

READY 2016



ELECTION COUNTDOWN

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Ohio Secretary of State



Post-Election Activities

*For the November 8, 2016 General
Election*

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Definitions

Recount: The process of recounting all ballots counted in the official canvass and re-examining the reconciliation of the records for a specific contest in an election.

Post-Election Audit: A post-election audit is a comprehensive review of one or more contests in an election to ensure that the results reported by the board of elections are accurate.

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Two Types

Automatic & Requested

Automatic Recounts

For elections conducted exclusively within the county or in a multi-county district election

When the difference between votes cast for a declared candidate, question, or issue is equal to or less than .05% (expressed as a decimal as 0.005) of the total votes cast in the candidate contest.

For statewide elections

When the difference between votes cast for a declared candidate, question, or issue is equal to or less than .025% (expressed as a decimal as 0.0025) of the total votes cast in the candidate contest.

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Automatic Recounts

Countywide Office or District Office

Bugs Bunny 955 votes

Roger Rabbit 960 votes

$$\begin{array}{r} 955 \\ + 960 \\ \hline 1915 \end{array}$$

$$\begin{array}{r} 1915 \\ \times 0.005 \\ \hline 9.575 \end{array}$$

$$\begin{array}{r} 960 \\ - 955 \\ \hline 5 \end{array}$$

> 5 = Automatic Recount

Automatic Recounts: Who Declares?

For elections conducted exclusively within the county

The **board of elections** must order the automatic recount.

For elections in a multi-county district

The **Secretary of State** must order the automatic recount.

For statewide elections

The **Secretary of State** must order the automatic recount.

Automatic Recounts: Most-Populous County

The board of the most-populous county of the subdivision or district **must** notify the Secretary of State's Office of the official results (i.e., the vote totals from each county as well as the grand total for the race, question or issue) and request the Secretary of State to order the automatic recount.

After receiving the notification from the most-populous county, the Secretary of State will order the automatic recount via letter.

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The seal of the Ohio Secretary of State, featuring a circular design with the text "THE SECRETARY OF STATE" and "OHIO" around the perimeter, and a central emblem with a sunburst and a star.

Automatic Recounts: BOE Responsibilities

Each board of elections of the multi-county district must do the following:

- Schedule the recount to occur within the time period stated in the order from the Secretary of State's Office;
- Issue notice of the recount to all individuals required to receive notice of the recount;
- Inform the Secretary of State's Office of the date, time, and location of the recount;
- Conduct the recount; and
- Report the results of the recount to the most-populous county.

Automatic Recounts: Most-Populous County

The most-populous county then must report the results of the recount from each county in the multi-county district to the Secretary of State's Office.

See page [9-3 of the EOM](#) for more information.

Automatic Recounts: Doing the Math

When One Candidate is to be Elected or Nominated

Where there are two or more candidates for a single office but only one candidate is to be elected, add the votes for all candidates in that race together to obtain the total vote.

Automatic Recounts: Doing the Math

For example:

- Candidate A: 2,845 votes (declared elected or nominated)
- Candidate B: 2,815 votes (declared defeated)
- Candidate C: 2,795 votes (defeated)

The total vote for the office is 8,455.

One-half of one percent of 8,455 is 42.275 –
(8,455 x 0.005); **do not round.**

Automatic Recounts: Doing the Math

Candidate A defeated Candidate B by 30 votes, which is less than 42.275.

Because the difference between the declared winning candidate and the declared defeated candidate is less than one-half of one percent, in this example the board orders an automatic recount and recounts the votes cast for each of the three candidates in the contest.

Automatic Recounts: Doing the Math

For examples when several candidates are to be elected or nominated, see [page 9-6 of Chapter 9 in the EOM](#).

Requested Recounts: Timeframe for Requesting

A recount of the election results certified by a board of elections may only be requested **within five days** after the board of elections or the Secretary of State declares the official results of the election.

Requested Recounts: How to Request?

- If a contest (candidate, question, or issue) was **wholly contained within a county**, the application is filed with that county's board of elections.
- If a contest (candidate, question, or issue) appeared on ballots in a **multi-county district**, the application is filed with the board of elections for the most-populous county of the district.
- If the contest (candidate, question, or issue) was **statewide**, the application is filed with the Secretary of State's Office.

Requested Recounts: Who can Request?

Candidate Nomination or Election

A candidate who was not declared nominated or elected in a race may make written application to the appropriate election officials for a recount of votes cast in that contest in some or all of the precincts where that contest was submitted to the voters.

Requested Recounts: Who can Request?

Question or Issue Election

A group of five voters who voted opposite to the certified result (i.e., if the question or issue passed, they had voted against it; if the question or issue failed, they had voted for it) may file a written application with the appropriate election officials for a recount of votes cast on that question or issue in all or some of the precincts where that question or issue was submitted to the voters.

Requested Recounts: Money Matters

For more information about the deposit required for a requested recount and how to access the recount charges, start on [page 9-8 of Chapter 9 in the EOM.](#)

Scheduling the Recount

- Each board of elections participating in the recount shall promptly fix the **time**, **date**, and **place** of the recount.
- The recount shall take place **not later than 10 days** after the recount was ordered or the application was made.
- Each board must notify the most-populous board of elections in the case of a **multi-county district race** or issue or, in the case of a **statewide race or issue recount**, the Secretary of State's office.

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Notice of the Recount

At least five days before the date of its scheduled recount, the board of elections must give written notice by certified mail of the time and place of the recount to the following persons:

- Each person for whom votes were cast in the contest that is the subject of the recount.
- For question or issue elections, the chairperson of the group of electors that applied for the recount and/or the taxing authority or petitioners that submitted the question or issue to the board of elections.

Notice of the Recount

The requirement to mail a notice **may be waived** if the board receives a written waiver from each person entitled to receive such notice.

Important

The board still must schedule its recount **no earlier than the fifth day** after the board completes its official certification.

Observers and Media

Ohio law provides that duly-appointed observers may be present for any recount.

Refer to [Chapter 7, Section 1.08 Observers](#), for details on recount observers.

Representatives of the media are permitted to attend a recount.

Stopping a Recount

An automatic recount may be stopped after it is ordered, before it starts, or while it is in progress.

The declared losing candidate or candidates or the issue chairperson for the losing side may file a written request to stop the recount.

Refer to [Chapter 9, Page 9-12](#), for details.

Recount: The Process

The actual recount is essentially a **three-step** process:

1. The **manual hand count**.
2. Confirming the hand count **matches** the tabulated results.
3. Scanning of **all optical scan ballots** and uploading of **all DRE memory devices**.

Recount Preparation

To begin the recount, the board must:

- Create **bipartisan** teams for the recount.
- Compare and **review** election documents.
- **Select** precincts for the recount.

Recount Basics

- The recount must be conducted by teams of elections officials **equally divided** among the state's two major political parties.
- Discrepancies between the number of all types of ballots and the number of voters as recorded in the board's records must be documented.
- All related documents should be reviewed.

Recount Basics

- Unopened ballot envelopes (i.e., uncountable absentee and provisional ballot envelopes) must remain sealed.
- Ballots must be reviewed to ensure that each contest, question or issue is properly displayed.
- All counted ballots from the precinct (Election Day, absentee, and provisional) **must** be included.

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Conducting the Recount: Selecting Precincts

Enough precincts shall be selected for the recount so that total votes cast in those precincts, when taken together, equal ***at least 5%*** of the total votes cast in the election at issue.

To calculate this percentage, multiply the number of total votes cast in the election at issue by 0.05 and then round up to the next whole number, if necessary.

Precinct Selection

Selection of precincts must be random

Acceptable methods include:

- Casting multi-colored die with each different color representing a different numeral of the precinct number or
- Drawing slips of paper with each precinct or corresponding number listed on a slip from a container.

Precinct Selection: When may it occur?

Random selection of precincts to be counted may occur ***before*** the scheduled recount takes place.

However, the selection must occur **during a public meeting of the board of elections**, and the candidates or the question/issue group chairperson **must be notified** of the time and place **at least 24 hours** before the meeting so that they may observe the drawing of precincts.

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Recount Rule

NOTICE

It is important that every board of elections preparing for a recount take care that its preparations do not inadvertently become pre-counting, either in fact or in perception.

Precinct Selection: Requested Recounts

Because an applicant requesting a recount must name each precinct to be recounted, the definition of “randomly select” only applies to requested recounts in situations where the total number of voters who voted on the race or issue to be recounted in the precincts named in the application exceeds **5% of the total vote** cast in the election to be recounted.

Manual Hand Count Basics

- **Inspect** ballots.
- **Conduct** in public session under the supervision of a majority of members of the board of elections.
- **Perform** manual hand count in presence of board members and observers.
- **Utilize** the Hand County Tally Reporting Form.

Hand County Tally Reporting Form

- Used to tabulate the official manual hand count of the actual ballots by category.
- Lists the candidates, questions, issues, or the specific race or issue to be manually hand counted.
- Over-voted and under-voted contests should be recorded.
- Must be signed at the conclusion.

Precinct: _____

**November 8, 2016
General Election
Recount Tally Sheet**

**Green Township
Additional Roads Levy**

Ballot Categories	For the tax levy	Against the tax levy	Overvotes	Undervotes
Election Day				
Absentee				
Provisional				
TOTAL				

OS County Recount Overview

- Work in teams of **two individuals** – one from each major political party.
- Keep ballots in order – keep categories of ballots separate.
- Sort ballots in stacks according to the response.

OS County Recount Overview

At the conclusion of the hand count:

- Test the program – similar to public test;
- Run all the hand-counted ballots through the tabulator; and
- Compare hand-count tally with the electronic results.

OS Ballot Recount Overview

If the hand-count tally **matches** the electronic results, each ballot from each precinct on which the candidate contest, question or issue to be recounted appears shall be run through the tabulator.

OS Ballot Recount Overview

If the hand-count tally **does not match** the electronic results, the board must ascertain whether the error is a result of the hand tally or the electronic tally. If, after three rounds of hand-counting the ballots for each randomly selected precincts still do not match, all ballots on which the candidate contest, question or issue to be recounted appears shall be **hand-counted**.

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OS Ballot Recount Overview

At the conclusion of the hand count:

- Test the program – similar to public test;
- Prepare and certify an amended abstract showing the votes cast in each precinct in which the race or issue appeared on the ballot.

DRE - Recount Overview

- Work in teams of **four individuals** – two from each major political party.
 - **One D** and **one R** will unroll the VVPAT and read the results.
 - **One D** and **one R** will keep track of the votes.
- Hand count the votes on the VVPAT for the selected voting precincts by voting unit, listing voting machine serial number on the tally sheet.

DRE - Recount Overview

- Hand count all OS ballots cast and counted (absentee and provisional) for the precincts randomly selected.

DRE - Recount Overview: VVPAT

- Check the VVPATs to verify that each candidate's contest, question or issue has been properly identified.
- Check the public counters to verify that the numbers on those counters correspond to the numbers on the VVPAT and the poll book, poll list, or signature poll book records.
- Inspect the VVPAT for mutilations and other irregularities.

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DRE County Recount Overview

At the conclusion of the hand count:

- Test the program – similar to public test;
- Run all the hand-counted OS ballots through the tabulator;
- Upload the removable media to the central tabulation system from each DRE for which a VVPAT was inspected; and
- Compare hand-count tally with the electronic results.

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DRE County Recount Overview

If the electronic results for **one DRE unit** and the **hand count tally of the VVPAT** from that same machine are **not identical**, the Board must ascertain whether the error is a result of the hand or the electronic tally. If, after three rounds of hand tallying, the VVPAT for that DRE still does not match, the **final hand tally of the VVPAT for that DRE** shall be the recounted tally for that candidate contest, question, or issue.

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Verify

NOTICE

Regardless of the county's primary method of voting, each board must verify that the number of each type of Election Day, absentee and provisional ballots (VVPAT and OS) match the boards records of each of those types of ballots cast in the race or issue involved.

DRE Voting Machines

For more information about what to do if a VVPAT is not usable, please refer to the guidelines found in [Chapter 9, Section 1.02, page 9-18 of the EOM.](#)

Concluding the Recount

Upon completion of the recount, the board of elections shall promptly prepare and certify an amended abstract showing the votes cast in each precinct in which the race appeared on the ballot.

Amended Abstract

- The abstract should **include** the recounted votes of the precincts involved in the recount.
- **Provide** the amended abstract to other boards as it was required to do in the case of the original abstract.
- **Retain** the amended abstract.

Amended Abstract

- **Email** the amended abstract to the Secretary of State's office. Include the following:
 - The time, date, and place of the recount;
 - The results from the official certification; and
 - The certified amended abstract from the recount.

Post-Election Audits: What will be Covered?

A review of the basics and a walkthrough of the revamped Post-Election Audit Reporting Workbook.

Post-Election Audit

Musts of the Post-Election Audit:

- Must begin no sooner than **six business days** after its official election results.
- Must be open to the public and to duly appointed observers.
- Must be noticed publically in the same manner that the board notifies the public of a BOE meeting.

Post-Election Audits

- Boards are required to use a simple, percentage based post-election audit or a risk-limiting audit.
- Boards may choose to audit a universe greater than 5%.
- Risk-limiting audits are recommended. Visit <http://cuyahogaelectionaudits.com/> for more information.

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Post-Election Audit: Observer Reminders

- An observer **may not** handle a ballot. Ballots may be only be handled by board officials.
- Authorized appointing authorities may appoint observers to the post-election audit. Please refer to [Chapter 7, Section 1.08 Observers](#), for details on audit observers.

Post-Election Audit

Boards of elections will audit the following contests:

1. The office for President;
2. The office for Justice of the Supreme Court (FTC 1/2/201 –DeWine/Rice); and
3. A non-statewide candidate contest (a countywide question or issue may be used if there is no contested non-statewide contest).

Post-Election Audit

Boards **must randomly** select a sufficient number of units to be audited until the **number of votes cast** on the selected units to be audited equals ***at least 5 percent*** of the total number of votes cast for the county.

	VOTES	PERCENT
PRECINCTS COUNTED (OF 32)	32	100.00
REGISTERED VOTERS - TOTAL	28,394	
BALLOTS CAST - TOTAL	19,889	
VOTER TURNOUT - TOTAL		70.05

5% or .05 multiplied by the total ballots cast is 994.5. The board must select enough auditing units which contain at least 995 ballots cast.

Post-Election Audit

	VOTES	PERCENT
PRECINCTS COUNTED (OF 32)	32	100.00
REGISTERED VOTERS - TOTAL	28,394	
BALLOTS CAST - TOTAL	19,889	
VOTER TURNOUT - TOTAL		70.05

Using the total ballots cast above of 19,889 as an example, if the first precinct selected is Precinct A with 1,200 votes cast, the board must select one more precinct since the 5% cannot be contained in one auditing unit.

Post-Election Audit: Selection of Units

No later than the time the board meets to certify the official results of the election, the board must determine whether it will conduct its post-election audit by:

- Precinct;
- Polling place; or
- Individual voting machine.

Post-Election Audit: Selection of Units

When determining the public count, the board must include all relevant categories of ballots, including:

- Election Day ballots (DRE and OS);
- Counted absentee ballots; and
- Counted provisional ballot

Hand-Counting 5%

- Teams equally divided between the state's two major political parties must perform the hand count.
- Ballots must be checked to verify that each contest has been identified.
- The board must physically examine and hand count the ballots for each randomly selected unit to be audited.

Post-Election Audit

Boards may want to utilize the Hand Count Tally Form used for a recount (or something similar) to **record** the results from each unit being audited.

Unit Type	Unit Name	Candidate	Election Day OS	Election Day DRE	Absentee OS	Absentee DRE	Provisional	Grand Total
Precinct	Precinct A	Candidate A	20	140	40	40	20	260
Precinct	Precinct A	Candidate B	30	60	70	30	10	200
Precinct	Precinct A	Overvote	2	0	2	0	2	6
Precinct	Precinct A	Undervote	0	0	1	1	0	2
	Precinct A Total		52	200	113	71	32	468
Precinct	Precinct B	Candidate A	40	80	12	2	5	139
Precinct	Precinct B	Candidate B	30	60	10	3	2	105
Precinct	Precinct B	Overvote	0	0	0	0	0	0
Precinct	Precinct B	Undervote	1	0	0	0	0	1
	Precinct B Total		71	140	22	5	7	245
	Grand Total		123	340	135	76	39	713

The combined total will be reported on the Post-Election Audit Workbook.

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Comparing the Totals

- The board then must compare the hand count to the recorded electronic summary of the votes contained in the official certification of the votes for that contest in that precinct or polling location.
- The board must calculate the individual accuracy rate of each contest included in the audit by taking the sum of any discrepancies for each contest audited and dividing it by the sum of all ballots audited for that contest, then subtracting the resulting number from 100% to return the accuracy rate as a percentage.

Comparing the Totals

Using the Post-Election Audit Workbook, the calculations are automatic and the form will reflect a difference in yellow if the manual hand count conducted during the audit differs from the certification.

Official Certification Totals		Audit Totals	
Hillary Clinton/Tim Kaine	115	Hillary Clinton/Tim Kaine	114
Richard Duncan/Ricky Johnson	15	Richard Duncan/Ricky Johnson	15
Gary Johnson/William Weld	35	Gary Johnson/William Weld	35
Jill Stein/Ajamu Baraka	14	Jill Stein/Ajamu Baraka	14
Donald J. Trump/Michael R. Pence	121	Donald J. Trump/Michael R. Pence	122
Write-in Candidates	5	Write-in Candidates	5
Over-voted contest	2	Over-voted contest	2
Under-voted contest	5	Under-voted contest	5
Total Ballots Cast	312	Total Ballots Cast	312
		Accuracy Rate	99.36%

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Comparing the Totals

Official Certification Totals		Audit Totals	
Hillary Clinton/Tim Kaine	115	Hillary Clinton/Tim Kaine	114
Richard Duncan/Ricky Johnson	15	Richard Duncan/Ricky Johnson	15
Gary Johnson/William Weld	35	Gary Johnson/William Weld	35
Jill Stein/Ajamu Baraka	14	Jill Stein/Ajamu Baraka	14
Donald J. Trump/Michael R. Pence	121	Donald J. Trump/Michael R. Pence	122
Write-in Candidates	5	Write-in Candidates	5
Over-voted contest	2	Over-voted contest	2
Under-voted contest	5	Under-voted contest	5
Total Ballots Cast	312	Total Ballots Cast	312

Accuracy Rate 99.36%

In the example shown, the absolute difference of the manual hand count versus the official certification was two votes. 312 (the total number of ballots cast) **divided by 2** (the absolute difference) **is 0.0064** (rounded). 0.0064 subtracted from 100 percent (or 1.0) is .9936 or 99.36%.

Comparing the Totals

- If accuracy rate is less than 99.5% and the certified margin is at least 1%, then the board must escalate the audit.
- If the accuracy rate is less than 99.8% and the certified margin is less than 1%, then the board must escalate the audit.

Comparing the Totals

- Escalation requires auditing a second random sample of at least 5 percent of votes cast selected from units that were not audited in the original sample, and auditing the ballots (using the same procedures) with respect to any such contest.
- The board then must compare the hand count to the recorded electronic summary of the votes contained in the official certification of the votes for that contest in that precinct or polling location.

Hand-Count versus Official Certification

If any comparison of the hand count and official certification tally results in a difference between the hand count and the official certified tally, the board must determine if a mistake occurred in the hand count. If the board determines that no hand-counting mistake occurred, the hand count of the ballots shall be taken to be the accurate count. The board shall provide **written notification** to the Secretary of State of any such discrepancy.

Post-Election Audit

The combined total will be reported on the Post-Election Audit Workbook.

- The Post-Election Audit Workbook has been changed to automate the post-election audit process and to help simplify the manner in which the audit results are transmitted.
- The SOS ElectCollect system will be used to collect the data provided electronically.
- Boards should use Adobe Reader XI.

Amending the Official Results

If the post-election audit results in a change of vote totals reported in the official canvass, the board **shall amend its certification of the official results** of the affected contest in the **same manner** required for making of the original official declaration of the result of such election.

Reporting the Audit

After completing the post-election audit, the board must file its final results from the audit using the Post-Election Audit Workbook.

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November 8, 2016 General Election Post-Election Audit Workbook

Post-Election Audit Instructions

1. Each board of elections must conduct a post-election audit of the November 8, 2016 General Election. Instructions for conducting the post election audit are found in the Election Official Manual, Chapter 9, Section 1.03, beginning on Page 9.29.
2. This workbook should be completed by each board **during the post-election audit** as it is designed to aid the board in determining the how many units must be selected for the audit.
3. This form must **immediately be submitted** following the post-election audit. *If the board has chosen to conduct a risk-limiting audit, the completion and submission of another calculated workbook will suffice.*
4. The audit must include all types of ballots, including Election Day, absentee, and provisional unless the unit type selected for the audit is voting machines.

Workbook Completion Instructions

1. Begin at the top of the form at Step 1 and move down.
2. The form will perform calculations to aid the board in determining the number of units that need to be audited. Once the board has chosen at least two auditing units and also selected enough units to equal 5% of the total ballots cast, the fields for the unit name and the total number of votes will **stop generating**.
3. Review the tips provided which may be found by hovering the mouse pointer or cursor over a field.
4. When asked to provide an explanation of any discrepancies, the board must provide a detailed description of the issue.
5. Boards who fail to provide a detailed description of any reported discrepancies in the units audited may be required to submit the form again.

Basic Information

Step 1: Provide the information as required below.

1. Choose your county board of elections from the drop down list.

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Post-Election Audit Workbook

An overview of the Post-Election Audit Workbook

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Escalating the Audit

The board is required to escalate the audit if its accuracy rate is less than 99.5% in a contest with a certified margin that is at least 1%, or less than 99.8% in a contest with a certified margin that is less than 1%.

Escalating the Audit

The fields shaded in yellow above are shaded because the total number of votes as certified in the official canvass do not match the hand-count tally conducted during the post-election audit. The Accuracy Rate is less than 100% because the number of votes audited do not match the reported totals of the official certification of each candidate (or response).

As an example, if Candidate A for the official certification had 202 votes but only 201 were counted in the post-election audit hand tally and Candidate B for the official certification had 298 votes but 299 were counted in the hand tally and no over or under votes existed, the total absolute difference was 2.

2 (the total number of votes difference) divided by 500 (the total number of ballots audited) is 0.004 , and subtracted from 100 , the Accuracy Rate is 99.996 .

Instructions for Reporting Discrepancy

1. If the accuracy rate is below 100%, provide a reason for the discrepancy in the shaded box below.
2. If the contest margin is less than 1% difference (calculated by multiplying .01 by the total ballots cast for the candidates in the contest and determining if that number of votes is greater than the margin of victory between the candidates declared winner(s)) and the Accuracy Rate is below 99.8%, the board will be required to escalate the audit by selecting auditing units equal to or greater than 5% of the total ballots cast. Skip to 4 and 5 below.
3. If the contest margin is greater than 1% difference and the accuracy rate is below 99.5%, the board will be required to escalate the audit by selecting auditing units equal to or greater than 5% of the total ballots cast. See 4 and 5 below.
4. Provide specific details about the unit affected by the discrepancy, the reason the votes did not match, the category of ballots where the totals differed, and a clear explanation as to why the issue may have occurred.
5. If required to escalate the audit, the board will submit this completed form. After submission, the board must then complete a new form and report the reason for the amendment as "escalation required."

The audit reporting workbook provides instructions for counties that may need to escalate the audit.

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Escalating the Audit

Escalation entails drawing a second random sample of at least 5% of the votes cast, selected from units that were not audited in the original sample, and auditing the ballots (using the same procedures) with respect to any such contest.

Escalating the Audit

If, after the second round of auditing, the accuracy rate from the two samples is below 99.5 percent, the county shall investigate the cause of the discrepancy and report its findings to the Secretary of State's Office within the same time for completing the post-election audit. In such cases, the Secretary of State's Office may require a 100% hand-count.

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Reporting the Audit

The board must transmit its post-election audit results **no later than five days** after completion of the post-election audit to the Secretary of State's Office using the ElectCollect System.

The board does not have to transmit any documents **via email** unless requested by SOS staff.

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Conducting a Successful Recount and Post-Election Audit

- Each board of elections should ensure that it thoroughly reviews [Directive 2016-24 \(Chapter 9 of the EOM\)](#) **before** conducting any recount or post-election audit.
- Utilize the Audit Workbook during the audit to help calculate the number of precincts the county needs to audit.

If you have questions...

- If you have questions about conducting recounts or post-election audits, please contact the Secretary of State's elections counsel assigned to your county.
- If you have questions about utilizing the Post-Election Audit Reporting Workbook, please contact Laura Pietenpol or Matthew Tlachac.

Questions

Thanks for being a part of today's
webinar