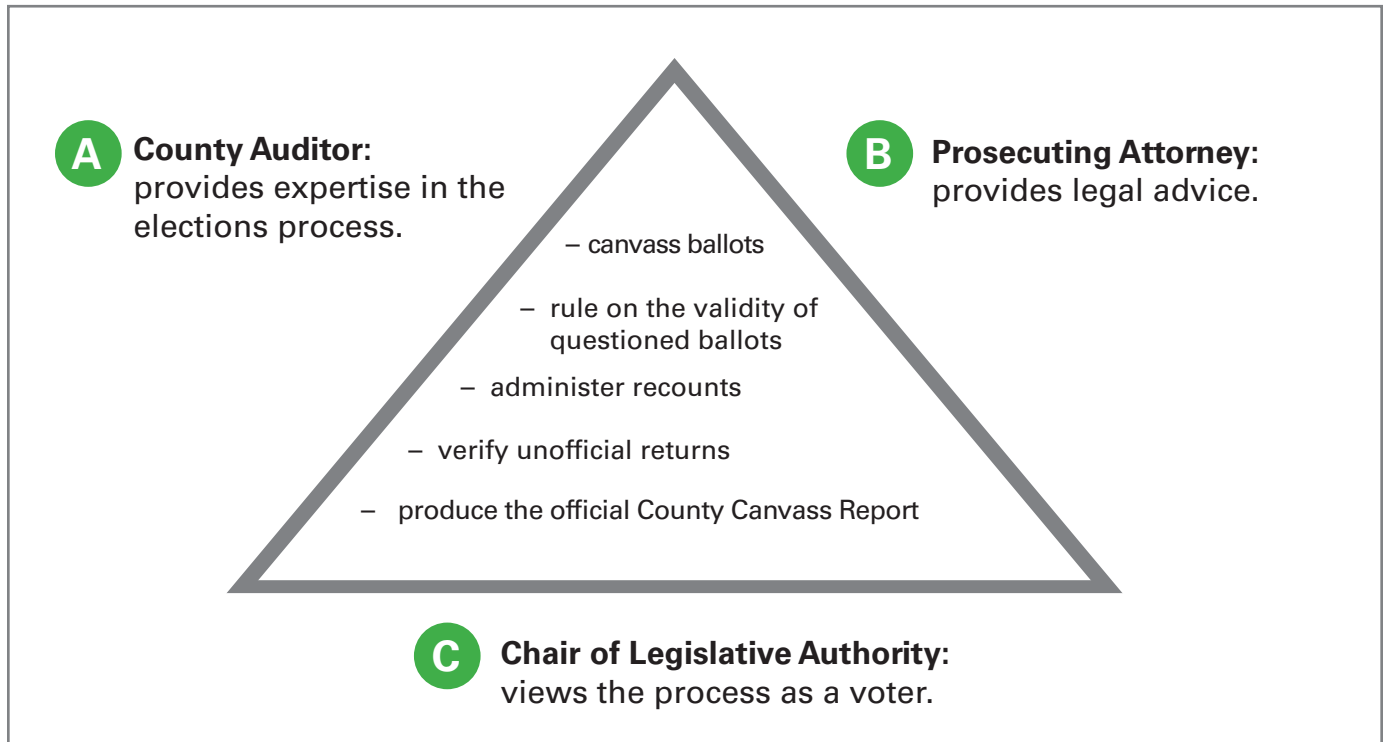
The Board must canvass votes, rule on the validity of questioned ballots, verify unofficial returns as listed in the County Auditor's Abstract of Votes, produce the official County Canvass Report, certify on Certification Day, and administer recounts.

### Responsibilities

The Board has many responsibilities leading up to certifying an election.

- Adopt administrative rules
- Preside over voter registration challenges
- Process incoming ballots
- Determine the validity of questionable, challenged and provisional ballots
- Determine voter intent in accord with the statewide standards adopted by the Secretary of State
- Reject ballots or parts of ballots
- Research and resolve discrepancies
- Verify and certify results
- Schedule and conduct recount elections
- Determine tie votes by lot

## The Board



## Members

The Board consists of three impartial members with distinct roles.

- A.** County Auditor: is the Chair of the Board and provides expertise in the elections process. In King County only, the elected “Director of Elections” is the elected county officer with overall responsibility to conduct elections.
- B.** Prosecuting Attorney: provides legal advice.
- C.** Chair of Legislative Authority: views the process as a voter.




## Laws and Rules

RCW 29A.04.540

RCW 29A.60.140

RCW 36.27.040

## Board Alternates

| Auditor                                                                           | Prosecuting Attorney                                                              | Chair of the Legislative Authority                                                 |
|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
|  |  |  |
| Deputy Auditor                                                                    | Deputy Prosecuting Attorney                                                       | Other member of the County Legislative Authority                                   |

## Training

State certified election administrators working in your county are your best resource for understanding election procedures. Election administration can be complicated and laws frequently change. Election administrators must receive general training within eighteen months of undertaking responsibilities; many more choose to become certified by the State of Washington.

The Board is encouraged to seek out training as well. Ask your county election professionals about these resources:

- Signature Verification Training
- Canvassing Board Manual
- Voter Intent Manual
- Political Party Observer Training

## Alternate Members

Sometimes, a board member is unable to serve. The County Auditor may designate a Deputy Auditor, the Prosecutor may designate a Deputy Prosecuting Attorney, and Chair of the county legislative body may designate another member of the county legislative body.

Alternates must be designated in writing at least one day prior to undertaking board duties. They must take an oath of office similar to that taken by the County Auditor.

Each designation is filed with the County Auditor's Office. Designations may be made on an election-by-election basis, on a permanent basis until revoked by the designee, or for a specific election.



A member whose name is printed on the ballot must designate an alternate to serve.

If unable to designate an alternate, the member:

- **may** determine the validity of an entire ballot
- **may not** determine the validity of votes cast in his/her race

## Laws and Rules

RCW 42.56

RCW 29A.60.140

RCW 29A.60.150

WAC 434-262-025

## Limitations

A board member who is also a candidate in the primary or election being canvassed may not serve on the Board. The candidate must designate an alternate to serve.

If no alternate is available to serve who is not a candidate, the member who is a candidate must not make determinations pertaining to his or her race. The other two members of the board must make decisions pertaining to the candidate's race.

What if the two remaining members can't agree? The votes are not counted unless the votes are needed to decide the winner. In that case, a Secretary of State representative must make the decision.

When no alternate is available, the member who is also a candidate may make decisions only with respect to votes cast for other offices, an entire ballot, or groups of ballots.

## Open Public Meetings

All activities of the County Canvassing Board are open to the public.

Board meetings fall under the Open Public Meetings Act and the County Auditor publishes a public notice for every meeting.

All members of the Board, or their designees, must be present for Board meetings. In the course of a meeting, decisions are made by the majority. In this case, a majority vote consists of two members (a **quorum**).

If a member is unable to attend a meeting, the member may appoint a designee to serve (see Alternate Members).

The Board may adopt rules that apply to election observers viewing the process. The rules ensure the process is transparent while also keeping the process secure and free of interference.

The Board must keep records of all meetings. This may be done with written minutes, audio recording, and/or video recording.

## Administrative Rules

The Board adopts administrative rules to facilitate and govern the process of counting ballots and canvassing returns. The rules are commonly known as the **Canvassing Board Manual**.

Administrative rules ensure transparency of the election process while also protecting voter rights. The rules provide guidance to the board within an election cycle, and consistency from one election cycle to the next.

The Board adopts its rules in an open public meeting. Once adopted, the rules are available to the public to review and copy.



Adopt a Canvassing Board Manual to provide transparency and promote consistency in the decision making process.

**Laws and Rules**

WAC 434-262-015  
WAC 434-261-086  
WAC 434-335-310  
RCW 29A.60.140

**Delegation of Authority**

The Board may delegate, in writing, certain routine election tasks to the County Auditor’s staff. The written Delegation of Authority details which tasks may be completed by the elections department. The delegation is filed with the County Auditor before the elections department undertakes any action on behalf of the Board.

Some tasks, however, may not be delegated to election staff. The Board is responsible for certifying the returns of a primary or election; determining the validity of challenged ballots; and determining the validity of provisional ballots referred by the County Auditor. Only the Board rejects a ballot. These responsibilities may not be delegated to anyone.

**To Delegate or Not to Delegate?**

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**Duties that may be delegated**

These duties may be delegated with a written authorization from the Board.

- Process incoming ballots
- Process special absentee ballots
- Determine voter intent according to rules outlined in the Secretary of State’s Voter Intent Manual
- Conduct emergency Logic & Accuracy Test
- Verify the Auditor’s Abstract of Votes
- Administer recounts
- Break tied races by lot
- Preside over voter registration challenge hearings

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**Duties that may not be delegated**

- Determine the validity of challenged ballots
  - Determine the validity of provisional ballots referred to the Board
  - Reject ballots
  - Certify the election
-

2

## Canvass Ballots

Washington State makes every effort to count each valid vote. If only this was as easy as it sounds.

Once assembled and mailed from the County Auditor's Office, the ballot is in the hands of the voter.

Instructions for voting, signing and returning the ballot are included in the ballot packet. Still, the voter must follow several steps to ensure his or her votes count.

In order for the Board, or its designees, to begin processing a voted ballot,

- The voter must sign the ballot declaration on the return envelope.
- The ballot must be either postmarked or received at a ballot deposit site location no later than 8:00 p.m. on Election Day.

Postmarks, signatures and voted ballots are reviewed. The Board must make determinations on questionable ballots before the ballots can be processed by the elections department.

During an election, the County Auditor will likely schedule one or more County Canvassing Board meetings to help progress the election cycle towards Certification Day.

### Valid Postmarks

The process of reviewing return envelopes for valid postmarks and signed declarations begins as soon as the elections department receives voted ballots from voters. However, no ballots are tabulated until after 8:00 p.m. on Election Day.

Sometimes, postmarks on return envelopes are late, illegible or missing altogether. The Board examines such postmarks to discern their validity.

While the task of inspecting postmarks may be delegated initially to elections personnel, only the Board has the authority to reject a voter's ballot based on an invalid postmark.

For example, when the elections department determines that an envelope is postmarked after Election Day, the Board must reject the ballot (or groups of late ballots) and the ballot is not processed further.

## Laws and Rules

WAC 434-379-020

WAC 434-250-120(1)

### Signature Verification

Each signature on every return envelope is reviewed. This important evaluation determines whether a voted ballot will count or not.

Trained election personnel compare the signature on the ballot declaration with the signature on the voter's registration record.

A **valid signature** is one that's been compared to the signature in the voter's record (or witnessed by two people) and accepted.

Election personnel commonly refer questioned signatures to the Board for further examination.

Only the Board can reject a voter's ballot based on an invalid signature.

Board members are encouraged to seek out **signature verification training** through the county elections department or from local law enforcement officials trained to identify forgeries.

Why is signature training valuable? Signatures on return envelopes and signatures on file are not always a "perfect match."

State law allows for variations between the two signatures due to the substitution of initials or the use of common nicknames. Variations are permitted so long as the surname and handwriting are clearly the same.

Natural variations will always exist between signatures since they're the product of a person and not the output of a machine. The same writer can produce a signature in which every letter is legible, and a signature in which letters degenerate into a scrawl.

Comparison of the two signatures must be done according to the adopted standards for signature verification.

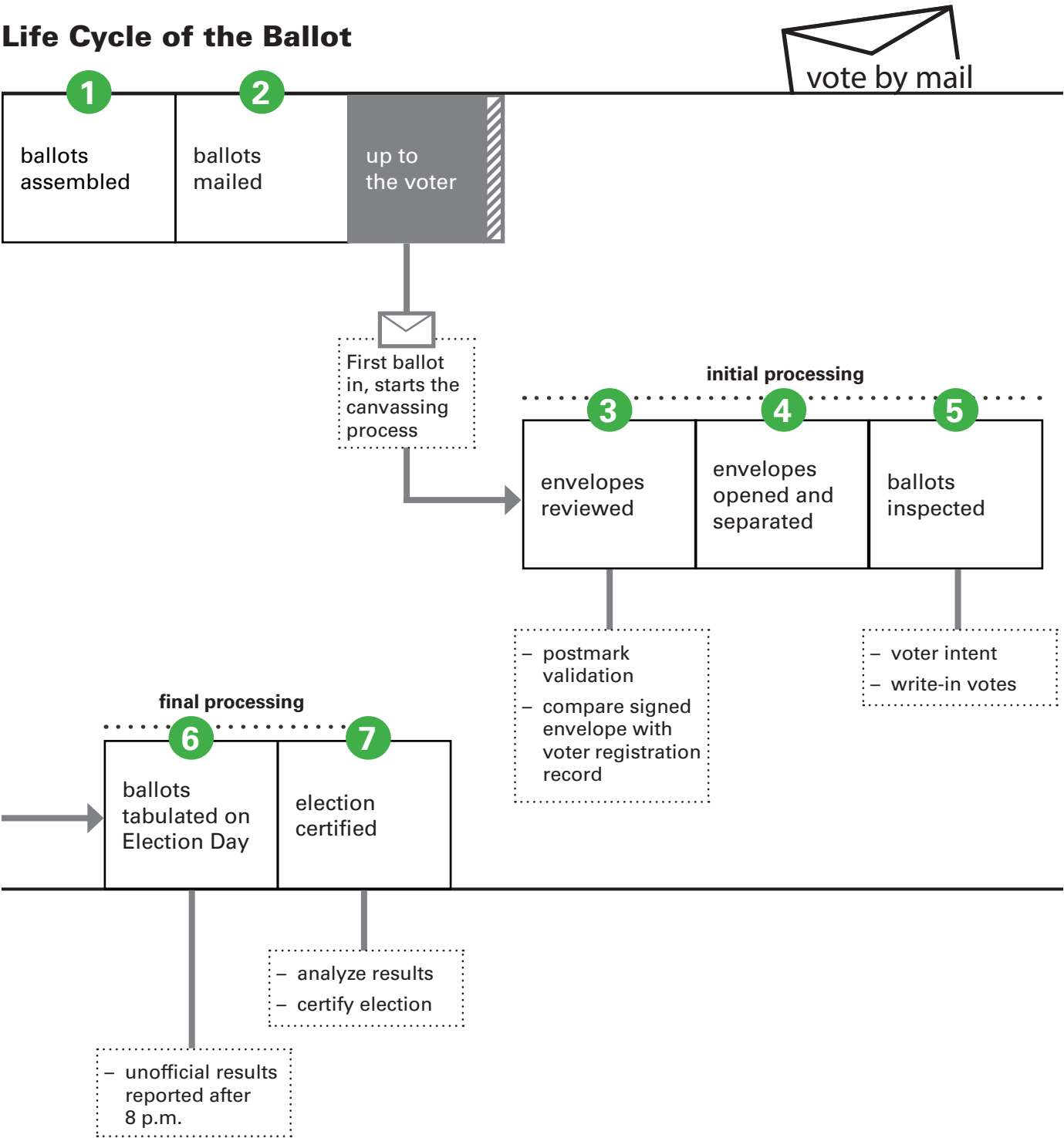
**When the signature on the return envelope matches** the signature on the voter's registration record, the ballot is accepted, the voter is credited with voting, and the voter cannot submit another ballot in the same election. The ballot is prepared for the next step of processing.

**When the signature on the return envelope doesn't appear to match** the signature on the voter's registration record, the elections department refers the envelope to the Canvassing Board for further analysis.

The Board, or its designees, compares the questioned signature on the return envelope with the voter's registration record to discern whether the two signatures are written by the same person.

Ultimately, if the Board determines the two signatures do not match, the ballot is rejected and cannot be counted.

# Life Cycle of the Ballot



## Statewide Standards on What is a Vote

Millions of ballots were cast in Florida during the 2000 Presidential Election, but the difference between the results for the two candidates came down to a few hundred votes and a decision by the Supreme Court.

In response to that election, Congress passed the Help America Vote Act in 2002 (HAVA). HAVA mandates that each state adopt a set of uniform standards to define what constitutes a vote. The standards must apply to each type of certified voting system available in the state.

We have many examples of close elections in our own state and the adopted standards are an important part of the county's canvassing process, especially in a close race. Uniform standards provide consistency and prevent equal protection violations.

## Guiding Principal

*"The State of Washington has a firm policy of making every effort to count each valid vote. We are a "voter intent" state and voters are not disenfranchised merely because they mark a ballot differently than directed. Simply stated, when voter intent can be discerned, the vote will be counted." — Kim Wyman, Secretary of State*

## Voter Intent

We consider ourselves a voter intent state — this policy is grounded in both federal and state law. Meaning, voters are not disenfranchised merely because they mark a ballot differently than instructed.

Voters are instructed to mark the **target area** corresponding to a choice on the ballot. The county's certified tabulation system reads the target areas throughout the ballot. A **readable ballot** is a ballot the tabulation system can accept (scan) and read as the voter intended.

However, voters are also permitted to mark outside the target area, make corrections, provide instructions, and write in their votes. Meaning, some marks cannot be read by the tabulation system.

An **unreadable ballot** is a ballot that cannot be read by the tabulation system as the voter intended. Examples of unreadable ballots

include ballots with damage, write-in votes, and corrections.

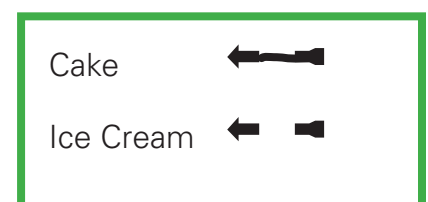
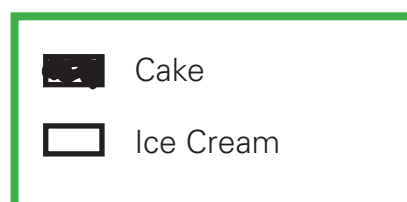
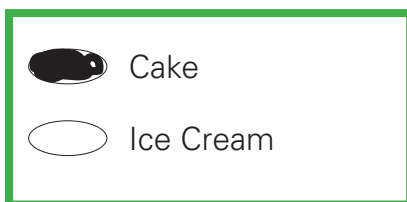
Determining a voter's intent becomes a critical responsibility of the Board.

"Statewide Standards on What is a Vote" are the voter intent rules adopted into Washington Administrative Code. The standards are also illustrated in a manual published by the Office of the Secretary of State.

The **Voter Intent Manual** strives for statewide consistency by providing:

- Administrative rules that define what is a vote
- Pictorial examples of ballots and marks that apply to all voting systems
- Explanations for how to canvass marks on paper ballots

## Target Area



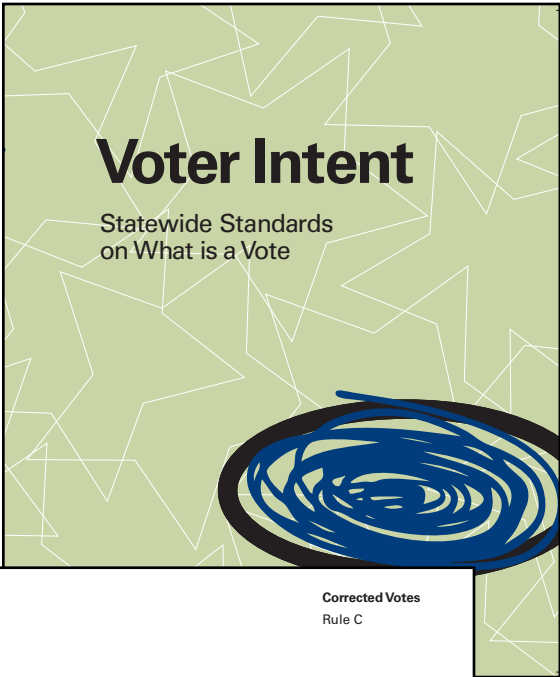
The target area is the oval, square or arrow on the ballot where the voter is instructed to mark his or her vote. Tabulation systems read those target areas.

Voter Intent Manual

The Board and its designees examine the rules, using the manual as a resource to count a ballot or an individual vote.

While the manual contains graphics and ballot examples, it can't predict every type of mark a voter will make on a ballot. If, after examining the rules, a situation arises that is not addressed in the manual, the Board has the authority to determine voter intent.

The Voter Intent Manual is produced by the Certification and Training Program, Elections Division, in partnership with the Association of County Auditors and the statewide Voter Intent Committee.



| Rule C | Corrected Votes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        | <p>If the voter has followed the instructions for correcting a vote, the stricken vote shall not be counted.</p> <p>If a second choice is marked, it shall be counted as a valid vote. If a second choice is not marked, the race shall be considered undervoted.</p> <p>If the voter has marked two target areas and placed an 'X' or slash over one of the marked areas, the choice without the 'X' or slash shall be counted as a valid vote.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|        | <p>Corrected Votes<br/>Rule C</p> <p>Rule C, Examples 1a-c</p> <p>The vote for William Henry Harrison is the valid vote.</p> <p>In the following examples from different ballots, the voters followed instructions for correcting a vote.</p> <div><div><p>1a</p><p>State Representative<br/>District 14, Position #1</p><p><input checked="" type="checkbox"/> Teddy Roosevelt</p><p><input type="checkbox"/> Abigail S. Adams</p><p><input checked="" type="checkbox"/> William Henry Harrison</p><p><input type="checkbox"/> Write-in</p></div><div><p>1b</p><p>State Representative<br/>District 14, Position #1</p><p><input type="checkbox"/> Teddy Roosevelt</p><p><input checked="" type="checkbox"/> Abigail S. Adams</p><p><input checked="" type="checkbox"/> William Henry Harrison</p><p><input type="checkbox"/> Write-in</p></div><div><p>1c</p><p>State Representative<br/>District 14, Position #1</p><p><del>Teddy Roosevelt</del>      ←</p><p>Abigail S. Adams      ←</p><p>William Henry Harrison      ←</p><p>Write-in      ←</p></div></div> |

## **Write-in Votes**

Voters have the right to write in the name of any person for any race on the ballot. Each race contains a place for the voter to write in a name not already printed on the ballot.

In all cases of write-in votes, the Board must exercise all reasonable efforts to determine the voter's intent. It's important for the Board to group votes for the same person (and reasonable name variations) together.

In some cases, an individual will declare his or her candidacy as a write-in candidate. Whether a write-in candidate files a declaration of candidacy form or not, all write-in votes count.

The Board analyzes the unofficial write-in results to determine if a write-in candidate has enough votes to make a difference in the outcome of the race. The total number of write-in votes cast for each race must be recorded and reported with the canvass for the election.

*Exception:* When a candidate files for office but doesn't garner enough votes to make it through the primary, no write-in votes may be counted in the same race for that candidate in the general election.



More training is available. Contact your County Auditor and/or certified elections personnel.

- Observe your county's election procedures in action
- Inquire about upcoming signature verification training

# 3

## Certify an Election

### Election Dates

An election cycle begins long before ballots are issued.

A special election is triggered when a county or local district submits a resolution to the County Auditor at least 46 days prior to the election date.

The August Primary is a winnowing of candidates who filed during the filing period in May. Primary candidates must be one of the top two vote-getters to appear on the November General Election ballot. Some races appear only on the General Election ballot.

Results reported after 8:00 p.m. on Election Day are unofficial; the election is not complete until certified by the Board.

### Certification Period

The amount of time allowed to certify the election depends upon the type of election.

Following Election Day, the county elections department continues to process ballots and prepare reports. The Board participates in the canvassing of voted ballots and reviews reconciliation information.

Depending upon the size and type of the election, the Board may meet frequently to complete its assessments.

On Certification Day, during an open public meeting, the Board completes the canvass and certification of final results:

- 14 days after a Special or Primary
- 21 days after a General Election

### Annual Election and Certification Dates

|                                  | Election Date                                  | Certification Date          |
|----------------------------------|------------------------------------------------|-----------------------------|
| <b>February Special Election</b> | 2nd Tuesday in February                        | 14 days after election date |
| <b>April Special Election</b>    | 4th Tuesday in April                           | 14 days after election date |
| <b>August Primary</b>            | 1st Tuesday in August                          | 14 days after election date |
| <b>General Election</b>          | 1st Tuesday after the first Monday in November | 21 days after election date |

## **Reconciliation Report**

During the certification period, the County Auditor prepares a reconciliation report accounting for all ballots issued, received, counted, and rejected—as required by the Legislature.

The **Reconciliation Report** must be presented to the Board upon certifying an election or primary.

State law requires reconciliation reports to include the number of:

- Registered voters
- Ballots issued, received, counted, and rejected

All ballots in the election must be categorized by:

- Provisional ballots issued, received, counted, and rejected
- Federal write-in ballots received, counted, and rejected
- Overseas and service ballots issued, received, counted, and rejected
- The number of voters credited with voting
- Any additional information needed to account for all ballots, such as the number Address Confidentiality Program (ACP) voters and special absentee ballots
- The sum of the details must equal the ballots reported as counted / rejected and received

If the number of ballots does not balance, an explanation of the efforts to research the discrepancy must be included in the report.

The Board verifies the reconciliation report and includes the report in the official certification documents.

## **Abstract of Votes**

During an election cycle, the Board canvasses all ballots cast in the election. Upon completion of the canvass, the County Auditor presents the **Abstract of Votes** to the Board.

The abstract is required to include:

- The number of registered voters eligible to vote in the election
- The number of ballots cast, by precinct
- The votes cast for each race or measure, including write-ins, undervotes, and overvotes
- Legislative and congressional district subtotals, if any
- The vote totals by county

The Board verifies the County Auditor's Abstract of Votes and documents any corrective actions necessary in order to complete the County Canvass Report.

## **County Canvass Report**

The County Canvass Report is comprised of the official certification documents: the Abstract of Votes, the Reconciliation Report, the Oath of Authenticity, the Certification, and if applicable, a written narrative of discrepancies discovered.

## Example of a Reconciliation Report

| Reconciliation Form                                                                                                                             |                                             |                                                                                                                                 |                  |                                           |                                                         |                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------------|---------------------------------------------------------|---------------------------------------------|
| County name                                                                                                                                     |                                             |                                                                                                                                 |                  | Registered voters eligible to participate |                                                         |                                             |
| Election date                                                                                                                                   |                                             |                                                                                                                                 |                  | Active registered voters                  |                                                         |                                             |
|                                                                                                                                                 |                                             |                                                                                                                                 |                  | Inactive registered voters                |                                                         |                                             |
| Category Reconciliation (detailed accounting of ballots)                                                                                        |                                             |                                                                                                                                 |                  |                                           |                                                         |                                             |
|                                                                                                                                                 | Issued<br>(number of voters issued ballots) | Ballots Received                                                                                                                | Ballots Accepted | Ballots Not Counted                       |                                                         |                                             |
|                                                                                                                                                 |                                             |                                                                                                                                 |                  | Ballots forwarded to other counties       | Ballots Rejected                                        |                                             |
| Totals for all voter categories                                                                                                                 |                                             |                                                                                                                                 |                  |                                           |                                                         | Discrepancy<br>(If zero, category balances) |
| UOCAVA                                                                                                                                          |                                             |                                                                                                                                 |                  | n/a                                       |                                                         | 0                                           |
| Federal write-in                                                                                                                                | n/a                                         |                                                                                                                                 |                  | n/a                                       |                                                         | 0                                           |
| Provisional<br>(include provisional ballots from other counties)                                                                                |                                             |                                                                                                                                 |                  |                                           |                                                         | 0                                           |
| DREs<br>(do not report ballots filled in with Automarks)                                                                                        |                                             |                                                                                                                                 |                  | n/a                                       |                                                         | 0                                           |
| All voters not reported above<br>(including regular ballots & ACP)                                                                              | 0                                           | 0                                                                                                                               | 0                | 0                                         | 0                                                       | 0                                           |
| Are all separate category discrepancy cells zero?<br>If other than zero, check calculations or provide explanation of the category discrepancy. |                                             | Write Answer Here                                                                                                               |                  |                                           |                                                         |                                             |
| Voters credited to ballots counted<br>Use Enter to move down                                                                                    |                                             | If the number of "total valid ballots" differs from the number of "ballots counted," provide an explanation in the space below. |                  |                                           | Overall Ballot Reconciliation<br>Use Enter to move down |                                             |
| Credited voters in EMS                                                                                                                          |                                             | Write Explanation Here                                                                                                          |                  |                                           | Ballots Received                                        | 0                                           |
| Subtract: credited envelopes without ballots                                                                                                    |                                             |                                                                                                                                 |                  |                                           | Counted                                                 | 0                                           |
| Add: voters not credited in EMS (examples: FWAB or ACP)                                                                                         |                                             |                                                                                                                                 |                  |                                           | Not Counted                                             | 0                                           |
| Total valid ballots                                                                                                                             | 0                                           |                                                                                                                                 |                  |                                           | Discrepancy                                             | 0                                           |
| Discrepancy                                                                                                                                     | 0                                           | Write Explanation Here                                                                                                          |                  |                                           |                                                         |                                             |
| If unable to reconcile the number of ballots received, counted, and/or rejected, use this space to describe the investigative process followed. |                                             |                                                                                                                                 |                  |                                           |                                                         |                                             |
| County name                                                                                                                                     |                                             |                                                                                                                                 |                  | Active registered voters                  |                                                         |                                             |
| Additional information requested by the Secretary of State. Please answer the questions below:                                                  |                                             |                                                                                                                                 |                  |                                           |                                                         |                                             |
| For all returned ballots, how many were by:                                                                                                     |                                             | Of all ballots returned, how many were generated through:                                                                       |                  |                                           |                                                         |                                             |
| Email                                                                                                                                           |                                             | MyBallot                                                                                                                        |                  |                                           |                                                         |                                             |
| Fax                                                                                                                                             |                                             | Other online programs                                                                                                           |                  |                                           |                                                         |                                             |
| Deposited at staffed, unstaffed deposit sites and voting centers.                                                                               |                                             | PDF originating from county                                                                                                     |                  |                                           |                                                         |                                             |
| Report prepared by                                                                                                                              |                                             |                                                                                                                                 |                  |                                           |                                                         |                                             |
| Contact number                                                                                                                                  |                                             |                                                                                                                                 |                  |                                           |                                                         |                                             |

## Laws and Rules

RCW 29A.60.190

WAC 434-262-013

WAC 434-262-040

WAC 434-262-050

WAC 434-262-070

## Certification Day

Election results are officially certified on Certification Day.

Certifying a primary or election is solely the responsibility of the Board.

At the opening of the public certification meeting, the Oath of Authenticity is administered and signed.

Next, the Board reviews the documentation and confirms the results.

- Verify the County Auditor’s Abstract of Votes
- Examine the reconciliation report; confirm numbers are correct

- Check the official canvass of results for each race/precinct
- Review discrepancy reports and corrective actions taken

Finally, the Board completes, signs, and seals the Certification of the Canvassing Board to certify the full and true record of reconciled numbers of voters and total votes cast in that election.

The official final results, the reconciliation report, and the signed Oath and sealed Certification must be part of the meeting record.

## Certification Day Checklist

- ☐ Administer and sign oath
- ☐ Review abstract of votes
- ☐ Examine reconciliation report
- ☐ All members of the Board sign the certification

## Example of Oath and Certification

### Oath of Authenticity

STATE OF WASHINGTON                    )  
                                                          ) ss.  
COUNTY OF \_\_\_\_\_)

I solemnly swear that the unofficial returns and supporting documentation of the (insert election) held on (insert date), in \_\_\_\_\_ County, State of Washington, are true and correct.

\_\_\_\_\_  
*County Auditor*

Subscribed and sworn before me this \_\_\_\_ day of 20\_\_\_\_

\_\_\_\_\_  
*County Legislative Authority (witness)*

\_\_\_\_\_  
*County Prosecuting Attorney (witness)*

### Certification of the Canvassing Board

STATE OF WASHINGTON                    )  
                                                          ) ss.  
COUNTY OF \_\_\_\_\_)

The undersigned officers designated by law as constituting the Canvassing Board for the County of \_\_\_\_\_, State of Washington, hereby certify that this is a full, true and correct copy of the Abstract of Votes including the cumulative results, precinct results, and reconciliation report of votes cast at the (insert election) held on (insert date), in \_\_\_\_\_ County, State of Washington, and that the following are the true and reconciled numbers of voters and votes counted.

Witness our hands and official seal this \_\_\_\_ day of 20 \_\_\_\_.

\_\_\_\_\_  
*County Auditor*

\_\_\_\_\_  
*County Legislative Authority*

\_\_\_\_\_  
*County Prosecuting Attorney*

8/2012; 434-262-070

# 4

## Recount

Recounts are not conducted until after Certification Day.

A recount is the process of re-tabulating the votes for a specific race or measure on valid ballots, including write-in votes, cast in a primary or election.

If an unreadable ballot has been duplicated in order for the tabulator to count the votes, the **duplicate ballot** (not the original) must be tabulated.

It's important that procedures and guidelines for conducting a recount are established in advance and included in the adopted Canvassing Board Manual (see Administrative Rules).

Procedures for resolving a tie vote by lot should also be established.

### The Board's Role in a Recount

The County Canvassing Board:

- Determines date, time and place for the recount
- Establishes guidelines for public observation
- Authorizes representatives to open sealed containers of ballots previously counted and considered by the Board
- Directs the counting of ballots

The ballots to be recounted are assembled and recounted in the presence of observers. Ballot issues found during the recount, not previously addressed by the Board or included in the original count, are determined by the County Canvassing Board.

*Exception:* For a multi-county race, the Secretary of State sets the date by when the recount must be finished and certified.

Laws and Rules

RCW 29A.64.011  
RCW 29A.64.021  
RCW 29A.64.030

When to Recount

Recounts are initiated by a request or mandated by state law.

A requested recount occurs when the Board receives an application within two business days of certifying the primary or election. The application must be accompanied by a deposit for the cost of conducting the recount.

A recount is mandated, or automatic, when the votes separating two candidates fall within the statutory range. A statewide ballot measure is also subject to mandatory recount laws.

Local measures are not subject to mandatory recount laws.

A race or measure may be recounted no more than twice.

Which Race to Recount

The type of election determines whether a candidate race is recounted.

In a Primary,

- Only results for the second and third highest vote-getters trigger a recount.
- The highest vote getter automatically advances to the general election.
- When the top two candidates are close, no recount is necessary.

In a general election, results for the top two vote-getters may trigger a recount.

Recount Thresholds

|                                                                                                                                    |                            |                                                                                                                                                                        |
|------------------------------------------------------------------------------------------------------------------------------------|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Machine Recount                                                                                                                    | All offices                | Less than 2,000 votes and less than .5% (.005) of the total votes cast for both candidates.                                                                            |
|                                                                                                                                    | Statewide offices          | Less than 1,000 votes and less than .25% (.0025) of the total votes cast for both candidates.                                                                          |
|                                                                                                                                    | Regional and local offices | Less than 150 votes and less than .25% (.0025) of the total votes cast for both candidates.                                                                            |
|                                                                                                                                    |                            |                                                                                                                                                                        |
| Primary                                                                                                                            |                            | General Election                                                                                                                                                       |
| A mandatory recount may be ordered if the results separating the <b>2nd and 3rd</b> place candidates meet the necessary threshold. |                            | A mandatory recount may be ordered if the results separating the <b>1st and 2nd</b> place candidates, or results of a statewide measure, meet the necessary threshold. |

## Recount Thresholds

A recount is mandated when the votes for a candidate race or a statewide measure fall within the statutory range.

The results trigger a machine recount, or, when the results are even closer, a manual (by hand) recount.

For example, the threshold for a machine recount of a county race is when the votes separating the two candidates are

- Less than 2000 votes, **and**
- Less than  $\frac{1}{2}$  of one percent of votes cast in the race

The threshold for a manual recount of a county race is when the votes separating the two candidates are

- Less than 150 votes, **and**
- Less than  $\frac{1}{4}$  of one percent of votes cast in the race

If all candidates agree, an alternative recount method may be used.

## Tied Race

If after a recount is conducted, the results for the candidates are tied, then the winner is determined by lot.

Depending upon the office, either the County Canvassing Board or the Secretary of State must designate the time and place for the lot draw, notify the affected candidates, and certify the winner.

Measures are not subject to lot draws—they either have enough votes to pass or they fail.

## Certifying a Recount

The County Canvassing Board prepares and certifies an Amended Certificate of Election.

When the recount results do not match the original results, the board will verify that all the ballots have been recounted and resolve any discrepancies according to recount laws. The Board reviews and approves the amended abstract.

When applicable, the amended abstract is sent to the Secretary of State's Office.



Establish procedures for conducting recounts and resolving tied races. Adopt the rules into your County Canvassing Board Manual.

## Glossary

**Abstract of Votes:** The report prepared by the County Auditor which lists the number of registered voters, votes cast, vote totals by precinct, ballot totals, legislative and congressional district subtotals, if any, and countywide totals.

**Canvassing:** The process of examining ballots or groups of ballots, subtotals, and cumulative totals in order to determine the official returns of a primary, special, or general election and includes the tabulation of any votes that were not previously tabulated.

**Canvassing Board Manual:** Administrative rules for guiding and governing the county's election process. The manual is updated as needed and adopted in an open public meeting.

**County Canvassing Board:** Impartial body charged by law with the duty of canvassing ballots, ruling on the validity of questioned or challenged ballots, verifying all unofficial returns as listed in the auditor's abstract of votes, and producing the official county canvass report; composed of the county auditor, prosecuting attorney, and chair of the board of the county legislative authority, or their designated representatives.

**Duplicate ballot:** A true copy of a voter's ballot. Duplicating a voter's ballot is necessary when the voter's original ballot cannot be read (scanned) by the certified voting system.

**Duplicating a ballot:** The controlled process of making a true readable copy of valid votes from an original ballot that may not be readable by the certified voting system. The unreadable ballot may be duplicated onto a blank paper ballot or by resolving the electronic image of the ballot. The original ballot may not be altered in any way.

**Quorum:** The minimum number of Board members needed to make a decision. A quorum consists of two of the three members of the Board.

**Readable Ballot:** A ballot that the certified voting system can accept (scan) and read as the voter intended.

**Reconciliation Report:** The County Auditor prepares a required accounting for all ballots issued, received, rejected, and counted as required by the Legislature. The report must be presented to the Board when certifying an election or primary and made publicly available. For elections with state races or measures on the ballot, the report must be filed with the Secretary of State's Office.

**Signature Verification Training:** Only the Board can reject a voter's ballot based on an invalid signature. Board members are encouraged to obtain training through the county elections department, the Washington State Patrol, the Secretary of State's Office, or a local forensic document examiner.

**Tabulate:** To total votes and produce results in a readable format.

**Target Area:** The oval, square, or arrow corresponding to a candidate, write-in line, or choice on the ballot where the voter is instructed to mark his or her vote. Tabulation systems read target areas.

**Unreadable Ballot:** A ballot that cannot be read by the certified voting system as the voter intended. Unreadable ballots may include, but not be limited to, ballots with damage, write-in votes, incorrect or incomplete marks, and questions of voter intent.

**Valid Signature:** The signature on a ballot declaration of a registered voter eligible to vote in the election. A valid signature has been compared to the signature in the voter registration file, or a mark witnessed by two people.

**Voter Intent Manual:** Based on the adopted "Statewide Standards on What is a Vote," this illustrated manual explains how to canvass marks on paper ballots. Available at [www.vote.wa.gov](http://www.vote.wa.gov).



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**December, 2014**



Secretary of State

*Kim Wyman*