



FLORIDA STATE ASSOCIATION OF SUPERVISORS OF ELECTIONS

FSASE Canvassing Board Workshop

Conducting Recounts

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Remember to Say Your Prayers.....

- Election Officials Prayer –
- Dear Lord,
- I don't care who wins this race, just let them win BIG!
- Thank you, Lord.
- Your Election Servant



In Case Your Prayers Are Not
Answered.....

RECOUNT!!!!!!



Recounts

- Goals and Objectives
 - Recognize The Role of Public Perception
 - Identify Resources Available
 - Understanding Security Requirements
 - Machine vs. Manual Recount
 - Determining Voter Intent
 - Audit Process
 - Wrapping It Up



Recounts

- Recognize The Role of Public Perception
 - Develop the Message
 - Who, What, When, Where
 - Stick to the Message
 - The message should be one that is simply and consistently communicated
 - Communicate, Communicate, Communicate
 - Get in front of the story



Recounts

- Develop Relationships
 - Start Today
 - Media
 - Other Elected Officials
 - Party Chairs
 - Community Leaders / Stakeholders



Recounts

- Preparations
 - Staffing
 - Legal
 - Temps
 - Volunteers
 - Tabulation Equipment
 - Ballots
 - Storage
 - Sorting
 - Security



Recounts

- Preparations (Cont.)
 - Facilities
 - Additional Space
 - Process
 - Press
 - Public Observation
 - Security
 - Crowd Control
 - After Hours Security Check
 - Food

Recounts

□ Recount

■ What triggers a recount?

If the unofficial returns reflect that a candidate for any office was defeated or eliminated by one-half of a percent or less of the votes cast for such office, that a candidate for retention to a judicial office was retained or not retained by one-half of a percent or less of the votes cast on the question of retention, or that a measure appearing on the ballot was approved or rejected by one-half of a percent or less of the votes cast on such measure, a recount shall be ordered of the votes cast with respect to such office or measure. § 102.141(7) Fla. Stat.

Recounts

□ Recount (Cont.)

- **Exception:** if the candidate or candidates defeated or eliminated from contention for such office by one-half of a percent or less of the votes cast for such office request in writing that a recount not be made.





Recounts

- Recount (Cont.)
 - Who can order a recount?
 - The Secretary of State is responsible for ordering recounts in federal, state, and multicounty races.
 - The county canvassing board or the local board responsible for certifying the election is responsible for ordering recounts in all other races.

Recounts

- Recount (Cont.)
 - We're having a recount, Now What??
 - 1S-2.031, F.A.C.
 - Office Procedure Manual
 - Machine Recount
 - All procedures open to the public
 - Minimum of two Canvassing Board Members
 - Notify candidates or committees in affected contest(s) that a machine recount will be conducted

Recounts

- Machine Recount (Cont.)
 - Public notice of all machine recounts shall be posted on the door of the public entrance to the building where the office of the supervisor of elections is housed so that the notice is accessible to the public 24 hours a day.
 - All recounts conducted must be completed in such a manner as to provide the county canvassing board sufficient time to comply with the provisions of Section 102.112, F.S. Any returns not received by the department by the time specified shall be ignored and the results on file at that time shall be certified by the department.

Recounts

- Machine Recount (Cont.)
 - **Optical Scan Ballot Machine Recounts**
 - Create Recount Election Parameters so that the recounted race or races will be tabulated and so that ballots containing overvotes and undervotes in the recounted race or races can be sorted from the other ballots during the machine recount.
 - The county canvassing board may, but is not required to, use the same tabulating equipment that ballots were originally tabulated on.
 - Conduct L&A pursuant to § 101.5612 Fla. Stat.

Recounts

- Machine Recount (Cont.)
 - Optical Scan Ballot Machine Recounts
 - The county canvassing board or its representatives shall put each ballot through the tabulating equipment and determine the votes in the recounted race or races.
 - If any marksense ballot is physically damaged so that it cannot be properly counted by the automatic tabulating equipment during the recount, a true duplicate shall be made of the damaged ballot pursuant to the procedures in § 101.5614(5) Fla. Stat.



Recounts

- Machine Recount (Cont.)

- Optical Scan Ballot Machine Recounts

- During this process, the overvoted and undervoted ballots in the recounted race or races must be sorted.

- Sorted ballots shall be placed in a sealed container or containers until it is determined whether a manual recount will be conducted. Seal numbers shall be recorded at the time the ballots are placed in the containers.

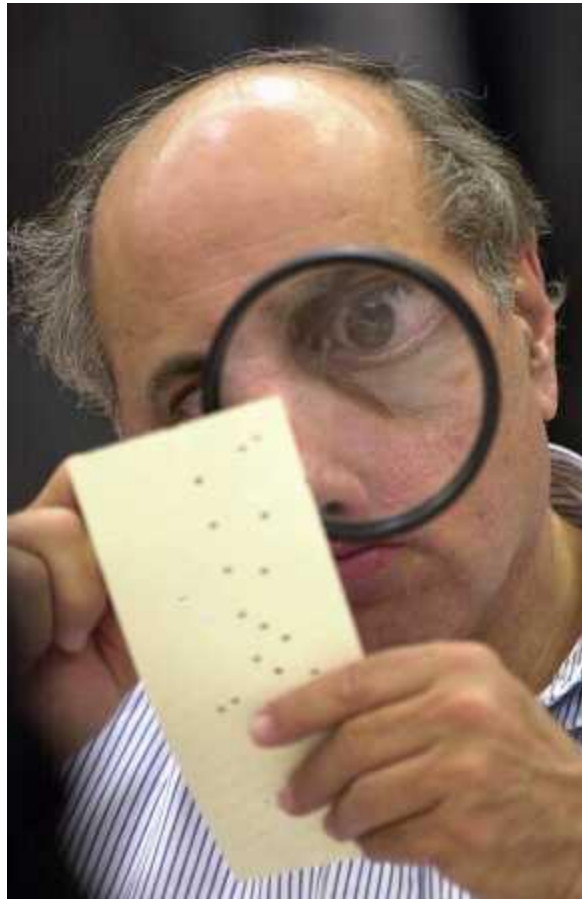


Recounts

- Machine Recount (Cont.)
 - **Touchscreen Ballot Machine Recounts**
 - Produce printed vote totals for the affected race or races for each precinct and early voting site.
 - Compare the total number of votes for the affected race or races with the total number of voters who signed in to vote at each precinct and early voting site.
 - Verify that the total votes for the recounted race or races taken from the printed vote totals for each precinct and early voting site are the same as the total votes shown on the county totals from election night.

Recounts

- Manual Recount § 102.166 Fla. Stat.



Recounts

- Manual Recount § 102.166 Fla. Stat.
- **Optical Scan Ballot Manual Recounts**
 - Ballots with overvotes and undervotes shall be transported to the location of the manual recount by two members of the county canvassing board and a sworn law enforcement officer.
 - NOTE: From the time the manual recount is started until completion of the recount, including times of recess, the ballots shall be guarded by a sworn law enforcement officer.



Recounts

- Manual Recount (Cont.)
 - Optical Scan Ballot Manual Recounts
 - Notify the candidates and chairmen of the county executive committee of the political parties, or the chairmen of the political committees, if applicable, that a recount has been ordered and provide information regarding the time and the place of the manual recount and the number of representatives such candidate or committee is entitled to have present during the manual recount process.



Recounts

- Manual Recount (Cont.)
 - Optical Scan Ballot Manual Recounts
 - Provide public notice of the time and place of the manual recount immediately after determining the need for a manual recount. (either/or)
 - Newspaper of general circulation in the county.
 - Posted in at least four conspicuous locations in the county.



Recounts

- Manual Recount (Cont.)
 - Optical Scan Ballot Manual Recounts
 - The manual recount shall be conducted in a room large enough to accommodate:
 - Canvassing board members
 - Counting teams
 - Representatives of each candidate, political party or political committee entitled to have representatives.

Recounts

- Manual Recount (Cont.)
 - Optical Scan Ballot Manual Recounts
 - Members of the public and the press (observers) shall be allowed to observe the recount from a separate area designated by the county canvassing board, which area may be outside of the actual recount area but which will allow the observers to view the activities.
 - In addition to the sworn law enforcement officer guarding the ballots, there shall be a sworn law enforcement officer to keep order in and around the recount area.



Recounts

- Manual Recount (Cont.)
 - Optical Scan Ballot Manual Recounts
 - Representatives and observers must not interfere with or disturb the recount in any way. If the conduct of the representatives or observers impedes the recount process, the recount will stop until the situation is corrected.
 - If the disturbance continues, upon majority vote of the county canvassing board, the persons causing the disturbance shall be removed from the premises by the law enforcement officer charged with maintaining order at the recount.

Recounts

- Manual Recount (Cont.)
 - Optical Scan Ballot Manual Recounts
 - Prior to the beginning of the manual recount, the county canvassing board, the members of the counting teams and the representatives entitled to be present, shall jointly review the rules and statutes governing recount procedures and what constitutes a clear indication that the voter has made a definite choice.
 - At the beginning of the manual recount, the seal numbers on the containers shall be announced as they are broken and compared to the numbers previously recorded.



Recounts

- Manual Recount (Cont.)
 - Optical Scan Ballot Manual Recounts
 - Each counting team shall review the ballots before them to determine if there is or is not a clear indication that the voter has made a definite choice, as specified in Rule 1S-2.027, F.A.C.
 - If the counting team is unable to make the determination, or if there is an objection to the decision of the counting team by a designated representative, the ballot shall be set aside for the county canvassing board's determination.



Recounts

- Manual Recount (Cont.)
 - Optical Scan Ballot Manual Recounts
 - Each counting team shall place the ballots in stacks indicating:
 - **Votes for** each candidate or issue choice.
 - Ballots which the counting team has determined there is **no clear indication** that the voter made a definite choice for an office or ballot question.
 - **Ballots to be set aside** for the county canvassing board's determination.

Recounts

- Manual Recount (Cont.)
 - Optical Scan Ballot Manual Recounts
 - The counting team shall:
 - Count and record the number of votes for each candidate or issue choice.
 - Count and record the number of ballots which the counting team has determined there is no clear indication that the voter made a definite choice.
 - Count and record the number of ballots which are to be given to the canvassing board for its determination.

Recounts

- Manual Recount (Cont.)
 - Optical Scan Ballot Manual Recounts
 - Each ballot set aside because the counting team was unable to make a determination that there is a clear indication that the voter has made a definite choice must be placed in a separate envelope with a notation of the precinct number, why the team was unable to make the determination, and the names of the members of the counting team.



Recounts

- Manual Recount (Cont.)
 - Optical Scan Ballot Manual Recounts
 - If a ballot was set aside because of an objection to the decision of the counting team by a representative, the envelope must contain the precinct number, the names of the members of the counting team, the counting team's initial determination, the reasoning behind the challenge and the name and representative capacity of the person bringing the challenge.



Recounts

- Manual Recount (Cont.)
 - Optical Scan Ballot Manual Recounts
 - The county canvassing board shall review each ballot set aside to determine if there is or is not a clear indication that the voter has made a definite choice, as specified in Rule 1S-2.027, F.A.C.
 - All three members of the county canvassing board must be present for this determination and the determination must be by majority vote.

Recounts

- Manual Recount (Cont.)
 - Optical Scan Ballot Manual Recounts
 - The records of the manual recount shall detail the number of votes each candidate or issue choice received and the number of ballots not allocated to any candidate or issue choice.
 - The county canvassing board shall then certify the number of votes for each candidate or issue choice by combining the totals on the machine during the sorting process with the totals of the manual recount.



Recounts

- Manual Recount (Cont.)
 - Optical Scan Ballot Manual Recounts
 - The activities of the county canvassing board in making determinations of ballots to be counted **shall be recorded by either audio or audio/video tape.**
 - Minutes of the manual recount shall be made and approved by the canvassing board.
 - All tapes and minutes shall be made available to the public within 2 weeks of the time the canvassing board certifies the results of the election.

Recounts

- Manual Recount § 102.166 Fla. Stat.
- **Touchscreen Ballot Manual Recounts**
 - The purpose of the review of overvotes and undervotes in a manual recount is for the county canvassing board to determine whether such review of an overvoted or undervoted ballot cast by a voter in the recounted race or issue reveals a **“clear indication on the ballot that the voter has made a definite choice.”**



Recounts

- Manual Recount (Cont.)
 - Touchscreen Ballot Manual Recounts
 - The following standards apply in a manual recount of overvotes and undervotes as provided specifically by Section 102.166, F.S., on a touchscreen voting system, to determine whether there is a clear indication on the ballot image report that the voter has made a definite choice.

Recounts

- Manual Recount (Cont.)
 - Touchscreen Ballot Manual Recounts
 - A clear indication that the voter made a definite choice not to cast an overvote shall be determined by the presence on the ballot image of a selection in the race or issue or of an indication of an undervote.
 - The clear indication that the voter has made a definite choice to undervote shall be determined by the presence of the marking, or the absence of any marking, that the Manufacturer of the certified voting system indicates shall be present or absent to signify an undervote.

Recounts

- Manual Recount (Cont.)
 - Touchscreen Ballot Manual Recounts
 - The canvassing board shall print one (1) official copy of the ballot image report from each touchscreen voting machine that has recorded undervotes for the affected race or issue.
 - The ballot image report shall be examined by the counting teams for the race or issue being recounted to identify and highlight ballot images containing undervotes for the affected race or issue and to determine if there is a clear indication on the ballot image containing the undervote that the voter made a definite choice.
 - The supervisor of elections shall maintain a custody log for each ballot image report and otherwise assure that the ballot image report remains secure and free of tampering at all times.

Recounts

- Manual Recount (Cont.)
 - Touchscreen Ballot Manual Recounts
 - If an objection is made by a representative to a decision of the counting team, an attachment shall be made to the ballot image report that contains the names of the members of the counting team, the counting team's initial determination, the reasoning behind the objection, and the name and representative capacity of the person making the objection.
 - An objection must be based solely on departures from the procedures outlined for determining the clear indication on the ballot that the voter has made a definite choice to undervote.



Recounts

- Manual Recount (Cont.)
 - Touchscreen Ballot Manual Recounts
 - All objections must be resolved by the county canvassing board. If the canvassing board determines that the counting team departed from the procedures outlined for determining the clear indication on the ballot that the voter has made a definite choice to undervote, then the canvassing board shall correct such departure by applying the applicable standard.

Recounts

- Manual Recount (Cont.)
 - Touchscreen Ballot Manual Recounts
 - The counting teams shall maintain a running tally of the number of undervotes totaled per touchscreen voting machine in each precinct.
 - After a review of ballot image reports containing undervotes from the voting machine or the precinct, the counting team shall tabulate the total number of undervotes for such precinct.
 - The counting teams shall compare the total number of undervotes manually recounted for each precinct to the total number of undervotes reported by the voting system in the complete canvass report for each precinct.

Recounts

□ Manual Recount (Cont.)

■ Touchscreen Ballot Manual Recounts

- If the comparison of the undervotes in the manual recount matches the total number of undervotes reported for such precinct in the complete canvass report, then the counting team shall certify the results of the machine recount to the canvassing board.
- If there is a discrepancy between the number of undervotes in the manual recount and the machine recount, then the counting teams shall re-tabulate the number of undervotes for such precinct up to two additional times to resolve such discrepancy.
- If, after re-tabulating the number of undervotes for each such precinct, the discrepancy remains, then the county canvassing board shall investigate and resolve the discrepancy with respect only to such precinct.

Recounts

- Manual Recount (Cont.)
 - Touchscreen Ballot Manual Recounts
 - In resolving the discrepancy, the canvassing board shall review the records produced by the voting system and may request the verification of the tabulation software as provided in Section 102.141(5)(b), F.S., and conduct any necessary diagnostic examinations; provided, however, that in no event shall the county canvassing board order or conduct any diagnostic examination that may result in the clearing of any vote totals or in any way affecting the memory of machine.
 - All three (3) members of the county canvassing board must be present for any determination or decision made and must be by majority vote.



Recounts

Questions?