

**Vote Counting Standards for City of Los Angeles Elections**

Office of the City Clerk

City of Los Angeles

October 2006

## **Section I. Introduction**

The City of Los Angeles has developed these vote counting standards to establish when a marked voting position constitutes a vote in elections conducted by the Los Angeles City Clerk. The following principles guided the development of these vote counting standards:

- The vote counting standards are based upon the Uniform Vote Counting Standards (UVCS) issued by the California Secretary of State on March 23, 2006 (see attached).
- When inspecting ballots prior to counting, or when ballots are reviewed during a manual count or recount, these standards are to be used to determine whether marked voting positions constitute valid votes.
- The standards are to be applied in a uniform and consistent manner for all voted ballots.
- Consistent with UVCS Section III – General Standards, B. “A vote for any candidate or ballot measure shall not be rejected solely because the voter failed to follow instructions for marking the ballot.” Accordingly, these vote counting standards include procedures that shall be followed to ensure that the voters’ choices are properly tallied when the voter utilized an alternative method (i.e. did not follow the voting instructions) to indicate their vote choice. These remedial procedures are also consistent with the InkaVote Ballot Card Vote Counting Procedures (Count/Don’t Count Guidelines) referenced in Section 4.0 of the State approved InkaVote Use Procedures.

## **Section II. References and Definitions**

**A. References to other documents are enclosed in brackets and abbreviated as follows:**

UVCS      California Secretary of State Uniform Vote Counting Standards (March 23, 2006)

LACE      Los Angeles City Election Code

**B. The definitions set forth in the UVCS, Section II are incorporated herein by reference.**

### **C. Exhibits**

Exhibit I - UVCS

Exhibit II - Case Studies/Examples

Exhibit III – InkaVote Ballot Card Vote Counting Procedures (Count/Don’t Count Guidelines)

## **Section III. General Vote Counting Standards**

### **A. Identifying Marks**

A ballot that is marked or signed by the voter in such a way that it can be identified from other ballots (i.e. the voter can be identified) must be voided and none of its votes counted. Examples

of such markings include, but are not limited to: voter signature, initials, voter name and address, voter identification number, social security number or driver's license number, messages or text, or unusual markings not related to indication of the vote choice for a contest. Generic text meant to clarify the voter's choice regarding a contest, such as the word "yes" or "no" next to a candidate's name, shall not be sufficient cause to void a ballot. If there are distinctly identifiable markings on one page of a multiple-page ballot, the entire ballot must be voided. (see UVCS §III.A)

### **B. Failure to Follow Voting Instructions**

A vote for any candidate or ballot measure shall not be rejected solely because the voter failed to follow instructions for marking the ballot. If, for any reason, it is impossible to determine the choice of the voter for any candidate or ballot measure, the vote for that candidate or ballot measure shall be considered void. (see UVCS §III.B and LACE §862, 1217 (b) .)

### **C. Consistent Voting Method**

A mark is considered valid when it is clear that it represents the voter's choice and is the technique consistently used by the voter to indicate his or her selections. Such marks may include, but are not limited to, properly filled-in voting position targets, checkmarks, X's, circles, completed arrows, or any other clear indication of the voter's choice, such as the word "yes" next to a candidate's name or a voting position target for a ballot measure. (see UVCS §III.C, 1<sup>st</sup> paragraph)

When a voter marks a ballot using an official vote recording device in substantial compliance with the voting instructions, and the marks vary within the operating parameters of the recording device, such marks shall be considered consistent for purposes of compliance with these vote counting standards.

Conversely, a mark crossed out by the voter, or the word "no" next to a candidate's name or a voting position target for a ballot measure shall not be considered to be a valid vote but will, instead, be deemed an indication that the voter did not choose to cast a vote for that candidate or measure (see UVCS III. C, 2nd paragraph). Following a written/alternatively marked direction from the voter that clearly identifies the voter's choice is also consistent with the UVCS, which states that one standard indicating a valid vote is "voter indicates voting error correction by using correction tape, strikeover, white-out or generic written note of instruction and marks another vote choice for the same contest on the ballot" (see UVCS IV.A.6).

### **D. Partially Marked Voting Positions**

In determining the validity of a partially filled-in voting position target, the consistency of a voter's marks on the entire ballot shall be taken into consideration. A "hesitation mark" such as a dot in the voting position target shall not be considered a valid mark unless it is demonstrated that the voter consistently marked his or her ballot in such a manner. (see UVCS §III.D)

### **E. Overvotes**

If a contest is marked with more choices than there are offices to be filled or measures that may prevail, the vote shall not be counted for that contest, but shall be counted in all other contests in

which there is no overvote and the voter's choice can be clearly determined. (see as UVCS §III.E)

#### **F. Undervotes**

If a contest is marked with fewer choices than there are offices to be filled or measures that may prevail, the vote choice(s) for all otherwise properly marked candidates or measures shall be counted. (see UVCS §III.F)

#### **G. Write-in Votes**

Write-in votes are counted pursuant to the provisions established in Los Angeles City Election Code. (see LACE § 506, 1231-1235)

### **Section IV. Vote Counting Standards For Optical Scan Ballots**

When optical scan technology is used to count the votes on a ballot, the following vote counting standards provisions shall apply.

The following standards shall be used to determine whether there is a clear indication on the ballot that the voter has made a choice. The examples used in this section refer to the "voting position target" as defined in UVCS II – Definitions, which has been incorporated herein by reference. The same principles demonstrated in the examples shall apply to all types of voting position targets on optical scan ballots, regardless of what form they may take (e.g. rectangle, oval, circle, square, hole punch, cross punch, slotting, open arrow).

#### **A. Standards Indicating a Valid Vote**

A voter's choice shall be considered a valid vote, if the:

1. Voter indicates vote choice by consistently filling inside the entire voting position target. (see UVCS §IV.A.1)
2. Voter indicates vote choices by consistently filling in less than the entire voting position target for all vote choices on the ballot and the ballot is processed in a manner consistent with the use procedures provided and approved for the voting system (see UVCS IV.A.2). When a voter marks a ballot using an official vote recording device in substantial compliance with the voting instructions, and the marks vary within the operating parameters of the recording device, such marks shall be considered consistent for purposes of compliance with these vote counting standards.
3. Voter indicates vote choice by consistently placing a distinctive mark, such as (X) or (√) or (←), inside the associated voting position target for a candidate choice or ballot measure. (see as UVCS §IV.A.3)
4. Voter indicates vote choice by consistently placing a distinctive mark, such as (X) or (√) or (←), in the corresponding space directly above, below or beside the associated voting position target for a candidate or ballot measure. (see as UVCS §IV.A.4)

5. Voter marks vote choices by encircling the entire voting position target for a candidate or ballot measure. (see as UVCS §IV.A.5)
6. Voter indicates voting error correction by using correction tape, strikeover, white-out or generic written note of instruction and marks another vote choice for the same contest on the ballot. (see as UVCS §IV.A.6)
7. Voter writes in a qualified write-in candidate's name, or a reasonable facsimile of the spelling of the name, in the space provided for write-in names for that office and, if required by the voting system, marks the associated write-in voting target position. (see generally UVCS IV.A.7)
8. Voter writes in a listed candidate's name in the designated write-in space and marks the associated write-in voting target position. In such cases, the vote shall be counted as a single vote for the listed candidate. (see as UVCS §IV.A.8)
9. Voter marks a voting target position for a listed candidate and also enters the listed candidate's name in the designated candidate write-in space. In such cases, the vote shall be counted as a single vote for the listed candidate. (see as UVCS §IV.A.9)
10. Voter writes in qualified write-in candidate's name, or a reasonable facsimile of the spelling of the name, on the secrecy sleeve envelope or stub and indicates the contest for which the vote is being cast, in the case of voting systems where write-in spaces appear separately from the list of candidates for an office and do not provide voting position targets. (see as UVCS §IV.A.10)

## **B. Standards Indicating an Invalid Vote**

A voter's choice shall be considered an invalid vote, if the:

1. Voter uses random markings, indentations, punctures or impressions, squiggly/dimpled or crimp marks, pinholes or pinpricks on a ballot, and there is no distinctive and consistent voting pattern to clearly indicate voter choice(s) (see UVCS IV.B.1). A determination that a vote choice is invalid according to this paragraph shall not affect the determinations of other vote choices on the same ballot. The validity of each vote choice on a ballot shall be established independently.
2. Voter indicates vote choice by filling in less than the entire voting position target, and the voter has not consistently marked the entire ballot in the same manner, making the voter's choice unclear (see UVCS IV.B.2). A determination that a vote choice is invalid according to this paragraph shall not affect the determinations of other vote choices on the same ballot. The validity of each vote choice on a ballot shall be established independently.
3. Voter inconsistently places a mark above, below or beside the associated voting position target on a ballot, instead of inside the voting position target, and voter's choice cannot be clearly determined (see UVCS IV.B.3). A determination that a vote choice is invalid according to this paragraph shall not affect the determinations of other vote choices on the same ballot. The validity of each vote choice on a ballot shall be established independently.

4. Voter writes in the name of a person who has not qualified as a write-in candidate. (see UVCS §IV.B.4)
5. Voter writes in a listed candidate's name in the designated write-in space and fills in the associated voting position target for a different listed candidate in the same contest. (see UVCS §IV.B.5)
6. Voter writes in a candidate name that is unrecognizable/undecipherable and it cannot be determined for whom the vote is intended to be cast. (see UVCS §IV.B.6)
7. Voter writes in a qualified write-in candidate's name in the designated write-in space and does not fill in the associated voting position target for the write-in candidate. (see UVCS §IV.B.7)
8. Voter uses pressure-sensitive stickers, rubber stamps, glued stamps, or any other device not provided for in the voting procedures for the voting systems approved by the Secretary of State to indicate the name of the voter's choice for a write-in candidate. (see UVCS §IV.B.8)

## **Section V. Implementation of Vote Counting Standards – Optical Scan Ballots**

Due to the operational characteristics of optical scan vote counting systems, a vote that is clearly defined as valid by both these Vote Counting Standards and the UVCS may fail to be counted when it is not marked according to the voting instructions. Conversely, a vote that is clearly defined as invalid by both these Vote Counting Standards and the UVCS may be recorded as a vote where none was intended, or may invalidate a vote for an office by creating an overvote situation. To ensure that the voters' choices are accurately tallied by the vote counting system, pursuant to both these Vote Counting Standards and the UVCS, the City inspects ballots manually to detect these problem conditions and applies corrective action when necessary prior to processing the ballots through the vote counting system.

This section discusses the principles and procedures used when inspecting ballots, including the application of any corrective action measures required. Exhibit II provides examples of how to apply the standards to common problems.

### **A. Optical Scan Ballots in City Elections**

The City currently uses a centralized vote tally system to count optical scan ballots that are delivered from the polling places or received by mail from the voters. Three types of ballots are used in this system:

- The Type I ballot has 312 voting positions, indicated by numbered circles printed in red ink. The ballot is used in conjunction with a separate vote recorder device, which describes the offices, candidates and measures, and which has a specially designed marking pen to record the voter's choices.
- The Type II ballot is used by Vote-By-Mail voters, who receive a separate pamphlet describing the offices, candidates and measures, along with the corresponding voting

position numbers. The Type II ballot has 312 voting positions indicated by numbered ovals printed in red ink. Voters are instructed to mark their choices with a pen using black or dark blue ink.

- The Type III ballot has 26 voting positions indicated by ovals printed in red ink. This ballot is used for elections with few offices and measures, and the candidate and measure information is printed directly on the ballot. In these elections the same ballot is used for at-polls and Vote-By-Mail voters. At-polls voters are supplied with a felt tip pen containing black ink. Vote-By-Mail voters are instructed to mark their choices with a pen using black or dark blue ink.

In all cases voters are instructed to ensure that each marked position has been completely filled in before returning their ballot to the poll worker, or mailing it back in the case of Vote-By-Mail voters.

## **B. Vote Tally System**

The City's current core Vote Tally System consists of the Votec Precounter II tally module, LRC ballot card readers and the Inkavote optical scan ballots described above. This system relies on the sensing of light and dark areas to determine whether a voting position has been marked. The system has a small aperture through which it views voting positions, and vote marks must be visible within the aperture to be detected. Vote marks that are clearly defined as valid votes by both these Vote Counting Standards and the UVCS may fail to be accurately counted if the marks are made in such a manner that they will not be detected in the machine readable area and thus will not trigger the ballot reader sensor. Conversely, vote type marks that are clearly defined as invalid by both these Vote Counting Standards and the UVCS may register as votes if those marks stray into the machine readable area and thus trigger the ballot reader sensor.

This necessitates manual inspection of ballots for marks that are not made according to the voting instructions.

## **C. Ballot Inspection**

Vote By Mail ballots and ballots received from polling places during the election night canvass are inspected before being processed on the Vote Tally System. The inspection takes place in three stages. The inspection of most ballots is completed during the first stage wherein those ballots containing vote marks that will be accurately tallied based on these Vote Counting Standards are routed directly to the vote tally system for counting. Ballots that are damaged or contain vote marks that may not be accurately tallied based on these Vote Counting Standards are sent to the second stage and/or third stage, if necessary, for final review and determination.

### **1. First Stage**

- Ballots are examined for obvious damage or foreign material (such as adhesive tape) that might interfere with the processing of the ballot through the ballot card reading machines; any such ballots are set aside to be duplicated (see below).
- Ballots with writing on the front or reverse side are set aside and reviewed during the Write-In Canvass.

- Ballot inspectors then review remaining ballots for marked voting positions that, based on these Vote Counting Standards, may not be accurately tallied by the Vote Tally System or that create doubt as to the voter's choice. Any ballots with these conditions are set aside and routed to second stage review.
- Ballots that pass first stage inspection are routed to the Vote Tally System for counting.

## **2. Second Stage**

Ballots set aside during the first stage are re-inspected by a Snag Resolution Team (SRT), which is composed of a small team (generally 3 to 5 members) of experienced, trained staff. This organizational structure minimizes the number of decision makers, and the small size of this group, along with their specialized training, contributes to uniform application of the ballot inspection procedures and these Vote Counting Standards.

The SRT reviews the ballots and decides how to further process them as follows.

- Ballots that do not require remediation are routed to the Vote Tally System for counting.
- Ballots that are damaged such that they cannot be processed through the card readers or contain stray marks that may, based on these Vote Counting Standards, be tallied inaccurately as votes are set aside to be duplicated by the Remake Board (see below). Upon completion of the duplication process the ballots are routed to the Vote Tally System for counting.
- Ballots that contain vote marks that, based on these Vote Counting Standards, leave no doubt as to the voter's choice but are marked in a manner that they may not be accurately tallied by the Vote Tally System (e.g. not solid, partially marked, marked outside the read area) are overmarked with a light colored highlighter (see below). Upon completion of the overmark process the ballots are routed to the Vote Tally System for counting;
- Ballots that have marks where the voter's choice is not clear are routed to the third stage of review

## **3. Third Stage**

The final review stage is performed by Election Division management. Ballots reaching this stage are the most difficult to determine, and may require careful analysis. Only a few ballots fall into this category.

The management review team makes the final decision on any questionable marks, and indicates for each ballot whether it should be duplicated, overmarked, challenged (and thus not counted), or counted as-is.

## **D. Corrective Action**

Corrective action is necessary when a ballot is: 1) damaged physically such that it cannot be processed through the Vote Tally System's ballot card readers; or 2) based on these Vote Counting Standards it is likely that a voter's choice will be tallied incorrectly, or that a stray

mark may be incorrectly tallied as a vote. The SRT team, or Election Division management in the more difficult cases, determines the corrective action to be taken for each case, according to the criteria set forth in this document. Ballots are corrected either by overmarking or duplicating, as appropriate.

## **1. Overmarking**

Overmarking refers to the process in which an Election Division staff person uses a light colored highlighter pen to mark across the entire voting position to ensure that, based on these Vote Counting Standards, the voter's choice is accurately counted by the Vote Tally System. Overmarking is appropriate when the following conditions exist (see Exhibit II and III for selection of sample cases).

- The ballot is not physically damaged and can be processed through the Vote Tally System card readers.
- The ballot does not contain stray marks that, based on these Vote Counting Standards, may be incorrectly tallied as a vote.
- The voter's choice is clear, based on these Vote Counting Standards, but the mark used to indicate the voter's choice may not be accurately counted by the Vote Tally System (e.g. the voting position is only partially filled in, the voting position is marked with a symbol (such as a checkmark) that does not adequately cover the read area, the ballot is marked in an area outside a voting position).
- The use of the overmark will not obscure/cover the original vote marks made by the voter (i.e. vote marks that are light in shade, or made with light colored ink, cannot be overmarked because the voter's original mark might be obscured. In any such case where overmarking might obscure the original mark the ballot is to be duplicated instead).

Overmarking requires significantly less work and is less prone to error than duplicating, since only those voting positions that require correction must be addressed. When duplicating, all positions on the ballot must be replicated, which increases the processing time and potential for error.

Original ballots that have been duplicated are logged and placed in secure storage. Any subsequent reference to a duplicated ballot requires a search of the ballot file. Validating duplicates against original ballots, as might be done in a review or recount, is thus difficult and time-intensive. Conversely, ballots that are overmarked contain the original mark and the overmark on the same paper record, making them significantly easier to review.

## **2. Duplicating**

Duplicating refers to the process where the valid votes on the original ballot are replicated on a new separate ballot. Ballots requiring duplication are routed to the Remake Board, which consists of at least two workers, one who calls out the all the valid voted positions and another who marks them on the duplicated ballot. Each duplicate ballot is recorded on a paper log and assigned a serial number, which is also written on the back of the original

## Vote Counting Standards for City of Los Angeles Elections

ballot. The duplicated ballots are included in the Official Canvass, and the original ballots are filed in secure storage.

Duplicating is the appropriate remedial action to take when the following conditions exist (see Exhibit II and III for selection of sample cases).

- The ballot is physically damaged such that it cannot be processed through the Vote Tally System card readers.
- The ballot contains stray marks that, based on these Vote Counting Standards, may be incorrectly tallied as a vote.
- The use of the overmark would obscure/cover the original vote mark made by the voter (i.e. vote marks that are light in shade, or made with light colored ink, cannot be overmarked because the voter's original mark might be obscured.).
- The voter has indicated a voting error correction by using correction tape, strikeover, white-out or generic written note of instruction and marking another vote choice for the same contest on the ballot, but the original vote mark or the correction mark/note itself may be incorrectly tallied as a vote.
- The vote marks to be duplicated clearly represent the voter's choice based on these Vote Counting Standards.

### **Section VI. Direct Recording Electronic (DRE) Voting Systems**

The City of Los Angeles uses DRE voting devices for the Early Voting portion of its elections. For that portion of its election conducted with DRE voting devices, Section VII of the UVCS issued by the California Secretary of State are incorporated herein as if fully set forth.

As noted in Section VII of the UVCS, DRE voting devices prevent the casting of an invalid vote. However, in the event of a malfunction during the compilation of the votes from any DRE voting device (either within the specific DRE voting device or in the central vote tabulation system) the voter verified paper trail ballots shall be used to tabulate and/or to confirm the vote results.

### **Section VII. Absentee Ballots**

The City of Los Angeles uses Type II and/or Type III Optical Scan Ballots for the Vote-By-Mail portion of its elections. For the Vote-By-Mail portion of its elections, Section VIII of the UVCS issued by the California Secretary of State is incorporated herein as if fully set forth. The standards set forth in UVCS Section VIII shall be used to determine which Vote-By-Mail ballots shall be approved for counting. Once a Vote-By-Mail ballot is approved for counting, the actual ballot inspection, and any required corrective action, shall be governed by the policies and procedures set forth in these Vote Counting Standards for Optical Scan Ballots.

### **Section VIII. Provisional Ballots**

The Optical Scan Ballots described in these Vote Counting Standards are used to cast Provisional Ballots in City of Los Angeles elections. For Provisional Ballots, Section IX of the UVCS issued by the California Secretary of State are incorporated herein as if fully set forth. The standards set forth in UVCS Section IX shall be used to determine which Provisional Ballots shall be approved for counting. Once a Provisional Ballot is approved for counting, the actual ballot inspection, and any required corrective action, shall be governed by the policies and procedures set forth in these Vote Counting Standards for Optical Scan Ballots.

### **Section IX. Precinct Ballot Review/Counter Equipment**

Commencing with the 2007 municipal elections, the City of Los Angeles, in a joint development project with the County of Los Angeles, will deploy Precinct Ballot Review/Counter (PBR/C) voting equipment in voting precinct locations to alert voters to Over and Under votes. Although this equipment has the capacity to record and tally votes on-site at the precinct level, this capacity will not be used in the initial roll out phase for the 2007 municipal elections cycle. Thus, the optical scan ballots used in the 2007 municipal election cycle will be processed and tallied in accordance with these Vote Counting Standards.

When the PBR/C vote recording and tally operations are implemented in future election cycles, these Vote Counting Standards will be modified to reflect the operating capabilities of the PBR/C equipment.

**Exhibit I UNIFORM VOTE COUNTING STANDARDS**



**Secretary of State  
Bruce McPherson**

STATE OF CALIFORNIA

## **Uniform Vote Counting Standards**

**Effective: March 23, 2006**

**California Secretary of State  
Uniform Vote Counting Standards**

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# California Secretary of State Uniform Vote Counting Standards

## Section I Introduction

Pursuant to Section 301 (a)(6) of the Help America Vote Act (HAVA) of 2002, the Secretary of State has developed these standards to define the circumstances under which "marking" of a ballot constitutes a vote and when a vote will or will not count for each category of voting system certified and in use in California.

## Section II Definitions

The following are practical definitions as used herein and are not the definitions provided in the California Elections Code or federal law/HAVA, but are nonetheless consistent with state and federal law.

Blank Ballot	A blank ballot is one on which the voter has made no marks in any voting position target, or one which has been marked with an unreadable marker, or one which has been consistently marked outside of the "read" area of the scanner.
Candidate	A candidate is a person who is seeking nomination or election to a specified office and who either has met the legal requirements to have his/her name printed on the ballot or is eligible to have his/her name written in on the ballot and counted as the voter's choice for the contest.
Damaged Ballot	A damaged ballot is one that has been torn, bent, or otherwise mutilated or rendered unreadable such that it cannot be processed by the ballot tabulating equipment designed for use with the ballot.
Duplicated Ballot	A duplicated ballot is a ballot which is a true copy of the originally cast ballot. It is created when damage, improper marking or some other action/defect prevents the original ballot from being read by a ballot tabulating machine, and is used to properly process and count the votes originally cast by the voter. (Elections Code §15210 provides the method by which a duplicate ballot must be created.)
Listed Candidate	A listed candidate is a candidate whose name appears on the ballot at the time the voter received the ballot, as opposed to a write-in candidate.
Measure	A measure is a ballot proposition, which appears on a ballot and requires voter action in order to enact or reject a proposed law.
Overvote	An overvote occurs when a voter marks more than the maximum number of voting position targets allowed in the contest.
Punch Card Ballot	A punch card ballot is a ballot card that contains voting position targets that a marking device must pierce to form a hole in order to record a voter's choice for a candidate or measure.
Undervote	An undervote occurs when a voter marks less than the maximum number of voting position targets allowed in a contest.
Voting Position Target	A voting position target refers to that area of the ballot adjacent to each candidate or measure, or that area of the ballot, specifically designated to record the voter's choice for that contest. The term applies to all types of voting position targets on ballots, regardless of what form they may take, including, but not limited to, rectangle, oval, circle, square, hole punch, cross punch, slotting and open arrow.

### **Section III General Standards**

The following general standards shall apply in the counting of all ballots and votes, regardless of the voting system used, for both the initial count and for any recount.

- A.** A ballot that is marked or signed by the voter in such a way that it can be identified from other ballots must be voided and none of its votes counted. Examples of such markings include, but are not limited to: voter signature, initials, voter name and address, voter identification number, social security number or driver's license number, messages or text, or unusual markings not related to indication of the vote choice for a contest. Generic text meant to clarify the voter's choice regarding a contest, such as the word "yes" or "no" next to a candidate's name, shall not be sufficient cause to void a ballot. If there are distinctly identifiable markings on one page of a multiple-page ballot, the entire ballot must be voided. (Elections Code §§13204, 14287, 15154, and 15208.)
- B.** A vote for any candidate or ballot measure shall not be rejected solely because the voter failed to follow instructions for marking the ballot. If, for any reason, it is impossible to determine the choice of the voter for any candidate or ballot measure, the vote for that candidate or ballot measure shall be considered void. (Elections Code §19001.)
- C.** A mark is considered valid when it is clear that it represents the voter's choice and is the technique consistently used by the voter to indicate his or her selections. Such marks may include, but are not limited to, properly filled-in voting position targets, checkmarks, X's, circles, completed arrows, or any other clear indication of the voter's choice, such as the word "yes" next to a candidate's name or a voting position target for a ballot measure.

Conversely, a mark crossed out by the voter, or the word "no" next to a candidate's name or a voting position target for a ballot measure shall not be considered to be a valid vote but will, instead, be deemed an indication that the voter did not choose to cast a vote for that candidate or measure.
- D.** In determining the validity of a partially filled-in voting position target, the consistency of a voter's marks on the entire ballot shall be taken into consideration. A "hesitation mark" such as a dot in the voting position target shall not be considered a valid mark unless it is demonstrated that the voter consistently marked his or her ballot in such a manner.
- E.** If a contest is marked with more choices than there are offices to be filled or measures that may prevail, the vote shall not be counted for that contest, but shall be counted in all other contests in which there is no overvote and the voter's choice can be clearly determined.
- F.** If a contest is marked with fewer choices than there are offices to be filled or measures that may prevail, the vote choice(s) for all otherwise properly marked candidates or measures shall be counted.
- G.** Write-in votes are counted pursuant to the provisions established in Elections Code §§14420 and 15342.

### **Section IV Mark Sense (Optical Scan) Voting Systems**

When optical scan technology is used to count the votes on a ballot, the provisions of this section shall apply.

The following standards shall be used to determine whether there is a clear indication on the ballot that the voter has made a definite choice. The examples used in this section refer to the "voting position target" as defined in Section II of this document. The same principles demonstrated in the examples below shall apply to all types of voting position targets on

optical scan ballots, regardless of what form they may take (e.g. rectangle, oval, circle, square, hole punch, cross punch, slotting, open arrow).

**A. Standards Indicating a Valid Vote**

A voter's choice shall be considered a valid vote, if the:

1. Voter indicates vote choice by consistently filling inside the entire voting position target.
2. Voter indicates vote choice by consistently filling in less than the entire voting position target for all vote choices on the ballot and the ballot is processed in a manner consistent with the use procedures provided and approved for the voting system.
3. Voter indicates vote choice by consistently placing a distinctive mark, such as (X) or (√) or (←), inside the associated voting position target for a candidate choice or ballot measure.
4. Voter indicates vote choice by consistently placing a distinctive mark, such as (X) or (√) or (←), in the corresponding space directly above, below or beside the associated voting position target for a candidate or ballot measure.
5. Voter marks vote choices by encircling the entire voting position target for a candidate or ballot measure.
6. Voter indicates voting error correction by using correction tape, strikeover, white-out or generic written note of instruction and marks another vote choice for the same contest on the ballot.
7. Voter writes in a qualified write-in candidate's name, or a reasonable facsimile of the spelling of the name, in the designated write-in spaces directly below the list of candidates for that office and marks the associated write-in voting target position.
8. Voter writes in a listed candidate's name in the designated write-in space and marks the associated write-in voting target position. In such cases, the vote shall be counted as a single vote for the listed candidate.
9. Voter marks a voting target position for a listed candidate and also enters the listed candidate's name in the designated candidate write-in space. In such cases, the vote shall be counted as a single vote for the listed candidate.
10. Voter writes in qualified write-in candidate's name, or a reasonable facsimile of the spelling of the name, on the secrecy sleeve envelope or stub and indicates the contest for which the vote is being cast, in the case of voting systems where write-in spaces appear separately from the list of candidates for an office and do not provide voting position targets, .

**B. Standards Indicating an Invalid Vote**

A voter's choice shall be considered an invalid vote, if the:

1. Voter uses random markings, indentations, punctures or impressions, squiggly/dimpled or crimp marks, pinholes or pinpricks on a ballot, and there is no distinctive and consistent voting pattern to clearly indicate voter choice(s).
2. Voter indicates vote choice by filling in less than the entire voting position target, and the voter has not consistently marked the entire ballot in the same manner, making voter's choice unclear.
3. Voter inconsistently places a mark above, below or beside the associated

voting position target on a ballot, instead of inside the voting position target, and voter's choice cannot be clearly determined.

4. Voter writes in the name of a person who has not qualified as a write-in candidate.
5. Voter writes in a listed candidate's name in the designated write-in space and fills in the associated voting position target for a different listed candidate in the same contest.
6. Voter writes in a candidate name that is unrecognizable/undecipherable and it cannot be determined for whom the vote is intended to be cast.
7. Voter writes in a qualified write-in candidate's name in the designated write-in space and does not fill in the associated voting position target for the write-in candidate.
8. Voter uses pressure-sensitive stickers, rubber stamps, glued stamps, or any other device not provided for in the voting procedures for the voting systems approved by the Secretary of State to indicate the name of the voter's choice for a write-in candidate.

### **C. Abandoned Ballot**

If a voter leaves the voting booth without casting the ballot, the precinct official shall cause the ballot to be cast without examining the ballot.

## **Section V Punch Card Voting Systems**

When a card reader is used to count the votes cast on a punch card ballot, the provisions of this section shall apply. The following standards shall be used to determine whether the voter has made a definite choice.

### **A. Standards Indicating a Valid Vote**

A voter's choice shall be considered a valid vote, if the:

1. Vote cast on a lever-type punch card voting machine (Datavote) is cast by a voter either operating the lever adjacent to the name of the candidate or measure for which the voter chooses to vote or by writing in the name of a qualified write-in candidate in accordance with the ballot instructions and then recording such votes on the machine by the actuation of the main lever.
2. Punch card ballot is initially processed by a card reader and stops the card reader from counting it or proceeding, is able to be inspected and processed in accordance with the standards of Section IV Mark Sense (Optical Scan) Voting Systems.

### **B. Standards Indicating an Invalid Vote**

A voter's choice shall be considered an invalid vote, if the:

1. Voter uses random markings, indentations, punctures or impressions, squiggly/dimpled or crimp marks, pinholes or pinpricks on a ballot, and there is no distinctive and consistent voting pattern to clearly indicate voter's choice.
2. Voter writes in the name of a person who has not qualified as a write-in candidate.
3. Voter writes in a listed candidate's name in the designated write-in space and punches the associated voting position target for a different listed candidate in the same contest.
4. Voter writes in the name of a candidate whose name cannot be deciphered.

This invalidates only the contest for which the name has been written; all remaining valid votes shall be counted.

5. Voter writes in a qualified write-in candidate's name in the designated write-in space and does not punch the associated voting position target for the write-in candidate.
6. Voter uses pressure-sensitive stickers, rubber stamps, glued stamps, or any other device not provided for in the voting procedures for the voting systems approved by the Secretary of State to indicate the name of the voter's choice for a write-in candidate.

### **C. Abandoned Ballot**

If a voter leaves the voting booth without casting the ballot, the precinct official shall cause the ballot to be cast without examining the ballot.

## **Section VI Other Paper Voting Systems**

A paper ballot shall be subject to the standards in the section applicable to the system on which it is processed (e.g., optical scan or punch card voting system).

When paper ballots, or voting responses on paper other than a ballot, are counted by the hand and eye, the provisions of Section IV Optical Scan Voting Systems shall apply.

## **Section VII Direct Recording Electronic (DRE) Voting Systems**

When DRE technology is used to cast and count the votes on a ballot, the provisions of this section shall apply. The following standards shall be used to determine whether the voter has made a definite choice.

### **A. Standards Indicating a Valid Vote**

A voter's choice shall be considered a valid vote, if the:

1. Voter operates the DRE in a manner to cause an "X" or "√" or "highlight" or similar designation to display in the voting target position of the name of the candidate or measure for which the voter chooses to vote, followed by the voter activating the cast vote indicator;
2. Voter operates the DRE in a manner to cause the name of a qualified write-in candidate to be entered in the designated write-in space, followed by the voter activating the cast vote indicator;
3. Voter operates the DRE in a manner to cause the name of a candidate listed on the ballot to be entered in the designated write-in space, followed by the voter activating the cast vote indicator;
4. Voter operates the DRE in a manner to cause the cast ballot indicator to be activated and has not voted for more contests or candidates than the number for which the voter is eligible to vote.

**Note: DRE systems prevent the casting of an invalid vote.**

### **B. Abandoned Ballot**

If a voter leaves the voting booth without causing the ballot to be cast, the precinct official shall cause the ballot to be cast, without examining how any votes have been recorded on the machine.

## **Section VIII Absentee Voting Systems**

An absentee ballot shall be subject to the standards provided in the approved use procedures for the system on which it is processed and the provisions of the Elections Code. In addition, the following standards shall also apply.

### **A. Standards for Valid Absentee Ballots**

A voter's choice shall be considered a valid vote, if the:

1. Voter's residence address on the returned absentee identification envelope is the same as that on the affidavit of registration pursuant to Elections Code §§3011 and 3019.
2. Damaged, torn or otherwise non-processable ballot can be duplicated to exactly reflect the voter's choices and thereby enable the ballot to be processed on the system provided for that purpose. Standards for duplicating ballots are set forth in Elections Code §15210 and in the voting system use procedures.
3. Voter's signature on the absentee ballot envelope compares with the signature on the affidavit of voter registration. If the elections official has compared the signature of the voter's application with the affidavit pursuant to Elections Code §3009, the application may be used rather than the voter registration affidavit to make the signature comparison.
4. Voter prints name on the signature portion of the absentee ballot envelope, and it compares with the printed signature on the signature portion of the affidavit of voter registration. If the elections official has compared the signature of the voter's application with the affidavit pursuant to Elections Code §3009, the application may be used rather than the affidavit to make the signature comparison.
5. Voter uses a variation of the signature appearing on the affidavit of voter registration caused by the substitution of initials for the first or middle name, or both, and the signature compares with that on the affidavit of voter registration. If the elections official has compared the signature of the voter's application with the affidavit pursuant to Elections Code §3009, the application may be used rather than the affidavit to make the signature comparison.
6. Voter does not sign the absentee ballot envelope in the appropriate space, but the signature does appear elsewhere on the envelope and compares with the signature in the affidavit of voter registration. If the elections official has compared the signature of the voter's application with the affidavit pursuant to Elections Code §3009, the application may be used rather than the affidavit to make the signature comparison.
7. Voter uses a mark on both the absentee ballot envelope and the affidavit of voter registration, and the mark compares.
8. Absentee ballot envelope is not dated, but is otherwise properly executed and is received by the elections official before the close of the polls on Election Day.
9. Voter indicates vote choice(s) by writing the name(s) of the candidate(s) or indicating the vote(s) on the measure(s) in a letter or note, and returns it in an absentee envelope with a valid signature. If the voter's choice(s) can be determined, the ballot shall be duplicated to reflect the voter's choices and processed as if cast by the voter. (Elections Code §15210 provides the method by which a duplicate ballot must be created.)

10. Voter, instead of using his or her official ballot, marks a sample ballot and mails it in the absentee envelope and the signature on the envelope compares with the signature on the affidavit of voter registration. If the elections official has compared the signature of the voter's application with the affidavit pursuant to Elections Code §3009, the application may be used rather than the affidavit to make the signature comparison.
11. Two or more ballots are returned in one absentee ballot envelope, and there are an equal number of distinct signatures on the envelope that can be attributed to eligible absentee voters and each of these signatures compares with the affidavits of voter registration. If the elections official has compared the signature of the voter's application with the affidavit pursuant to Elections Code §3009, the application may be used rather than the affidavit to make the signature comparison.
12. Voter is a special absentee voter who is temporarily living outside of the territorial limits of the United States or the District of Columbia and transmits a voted ballot by facsimile and the ballot is submitted consistent with the provisions of Elections Code §§3103.5 and 3011.

**B. Standards for Invalid Absentee Ballots**

A voter's choice shall be considered an invalid vote, if the:

1. Absentee ballot envelope is not signed by the voter.
2. Absentee ballot envelope is signed using power of attorney.
3. Absentee ballot envelope is received after the close of the polls on Election Day.
4. Absentee ballot envelope is returned by a third party who is not eligible or authorized to return the voted ballot on behalf of the absent voter.
5. Voter, who is not a special absentee voter, transmits his or her voted ballot by facsimile.
6. Voter's signature on the absentee ballot envelope, when compared to the signature on the affidavit of voter registration, does not appear to be the same, including:
  - a. Voter uses a mark on the absentee envelope that it is not properly witnessed, and the affidavit of voter registration has a signature of the voter.
  - b. 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 the affidavit of voter registration.
7. Absentee ballot return envelope contains two or more voted absentee ballots but there are less than an equal number of distinct signatures on the absentee envelope.

**Section IX Provisional Ballots**

A provisional ballot shall be subject to the standards in the section applicable to the system on which it is processed. In addition to those standards, the following standards shall also apply.

**A. Standards for Valid Provisional Ballot and Vote**

A voter's choice shall be considered a valid vote, if the:

1. Voter casts a provisional ballot and the voter's eligibility can be confirmed

and the voter's choice is clearly marked, the vote shall be counted.

2. Voter casts a provisional ballot for a precinct other than the precinct in which the voter was legally entitled to vote, all votes properly cast in contests for which the voter was legally entitled to vote will be counted. (Elections Code §14310.)

**B. Standards for Invalid Provisional Ballot and Vote**

A voter's choice shall be considered an invalid vote, if the:

1. Voter casts a provisional ballot and the voter's eligibility cannot be confirmed, the ballot shall not be counted.
2. Voter casts a provisional ballot for a precinct other than the precinct in which the voter was legally entitled to vote, in which case all votes cast in contests for which the voter was not legally entitled to vote will not be counted. (Elections Code §14310.)

## Exhibit II CASE STUDIES/EXAMPLES

The following examples demonstrate the types of ballot markings encountered during the ballot inspection process. Each example belongs to one of four categories, depending on the general appearance, required analysis and disposition.

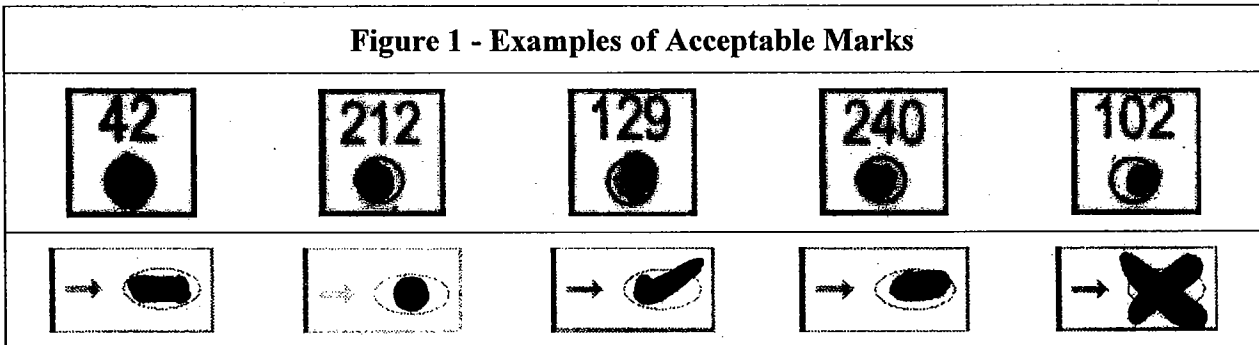
### A. Acceptable Marks

This category includes marks that conform to the criteria for machine-readability, and that are clear with regard to the voter's choice.

Marks are machine-readable when they are solid, black or dark blue in color, and cover the center of the voting position target. It is not necessary for a mark to cover the entire voting position target in order to be machine-readable (i.e. cover the read area).

Marks that do not conform to the shape of the target (such as arrows, crosses, checkmarks, etc.) are also acceptable provided that they meet the criteria for machine-readability.

Figure 1 - Examples of Acceptable Marks



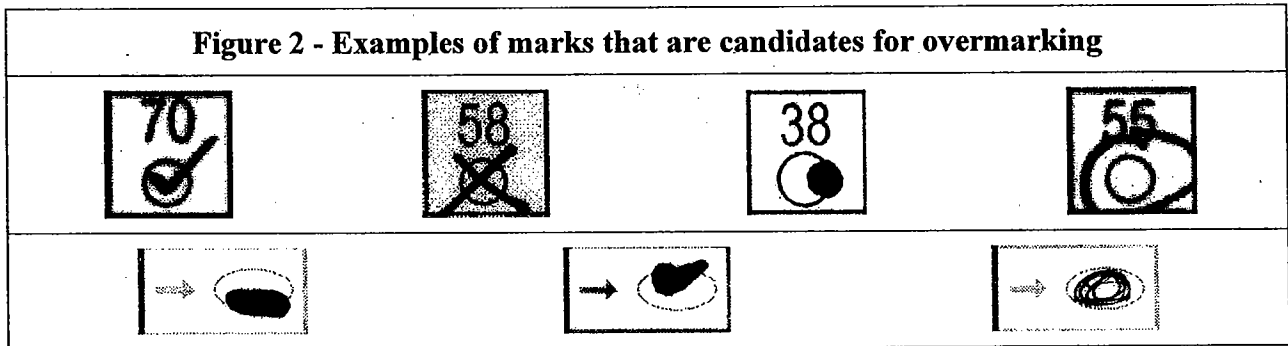
## B. Marks where Overmarking is the Appropriate Corrective Action

This category includes the following:

- Marks that partially cover the voting position target but do not cover the center or read portion;
- Marks that are light in color, indistinct, or that have open regions;
- Marks that are located outside of the voting position target, but which are clearly associated with a single choice for a candidate or measure, and leave no doubt as to voter choice;
- Written indications of votes that are clear as to choice.

The examples below demonstrate the general appearance of marks that are candidates for overmarking. During the second stage of ballot inspection, the SRT reviews each mark of this type and overmarks it if a determination is made that overmarking would respect the vote choice and preserve the original mark. If overmarking would obscure the original mark, the ballot is duplicated instead.

Figure 2 - Examples of marks that are candidates for overmarking

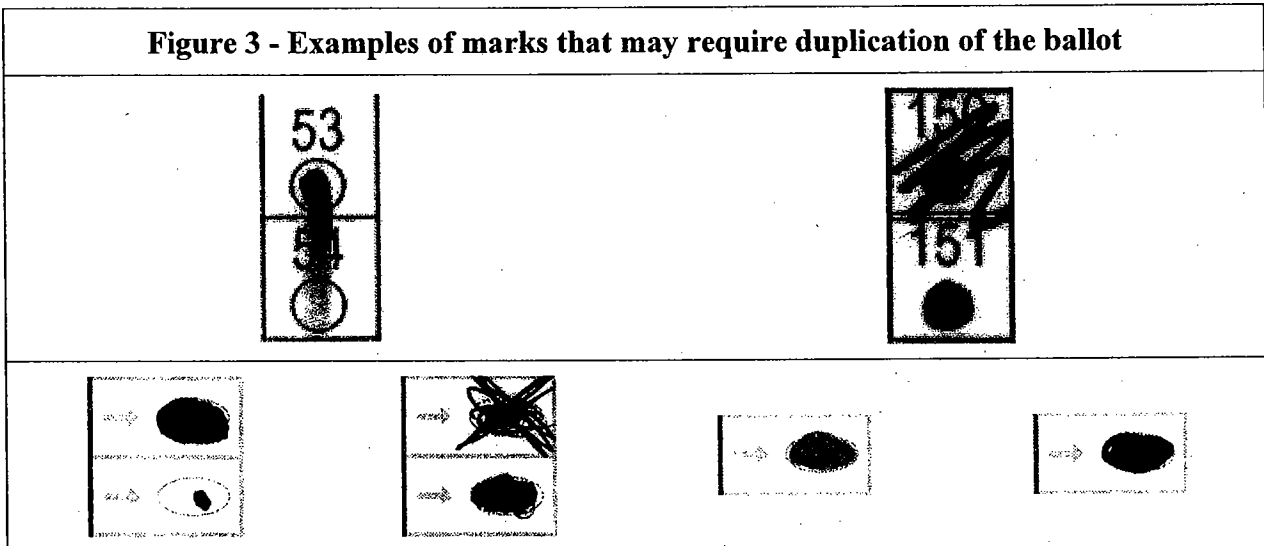


**C. Marks where Duplication is the Appropriate Corrective Action**

This category includes the following:

- Marks on damaged ballots that are not machine readable due to their physical condition;
- Marks corrected with adhesive tape, corrective fluid, stickers, or other foreign material that is incompatible with the vote tally system;
- Marks that have smeared due to inadvertent contact with the ink, where the mark extends into another voting position target, and the resulting mark could be recorded improperly as a vote or an overvote by the vote tally system;
- Stray marks, such as smudges or “hesitation marks”, which are inadvertently created on the ballot by the voter, and for which the resulting mark could be recorded improperly as a vote or an overvote by the vote tally system;
- Marks that would otherwise be overmarked, but which would be obscured by overmarking, such as marks which are the same color as the highlighter pen;
- Written corrections that clearly indicate the voter’s choice, but which could be recorded incorrectly by the vote tally system due to invasion of the writing into a voting position target

The examples below demonstrate the general appearance of marks that are candidates for duplication. During the second stage of ballot inspection, the SRT reviews each mark of this type and determines whether duplicating the ballot is the appropriate corrective action, and if so, routes the ballot to the Remake Board with instructions to duplicate the valid votes.



**D. Marks that Require Management Review**

This category includes marks for which the voter intent is not clear, or for which the proper corrective action cannot readily be determined by the SRT.

The samples below demonstrate the general appearance of marks that are candidates for management review. Ballots containing marks of this type are routed to City Clerk management, who determine the validity of any marks for which the voter's choice is not clear.

Marks determined to be valid are counted after the appropriate corrective action is applied (either overmarking or duplicating), or counted as-is, if no corrective action is required.

Marks determined to be invalid are challenged, and the subject ballot is duplicated without the invalid marks, or counted as-is, if no corrective action is required.

**Figure 4 - Sample marks that may require management review**

all of that authority to other City departments or offices or to other governmental entities?	<table border="1"> <tr><td>YES</td></tr> <tr><td>NO</td></tr> </table>	YES	NO	YES	all of that authority to other City departments or offices or to other governmental entities?	<table border="1"> <tr><td>YES</td></tr> <tr><td>NO</td></tr> </table>	YES	NO	NO
YES									
NO									
YES									
NO									
all of that authority to other City departments or offices or to other governmental entities?	<table border="1"> <tr><td>YES</td></tr> <tr><td>NO</td></tr> </table>	YES	NO	←	on the question of recalling the incumbent in order to have his or her vote counted for a replacement candidate?	<table border="1"> <tr><td>YES</td></tr> <tr><td>NO</td></tr> </table>	YES	NO	?
YES									
NO									
YES									
NO									
all of that authority to other City departments or offices or to other governmental entities?	<table border="1"> <tr><td><del>YES</del></td></tr> <tr><td>NO</td></tr> </table>	<del>YES</del>	NO	→ ○					
<del>YES</del>									
NO									

Vote Counting Standards for City of Los Angeles Elections – Exhibit III

**Exhibit III: INKAVOTE BALLOT CARD VOTE COUNTING  
PROCEDURES (COUNT/DON'T COUNT GUIDELINES)**

# INKAVOTE BALLOT CARD VOTE COUNTING PROCEDURES COUNT/DON'T COUNT GUIDELINES

	VOTING CONDITION	BALLOT TYPE	VOTE COUNT CRITERIA			
			WRITE- IN VOTE	DUPLICATE VOTE or OVERMARK*	VALID VOTE	INVALID VOTE
V- Valid	<b>VALID VOTES</b> PRECINCT & ABSENTEE BALLOT VOTING					
	<b>VALID VOTES FOR BALLOT CANDIDATES AND MEASURES</b>					
V 1	Voter clearly marks voting choice by completely filling inside the entire circle voting position ●.	<b>X</b>			<b>X</b>	
V 2	Voter indicates intended voting choice by partially filling in ½ or more of the circle voting position ●.	<b>X</b>			<b>X</b>	
V 3	Voter indicates intended voting choice by filling in less than ½ of the circle voting position ○. (If test shows computer can read vote OK, else Duplicate or Overmark)	<b>X</b>		<b>X 1 or 2</b>	<b>X</b>	
V 4	Voter indicates intended voting choice by placing a distinctive mark, such as (X) or (✓) or punch hole <b>inside</b> the associated voting position for candidate choice OR YES or NO vote for ballot measure.	<b>X</b>		<b>X 1 or 2</b>	<b>X</b>	

\* (1) Duplicate Ballot Vote, or (2) Overmark Ballot Vote with a blue highlighter, or (3) Overmark correct voting positions per voter's intent with a blue highlighter.

# INKAVOTE BALLOT CARD VOTE COUNTING PROCEDURES COUNT/DON'T COUNT GUIDELINES

	VOTING CONDITION	BALLOT TYPE	VOTE COUNT CRITERIA			
			WRITE- IN VOTE	DUPLICATE VOTE or OVERMARK*	VALID VOTE	INVALID VOTE
V 5	Voter consistently places a distinctive mark, such as (X) or (✓) or punch hole in corresponding space directly above, below or beside the associated voting position for candidate choice OR YES or NO vote for ballot measure and the voter's intent can be clearly determined.	X		X 1 or 2	X	
V 6	Voter uses a distinctive and consistent voting pattern for marking all voting choices on ballot card or sample ballot such as (X) or (✓) or punch hole OR encircling entire circle voting position for candidate choice OR YES or NO vote for ballot measure.	X		X 1 or 2	X	
V 7	Voter writes in a ballot candidate's name in write-in space and does not fill in voting position (s) for any other ballot candidate running for the same office. (Will count as regular not write-in vote)	X		X 1 or 3	X	
V 8	Voter writes in a ballot candidate's name OR YES or NO vote for ballot measure in write-in space and also fills in associated voting position for same candidate or measure vote. (Will count as regular not write-in vote)	X			X	

\* (1) Duplicate Ballot Vote, or (2) Overmark Ballot Vote with a blue highlighter, or (3) Overmark correct voting positions per voter's intent with a blue highlighter.

# INKAVOTE BALLOT CARD VOTE COUNTING PROCEDURES COUNT/DON'T COUNT GUIDELINES

	VOTING CONDITION	BALLOT TYPE	VOTE COUNT CRITERIA			
			WRITE- IN VOTE	DUPLICATE VOTE or OVERMARK*	VALID VOTE	INVALID VOTE
V 9	Voter clearly indicates voting error correction by using tape, strikeover, white-out or written note and marks another voting choice on the ballot card or Official Sample Ballot.	X		X 1	X	
V 10	Voter clearly indicates intended voting choices by writing candidate name(s) or ballot measure vote(s) in a letter or note, and returns in absentee or provisional ballot envelope. (Original signature is required on envelope)	X		X 1	X	

\* (1) Duplicate Ballot Vote, or (2) Overmark Ballot Vote with a blue highlighter, or (3) Overmark correct voting positions per voter's intent with a blue highlighter.

# INKAVOTE BALLOT CARD VOTE COUNTING PROCEDURES COUNT/DON'T COUNT GUIDELINES

VOTING CONDITION		BALLOT TYPE	VOTE COUNT CRITERIA			
			WRITE- IN VOTE	DUPLICATE VOTE or OVERMARK*	VALID VOTE	INVALID VOTE
VW - Valid write- ins	<b>VALID VOTES FOR WRITE-IN CANDIDATES – 312 FORMAT</b>	312 FORMAT				
VW 1	Voter writes in qualified write-in candidate's name & office title in write-in space on secrecy ballot sleeve OR extended ballot stub. (Abbreviations/misspellings are acceptable but Name & Office title must be recognizable/determinable and bear resemblance to candidate information on listing).	X	X		X	
VW 2	Voter writes in qualified write-in candidate's name & office title in designated write-in space (on write-in envelope or stub) and does not fill in the associated voting position for any ballot candidate running for the same office.	X	X		X	
VW 3	Voter writes in qualified write-in candidate's name & office title in designated write-in space (on write-in envelope or on stub) and there are no candidates listed on the ballot for the same office.	X	X		X	

\* (1) Duplicate Ballot Vote, or (2) Overmark Ballot Vote with a blue highlighter, or (3) Overmark correct voting positions per voter's intent with a blue highlighter.

# INKAVOTE BALLOT CARD VOTE COUNTING PROCEDURES COUNT/DON'T COUNT GUIDELINES

	VOTING CONDITION	BALLOT TYPE	VOTE COUNT CRITERIA			
			WRITE- IN VOTE	DUPLICATE VOTE or OVERMARK*	VALID VOTE	INVALID VOTE
VW 4	Voter writes in qualified write-in candidate's name but omits office title in designated write-in space and the office title/voter intent can be determined.	312 FORMAT  <b>X</b>	<b>X</b>		<b>X</b>	

\* (1) Duplicate Ballot Vote, or (2) Overmark Ballot Vote with a blue highlighter, or (3) Overmark correct voting positions per voter's intent with a blue highlighter.

# INKAVOTE BALLOT CARD VOTE COUNTING PROCEDURES COUNT/DON'T COUNT GUIDELINES

	VOTING CONDITION	BALLOT TYPE	VOTE COUNT CRITERIA			
			WRITE-IN VOTE	DUPLICATE VOTE or OVERMARK*	VALID VOTE	INVALID VOTE
	<b>INVALID VOTES</b> PRECINCT & ABSENTEE BALLOT VOTING					
1 - Invalid	<b>INVALID VOTES FOR BALLOT CANDIDATES AND MEASURES</b>					
11	Voter fills in more voting positions for candidates than the maximum number to be elected for an office. <b>Over-Vote</b>	<b>X</b>				<b>X</b>
12	Voter fills in both YES and NO voting positions for a ballot measure. <b>Over-Vote</b>	<b>X</b>				<b>X</b>
13	Voter writes in ballot candidate's name in designated write-in space and also fills in the associated voting position for another ballot candidate. <b>Over-Vote</b>	<b>X</b>				<b>X</b>

\* (1) Duplicate Ballot Vote, or (2) Overmark Ballot Vote with a blue highlighter, or (3) Overmark correct voting positions per voter's intent with a blue highlighter.

# INKAVOTE BALLOT CARD VOTE COUNTING PROCEDURES COUNT/DON'T COUNT GUIDELINES

	VOTING CONDITION	BALLOT TYPE	VOTE COUNT CRITERIA			
			WRITE- IN VOTE	DUPLICATE VOTE or OVERMARK*	VALID VOTE	INVALID VOTE
14	Voter writes in a ballot candidate's name OR YES or NO vote for ballot measure in write-in space (on the stub or on the write-in envelope), instead of filling in the associated voting position for ballot candidate's name.	<b>X</b>				<b>X</b> (voter must fill in voting position for ballot to be counted, EC 15342(a))
15	Voter writes in a ballot candidate's name OR YES or NO vote for ballot measure in write-in space instead of filling in the associated voting position for ballot candidate's name.					<b>X</b> (voter must fill in voting position for ballot to be counted, EC 15342(a))
16	Voter uses identifiable markings or notations on ballot card or sample ballot, such as name/address, initials, Voter ID #, SS # or Drivers License #, etc. that would violate voting privacy. <b>Questionable Vote</b>	<b>X</b>				<b>X</b>

\* (1) Duplicate Ballot Vote, or (2) Overmark Ballot Vote with a blue highlighter, or (3) Overmark correct voting positions per voter's intent with a blue highlighter.

# INKAVOTE BALLOT CARD VOTE COUNTING PROCEDURES COUNT/DON'T COUNT GUIDELINES

	VOTING CONDITION	BALLOT TYPE	VOTE COUNT CRITERIA			
			WRITE- IN VOTE	DUPLICATE VOTE or OVERMARK*	VALID VOTE	INVALID VOTE
17	Voter uses random markings, indentations, punctures or impressions, squiggly/dimpled or crimp marks, pinholes or pinpricks on ballot card or sample ballot. There is no distinctive and consistent voting pattern to indicate voter intent. <b>Undeterminable Vote</b>	<b>X</b>				<b>X</b>
18	Noted <b>"Void/Spoiled"</b> ballots by the Precinct Poll Workers/Voter indicating that ballot vote(s) are invalid. (Normally because (2 <sup>nd</sup> or 3 <sup>rd</sup> ) (another) ballot was issued).	<b>X</b>				<b>X</b>
19	Voter places a mark <b>above, below or beside</b> , the associated voting position on ballot card or sample ballot, instead of inside the circle, but voter's intent cannot be clearly determined.	<b>X</b>				<b>X</b> (voter must fill in voting position for ballot to be counted, EC 15342(a))
110	Voter transmits voted ballot by facsimile, without an original signature.	<b>X</b>				<b>X</b>

\* (1) Duplicate Ballot Vote, or (2) Overmark Ballot Vote with a blue highlighter, or (3) Overmark correct voting positions per voter's intent with a blue highlighter.

# INKAVOTE BALLOT CARD VOTE COUNTING PROCEDURES COUNT/DON'T COUNT GUIDELINES

	VOTING CONDITION	BALLOT TYPE	VOTE COUNT CRITERIA			
			WRITE- IN VOTE	DUPLICATE VOTE or OVERMARK*	VALID VOTE	INVALID VOTE
I W - Invalid write- in	<b>INVALID VOTES FOR WRITE-IN CANDIDATES</b>					
I W 1	Voter writes in the name of a person who is not listed on the qualified write-in candidate list.	<b>X</b>	<b>X</b>			<b>X</b>
I W 2	Voter writes in unrecognizable/undeterminable write-in candidate's name & office title.	<b>X</b>	<b>X</b>			<b>X</b>
I W 3	Voter writes in qualified write-in candidate's name and also fills in voting position(s) for one or more ballot candidates than the number to be elected for an office. <b>Over-Vote</b>	<b>X</b>	<b>X</b>			<b>X</b>

\* (1) Duplicate Ballot Vote, or (2) Overmark Ballot Vote with a blue highlighter, or (3) Overmark correct voting positions per voter's intent with a blue highlighter.

# INKAVOTE BALLOT CARD VOTE COUNTING PROCEDURES COUNT/DON'T COUNT GUIDELINES

	VOTING CONDITION	BALLOT TYPE	VOTE COUNT CRITERIA				
			312 FORMAT	WRITE-IN VOTE	DUPLICATE VOTE or OVERMARK*	VALID VOTE	INVALID VOTE
IW 4	Voter writes in qualified write-in candidate's name & office title in designated write-in space and does not fill in the associated voting position for any ballot candidate running for the same office and voter does not fill in the associated voting position for the write-in candidate.			X			X
IW 5	Voter writes in qualified write-in candidate's name & office title in designated write-in space and there are no candidates listed on the ballot for the same office, and voter does not fill in the associated voting position for the write-in candidate.			X			X

\* (1) Duplicate Ballot Vote, or (2) Overmark Ballot Vote with a blue highlighter, or (3) Overmark correct voting positions per voter's intent with a blue highlighter.

# INKAVOTE BALLOT CARD VOTE COUNTING PROCEDURES COUNT/DON'T COUNT GUIDELINES

	VOTING CONDITION	BALLOT TYPE	VOTE COUNT CRITERIA			
			WRITE- IN VOTE	DUPLICATE VOTE or OVERMARK*	VALID VOTE	INVALID VOTE
	<b>VOTING CONDITION</b>	<b>312 FORMAT</b>				
	<b>MANUAL 1% TALLY &amp; ELECTION RECOUNT MANUAL TALLY - VALID VOTES</b>					
MV - Manu- al Valid						
VM 1	Voter clearly marks voting choice by completely filling inside entire circle voting position ●. Record as <b>Valid Vote</b> on tally sheet.	<b>X</b>			<b>X</b>	
VM 2	Voter indicates intended voting choice by partially filling inside circle voting position pursuant to specified valid vote criteria. Record as <b>Valid Vote</b> on tally sheet.	<b>X</b>			<b>X</b>	
VM 3	Voter indicates intended voting choice by using an acceptable distinctive & consistent marking pattern on ballot card or sample ballot pursuant to specified valid vote criteria. Record as <b>Valid Vote</b> on tally sheet.	<b>X</b>			<b>X</b>	

\* (1) Duplicate Ballot Vote, or (2) Overmark Ballot Vote with a blue highlighter, or (3) Overmark correct voting positions per voter's intent with a blue highlighter.

# INKAVOTE BALLOT CARD VOTE COUNTING PROCEDURES COUNT/DON'T COUNT GUIDELINES

	VOTING CONDITION	BALLOT TYPE	VOTE COUNT CRITERIA			
			WRITE-IN VOTE	DUPLICATE VOTE or OVERMARK*	VALID VOTE	INVALID VOTE
		312 FORMAT				
V M 4	Voter clearly indicates voting error correction by using tape, strikeover, white-out or written note and marks another voting choice on the ballot card or Official Sample Ballot. Record as <b>Valid Vote</b> on tally sheet.	X			X	
V M 5	Voter does not fill in associated voting position for any candidate or measure choice and also does not write in a candidate name OR YES or NO measure vote in the designated write-in space. Record as <b>No Vote</b> on tally sheet.	X			X	
V M 6	Less voting positions are filled in/marked on ballot card or sample ballot than the maximum number of candidates to be elected. Multiple votes are permitted for contest, such as a "vote for three", and voter only votes for one or two. Record as <b>Under-Vote</b> on tally sheet.	X			X	

\* (1) Duplicate Ballot Vote, or (2) Overmark Ballot Vote with a blue highlighter, or (3) Overmark correct voting positions per voter's intent with a blue highlighter.

# INKAVOTE BALLOT CARD VOTE COUNTING PROCEDURES COUNT/DON'T COUNT GUIDELINES

	VOTING CONDITION	BALLOT TYPE	VOTE COUNT CRITERIA			
			WRITE-IN VOTE	DUPLICATE VOTE or OVERMARK*	VALID VOTE	INVALID VOTE
M1 - Manual Invalid	<b>MANUAL TALLY- INVALID VOTES</b>	312 FORMAT				
M11	More voting positions are filled in/marked on ballot card or sample ballot for a candidate office contest than the number of candidates to be elected. Record as <b>Over-Vote</b> on tally sheet.	<b>X</b>	<b>X</b>			<b>X</b>
M12	Both YES and NO voting positions are filled in/marked for a ballot measure. Record as <b>Over-Vote</b> on tally sheet.	<b>X</b>				<b>X</b>
M13	Ballot contest has identifiable voter markings or notations such as name/address, initials, Voter ID #, SS # or Drivers License #, etc. that would violate voting privacy. Record as <b>No Vote</b> on tally sheet.	<b>X</b>				<b>X</b>
M14	Ballot contest has random markings, indentations, impressions or punctures, squiggly/dimpled or crimp marks, pinholes or pinpricks. There is no consistent voting pattern to indicate voter intent. Record as <b>No Vote</b> on tally sheet.	<b>X</b>				<b>X</b>

\* (1) Duplicate Ballot Vote, or (2) Overmark Ballot Vote with a blue highlighter, or (3) Overmark correct voting positions per voter's intent with a blue highlighter.