

# The Board of Elections in the City of New York

# **Canvass/Recanvass Procedures**

# **Manual Canvass/Recanvass Section**

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## **CELL PHONES AND OTHER DEVICES**

NY State Law requires voting systems to exclude any device or functionality potentially capable of externally transmitting or receiving data via the Internet or any other wireless means. For that reason, NYSBOE Rules and Regulations require the Election Management Systems (EMS) to be on a closed network. A closed network is a standalone system that is used for a specific purpose and is not connected to any other internal or external network.

No device, software, or hardware other than EMS hardware is to be connected to, installed, or run on any part of the EMS without the approval of the State Board of Elections. The EMS includes Servers, Clients, Scanners, BMDs and any equipment used to canvass an election.

**DO NOT INSERT** laptops, tablets or cell phones, including those issued by the Board, or any **other non-EMS device into an EMS port**.

The following are acceptable for charging and operating mobile devices and tablets:

- ✓ Grounded outlets
- ✓ Surge protectors
- ✓ Portable power chargers
- ✓ Portable (cheese reel) with plugs; see image below



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# MANUAL CANVASS/RECANVASS OF PAPER BALLOTS

## NOTE: FOR RANK CHOICE VOTING, SEE RCV MANUAL CANVASS PROCEDURES

## PURPOSE AND REQUIREMENTS

The purpose of this section is to provide detailed procedures for the preliminary preparations of a manual canvass of paper ballots mandated by the Commissioners of the Board of Elections in the City of New York, and a manual recanvass of the results from paper ballots. It is important to note that the manual canvass may be required for several reasons, including a Recount for a contest that is too close to declare victory, or if the Election Management Systems (EMS) failed.

From their initial receipt at the borough facilities, all ballots and election materials are placed in secured storage. Senior Board officials representing each major political party in each borough have a key to one of the locks to the secured storage. Only this team of Board staff members can open the secured ballot storage area. This team also allocates the bipartisan Board staff necessary to conduct the paper ballot canvassing. When canvassing is complete, all ballots and related documentation are returned to secured storage.

A manual recanvass of all paper ballots for a given contest is only conducted if this criteria is met:

The margin of victory<sup>1</sup> is 20 votes or less; a <sup>1</sup>/<sub>2</sub> percent or less; or in a contest where one million or more ballots have been cast and the margin of victory is less than 5,000 votes. (EL 9-208 (4) (a), effective January 1, 2021).

<sup>&</sup>lt;sup>1</sup> The "margin of victory" shall mean the margin of victory for all votes cast for the entire contest. If a contest crosses outside of the jurisdiction of the Board of Elections in the City of New York, the margin of victory shall be determined by the state board of elections based on the most recent recanvass results for the contest submitted by the boards of elections of the counties involved. (EL 9-208 (4)(c), effective January 1, 2021)

## Manual Canvass/Recanvass of Paper Ballots Requirements

The Board follows this mandate from NYS Election Law Section 9-209 (8):

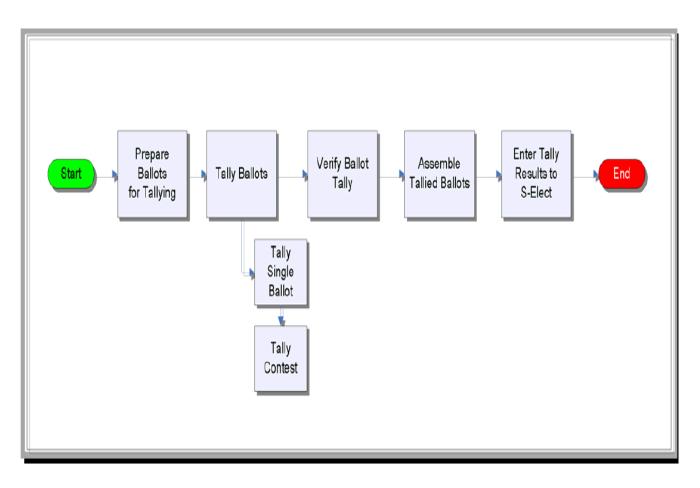
b. "At least five days prior to the time fixed for such meeting, the board shall send notice by first class mail to each candidate, political party, and independent body entitled to have had watchers present at the polls in any election district in the board's jurisdiction. Such notice shall state the time and place fixed by the board for such post-election review..

- c. Each such candidate, political party, and independent body shall be entitled to appoint such number of watchers to attend upon each central board of canvassers as the candidate, political party, or independent body was entitled to appoint at the election in any election district for which the central board of canvassers is designated to act."
- Prior to the day of the recanvass, Leads identify a large area suitable for canvassing paper ballots. Review Organizing Bipartisan Canvass Teams in the Overview and Pre-Canvass section of these procedures.
- Leads set up a sufficient number of Staging Tables, Tally Tables, Verification Tables, Completion Tables and S-Elect Tables to canvass the ballots. Ensure all needed supplies and forms are present.
  - Supplies needed:
    - ✓ Red Pencils
    - ✓ Calculators
    - ✓ Expanded Pocket Folders
    - ✓ Rubber Fingers
  - Forms and Worksheets needed:
    - ✓ Canvass Worksheets
    - ✓ ED Control Sheets
    - ✓ Manual Canvass Write-in Forms
    - ✓ Manual Canvass Spreadsheet for Final Results in S-Elect
    - ✓ Visitor Sign-in Sheets
- Each Table should be labeled as a Staging, Tally, Verification or Completion table so it is easily identified as is the task.
- Leads or Runners bring valid paper ballots to the Staging Tables in batches by AD. As ballots are processed at the Staging Table, Leads or Runners route ballots organized in ED order to the Tally Table, then the Verification Table, then Completion Table and ultimately the S-Elect Table for data entry.
- As ballots move from table to table, Board canvassers track the process on ED Control Sheets.
- After the election is certified, all election materials are archived for a period of two years.

# **ROLES AND RESPONSIBILITIES**

The areas of responsibility and roles for bipartisan Board staff are defined as follows:

Role	Responsibility
Senior Board Staff	<ul> <li>A team usually comprised of the Borough Chief and Deputy Chief responsible for access to the secured double-locked storage area for the ballots</li> <li>Issues are escalated to this team for approval or guidance, as needed</li> </ul>
	<ul> <li>Ensures staff are trained in the canvass procedures and allocates staff accordingly</li> </ul>
Leads	<ul> <li>Responsible for the oversight of the canvassing process and the adherence to the canvassing procedure and preliminary protocols, including maintaining the secured double-locked storage area</li> </ul>
Staging Clerks	<ul> <li>Responsible for canvassing and recanvassing the ballots</li> </ul>
Tally Clerks	<ul> <li>Responsible for canvassing and recanvassing the ballots</li> </ul>
Verification Clerks	<ul> <li>Responsible for auditing the canvass and resolving discrepancies</li> </ul>
Completion Clerks	<ul> <li>Responsible for compiling, organizing and preparing tallied ballots for data entry into S-Elect or the Final Results spreadsheet</li> </ul>
S-Elect Clerks	<ul> <li>Responsible for entering tally results into S-Elect or the Final Results spreadsheet</li> </ul>
Runners (Optional)	<ul> <li>Responsible for moving the ballots from one location to another</li> </ul>



## Manual Canvass/Recanvass of Paper Ballots Process Flow

## **Manual Canvass Assumptions**

- All Ballot Bin Liners are available to canvass.
- Bipartisan teams are readily available for each stage of the process.
- All essential supplies are available for use.

# PREPARE BALLOTS FOR MANUAL CANVASS

The following guidelines govern the mandated protocols to be followed by bipartisan Board staff prior to the start of the manual recanvass of Election Day paper ballots. Bipartisan teams of Staff assemble all ballots in one location. Candidates are entitled to appoint Watchers to be present during this process; **they may not touch the ballots**. A Poll Watcher Certificate is required for a Watcher to be seated at a table where ballots are being canvassed. Only one Watcher for a candidate is allowed at the table. All other Watchers must be seated elsewhere in the room; the location is at the discretion of the Chief and Deputy of that borough.

## Depending on the number of ballots, the preparation process could take five or more days.

- Step 1.Assemble all ballots for each poll site (Election Day, Unscanned Emergency, Absentee,<br/>Affidavit, Military, Special and Federal)
- Step 2. Election Day Ballots are removed from each Ballot Bin Liner
  - A. Sort Election Day Ballots by ED/AD using the ED to Style Report
    - i. Write the following in **RED INK** in the Official ballot box of each Election Day Ballot:
      - 1. ED/AD
      - 2. "P" for poll site ballot or "EAR" for early voting ballot
      - 3. The Ballot Bin Liner Scanner Unit Number
- Step 3. **For all other ballots kinds**, ensure that the following is written in **RED INK** in the Official ballot box of each ballot:
  - a. ED/AD
  - b. The letters for the ballot kind:
    - i. "ABS" for Absentee"A" Affidavit"S" Special"F" Federal or Presidential
    - ii. "E" for Emergency
- Step 4. Place all ballots from an ED/AD into an expanded pocket file folder. [Cut the right side pockets, if needed, so the ballots lay flat.]
- a. This includes all ballots kinds (Absentee, Election Day, Early Voting, etc.) Step 5. Mark each expanded pocket file folder with its ED/AD.
- Step 6.Put each marked folder in a file box properly labeled for that Assembly District (AD).Use as many folders, bins, and boxes as necessary for each AD.

## How to Tally a Ballot Contest

Tally Clerks:

- Use the Manual Canvass Worksheet to review a single ballot and tally each contest separately.
   See sample of a Completed Manual Canvass Worksheet in the Forms section.
- Before tallying any votes, determine the maximum number of votes allowed for the contest by looking at the voting instructions for that contest. Note the number of votes allowed for each contest to know the number of votes that are possible in every contest ("Vote for").
  - $\circ$  If there is only one vote allowed, the maximum number of valid votes is one (1).
  - If there is a vote for "three" in the instructions, the maximum number of valid votes allowed is three (equal to the number given in the "vote for" instructions).
- Write one tick mark on the Canvass Worksheet for each vote cast on a ballot.
  - Tick marks are shown in groups of four.
  - $\circ~$  The fifth vote is shown with a diagonal line drawn across the four tick marks already written for a candidate.
  - $\circ$  It should look similar to this:
- Blank or Void Ballots without an Objection
  - Any blank or void ballot that is not being objected should have the respective words written in red ink on the back by the Clerks: "Wholly Blank" or "Void" across the side of the ballot that has the manually counted contest. The tally for the contest is an Undervote for a blank contest and Void for a void ballot.
- Objected Ballots or Votes NY\_EL 9-114
  - If there is an objection to a ballot or vote on a ballot, follow these steps:
    - Before canvassing any other ballot or vote on the objected ballot, rule on the objection.
    - If there is an objection to the ruling, the Clerks are to write in **RED INK** in a clear section of the ballot, the ruling and the objection.
    - Maintain a written count of all the objected ballots for each ED/AD.

#### Examples:

Rulings	Counted Void
	Counted Vote for Washington
	Counted Vote for Lincoln
	Counted Vote for Proposal #1
	Counted Vote against Proposal #1
Objections	Candidate lawyer for (Lincoln) Objected to marks on the ballot
	Candidate lawyer for (Washington) Objected to ink color used

SINCE THE RULES FOR TALLYING VOTES CAST ARE DRASTICALLY DIFFERENT WHEN THERE IS ONLY ONE VOTE EXPECTED, THE FOLLOWING SECTION IS BROKEN INTO TWO DISTINCT SETS OF RULES:

- 1. Contests with a "VOTE FOR ONE" and;
- 2. Contests with a vote for more than one "VOTE FOR THREE"

See the **Manual Tally Quick Reference Guide** on the following pages for scenarios on how to tally votes in a contest. All contests can have write-in votes, so they are referenced in all scenarios. **For more details on write-ins, see**:

Established Write-in Rules within these Canvass Procedures.

## 1. VOTE FOR ONE

Step 1. Look at the votes cast for the contest including marked ovals and write-ins. If there is more than one vote cast:

- Check for any cross-endorsements (multiple votes for the same candidate name listed for the ballot contest in more than one party).
  - If there is no cross-endorsement and the voter did not write-in the name of candidate in the contest, the entire contest is an overvote.
  - The only time there can be more than one vote cast in a "vote for one" contest is with a cross-endorsed candidate or the voter wrote in the name of a candidate in the contest.
- Tick off one overvote for this contest in the "Overvote" column of the Canvass Worksheet. When the entire contest is VOID, the number of overvotes will equal the total number of votes allowed for that contest.

## IMPORTANT

When an entire contest is VOID, the total number of overvotes DOES NOT equal the number of votes cast on the ballot. It must equal the number of possible valid votes for the contest. **Example**:

If the contest is "Vote for One (1)" and two (2) votes were cast, the total number of overvotes to mark on the Canvass Worksheet is one (1). One is the maximum number of votes allowed to be cast for this contest.

• If there is a valid cross-endorsement marked on the ballot, tick off a single vote for the cross-endorsed candidate on the Canvass Worksheet for the left-most party that was voted on the ballot.

#### **Example:**

- If the candidate was endorsed in Party A and Party C, and Party A is the left-most party on the ballot, the vote is ticked off on the Canvass
   Worksheet for the candidate in Party A. The vote counts for Party A.
- Step 2. If there is only one vote cast for the contest:
  - Check the ballot for write-in votes. If there is a write-in vote and the voted write-in candidate name exactly matches a candidate name already listed on the ballot for the same contest, then the vote for that contest is valid and the vote goes to the left most party for that candidate.. Tick off one vote for the candidate for this contest on Canvass Worksheet.
  - If there were no write-in votes or the write-in candidate name does not match a candidate name already listed on the ballot for the same contest, the vote is valid. Tick off a vote for the candidate on the Canvass Worksheet in the column for the appropriate candidate.
    - For a valid write-in vote, tick off a mark for "Write-in" on the Canvass Worksheet and fill out a **Manual Canvass Write-in Form**.
- Step 3. If there are no votes cast for the contest:
  - The vote for that contest is an undervote. Tick off one undervote for this contest in the "Undervote" column of the Canvass Worksheet.

## 2. VOTE FOR MORE THAN ONE

- Step 1. Look at the votes cast for the contest including marked ovals and write-ins. If there are more votes cast than the number of valid votes allowed:
  - Check for any cross-endorsements (multiple votes for the same candidate endorsed in multiple parties) or write-ins for a candidate in the contest. If there are none, then the votes for that entire contest are overvotes because the only time there can be more votes cast than the number of valid votes is when a candidate is crossendorsed.
    - Tick off the total number of overvotes for this contest in the "Overvote" column on the Canvass Worksheet.

When the contest is overvoted, the number of overvotes will equal the total

## **IMPORTANT:**

When a contest is Overvoted, the total number of overvotes DOES NOT equal the number of votes cast on the ballot. It must equal the number of valid votes allowed for the contest. An overvote voids that contest only and is listed as an overvote on the Canvass Worksheet.

## Example:

If the contest is "Vote for 3" and four (4) votes were cast, the total number of overvotes to mark on the Canvass Worksheet is three (3), because the maximum number of votes allowed to be cast for this contest is three.

- If there are valid cross-endorsements marked on the ballot, a single vote for each cross-endorsed candidate is assigned to the left-most party that was voted on the ballot.
- Before ticking off any votes on the Canvass Worksheet, first take into account the reduction in votes cast due to cross-endorsements.
  - After this reduction of the total number of votes cast, if the total votes cast is equal to or less than the number of valid votes allowed, then tick off all valid votes for candidates on the Canvass Worksheet for the contest.
  - After this reduction of the total number of votes cast, if there are less votes cast than the maximum number of valid votes allowed, tick off the valid votes for candidates on the ballot. For the remaining number of votes allowed, tick them off in the "Undervote" column of the Canvass Worksheet.
  - After this reduction of the total number of votes cast, there are still more votes cast than the maximum number of valid votes allowed, the entire contest is an overvote. Tick off the total number of overvotes for this contest in the "Overvote" column on the Canvass Worksheet. See "IMPORTANT" note above.
- For any valid write-in votes, tick off a mark for "Write-in" on the Canvass Worksheet and fill out a Write-in Form.

- Step 2. If the number of votes cast for the contest is equal to the maximum number of valid votes allowed in the contest:
  - First, check for any cross-endorsements or write-ins. If there are none, then all votes cast for that contest are valid.
    - Tick off a vote for each candidate on the Canvass Worksheet in the column for the appropriate candidate.
  - If there is a write-in vote for the contest and the voted write-in candidate name exactly matches a candidate name already listed on the ballot for the same contest, then the vote for candidate is valid.
    - Tick off a vote for the candidate on the Canvass Worksheet on the left most party for that candidate.
    - 0
  - If there were no write-in votes or the write-in candidate name does not match a candidate name already listed on the ballot for the same contest, check for any cross-endorsements (multiple votes for the same candidate endorsed in multiple parties).
    - For valid cross-endorsements marked on the ballot, a single vote for each cross-endorsed candidate is assigned to the left-most party that was voted on the ballot.
  - Before ticking off any votes on the Canvass Worksheet, first take into account the reduction in votes cast due to cross-endorsements.
    - After this reduction of the total number of votes cast, if the total votes cast are equal to or less than the maximum number of valid votes allowed, tick off the valid votes for candidates on the ballot and tick off the number of undervotes in the "Undervote" column of the Canvass Worksheet for this contest.
    - After this reduction of the total number of votes cast, there are less votes cast than the maximum number of valid votes allowed, tick off the valid votes for candidates on the ballot and tick off the number of undervotes in the "Undervote" column of the Canvass Worksheet.
  - For any valid write-in votes, tick off a mark for "Write-in" on the Canvass Worksheet and fill out a Write-in Form.
- Step 3. If the number of votes cast for the contest is less than the maximum number of valid votes allowed in the contest:
  - First, check for any cross-endorsements or write-ins. If there are none, then all votes cast for that contest are valid.

- Tick off a vote for each candidate on the Canvass Worksheet in the column for the appropriate candidate.
- Tick off the number of undervotes for this contest in the "Undervote" column of the Canvass Worksheet. For example:

If the contest is a "Vote for Three (3)" and there were only two (2) votes cast, two (2) votes would be ticked off for the appropriate candidates and one (1) undervote would be ticked off in the "Undervote" column on the Canvass Worksheet.

- If there is a write-in vote for the contest and the voted write-in candidate name exactly matches a candidate name already listed on the ballot for the same contest, then the vote for candidate is valid.
  - Tick off a vote for the candidate on the Canvass Worksheet on the left most party for that candidate.
- If there were no write-in votes or the write-in candidate name does not match a candidate name already listed on the ballot for the same contest, check for any cross-endorsements (multiple votes for the same candidate endorsed in multiple parties).
  - If there are valid cross-endorsements marked on the ballot, a single vote for each cross-endorsed candidate is assigned to the left-most party that was voted on the ballot.
- Before ticking off any votes on the Canvass Worksheet, first take into account the reduction in votes cast due to cross-endorsements.
  - After this reduction of the total number of votes cast, if the total votes cast is equal to the number of expected valid votes, tick off all valid votes for candidates on the Canvass Worksheet for the contest.
  - After this reduction of the total number of votes cast, there are less votes cast than the maximum number of valid votes allowed, tick off the valid votes for candidates on the ballot.
    - For the remaining number of votes allowed, tick them off in the "Undervote" column of the Canvass Worksheet.
- For any valid write-in votes, tick off a mark for "Write-in" on the Canvass Worksheet and fill out a Write-in Form.

# MANUAL TALLY QUICK REFERENCE GUIDE

## **VOTE FOR ONE SCENARIOS**

## MORE VOTES CAST THAN NUMBER OF VALID VOTES ALLOWED

## SCENARIO: CROSS-ENDORSEMENT

Result: Valid Cross-Endorsement, a single vote for the cross-endorsed candidate is ticked off on the Canvass Worksheet for left-most party that was voted on the ballot. Vote counts under the DEM party.

Contact Name	DEM	REP	IND	Write-In
Contest Name	X Candidate A	Candidate B	X Candidate A	

# SCENARIO: VOTES FOR MORE THAN ONE CANDIDATE Result: Overvote. In the "Overvote" column on the Canvass Worksheet, tick off one (1) overvote for this contest. The contest is void. DEM REP IND Write-In Contest Name X Candidate A X Candidate B X Candidate C

# SCENARIO: WRITE-IN VOTE FOR A CANDIDATE NAME ALREADY LISTED ON THE BALLOT

#### Result: Valid: Vote will go to the left most party.

	DEM	REP	IND	Write-In
Contest Name	X Candidate A	Candidate B	Candidate C	X Candidate A

## EQUAL NUMBER OF VOTES CAST TO NUMBER OF VALID VOTES ALLOWED

## SCENARIO: ONE VOTE CAST

Result: **Valid Vote**. Tick off a vote for the candidate on the Canvass Worksheet in the column for the appropriate candidate. **Vote counts for Candidate A**.

Contest Name	DEM	REP	IND	Write-In
	X Candidate A	Candidate B	Candidate C	

LESS VOTES CAST THAN NUMBER OF VALID VOTES ALLOWED								
SCENARIO: NO	SCENARIO: NO VOTES CAST IN A "VOTE FOR ONE" CONTEST							
	Result: <b>Undervote</b> . In the "Undervote" column on the Canvass Worksheet, tick off one undervote for this contest. <b>No candidate for this contest receives a vote.</b>							
DEM REP IND Write-In								
	ontest Name Candidate A Candidate B Candidate C							

## **VOTE FOR "MORE THAN ONE" SCENARIOS**

All scenarios below are "VOTE FOR THREE"

## MORE VOTES CAST THAN NUMBER OF VALID VOTES ALLOWED

## SCENARIO: VOTES CAST FOR MORE THAN THREE (3) CANDIDATES

Result: Overvote. In the "Overvote" column on the Canvass Worksheet, tick off three (3) overvotes for this contest. The contest is void.

	DEM	REP	IND	CONS	WFP	Write-In
Contest Name	X Candidate A	Candidate B	X Candidate C	Candidate D	Candidate E	
	Candidate F	X Candidate G	Candidate H	Candidate I	Candidate J	
	X Candidate K	Candidate L	Candidate M	Candidate N	Candidate O	

# SCENARIO: WRITE-IN VOTE FOR CANDIDATE NAME ALREADY ON THE BALLOT

**Result:** 

Vote cast is valid. Tick off a vote for each candidate on the Canvass Worksheet

in the column for the appropriate candidate. Candidates A receives a vote. Do not record the write-in vote.

	DEM	REP	IND	CONS	WFP	Write-In
Contest Name	X Candidate A	Candidate B	Candidate C	Candidate D	Candidate E	X Candidate A
	X Candidate F	Candidate G	Candidate H	Candidate I	Candidate J	
	X Candidate K	Candidate L	Candidate M	Candidate N	Candidate O	

## EQUAL NUMBER OF VOTES CAST TO NUMBER OF VALID VOTES ALLOWED

## SCENARIO: THREE (3) VOTES CAST FOR THREE (3) DIFFERENT CANDIDATES

Result: All votes cast are valid. Tick off a vote for each candidate on the Canvass Worksheet in the column for the appropriate candidate. Candidates B, G, and L receive a vote.

	DEM	REP	IND	CONS	WFP	Write-In
Contest Name	Candidate A	X Candidate B	Candidate C	Candidate D	Candidate E	
	Candidate F	X Candidate G	Candidate H	Candidate I	Candidate J	
	Candidate K	X Candidate L	Candidate M	Candidate N	Candidate O	

# SCENARIO: THREE (3) VOTES CAST, ONE OF WHICH IS A WRITE-IN VOTE FOR A CANDIDATE NAME ALREADY ON THE BALLOT

Result:

Votes cast are valid. Tick off a vote for each candidate on the Canvass Worksheet

in the column for the appropriate candidate. Candidates B and G receives a votes. Do not record the write-in vote.

	DEM	REP	IND	CONS	WFP	Write-In
Contest Name	Candidate A	X Candidate B	Candidate C	Candidate D	Candidate E	X Candidate B
	Candidate F	X Candidate G	Candidate H	Candidate I	Candidate J	
	Candidate K	X Candidate L	Candidate M	Candidate N	Candidate O	

# SCENARIO: THREE (3) VOTES CAST, ONE OF WHICH IS A WRITE-IN VOTE FOR A CANDIDATE NAME <u>NOT</u> ALREADY ON THE BALLOT

Result: All votes cast are valid. Tick off a vote for each candidate on the Canvass Worksheet in the column for the appropriate candidate. Tick off a vote in the write-in column for the contest. Complete a Write-in Form for the write-in vote.
Candidates B, G, and Z receive a vote.

	DEM	REP	IND	CONS	WFP	Write-In
Contest Name	Candidate A	X Candidate B	Candidate C	Candidate D	Candidate E	X Candidate Z
	Candidate F	X Candidate G	Candidate H	Candidate I	Candidate J	
	Candidate K	X Candidate L	Candidate M	Candidate N	Candidate O	

## **LESS** VOTES CAST than NUMBER OF VALID VOTES ALLOWED

## SCENARIO: ONLY TWO (2) VOTES CAST FOR THE CONTEST

Result: **Undervote and valid votes**. Valid votes are ticked off for the voted candidates on the Canvass Worksheet. In the "Undervote" column, tick off one (1) undervote for this contest. **Candidates C and H receive a vote.** 

	DEM	REP	IND	CONS	WFP	Write-In
Contest Name	Candidate A	Candidate B	X Candidate C	Candidate D	Candidate E	
	Candidate F	Candidate G	X Candidate H	Candidate I	Candidate J	
	Candidate K	Candidate L	Candidate M	Candidate N	Candidate O	

# SCENARIO: ONLY TWO (2) VOTES CAST FOR THE CONTEST, ONE OF WHICH IS A WRITE-IN VOTE FOR A CANDIDATE NAME ALREADY ON THE BALLOT

Result:

Votes cast are valid. Tick off a vote for each candidate on the Canvass Worksheet in the column for the appropriate candidate. Candidates C and N receives a votes. Do not record the write-in vote.

	DEM	REP	IND	CONS	WFP	Write-In
Contest Name	Candidate A	Candidate B	X Candidate C	Candidate D	Candidate E	X Candidate C
	Candidate F	Candidate G	Candidate H	Candidate I	Candidate J	
	Candidate K	Candidate L	Candidate M	Candidate N	Candidate O	

# **VOTER INTENT SCENARIOS**

## **VOTE FOR ONE**

MORE VOTES CAST THAN NUMBER OF VALID VOTES ALLOWED

SCENARIO: Candidate name bubbled and Write-In bubbled without a name written-in

Result: Valid vote for the **Candidate A** because it shows voter intent.

Contact Name	DEM	REP	IND	Write-In
Contest Name	• Candidate A	• Candidate B	• Candidate C	• [Oval filled with no name listed in Write-In]

## **VOTE FOR ONE**

## MORE VOTES CAST THAN NUMBER OF VALID VOTES ALLOWED

## SCENARIO: Official Candidate name for contest bubbled and written in the WRITE-IN field.

Result: Vote cast is valid. Tick off a vote candidate on the Canvass Worksheet in the column for the appropriate candidate. Candidates A receives a vote. Do not record the write-in vote.

Candid	late A does not re	ceive the vote.		
Contract Name	DEM	REP	IND	Write-In
Contest Name	• Candidate A	o Candidate B	o Candidate C	• Candidate A [Oval filled with candidate name from contest listed in Write-In field]

## **VOTE FOR ONE**

## STRAY MARK ON THE BALLOT

SCENARIO: Candidate name bubbled and a stray mark such as a smudge or extraneous pen mark appears anywhere on the ballot.

Result: Valid vote for the candidate marked. According to NY Election Law, unintentional or irregular marks on the ballot are not a basis for voiding the ballot. 8-410, 8-302(3)(e)(ii). Candidate C receives the vote.

Contest Nome	DEM	REP	IND	Write-In
Contest Name	o Candidate A	o Candidate B	• Candidate C 	0

## **VOTE FOR ONE**

## **INTENTIONAL MARK** ON THE BALLOT

# SCENARIO: Candidate name bubbled and initials, a picture, address, or a mark on the ballot that may identify the voter

Result: **Invalid vote for the candidate marked.** Intentional or identifiable marks on the ballot are a basis for voiding the ballot. **The ballot is Void.** 

	DEM	REP	IND	Write-In
Contest Name	o Candidate A	o Candidate B	• Candidate C	0
			RMB	

## **VOTE FOR ONE**

#### TWO KINDS OF INK USED TO MARK THE BALLOT

SCENARIO: Candidate name bubbled in blue ink for a contest and black ink used to bubble a candidate name for a different contest on the same ballot.

Result: May or May not be a Valid vote for the candidates marked.

	DEM	REP	IND	Write-In
Contest Name	• Candidate A	o Candidate B	• Candidate C	0

## **CAPTURING WRITE-IN VOTES**

- Step 1. When a write-in vote is found, follow the **Established Write-in Rules** to ensure the vote is valid for the contest.
- Step 2. If the voted write-in candidate name matches a candidate name already listed on the ballot for the same contest, the write-in vote is **not** valid. The write-in vote is **not** recorded on the Write-in Form and is **not** entered into S-Elect.
- **NOTE:** For a federal or military ballot from a federal or military voter, if the write-in name matches a candidate name already on the ballot, the vote is assigned to the candidate name in the left-most party.
- Step 3. If the voted write-in candidate name closely resembles a candidate name already listed on the ballot for the same contest, but does not exactly match, it will be considered temporarily valid and a Write-in Form is filled out for this candidate. A final determination of whether the write-in vote is valid is made when the normalization of names occurs at S-Elect entry.
- Step 4. If the voted write-in candidate name does not match a candidate name already listed on the ballot for the same contest, and there are not more votes cast than the maximum number of votes allowed for the contest, the write-in vote is valid.
- NOTE: To determine the maximum number of valid votes in the contest, look at the voting instructions.
  If there is only one vote allowed, the maximum number of valid votes for the contest is one (1).
  If the contest is a "vote for three," the maximum number of valid votes is three.
  The maximum number of valid votes will always match the "vote for" number given in the instructions.
- Step 5. For any write-in names that are valid, record the ED/AD, ballot kind, party, office, and write-in name on the Write-in form. Record the name exactly as it appears on the ballot on a new Write-in Form. Decisions regarding the normalization of names will be made later in the process by Board staff who enter the write-in names into **S-Elect**.

## STAGING TABLE (Prepare Ballots for Tallying)

Each borough facility receives the paper ballots and stores them in a secured storage area before and after the canvass/recanvass, as mandated by New York State Election Law. Leads prepare all ballots for manual canvassing at the Staging Tables. The Staging Tables may have a bipartisan team of Runners to retrieve the ballots from the secured double-locked storage area, and to bring them to the appropriate table in the room designated for canvassing.

## Prepare untallied ballots for canvassing as follows:

- Step 1.Runners or Leads retrieve a single AD of ballots from secured double-locked storage<br/>and bring them to the Staging Table. A single AD consists of a group of ballots<br/>organized by Election District (ED).
- Step 2. Staging Clerks check every ballot within the AD to ensure it is from the proper ED/AD combination. As each ballot is checked, note if the ballot is not from the correct ED/AD combination, is mislabeled, or not labeled at all with its ED/AD, ballot kind, or scanner unit number. If any of these details are missing, notify the Leads who will confirm and instruct the Clerks to write the information in the Official ballot box, in **RED INK**.
- Step 3. Assign a Control Sheet to each ED and complete the top portion of the ED Control
   Sheet for Paper Ballots. The ED Control Sheet is used as an indication of how many ballots are expected at each step, and will help determine if any ballots are missing.
- Step 4. For manageability, sort the ballots into batches of 10, 25, 50, or 100. Next, count the total number of ballots. Use a calculator if needed to confirm the count.
- Step 5. After confirming the count, record that number in Column 2 of the ED Control Sheet.
- Step 6.In Column 6, check off the form you are sending to the Tally Clerks. Next, Runners<br/>bring the first staged ED of ballots to the Tally Table with the ED Control Sheet.
- Step 7. As Staging Clerks continue to process EDs within the same AD, prepare each ED in the same manner and ensure all subsequent EDs have a completed ED Control Sheet on top of the batch of ballots.

When the Tally Clerks have completed tallying an ED and are ready for another batch of ballots, bring them the next ED for that AD. Maintain a record of which ED/ADs are in-progress and which ED/ADs have been completed.

## TALLY TABLE (Manual Ballot Tally)

## Tally Clerks are provided with Canvass Worksheets for the EDs they are manually canvassing.

When the ballots and ED Control Sheet are received from the Staging Table, the Tally Clerks will conduct the manual canvass of the ballots. They will tally each ballot and vote cast according to New York State Election Law, section 9 rules and the New York State Board of Elections Rules and Regulations sections 6210.13 and 6210.15. When an ED is completed, the tallied ballots for that ED are forwarded to the Verification Clerks along with the appropriate ED/AD Folder, ED Control Sheet, Canvass Worksheet, Manual Canvass Write-in Forms and voided ballots, if any.

## If the manual count is for a close race, the tally is for the specific contest requiring the recount. Mark the tally sheet for each vote cast according to New York State Election Law and voter intent. When in doubt, contact the Leads, EVS or a Board lawyer for assistance.

## Tally Paper Ballots for an Election District (ED)

- Step 1. Tally the ballots for an ED as follows:
  - For manageability, sort the ballots into batches of 10, 25, 50, or 100 to count the number of ballots received from the Staging Table.
  - Record the number of ballots in Column 7 of the ED Control Sheet.
  - Compare this number to the number in Column 2 of the ED Control Sheet.
  - If the numbers do not match, count the ballots a second time and compare the total number of ballots to the number in Column 2 again. Use a calculator, if needed.
  - If there is still a discrepancy, notify the Leads.
- Step 2. After confirming the correct ballot count, begin the tally. The Tally Team counts all races and questions in one batch of ballots at a time.
- Step 3. Once all ballots from a single ED are tallied, record the number of ballots being sent to the Verification Table in Column 10 of the Control Sheet.
- Step 4.In Column 14, check off the forms being sent to the Verification Table.Each Clerk must sign the Control Sheet in the field for their party [Dem or Rep]before passing any materials off to the next table.
- Step 5. Hand off the ballots to the Verification Clerks with the ED Control Sheet, Canvass Worksheet, Write-in Forms and any voided ballots.

## TALLY SINGLE BALLOT

If Watchers are present, display the ballot and allow the Watchers to view the ballot. **They must not touch any ballots.** If the Watchers challenge the ballot, immediately notify the Leads. Tally each ballot as follows:

- Step 1. Look at the ballot and determine if there are any intentional distinguishing marks. This includes anything that would identify a ballot to a voter, such as:
  - Voter signature or initials
    - Any distinct text or symbols that would identify the ballot to the voter Marks not considered intentional are:
    - Dots where the voter may have left the pen unintentionally
    - A smudge
- Step 2. If there are intentional distinguishing marks on the ballot, void the ballot. Write **"VOID**" across the ballot side that has the contest listed. For each contest or proposal, write a tick mark on the Canvass Worksheet in the column for **Void** for the expected number of votes for that contest or proposal

Example:

If the contest is vote for one (1), tick one mark for Void on the Canvass Worksheet for that contest.

If the contest is "vote for three (3), tick three marks for Void on the Canvass Worksheet for that contest.

Step 3. Determine if the voter submitted a blank ballot. Any ballot with no votes cast for any contest or proposal is a blank ballot. Write "Wholly Blank" across the ballot side that has the contest listed. For each contest or proposal, write a tick mark on the Canvass Worksheet in the column for Undervote for the expected number of votes for that contest or proposal.

## .Example:

If the contest is vote for one (1), tick one mark for Undervote on the Canvass Worksheet for that contest.

If the contest is "vote for three (3), tick three marks for Undervotes on the Canvass Worksheet for that contest.

Determine if the voter overvoted each contest being manually canvassed. Any ballot with excess votes cast for any contest or proposal. For each contest or proposal that the voter cast an excess number of votes, write a tick mark on the Canvass Worksheet in the column for **Overvote** for the expected number of votes for that contest or proposal.

#### .Example:

If the contest is vote for one (1), tick one mark for Overvote on the Canvass Worksheet for that contest.

If the contest is "vote for three (3), tick three marks for Overvote on the Canvass Worksheet for that contest.

- Step 4. If the ballot is not void or blank, or the contest is not overvoted, start tallying the first contest listed on the ballot or just the contest that is being counted manually.
- Step 5. Tally each contest and proposal on the ballot until all contests and proposals are tallied.
- Step 6. When all contests and proposals on the ballot have been tallied, place the ballot in a stack of "Tallied" ballots.
- Step 7. Continue with the next ballot. Take a ballot from the stack of remaining untallied ballots and follow all the same steps shown above.

## **VERIFICATION TABLE** (Manual Ballot Tally Reconciliation)

Once all ballots from a single ED are tallied, Tally Clerks send the ballots for that ED along with the ED Control Sheet and Canvass Worksheet to the Verification Table. Verification Clerks tally the ballots again and verify the totals against the totals on the ED Control Sheet and Canvass Worksheet for accuracy, ED by ED.

Using this section, including the **MANUAL TALLY QUICK REFERENCE GUIDE** to tally ballots, Verification Clerks complete a second review of the ballots from each ED. As they complete an ED, they forward it to the Completion Table.

Step 1. Tally the ballots for an ED as follows:

- For manageability, sort the ballots into batches of 10, 25, 50, or 100 to count the number of ballots received from the Staging Table.
- Record the number of ballots in Column 15 of the ED Control Sheet.
- Compare this number to the number in Column 10 of the ED Control Sheet.
- If the numbers do not match, count the ballots a second time and compare the total number of ballots to the number in Column 10 again. Use a calculator, if needed.

Manual Canvass

Bipartisan teams are to be used for all tasks Page 27 of 39

- If there is still a discrepancy, notify the Leads.
- Step 2. If the total number of ballots received matches the number shown on the ED Control Sheet, tally all ballots from the ED.
- Step 3. Once the second review of all ballots in the ED is complete, compare the total tallies for each contest. Note any discrepancies between the original tally and the verification tally. Notify the Leads of any discrepancies and the Leads will work on a resolution.
- Step 4. Once all contests have been verified and all totals match between the original tally and the verification tally, look at the Canvass Worksheet and add up the tick mark totals for each contest on the ballot. Compare this total to the expected number of votes. These two numbers should be the same.

**PLEASE NOTE:** The expected number of votes is equal to the number of valid ballots cast, multiplied by the number of valid votes per ballot (determined in the "Tally Contest" process). No individual candidate can have more votes than ballots cast.

**EXAMPLE:** If there are a total of 1,500 valid ballots, and 10 valid votes per ballot, the total number of expected valid votes would equal 15,000. This is why every vote cast is tracked, including undervotes, overvotes, and write-ins.

- Step 5. If there are more (or less) tick marks on the Canvass Worksheet than expected valid votes, notify the Leads.
- Step 6. If the number of total tick marks counted is equal to the number of valid expected votes, record the number of ballots to be sent to the Completion Table in Column 18 of the Verification Table section of the ED Control Sheet. Then in Column 22, check off the forms that will be sent to the Completion Table. Send the verified ballots, Canvass Worksheet, ED Control Sheet, and Write-in Form to the Completion Table.

## **COMPLETION TABLE** (Assembly of the Tallied Ballots)

Completion Clerks receive all ballots from the Verification Table. They assemble the Canvass Worksheets and Manual Canvass Write-in Forms to prepare sending them to the S-Elect Table. Ballots are held at this table in batches until the data from the Canvass Worksheets and Manual Canvass Write-in Forms are entered into the Final Results Spreadsheet or S-Elect.

Once the final results are entered, the documents are returned to **Completion Table 1** or to a separate table labeled **Completion Table 2**. Depending on the workflow and amount of staff available for this task, **Completion Table 1** may become **Completion Table2** as needed.

Completion Clerks reassemble the Canvass Worksheets and Manual Canvass Write-in Forms with the corresponding ballot batches. Next, Completion Clerks package and prepare the ballots with all related material to place in secured double-locked storage. All paper ballots and election materials are archived for two years.

- Step 1.When a verified ED is received, count the number of ballots. Enter the total in Column<br/>23 and compare the number to amount shown on the ED Control Sheet in Column 18.
- Step 2. If the numbers do not match, notify the Leads immediately. Leads will check with the appropriate Verification Clerks to find out if any ballots were misplaced prior to arriving at the Completion Table.
- Step 3. Until the last ED of the AD arrives, consolidate all materials from the ED with any other EDs from that AD. Transcribe the totals from the ED Control Sheet on to the master AD Control Sheet for review once the final ED arrives.
- Step 4. Once the last ED arrives, check the AD Control Sheet for the total number of expected EDs and ballots. If the correct number of EDs and ballot counts match, continue on to the next step. **If the numbers do not match, notify the Leads**.
- Step 5. After the ED is validated against the Control Sheet, send the Canvass Worksheet and any Manual Canvass Write-in Forms to the S-Elect Table for system entry. Fill out the "Completion Table 1" section on the Manual Canvass Control Sheet. Keep the paper ballots at the Completion Table in ED batches until the S-Elect Table returns the documentation. Each ballot ED batch has the accompanying ED Control Sheet.
- Step 6.When the Canvass Worksheets and Manual Canvass Write-in Forms are returned from<br/>the S-Elect Table, reassemble the ballot batches with the corresponding documentation.<br/>Fill out the "Completion Table 2" section on the Manual Canvass Control Sheet.
- Step 7. Package and send all materials (voted ballots, unused ballots, ED Control Sheets, Canvass Worksheets, etc.) to secured double-locked storage.

## S-ELECT TABLE (Enter Final Results)

S-Elect Clerks receive the Completed ED Control Sheets, Canvass Worksheets and Manual Canvass Write-In Forms, by ED, from the Completion Table. S-Elect Clerks enter the data into the Board's Final Results Spreadsheet or into S-Elect. After the Data has been entered, the Canvass Worksheets and Manual Canvass Write-in Forms are returned to the Completion Table to be reassembled with the corresponding ballots. All the materials are stored and archived for two years in secured double-locked storage.

S-Elect Clerks enter Canvass results as soon as a poll site or ED/AD is completed.

Note: Refer to S-Elect manual for instructions on how to enter recanvass data.

## FORMS

See the following samples of documents needed for Manual Canvass activities:

- ED Control Sheet
- Manual Canvass Worksheet
- Completed Manual Canvass Worksheet
- Poll Watcher Certificate
- Manual Canvass Write-In Form
- Manual Canvass Results Spreadsheet
- Visitor Log
- Sign-in Sheet for Media Only

**ED Control Sheet** – used to track the ballots along each step of the manual tally process and to ensure that all materials are accounted for at all times.

		eet for	Paper Ball	ots	Election: P	fmary Election 2019 - 06/3	25/2019		
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## MANUAL CANVASS WORKSHEET – use for each Election District that is hand tallied

CountyName: Queens	Party (only for	Primary):					Ballot Kind:				
Scanner ID #: 00005											
Assembly District: 10	Canvassed By		Clerk Nam			_	Date Canvass B	-	11/15/1		
Election District: 12			Clerk Nam	e (R):			Date Canvass B	nded:	11/20/2	0	
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Contest B	Tally	. 51	)15	. 20 .	25 30	35	40	55	0		
Candidate 3											
Candidate 4											
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Void											
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Contest C	Tally	.8	0	. 20 .	28 30	38	40	5	)		
Candidate 5											
Candidate 6											
Övervote											
Undervote											
Write-in											

## **COMPLETED MANUAL CANVASS WORKSHEET** – Hand Tallied

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# POLL WATCHER CERTIFICATE

Poll Watchers are designated by candidates, political parties, or independent organizations which have candidates on the ballot or political committees. All Poll Watchers and observers **MUST** sign the **Visitor Log** and show proper certificates, authorization letters or identification to Board personnel inside the room where voting takes place or is canvassed.

## SAMPLE

#### $\mathbf{V}$

POLL WATCHER'S CERTIFICATE
To The Board of Elections in the City of New York:
Pursuant to provisions of Section 8-500 of the Election Law of the State of New York, the undersigned hereby appoints:
Name of Individual (Print)
To act as Watcher on their behalf, at the Primary, General or Special Election to be held on
Signature of Candidate, Chairperson of Political Committee or Independent Body
Name of Candidate, (Print) Political Committee or Independent Body

Note: This sample is based upon the 2019 Poll Watcher's Certificate and is subject to change.

WRITE-IN FORM – use for each Election District with a valid write-in

	RM			
ENTER NAMES INTO S-ELECT OR FINAL RESULTS SPREADSHEET				
ED AD				
Office Title	Write-in Name			

## MANUAL CANVASS RESULTS SPREADHEET

Primary Election 2019 -

Democratic District Attorney

Queens County Vote for 1

MANUAL CANVASS

	Total Ballots	Melinda Katz	Gregory L. Lasak	Betty Lugo	Rory I. Lancman	Jose L. Nieves	Tiffany Caban	Mina Quinto Malik	Overvote	Undervote	Write-in Names	Write-in Votes
001/23												
002/23												
003/23				·								
004/23												
005/23												
006/23												
007/23												
008/23												
009/23												
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014/23												
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016/23												
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019/23												
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021/23												
022/23 (Combined into 038/23)												
023/23												
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026/23												
027/23												
028/23												
029/23												
030/23	1											
031/23												
032/23												
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035/23												
036/23												
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041/23												
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## **VISITOR LOG**

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Star B	Date:		_	
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## SIGN-IN SHEET FOR MEDIA ONLY

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Date:							
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