DIEBOLD®
ELECTION SYSTEMS

STATE OF CALIFORNIA

PROCEDURES

REQUIRED FOR USE OF THE

ACCUVOTE-OS OPTICAL SCAN VOTING SYSTEM

These procedures have been submitted to the Secretary of State for review pursuant to Elections Code sections 19200 and 19205 and shall regulate and govern the use of the AccuVote-OS (formerly referred to as the AccuVote ES-2000) Voting System at all elections governed by the California Elections Code.

These procedures are effective _____ and shall be used in conjunction with all other statutory and regulatory requirements. Insofar as feasible, all procedures prescribed herein shall be carried out in full view of the public.

These procedures constitute a minimum standard of performance. They are not intended to preclude additional steps being taken by individual Election Officials to enhance the security and reliability of the electoral process.

Submitted
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Chapter 1 The AccuVote-OS Voting System

1.1 Introduction

The AccuVote-OS Voting System is an optical scan voting system manufactured by Diebold Election Systems (Diebold) and consists of the following:

1.1.1 One or more electronic ballot reading devices, hereinafter referred to as "AccuVote-OSs", or "AccuVote-OS tabulators" into which a voter or authorized election deputy inserts a ballot marked with the voter's choices for candidates and choices for or against ballot measures to be voted on.

1.1.2 A suitable marking device.

1.1.3 Computer equipment and software program(s) such as Diebold's GEMS Election Management System capable of reading, interpreting, and summarizing the information that has been read by the AccuVote-OS tabulator(s).

1.2 Definitions

1.2.1. Ballot

The printed document which provides a voter the opportunity to vote for candidates and ballot measures by using an appropriate marking device to indicate selections in available voting positions. The ballot has detachable serialized stubs.

All ballots are controlled by the Secretary of State, pursuant to California Administrative Regulations, and shall be printed with distinctive tints and designs as specified by the Secretary of State, and shall be produced and distributed in accordance with regulations adopted by the Secretary of State.

The ballot with its perforated stubs may be of various dimensions. On absentee ballots, the stubs may be eliminated as provided by Election Code 13267. After removal of all stubs, the ballot may be a minimum of 11 inches and a maximum of 18 inches in length. The width of all ballots is 8.5 inches. With the ballot held in portrait orientation, such as a letter or this typed page would normally be held for reading, the several parts are: a serialized binding stub at the top, bottom or side; a serialized voter's stub, and the main ballot section on which races, candidates, measures and voting position ovals are printed. The binding stub is the stub stitched or stapled to a pad when the ballots are gathered, and is the part remaining affixed to the pad when the voter's ballot and attached voter stub have been removed for voting.

All voting positions on the ballot are indicated by a blank oval printed opposite the names of candidates, opposite the available write-in spaces, and opposite the "for" or "against" (Yes/No) ballot measure indications. Such ovals shall be uniform throughout the ballot, and shall be of such a design as to suggest the necessity of marking to "fill in" the blank space of the oval, and thus indicate a voting choice.

The ballot may be scored horizontally for folding, but not vertically. The folding score shall not intersect a voting position oval, if at all possible.

If any voting position oval on the ballot is used for more than one candidate or ballot measure at the same election, each such ballot shall have a ballot style identification code printed thereon.

A party identification code shall be printed on each ballot, as required by law or other state approved method to ascertain party identification, at the statewide primary election.

1.2.1.1. Ballot Write-In Voting Position

For each office, immediately below the space on which the last candidate's name is printed, there shall be a line or lines available for the voter to cast write-in votes. These lines shall be equal in number to the number of persons to be elected to the office. Opposite each write-in line shall be printed a voting position oval.

1.2.1.2. Ballot Classifications

The various ballot classifications are as follows:

1.2.1.2.1 Ballot Card

The voter's ballot consists of the total number of cards necessary to contain all of the candidate races and ballot measures for which the voter has a right to cast a vote. Normally this is only one card but it could be up to five cards using the front and back of each card.

1.2.1.2.2 Blank Ballot

A "Blank" ballot is one on which the voter has made no marks in voting position ovals or is one of which there are no voting position marks that can be read by the AccuVote-OS.

1.2.1.2.3 Defective Ballot

A ballot that has been torn, bent, or is otherwise defective so that it cannot be processed by the AccuVote-OS tabulator.

1.2.1.2.4 Demonstration Ballot

This is a ballot, used for demonstration purposes, which displays a mock election. Offices are frequently fictitious, candidates are usually historical figures, and measures are obviously not serious. Such ballots may be used and re-used for demonstrations from voter to voter and from election to election. This ballot will be clearly marked "Demonstration" or "For Demo Only".

1.2.1.2.5 "Normal" Ballot

This is a ballot that has been processed by the AccuVote-OS without exception.

1.2.1.2.6 Provisional Voter Ballot

A ballot issued, pursuant to Elections Code section 14310, to a voter claiming to be properly registered, and whose qualification or entitlement to vote cannot be immediately established upon examination of the index of registration for the precinct, upon examination of the records on file with the Election Official, or any absent voter described by Election Code 3015 who is unable to surrender his or her unvoted ballot.

1.2.1.2.7 Identifiable Ballot

A ballot that is identifiable by distinguishing marks made by a voter, as described by Election Code 14287.

1.2.1.2.8 Spoiled Ballot

A ballot issued to a voter and returned by the voter for a replacement ballot.

1.2.2. Ballot Layout

The ballot configuration unique to each precinct or precinct split which encompasses all candidates, including any rotation of candidate names, and ballot measures facing voters at that election.

1.2.3. Ballot Box Slot Strip

This metal strip should be located on the top of the AccuVote-OS Ballot Box covering the ballot entry slot over the Right and Center Bins. It is removed to make the slot available for receipt of ballots processed through the AccuVote-OS. It must be removed before positioning the AccuVote-OS into the Ballot Box.

1.2.4. Precinct Ballot Statement

A reconciliation of the number of ballots received from the Election Official by each precinct board with the sum of all precinct voters voted ballots, provisional voter voted ballots, and all spoiled and unused ballots at an election.

1.2.5. Ballot Style

A particular combination of candidate offices and ballot measures to be voted on at an election. There may be more than one such combination in a given election because of offices or measures which may be voted on by fewer than all the voters at that election. The AccuVote-OS Voting System refers to "ballot style" as an unrotated combination of candidate offices and ballot measures.

The rotation of candidate names may also create additional ballot styles, as can primary election partisan ballots. The terms "ballot style" and "ballot type" are often used interchangeably.

A ballot card style represents the race and measure combination as they are composed on a single ballot. If there are multiple ballot cards, then each ballot card style composing a ballot will have a unique style ID for that ballot card.

1.2.5.1. Central Count

Ballots counted at a central or satellite Election facility rather than at the precinct.

1.2.6. CPU

This is a commonly used acronym for the Central Processing Unit of a computer or computer system, as distinguished from other peripheral devices or components.

1.2.7 "Cut" Marks

During the printing process marks are placed at the corners outside the timing marks on the ballot to guide trimming the ballot to a final size. Ballots that are not trimmed within specifications are likely to be returned to the voter by the AccuVote-OS.

1.2.8. Destructible Seal

A destructible seal is any type of numbered device that requires damage to or destruction of the device to gain access to the contents therein. A destructible seal is used to secure the cover of the Memory Card housing in the AccuVote-OS. It is secured in place prior to issuing the AccuVote-OS to the precinct board.

1.2.9. Device Report

This report lists the serial number or other identification indicator of an AccuVote-OS. At the polling place the report shall be compared against the AccuVote-OS. This report need not be a separate document, but may be included within another control document.

1.2.10. Multiple Precinct Processing

AccuVote-OS firmware is capable of processing ballots from multiple precincts at a single polling location. When so employed, the ballots for each precinct shall have distinct identification codes. The election shall be coded so that the Results Tape will show distinct vote totals and distinct statistics for each precinct.

1.2.11. AccuVote-OS Ballot Box Bins

In operation, the AccuVote-OS is mounted in the top of a three-compartment ballot box. A processed ballot is directed, under program control, to one of two of these compartments, or Bins. Depending on programming, the middle bin is used for sorting of write-in or blank ballots. The Left Side Auxiliary Bin is used for the temporary storage of voted ballots which have not been processed; for example, delivered AV ballots, Provisional ballots, ballots voted during an equipment emergency, or unread ballots.

1.2.12. Election Official

As used here, this term shall apply to the County Clerk, the County Registrar of Voters, the City Clerk or any other person who has been properly and legally charged with the responsibility of conducting the election. These Procedures shall be liberally interpreted, so that when permitted by law, the Election Official may deputize others to perform functions.

1.2.13. Election Coding

This term applies to the election preparation function of providing specific election parameters to Memory Cards, using special software to do so. These parameters include, but are not limited to the definition of offices, candidates, voting positions, number of candidates to be elected, statistics to be accumulated, sorting options, vote center, AccuVote-OS reject options and report formats.

1.2.14. Election Mode

Prior to issuing an AccuVote-OS to a precinct board, the Memory Card must be reset from a “Test Mode” to “Election Mode.” At this point the memory counter is set to zero and it is ready to accept ballots.

1.2.15. Ender Card

To stop counting ballots at the close of the election day or at other times as specified by the Election Official, an Ender card is inserted into the AccuVote-OS. Before any more ballots can be processed, the Election Official must reset the AccuVote-OS.

1.2.16 “Famous Names”

This is a mock election ballot carrying fictitious offices, e.g., Secretary of Entertainment, and candidates who are familiar in history, e.g. Wilma Rudolph, Babe Ruth. This ballot is intended for use not only as a demonstration item, but also as an accuracy test. It will test all light emitting diodes (LED’s) on the AccuVote-OS.

1.2.17 Identification Codes

Codes are printed on the bottom of a ballot, identifying it as being of a specific ballot style, political party, or other grouping such as precinct identification. The identification code may also designate the ballot as to precinct. When Multiple Precinct Processing is implemented, identification coding signifying each precinct separately is required. If the identification coding on a ballot is not specified on the Memory Card, that ballot will not be accepted for processing. In this case, an error message will be displayed on the Liquid Crystal Display (LCD) as "Invalid Ballot".

1.2.18 "Invalid Ballot" LCD Message

This can occur when the printed codes on ballots for the identification of the precinct, ballot style, or party do not match the programmed instructions in the AccuVote-OS Memory Card.

1.2.19. "Invalid Mark" LCD Message

This can occur when a voter has not marked an oval sufficiently for the LED readers to accurately identify the mark or when the voter has made errant marks on the ballot.

1.2.20. Initialization of "Election Mode"

This is the final process of preparing an AccuVote-OS for ballot processing. At the warehouse or final testing area, before transportation or movement of the AccuVote-OS and/or Memory Cards to the precinct or counting location, all results and statistical counters are reset to zero and the Memory Card is placed from "Test Mode" to "Election Mode". At the precinct or central counting place, when the AccuVote-OS is turned on, a "Results Tape" reflecting and confirming zero totals will print automatically. Following this, the LCD will show zero on the Total Count on the Public Counter.

1.2.21 LCD

Initials for "liquid crystal display" which is on the AccuVote-OS and displays the number of ballots processed, messages, and descriptive information. See Public Display Indicator.

1.2.22. Marking Device

The Election Official shall issue for voter use in marking the ballot a device that will make a mark on the ballot that will be counted correctly by the AccuVoteOS.

1.2.23 Memory Card

A Memory Card is a computer storage medium that must be installed in an AccuVote-OS for the processing of ballots. A full explanation of the function of this device is presented in Section 1.3.4 of these procedures.

1.2.24 Object Code

The version of a computer program in which the source code language has been converted or translated by a compiler or assembler into the binary-code machine language of the computer with which it is to be used. These machine instructions are unique to the particular computer processor being used and can be executed directly by the computer processor without further simplification. (Contrast with "Source Code".)

1.2.25 Orientation Codes

Codes are printed on the ballot to indicate its orientation as it is fed into the AccuVote-OS. This obviates having to enter the ballot in only one orientation. Ballots may be entered bottom first, upside down, etc., and still be read accurately. These marks include "diagnostic" marks across the top of the ballot, style or precinct ID marks on the bottom (front or back) of the ballot, and "election ID" marks on the opposite side of the ballot from the style or precinct ID's. This coding is tested in System Proofing during blank, fully marked and all logic tests.

1.2.26 Override

Certain classifications of ballots may, under program control, be returned to the Voter/Operator for decision or further action before processing. Most reject options allow the Voter/Operator to "override" the decision or action process by causing the ballot to be accepted as is. Pressing the "Yes" button on the front of the AccuVote-OS until the ballot is accepted does this. During override processing, the front door of the AccuVote-OS Ballot Box must be unlocked to access the "Yes" button.

1.2.27 Overvote

An overvote is a ballot condition that arises when the voter votes for more candidates than the number of candidates to be elected. In an office to which one candidate can be nominated or elected, a second vote creates an overvote condition. The result is that no vote for that office can be tallied since the voter's intent is unknown. In the case of ballot measures, a "Yes" vote and a "No" vote for the same measure creates the overvote condition.

1.2.28 Path Sensor

A ballot "entry" and "exit" sensor is located along the ballot path of the AccuVote-OS. The "entry" sensor initiates the AccuVote-OS motor that pulls the ballot through the path during the scanning of the ballot. The "exit" sensor stops the AccuVote-OS motor. This sensor also assists in detecting a ballot jam or lack of movement, and assists the firmware in initiating error messages that are displayed on the LCD.

1.2.29 Public Display and Message Indicator

There is a LCD display on the top left front of the AccuVote-OS. The LCD indicates that power is on and shows a count of the number of ballots that have been processed. This is also referred to as the "public counter." The AccuVote-OS also uses the LCD to display error messages and other pertinent information.

1.2.30. Questioned Ballot

A ballot on which the voter's intention is not automatically clear or whose right to vote may be in question.

1.2.31 AccuVote-OS Printer Tape

Each AccuVote-OS contains a printer which uses a roll of tape, similar to an adding machine tape, for printing reports, "zero totals," and election results. During election preparation and testing the tape indicates or confirms actions taken, results generated, and that selected functions are operable. Depending on how the Memory Card is programmed, the tape can show cursory, summary, or extensive information about the ballots cast. For example, the cursory report shows only precinct information and the number of ballots cast; (zero ballots at the beginning of testing /election day and/or the total number of ballots cast at the end of the testing process or election day). The summary report provides ballots cast and vote totals for each candidate and measure while the extensive or long report provides ballots cast, vote totals, and additional system information. The Registrar may determine which format of reporting best suits the particular

election and situation. It is recommended that the Full totals and Long report be printed for the Zero report prior to the Logic and Accuracy testing. This will verify those reject settings in the AccuVote OS Options are correct. In all cases, some form of zero and results report will be printed in each election.

1.2.32 Reusable Test Deck

This term is used to designate a stack of ballots which are not election-specific. These Procedures specify that the Reusable Test Deck shall consist of ballots carrying the "Famous Names" election. This deck can be used for accuracy testing.

1.2.33 Secrecy Sleeve

An envelope or folder of such design and dimensions as to hide from view the voted ballot while it is being carried by the voter until the ballot is placed into the AccuVote-OS.

1.2.34. Semi-final Official Canvass

The process of collecting, processing, and tallying ballots and, for statewide elections, reporting results to the Secretary of State on election night. The semi-final official canvass may include some or all of the absent voter vote totals. The semi-final official canvass is contrasted with the official canvass which begins not later than the first Thursday following the election and, for statewide elections, must result in final certification 35 days following the election (Elections Code section 15375).

1.2.35 Source Code

The version of a computer program in which the programmer's original programming statements are expressed in a source language (e.g., Ada, Assembler, Basic, C++, etc.) which must be compiled, or assembled, and linked into equivalent machine-executable object code, thereby resulting in an executable software program. Source coding comprises the generic category: GEMS (Diebold's Election Management Software); for ballot layout and precinct tally systems that produce election-specific firmware. (Contrast with "Object Code".) Diebold uses the GEMS software for its ballot creation, total accumulation and reporting software.

1.2.36 Statistical Counters

These are counters within both the AccuVote-OS units and Gems system wherein statistical data is accumulated. Statistical data is usually referred to as any other than election results (votes for candidates). Examples would be, "Ballots Cast," "Turnout Percentages," and the like.

1.2.37 Stand-Alone Processing

An AccuVote-OS or a number of AccuVote-OSs may be used in a stand-alone implementation without the GEMS software for the accumulation of ballots. In this case, jurisdictional totals may be accumulated manually.

1.2.38 Undervote

This occurs when the voter does not mark an oval for a candidate or measure or, when more than one seat is contested, the voter does not mark ovals for the number of candidates up for election.

1.2.39 Diebold's Election Management System (GEMS)

The GEMS software is used for the ballot layout, election definition, accumulation of jurisdiction-wide results and statistics, and for the printing of reports. Within the AccuVote-OS System, the

GEMS software generally consists of a server (CPU) with backup capability (normally by secondary CPU or another secondary device such as a floppy disk, CD-RW, and/or tape), and Report/Log printer(s).

1.2.40. Voting Position Oval

Each voting opportunity on the ballot (candidate, write-in, measure) shall have a voting position oval which the voter shall mark to indicate the voter's choice for the race or measure.

1.2.41 Write-In Vote

When the voter selects a candidate whose name does not appear on the ballot, she or he marks the oval next to the line at the bottom of the race and writes in the candidate's names.

1.2.42 Tests

1.2.42.1 Logic and Accuracy Tests

Logic and Accuracy (L&A) tests verify that the vote tallying hardware, firmware and election definitions are operating correctly. Logic and Accuracy testing consists of entering a known number of ballots with a known number of voted response positions into the AccuVote-OS.

Logic and Accuracy tests must be run before processing official ballots for an election. The "test deck" ballots have predetermined totals for all contests on the ballot.

Each candidate in the contest is assigned a vote count total.

The output from the logic and accuracy test can be in the form of a press release bulletin, signed by the Logic and Accuracy Board and the Election Official or her/his designees prior to certification and submission of vote tally programs and files to the Secretary of State not less than seven days before the election.

1.2.42.2 System Proofing

System proofing verifies that all materials, files, and programs for an election are correctly prepared. This proofing is normally done in approximately two weeks, during the period from 60 (sixty) days to 7 (seven) days prior to Election Day. L&A tests are included in system proofing, as they verify ballot printing, ballot ID's and races/candidates against the information loaded onto the Memory Card profiles.

1.2.43 Tracking Point

A tracking point establishes an audit trail during the canvass.

1.2.44 Vote Both Sides Notification

The notation/instructions urging the voter to vote both front and back sides of the ballot when the ballot is printed on both sides.

1.2.45 Voter/Operator

This term is used to indicate an either/or condition. When the voter or precinct officer inserts the ballot into the AccuVote-OS the instructions herein apply to the voter or precinct officer; when by the central count operator the instructions apply to that person.

1.3 Description of the AccuVote-OS Voting System

The AccuVote-OS is an electronic voting system which is comprised of election definition and ballot generation software, ballots, a vote counting tabulator and its associated firmware, and report generating software. The GEMS software which provides for the accumulation and reporting of results and statistics jurisdiction-wide, can be incorporated.

1.3.1. Ballots and Marking Devices

The AccuVote-OS uses a mark-sense ballot; i.e., the voter makes a "mark" in designated ovals to indicate a candidate selection or measure preference which is then "sensed" by the AccuVote-OS tabulator. The ballot is always 8.5 inches wide and can vary from 11 inches to 18 inches long. It may vary from one column to multiple columns. Each column of the ballot consists of one or more contests, each with one or more candidate or measure selection positions. The ballot may be printed on one or on both sides.

The voter uses a marker to fill in the oval, thereby selecting a choice. Several types of marking devices are suitable for use with the AccuVote-OS. A dark felt-marking pen, which easily and quickly fills the voting oval and produces adequate contrast to the background color of the ballot without significant bleed through to the opposite side of the ballot, is the preferred instrument. A #2 lead pencil or regular black, blue, green or dark ballpoint pen can also be used. Issue of suitable marking devices by the Election Official is mandatory except for absentee voter ballots issued through the mail.

1.3.2. Ballot Tabulator

The AccuVote-OS ballot counter is intended to be used either in the polling place or for central counting. It is a portable device which measures approximately 14 inches wide, 16 inches long, and three inches high. Its exterior is a high-impact plastic.

The voter, precinct officer or Election Official places a voted ballot on the tray at the front of the tabulator, and moves the ballot into the ballot entry slot. The presence of the ballot in the slot causes the drive motor to be energized, and the ballot is taken into the tabulator for processing. After the ballot has passed through the read station and the voting marks on it have been interpreted, it is discharged through the slot in the back of the tabulator into a plastic three-bin ballot box; or for central or absentee count, into a collection tray.

A Liquid Crystal Display (LCD) indicating the polling place and a four-digit public counter is on the front of the tabulator, where voters and polling place officials can observe it. The four-digit counter displays the number of ballots that have been processed since opening the polls along with other information and messages.

The printer cover on the top of the tabulator may be removed, using the proper key, for access to the internal printer.

1.3.3. Election Coding

Prior to use in any election, the AccuVote-OS must be put in readiness to process ballots for that election through the use of coding software loaded onto a solid state Memory Card. The software resident on the Memory Card describes the offices, measures and voting response positions. It describes the number to be elected to each office, the results to be accumulated, the statistics to be accumulated, the reports and messages to be printed, the selection of ballot path and other parameters of a specific election. This GEMS software transfers these parameters, which are precinct or ballot style or poll-site specific, to the Memory Cards via the AccuVote-OS.

1.3.4. Memory Card

The Memory Card is a solid state RAM (Random Access Memory) storage medium which contains the information required to identify the election and the ballot format for which it is programmed, the applications program, the voting data from the ballots which have been processed, and other ballot processing control functions. Each Memory Card has its own battery to preserve election information and vote totals.

The Memory Card serves as a medium for the temporary short-term storage of this data before it is read and accumulated by the GEMS software system. The settings for the 1.96.4 firmware will be the 195/196US in the reports field and the 1.96 in the version field. The settings for the 1.94w firmware will be the 194US Summary report.

Memory Cards do not come within the purview of Sections 17301-17306 of the Elections Code; that is, they may be made available for use in other elections and need not be in a sealed condition nor made inaccessible for the periods cited in these Election Code Sections.

If required, the election can be reconstructed from original ballots, a duplication of original coding and reference to the various tracking points mandated by the Procedures.

1.3.5. Ballot Path

There are three paths that can be taken by a ballot after it is placed in the AccuVote-OS. These paths are under program control.

The first path directs a ballot to the Right Bin, ordinarily used to store counted ballots which require no further processing.

The second path directs a ballot to the Center Bin, which is ordinarily used to store counted ballots meeting sorting criteria specified by the election administrator, such as write-in or blank ballots which may require further action.

The third path is reversal of the ballot direction, so that it is made available to the Voter/Operator for corrective action or decision before being counted.

A Left Side Auxiliary Bin is available for the temporary storage of voted but uncounted ballots. The Left Side Auxiliary Bin can be used during periods when the AccuVote-OS may be otherwise not functioning and to store absentee and provisional ballots. See Section 3.2.1e.

Ballots which are directed to the Right Bin and the Center Bin will cause the statistical counters to increment. That is, the LCD will show the ballot has been counted and the marks sensed will increase vote totals.

1.3.6. GEMS (Diebold's Election Management Software)

While one AccuVote-OS or a group of AccuVote-OSs is sufficient for processing ballots, it is preferable to accumulate summary data and print reports through the use of the GEMS. The tabulation system consists of an AccuVote-OS Tabulator, a computer server, printer, floppy disk drive, tape drive or CD-RW drive for periodic backups, and software to effect the summary process. Tabulation input to this system is a Memory Card from an AccuVote-OS that has processed the ballots and accumulated vote totals for an individual precinct or absentee ballot style. These totals are transmitted to the GEMS system via the serial port on the AccuVote-OS unit.

When used in an election, the accumulation and reporting components of GEMS software are considered as an integral part of the overall system, and are subject to testing of the summary totals accumulation process via serial and modem connections, reporting systems, export

programs for Secretary of State reporting, as is required to ensure that all major areas of the system are functional and tested for accuracy.

1.3.7. Vote Centers

Vote center is a polling location that may contain one or more voting precincts. GEMS utilizes the category of vote center to organize appropriate ballot information for each polling location.

1.3.8 Central Count

AccuVote®-OS Central Count is a batch AccuVote®-OS ballot processing solution employing the AccuVote®-OS configured with Central Count firmware, linked over a local area network connection to the GEMS election management server. Ballots scanned by the AccuVote®-OS Central Count unit pass card Id information to the GEMS server over the network, the GEMS server then confirms the ballot identification, and returns a ballot mask to the AccuVote®-OS Central Count device. Using the ballot mask, valid voting positions are uploaded for the ballot to GEMS.
Large numbers of ballots may be processed with the aid of the AccuFeed and more information on the setup of the feeder may be found in the *AccuFeed User's Guide.*

Ballots are processed in Central Count mode in decks, which are delimited by Batch Start or Batch Header cards, and terminated by AccuVote Ender cards. Batch cards should be kept with each batch after processing for auditing purposes. Additional log sheets should be utilized to track ballots that are being prepared for central count processing.
While a batch may contain any number of ballots, the AccuFeed infeed hopper cannot accommodate more than 200 ballots. Batches greater than 200 ballots should be subdivided accordingly. If varying sized ballots are featured in an election, these ballots should be batched separately, as the infeed tray extensions and outfeed tray handles must be set corresponding to ballot length.

Results are posted in batches in GEMS, and all election results are reported by GEMS – the AccuVote-OS Central Count unit, unlike the AccuVote-OS in Precinct Count unit, does not perform any ballot tallying and reporting.

AccuVote-OS units running Central Count may be installed with memory cards, which store the AccuVote-OS unit's IP address. No ballot images or results are stored to the memory cards. No downloading of vote center information to memory cards is necessary in order to prepare AccuVote-OS units for Central Count. Central Count is activated in GEMS in the Central Count Server console; in order to count ballots in GEMS in Central Count mode, the vote center must be defined with count method Central Count. The Central Count Server is totally separate from the Gems AV server (which uploads TS results and Precinct OS results) and is operated by itself.

When the Central Count console is running decks are posted to the server and committed as each Ender Card is fed through and the deck committed. Each deck should be audited at the time it is committed for accuracy of the count and may be deleted and a new deck run if necessary. Various Administrative reports may be run at the end of processing to validate the total number of ballots processed.

Specific setup and configuration of Central Count AccuVote OS units may be obtained in the *AccuVote OS 2.0 Central Count User's Guide*.

Security for Central Count units should be exercised in the same manner as that used for the Precinct Count AccuVote OS units. The main advantage to Central Count units is that they may be physically disconnected from the Gems Server and no information is stored on the units.

There are Diagnostics that may be performed on the Central Count units as on the Precinct Count units and should be. Logic and Accuracy testing should be performed and validated on Central Count units that will be used for processing ballots in any election.

The sort and reject options in the AccuVote OS Options Tab should be set with Central Count in mind – the ability to stop on write-ins is valuable in that the Central Count unit will stop processing and wait for operator assistance – the ballot in the outfeed tray may be removed to tally the write in and the yes button on the Central Count unit must be pushed to continue processing. Like the reject settings in the Precinct Count OS units the Central Count unit will stop and wait for operator assistance by displaying the appropriate message on the LCD and allowing the operator to retrieve the ballot form the outfeed bin, examine it and determine the next course of action. The possible error messages that may be encountered running Central Count and their recommended solutions are listed in depth in Section 8 of the *AccuVote OS 2.0 Central Count User's Guide.*

Once processing is finished for that time period it is recommended that the Central Count Server be stopped, the database backed up, and the reconciliation done to assure that the ballot count is correct.

It is recommended to run Central Count server all by itself – that means that it is the only Server running – If the AV server is needed to upload Precinct Count units it is wise to shut down Central Count prior to opening the AV Server.

Chapter 2 Pre-Election Diagnostic, Testing and Preparation Requirements

2.0 Preface and definitions

Functions are outlined in these procedures in four stages or components: System Proofing, Diagnostic Tests, Logic and Accuracy Testing and Final Preparation.

a. System Proofing: This is comprised of the steps taken to setup an election using the AccuVote-OS system, including all the steps in creating a specific elections database and related settings.
b. Diagnostic Tests: These tests are performed on AccuVote-OS tabulators to ensure operation of basic, non-election-specific functions. They are performed in diagnostic mode and do not require a Memory Card.
c. Logic and Accuracy Tests: These tests include tests to ensure the AccuVote-OS hardware is capable of reading every possible position on a ballot and that Memory Cards are capable of recognizing election specific ballots. These tests also ensure that votes cast on a ballot are correctly read, transmitted, and tallied by the GEMS software system. The tests are performed using all hardware and software components that are part of the Gems Election Management System.
d. Final Preparation: This is the process by which tested components are prepared for distribution to Election Officials for use on Election Day.

The test procedures described are a required MINIMUM and may be combined at the discretion of the Election Official. They do not preclude additional testing.

In addition to the following test procedures, those counties which provide election night results on-line to the Secretary of State must conduct tests required by that office to ensure accurate and

timely submission of semi-final official canvass results, and must include hardware and telephone lines used for that purpose in all tests required.

2.1 System Proofing

System proofing is the mandatory review of all components of the election definition, including all input data for precincts, districts, races, candidates and measures. This phase of election preparation does not include the Logic and Accuracy tests of the computer hardware and software used to tally and summarize votes. System proofing shall include, but is not limited to, verification of the correctness of the following:

a. Assignment of jurisdictions participating in the election to ballot styles;
b. Linkage of precincts, districts and vote centers in which the election will be held to ballot style;
c. Ballot content of each ballot style, including offices, district designations, candidate assignment and rotation, ballot measures, all in the proper sequence;
d. Precinct identification coding, (if used), and fold scoring;
e. Election night summary report and statement of votes cast formats; and
f. Voter registration data for jurisdictions participating in the election.

2.2 AccuVote-OS Diagnostic Tests

Prior to use in either the central counting mode or precinct counting mode, hardware diagnostic tests shall be performed on every AccuVote-OS to be used in the election. The following diagnostic tests shall be performed within ninety (90) days prior to the election.

2.2.1 Test the various internal components of the AccuVote-OS by entering the diagnostic mode on the AccuVote-OS and perform the following:

a. Verifying operation and setting of the Ballot Box deflector
b. Setting the System date and time (consider seasonal time changes)
c. Testing the LCD monitor
d. Testing the System Memory of the AccuVote-OS
e. Testing operation of internal printer and ribbon
f. Testing the Serial Port on the back of the AccuVote-OS
g. Testing all the scan sensors of the Ballot Reader
h. Testing of all Memory Cards to be used in the election.

2.2.2 Diagnostic testing consists of those processes and procedures necessary to ensure hardware to be used in the election is working properly and can be viewed in more detail in the AccuVote-OS_1.94_Precinct_Count_Users_Guide. If malfunctions are encountered, corrections shall be made and recovery procedures implemented. Prior to use, check all cabling and connections for each hardware component.

2.2.3 In the event any AccuVote-OS fails after official ballot processing has begun, diagnostic tests must be successfully run on the (failed) component after it has been repaired, replaced, or adjusted (in a manner deemed sufficient by the responsible Election Official to require re-testing for accuracy), before the component is returned to service. Diagnostic tests of hardware on election night are permitted.

A loss of power is not to be considered a failure for purposes of this paragraph, unless there is no recovery.

2.3. AccuVote-OS Card Reader, Memory Card, and Exception Testing

These tests are run prior to the Logic and Accuracy tests to verify that the card reader in the AccuVote-OS is properly functioning, that it can read all permissible voting position ovals for a specified election, and that a Memory Card will not read ballots for which it has not been programmed to read.

2.3.1 A diagnostic card shall be run through each AccuVote-OS tabulator to be used in an election. The card will be run through 5 times lines up first and then 5 times ovals up. On the fifth ballot hold the yes button down to produce the results of the reader test. These tests may be viewed in more detail in the AccuVote-OS_1.96_Precinct_Count_Users_Guide. The printed report will be retained for inclusion in the Logic and Accuracy report.

2.3.2 Memory Card Tests

The purpose of these tests are to verify that an AccuVote-OS tabulator combined with a Memory Card can read every permissible mark on the ballot for a specified election, and that individual components as well as the interface between them function as required. These tests may be run with the Logic and Accuracy Tests.

The Results Tape of the testing will be kept as part of the pre-election test audit trail. Each tape results shows the date and time of the test, the vote center identification, as well as the results of the test (printout). These tapes should be signed or initialed by the tester. These tapes should be retained as part of the election audit trail.

The Memory Card test deck will be comprised of the following:

a. An election-specific “Blank” ballot card for every precinct or sequence;
b. An election-specific “Fully-voted ballot” for every precinct or sequence;
c. A ballot from another precinct or sequence for the same election; and
d. A “Warehouse” test ballot. This is one ballot from every precinct in the election that has the last oval filled in, not including the write-in position, for every contest. Note: This ballot is run as part of the Accuracy Test, the results are used in the Logic Test.
e. In a primary election, blank, fully voted, and warehouse ballots should be created for each party.

2.3.3 Memory Card “Blank,” “Fully Voted,” and Exception Test

This test will be performed on 100% of the Memory Cards to be used. It is acceptable to use as many as many AccuVote-OS readers as necessary to aid in the processing of all Memory Cards in a timely manner. Tests performed will be the following:

Blank and Fully Voted Ballot Test.
While the Memory Card is in Test Ballot mode, use the Test Unvoted Ballots option and run the election-specific Blank Ballot through the AccuVote-OS once in every orientation. Repeat this process for the Fully Voted Ballot test. You should also run a Blank Ballot through on the Voted ballot test as well as a Fully voted ballot through on the Unvoted ballot test. This verifies that the AccuVote-OS is reading correctly. During this test the AccuVote-OS will print a report showing the results of the test. This report shall be kept with all other Logic and Accuracy tests materials.

Exception Test
Choose the Test Voted Ballots option in the Test Ballot mode. Run one ballot from another precinct or sequence through the AccuVote-OS. The AccuVote-OS should reject the ballot. These tests can be run as often as desired. If any Memory Card accepts a ballot for which it has

not been programmed, it shall be taken out of service and the cause of the problem determined and corrected before allowing ballots to be cast for that precinct or sequence.

Voted Ballots Test.
Choose Test Voted Ballots option in the Test Ballot mode of Memory Card. Run one Warehouse test ballot through AccuVote-OS for every precinct on the Memory Card. For a partisan primary election, run one Warehouse ballot for each party

2.3.4 Relation to Logic and Accuracy Testing

Note that the Memory Card test can be used in concert with Logic and Accuracy testing. At least one Memory Card from each ballot style must have a full LA5 test deck run. See 2.4.1 below.

2.4 Logic and Accuracy Testing

Logic testing consists of those processes and procedures necessary to ensure that vote tally programs and hardware correctly interpret, summarize, and report voters' marks for a specific election. This is normally a series of tests using election-specific ballot cards whose voting position ovals are marked in a predetermined manner.

Successful testing will demonstrate that each candidate and ballot measure receives the proper number of votes; the system reports the proper number of over and under votes; the system accepts only the proper ballot types and rejects improper ones; and the inactive voting positions are not being tabulated.

Logic tests will be conducted using test materials below in such a manner as to meet these guidelines. All tests shall result in reporting that matches predetermined results. All reports and test materials must be retained as in Section 2.4.5.

Accuracy testing consists of those processes and procedures necessary to ensure that the vote tally programs and hardware correctly interpret, summarize and report voters' marks for a specific election. This is normally a series of tests using test ballots which are made from actual printed ballots, and accumulation of results from both AccuVote-OSs, by transferring results from the Memory Cards via an AccuVote-OS and/or modem to GEMS, and from the Central Count readers to GEMS.

2.4.1 Logic and Accuracy Test Ballots

Logic and accuracy test ballots will be prepared for each ballot type in the election. These regular official ballots shall be marked "TEST" or otherwise clearly identified as test ballots.

The logic and accuracy test deck is made up of Warehouse ballots, LA5 ballots, and, if the election has a race where the voter can vote for more than one candidate, multi-vote ballots.

a. Warehouse test ballot is one ballot from every precinct in the election with the last oval filled in, not including the write-in position, in every contest. These will be processed as part of the Memory Card accuracy test explained in section 2.3.3 of these procedures.

b. LA5 Test deck: This deck is made up of election specific ballots that have been marked with a predetermined pattern of votes. A 1,2,3,4,5 pattern of votes will be cast for candidates in every contest. For example, the 1st candidate will receive one vote, the 2nd candidate will receive 2 votes, the 3rd candidate will receive 3 votes and so on until all candidates have had votes cast for them. If there are more than 5 candidates in a contest, the pattern will repeat so that the 6th candidate will receive 1 vote, the 7th candidate will receive 2 votes and so on until votes have been cast for all candidates.

If there are fewer than 5 candidates, the pattern will only go up to the highest number of candidates in that race.

Create this deck for one precinct in each style or as determined by the Election Official.

For primary elections, create this deck for each of the parties.

Note that for offices that rotate across districts, it may appear that this pattern is not followed. Ballots are marked so the 1, 2, 3, 4, 5 pattern consistently allocates and accumulates the predetermined pattern across rotations.

c. Multi-vote test deck. This deck is produced for Ballot Styles where multiple votes are authorized. This tests overvotes and tabulation when the race allows for "vote for more than one". All races that are "Vote for one" are ignored in this deck. The first ballot is the "overvote" ballot. Each race has one more prefilled oval than allowed for the race. The next set of ballots rotate in combinations of the number of votes allowed, e.g. with Vote for Three and 6 candidates, the deck would produce a ballot for ovals 1,2,3 followed by 2,3,4, then 3,4,5, and then 4,5,6; continuing on to the last oval in the race. Tabulation would be 1 vote for first and last candidate, 2 votes for 2nd and 2nd from last, 3 votes to the 3rd and 3rd from last and so on until the candidates in the middle are receiving the maximum number of votes allowed.

   This description is optional based on particular printing capabilities of the ballot printer used by the county. The Election Official, in lieu of the multi-vote test deck, may make a customized ballot deck to test the overvote condition for each race on the ballot containing offices allowing more than one (1) vote.

2.4.2 Performance of Logic and Accuracy Test

An election-specific Logic Test shall be performed on each Memory Card to be used and the Central Count readers as applicable. As each Memory Card is successfully tested it should be certified and secured until needed.

a. Run LA5 deck for every style onto a Memory Card using an AccuVote-OS.
b. Run LA5 deck for every style that will be used for a Central Count or Absentee Count.
c. Run a Warehouse deck for all Memory Cards not included in the LA5 decks.
d. Once Memory Cards are placed into AccuVote-OSs, the Election Official may transmit test results to test modem performance.
e. Print reports and examine for expected results pattern.

2.5 Retention of Test Materials and Results

The successful logic and accuracy tests, conducted at the time of certification (or recertification, if necessary) to the Secretary of State, storage logs or records, if any, and balancing reports, if any, shall be retained as long as the ballots are kept for the election. The official logic test ballot cards used for balancing prior to and upon completion of processing official ballots shall also be kept for as long as the ballots are kept. Back-up decks and other test decks may be destroyed or used to train operators for other elections. Memory Cards need not be retained.

2.6 Logic and Accuracy Board

The Election Official shall establish a Logic and Accuracy Board to complete certification of testing. Not later than seven days before each statewide election, the Secretary of State must receive a copy of the Logic and Accuracy Board's certification. For local and district elections, the

Logic and Accuracy Board members shall submit their copy of the Logic and Accuracy Board's certification to the local Election Official conducting the election.

2.7 Ballot Tally Programs

The Election Official shall send ballot tally programs to the Secretary of State. These must be received by the Secretary of State no later than seven days before each statewide election.

2.8 Hardware Maintenance

Ballot counting equipment must be maintained in a satisfactory manner in accordance with vendor specifications, where available.

Individual component testing and maintenance if necessary shall be performed by qualified personnel before each election. At the time of this writing, such hardware consists of AccuVote-OS tabulators as described herein, and the hardware component of the GEMS System (if employed).

Any equipment, or component, that fails or malfunctions during maintenance and testing shall be serviced, repaired, or replaced and appropriately tested prior to the use of that equipment or component in any election.

2.9 Preparation of AccuVote-OS for Precinct Use

Charge or re-charge the internal battery of the AccuVote-Os for 24 hrs plugged in and turned on prior to installation of the Memory Card.

2.9.1 Inserting Memory Card into AccuVote-OS.

Insert each Memory Card (programmed for the election, and carrying appropriate precinct(s) and/or ballot style identification) into an AccuVote-OS. Be sure each Memory Card is in "Election Mode", by turning the unit on and allowing the Zero Report to begin printing and then turning the unit off. The Results Tape will print messages that initialization is complete, a message displaying precinct or ballot style identification followed by a display of statistical data, and vote totals set to zero.

If the Memory Card cannot be initialized or causes to be displayed on the LCD any error message that cannot be remedied, it shall not be used. A log will be maintained reflecting the Memory Card precinct(s) or absentee ballot style. This log may be combined with other logs.

2.10 Final Preparation of AccuVote-OS for Precinct Use

Each AccuVote-OS to be used in a polling place shall at this time be equipped with the Memory Card for the precinct(s) where it is to be used. It shall be properly identified and sealed within the Memory Card compartment and the seal number shall be noted on a log sheet.

2.11 Final Preparation of AccuVote-OS for Central Count Use

AccuVote-OS tabulators that are to be used for the central counting operation shall be maintained in a secure condition or environment.

If Memory Cards are to be used for central counting they shall be suitably labeled and maintained under lock or seal until such time as they are to be employed for tabulating.

2.12 Logic and Accuracy Certification

A Logic and Accuracy Board shall be appointed by the Election Official and, when possible, shall be comprised of the same persons prior to, during, and after the election. The Board shall have the following duties:

a. Receive from the Election Official all required test materials and take steps to ensure the security of said materials prior to, during, and after the election, except when the materials are properly in the possession of one of the other boards or Election Official as required by these procedures.

b. Verify the correctness of the logic and accuracy test and the logic and accuracy test ballots. This verification shall also be required for any of said material that must be replaced.

c. Observe the performance and verify results of all required tests.

d. Note any discrepancies and problems and affirm their resolution or correction.

Final pre-election certification shall be made to the Secretary of State no less than seven days before each statewide election. The Election Official, based on the Logic and Accuracy Board's certification of successful testing, shall make this certification. In the event an amendment to the ballot counting program is required following this certification, the Election Official must immediately recertify to the Secretary of State.

Chapter 3 Precinct Procedures

3.1 Precinct Supplies

In addition to those supplies required for the conduct of elections generally, the Election Official shall supply to each precinct a sufficient quantity of the following:

a. Marking devices compatible with the AccuVote-OS Voting System.
b. Ballots of such form as required for tallying by GEMS, which can include precinct ballots and provisional ballots. In primary elections, ballots shall be appropriately tinted or otherwise identified for each political party and for nonpartisan voters, as directed by the Secretary of State.
c. Secrecy envelopes or folders in sufficient quantity to conduct the election. These envelope/folders must entirely cover the ballot area on which voting marks are made. The envelopes/folders provide security coverage of voted ballots until the ballots are deposited into the ballot box. The envelopes/folders are not deposited in the ballot box with the voted ballots, and may thus be reused by successive voters.
d. One or more ballot boxes or containers that may be sealed or locked, into which is placed each voter's ballot or ballots.
e. Containers or envelopes in which to enclose the following: (1) election supplies; (2) voted ballots; (3) provisional, spoiled, unused and cancelled ballots. At the option of the Election Official, the container provided in Item d may be used for all or part of this requirement.
f. A Precinct Ballot Statement.

g. Such other forms, logs, and seals for containers, equipment and supplies necessary for the conduct of the election.

3.2 Before the Polls Open

3.2.1 The precinct officer shall check that the following has been delivered and verified:

a. An AccuVote-OS tabulator with the correct Memory Card installed. This can be verified by inspecting the printed Results Tape. If Multiple Precinct Processing is to be implemented, the AccuVote-OS device shall be located so that it is equally accessible to voters and precinct officers of each precinct.

b. A ballot box compatible with the AccuVote-OS. It may have three compartments or bins with slots. During operation, the AccuVote-OS is inserted into the top of this ballot box, and processed ballots emerging from the AccuVote-OS are fed into the right and center bins. Additional ballot boxes that are secure and functional with the AccuVote-OS may be used. Appropriate seals for additional ballot boxes can be used and should be.

c. Two keys appropriately labeled. One key will open the printer compartment on top of the AccuVote-OS. Another key will open all the doors of the ballot box.

d. On receipt of the AccuVote-OS, verify that the identification number on the AccuVote-OS is the same number that is listed on the Voting Device Report or precinct supply list.

e. Check the number on the seal that locks the Memory Card door in place. This is the same number that is listed on Voting Device Report or precinct supply list. Report any irregularity to the Election Official. Voting may commence, but ballots are to be deposited in the left side auxiliary bin until corrective action if any is taken or directed by the Election Official.

3.3 Ballot Box set up

a. Verify that no ballots remain in any of the ballot box bins from testing or previous elections. Invite any persons assembled at the polling place to view the empty ballot box and observe the closing of the ballot box.

b. Remove the ballot slot cover on top of the ballot box.
c. Lift the AccuVote-OS and slide it into place on the top of the ballot box leaving enough room in the back of the unit to turn the power switch on. Thread the power cord through the chute in the ballot box and plug it into the back of the AccuVote-OS unit.

d. Push the AccuVote-OS back against the ballot box plug. Lock the front door of the ballot box to firmly secure the AccuVote-OS to the ballot box.

e. Close and lock all ballot box doors. The auxiliary bin door may be left open.

3.3.1 **Zero Tape**.

a. Unlock the printer cover.

b. The AccuVote-OS will automatically print the Zero Tape report when it is turned “ON”. Check the AccuVote-OS LCD. The LCD indicates the poll number and the public counter will be at 0.

c. The Zero Tape is the final initialization report that shows that no ballots have been counted. Depending on how it is programmed, it may also show zero vote totals for each race and measure.

d. If the Zero Tape does not automatically print when the voting tabulator is turned on, this must be reported to Election official. Voting may commence, but ballots are to be deposited in the left auxiliary bin until corrective action is taken.

e. Verify that all candidate names and propositions displayed on the Results Tape are the same as they appear on the official ballot.

f. Verify that all candidate names and propositions have a zero total.

If any of the conditions described under "e" or "f" do not exist, this must be reported to the Election Official. Voting may commence, but ballots are to be deposited in the left auxiliary bin until corrective action is taken.

g. The precinct board shall sign the tape – do not detach. Invite any persons assembled at the polling place to view the zero tape. Roll or fold tape and lay it inside the AccuVote-OS, replace and lock the printer cover. Answer No to need another copy, verify the Poll Center is correct and the public counter is at Zero. The AccuVote-OS is ready to accept ballots.

3.4. While the Polls are Open

3.4.1 Instruct each voter in the proper method of voting by filling in the oval, casting write-in votes and using the secrecy sleeve.

3.4.1.1 Write-in space is provided on the ballot. The voter must both write the name of the candidate and fill in the voting position oval.

3.4.1.2 Instructions in inserting voted ballots into the AccuVote-OS shall be given after the voter has completed voting if necessary.

3.4.1.3 Check periodically to make sure the AccuVote-OS is working properly and still powered on.

3.5 Left Side Auxiliary Bin of the AccuVote-OS

The Left Side Auxiliary Bin of the ballot box may be used as a storage area, if none has been provided, for the temporary storage throughout election day for these ballots

a. Delivered, voted Absentee Ballots;
b. Surrendered Absentee Ballots unless directed otherwise by the Election Official;
c. Voted Provisional Ballots;
d. Voted Ballots that will not be accepted by the reader;
e. Ballots voted during emergency periods.

3.6 Voter Assistance

A precinct officer shall be available near the AccuVote-OS device for assisting voters. This officer may be on the board of any precinct if Multiple Precinct Processing is implemented. The same officer need not perform these duties throughout the day; and these duties may be rotated between each precinct.

a. Make sure the voter stub has been removed from the ballot and given to the voter. Assist voter if requested in how to insert his/her ballot. An Assisted Voter affidavit need not be completed unless the assistance requires the viewing of the voting positions on the voter's ballot.

b. Read and inform the voter of the text of messages displayed by the LCD, if any.

c. Inform the voter of what corrective action, if any, may or must be taken, or inform the voter of what options, if any, may or must be chosen.

d. When assisting the voter as described above, the precinct officer shall position him/herself so that the voted portion of the ballot shall not be in that officer's view.

3.6.1 During the time when Polls are open, the Results Tape shall not be removed, nor shall any portion of it be torn off.

3.6.2 If for any reason the AccuVote-OS becomes inoperative, voting shall continue. From the time the device becomes inoperative, until it is made operable or replaced, voted ballots shall be placed in the Auxiliary Bin. If and when the AccuVote-OS is restored to operation, a Precinct officer, witnessed by a second precinct officer shall enter ballots, which have been stored temporarily in the Left Auxiliary Bin, into the AccuVote-OS. This process shall not hinder nor delay voting, and shall be performed during inactive voting periods, or after the last voter has voted and before the "Ender Card" is processed. During this process, if a damaged ballot is encountered, it shall be placed in an envelope or container appropriately labeled. Such ballots shall be held by the Election Official for inclusion in the Final Official Canvass.

3.7 Closing the Polls

3.7.1 Closing the polls shall be conducted as prescribed in Election Code Sections 14400 et. seq. Additional procedures for AccuVote-OS-related activities follow.

3.7.2 Precinct voter ballots. The AccuVote-OS will have a total number of ballots counted on the Results Tape. Keep the ballots with write-in votes separate from other ballots.

3.7.8 Process Voted Ballots

3.7.8.1 All ballots cast at the polls and counted through the AccuVote-OS in the precinct are counted, except for the write-in votes. All of these cast ballots should be reviewed for valid write-ins.

3.7.8.2 Upon inspection, if there is no write-in vote, no further action is required. Place the ballot cards with write-in votes within a precinct in one stack.

3.7.9 Following the close of the polls the precinct board shall remove any and all voted ballots from the Auxiliary Bin that were not counted by the AccuVote-OS. The precinct board may attempt to feed these ballots into the AccuVote-OS for counting. Those ballots that continue to be rejected by the AccuVote-OS should be placed inside the container as directed by the Election Official and sealed.

3.7.10 The precinct board shall unlock and remove the printer cover of the AccuVote-OS device. Then obtain access to the front of the AccuVote-OS by unlocking the top front door of the ballot box. While holding the YES and NO button on the front of the AccuVote-OS at the same time, insert the Ender Card into the AccuVote-OS. This will initiate the FINAL Results Tape that will print automatically. If the tape does not print, call the Election Official immediately. The printed tape will include both the ZERO TOTALS TAPE and the FINAL RESULTS TAPE. The

precinct board shall tear the tape from the AccuVote-OS and return it to the Election Official as specified.

3.7.11 The precinct board will immediately transmit, by telephone, the final results to the Election Central Gems Server unless otherwise directed by the Election Official. The AccuVote-OS unit shall be turned off and unplugged from the power outlet and immediately moved, or transported to another location as directed, to a designated telephone jack for transmitting results. The telephone number to the Election Central Gems Server shall already be programmed into the Memory Card.

Precinct Board will connect the telephone cord from wall into back port of AccuVote-OS and ensure that the AccuVote-OS unit is plugged into an electrical outlet. If no power outlet is near the telephone line, then transmission may be completed using the AccuVote-OS battery.

AccuVote-OS will be turned on and answers to the LCD prompts will be made until the message "Results sent Okay" appears.

After receiving "Results Sent Okay" message, Precinct Board members will turn off the AccuVote-OS unit and return unit to its carrying case.

THE MEMORY CARD SHALL NOT BE REMOVED FROM ACCUVOTE-OS UNIT EXCEPT BY AN AUTHORIZED ELECTION OFFICIAL.

The precinct board shall sign the AccuVote-OS tape and record ballots cast total on the Precinct Ballot Statement as directed by the Election Official.

3.7.12 Examine the Ballot Bins:

Any delivered voted Absentee Ballots shall be placed in the container provided for that purpose.
Place any surrendered Absentee Ballots in the container provided for that purpose.
Place any voted Provisional Ballots in the container provided for that purpose.

The Precinct Board will remove all of the voted ballots from the ballot box. Then place voted ballots into envelopes or containers and seal with the seal provided for that precinct. Also, remove the write-in ballots from the center compartment of the ballot box and place in envelope or container as directed by the Election Official.

3.8 Returning Voted Ballots and Materials

Return all ballots and supplies as prescribed by the Election Code and as directed by the Election Official.

At least two precinct board members must accompany all ballots until they are in the custody of the Election Official and a properly executed receipt has been provided.

Chapter 4 Semi-final Official Canvass Procedures

This section presents procedures for processing ballots through AccuVote-OS "centrally" on election night or for absentee ballots processed before the close of polls on election day as opposed to such processing occurring at the polling place throughout the day. Normally such processing will be done at a County Courthouse, County Administration Facility, City Hall or other such single facility. Nothing herein shall preclude however, the election night processing of ballots at other locations (and they may be several) such as polling places, remote public facilities etc. When so done, the procedures presented here for "central processing" shall apply as far as is practical. All procedures for testing, sealing, logging, maintenance of the audit trail and subsequent transportation of ballots, Memory Cards and election materials shall apply.

4.1 Report Preliminary Absent Voter Tally Results

Report preliminary absent voter vote tallies to the Secretary of State immediately following the close of the polls. This requirement shall apply to all elections for which election results are reported to the Secretary of State.

4.2 Assignment of Responsibilities

The Election Official responsible for the conduct of an election shall assign staff or appoint boards to carry out the following semi-final official canvass functions:

a. Absent Voter and Provisional Voter Ballot Processing (TRACKING POINT)
b. Seal and Container Inspection (TRACKING POINT)
c. Ballot Processing (TRACKING POINT)
d. Ballot Duplication (TRACKING POINT)
d. Memory Card control (TRACKING POINT)
e. Elections Observer Panel (See Section 8.3)
g. Other boards deemed necessary by the responsible Election Official. Individuals appointed may perform more than one function or serve on more than one board.

The semi-final official canvass functions listed above must be performed by a minimum of two persons. Each board member shall be appointed to perform the function designated. Each person who handles ballots at the central or remote counting location shall sign the following declaration:

> "To the best of my knowledge and belief, I did not tamper with any ballot, Memory Card, or ballot counting equipment, nor did I observe any other person in any way tamper or interfere with the ballot counting process."

4.3 Establish Audit Trails

The Election Official shall establish procedures to account for all voted ballots during the semi-final official canvass.

4.3.1 Absent Voter and Provisional Voter Ballot Processing:

Absent voter ballots and provisional voter ballots returned to polling places on election day are sealed in designated containers by precinct boards for return to the designated counting location. These designated containers shall be removed from the precinct supply kits on election night or the next day if properly secured. The condition of the seals shall be noted and reported as required by the Election Official.

Absent voter and provisional voter ballots received on election night shall be:

a. Processed on election night in accordance with these Procedures and the Elections Code or
b. Maintained in a secure location accessible only to the Election Official under controlled conditions before being processed.

4.4 Functions of assigned staff or Boards

4.4.1 Seal and Container Inspection (TRACKING POINT)

a. Examine each sealed voted ballot container.

b. Document any irregular condition of seals.

c. Refer any defects to the appropriate board or to the Election Official as directed.

4.4.2 Assigned staff or Ballot Processing Board. Ballot Processing through AccuVote-OS shall:

a. Be done in the presence of at least two people, one of whom will be the system operator who is responsible for managing and monitoring system operation and reporting. .

b. Utilize one operator assigned to each AccuVote-OS. If an AccuVote-OS is idle, the operator can be assigned to another. All AccuVote-OS operators shall be supervised.

c. Maintain an audit trail that links operators and ballots to specific AccuVote-OS devices.

d. Maintain a record or log of the sequence in which precincts were processed along with recording system irregularities in processing.

e. Separate ballots that cannot be read by AccuVote-OS. These ballots must be identifiable to the precinct from which they are separated and delivered to the proper board for resolution. This includes such items as damaged ballots or ballots in the incorrect precinct.

f. Maintain ballots together by precinct for delivery to the assigned staff or Storage Board.

4.4.3 Ballot Duplication (TRACKING POINT)

Correcting or duplicating defective ballots shall done in a clear, unambiguous, and auditable manner such that the voter's mark and intent is preserved and the Election Official's action adheres to the voter's intent. For defective absentee or mail ballots and/or ballots where the voter intent is clear but the AccuVote-OS cannot read the ballot, the ballot shall be processed according to the following procedures:

a. (Defective ballots may be duplicated before processing or after rejection by AccuVote-OS, or both.)

1. When an absentee or mail ballot voter takes corrective action on their ballot and voter intent is clear, the Election Official may use a Post-it Correction & Cover-up tape in lieu of duplicating a ballot to cover extraneous marks made by the voter or to allow the Election Official to enhance a mark made by the voter. The Election Official may make a designated unique mark on the tape so long as the tape could be removed and the original mark made by the voter is preserved. The Election Official shall initial next to this correction in an area in which it will not be interpreted as a vote.

2. When an absentee or mail ballot is insufficiently marked and the voter's intent is clear, e.g., ballot ovals filled in with red ink, light pencil or other light marks, then the ballots are to be duplicated or corrected following either or both of these procedures:

a) The Election Official may use a Post-it Correction & Cover-up tape © in lieu of duplicating a complete ballot to cover marks made by the voter or to allow the Election Official to enhance a mark made by the voter. The Election

Official may make a designated unique mark on the tape so long as the tape could be removed and the original mark made by the voter is preserved. This unique mark or enhancement shall take the form a slash mark on the tape covering the original oval the voter has indicated. The Election Official may make the mark so that it is sufficiently different in color and style it cannot be mistaken as the voter's original mark. The Election Official shall initial to this mark in an area in which it shall not be interpreted as a vote.

b) The Election Official may use a colored translucent marker (such as a highlighter) that will not obscure, obliterate, or otherwise destroy the voter's original mark but will create a mark that is readable by the AccuVote-OS. The Election Official shall initial next to this mark in an area in which it shall not be interpreted as a vote.

This method of using Post-it Correction & Cover-up tape ©*, although simple, is NOT recommended by Diebold as it can cause damage to the read head of the AccuVote OS unit and may require replacement of the unit.*

b. Duplicating defective ballots.

Deliver defective voted ballots to the appropriate location for processing. All ballots prepared as duplicates of defective voted ballots shall be of a distinctive color, or be identifiable by other distinguishing means, clearly labeled "duplicate," and shall be given a serial number which shall also be recorded on the damaged ballot.

In creating the duplicate ballot, one board member shall duplicate voting positions marked on the original/damaged ballot, and shall enter a facsimile of the write-in vote(s), if any. Efforts need not, and should not, be made to match the handwriting characteristics of the voter when entering these write-in facsimiles. Particular attention must be paid to completing or not completing the ovals opposite the write-in spaces as the voter has done, or failed to do. Another member shall verify that the voting position marks and write-in entries (including oval completions or lack thereof) on the duplicate ballot match those in the damaged ballot.

Duplicates shall be placed with voted ballots of the appropriate precinct for further processing, tallying, and storage. The original ballot, which has been duplicated, shall be distinctively voided, placed in clearly identified containers for duplicated ballots, and segregated in a secure location so they cannot be counted inadvertently.

4.4.4 When ballots are processed centrally, the Election Official may forward "blank" ballots for processing. Such ballots will carry voting position marks that cannot be read by the AccuVote-OS usually because reflectivity of these marks is not within specifications. They are to be duplicated, following the same procedures for insufficiently marked ballots.

4.5 Assigned staff or Memory Card Control Board

It is the duty of the Memory Card Control Board to exercise strict supervision of the identification, receipt, issue, movement and storage of Memory Cards. All such activity is to be logged or otherwise documented. Segregated groupings are to be maintained for various Memory Card statuses, i.e., uploaded, not uploaded, tested, and not tested.

4.5.1 Memory Cards are media used for the transfer of election results from AccuVote-OS to Gems Election Management System. Inasmuch as ballots themselves are sufficient for the long term retention of election data, and inasmuch as Results Tapes are available for comparison against Gems Election Management System reports, and inasmuch as Memory Cards may be needed for elections which may occur prior to the expiration of a mandated period for retention of

election materials, the retention requirements of the Election Code do not apply to Memory Cards.

Chapter 5 Final Official Canvass and Post-election Procedures

5.1 Purpose of the Final Official Canvass

The Official Canvass consists of a post-election audit of the several voting precinct's returns and the absent voter ballot returns:

- To validate the outcome of the election by verifying that there were not more ballots cast than the sum of the numbers of voters who signed the precinct Roster/Index and who applied for and were issued absent voter ballots;
- To account for all official ballots produced for the election; to ensure that all required certificates and oaths were properly executed by the precinct board; and,
- To verify the accuracy of the computer count by manually recounting the voted ballots from at least one percent of the voting precincts and comparing the manually-tallied results to the computer-generated results**.**

5.2 Write-in Votes Processing (TRACKING POINT)

All ballots containing write-in votes must be examined by the Write-In Processing Board. Valid write-in votes shall be tallied manually.

Examine the voting positions on the ballot for the office where the write-in vote occurs. The AccuVote-OS tabulator will have scanned each ballot and determined the Ballot Path for that ballot. If the write-in vote created an overvote condition the ballot would have returned to the voter/operator for action (if programmed to do so).

a. To be counted as a write-in vote, the oval next to the write-in space must be marked.

b. If the name written in is not on the Certified List of Write-in Candidates, write or stamp "VOID," "Unq" or "Unqualified Write-in", or "Not a Valid Write-in" near the name and place the write-in ballot in the designated container.

c. If the name is on the Certified List of Write-in Candidates but the write-in is not made in the space(s) provided for the office for which the candidate is qualified, write or stamp "VOID," "Unq" or "Unqualified Write-in", or "Not a Valid Write-in" near the name and place the ballot in the designated container.

d. If the write-in vote is for a qualified candidate in the precinct and does not constitute an overvote, the write-in vote is manually tallied.

e. If an overvote is found, invalidate all votes for the overvoted office by writing or stamping "VOID," "Unq" or "Unqualified Write-in", or "Not a Valid Write-in" across near the names and place the ballot in the designated container.

5.3 Processing Ballots with Potentially Identifying Marks

Precinct and/or absentee ballots may contain writing or marks that could identify the voter. These ballots must be examined by the Elections Official.

5.3.1 If the marks WOULD IDENTIFY the voter, write or stamp "REJECTED" or "VOID" on the ballot and place it in the designated container.

5.3.2 If the marks WOULD NOT IDENTIFY the voter, process the ballot along with all other valid ballots.

5.4 Adherence to Established Procedures

All operations associated with the official canvass and post-election procedures shall be performed in accordance with the applicable control and security provisions. No operation or activity which results in a revision to voting data produced by the semi-final official canvass shall be performed without the presence of a properly-constituted Election Observer Panel or an equivalent administrative and technical control body authorized to verify the correctness of the operations and responsible for maintaining accurate and complete audit records. Processing ballots shall be done in the presence of at least two people.

5.5 Canvassing Precinct Returns

5.5.1 Process provisional ballots returned by each precinct.

5.5.1.1 Verify eligibility of persons who cast ballots provisionally according to the Guidelines for Processing Provisional/"Fail-Safe" Ballots in an Election, as provided by the Secretary of State.

5.5.1.2 Open envelopes of eligible voters and remove ballots.

5.5.1.2.1 Examine ballots for write-in votes, noting cause for rejection and damage.

5.5.1.2.2 Process in the manner prescribed for Ballot Inspection Boards in Sections 3.6.6 through 3.6.11.

5.5.1.2.3 Identify original or duplicate provisional ballots by precinct and deliver to the designated official for updating computer tallies.

5.5.1.3 Write the reason for rejection on envelopes of ineligible voters. Place unopened envelopes with election materials to be retained for the period prescribed by law.

5.5.2 Examine the Ballot Statement prepared by each precinct board.

5.5.2.1 Compare the number of official ballots reported “received” by each precinct to the number issued by the elections official. Resolve or explain any discrepancy.

5.5.2.2 Verify that the number of ballots voted (including those voted provisionally), plus spoiled and unused ballot cards, equals the number received by the precinct. Resolve or explain any discrepancy.

5.5.3 Reconcile tallies

5.5.3.1 Compare the number of signatures in the Roster-Index to the number of precinct voter ballots reported on the Ballot Statement. Resolve or explain any difference between the two.

5.5.3.2 Compare the number of ballots voted by provisional and precinct voters to the precinct's computer tally. Resolve or explain any discrepancy.

5.5.3.2.1 Locate any ballots not counted on election night because of damage, invalid identification marks, improper orientation, or any other reason.

5.5.3.2.2 Search election supplies and equipment, including unused and spoiled ballots, write-in envelopes, ballot containers, etc., for ballots not accounted for.

5.5.3.2.3 Process any found ballots in the manner described in Section 5.5.1.2.

5.5.3.2.4 Count voted ballots, manually or by AccuVote-OS, without counting races. If the original computer count proves to be incorrect, ballots must be reprocessed through the ballot counting program.

5.6 Canvassing Absentee Ballots

5.6.1 The elections official is accountable for absentee ballots to the same extent, as nearly as practicable, as for precinct ballots. Standards for determining whether to count or not count an absentee ballot are listed in Sections 6.13.1 and Section 6.13.2 of this document.

5.6.2 Prepare a Ballot Statement for each ballot type or special absent voter "precinct" showing the number of ballots produced (received), any defective ballots received from the vendor, spoiled or damaged ballots, the number of returned ballots that were challenged, and the number to be counted.

5.6.3 Reconcile the statement to demonstrate that the total of unused, defective, spoiled, issued, and replaced ballots equals the number received. Resolve or explain any discrepancy.

5.6.4 Compare the computer count to the number of ballots to be counted, as shown on the Ballot Statement. Resolve or explain any discrepancy as described in Section 5.5.3.2.

5.7 Automatic Manual Recount of One Percent of the Precincts

5.7.1 Validate Accuracy of the Computer Vote Count — For the purpose of validating the accuracy of the computer count a public manual recount of the ballots cast in at least one percent of the precincts, chosen at random (except as described in Section 5.7.3, below), shall be conducted as to all candidates and ballot measures voted on in each of the precincts and on each AccuVote-OS used to count ballots. If the random selection of precincts results in an office or ballot measure not being manually recounted, as many additional precincts as necessary shall be selected and manually recounted as to any office or ballot measure not recounted in the original sample.

5.7.2 Precincts Selected Randomly — Precincts selected at random pursuant to Elections Code section 15360 shall be chosen by an individual who is designated by the responsible elections official and who is not the same person responsible for programming the ballot counting computer program. Selected precinct numbers shall not be revealed to computer programming personnel until the semi-official count is complete.

5.7.3 Valid Marks — The rules and procedures set forth in Section 6 concerning the interpretation and counting of valid marks, shall be followed during the automatic recount of ballots.

5.7.4 Reconciliation of Counts — If the manual recount produces different results than the computer vote count, the elections official shall determine the reason for the difference and either reconcile the two totals or provide documentation of why that is not possible.

5.8 Update Computer Counts

This may be done as often as the elections official deems necessary during the canvass process.

5.8.1 Process ballots, by precinct or ballot type, through the AccuVote-OS and ballot counting program. Compare new computer counts to Ballot Statements. Resolve or explain any remaining discrepancies.

5.8.2 If the original computer count for any precinct has been found to be incorrect, or if there are precincts in which unresolved discrepancies remain, the ballots from such precinctsshall be reprocessed through the AccuVote-OS and GEMS. Compare new computer counts to Ballot Statements. Resolve or explain any remaining discrepancies.

5.9 Checking Unused Ballots

Unused ballot cards will be processed in accordance with Elections Code section 14403 or 14404. Precinct officers will deface or seal unused precinct ballot cards, and election personnel in the office of the elections official will seal or deface unused absent voter ballot cards and unissued ballot cards. The elections official may inspect and count unused ballot cards as necessary to reconcile the ballot count during the official canvass.

5.10 Post-Election Clean-Up of AccuVote-OS Machines

After each election the AccuVote-OS shall be inspected for physical damage. Any labels or marks on the AccuVote-OS shall be removed. AccuVote-OSs which have been identified as having processing problems during the election will be tested and any problems corrected.

5.11 Retention of Election Materials

Upon the certification of the election results, Elections Code sections 17300 through 17506 apply to the handling, security and disposition of unused ballot cards and other elections materials. The retention period for ballots and related election materials is six months for all elections if no federal elections are involved. The federal election retention period is twenty-two months. Retention periods may be extended in the event of a court challenge.

Chapter 6 Manual Recount Procedures

6.1 Request for Recount

A request for a recount and the conduct of the recount shall be made in accordance with Elections Code section 15600 and following.

6.2 Public Observation

The recount shall be conducted publicly.

6.3 Appointment of Spokesperson

Upon request, the elections official shall determine the candidates and or campaigns or others that are parties of interest in the recount, and each party of interest shall appoint a spokesperson who shall act as a contact person between the election official and the party of interest. The spokesperson shall be authorized by the party of interest to make final decisions on behalf of the candidate or campaign. The spokesperson shall have access to all parts of the recount area when accompanied by an Election Official. The spokesperson may appoint other persons to observe the recount process, the number and activities of such persons depending on procedures established by the Elections Official.

6.4 Order of Precincts

The person requesting the recount may specify the order of precincts to be counted, and may specify whether the recount begins with precinct ballots, absentee ballots, provisional ballots, or other types of ballots. In the absence of such a request, the elections official shall determine the order in which

precincts are counted. Any change to the order must be requested in writing by the candidate or campaign, or the designated spokesperson.

6.5 Ballot Security

The elections official shall provide for the security of ballots during the recount process. The costs for any security measures in addition to those determined necessary by the elections official that are requested by the voter requesting the recount and that are approved by the elections official, shall be added to the cost of the recount.

6.6 Cost of Recount, Daily Deposit

The voter filing the request seeking the recount shall, before the recount is commenced, deposit with the elections official a sum as required by the elections official to cover the cost of the first day of the recount. For subsequent days, no later than 3:00 pm the day before each day's recount, the requestor shall pay to the elections official a sum sufficient for the next day's recount, as determined by the Election Official. If the advance deposits are not paid, the Election Official will terminate the recount.

6.7 Examination of Ballots and Other Materials

Any research, review, or handling of relevant election material, as defined in Elections Code section 15630, shall be done at the discretion of the Election Official. Requests to research, review, or handle relevant materials must be in writing and must be received by the elections official before the recounting of ballots is complete. The requestor shall pay all additional costs to complete the research or review. One or more representatives of each party of interest, as determined by the elections official, may be present for any research or review of relevant materials conducted under this section.

6.8 Interference with the Recount Process

No person appointed as an observer may interfere with the recount process. All questions must be directed through the designated spokesperson directly to the elections official or his or her designee. No questions or remarks of any kind may be directed to any member of the recount board. No observer may touch or handle ballots.

6.9 Procedure to Challenge Ballots

Ballots may be challenged according to the provisions of Elections Code section 15631. The elections official shall, prior to the recount, establish a procedure for review and resolution of challenges. This procedure shall include, but is not limited to, notice to all interested parties of the rules, regulations, and procedures that will be used to resolve challenges.

6.10 Hours of Operation

Prior to the beginning of the recount, all parties will be notified of the hours of operation.

6.11 Ballot Supervision

At least two persons will attend ballots at all times during the recount, including breaks and lunch periods. Recount boards will be permitted break periods in the morning and afternoon, in addition to a lunch break. Recount boards will not stop for a break or lunch while recounting a precinct.

6.12 Valid Votes

The following specific standards shall be used in determining if one or more marks on an AccuVote-OS ballot are to be included in the count.

6.12.1 Marked Voting Position Oval

A vote shall be considered valid and included in the count when the marked voting position oval is completely filled in.

6.12.2 Other Marked Ballots

A vote shall be considered valid and included in the count when the voter has marked the ballot in a clear and understandable manner such that a pattern or patterns are discernable. See Section 6.13.3 for standards.

6.13 Absentee Ballots

In addition to the requirements of section 6.12 above, the following standards apply to determining if voter's marks made on absentee ballots are to be included in the count.

6.13.1Absentee Ballot Return Envelope

The following standards apply to determining if absentee envelopes are to be opened and the ballots counted:

TABLE A

SHALL BE COUNTED	SHALL NOT BE COUNTED
SIGNATURES	
A.1.a. If the voter's signature on the absentee ballot envelope does match the signature on the affidavit of registration, the ballot shall be counted.	A.1.b. If the voter's signature on the absentee ballot envelope does not match the signature on the affidavit of registration, the ballot shall not be counted.
A.2.a. If the voter printed his or her name on the signature portion of the absentee ballot envelope, and it matches the printed signature on the signature portion of the affidavit of registration, the ballot shall be counted.	A.2.b. If the voter printed his or her name on the signature portion of the absentee ballot envelope but has a written signature on the signature portion of his or her affidavit of registration, the ballot shall not be counted.
A.3.a. If two or more ballots are returned in one absentee ballot envelope, and if there are two or more signatures on the envelope, and these signatures match the signatures on the absentee ballot application(s) or on the affidavits of registration, the ballots shall be counted.	A.3.b. If two or more ballots are returned in one absentee ballot envelope with only one signature on the envelope, neither ballot shall be counted, unless they are both voted the same, then you will count one and void the 2nd one.
A.4.a. If the voter does not sign the absentee ballot envelope in the appropriate space but the signature does appear elsewhere on the envelope and matches the signature of the voter on his or her affidavit of registration, the ballot shall be counted.	A.4.b. If the absentee ballot envelope is not signed by the voter, the ballot shall not be counted.
A.5.a. If the voter uses a mark or rubber stamp on both the absentee ballot envelope and his or her affidavit of registration, and the mark or stamp match, the ballot shall be counted.	A.5.b. If the absentee ballot envelope is signed using power of attorney, the ballot shall not be counted. A.5.c. If a voter uses a mark on the absentee envelope but it is not witnessed by one person, but the affidavit of registration has a signature of the voter, the ballot shall not be counted

SHALL BE COUNTED	SHALL NOT BE COUNTED
A.6. If a voter applies for an absentee ballot by facsimile, and the original signature on the absentee ballot envelope matches the signature on the affidavit of registration, the ballot shall be counted.	
ADDRESS	
A.7.a. If the address on the absentee ballot envelope is a different address than the one listed on the voter's affidavit of registration and/or on the voter's application for an absentee ballot, and the voter applied for an absentee ballot, the ballot shall be counted.	A.7.b. If the address on the absentee ballot envelope is a different address than the one listed on the voter's affidavit of registration and/or on the voter's application for an absentee ballot, and the voter did not apply for the absentee ballot but was instead provided one as a permanent absentee voter, or as a voter in a mail ballot precinct, or for any other reason, the ballot shall not be counted.
A.8. If the voter signs the absentee ballot envelope, but leaves the residence line blank, the ballot shall be counted.	
A.9. If the absentee ballot envelope has a mailing address instead of a residence address, the ballot shall be counted.	
DATE	
A.10. If the absentee ballot envelope is not dated, but is received by the Elections official before the close of the polls on election day, the ballot shall be counted.	

6.13.2 Removing Absentee Ballots from Absentee Envelopes and Ballot Review

Absentee ballots shall be removed from envelopes in such a way as to protect the identity of the voter, to inspect each ballots for write-in votes, to ensure that the voter stub has been removed, and to inspect ballots for potentially unreadable voter marks.

a. Absentee envelopes shall be opened and placed in stacks with the voter's identifying information face down.

b. Ballots shall be removed from the envelopes and placed in a stack until all ballots from the sequence have been removed from their envelopes.

c. Each ballot shall be unfolded and both sides inspected for write-in votes, to see whether the voter stub has been removed, and to look for potentially unreadable marks. Write-in votes shall be reviewed according to Section 5.2 herein. Ballots with potentially unreadable marks shall be processed according to Section 4.4.3.

6.13.3 Counting of Absentee Ballots

Once an absentee ballot envelope is determined to be valid and the votes are to be counted, the following rules apply to determination of the intent of the voter for absentee ballots contained within these envelopes. See Attachment A Voter Intent Examples for illustrations.

TABLE B

SHALL BE COUNTED	***SHALL NOT BE COUNTED***
B.1. When the voter, instead of completely filling in	B.8. If a voter places marks on a ballot which identify

SHALL BE COUNTED	*SHALL NOT BE COUNTED*
the voting position oval, clearly and consistently indicates voting choices by placing a mark, such as an "X" or a "v" or circling the candidate's name or voting position oval or uses a combination of marks such that a pattern or patterns identify the voter's intent, the votes shall be counted.	the voter, the ballot shall not be counted. Initials by a mark correcting a vote do not by themselves identify the voter.
B.2. When the voter, instead of completely filling in the voting position oval on the official ballot, clearly and consistently indicates voting choices by placing a mark, such as an "X" or a "v" or circling the candidate's name or voting position oval or uses a combination of marks such that a pattern or patterns identify the voter's intent on the sample ballot rather than on an official ballot, and mails the sample ballot in the absentee envelope, the ballot shall be duplicated and counted.	B.9. If a voter transmits his or her voted ballot by facsimile, without an original signature, the ballot shall not be counted.
B.3. When the voter indicates voting choices by writing the name(s) of the candidate(s) or indicating the vote(s) on a proposition(s) in a letter or note, and returns it in an absentee envelope, the ballot shall be duplicated and counted.	
B.4. If the voter writes correcting instructions anywhere on the ballot card, or on a note accompanying the card, and the note does not identify the voter, the ballot shall be counted.	
B.5. If the voter marks a vote selection, but attempts to erase or otherwise correct this voting choice, and clearly makes another voting choice, this vote shall be counted.	
B.6. If a voter uses the write-in portion of the ballot to indicate a voting choice for a candidate or measure that is listed on the ballot, the vote shall be counted.	
B.7. If the voter uses the write-in portion of the ballot to indicate a voting choice for a candidate listed on the ballot, and also marks the designated voting position oval for the same candidate, the ballot shall be counted as one vote for that candidate.	

6.14 Overvotes

6.14.1 Definition: Candidates

A ballot condition which arises when the voter votes for more candidates for an office than the number of candidates to elect. In an office to which one candidate can be nominated or elected, a second vote creates an overvote condition. The result is that no vote for that office can be tallied, since the voter's intent is unknown.

6.14.2 Definition: Ballot Measures

In the case of ballot measures, a "Yes" vote and a "No" vote for the same measure creates the overvote condition.

6.14.3 Overvotes Not Counted

No vote shall be counted for any candidate or measure when an overvote occurs. As indicated in section 6.13.2.10, if a voter writes in the name of the same candidate he or she marks a vote for, this does not constitute an overvote.

6.14.4 Errant Overvotes

When a voter has marked more than one voting position oval and attempted to "correct" or indicate which mark the voter prefers, the Election Official shall examine the voter's marks as provided in Section 6.13.3 and Attachment A. If the voter's intent can be determined, take corrective action as provided in Section 4.4.3.

6.14.5 Record Number of Overvotes

The number of overvotes shall be recorded for each office or ballot measure.

6.14.6 Examine Over and Under Votes

The elections official, following certification of each statewide election, shall analyze over and under voting data and determine what, if any, remedial measures may be necessary within an identifiable precinct, group of precincts, or area to avoid possible unintentional over and under voting for future elections. Such measures may include, but are not limited to, specialized instruction for poll workers, and posting of additional voting instructions, materials or signage at the polls serving these precincts. The elections official shall keep a record of the rates of over and under voting for each precinct.

6.15 Under Votes

6.15.1 Definition

An under vote is a ballot condition that arises when the voter votes for fewer candidates for an office than the number of candidates to be elected, or when the voter does not vote for or against a ballot measure.

6.15.2 Tracking Under Votes

Tallying the number of under votes in a manual recount will add significant time to the manual recount process, and may be done at the option of the elections official during the tally process.

6.16 Blank (Non) Votes

6.16.1 Definition

A ballot condition that arises when the voter does not vote for any candidate to any office on the ballot or for or against any ballot measure.

6.16.2 Conditions for Counting

When the voter, instead of instead of completely filling in the voting position oval, clearly and consistently indicates voting choices by placing a mark, such as an "X" or a "√" or circling the candidate's name or voting position oval or uses a combination of marks such that a pattern or patterns identify the voter's intent, the votes shall be counted.

6.16.3 Absentee ballots

Markings other than completely filled in voting position ovals may be considered valid votes if voted on absentee ballots in compliance with the rules described in section 6.13.2 above for absentee ballots.

6.17 Correcting Defective Ballots

6.17.1 Pursuant to Election Code Section 15210, defective ballots may be corrected so that every vote cast by the voter shall be counted by the AccuVote-OS equipment. If necessary, a true duplicate copy of the defective ballot shall be made and substituted therefore following the intention of the voter insofar as it can be ascertained from the defective ballot. See Section 4.4.3

Chapter 7 ELECTION SECURITY PROVISIONS

7.1 Ballot Counting System Security

The elections official shall ensure the protection of the election tally process from intentional manipulation, fraudulent manipulation, fraudulent and intentional manipulation, malicious mischief, accidents, and errors. Each Jurisdiction shall:

7.1.1 Procedures: System Changes — Establish procedures to identify changes to the ballot tallying system, including dates and times that files are created, modified, or accessed, and by whom. These procedures must also include a check list and sign-off requirement for the system proofing tasks outlined in Section 2.

7.1.2 Procedures: Physical Protection — Establish procedures for the physical protection of facilities, and data and communications access controls as appropriate for the facility and equipment. The procedures shall also include provisions for locked facilities for computers as well as for voted and non-voted ballots and counted and uncounted ballots.

7.1.3 Contingency Plan — Establish contingency plans for ballot counting, including either backup ballot counting facilities under the elections official's supervision, or a reciprocal agreement with a neighboring AccuVote-OS Jurisdiction to count ballots in the event of hardware failure. In addition to the ballot counting program sent to the Secretary of State, each elections official shall store another copy of the ballot counting program in an off-site secure-but-readily-accessible location.

7.1.4 Procedures: Internal Security — Establish procedures for internal security, i.e., the protection of ballot counting hardware, firmware, and software from fraudulent manipulation by persons within the elections office. These procedures must provide for:

- -- Restricted access to ballot counting hardware, firmware, and software;
- -- Individual passwords which must be complex and frequently changed;
- – Physical protection of all non-voted precinct and absent voter ballots, as well as of all tallied and non-tallied ballots, by use of logs to chronicle their quantity, use, and access before and after the election.

A complete copy of each elections official's security procedures shall be on file in the office of the elections official for public inspection.

7.1.5 Certification of Unescorted Personnel. All unescorted persons present within the security area, including visitors, media representatives, and standby personnel, shall be clearly identified by a badge or other means and a log of their arrival and departure times. All unescorted personnel shall be subject to restrictions established by the responsible elections official to ensure the efficiency and integrity of the vote tallying process.

7.2 Audit Trails

All ballot-counting operations including mandated pre- and post-election testing must be documented. An automated and/or manual record or log must be maintained to record the time and date of "system events", in sequential order, related to election database.. "System events" in the ballot counting process include:

- User Log-ins
- Creation of the Election Database
- Backups of Database throughout Election process
- Initiation and Closing of the ballot count program
- All additions, updates, and deletions to election specific data throughout the Election process. The detail level regarding these changes will reflect modifications to the races, voter groups (parties), candidates, and polling places.
- Changing election status codes which indicate the progress of election, i.e., "ballots layed out" or "set for election".
- Modifications to the election parameters
- Generation of ballot styles
- Downloading of Memory Card data to polling place/precinct Memory Cards
- Clearing totals
- Logging of activity associated with the logic and accuracy tests
- hardware failures (these may be manual logs).
- System crashes and restarts
- Communications between multiple systems
- Lost communication to remote sites
- Time communication is restarted

The above information may be associated with several logs that are date and time stamped. These include:

- GEMS Server Election Activity Logs
- GEMS System Error Logs
- AccuVote-OS Actitivty Logs
- Central Count Activity Logs

For example, the precinct based AccuVote-OS unit will log all pre-election testing and election day activity on the AccuVote-OS audit trail. The GEMS "server" will log all upload and download activity for the creation and upload of election data from the individual AccuVote-OS devices back to GEMS. GEMS will log all election data related activity throughout the election cycle. Taken as a whole, these logs constitute a complete election audit trail of all testing and election day activity.

These logs or records shall be continued until final certification of results, shall be retained for the same time period as ballots for that election, and shall be subject to the same physical security and integrity measures. Specific audit trails shall include:

7.2.1 Error and Exception Messages -- Exception Handling/Error messages during ballot tallying, including messages generated by the computer's exception handlers[1] or error routines (The exception handling/error message may be in Microsoft error code, English language translation, or a combination of the two), identification code and number of hardware and software failures (their source and disposition

7.2.2 System Status Messages -- such as diagnostic and status messages upon start up of ballot tallying, "zero totals" check, and initiation or completion of AccuVote-OS uploads and downloads..

7.2.3 Operator interaction with system (note time, action taken)

7.2.4 Ballot-related exceptions (e.g., ballot cards not machine-readable, ballot cards requiring special handling, aborted or deleted precincts, etc.)

7.2.5 Copies of required tests will include the reports provided by the AccuVote-OS and GEMS host software system.

7.3 Statistical Ballot Data Required

The following items are critical to tracking and reporting the ballot counting process, and must be maintained:

7.3.1 For the election definition phase, diagnostic proof listings of candidates and active vote positions for each ballot type or precinct, or an active vote position printout alone.

7.3.2 The number of ballots read within each precinct, by type, including totals for each party in primary elections.

7.3.3 The total number of ballots processed.

7.3.4 Separate accumulations and reporting of the quantity of overvotes, under votes, blank votes, and valid write-in votes within each precinct for each contest or issue.

7.3.5 Availability of the above information in summary and by precinct.

7.4 Additional Election Security Plan

7.4.1 Security of GEMS server

7.4.2 Election Officials shall maintain the GEMS Server is in a controlled, preferably locked area with access limited to authorized staff.

7.4.3 Election Officials shall verify and submit a statement to the Secretary of State that no DOA capable program has been installed or resides on GEMS server. DAO programs include but are not limited to MS EXCEL, MS ACCESS, and other Visual Basic programs designed to work with Direct Access Objects.

7.4.4 The GEMS server shall be set to require user login. Administrative user logins should be limited to only those times user accounts need to be set or changed or software needs to be installed or updated. For routine use, a lesser user account should be used. (An

[1] Exception handlers are programming codes invoked only in the event of an error. This code may be part of either the operating system or the application program.

administrative user should also be issued an additional, separate user account for routine use if their duties require routine election use).

7.4.5 The GEMS server shall be set to require user login. Administrative user logins should be limited to only those times user accounts need to be set or changed or software needs to be installed or updated. For routine use, a lesser user account should be used. (An administrative user should also be issued an additional, separate user account for routine use if their duties require routine election use). The second administrative user may be setup and the username/password stored in a sealed envelope placed in a safe as part of a disaster recovery plan but should not be used for routine use

7.4.6 A minimum of two people in the county election office shall have administrative access to the server supporting GEMS (the ability to set or change passwords). Additional user accounts may be assigned at less than administrative access but all users shall have and use separate user account with unique usernames and passwords. The administrative users' passwords shall meet or exceed Microsoft Windows password guidelines for a strong password. Lesser user accounts should be at least as strong as the GEMS passwords

7.4.7 The GEMS server should not be connected to any network that has an external Internet connection. All network connections shall be local.

7.4.8 The GEMS server computer and communications systems must be used for election purposes only.

7.4.9 Workers must not install third-party software in the GEMS server system that is not previously approved for use by authorized personnel This prohibition is necessary because such software may contain viruses, worms, Trojan horses, and other software that may damage GEMS information and systems.

7.4.10 Whenever software and/or files are received from any external entity, this material must be tested for unauthorized software on a stand-alone non-production machine before it is used on the GEMS server system. If a virus, worm, or Trojan horse is present, the damage will be restricted to the involved machine.

7.4.11 Approved virus checking programs must be continuously enabled on computers supporting the GEMS server system.

7.4.12 Externally supplied floppy disks, CDs or DVD's may not be used on any GEMS server unless these disks have first been checked for viruses and deemed to be free of such viruses.

7.4.13 If modem transmission is to be used to upload unofficial vote center results, the modems attached to the GEMS server should only be enabled when the transmission of unofficial results are expected. Before the transmission of results by modem, a back up of the GEMS election database shall be made and the back up stored in a protected location. Before loading official results, the back up shall be restored and used for the official results.

7.4.14 If unofficial summary results from the GEMS server are to be distributed or published, the information should be exported from GEMS to a file on the server and then copied to a virus-free floppy disk. That floppy disk can then be taken to a separate computer system that has external connections to the Internet. A separate blank floppy disk should be used each time the information is copied to the floppy disk.

7.4.15 Backups of GEMS databases should be performed using CD-ROMs. Users must ensure

that the backup is labeled with the time and date of the backup and signed by the person who authorized the backup.

7.4.16 No voting terminal will have wireless technology installed or have any ability to allow the transmission of vote results through wireless technology without state certification and customer request.

7.4.17 An anti-virus program shall be installed. The virus program shall be updated and a virus scan run immediately prior to each election.

7.4.18 The boot option shall be set to hard drive only with the BIOS secured by a password. The password shall follow the manufactures recommendations for a secure password.

7.5 GEMS Passwords

7.5.1 A minimum of two people in the county election office shall have usernames and passwords with administrative access to the GEMS election database. (These may be different than the server administrators and are specific to the election.) The GEMS passwords must be at least 6 to 8 digits and include a combination of alpha and numeric characters.

7.5.2 Passwords shall be changed before each election. Each user should immediately change the password if the password is suspected of being disclosed, or is known to have been disclosed, to an unauthorized party.

7.5.3 Users are responsible for all activities performed with their personal login-IDs. Login-IDs may not be utilized by anyone but the individuals to whom they have been issued. Users must not allow others to perform any activity with their login-IDs.

7.5.4 The GEMS server, workstation, or terminal must not be left unattended without first logging out or invoking a password-protected screen saver.

7.5.5 AccuVote-OS PINS shall be changed for each election and stored in secure location.

7.6 Security of AccuVote-OS units

7.6.1 No PIN shall use only the digits “0” and “1”.

7.6.2 Tamper proof seals should be installed on key lock for the printer and the latches attaching the AccuVote-OS unit to the ballot box. The paper seals should be initialed and time stamped so any incidence of disturbance shall be immediately obvious and rectified.

7.6.3 After the memory card is installed, the security bar for the slot shall be placed over the card in its slot and fastened with a numbered wire seal such as those used to secure the ballot box. The number of the seal shall be recorded in the security log.

7.6.4 A security log shall be kept to record all incidences where the back panel on the AccuVote-OS was accessed.

7.7 Storage at Election Warehouse

If the memory media is to be installed in the AccuVote OS units prior to distribution to the vote centers, then the AccuVote OS units should be kept in a secure location after the memory card installation. The location should restrict access to only authorized personnel.

7.8 Storage at Vote Center

After distribution of the voting terminals to the vote centers, the voting terminals should be kept in a secure location at the vote centers. The location should restrict access to only authorized personnel. If possible, tamper evident seals should be placed on entries into the secure location.

Chapter 8 Certification and Reporting Requirements

8.1 Biennial Certification of Hardware

Elections Code section 19220 requires each elections official to inspect and certify the accuracy of their voting or vote tabulating equipment at least once every two years. The elections official shall certify the results of their inspection to the Secretary of State.

8.2 Hardware Certification and Notification

8.2.1 Certification -- All AccuVote-OSs and specialized vote tabulating equipment must be certified for use in elections by the Secretary of State prior to use in any election. Certification procedures are available upon request from the Secretary of State's Elections Division.

8.2.2 Notification -- For each statewide election, the responsible county elections official shall cause to be prepared a list, including quantities, of all equipment to be used to tabulate votes during the semi-official and official canvass.

8.2.3 Send Copy to Secretary of State -- Seven days before each statewide election, the elections official shall certify to the Secretary of State the results of the logic tests as well as the accurate functioning of all ballot counting equipment. This certification shall also affirm the use of the same equipment for pre-election testing and for semi-official and official vote canvasses. In the event of a change to the ballot tally program occurring after this certification, an amended certificate shall be submitted no later than the day before the election.

8.2.4 Amended Certification -- In the event any of the host tabulation computer equipment is repaired, altered or replaced following the certification specified in Section 8.2.3 and prior to completion of the official canvass of the vote, an amended certification of logic and accuracy testing and a revised list of equipment used must be submitted to the Secretary of State not later than submission of official canvass results.

8.3 Election Observer Panel

All procedures prescribed in this Manual shall be carried out in full view of the public insofar as feasible. In addition, the responsible elections official shall devise a plan, subject to the approval of the Voting Systems Panel, whereby all critical procedures of the vote tallying process described in this Manual are open to observation by an Election Observer Panel. Representatives of the qualified political parties and representatives of the news media shall be among those invited to serve on this Panel and shall be given the opportunity to observe that the correct procedures have been followed in the receiving, processing, and tallying of all the voted ballots. The Election Official shall appoint an Election Observer Panel; failure of any or all invited parties to participate on the Panel shall not stop procedures from continuing as otherwise required by law.

8.4 Logic and Accuracy Certification

A Logic and Accuracy Board shall be appointed by the responsible election fficial and, insofar as is practicable, shall be comprised of the same persons prior to, during, and after the election. The Board shall have the following duties:

8.4.1 Receive from the election official all required test materials and take steps to ensure the security of said materials prior to, during, and after the election, except when the materials are properly in the possession of one of the other boards or elections officials as required by these procedures.

8.4.2 Verify the correctness of the program card decks, logic and accuracy test program card decks, and logic and accuracy test ballot cards. This verification shall also be required for any of said material that must be replaced.

8.4.3 Observe the performance and verify results of all required tests.

8.4.4 Note any discrepancies and problems and affirm their resolution or correction.

8.4.5 Deliver into the custody of the elections official all required test materials and printed output.

8.4.6 Certify to the performance of each of the above-prescribed duties as well as those otherwise established by the procedures; provided that all members of the Board shall sign the appropriate certificate or certificates. Final pre-election certification shall be made to the Secretary of State no less than seven days before each statewide election. The responsible elections official shall make this certification based on the Logic and Accuracy Board's certification of successful testing. In the event an amendment to the ballot counting program is required following this certification, the elections official must immediately re-certify to the Secretary of State.

8.5 Submit Ballot Tally Programs to the Secretary of State

Ballot tally programs for statewide elections are to be deposited with the Secretary of State no later than seven days prior to each statewide election. The elections official's certification of testing as well as the list of vote counting equipment used must accompany ballot tally programs. Should changes be required following certification and submission to the Secretary of State, resubmission and re-certification is required.

8.6 Election Night and Post-Election Reporting

Any delays in election night's semi-final official canvass reporting due to hardware, software, environmental, or human causes which result in failure to report results to the Secretary of State at least every two hours shall be reported to her or him by the 28th day following the election. The responsible elections official may also report other delays in the processing of ballots, as he or she deems appropriate.

8.7 Preparation of Specific Written Procedures

Each elections official shall prepare specific written procedures for each phase, step and procedure in the preparation, operation of polling places, vote counting and official canvasses of elections. Written procedures must also include instructions to precinct officials regarding proper handling of absent voter and provisional voter ballots as well as a description of procedures used to manually recount ballots.

These procedures must be prepared and submitted to the Elections Division of the Secretary of State's Office within two years following the adoption of these procedures by the Secretary of State. Upon submission, the elections Jurisdiction's procedures shall be reviewed for compliance with state procedures, and the elections official shall be advised of any necessary revisions.

8.8 Escrow of Ballot Tally Source Code

Prior to its use in any election, an exact copy of the source code for all ballot tally software programs shall be placed in an approved escrow facility, pursuant to the procedures and requirements of Elections Code section 19103 and Title 2, Division 7, of the California Code of Regulations, beginning with section 20610.

Chapter 9 Early Voting

If AccuVote-OS ballots are used in "early voting" programs, as permitted by Elections Code Section 3018, the following procedures shall be used.

9.1 Definition

"Early voting" is defined as a process by which a voter may vote in person at the office of the elections official or at a satellite location, prior to election day, at a time established by the elections official but within the period authorized for absentee voting.

9.2 Testing

All voting machines and vote counting systems used in early voting programs shall be subject to the same testing procedures, laws, and regulations required for voting machines and vote counting systems used on election day.

9.3 Voter Authentication

9.3.1 Authenticate Identity and Residence — As with regular absentee voting, the elections official shall authenticate the identity and residence of the voter, using the voter's signature and other information, prior to permitting the voter to cast a ballot. The elections official may require the voter to complete an application by providing his or her name, residence address, and signature. The elections official shall verify this information by comparing the name, residence address, and signature provided by the voter to the county voter registration records. The elections official shall verify this information prior to the voter signing the roster. No vote cast according to these procedures shall be counted unless the voter's signature and residence address are first authenticated.

9.3.2 Voter is Registered to Vote — If the voter is properly registered, he or she shall be allowed to vote.

9.3.3 Voter has Changed Residence Address — A voter who has moved within the same county but has failed to update his or her voter registration shall be permitted to vote a provisional ballot pursuant to Elections Code Section 14310. The elections official shall require the voter to execute a new voter registration card or otherwise update his or her registration information prior to allowing the voter to vote a provisional ballot.

9.3.4 Voters Shall sign Roster — All persons permitted to vote early shall sign a roster.

9.4 Preventing Multiple Voting

9.4.1 Verify Voter — The elections official shall identify, by a notation on county voter registration records or by other means, any voter who has voted in a given election. Prior to allowing a voter to vote early, the elections official shall verify that the voter has not already voted in that election.

9.4.2 Surrender of Absentee Ballot — A voter who has requested an absentee ballot shall be required to surrender that absentee ballot before voting in an early voting program. Otherwise, the voter shall not be allowed to vote except by casting the absentee ballot or casting a provisional ballot.

9.4.3 Record of Voting — If a voter is permitted to cast a ballot in an early voting program, the elections official shall immediately identify that voter as having voted, by making an appropriate notation on the county registration records or by other means, apparent to all voting locations, to prevent subsequent voting by that voter in that election.

9.5 Challenges

9.5.1 Same as Polling Place — A person offering to vote early may be challenged pursuant to Elections Code Division 14, Chapter 3, Article 3, beginning with section 14240. For the purposes of challenges under this article the early voting location shall be treated as a polling place.

9.5.2 Additional Grounds for Challenge — In addition to the grounds for challenge in Section 14240, a person offering to vote may be challenged on the grounds that he or she is not the person whose name appears on the roster of voters.

9.6 Electioneering

9.6.1 Election Office — For early voting at the office of the elections official, Elections Code section 18370 prohibits electioneering within 100 feet of the elections official's office at any time a voter may be casting a ballot.

9.6.2 Satellite Location — For early voting at a satellite location, the elections official shall take steps to prevent electioneering within 100 feet of any early voting location. These may include, but are not limited to, posting signs warning that voters may be casting ballots, selecting locations that can be effectively screened from passers by, and enlisting the cooperation of the property owner in discouraging electioneering.

9.7 Security of Votes

9.7.1 Tampering, Theft, Alteration — The elections official shall ensure the security of all votes cast from tampering, theft, or alteration, and shall an ensure that the results of votes counted exactly reflects the number of voters and their exact vote choices.

9.7.2 Voting on Multiple Days — If early voting takes place on more than one day, the elections official shall establish procedures to reconcile each day's voting activity and to ensure that votes and other activities have been recorded and securely stored. The number of votes cast each day shall be compared to the number of voters who appeared requesting to vote and who were authorized to vote, as determined by the roster, or by other means.

9.7.3 Voted Ballots Returned to Elections Office — Voted ballots from each day's voting shall be returned to the elections office, and an audit trail produced and preserved documenting the results from each day's voting.

9.7.4 Secure Storage — Voting devices shall be securely stored when not in use.

9.7.5 Ballot Tally Software — Ballot tally software for early voting shall be escrowed according to Chapter 6 of Division 7 of the California Code of Regulations.

9.8 Canvass

No vote cast in an early voting program may be counted, and no vote count released, until 8 p.m. on the day of the election

9.9 Post-Election Duplicate Vote Check

The elections official shall compare the list of persons who voted early against the list of persons who voted in person on election day or by absentee ballot to determine if a voter has voted, or attempted to vote, more than once.

9.10 Public Observation

The processing and counting of ballots cast before election day shall be open to the public.

9.11 Laws, Regulations, and Procedures

Early voting shall be conducted, to the extent possible, according to the laws, regulations, and procedures governing elections in the State of California and in the jurisdiction conducting the election.

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