



## COALITION OF BAY AREA ELECTION OFFICIALS

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### **The Official Canvass (It's not over until it's over)**

After Election Day, why does it take so long for a county election office to certify the election? Counties have up to 28 days (30 days for statewide and local elections) to complete the official canvass of a federal election. There are many steps that must be completed, but in its essence, the purpose of the canvass accomplishes these critical tasks:

- To ensure that every eligible ballot is counted
- To ensure that voters only voted once
- To ensure proper procedures were followed on Election Day
- To ensure the vote tabulation system is properly counting ballots

#### **Ensuring every eligible ballot is counted**

Years ago, when the vast majority of voters voted at the polls on Election Day and there was little provisional voting, most ballots cast were tabulated at the election office after 8 PM. The final unofficial results closely resembled the final official results at the completion of the canvass since there were few ballots remaining to be counted.

Today, the vast majority of voters are voting by mail, especially since counties are required to send a ballot in the mail to every active registered voter. Voters submit their vote by mail (VBM) ballots at different times during the election (immediately after receiving them – up to 29 days before the election, the week before Election Day, mailing them up to and including Election Day, or dropping them off in person at a voting location on Election Day). While counties are allowed to begin processing VBM ballots as soon as they are received, there could still be a large number of VBM ballots to be processed during the canvass.

Processing VBM ballots takes quite a bit of time. Several steps occur, such as sorting, signature verification, extraction, and preparing them for counting, along with strict chain of custody and ballot accounting procedures. Recent legislation allows for VBM ballots to be postmarked on or before Election Day and received within seven days of the election. With these late incoming ballots, if voters failed to sign their return envelope or if their signatures do not compare to those on file, counties are now required to send letters to these voter allowing them the chance to “cure” their VBM ballot to be eligible to be counted.

VBM ballots tend to require duplication more than polling place ballots, since tears, coffee stains, stray marks, and handling by post office equipment can make ballots unreadable by the tabulation equipment. Duplicating ballots onto replacement ballots by teams of two takes time, especially with long ballots containing many contests. All of these efforts extend the work involved to complete the canvass. Counties try to maximize the use of technology to speed things up, such as high-speed envelope scanning and opening equipment, but in addition to the large capital outlay to purchase these expensive technologies, this requires additional staffing to run the equipment, for signature verification by human eyes, and ballot preparation (i.e. flattening the ballots) before counting.

Fairly recent legislation has enabled Conditional Voter Registration (CVR aka Same Day Registration) to allow citizens who missed the registration deadline to register and cast provisional ballots in person. These may be voters from a neighboring county who have just moved into a new county. As a result, processing CVR ballots requires ensuring that individuals did not vote in another county. This is accomplished with VoteCal, the statewide voter registration database that links up all fifty-eight counties' voter lists and vote history

(more about this later). Some say that late incoming VBM and Provisional ballots are not counted unless a contest is close. This is not true - every eligible ballot is counted, no matter the outcome of the election. We have the canvass to ensure that.

### **Ensuring that voters only voted once**

During the course of the canvass, voters are given credit (voting history) for having voted by mail or in person. In the rare instance that indicates a voter may have tried to vote twice, incidents are investigated. Often times, these are resolved when a voter signed the wrong line in the roster and voting credit was assigned to the wrong voter or a family member signed another member's VBM envelope and that voter is assigned voting credit, yet challenged since the signatures do not compare. In cases that truly indicate a voter may have tried to vote twice, they are reported to the local District Attorney's office and the Secretary of State Fraud Division for investigation and possible prosecution.

Remember VoteCal, that statewide voter registration database? Every state in the nation was required to establish a statewide voter registration database from the federal Help America Vote Act that was signed by President Bush as a result of the 2000 Presidential Election. California was the last state to establish their statewide database in 2016, and it has contributed greatly in facilitating online voter registration in conjunction with the Dept. of Motor Vehicles (DMV), eliminating many duplicate voter registration records between counties, efficiently processing death records, change of address information from the USPS and DMV, and felon records. It has also assisted in detecting voters who show voting more than once within the state (whether in person, VBM, provisionally, or CVR) and increased the number of investigations.

### **Ensuring proper procedures were followed on Election Day**

During the canvass, staff goes through all precinct supplies that come back from voting locations on Election Day to ensure that all eligible ballots are collected and processed. For instance, a box delivered to the warehouse during Election Night could contain ballots intended for the tabulation room. Ballot statements, logs, and notes from each voting location are collected and reviewed to ensure procedures were properly followed. Notes from call logs between election staff and poll workers are also reviewed to ensure that any issues on Election Day were resolved and to explain a possible discrepancy in the paperwork. As voters are given voting credit, the number of voters is reconciled to the number of ballots cast for each voting location. This is a critical step in ensuring that all ballots are accounted for each voting location.

### **Ensuring the vote tabulation system is properly counting ballots**

During the canvass, counties are required to perform audits of the ballot counting system, by performing a One Percent Manual Tally. This involves randomly selecting one percent of the precincts of ballots cast in person, as well as VBM ballots, then performing a manual hand tally of each set of ballots and comparing them to the machine count results. To ensure that every contest on the ballot is audited, election officials select other precincts and sets of VBM ballots to include the contests not tallied in the initial random selection.

A report on the results of the One Percent Manual Tally is required to be completed in the Certification of the Official Canvass of the Vote. This report identifies any discrepancies between the machine count and the manual tally and a description of how each of these discrepancies was resolved.

It should be noted that during pre-election activities, the tabulation system is subjected to rigorous Logic and Accuracy Testing with pre-marked test decks and expected outcomes to ensure the system is properly counting ballots. This is completed before any official ballots

are counted. In combination with the One Percent Manual Tally performed during the canvass, the ballot counting system is subjected to two audits before and after Election Day.

**Transparency: Our Offices are Open to the Public for Observation - Ask for a Tour!**

As are all activities related to an election, the canvass activities are open to the public for observation. Election observers are our connection to the public, since they can share their experience witnessing the meticulous steps election officials perform following Election Day to count all eligible ballots and complete the audit and validation checks before certifying the results of an election. Please contact your county elections office for more details on how to observe election activities.