

# EARLY VOTING BALLOT BOARD & CENTRAL COUNTING STATION PROCEDURES FOR SWISHER COUNTY, TEXAS

## **Roles and Responsibilities of Personnel:**

The Central Counting Station consists of at least a Central Counting Station (CCS) Manager, Tabulation Supervisor, Presiding Judge and Alternate Presiding Judge. The Early Voting Ballot Board (EVBB) Presiding Judge and Alternate Judge serve on the CCS after the Early Voting Ballots have been qualified. The EVBB meets on Election Day morning in the Boardroom of the Courthouse. After the ballots have been qualified, the EVBB will take the ballots to the courthouse basement (Elections Administrator's office) and run them through the election scanner. The CCS shall select a day and time to reconvene to provide for the counting of provisional ballots and late ballots.

**CCS Manager** (approved by the Commissioners' Court or by the Authority ordering the election - city, school, hospital)

1. In charge of the overall supervision of the CCS. The Elections Administrator is eligible to serve as the Manager.
2. Administer Oaths:  
"I swear (or affirm) that I will objectively work to be sure every eligible voter's vote is accepted and counted, and that only the ballots of those voters who violated the Texas Election Code will be rejected. I will make every effort to correctly reflect the voter's intent when it can be clearly determined. I will not work alone when ballots are present and will work only in the presence of a member of a political party different from my own. I will faithfully perform my duty as an officer of the election and guard the purity of the election." (AW8-3a)
3. May have ballots duplicated for automatic counting if the ballot is damaged or cannot be read with the equipment. Each duplicate ballot must be clearly labeled "Duplicate" and must bear the serial number of the original ballot. The duplicate shall be substituted for the original ballot. The original ballot shall be preserved with the other voted ballots. The Manager shall have the **Presiding Judge** and **Alternate Judge** duplicate such ballots.

**Tabulation Supervisor** (recommended by EA with approval by the Commissioners' Court or Authority ordering the election - city, school, hospital)

1. In charge of the operation of the automatic tabulating equipment (DS200).
2. Counts the ballots.
3. Prints out the "Zero Tape" and "Results Tape". Signed by the Tabulation Supervisor and Presiding Judge.

**Presiding Judge** (appointed by the Commissioners' Court from list(s) provided by Democrat and Republican County Party Chairs or EA in event there is no County Party Chair or by the Authority ordering the election – city, school, hospital).

1. Shall maintain order at the CCS and has the same authority as the precinct presiding judge in that respect.
2. The presiding judge may confer with and advise the manager or tabulation supervisor on any activity at the CCS.

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3. After the tabulation supervisor has prepared the necessary reports for canvass, the Presiding Judge must certify their accuracy.
4. The **Presiding Judge** has the authority to determine the intent of the voter if there is a question on the ballot.
5. The Presiding Judge and Alternate Judge will resolve any questionable voter intent on ballots and Duplicate ballots if needed (see #3 under **CCS Manager** above).

### **Alternate Presiding Judge** (appointed the same as Presiding Judge above)

1. Serves as presiding judge for the CCS if the regularly appointed Presiding Judge cannot serve. Otherwise, the **Alternate Judge** will perform any duties assigned by the Presiding Judge.

**Name Tags:** Must wear name tags prescribed by Secretary of State.

### **Security at the Central Counting Station:**

On election day a licensed peace officer will be posted at the entrance to the room where the Central Counting Station is located to ensure the security of ballot boxes containing voted ballots through the period of tabulation at the central counting station. (Sec. 127.1232(a).)

### **Intake of ballots and Electronic Media:**

After the first test (L&A) for the DS200s, a uniquely identified tamper-resistant or tamper-evident seal will be put on each DS200. Seal numbers will be entered on the "Chain of Custody" form along with the date and time. When the CSS convenes, the "Chain of Custody" form will be completed verifying the seal number that is on each DS200. The Presiding Judge and Alternate Judge will be in charge of verifying these procedures. The Presiding Judge of the EVBB will transfer the qualified ballots to the CCS with a form to verify the seal number(s) put on the ballot box prior to delivery to the CSS.

### **Reconciliation:**

The CCS must address the process for comparing the number of voters listed as having voted and the number of ballots cast. This is done in three ways:

- a. **Early Voting in Person** – Compare the number of early votes on the early voting Poll Pad (and/or combination form, if applicable) to the number of ballots cast.
- b. **Early Voting by Mail** – Compare the number of ballots entered on the "Ballot Transmittal Form" from the early voting ballot board to the number of ballots counted. (87.021, 897.1221)
- c. **Election Day (if applicable)** – Compare the number of voters on each Election Day Poll Pad (and/or combination form, if applicable) to the total number of ballots cast. (127.007(b))

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### **Ballot Counter (DS200) Procedures:**

The ES&S DS200s (Early Voting and Absentee tabulators) are currently located in a locked storage room beside the election office. The DS200s will remain locked until the EVBB convenes and the qualified ballots are ready to count at the CCS. The Absentee DS200 shall be inspected by all the Central Counting Station Personnel to ensure there are no ballots in the container of the DS200 prior to entering ballots into the DS200. The **Tabulation Supervisor** will print out a Zero Report which will be verified by the **Presiding Judge**. Both will sign the Zero Report. The **Presiding Judge** and the **CCS Manager** will witness the counting of ballots processed in the DS200 by the **Tabulation Supervisor**. The Early Voting election results will be printed out from the DS200 by the Central Counting Station personnel. The election results from the DS200s will be approved by the **Presiding Judge** and the **Tabulation Supervisor**. Both the **Presiding Judge** and **Tabulation Supervisor** will sign the results tape(s).

### **Hand Counting Paper Ballots:**

Procedures in the "Early Voting Ballot Board" Handbook for Election Judges and Clerks, must be followed for hand counting ballots.

### **Resolving Voter Intent:**

If ballots need to be duplicated, the **Presiding Judge** and **Alternate Judge** shall duplicate the ballots. The duplication team must record the serial number of the original ballot on the duplicate ballot and vice versa. After reviewing the irregular marked ballots and duplicating ballots to indicate voter intent, as determined by the presiding judge, the manager shall accept the ballots for counting.

### **Automatic Tabulating Equipment:**

Three tests are performed when using automatic tabulation equipment. All three tests are conducted using the exact same test data. The first test is conducted at least 48 hours before election day. The second test, which uses the same test data, is performed immediately before the official ballots are to be counted and the final test is performed immediately after all ballots have been counted. A successful second test must be conducted before the official ballots are counted. If the third test performed after the official ballots have been counted is unsuccessful, the count of the election is void. The problem must be determined, correct the problem, run a successful test, and then recount all ballots.

On completing each test, the presiding judge shall place the test ballots and other test materials in a container and seal the container so it cannot be opened without breaking the seal. The manager, tabulation supervisor, presiding judge, and not more than two poll watchers, if one or more watchers are present, shall sign the seal.

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### **Tabulation of Overvotes & Undervotes:**

Section 127.1301 (Texas Election Code) requires the tabulation of overvotes and undervotes by office and proposition and by election precinct. If the tabulation device does not do this, the manager will have to provide a record of this information by hand.

### **Accumulating:**

After uploading the precinct returns in the ERM, the Presiding Judge must verify that the number of votes cast on the DS200 matches what is on the ERM. If there is a discrepancy, the Presiding Judge determines if further audit is necessary. The Presiding Judge(s) and Tabulation Supervisor must be available to view the Election Administrator (CCS Manager) uploading results on the ERM.

### **Ballot Box Security:**

ES&S Tabulators (DS200) are used at each polling place on election day. The DS200 ballot boxes are locked and sealed prior to transporting to each polling place. At the end of election day, after results tapes have been printed and signed, the presiding judge(s) will verify the total voters who voted on the tabulator to the voter check-ins on the Poll Pad. If these numbers do not match, the presiding judge must provide written documentation for the discrepancy. The original of the ballot and seal certificate must be deposited in the box before the seal is placed on the ballot box. The secured ballot box and the USB stick from the DS200 are delivered on election night to the election administrator's office where the CCS personnel will be located. The USB stick from the tabulator is placed in an envelope and sealed. A paper seal is placed on the sealed flap. This envelope is put in the ballot box prior before delivery to the election's office. The chain of custody must require two or more Central Counting personnel to perform a check and verification check whenever a transfer of custody occurs of the electronic information storage medium and voting system equipment.

When the presiding judge of the CCS receives the boxes, the judge must make sure the serial numbers of the seals used to secure the boxes and USB stick before election day and at the close of the polls are the same as the serial numbers on the list. The original of the receipt is then given to the polling place election judge and a copy of the receipt is kept by the presiding judge. The CCS presiding judge must inspect the box for its contents and make sure all records are delivered with the box.

After all results (absentee, early voting and election day) have been processed and verified, the voted ballots must be placed in a locked container and tamper resistant seals placed on the containers. The CCS personnel will sign a form verifying the serial numbers of the seals.

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### **Release of the Unofficial Election Results:**

After the above procedures have been completed, the unofficial election results may be released. The unofficial results will be posted on the Election Administrator's bulletin board on election night and on the county website the morning after the election.

### **Poll Watchers:**

Poll Watchers are entitled to be present during the time the CCS has convened for the "purpose of processing or preparing to process election results and until the election officers complete their duties at the station. (Sec. 33.055, Texas Election Code). The poll watcher must deliver their certificate of appointment to the Presiding Judge of the CCS and the Presiding Judge must countersign their certificate. The Presiding Judge should have a designated place for the Poll Watcher to sit or stand to observe the counting activities.

### **Early Voting Ballot Board:**

The Early Voting Ballot Board will convene on election day to qualify absentee ballots. The EVBB Presiding Judge will give read the Oath and all EVBB Personnel will sign the Oath Statement. After all ballots have been processed (qualified or rejected) the EVBB Presiding and Alternate Judges will transfer the ballots in a locked container with tamper resistant seals to the Central Counting Station. The EVBB Presiding Judge will provide a form to the CCS Presiding Judge showing the seal numbers on the ballot box. The EVBB may reconvene after election day to process late ballots and/or provisional ballots.