



MARCH 3, 2020

Presidential Primary Election

Election and Recount Observer Acknowledgement

Election Observers are an integral part of a transparent and orderly election process. All observers presenting themselves at the ROV central office, any polling location, or central count center are required to read the "Election Observer Panel Plan" and abide by the conditions set forth in that document, as well as all other documentation provided by the Registrar of Voters at the Recount Orientation. Each observer must sign the acknowledgment below. This document will be on file at the Registrar's office through the completion of the recount process and the posting of the results of the recount.

I, _____,
Please Print Your Full Name

hereby acknowledge and agree that I have read and understood the general rules outlined in the ELECTION OBSERVER PANEL PLAN. By signing this document, I am agreeing to abide by these rules at any polling place, counting center, or canvass location in San Joaquin County visited by me during the course of this recount.

Signature of Election Observer

Date

Form provided by ROV staff _____

please initial



Election Observer Panel Plan March 3, 2020 Presidential Primary Election

I. County and System Information

San Joaquin County Registrar of Voters (ROV) uses the Verity voting system. The County's vendor is Hart InterCivic. The Verity Touch Writer equipment allows voters with visual and motor disabilities to vote privately and independently. The Verity Central equipment is used in the ROV downtown office to count Vote-by-Mail (VBM) ballots, provisional ballots, conditional voter registration (CVR) ballots and other paper ballots. The Verity Central equipment is also used at the ROV warehouse after 8:00 p.m. on Election Day to count paper ballots cast at the polls.

The ballot layout and tabulation component of the voting system is called Verity Data and Build. The vote tabulation component is called Verity Count. No aspect of the voting system is connected to the internet or any other county network. Under law, voting systems must on be a closed, secure network.

The ROV voter registration and election management system is DFM's Election Information Management System (EIMS) and is used to process voter registration, Vote-by-Mail, provisional ballots and other election administration functions. VoteCal is the California Secretary of State's (SOS) statewide voter registration database.

The ROV website, www.sjcrov.org, is securely hosted by San Joaquin County Information Systems Department (ISD). Election results reporting on the web is also hosted on a secure site.

II. Purpose of Election Observer Panel Plan

California requires each county to develop an Election Observer Panel Plan to provide local rules to all election observers, whether partisan or nonpartisan, to ensure:

- Orderly public observation of the election process
- Transparency of all aspects of the election process
- Encouragement of public participation
- Voter confidence in the election process

III. Broad Participation and Invitations

Between 60-days prior to and 30-days prior to Election Day, the ROV, sent letters of invitation to the following:

- San Joaquin County Civil Grand Jury
- Local political parties
- Media outlets

Other groups or individuals expressing an interest in activities before, during and after Election Day may also be included in election observation.

IV. Observer Rights and Responsibilities

Letters of Introduction

Any group or individual may obtain a letter of introduction from the ROV to present to precinct board members at polling locations. The ROV will sign such a letter when requests are submitted in writing no later than 10 days prior to Election Day. Election Officers at polling locations have been trained on their obligations to facilitate observation at the polls and on the rights and responsibilities of election observers. A letter of introduction is not required to observe at the polls.

Most polling place information is available on the ROV website; however, requests for information may be submitted by observers to the ROV.

General Rules for Observers

Observers must be aware that no campaigning or electioneering is allowed within 100 feet of the door to the voting room. This includes clothing, accessories, brochures, and conversation related to candidates or campaigns. Observers may be partisan or nonpartisan, of any age, nation or profession. Election Officers and ROV staff will ask observers to cease electioneering activities if any are occurring within the 100-foot zone.

Observers are to check in at any ROV site, whether at ROV downtown offices, an Election Day polling place or the election night central counting location. If an observer is in a secure area near voting equipment, ballots or near ROV staff, observers must wear an identification badge. This area includes the entire ROV Suite at the downtown office (except for the lobby), and the entire warehouse.

Observers must maintain a professional manner throughout the election processes and refrain from any interference. Observers failing to follow these rules will be counseled and/or asked to leave.

Observer Rights

The San Joaquin County Registrar of Voters invites and encourages all interested individuals and groups to participate in the election by:

- Watching proceedings at the polls, including opening and set-up before 7:00 am and closing procedures after 8:00 pm.
- Obtaining and making note of information from the precinct street index posted near the entrance of the polling place
- Viewing and taking notes on all procedures
- Viewing and taking notes on all activities at the central counting location on Election Day
- Viewing and taking notes on the canvass activities following Election Day
- Viewing and taking notes on vote-by-mail processing before and after Election Day
- Viewing and taking notes on provisional ballot processing
- Asking or presenting written questions to supervisors or chaperones at the central counting location
- Asking or presenting written questions to supervisors or chaperones at the downtown ROV office
- Watching proceedings at the ROV Voter Service Centers

Observer Responsibilities

The San Joaquin County Registrar of Voters requires all interested individuals and groups to participate in the election but such individuals or groups must:

- Not interfere in any way with the conduct of the election
- Not touch any ballots, voting materials or equipment
- Not sit at the official worktables or assist in any operations
- Not observe from within the “voting area” such as near voting booths
- Not converse with voters within 100 feet of the entrance to a polling place
- Not speak to a voter regarding his or her qualifications to vote
- Not make notes of which particular voting machine a voter chooses to use
- Not display any election material or wear campaign badges, buttons or apparel
- Not wear the uniform of a peace officer, a private guard, or security personnel
- Not carry any firearms or weapons
- Not use cellular phones, pagers, two-way radios, cameras, audio or video recording devices, or camera phones inside the polling place or secured areas in ROV offices
- Not take pictures or videos of ballots, other than allowable by California Elections Law
- Not talk to Election Officers or ROV staff while they are processing poll ballots, vote-by-mail, provisional or conditional voter ballots or voter registration information
- Not disruptively use telephones, computers or other devices at polling place facilities, ROV offices or the central counting site
- Not physically touch or impede election personnel
- Not physically touch ballots or voting equipment

- Not eat or drink at the polls, ROV offices or in the central counting site; water is permitted

V. Procedures for Observers at Central Locations

Check-in Procedures

All observers must report and sign in daily at the Registrar of Voters downtown office located at 44 N San Joaquin St., Ste. 350, Stockton, CA. to observe election activities, such as vote-by-mail ballot processing, provisional ballot qualification, ballot counting, adjudication, and duplication

On Election night, March 3, 2020, all observers must report and sign in at the Registrar of Voters central counting location located at 7585 S. Longe Street, Suite 112, Stockton, CA.

An Election Observer Badge will be issued and must be worn at all times. When leaving for the day or night, badges must be returned at the check-in station or the front desk.

Rules at Central Locations

All of the rights and responsibilities discussed above apply at ROV central locations. Additionally:

- Observers will be permitted access to a designated observation area, sufficiently close to enable them to observe and challenge whether individuals handling poll ballots are following established procedures under California Elections Code §15104(d).
- No observer shall interfere with the orderly processing of vote-by-mail ballot return envelopes or processing and counting of vote-by-mail ballots, including touching or handling of the ballots or envelopes under California Elections Code §15104(e).
- Cellular phones, pagers, two-way radios, cameras, audio or video recording devices, or camera phones are not allowed. Electronic devices must be set to vibrate or off mode while observing any process.

- The individual's function is to observe that procedures are followed. Observers shall not assist in operations, touch or handle any ballots or other election-related materials.
- All questions concerning a procedure should be directed to the chaperone, supervisor or manager only. Conversations with ROV workers are prohibited.
- The number of observers may be limited so as to not to interfere with the process. This includes eliminating the risk of physical contact with employees.
- Observers may not hold discussions and conversations inside the designated work areas.
- Observers will be allowed to observe the canvass work areas only when employees are performing canvass operations.
- Operations will continue as scheduled whether or not an observer is present.
- The Registrar of Voters or designee has the discretion to eject any observer who fails to abide by the rules of this Plan for a period of time up to and including, the completion of the election process.

VI. Registrar's Review

Observers may request a review by the Registrar of Voters for any question or concern that is not fully answered by Election Officers, chaperones, supervisors or in written procedures,

The Registrar's objective is to increase participation by the public and enhance the transparency of the election process. Through collaboration and mutual cooperation, these essential goals can be met.

Contact Information

San Joaquin County Registrar of Voters Melinda Dubroff
44 N. San Joaquin St. Suite 350, Stockton CA 95202
209-468-VOTE (8683) registrar@sjgov.org Twitter @SanJoaquinVotes



SAN JOAQUIN
— COUNTY —

Greatness grows here.

Recount Guide

San Joaquin County Registrar of Voters

44 N. San Joaquin Street, Suite 350
Stockton, CA 95202

Post Office Box 810
Stockton, CA 95201

(209) 468-2890
Fax (209) 468-2889
www.sjcrov.org
registrar@sjgov.org

This Recount Guide summarizes and highlights laws applicable to recounts under California Elections Code (“E.C.”). This guide is not intended to be, nor should it be, used as a substitute for legal counsel. This guide is not all-encompassing. Interested parties should not rely solely on this guide. The staff members of the San Joaquin County Registrar of Voters will provide informational material and direct you to resources. By law, employees are prohibited from answering questions of a legal nature and staff may direct you to consult an attorney

REQUESTING A RECOUNT

INTRODUCTION

A recount is conducted by the County Elections Official for the purpose of verifying the number of votes counted for any office or measure in an election. California Elections Code §§15620 through 15634 governs voter-requested recounts. This guide addresses voter-requested recounts. Court-ordered recounts are addressed in EC §§15640-15642; State-ordered recounts are addressed in EC §§15645-15649. Division 16 of the Elections Code addresses election contests which are filed through the courts.

WHO CAN REQUEST A RECOUNT?

Any voter may file a request.
(E.C. §15620)

TIMING OF RECOUNT REQUEST

LOCAL OFFICES/MEASURES: The request must be filed within five days after the completion of the official canvass. The canvass is complete when the County Elections Official signs the *Statement of Election Results* or the *Certificate of Election*.
(E.C. §15620)

STATEWIDE OFFICE: Following completion of the official canvass, any voter may, within five days beginning on the 31st day after a statewide election, file with the Secretary of State a written request for a recount of the votes cast for a candidate for any statewide office or for or against any measure voted on statewide.... The request shall specify in which county or counties the recount is sought and shall specify on behalf of which candidate, slate of electors, or position on a measure (affirmative or negative) it is filed.
(E.C. §15621(a))

FORMAT OF RECOUNT REQUEST

- The request must be in writing.
(E.C. §15620)
- The request must specify the contest to be recounted.
(E.C. §15620)

- The request must state on behalf of which candidate, slate of electors, or position on a measure (affirmative or negative) it is filed.
(E.C. §15620)
- The request may specify order in which precincts shall be recounted.
(E.C. §15622)
- The request may specify the method of counting to be used (voting system originally used, manual (hand count), or both).
(E.C. §15627)
- The request may specify any other relevant material to be examined.
(E.C. §15630)

PLACE OF FILING

- The request for a recount must be filed with the County Elections Official responsible for conducting the election, if the contest is not voted upon statewide.
(E.C. §15620)
- If an election is conducted in more than one county, the request may be filed with the County Elections Official of, and the recount conducted within, any and all of the affected counties.
(E.C. §15620)
- If the election is conducted in more than one county (a shared jurisdiction or district), the recount request must be made directly to the County Elections Official of that county. A separate request must be filed with each county.
- If the contest is voted upon statewide, the request for a recount must be filed with the Secretary of State.
(E.C. §15621)

NOTICE OF RECOUNT

A notice stating the date and place of the recount will be posted by the County Elections Official at least one day prior to the recount and the following persons will be notified in person or by federally regulated overnight mail service:

- All candidates for the office being recounted.
- Authorized representatives of presidential candidates, to whom electors are pledged, if the race for presidential electors is to be recounted.
- Proponents of any initiative or referendum or persons filing ballot arguments for or against any initiative, referendum, or measure to be recounted.
- The Secretary of State if the recount is for candidates of any state or federal office, presidential electors, delegates to a national convention, or any state measure.

(E.C. §15628)

Once the recount board schedule is set and posted in the Registrar of Voters office, the recount shall commence daily in accordance with the schedule, regardless of the presence of the candidates or representatives.

PROCESS OF RECOUNT

- The recount is open to the public.
(E.C. §15629)
- Recount shall start no later than seven days following the receipt of the request and shall be continued daily for not less than six hours each day until completed. Saturdays, Sundays, and holidays are not included.
(E.C. §15626)
- A recount must be conducted under the supervision of the County Elections Official by recount boards, consisting of four voters of the county, appointed by the County Elections Official.
(E.C. §15625)
- Each candidate and representative will sign in on the recount visitor log and wear an Elections Division name tag indicating their name and the represented candidate or measure position supported. In the case of a public health emergency, the County may require observers to follow procedures related to hygiene and distancing.

Candidates and representatives may not enter the recount board security area with briefcases, purses, photography/filming/recording/computer equipment, backpacks, cell phones, or water/soda/juice/coffee. Filming or photography of the recount may be taken from outside the security area.

DURING A MANUAL RECOUNT, each candidate in the contest being recounted or one proponent for and one against a measure, may designate up to two representative observers for each of the recount boards. One representative per candidate/proponent per board may challenge the board's decision on a specific ballot interpretation consistent with the Secretary of State procedures as to what constitutes a vote.

In the event of a vote challenge, the recount board will note the decision of the board by attaching a separate sticky-note on the ballot. No marking or adjustment of the ballot is allowed. Ballot challenges will be resolved in public by the Registrar of Voters each afternoon during the recount at 4:00 p.m., in the Registrar of Voters office.

DURING A MACHINE RECOUNT, ballots will be scanned and adjudicated on Verity Central workstations using a Verity Data certified copy of the election database. Ballots will be tabulated and reported on Verity Count workstations. Candidates and representatives may only view the recount process through the designated area. Access is not permitted for persons other than authorized Registrar of Voters staff per the Secretary of State.

Each candidate in the contest being recounted or one proponent for and one against a measure, may designate up to two representative observers for each of the adjudication workstations operated by the adjudication staff. One representative per candidate/proponent per board may challenge the adjudication decision on a specific ballot interpretation consistent with the Secretary of State procedures as to what constitutes a vote.

In the event of a vote challenge, the recount board will note the decision of the board by flagging and locking the ballot under review using the Verity Central interface. Ballot challenges will be resolved in public by the Registrar of Voters each afternoon during the recount beginning at 4:00 p.m. at the adjudication workstation.

RESULTS OF RECOUNT

The results of a recount are declared null and void unless every vote in every precinct in which the contest appeared is recounted.

(E.C. §15632)

Upon completion of a recount (every precinct in the jurisdiction has been counted), if a different candidate was shown to nominated or elected, or that a measure was defeated instead of approved or approved instead of defeated, the results of the recount shall be the official returns. If the election outcome does not change (winner/loser) then the results of the official canvass remain in effect.

(E.C. §15632)

A copy of the results of any recount conducted shall be posted conspicuously in the office of the County Elections Official.

(E.C. §15633)

COST AND PAYMENT

The County Elections Official shall determine the amount of deposit necessary to cover the costs of the recount for each day.

(E.C. §15624)

The voter filing the request for recount is responsible for the entire recount cost. A deposit must be made before the recount commences and at the beginning of each following day (for the recount to take place the next day), such sums as required by the County Elections Official to cover the cost of the recount for that day.
(E.C. §15624)

Upon completion of the recount, only if the outcome changes, from loser to winner of the contest all of the deposit shall be returned.
(E.C. §15624)

OTHER TOPICS RELATED TO RECOUNTS, TALLIES AND CONTESTS

POST-ELECTION MANUAL TALLY

By law, a random sample of ballots from every election must be recounted manually to verify the computer count. A minimum of all votes cast in one percent of the precincts is included in this process. The post-election manual tally is open to the public and is completed prior to certification of the election results. The results of the post-election manual tally are available to the public.

(E.C. §15360)

ELECTION CONTESTS

Any voter may contest any election for any of the following reasons:

- a) That the precinct board or any member thereof was guilty of malconduct.
- b) That the person who has been declared elected to an office was not, at the time of the election, eligible to that office.
- c) That the defendant has given to any elector or member of a precinct board any bribe or reward, or has offered any bribe or reward for the purpose of procuring his election, or has committed any other offense against the elective franchise defined in Division 18 (commencing with Section 18000).
- d) That illegal votes were cast.
- e) That eligible voters who attempted to vote in accordance with the laws of the state were denied their right to vote.
- f) That the precinct board in conducting the election or in canvassing the returns, made errors sufficient to change the result of the election as to any person who has been declared elected.
- g) That there was an error in the vote-counting programs or summation of ballot counts

(E.C. §16100)

Any candidate at a primary election may contest the right of another candidate to nomination to the same office by filing an affidavit alleging any of the following grounds:

- a) That the defendant is not eligible to the office in dispute.
- b) That the defendant has committed any offense against the elective franchise defined in Division 18 (commencing with Section 18000).
- c) That a sufficient number of votes were illegal, fraudulent, forged, or otherwise improper, and that had those votes not been counted, the defendant would not have received as many votes as the contestant.
- d) That a sufficient number of eligible voters who attempted to vote in accordance with the laws of the state were denied their right to vote, and that had those voters been permitted to vote, the defendant would not have received as many votes as the contestant.
- e) That due to mistake, error, or misconduct the votes in any precinct were so incorrectly counted as to change the result.

(E.C. §16101)

CONTESTS INVOLVING A RECOUNT

Contests on the ground that due to mistake, error, or misconduct the votes in any precinct were so incorrectly counted as to change the result.

(E.C. §16460)

PROCESS FOR CONTESTING ELECTION RESULTS

The affidavit shall be filed in the office of the clerk of the superior court within five days after the completion of the official canvass. Upon the filing of the affidavit the county elections official shall forthwith post, in a conspicuous place in his or her office, a copy of the affidavit. Upon the filing of the affidavit and its posting, the superior court of the county shall have jurisdiction of the subject matter and of the parties to the contest. The contestant on the date of filing the affidavit shall send by registered mail a copy thereof to the defendant in a sealed envelope, with postage prepaid, addressed to the defendant at the place of residence named in the affidavit of registration of the defendant, and shall make and file an affidavit of mailing with the county elections official, which shall become a part of the records of the contest.

(E.C. §16462)

What can we help you with?

Search



Recounts

California Code of Regulations

Title 2. Administration

Division 7. Secretary of State

Chapter 8. Recounts

Article 1. General Provisions

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20842. Manual Recounts of Ballots Cast on Direct Recording Electronic Voting Systems Using Voter Verified Paper Audit Trail Paper Copies.

20810. Purpose.

- (a) The purpose of this chapter is to establish standards and procedures for conducting recounts of votes cast for all elections in the State of California requested pursuant to Chapter 9 of Division 15 of the California Elections Code.
- (b) This chapter applies to the Secretary of State and all elections officials within the State of California in conducting recounts of votes cast for all elections in this state.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 15600 and 15601, Elections Code.

20811. Definitions.

- (a) "Election data media device" means a card, cartridge, USB flash memory stick or other digital storage device that stores ballot information and/or voting results information in a non-volatile form.
- (b) "Governing body" includes, but is not limited to, a city council or a county board of supervisors.
- (c) "Interested party" means the requestor and those persons identified in Elections Code section 15628.
- (d) "Observer" means any representative of a qualified political party, representative of a bona fide association of citizens, or other person who wishes to observe the recount proceedings subject to space limitations.
- (e) "Qualified political party" means only a political party qualified to participate in the last primary election.
- (f) "Relevant material" includes but is not limited to unvoted ballots, vote by mail and provisional ballot envelopes, voting system redundant vote data, ballot definition files, language translation files and the central database or other electronic repository of results for the election in which the contest subject to recount occurred, election data media devices, audit logs, system logs, pre- and post-election logic and accuracy testing plans and results, polling place event logs, precinct tally results, central count tally results and consolidated results in a structured, non-proprietary format, surveillance video recordings and chain of custody logs, including logs of security seals and access to election-related storage areas.
- (g) "Requestor" means a voter who requests a recount or any other voter who, during the conduct of a recount and for 24 hours thereafter, requests the recount of additional precincts not recounted as a result of the original request.
- (h) "Vote tabulating device" means any piece or combination of pieces of equipment, other than a voting machine operated by levers or other mechanical means, that compiles a total of votes cast by means of electronic data processing and ballot card sorting, ballot card scanning, or paper ballot scanning.
- (i) "Voter" means any elector who is registered under the Elections Code.
- (j) "Vote for One" means an election for an office in which the voter may select only one candidate.
- (k) "Vote for Multiple" means an election for an office in which the voter may select two or more candidates.
- (l) "Voter verified paper audit trail paper copy" does not include a voter verified paper audit trail paper copy from a direct recording electronic voting machine that was used only with a ballot definition or ballot definitions that did not include the contest being recounted.
- (m) "Voting system redundant vote data" means each and every electronic record of election results for ballots cast in a contest subject to recount on one or more voting system units that is stored in any part of the voting system other than the jurisdiction's central electronic repository of results for that election. Some voting systems do not have redundant vote data on all tabulating or recording devices.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 358, 359, 361, 15620, 15621, 15623, and 15625, Elections Code.

20812. Who May Request Recount.

- (a) Any voter may, pursuant to Elections Code sections 15620, 15621 or 15623, request a recount.
- (b) Upon receipt of a request for recount, the elections official shall verify that the person requesting the recount is registered to vote in this state.
- (c) Any time during the conduct of a recount and for 24 hours thereafter, any voter other than the original requestor may, pursuant to Elections Code sections 15620, 15621 or 15623, request the recount of any precincts not recounted as a result of the original recount request.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 15620, 15621 and 15623, Elections Code.

20813. Material To Be Examined; Relevant Material.

- (a) Requests to examine specific categories of relevant material shall be made by the requestor in writing and shall be received by the elections official before the recounting of ballots commences.
- (b) The elections official shall produce any relevant material requested.
- (c) The elections official may establish reasonable guidelines for the production and examination of relevant material. The guidelines shall permit photocopying, photography and videotaping of all relevant material except in a manner that would record un-redacted voter signatures.
- (d) The elections official shall communicate any request to examine ballots or other relevant material to each interested party or to his or her representative. The interested parties and their representatives appointed pursuant to section 20816(a)(1) may be present during the examination of ballots or other relevant material.
- (e) The elections official, or his or her designee, shall be present during the examination of original ballots or original relevant material, but is not required to be present during the examination of copies of relevant material if the written request specified production of copies for examination.

*Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.
Reference: Sections 15629 and 15630, Elections Code.*

20814. Order of Recount.

- (a) If no order in which precincts are to be counted is specified in the request for recount, the elections official shall determine the counting order of precincts.
- (b) The requestor may request, in writing, a change to the order of precinct counting determined by the elections official or specified in the requestor's initial request for a recount. Any change in the counting order of precincts is subject to the approval of the elections official.
- (c) Any additional estimated costs associated with requests to change the order of precinct counting shall be paid by the requestor prior to re-ordering the precincts.

*Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.
Reference: Section 15622, Elections Code.*

20815. Cost of Recount.

- (a) The elections official shall estimate the costs necessary to produce relevant material and the requestor shall pay an advance deposit of the estimated amount at least one day prior to the materials being produced.
- (b) The requestor shall pay the advance deposit using cash, cashier's check or money order. At the elections official's discretion, electronic payment by credit or debit card may be accepted.
- (c) At least one day prior to the commencement of the recount, the elections official shall determine the estimated cost for the first day of the recount and shall advise the requestor in writing of the advance deposit required. The requestor shall, before the recount is commenced, deposit this amount with the elections official. The same procedure shall be followed for each subsequent day of the recount. Daily estimates may vary based upon experience or additional requests made during the course of the recount.
- (d) The requestor shall pay the advance deposit using cash, cashier's check or money order. At the elections official's discretion, electronic payment by credit or debit card may be accepted.
- (e) All actual costs of the recount that would not have been incurred but for the requestor's particular recount request shall be directly recoverable from the requestor and may include, but are not limited to, additional supervision hours, security guard hours, the elections official's staff hours, space rental, transportation of ballots and materials and administrative costs.
- (f) The elections official shall issue a receipt for payment of the deposits and shall maintain a daily log of estimated costs, deposits, actual expenses and amount of refund due, if any.
- (g) If the advance deposit is not paid by a particular requestor, the elections official will terminate the recount of precincts specified by that requestor.
- (h) When the recount is completed or discontinued, any amount collected from a voter requesting the recount, which exceeds the actual costs, shall be refunded to that requestor.
- (i) If upon completion or discontinuation of the recount actual costs exceed the prepaid estimated costs, the elections official shall charge and the requestor shall pay the additional amount.

*Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.
Reference: Sections 15624 and 15625, Elections Code.*

20816. Location of Recount.

- (a) The recount shall take place in a location to be determined by the elections official. The elections official shall choose a location that is large enough to accommodate the presence of the following:
 - (1) Not more than two representatives of each interested party and each qualified political party to check and review the preparation, testing and operation of the tabulating devices, and to attend any or all phases of the recount; and
 - (2) Not more than two representatives of any bona fide association of citizens or a media organization to check and review the preparation, testing and operation of the tabulating devices, and have the representatives in attendance at any or all phases of the recount.
 - (3) In the event the elections official determines that more than two recount boards are necessary, each interested party may designate one additional representative for every additional recount board appointed, solely for the purpose of viewing the recount of ballots and challenging ballots.
- (b) The elections official may limit the total number of representatives employed pursuant to subdivision (a)(2) in attendance to no more than 10 by a manner in which each interested bona fide association of citizens or media organization has an

equal opportunity to participate. Any representatives employed and in attendance pursuant to subdivision (a)(1) or (a)(3) shall not be subject to the limit specified in this subdivision.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 5100, 15004, 15625, 15628 and 15629, Elections Code.

20817. Security.

- (a) The elections official shall, within six (6) months of the effective date of these regulations, submit to the Secretary of State written security measures for recounts to ensure the integrity of the recount proceedings. The security measures shall include, but not be limited to, chain of custody controls and signature-verified documentation for all voter verified paper audit trail paper copies, voted, spoiled and unused ballots, and all "relevant material" as described in section 20811(f). If submission by the vendor of a security plan to the Secretary of State is a condition of approval of voting system use, written notice to the Secretary of State of designation of that security plan to govern recounts satisfies the requirement of this subdivision.
- (b) Upon request, all persons authorized to observe the recount pursuant to section 20816 must be permitted to observe and inspect, without physical contact, the integrity of all externally visible security seals used to secure all ballot materials, voter verified paper audit trail paper copies, printed ballot images, relevant material as described in section 20811(f), and recount documentation in a reasonable time and manner that does not interfere with the conduct of the recount.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 15624 and 15625, Elections Code.

20818. Staffing.

- (a) Prior to the commencement of the recount, the elections official shall determine the number of special recount boards necessary to complete the recount in a timely manner. The elections official shall appoint four voters of the county to each special recount board. A voter who is also an employee of the elections' official's jurisdiction shall not be compensated as a special recount board member pursuant to Elections Code section 18625 for any day for which the jurisdiction otherwise compensates the employee unless the employee uses one of his or her vacation days.
- (b) There shall be one supervisor for every four special recount boards. The supervisor's function is to enforce the rules and transport ballots and reports. The supervisor shall not resolve challenges.
- (c) At the end of each day, the elections official or his or her designee shall post and announce publicly the following:
 - (1) The results of the recount tally of each precinct recounted that day;
 - (2) The certified election results tally for each precinct recounted that day;
 - (3) A running tally of the total recount results for all precincts recounted to date; and
 - (4) A running tally of the total certified election results for all precincts recounted to date.
- (d) The elections official shall determine whether additional personnel is necessary for tasks such as producing relevant material, sorting or retrieving materials, or checking signatures.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Section 15625, Elections Code.

20819. Scheduling.

The elections official shall set the daily schedule for the recount, including hours of operation, approximate break and lunch times, in accordance with the requirements of Elections Code section 15626. The schedule shall be posted in a conspicuous place at the office of the elections official and at the location where the recount takes place, if different.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 15625 and 15626, Elections Code.

20820. Spokespersons and Observers.

- (a) Any person may observe the recount proceedings, subject to space limitations of the recount location selected by the elections official pursuant to section 20816.
- (b) Upon request by the elections official, each interested party shall appoint one of his or her representatives to serve as a spokesperson authorized to make decisions with respect to the recount on behalf of the interested party, or the interested party may serve as his or her own spokesperson. When accompanied by an elections official or his or her

designee, the spokesperson shall have access to all areas where ballots are recounted by hand or tabulated by machine.

- (c) Questions other than ballot challenges shall be routed through the spokesperson, who shall then direct the question to the elections official or his or her designee. Official discussions with any interested party concerning resolution of questions shall include each interested party or his or her spokesperson.
- (d) The elections official may require any requestor, interested party, representative, or observer of the recount proceedings to log in and receive an identification badge before entering the recount location. If required, identification badges shall be worn at all times and returned to the elections official at the end of the day.
- (e) Requestors, interested parties, representatives, and observers shall not interfere in any way with the conduct of the recount, touch any voting system components, ballots, tally sheets or other special recount board materials, sit at the official recount worktables, place any material on the official recount worktables, talk to members of the special recount boards or supervisors while they are processing ballots or other recount materials or assist in recount procedures.
- (f) The elections official may deny entry to the recount location to any person who fails to comply with the requirements of this section.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 15625, 15629 and 15630, Elections Code.

20821. Media, Photography and Recording Devices.

- (a) The elections official shall, within six (6) months of the effective date of these regulations, develop a written policy providing reasonable access to the recount location by the media, and the use of cameras or audio or video recording devices in the recount location in a manner that will not interfere with the recount, compromise the anonymity of any ballot or record the signature of any voter. Interested parties and observers shall be permitted the same access for use of cameras or audio or video recording devices as members of the media.
- (b) No interviews shall be permitted in the recount location while the recount is being conducted.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 15625 and 15629, Elections Code.

20822. Results of Recount.

- (a) Upon completion of the recount, the elections official shall post the results of the recount in a highly visible public location in the elections official's office.
- (b) In a recount of an election for a statewide office or measure, Assembly, State Senate, Presidential convention delegate or slate of electors, Congress, State Board of Equalization, Supreme Court or Courts of Appeal, transmit one complete copy of all results of the recount to the Secretary of State. The Secretary of State shall compile the results of the recount and notify the affected counties within five (5) business days of receipt of all of the results of the recount as to whether the recount has changed the outcome of the election, as provided in Elections Code section 15632.
 - (1) If the outcome of an election has changed as a result of a recount, as provided in Elections Code section 15632, the elections official shall:
 - (2) In a recount of an election for a statewide office or measure, Assembly, State Senate, presidential convention delegate or elector, Congress, State Board of Equalization, Supreme Court or Courts of Appeal, recertify the official returns for the recounted election with the new official count for each precinct involved in the recount and send a copy of the recertification to the Secretary of State.
 - (3) In a recount of an election for any office or measure not included in subdivision (c)(1), recertify the official returns for the election with the new official count for each precinct involved in the recount and send a copy of the recertification to the public official or governing body that declares the results of the election subject to the recount, in order that they may adopt the recertification and re-declare the results of the election.
 - (4) Refund all monies deposited for the recount by any requestor in whose favor the recount changed the outcome of the election. If a recount conducted in multiple counties changed the overall outcome of the election, all monies deposited in all affected counties by such a requestor shall be refunded. No refund shall be made if the recount did not change the overall outcome of the election.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 15624, 15625, 15632 and 15633, Elections Code.

20823. Challenges.

- (a) Upon completion of the recount, the elections official shall post the results of the recount in a highly visible public (a) A challenged ballot shall be set aside with a notation indicating the precinct number, the method by which it was originally

counted for the official canvass, e.g., direct recording electronic voting system, scanner or hand count, the challenge number assigned to the ballot, the reason for the challenge, and the identity of the person making the challenge.

- (1) A ballot that was counted in the official canvass, including a counted vote by mail or provisional ballot, may be challenged only on grounds of disqualifying distinguishing marks or some other grounds visible on the face of the ballot so that the ballot can be isolated and removed from the count if the elections official determines that the ballot was not properly cast.
 - (2) A voted ballot that was not counted in the official canvass, including a rejected unopened vote by mail or provisional ballot, may be challenged and added to the count if the elections official determines that the ballot was properly cast.
- (b) Resolution of challenged ballots shall take place in a segregated area within the recount location, separate from that being used to perform the recount, as determined by the elections official, to avoid confusion and mixing of ballots.
 - (c) Challenges shall be resolved each day after all special recount boards complete their work, or more often if necessary, as determined by the elections official, but in any event before the conclusion of all recount proceedings. The determination of the elections official on a challenge shall be final. The elections official shall maintain a record of each challenge and the determination on each challenge.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 15625 and 15631, Elections Code.

Article 2. Recount of Votes Cast On Ballot Cards or Paper Ballots and Originally Tabulated Automatically.

20830. Recounts Using the Type of Vote Tabulating Devices Used In the Election.

- (a) Prior to conducting a recount of ballot cards or paper ballots using the type of vote tabulating devices used in the election, a logic and accuracy test limited to the contest subject to recount shall be conducted on each of the vote tabulating devices to be used in the recount, using a test deck created to test logic and accuracy for the contest to be recounted. The test shall be conducted publicly, subject to any limit made necessary by space limitations on the number of additional public observers beyond those that must be accommodated under section 20816. The results of the test, as well as the test deck used, shall be made available for inspection by any requestor, spokesperson, member of the media or observer present at the recount location between the time the test is completed and the posted time for recounting of ballots to begin.
- (b) A recount using the type of vote tabulating devices used in the election shall, to the maximum extent possible, be conducted using the same methods used to tabulate the ballots originally, and shall include the following:
 - (1) On equipment capable of producing a paper tape or print-out, a zero-results tape or report shall be printed from each vote tabulating device, if feasible without new election coding and if supported by the device in the configuration used in the election, and verified by the requestor and spokespersons prior to any processing of ballots with that device.
 - (2) If necessary to preserve the original vote count record, a backup of the election results shall be made and the same type of memory media that was used in the election shall be prepared to capture the recount vote results.
 - (3) Each voted ballot shall be processed with the same type of vote tabulating devices used in the election.
 - (4) Ballots that cannot be read by the vote tabulating devices shall be corrected or duplicated in accordance with Elections Code sections 15208, 15210 and 15211.
- (c) Once all eligible ballots cast in a precinct have been processed by a tabulating device, the device shall, if supported by the voting system, be rendered incapable of accepting further ballots for that precinct and the vote results shall be printed from that device and made available for public inspection. If supported by the voting system, the following steps shall also be taken:
 - (1) Recount vote results of ballots cast in each precinct subject to recount shall be uploaded to the voting system's central tabulation and reporting application; and
 - (2) The elections official shall report separately the recount vote results for each precinct subject to recount. Such reporting will include the number of ballots undervoted and overvoted in the recounted contest.
- (d) At the conclusion of tabulation of all precincts designated for the recount, a logic and accuracy test limited to the contest subject to recount shall be conducted on each tabulating device used in the recount, using the same test deck created prior to the recount to test logic and accuracy for the contest. The test shall be conducted publicly, subject to any limit made necessary by space limitations on the number of additional public observers beyond those that must be accommodated under section 20816. The elections official shall make the results of the logic and accuracy test, as well

as the test deck used for the test, available for inspection by the requestor, spokespersons, members of the media and observers at the recount location before the conclusion of the recount.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 15633, 19220, 19360, 19370, 19380, 19381, 19382, 19383 and 19384, Elections Code.

20831. Manual Recounts Generally.

- (a) One of the four special recount board members shall read the ballot and call out the vote cast for the contest subject to recount on that ballot; one shall observe that the correct call was made, and two members shall each separately and independently record the votes as called out.
- (b) Prior to beginning the actual manual recount, the elections official shall instruct all members of the special recount boards, requestor, interested parties, representatives and observers on the procedures to be followed for the recount and shall provide them with copies of these recount regulations, any local documentation concerning recount procedure, and documentation on how to interpret and read the votes cast on the ballot, consistent with federal and state law and the State Uniform Vote Count Standards. The instructions and documentation shall include a statement that in the event of a challenge, the determination of the elections official shall be final.
- (c) Vote by mail and early-voted ballots cast from a precinct subject to recount shall be tabulated separately from ballots cast in a polling place on Election Day.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 15101-15110, 15276, 15290 and 15625, Elections Code.

20832. Manual Recounts, "Vote for One" Contests.

Manual recount tabulation on a voting system in a "Vote for One" contest is subject to the following requirements:

- (a) Prior to counting the ballots, and in the clear view of the requestor, spokespersons and observers, all ballots for the precinct shall be separated into stacks that do and do not contain the contest. Those that contain the contest shall be sorted as follows:
 - (1) Ballots that were not voted for the contest (under-voted);
 - (2) Ballots that were over-voted for the contest; and
 - (3) Ballots that were voted for the contest, sorted by candidate or position.
- (b) Starting with the voted ballots, one member of the special recount board shall state the candidate or position for which the vote was cast making sure the requestor, interested parties and their representatives can observe the contest subject to recount.
- (c) After the vote is stated and counted, the counted ballot shall be placed on the table, with the counted ballots placed in stacks of either 10 or 25, at the discretion of the elections official.
- (d) Two members of the special recount board shall record the votes stated, marking hashes in succession on their individual tally sheets. Each of these two board members shall announce when he or she has counted 10 (or 25) votes. If both members call out the same number of counted votes at the same time, the tally shall continue forward for the next 10 (or 25) ballots. If both recorders do not reach 10 (or 25) additional votes on the same ballot, then the count for the last interval of 10 (or 25) ballots shall be stricken from their tally sheets and those ballots recounted.
- (e) A requestor or an authorized spokesperson may request to inspect any ballot. Tallying shall be halted while the ballot is presented to the requestor or spokesperson for closer inspection. At no time may any requestor or spokesperson touch or come into physical contact with any of the ballots. Tallying will resume once the requestor or spokesperson has completed the inspection, which the requestor or spokesperson shall complete in a reasonable amount of time.
- (f) Tallying shall continue in this manner, until all stacks of voted ballots have been tallied.
- (g) After all voted ballots have been counted and tallied, the two special recount board members who have been recording the votes shall each independently calculate the total votes for each candidate or position on their tally sheets. When both have completed totaling, they shall each announce their totals one candidate or vote position at a time. If both announce the identical vote total for each candidate or position in the recounted contest, the recount of that precinct shall be deemed complete and the results reported to the elections official. If the special recount board members announce different vote totals for any candidate or vote position in the recounted contest, the recount tallies recorded will be examined. If the difference can be explained by the special recount board or supervisor, or by the elections official or his or her designee, it shall be corrected on the tally sheet. A written report shall be made on an attachment to the tally sheet. In the event of an unexplained discrepancy, the results for that precinct shall be discarded and the recount of that precinct shall start over.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 15276, 15290, 15629, 15630 and 19380, Elections Code.

20833. Manual Recounts, “Vote for Multiple” Contests.

Manual recount tabulation on a voting system in a “Vote for Multiple” contest is subject to the following requirements:

- (a) Prior to counting the ballots for the contest subject to recount, and in the clear view of the requestor, spokespersons and observers, all ballots for the precinct shall be separated into stacks that do and do not contain the contest. Those that contain the contest shall be sorted as follows:
 - (1) Ballots that were not voted for the contest (under-voted);
 - (2) Ballots that were over-voted for the contest;
 - (3) Ballots indicating a vote for the first candidate listed on the ballot for the contest; and
 - (4) Ballots that do not indicate a vote for the first candidate listed on the ballot for the contest.
- (b) Starting with the voted ballots, one member of the special recount board shall state the candidate or position for which the vote was cast making sure the requestor, interested parties and their representatives can observe the contest subject to recount.
- (c) After the vote is stated and counted, the counted ballot shall be placed on the table, with the counted ballots placed in stacks of 10 (or 25).
- (d) Two members of the special recount board shall record the votes stated, marking hashes in succession on their individual tally sheets. Each of these two board members shall announce when he or she has counted 10 (or 25) votes. If both members call out 10 (or 25) counted votes at the same time, the tally shall continue forward for the next 10 (or 25) ballots. If both recorders do not reach 10 (or 25) additional votes on the same ballot, then the count for the last interval of 10 (or 25) ballots shall be stricken from their tally sheets and those ballots recounted.
- (e) A requestor or an authorized spokesperson may request to inspect any ballot. Tallying shall be halted while the ballot is presented to the requestor or spokesperson for closer inspection. At no time may any requestor or spokesperson touch or come into physical contact with any of the ballots. Tallying will resume once the the inspection is completed, which the requestor or spokesperson shall complete in a reasonable amount of time.
- (f) Once all the votes for the first candidate have been recorded, the valid voted ballots shall be resorted into two stacks:
 - (1) Ballots that were voted for the second candidate in the contest; and
 - (2) Ballots that do not indicate a vote for the second candidate in the contest.

The ballots voted for the second candidate shall be calculated in accordance with (b) through (e) above. Tallying shall continue in this manner, until the votes for each candidate in the contest have been recounted and tallied.

- (g) After all voted ballots have been counted and tallied, the two special recount board members who have been recording the votes will each independently calculate the total votes for each candidate or position on their tally sheets. When both have completed totaling, they will each announce their totals one candidate or vote position at a time. If both announce the identical vote total for each candidate or position in the recounted contest, the recount of that precinct shall be deemed complete and the results reported to the elections official. If the special recount board members announce different vote totals for any candidate or vote position in the recounted contest, the recount tallies recorded and announced will be examined. If the difference can be explained by the special recount board or supervisor, or by the elections official or his or her designee, it shall be corrected on the tally sheet. A written explanation shall be made on an attachment to the tally sheet. In the event of an unexplained discrepancy, the results for that precinct shall be discarded and the recount of that precinct will start over.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 15276, 15290, 15629, 15630 and 19380, Elections Code.

Article 3. Recount Of Votes Cast On Direct Recording Electronic Voting Systems.

20840. Recounts on Direct Recording Electronic Voting Systems Using Electronic Vote Results.

- (a) Prior to conducting the actual recount of ballots, a logic and accuracy test limited to the contest subject to recount shall be conducted on each direct recording electronic voting system being used in the recount, using a test pattern created to test the logic and accuracy for the contest. The test shall be conducted publicly, subject to any limit made necessary by space limitations on the number of additional public observers beyond those that must be accommodated under section 20816. The elections official shall make the results of the logic and accuracy test, as well as the test pattern used for the test, available for inspection by the requestor, spokespersons and observers at the recount location before the conclusion of the recount.
- (b) If supported by the voting system, electronic recount tabulation on a direct recording electronic voting system shall be based on a re-import and re-tabulation of the vote results from the electronic media originally used to capture and

transfer the vote results from the direct recording electronic voting system devices into the election management system for that voting system. If re-import from electronic media is not supported by the voting system, the DRE vote results shall be manually added to the final results. The elections official shall generate a report for each recounted precinct detailing the aggregated direct recording electronic voting system vote results for the recounted contest.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 19220, 19381, 19382 and 19383, Elections Code.

20841. Automated Recounts on Direct Recording Electronic Voting Systems Using Voter Verified Paper Audit Trail Paper Copies.

- (a) The voter requesting the recount of votes cast on a direct recording electronic voting system may request that it be conducted based on an automated scan and tabulation of the voted ballots directly from the voter verified paper audit trail paper copies. An automated scan shall not be used unless the Secretary of State has tested and approved the automated scan method as part of the certification of the voting system.
- (b) Prior to conducting the recount of voter verified paper audit trail paper copies from the direct recording electronic voting system, a logic and accuracy test limited to the contest subject to recount shall be conducted, using a test pattern and a test verified paper audit trail paper roll, on each automated scan and tabulation device to be used in the recount. The test shall be conducted publicly, subject to any limit made necessary by space limitations on the number of additional public observers beyond those that must be accommodated under section 20816. The elections official shall make the results of the logic and accuracy test, as well as the test pattern and test paper roll used for the test, available for inspection by the requestor, spokespersons and observers at the recount location before the conclusion of the recount.
- (c) Once all vote results have been scanned and captured from each scanning and tabulating device used for the recount, the elections official shall generate a report for each precinct detailing the aggregated direct recording electronic voting system vote results for the recounted contest.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 19201, 19220, 19250, 19251 and 19253, Elections Code.

20842. Manual Recounts of Ballots Cast on Direct Recording Electronic Voting Systems Using Voter Verified Paper Audit Trail Paper Copies.

The manual recount, using voter verified paper audit trail paper copies, shall include the following:

- (a) If the direct recording electronic voting system used in the election subject to recount created continuous roll voter verified paper audit trail paper copies, the roll shall be re-spoiled if necessary to permit the recount to begin at the start of the roll. The roll may not be cut to separate the voter verified paper audit trail paper copies of individual voters.
- (b) One member of the special recount board shall be designated to review the voter verified paper audit trail paper copy and call out the vote results for the recounted contest from that paper copy. If it was printed and retained, this member shall begin by reviewing and verifying the zero-results tape printed prior to the opening of the polls and before any votes were captured. The zero-results tape, if it was printed and retained, shall also be reviewed and verified by the supervisor of the special recount board and by the requestor and spokespersons.
- (c) The board member designated to review and call out the vote results shall then proceed to review the voter verified paper audit trail paper copies in succession, calling out each ballot in turn and stating how the ballot was voted in the challenged contest until either 10 or 25 (at the discretion of the elections official) have been called out. If there is no legible voter verified paper audit trail paper copy for a ballot due to a malfunction of the voter verified paper audit trail printer, the elections official shall print the ballot image for that ballot from the memory device used by the direct recording electronic voting system to record the ballot. The board member designated to review and call out the votes results shall review the printed ballot image and shall state how the ballot was voted in the challenged contest.
- (d) Two members of the special recount board shall record the votes stated, marking hashes in succession on their individual tally sheets. The board member designated to call out the votes shall announce when either 10 or 25 votes (at the discretion of the elections official) have been called out, and the recorders shall confirm that their vote counts match exactly. If the vote counts match exactly, the board member reviewing and calling out the vote results shall draw a distinct line on the continuous voter verified paper audit trail roll between the individual voter verified paper audit trail paper copy containing the 10th or 25th counted vote and the individual voter verified paper audit trail paper copy for the next voted ballot, and the tally shall continue forward for the next 10 or 25 counted votes. If the vote counts do not match exactly, then the count for the last interval of voter verified paper audit trail paper copies shall be stricken from their tally sheets and those voter verified paper audit trail paper copies recounted.
- (e) The individual voter verified paper audit trail paper copies or printed ballot images shall be displayed to permit the requestor, spokespersons and observers to view the contest subject to recount, either directly or indirectly, as the voter

- verified paper audit trail paper copy or printed ballot image is reviewed and called. Voter verified paper audit trail paper copies for ballots that were canceled or canceled and re-voted, shall be noted but not counted toward the vote results.
- (f) A requestor or an authorized spokesperson may request to inspect any voter verified paper audit trail paper copy or printed ballot image. Tallying shall be halted while the voter verified paper audit trail paper copy or printed ballot image is presented to the requestor or spokesperson for closer inspection. At no time may any requestor or spokesperson touch or come into physical contact with any of the voter verified paper audit trail paper copies or printed ballot images. Tallying shall resume once the inspection is completed, which the requestor or spokesperson shall complete in a reasonable amount of time.
 - (g) Tallying shall continue in this manner, breaks and meal times excepted, until the entire continuous voter verified paper audit trail record has been reviewed and tallied.
 - (h) After all ballots of a direct recording electronic voting system have been reviewed and tallied from its voter verified paper audit trail paper copies and, where necessary, printed ballot images, the special recount board members who have been recording the votes shall independently calculate the total votes for each candidate or vote position on their tally sheets. When both have completed totaling, each shall announce his or her totals for that candidate or vote position. If both announce the identical vote total for each candidate or vote position in the recounted contest, the recount of that direct recording electronic voting system shall be deemed complete and the recount shall proceed with the continuous voter verified paper audit trail roll for the next direct recording electronic voting system with voted ballots for the challenged contest.
 - (i) If the special recount board members announce different vote totals for the candidate or position, the recount tallies recorded and announced for that candidate or position shall be examined. If the difference can be explained by the special recount board or supervisor, or by the elections official or his or her designee, it shall be corrected on the tally sheet. A written explanation shall be made on an attachment to the tally sheet. In the event of an unexplained discrepancy, the results for that direct recording electronic voting system shall be discarded and the recount of that candidate or position shall start over.
 - (j) Once all the voter verified paper audit trail paper copies and, where necessary, printed ballot images containing votes for a precinct have been reviewed and tallied, the recount of that precinct shall be deemed complete and the results reported to the elections official.

Note: Authority cited: Section 12172.5, Government Code; Sections 10 and 15601, Elections Code.

Reference: Sections 19250 and 19382, Elections Code.



Application for Data and/or Services

Modified for Viewing Election Materials and Data During a Recount

Full Name of Applicant (Person, Business, Organization, or Committee) _____ **Telephone Number** _____

Address of Applicant: _____
Street City State ZIP Code

What is the intended use of the information being requested? Viewing Election Materials and Data During a Recount

For a brief explanation see the attached file [Intended Uses](#). (Select and/or type in Intended Use)

The above named applicant hereby applies to the Secretary of State of California, directly or through a source agency for:

Type of Files Requested: Voter Registration Data Vote-by-Mail Data Walking List Print-out Paper Map Print-out GIS Data Files

For a list of common files see the attached file [Common Files Requested](#)

For a list of available items see the attached file [Registration Services Price List](#)

District Requested: Assembly District 13 and County Board of Education Trustee Area 3 for the 3/3/2020 Election

For a complete list of Districts see the attached file [List of Districts](#) (Select and/or type in a District)

Voter File Options (MVM Jobs) N/A		Specify Election(s) _____	
Include Voter History? Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>(Select 1 to 5 Elections and/or type in Specific Elections)</i>		
If Yes , how would you like to see the voter history		Please Note: The <u>All History</u> option is only available in the two file format	
Included with voter file (one file) <input type="checkbox"/>		As a separate file (two files) <input type="checkbox"/>	

Vote-by-Mail Data Options (AVM Jobs) N/A	
Receive report(s) how often? Once <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/>	Day(s) to receive report(s): M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> T <input type="checkbox"/> F <input type="checkbox"/>
Date range for Ballots Issued from _____ to _____	

Media Options N/A	Type of Media (Check one):	<input type="checkbox"/> CD	<input type="checkbox"/> County FTP	<input type="checkbox"/> Customer FTP	<input type="checkbox"/> E-Mail
E-Mail or FTP Address: _____		For Customer FTP, provide User Name and Password			
User Name: _____		Password: _____			

Walking/Street Index (Indexes of voters are only available as a PDF or a printed copy) N/A	
Indices of Voters: Paper Copy <input type="checkbox"/>	Electronic Copy (PDF) <input type="checkbox"/>

The applicant hereby agrees that the aforementioned information set forth in affidavits of registration of voters and any information derived from said tabulating cards, electronic data processing tapes, indices (hereinafter collectively referred to as "registration information") will be used **ONLY FOR POLITICAL, ELECTION, SCHOLARLY, JOURNALISTIC OR GOVERNMENTAL PURPOSES** as defined by Title 2, Division 7, Article 1, Section 19003, of the California Administrative Code.

The applicant further agrees **NOT** to sell, lease, loan, or deliver possession of the registration information, or a copy thereof, or any portion thereof, to any person, organization or agency without receiving written authorization to sell from the Secretary of State or from the source agency.

Subject to provisions of Title 2 Division 7, Article 1, Sections 19001 through 19007 of the California Administrative Code, the applicant agrees to pay to the State of California, as compensation for any unauthorized use of each individual's registration information an amount equal to the sum of fifty cents (\$0.50) multiplied by the number of times each registration record is used by the Applicant in an unauthorized manner.

I certify under penalty of perjury, under the laws of the State of California, that all the above information is true and correct.

Executed at _____
City County State Date

Print Name Driver's License # Signature

Residence Address _____
Street City State ZIP Code

Business Address _____
Street City State ZIP Code