



# NORTH CAROLINA

## State Board of Elections

Mailing Address:  
P.O. Box 27255  
Raleigh, NC 27611-7255

Phone: (919) 733-7173

**KIM WESTBROOK STRACH**  
Executive Director

### NUMBERED MEMO 2016-28

**TO:** County Boards of Elections  
**FROM:** Kim Westbrook Strach, Executive Director  
**RE:** Planning for a Statewide Recount  
**DATE:** December 2, 2016

In anticipation of a statewide recount, we want to make sure everyone is making preparations. *If* a statewide recount is scheduled it is likely that the recount would take place early next week. Counties should be guided by the following recount procedures:

### Preparation for the recount

Schedule recount and establish complete calendar of events. Recounts on optical scan machines will take approximately 4-6 seconds per ballot. This means that you should plan to scan 600 – 900 ballots per hour.

#### Sample Recount Schedule

Day 1	
7:30 am	Open recount room
8:00 am	Explain recount proceedings
8:15 am	Open Recount Polls
8:30 am	Ballot counting process
10:30 am	Break
10:45 am	Ballot counting process
12:45 pm	Lunch
1:15 pm	Ballot counting process
3:15 pm	Break
3:30 pm	Ballot counting process
5:30 pm	Dinner
6:00 pm	Ballot counting process
8:00 pm	Evening break
<b>10 counting hours</b>	

Day 2	
7:30 am	Open recount room
8:00 am	Ballot counting process
10:00 am	Break
10:15 pm	Ballot counting process
12:15 pm	Lunch
12:45 pm	Ballot counting process
2:45 pm	Break
3:00 pm	Ballot counting process
5:00 pm	Dinner
5:30 pm	Ballot counting process
7:30 pm	Evening break
7:45 pm	Ballot counting process
<b>12 counting hours</b>	

### Bi-Partisan Teams

The county board of elections shall arrange for 2-person bipartisan counting teams for each tabulator.

1. Tabulator Attendant – will feed ballots into tabulator
2. Tabulator Observer – will provide individual ballots to the ballot attendant

The county board of elections shall arrange for one person to manage the distribution of the voted ballots for each of the precincts that are subject to the recount. You may need extra persons to assist in case of emergencies.

## Location

- Space considerations (reserve facilities, if necessary)
- Arrangement of area
  - Area for media
  - Board viewing area
  - Area for ballot tabulation
  - Area for public observers
  - Plan for parking
  - Plan for security
  - [check AC – people + equipment makes for a hot room]

## Notice

- Prepare and publish notice of meeting
- We will provide a survey for you to provide your recount times and this information will be provided to any statewide candidates involved in the recount.
- Provide notice to at least the following:
  - Media - all outlets
  - Recount requestor (if you have a local recount request)
  - Recount designees (if you have a local recount request)
  - Apparent winner (if you have a local recount request)
  - Legal counsel
  - County party chairs
  - Other interested parties

## Organize Recount Materials

1. Voting Equipment
2. Media cards – for optical scan equipment, it is okay to use previous cards and USB media
3. Blank ballots – for ballots that may be damaged or cannot be tabulated
4. Additional paper rolls
5. Extension cords and power strips

## Advance Preparatory Steps

1. Perform basic equipment maintenance using recommendations of voting equipment vendor.
2. Prepare media cards. Ensure that the cards contain **new** batteries.
3. Ensure ballots remain secure until it is time for the recount.
4. Perform a basic ballot functions test to ensure machine is scanning ballots.
5. Arrange room
6. Post signage for observers regarding rules and behavior (no photo/video of ballots; do not disturb election staff, etc.)

7. Print copy of recount procedures for distribution at recount meeting.
8. Create a back-up copy of the ERM canvass data. This can be done by copying Unity's elecdata folder on the C Drive to the computer's desktop.

## Recount Proceedings

### Opening Procedures

1. Keep a log of attendees
2. Close the room when it reaches capacity
3. Give attendees a name badge
4. Review recount procedures with those in attendance.

### Preliminary Procedures

1. The bi-partisan team of officials shall take an oath.
2. The board of elections shall announce each precinct unit to be tallied before beginning the recount process for that precinct unit.
3. The county board of elections shall make a record of the number of the tamper evident seal, protective counter, or other device, if any, before opening any of the voting equipment. The bipartisan team shall examine the electronic voting equipment to determine that any other tamper evident seals are intact and match the log maintained by the board of elections. The team shall note on the Recount Audit Sheet any irregularities or possible tampering with the device.
4. The bi-partisan teams together shall complete an audit sheet to record the following:
  - a. Machine serial number
  - b. Precinct name or code
  - c. Voter history count
  - d. Bi-partisan team name
  - e. Date and time
5. A member of the bi-partisan team shall open the sealed ballot bag for the precinct. This shall be done in full view of elections officials and observers.
6. A member of the bi-partisan team shall remove ballots from the sealed bag in a quantity of 20 ballots at a time and place ballots on table. A team member must keep an accounting of each stack of 20 ballots that are removed from the ballot bag.
7. A member of the bi-partisan team may use an air spray can or give the ballots a gentle shake to remove any residue from the ballots.
8. The team shall open the ballot box and inspect all compartments to ensure the bin is empty.
9. A member of the bi-partisan team shall open the polls on the voting equipment.
10. Once the tape prints, the bi-partisan team shall inspect the results tape and confirm that there are **no** results on the tape. The team shall sign the zero tape.
11. The tabulator observer shall take the stack of ballots that have been placed on the table and hand a single ballot to the tabulator attendant one at a time.

### Counting Procedures

1. The tabulator attendant shall feed the ballots into the tabulator.
2. If a ballot cannot be tabulated, the ballot should be fed into the emergency bin on the tabulator. Before the ballot is placed into the emergency bin, the ballot attendant shall announce: "Damaged Ballot"

3. If any individual ballot is marked as a provisional ballot, the ballot shall not be fed into the tabulator, but instead shall be placed into the emergency bin. Before the ballot is placed into the emergency bin, the ballot attendant shall announce: "Provisional Ballot."
4. The bi-partisan team will continue to tabulate ballots removed from the sealed bag and have them fed into the tabulator throughout the counting process.
5. The counting process will be conducted in 2-hour intervals. After one hour, the team members shall reverse roles.
6. All counting teams must take a 15-minute break after each two hours of counting. It is recommended that teams will take at least a 30-minute meal break after the second counting period in the morning and afternoon.
7. At the end of each counting period, the ballot box will be opened by the tabulator attendant and the ballots will be bundled and sealed. The number of ballots sealed in the bag shall be recorded.
8. At the start of each counting period, at the one-hour role switch and at the end of each counting period, a bi-partisan team member shall record the number of ballots on the public count of each machine and the number of ballots that have been removed from the ballot bag.
9. Once all ballots have been removed from the ballot bag, the tabulator attendant shall open the emergency bin and remove any write-in ballots, damaged ballots or provisional ballots that were required to be entered into the bin. Each ballot type shall be handled as follows:
  - a. Write-in ballots - write-in ballots are not required to be recounted unless the number of write-in votes per contest changes.
  - b. Damaged ballots - Examine "kicked out" ballots to determine reason and show to Board Members for their determination as to voter intent. Per Board decision, rerun the ballots "kicked out" and then resume tabulation.
  - c. Provisional ballots – place ballot in envelope marked retrieved provisional

### Precinct Tabulation

1. Close the polls – Once the bi-partisan teams have completed their work, a member of the county board of elections or a county board staff member shall place the optical scan tabulator into post-election mode and generate a results tape for the reporting unit.
2. Once the tape prints, the bi-partisan team members shall sign the results tape.
3. In the presence of at least one member of the county board, a county board staff member shall compare the contest results on the results tape to the canvassed results in Unity for any contest that is being recounted.
4. Where variances exist between the canvassed results and the re-count results, use the manual entry process to edit the canvassed results for the recounted contests so that it matches the tape. Do not edit any contests that are not subject to a recount.
5. The county board shall print a block style canvass report and create a results ASCII file.
6. The ASCII shall be read into Election Reporting.
7. The county board of elections must compare the results on the Unity report to the totals in Election Reporting.

### Wrap-up

1. Replace all the voted ballots in the security containers in which they were stored and reseal the container.
2. The container shall be labeled with the precinct name and the bi-partisan team members shall sign the seal.
3. Have Board Members sign a seal to be placed on the ballot boxes/containers after results are obtained.

## Special Procedures for DRE Voting Equipment

### Preliminary Procedures

1. Insure that all flash cards from all iVotronic machines used in the election are accounted for and secure.
2. After backing up a copy of the ERM canvass data, clear all election results from ERM. (Be sure to include all sources of results data as well as the results itself.)
3. Collect all flash card data into ERM. (“Collect Audit Data” will place a “V(serial #).ebn” file for each voting machine in the “elecdata\election name” folder. If the “Import Compact Flash Audit Data” feature is used, the data will be placed in the “elecdata\election name\gngflash\adt” subfolder.)
4. Verify that there are .ebn files present for each flash card/iVotronic machine. (From the DOS prompt a list of files can be printed. This is useful documentation to work from and to have at the recount.)
5. For counties where DRE equipment was used, the Master PEBs are required to be preserved as they existed at the end of the November 8, 2016 election (SBE 2010-11). The Master PEBs must not be erased or overwritten in the recount. To conduct the recount, a supervisor PEB from each polling location or one-stop site should be used to collect the data from all of the terminals used at that location.

### Precinct Tabulation

1. The election official will demonstrate how the audit and vote data was retrieved from flash cards prior to the canvass.
2. The election official will show all observers the directory displaying the serial numbers for all equipment used in the election.
3. Announce the number of iVotronic machines used in the election and confirm that the flash card files match this number and that all serial numbers have been compared. (Having a printout of the ebn files is very useful.)
4. The election official will use the vendor software to re-tabulate the results from this audit and vote data and print out two result reports. Remove from the coded ballots, any ballots not to be counted.
5. Two bipartisan groups made up of one election official from each party will compare these results to the original election results by the process of one person calling out the numbers to the other who will verify that it is the same.
6. If ballots must be removed as determined ineligible during Canvass (disapproved provisional or unverified same-day-registrations), coded ballots must be processed according to instructions and ballots removed that are not to be counted.
7. Verify that the public count is correct, i.e., the same as at the Canvass.
8. Print results only for the contest(s) subject to the recount.
9. Compare the recount results with that of the Official Canvass. (This should be done in a transparent and bipartisan manner.)
10. If any differences are found between the original totals and the recounted totals, then the county board will follow the guidelines in 8 NCAC 09.0108.

### Public Observance

Any person may attend the recount. This includes the candidates, their representatives or legal counsel, media representatives, and any other interested persons. These persons may observe the counting process, but may not observe individual ballots. The bipartisan counting teams, members of the county

board staff or the county board members are the only persons who may handle and touch the ballots and other election materials.

The county board of elections shall exercise reasonable control over the conduct of the recount to assure that the bipartisan counting teams do not experience interference from any person observing the recount. All persons who are not under the supervision of the county board of elections are considered observers and are subject to the observer rules established by the North Carolina State Board of Elections. All observers shall wear badges or nametags identifying themselves and their role (candidate, media, etc.)

The county board of elections shall mark observer areas and ask that observers remain within those areas unless otherwise permitted by the board of elections. If there is not sufficient room for all observers to view the election materials, preference shall be given to candidates or their representatives. The use of video or still cameras inside the recount room is permitted, but it is not permissible to photograph or videotape an individual ballot and if it is not disruptive or interfere with the recount proceedings. The board of elections may enforce reasonable restrictions on items brought into the recount room such as telephones, food, or drink.

If any observer engages in disruptive behavior that in the opinion of the board of elections threatens the orderly conduct of the recount, the board of elections shall issue a warning and if the observer does not cease the offending conduct, order the observer's removal.