

Table of Contents

CHAPTER I – INTRODUCTION.....	4
Section I - Authorization:	4
Section II - Responsibilities:	4
Section III - Purpose of the Manual:	5
CHAPTER II -- THE CANVASSING BOARD.....	6
Section I - Composition of the Canvassing Board:	6
Section II - Oath:	6
Section III - Counting Votes:	6
Section IV - Delegation of Responsibilities:	7
CHAPTER III-- BOARD DECISIONS.....	8
Section I - Quorum:	8
Section II - Decisions of the Canvassing Board:	8
CHAPTER IV -- MEETINGS	9
Section I - Canvassing Meetings:	9
Section II – Special Meetings:	9
Section III - Meeting Location:	9
Section IV - Public Meetings:	9
Section V – Public Participation:	10
Section VI – Election Center Security:	10
CHAPTER V -- MAILING AUTHORITY	11
Section I - Postage Rates:	11
Section II - Return Postage:	11
CHAPTER VI -- GENERAL STATUTORY REQUIREMENTS	12
Section I - Processing Absentee Ballots:	12
Section II - Processing Election Day Ballots:	13
Section III - Processing Ranked Choice Voting (RCV) Ballots:	13
Section IV - Canvassing Vote-by-Mail Ballots:	13
Section V - Vote-By-Mail Elections:	13
Section VI – Public Viewing:	14
CHAPTER VII -- VOTER SIGNATURE ISSUES	15
Section I - Unsigned Absentee Ballot Envelope:	15
Section II - Signature Does Not Match:	15
CHAPTER VIII -- QUALIFYING ABSENTEE BALLOTS	17
Section I - Requirements:	17
Section II - Service, Overseas and Out of State Voters:	18
Section III - Legible Postmarks:	18
Section IV – Public Viewing:	18
CHAPTER IX -- PROVISIONAL BALLOTS.....	19
Section I - Provisional Ballots:	19
Section II - Processing Provisional Ballots:	19
Section III - Reporting:	21
CHAPTER X – VOTER INTENT	22
Section I – Uniform Standards of What Constitutes a Vote:	22
Section II – RCV Voter Intent Considerations and Tabulation Rules:	22
Section III – Ballot Remake Guidelines:	23
CHAPTER XI – Ranked Choice Voting.....	24
Section I – Write-In Candidates for RCV Offices	24
Section II – Ranked Choice Voting Advancement Table	24
Section III – RCV Results Reporting	24
CHAPTER XII – OTHER CANVASSING REQUIREMENTS.....	26

Section I - Resolving Ties:	26
Section II - Resolving Discrepancies:	26
Section III - Auditor's Abstract of Votes:.....	26
Section IV – Election Reconciliation Report:.....	27
CHAPTER XIII -- RECOUNTS	29
Section I - Who May Apply:	29
Section II - How to Apply:	29
Section III - Where to Apply:.....	29
Section IV - When to Apply:.....	29
Section V - Recounts for Ranked Choice Voting Offices (Automatic and Requested):	30
Section VI - Vote Tally Systems:	30
Section VII - Deposit:.....	31
Section VIII - Time and Place:	31
Section IX - Notice of Recount:.....	31
Section X - Observers:.....	32
Section XI – Recounting the Votes:	32
Section XII - Request to Stop:	33
Section XIII - Amended Abstracts:	33
Section XIV - Limitations:.....	33
Section XV - Expenses/Charges of Recounts:.....	33
CHAPTER XIV -- MANDATORY RECOUNT	35
Section I - Differences in Counts:	35
Section II - Cost:	36
Section III - Recount Options:.....	36
Section IV - Guidelines for Election Recount for Observers:	36
CHAPTER XV -- VOTER REGISTRATION CHALLENGES.....	40
Section I - Duty of Canvassing Board:.....	40
Section II - Procedures for Challengers:	40
Section III - Challenged Voters May:	41
Section IV - Notification:.....	41
Section V - Time of Hearing:	42
Section VI – Presumption:	42
Section VII - Burden and Standards of Proof:	42
Section VIII - Evidence:	42
Section IX - Decision:	43
Section X - Remedies:	43
CHAPTER XVI -- LOGIC AND ACCURACY TESTING	44
Section I – Conducting the Logic and Accuracy Test:.....	44
Section II - Logic and Accuracy Test Observers:	44
Section III -- Logic and Accuracy Testing of Voting Systems and Equipment - State Primary and General Election:.....	45
Section IV – Procedure for Conduct of Delayed Primary or General Election Emergency Logic and Accuracy Test:	45
Section V - Logic and Accuracy Test Scheduling and Preparation - State Primary and General Election:	45
Section VI -- Logic and Accuracy Test Certification - State Primary and General Election:	46
Section VII -- Logic and Accuracy Testing of Voting Systems and Equipment - Special Elections:	46
Section VIII - Logic and Accuracy Test Deck Preparation:.....	47
Section IX - Logic and Accuracy Test Scheduling and Preparation - Special Election:.....	47
Section X - Logic and Accuracy Test Certification - Special Election:	47
Section XI - Definitions for Optical Scan Voting Systems:	48
Section XII – Logic and Accuracy Test Deck, Preparation – State Primary and General Election — Optical Scan Systems:	48
Section XIII – Optical Scan Test Ballot Selection — State Primary and General Elections:	48

Section XIV – Optical Scan Read Head Adjustment Standards and Tests and Optical Scan Read Head and Ballot Scan Area Alignment Tests: 49
Section XV – Optical Scan Ballot Marking Code Program Test:..... 49
Section XVI – Precinct-Based Optical Scan Ballot Counter Preparation and Testing:..... 50
Section XVII – Precinct-Based Optical Scan Ballot Counter Test Notices, Observers and Log of Process: 50
Section XVIII – Logic and Accuracy Test of Touch Screen Disability Access Units:..... 51
Order of Adoption: 52
Glossary of Terms: 53

CHAPTER I – INTRODUCTION

Section I - Authorization:

The Pierce County Canvassing Board (hereafter referred to as Canvassing Board) is established under the authority of RCW 29A.60, for the purpose of canvassing the returns of all elections.

Section II - Responsibilities:

The responsibilities of the Canvassing Board include:

1. Processing absentee and mail ballots (Authority: RCW 29A.40.110)
2. Verifying and certifying polling place and absentee and mail ballot results (Authority: RCW 29A.60.070 and 29A.60.200)
3. Determining the validity of polling place, absentee and mail ballots (Authority: RCW 29A.60.050)
4. Determining voter intent in accordance with the Washington Voter Intent Manual (Authority: WAC 434-261-086)
5. Opening sealed ballot containers (Authority: RCW 29A.60.110 and WAC 434-262-190)
6. Taking corrective action on the “Abstract of Votes” (Authority: WAC 434-262-060)
7. Rejecting ballots in whole or part (Authority: WAC 434-262-031, WAC 434-262)
8. Conducting a recount (Authority: RCW 29A.64.020)
9. Determining the validity of ballots whose validity is in question and determining whether to accept provisional ballots (Authority: WAC 434-261-120)

10. Delegate authority to election staff (Authority 29A.60.140)

11. Adopting administrative rules (Authority: RCW 29A.60.140)

Section III - Purpose of the Manual:

This manual serves as the local administrative rules to facilitate and govern the canvassing process in Pierce County. Statutes directing the policies and procedures are: Chapters and sections of RCW Chapter 29A and 42, WAC Chapter 434. Administrative Rules that do not specifically refer to statutory or regulatory authority are guidelines based on past practices and decisions of the Canvassing Board. (A separate index is included on pertinent RCW's and WAC's).

CHAPTER II -- THE CANVASSING BOARD

Section I - Composition of the Canvassing Board:

Members of the County Canvassing Board consist of the County Auditor, who chairs the Canvassing Board; the County Prosecuting Attorney; and the Chair of the County Council. Any member may designate a representative.

1. Designated Representatives: The County Auditor may designate one member who shall be a Deputy Auditor. The County Prosecuting Attorney may designate one member who shall be a Deputy Prosecutor and the Chair of the County Council may designate one member who shall be a member of the County Council (WAC 434-262-015, RCW 29A.60.140).
2. Designation Authorization: A member of the Canvassing Board will file the name of the designee in writing to the County Auditor not later than the day before the first day duties are to be undertaken (RCW 29A. 60.140) (see Appendix A).

Section II - Oath:

Before certifying the returns of a primary or election, the chairperson of the county legislative authority or the chair's designee shall administer an oath to the County Auditor or the Auditor's designee attesting to the authenticity of the information presented to the Canvassing Board. This oath must be signed by the County Auditor or designee and filed with the returns of the primary or election. (RCW 29A.60.200) (see Appendix B).

Section III - Counting Votes:

The Canvassing Board shall verify the results from the precincts and the absentee ballots. The Canvassing Board shall execute a certificate of the results signed by all members of the board or their designees (RCW 29A.60.200) (see Appendix C).

Section IV - Delegation of Responsibilities:

Except as otherwise provided by law, the Canvassing Board may delegate the performance of any task assigned by law to the board in writing or at a public meeting in accordance with rules adopted by the Secretary of State. The written delegation of authority shall be filed with the Auditor annually in January in substantially the same form as Appendix H. (RCW 29A.60.140)

CHAPTER III-- BOARD DECISIONS

Section I - Quorum:

Normal circumstances: Two-thirds of the members shall constitute a quorum.

Section II - Decisions of the Canvassing Board:

1. When a member of the Canvassing Board is on the ballot: If the primary or election is one at which a member, or the officer designating a member, of the Canvassing Board is a candidate for an office, decisions regarding the determination of a voter's intent with respect to a vote cast for that specific office shall be made by the other two members of the Board. If the two members do not agree, a vote shall not be counted unless the number of those votes could affect the result of the primary or election, in which case the Secretary of State or a designee shall make the decision on those votes. The member whose name appears on the ballot may fully participate in decisions accepting or rejecting entire ballots, unless the office in question is the only one for which the voter cast a vote (RCW 29A.60.150).
2. A majority vote, defined as two of three votes, is required for all Board decisions and actions. Decisions of the Board are final and not subject to appeal except as provided under provisions for contesting elections.

CHAPTER IV -- MEETINGS

Section I - Canvassing Meetings:

No later than the fifteenth day after a special election or primary and no later than twenty-one days after a general election, the County Auditor shall convene the Canvassing Board to process the absentee ballots and canvass the votes cast at that primary or election. On the fifteenth day after a special election or a primary and on the twenty-first day after a general election, the Canvassing Board shall complete the canvass and certify the results (RCW 29A.60.190) (see Appendix C).

Canvassing meetings may be periodically adjourned and reconvened at a later time, date or location at the discretion of the Board.

Section II – Special Meetings:

The Canvassing Board may meet at any time to perform their statutory duties which may include administrative hearings regarding voter registration challenges, conducting recounts, adopting rules or to respond to any other special circumstances that may arise. If such a meeting is held under emergency circumstances, the public notice requirements for such meetings in RCW 42.30 shall apply.

Section III - Meeting Location:

Unless otherwise specified in a public notice, the Canvassing Board shall meet at the Pierce County Election Center, located at 2501 South 35th Street, Suite C, Tacoma, WA 98409.

Section IV - Public Meetings:

All meetings of the Canvassing Board are public meetings under RCW 42.30 and shall be appropriately noticed in a paper of general circulation (RCW 29A.60.140) (5) (see Appendix D).

Section V – Public Participation:

Although the meetings of the Canvassing Board are public, the public and observers are not part of the meeting or canvassing process. The public may participate, offer testimony or comment solely at the invitation of the Canvassing Board.

Section VI – Election Center Security:

The Pierce County Election Center is a secure facility and complies with all required Washington State Security Protocol for the processing of ballots and the operation of ballot tabulation equipment.

The Public Entrance is unlocked and open during regular business hours and after hours when ballot processing is in progress. Employee entrances remain locked at all times, including the loading dock door. When in use and open, the loading dock door is monitored.

Election employees are required to wear a color coded Elections Center badge, identifying their level of authorization to access areas of the center while working.

Visitors are required to sign-in, wear a visitors badge and be escorted at all times.

During public meetings, the meeting area is identified, and the public are permitted into the meeting area without restriction. Election staff takes appropriate action to maintain overall security during this time. Inside doors can be locked or unlocked, depending on the need for extra security and/or meeting area definition.

CHAPTER V -- MAILING AUTHORITY

Section I - Postage Rates:

All mailings of the Pierce County Election Division to a voter or to voters will be used to update and maintain voter mailing lists as permitted under the National Voter Registration Act of 1993, and will be mailed at Non-Profit mail rates.

Section II - Return Postage:

All postage on return absentee ballots will be paid by the voter except for mailings to out of state voters, overseas voters and service votes. Such mailings will be sent with free return postage if the ballot is mailed through the United States Postal Service, United States Armed Forces Postal Service, or the postal service of a United States foreign embassy.

Pierce County will pay return postage on vote by mail ballots for voters assigned to vote in vote-by-mail precincts. Pierce County, at the discretion of the Auditor, may pay return postage for all mail ballots if extenuating circumstances exist.

CHAPTER VI -- GENERAL STATUTORY REQUIREMENTS

Section I - Processing Absentee Ballots:

1. Prior to initial processing of absentee ballots, the County Auditor shall notify the County Chair of each major political party of the time and date on which absentee processing shall begin, and shall request that each major political party appoint official observers to observe the processing and tabulation of absentee ballots. If any major political party has appointed observers, such observers may be present for initial processing, final processing or tabulation, if they so choose, but failure to appoint or attend shall not preclude the processing or tabulation of absentee ballots (WAC 434-250-110) (1) (see Appendix E).
2. Pierce County tabulates absentee ballots on an electronic vote tallying system. The Canvassing Board or its designated representatives may perform the initial processing of absentee ballots upon their return. Initial processing consists of verifying signatures, opening envelopes, removing ballots, inspecting ballots and repairing/re-making ballots. These are the steps necessary to prepare ballots for tabulation. Following initial processing, all absentee ballots must be kept in secure storage until they are ready for final processing (RCW 29A.40.110, WAC 434-250-110) (2).
3. Auditor staff responsible for the checking of voter signatures shall be instructed in the signature verification process. Auditor staff shall periodically be trained and updated on signature verification techniques by local law enforcement officials. (WAC 434-250-120)
4. Auditor staff shall ensure all security and return envelopes are empty by double checking the envelopes and by placing a zip tie through the pre-punched hole in the envelopes.
5. Final processing, which consists of scanning ballots on the 400C optical scan readers, may be performed only after 7:00 a.m. on the day of the primary or election (WAC 434-250-110)(3).

6. Tabulation, which is the production of election results, may not occur until after 8:00 p.m. on the day of the primary or election (WAC 434-250-110) (4).

Section II - Processing Election Day Ballots:

1. Paper ballots issued and cast on Election Day at the polls may either be scanned at the polling site in the presence of the voter and recorded electronically or returned to the Election Center and tabulated centrally on the optical scan ballot readers. (RCW 29A.44.040).
2. Electronic ballots cast on touch screen voting machines are recorded electronically at the time of voting and a paper record is created and verified by the voter. (RCW 29A.44.045).
3. The electronic returns and the paper ballots/records are returned to the Auditor on election night for inclusion in the election night results (RCW 29A.44.050).

Section III - Processing Ranked Choice Voting (RCV) Ballots:

RCV ballots are processed, scanned and tabulated at the same time as all other ballot cards.

Section IV - Canvassing Vote-by-Mail Ballots:

Vote-by-Mail ballots, those sent to voters who have no available polling location, shall be canvassed in the same manner as absentee ballots (WAC 434-250-300).

Section V - Vote-By-Mail Elections:

All Vote-by-mail elections or Mail Ballot elections will be canvassed in the same manner as a regular election.

Section VI – Public Viewing:

All phases of ballot processing are open to the public, subject to reasonable procedures adopted and promulgated by the Canvassing Board to ensure that order is maintained and to safeguard the integrity of the process (WAC 434-250-120). The Auditor shall establish a public viewing area from which interested parties may observe the processing and tabulation of ballots. Individuals in the public viewing area shall be able to view ballot processing but shall not be in direct contact with the ballots or election staff. The public viewing area shall be open and accessible whenever ballot processing is conducted.

CHAPTER VII -- VOTER SIGNATURE ISSUES

Section I - Unsigned Absentee Ballot Envelope:

If a voter neglects to sign the affidavit on an absentee, vote-by-mail or provisional envelope, the Auditor shall notify the voter by first class mail and advise the voter of the correct procedures for completing the unsigned affidavit. (Appendix F)

If the absentee ballot is not received within three business days of certification or the voter has not responded to the above mailed notification, then Auditor staff shall attempt to notify the voter by telephone.

The Auditor shall:

1. Require the voter to appear in person and sign the return envelope not later than the day before the certification of the primary or election (RCW 29A.60.165(1a));
2. Provide the voter with a copy of the return envelope affidavit and require the voter to sign the copy of the affidavit and mail it back to the Auditor so that it arrives not later than the day before the certification of that primary or election (RCW 29A.60.165(1b));
3. A record shall be kept of the date on which the voter was contacted or on which the notice was mailed to the voter, as well as the date on which the voter signed the return envelope or a copy of the return envelope affidavit (RCW 29A.60.165(4)).

Section II - Signature Does Not Match:

If the handwriting of the signature on an absentee, vote by mail or provisional ballot envelope is not the same as the signature on the registration file, the Auditor shall notify the voter by first class mail, enclosing a copy of the envelope affidavit and advise the voter of the correct procedures for updating his or her signature. (Appendix G)

If the copy of the absentee or provisional ballot is not received within three business days of certification or the voter has not responded to the above mailed notification, then Auditor staff shall attempt to notify the voter by telephone.

For the ballot in question to be counted the voter must:

1. Appear in person and sign a new voter registration form no later than the day before the certification of the primary or election (RCW 29A.60.165(2)(a) (i); OR,
2. Sign the copy of the affidavit and provide a photocopy of a valid government or tribal identification document that includes the voter's current signature. These materials must be returned no later than the day before the certification of that primary or election (RCW 29A.60.165(2)(a)(ii).

A record shall be kept of the date on which the voter was contacted or on which the notice was mailed to the voter, as well as the date on which the voter signed the return envelope or a copy of the return envelope affidavit (RCW 29A.60.165(4)).

CHAPTER VIII -- QUALIFYING ABSENTEE BALLOTS

Section I - Requirements:

Absentee ballots will be counted if the ballots meet the following criteria (WAC 434-250-120):

1. The absentee is returned in the return envelope or similar envelope provided it contains the same data and signed affidavit, and is approved by the Auditor.
2. The affidavit is signed with a valid signature in the place afforded for the signature on the envelope or other as designated by the Auditor.
3. The signature has been verified, or if the voter is unable to sign his or her name, two other persons have witnessed the voter's mark.
 - a. The signature on the return envelope must be compared to the signature record on file.
 - b. The Canvassing Board may designate in writing representatives to perform this function. All personnel assigned to the duty of signature verification shall subscribe to an oath regarding the discharge of his or her duties and shall receive training in the signature checking process (see Appendix K).
4. The envelope is postmarked not later than the date of the election or deposited at a polling place or the County Auditor's office not later than 8:00 p.m. on Election Day.
5. The absentee ballot is received by the certification of the election.

Section II - Service, Overseas and Out of State Voters:

Election staff shall make every effort to ensure service, overseas and out of state voters are afforded the opportunity to have their vote counted. The emailing and faxing of ballots as well as participating in the Federal Voters Assistance Program (FVAP) shall be performed to ensure every voter receives a ballot in a timely manner.

For service voters, overseas voters, and out-of-state voters the date of mailing shall be the date indicated by the voter on the return envelope, and any envelope which shows a date after the date of the election shall not be counted (RCW 29A.40.110(4)).

Section III - Legible Postmarks:

For all other absentee ballots, the date of mailing shall be the postmark, if present and legible. If the postmark is not present or legible, the date of mailing shall be considered the date indicated by the voter on the return envelope. All absentee ballots showing a postmark after the date of the election, or a date indicated by the voter after the date of the election if the postmark is missing or illegible, shall not be counted (RCW 29A.40.110(4)).

Section IV – Public Viewing:

All phases of ballot processing are open to the public, subject to reasonable procedures adopted and promulgated by the Canvassing Board to ensure that order is maintained and to safeguard the integrity of the process (WAC 434-250-120). The Auditor shall establish a public viewing area from which interested parties may observe the processing and tabulation of ballots. Individuals in the public viewing area shall be able to view ballot processing but shall not be in direct contact with the ballots or election staff. The public viewing area shall be open and accessible whenever ballot processing is conducted.

CHAPTER IX -- PROVISIONAL BALLOTS

Section I - Provisional Ballots:

Provisional ballots may be issued on or before Election Day in the Auditor's Office or at a polling place on Election Day (RCW 29A.44.207, 29A.04.008) (WAC 434-250-085) when:

1. The voter's name does not appear in the poll book.
2. Whenever any voter who has been issued an absentee ballot attempts to vote at the polling place.
3. There is a question on the part of the voter concerning the issues or candidates on which the voter is qualified to vote.
4. A voter is unable to provide valid identification. (RCW 29A.44.205)

Section II - Processing Provisional Ballots:

Upon receipt of the provisional ballot, including provisional ballots from other counties or states, the Auditor shall research each ballot and determine if it should be counted.

A provisional ballot cannot be counted unless it can be determined the voter is properly registered to vote. Count/No Count determinations are made using the following criteria:

1. If the voter was previously registered and later canceled and the Auditor determines that the cancellation was in error, the voter's registration will be immediately restored and the provisional ballot **counted**.
2. If the voter is a registered voter but has voted a ballot other than the one which the voter would have received for his or her precinct, only those votes for the positions and measures for which the voter was eligible to vote are **counted**.

3. If an absentee voter who voted a provisional ballot at the polls has not returned a voted absentee ballot, the provisional ballot is **counted**.
4. If the voter voted a provisional ballot because he or she failed to produce identification as required by RCW 29A.44.205 the ballot is **counted** if the signature on the envelope matches the signature in the voter registration record provided the voter's identity had previously been verified as part of the voter registration process. If the voter is provisionally registered, pending verification of identity, the voter must provide required identification no later than the day before certification for the ballot to be **counted**.
5. If there is no record of the voter ever having been registered, the voter must be offered the opportunity to register and the provisional ballot is **not counted**.
6. If the voter was previously registered and later canceled and the Auditor determines that the cancellation was not in error, the voter will be offered the opportunity to re-register and the provisional ballot is **not counted**.
7. If an absentee voter who voted a provisional ballot at the polls has already returned an absentee ballot, the provisional ballot is **not counted**. If an absentee is returned after the provisional ballot has been counted the absentee ballot is **not counted**.
8. If the voter is a registered voter in another County, the ballot will be forwarded to the Elections Department for the jurisdiction in which the voter is registered. The ballot will be forwarded within seven calendar days after a primary or special election and fifteen calendar days after a general election, and as soon as possible if past that date.
9. Provisional ballots noted for reasons not covered by this section or state statute will be sent to the Canvassing Board for determination. (WAC 434-253-047)

Section III - Reporting:

The Auditor will report the number of provisional ballots received, the number found valid and counted, the number rejected and the reason for not counting the ballots as part of the canvassing report prior to certification.

Provisional voters will be given an opportunity through the County's free access system to learn the disposition and reason their ballot was not counted. Provisional voters whose ballot was not counted will also be sent notification indicating why the ballot was not counted and what to do to prevent this from happening in the future.

CHAPTER X – VOTER INTENT

Section I – Uniform Standards of What Constitutes a Vote:

1. Washington is a voter intent state and every effort shall be made to count each valid vote in which voter intent can be determined;
2. WAC 434-261-086 and the Statewide Voter Intent Manual set forth uniform standards of what constitutes a valid vote in Washington State. The Canvassing Board shall follow these rules when determining how to count a ballot or individual vote.
3. In the event a situation arises that is not addressed in state law, administrative rule or the Voter Intent Manual, the authority to determine voter intent rests with the County Canvassing Board.

Section II – RCV Voter Intent Considerations and Tabulation Rules:

1. The principles of determining voter intent for RCV ballots are the same and shall be equally applied in determining how votes will be counted. (Appendix J)
2. An overvote occurs when the voter ranks more than one preference in a single column.
3. An overvote in the first preference column eliminates any otherwise valid second and third choices. No further votes for the overvoted contest will be counted. Likewise an overvote in the second preference column eliminates any otherwise valid third choices.
4. If a voter undervotes in the first choice column, any valid vote in the second and third columns will be advanced to the first and second choices respectively. If a voter undervotes in the first and second column, any valid vote in the third column will be advanced to the first column.

5. If a voter skips the second column, any valid vote in the third column will be advanced to the second column.

Section III – Ballot Remake Guidelines:

1. Ballots shall be remade in accordance with the State Voter Intent Manual.
2. Any ballot in which voter intent cannot be clearly discerned shall be referred to the Canvassing Board.
3. The Canvassing Board shall review the ballot and determine which votes are to be counted.

CHAPTER XI – Ranked Choice Voting

Section I – Write-In Candidates for RCV Offices

In an election involving hundreds of thousands of ballots, Ranked Choice Voting requires the use of a computer programmed vote tabulation system, see County Charter 4.10(1). To tabulate ranked votes in a timely and accurate fashion using a machine algorithm, write-in candidates for all RCV offices must be identified and logged into the computer program before the election occurs.

To be included in the algorithm process, then, a write-in candidate must file a declaration of candidacy with the Auditor’s Office during the period commencing on the Monday following official filing week and ending 31 days prior to the General Election. Such candidates will also be required to complete an RCV Candidate Filing Petition and pay the filing fee. Upon doing so, a candidate will be a certified write-in candidate and the algorithm will be applied to that candidate’s votes.

Write-in candidates who file a declaration after the deadline or who otherwise do not comply with the foregoing will be deemed uncertified. The algorithm will not be applied to votes for uncertified write-in candidates. The total votes cast for uncertified write-in candidates in each RCV race will be reported. Individual votes for uncertified write-in candidates will not be tallied.

Section II – Ranked Choice Voting Advancement Table

RCV votes shall be counted in accordance with the Ranked Choice Voting Algorithm. Rules related to advancement, over votes and skipped rankings are outlined in the Ranked Choice Voting Advancement Table (Appendix J).

Section III – RCV Results Reporting

1. Traditional reporting (raw totals) will be released at the end of Election Night. Interim unofficial RCV algorithm reports will be released each Friday until certification. Only the final RCV algorithm will be included in the Auditor’s Abstract of Votes at certification.

2. When a candidate has a majority of votes cast in the first round of the final totals, the RCV algorithm will not be applied and votes will not be redistributed.
3. The final RCV algorithm will be applied at certification. The algorithm will be run in rounds for each office, as provided in Charter 4.10(2), only until a candidate receives a majority (fifty percent plus one) of the votes from the continuing ballots.

CHAPTER XII – OTHER CANVASSING REQUIREMENTS

Section I - Resolving Ties:

If, at a final election, two or more candidates receive the greatest, and identical, number of votes for an office, the winner shall be decided by lot;

1. If, at a primary, two or more candidates receive the second greatest, and identical, number of votes for that office or position, the candidate to move on to the General Election shall be decided by lot (RCW 29A.60.220).
2. If, at the time of applying the RCV algorithm, two or more apparent losing candidates are tied and are not eliminated in one pass, the losing candidate will be determined by lot. Elimination of a candidate for purposes of preparing an interim algorithm report has no effect upon subsequent algorithm applications or upon final certification.

Section II - Resolving Discrepancies:

Whenever the Canvassing Board finds that there is an apparent discrepancy or an inconsistency in the returns of a primary or election, the board may canvass the ballots or voting devices in any precincts of the County. The Canvassing Board shall correct any error and document the correction of any error that it finds (RCW 29A.60.210).

Section III - Auditor's Abstract of Votes:

1. No later than the fifteenth day following any primary or special election and the twenty-first day following any general election the Canvassing Board shall meet and canvass all absentee ballots not previously processed under the provisions of RCW 29A.40, (WAC 434-262-030).

2. Upon completion of this canvass the Canvassing Board shall direct the County Auditor to prepare the Auditor's abstract of votes prepared pursuant to WAC 434-262-010.
3. If absentee ballot results are not incorporated into votes cast at the polls, the County Auditor or other election official may aggregate results from more than one precinct if the Auditor finds that reporting a single precinct's absentee ballot results would jeopardize the secrecy of a person's ballot. (RCW 29A.60.230(3))
4. As an alternative to Section 3 above, the County Auditor may also choose to protect the secrecy of ballots cast by redacting the information from reports and electronic files containing vote totals.
5. The ensuing report, containing a count of all ballots cast in the election, subtotal reports by legislative district and countywide totals shall constitute the Auditor's abstract of votes.

Section IV – Election Reconciliation Report:

1. The Auditor shall prepare, make publicly available at the Auditor's Office or on the Auditor's web site, and submit at the time of certification, an election reconciliation report that discloses the following information:
 - a. The number of registered voters;
 - b. The number of ballots counted;
 - c. The number of provisional ballots issued;
 - d. The number of provisional ballots counted;
 - e. The number of provisional ballots rejected;
 - f. The number of absentee ballots issued;
 - g. The number of absentee ballots counted;
 - h. The number of absentee ballots rejected;
 - i. The number of federal write-in ballots counted;
 - j. The number of out-of-state, overseas, and service ballots issued;

- k. The number of out-of-state, overseas, and service ballots counted; and
 - l. The number of out-of-state, overseas, and service ballots rejected.

- 2. The County Auditor shall prepare and make publicly available at the Auditor's Office or on the Auditor's web site within thirty days of certification a final election reconciliation report that discloses the following information:
 - a. The number of registered voters;
 - b. The total number of voters credited with voting;
 - c. The number of poll voters credited with voting;
 - d. The number of provisional voters credited with voting;
 - e. The number of absentee voters credited with voting;
 - f. The number of federal write-in voters credited with voting;
 - g. The number of out-of-state, overseas, and service voters credited with voting;
 - h. The total number of voters credited with voting even though their ballots were postmarked after election day and were not counted; and
 - i. Any other information the Auditor deems necessary to reconcile the number of ballots counted with the number of voters credited with voting such as the number of ballot cards from multi-card ballots that were not returned by the voter.

CHAPTER XIII -- RECOUNTS

Section I - Who May Apply:

An officer of a political party or any person for whom votes were cast in an election who was not declared advancing or elected may file a written application for a recount of the votes or a portion of the votes cast at that election for all persons for whom votes were cast for that office (RCW 29A.64.011).

Section II - How to Apply:

1. An officer of a political party or any person for whom votes were cast at any election may file a written application for a recount of the votes or a portion of the votes cast at that election for all candidates for election to that office (RCW 29A.64.011).
2. Any group of five or more registered voters may file a written application for a recount of the votes or a portion of the votes cast upon any question or issue. They shall designate one of the members of the group as chairman and shall indicate the voting residence of each member of the group (RCW 29A.64.011).

Section III - Where to Apply:

An application for a recount of the votes cast for an office or on a ballot measure must be filed with the officer with whom filings are made for the jurisdiction (RCW 29A.64.011).

Section IV - When to Apply:

An application for a recount shall be filed within three business days after the County Canvassing Board or Secretary of State has declared the official results of the primary or election for the office or issue for which the recount is requested (RCW 29A.64.011).

Section V - Recounts for Ranked Choice Voting Offices (Automatic and Requested):

At time of certification, the algorithm will be run in rounds for each office, as provided in Charter 4.10(2), only until a candidate receives a majority (fifty percent plus one) of the votes from the continuing ballots. If in that round the difference between the number of votes cast for that candidate and the number cast for the closest opponent is less than two thousand votes and also less than one-half of one percent of the total number of votes cast for both candidates in that round, a machine recount will be conducted and will include a visual inspection of ballots and a logic and accuracy test. Upon a request for an RCV recount, a machine recount will be conducted upon filing of proper application and deposit. There will be no manual recount conducted for RCV offices. In an election involving hundreds of thousands of ballots, Rank Choice Voting requires the use of a computer programmed vote tabulation system, see County Charter 4.10(1), and manual recounts are not feasible for RCV offices.

Section VI - Vote Tally Systems:

1. An application for a recount must specify whether the recount shall be done manually or by the vote tally system. A recount done by the vote tally system must use programming that recounts and reports only the office or ballot measure in question. The County shall also provide for a test of the logic and accuracy of that program (RCW 29A.64.011).
2. This chapter applies to the recounting of votes cast by paper ballots and to the recounting of votes recorded on ballots counted by a vote tally system (RCW 29A.64.011).
3. In an RCV recount, a machine recount will be conducted upon filing of proper application and deposit. There will be no manual recount conducted for RCV offices. In an election involving hundreds of thousands of ballots, Rank Choice Voting requires the use of a computer programmed vote tabulation system, see County Charter 4.10(1), and manual recounts are not feasible for RCV offices.

Section VII - Deposit:

An application for a recount shall state the office for which a recount is requested and whether the request is for all or only a portion of the votes cast in that jurisdiction for that office. The person filing an application shall, at the same time, deposit with the Canvassing Board or Secretary of State, in cash or by certified check, a sum equal to twenty five cents (manual or hand recount) or fifteen cents (electronic or machine recount) for each ballot cast in the jurisdiction or portion of the jurisdiction for which the recount is requested as security for the payment of all costs of conducting the recount. The requestor shall be subject to all costs to conduct the recount; these charges shall be determined by the Canvassing Board under RCW 29A.64.081 (RCW 29A.64.030).

Section VIII - Time and Place:

The County Canvassing Board shall determine a time and place at which the recount will be conducted. This time shall be less than three business days after the day upon which:

1. The application was filed with the board.
2. The request for a recount or directive ordering a recount was received by the Canvassing Board from the Secretary of State; or the returns are certified which indicate that a recount is required under RCW 29A.64.020 for an issue or office voted upon only within the County (RCW 29A.64.030).

Section IX - Notice of Recount:

Not less than two days before the date of the recount, the County Auditor shall mail a notice of the time and place of the recount to the applicant or affected parties and, if the recount involves an office, to any person for whom votes were cast for that office. The County Auditor shall also notify the affected parties either by telephone, fax, e-mail, or other electronic means at the time of mailing. At least three attempts must be made over a two-day period to notify the affected parties or until the affected parties have received the notification. Each attempt to notify affected parties must

request a return response indicating that the notice has been received. (RCW 29A.64.030).

Section X - Observers:

Subject to reasonable and equitable guidelines adopted by the Canvassing Board, all interested persons may attend and witness a recount.

1. Witnesses shall be permitted to observe the ballots and the process of tabulating the votes, but they shall not be permitted to handle the ballots. The Canvassing Board shall not permit the tabulation of votes for any nomination, election, or issue other than the ones for which a recount was applied for or required (RCW 29A.64.041).
2. The recount may be observed by persons representing the candidates affected by the recount or the persons representing both sides of an issue that is being recounted. (RCW 29A.64.041).
3. The observers may not make a record of the names, addresses, or other information on the ballots, poll books, or applications for absentee ballots unless authorized by the superior court. The Secretary of State or the County Auditor may limit the number of observers to not less than two on each side if, in his or her opinion, a greater number would cause undue delay or disruption of the recount process (RCW 29A.64.041).

Section XI – Recounting the Votes:

1. At the time and place established for a recount, the Canvassing Board or its duly authorized representatives, in the presence of all witnesses who may be in attendance, shall open the sealed containers containing the ballots to be recounted, and shall recount the votes for the offices or issues for which the recount has been ordered. (RCW 29A.64.040)
2. Ballots shall be handled only by the members of the Canvassing Board or their duly authorized representatives. (See Appendix L)

Section XII - Request to Stop:

At any time before the ballots from all of the precincts listed in the application for the recount have been recounted, the applicant may file with the Canvassing Board a written request to stop the recount.

Section XIII - Amended Abstracts:

(RCW 29A.64.061):

1. Upon completion of a recount, the Canvassing Board shall prepare and certify an amended abstract showing the votes cast in each precinct for which the recount was conducted. Copies of the amended abstracts shall be transmitted to the same officers who received the abstract on which the recount was based.
2. If the nomination, election, or issue for which the recount was conducted was submitted only to the voters of the County, the Canvassing Board shall file the amended abstract with the original results of that election or primary.
3. If the nomination, election, or issue for which a recount was conducted was submitted to the voters of more than one county, the Secretary of State shall canvass the amended abstracts and shall file an amended abstract with the original results of that election. An amended abstract certified under this section supersedes any prior abstract of the results for the same offices or issues at the same primary or election.

Section XIV - Limitations:

After being counted, the votes cast in any single precinct may not be recounted and the results recertified more than twice (RCW 29A.64.070).

Section XV - Expenses/Charges of Recounts:

(RCW 29A.64.081)

1. The Canvassing Board shall determine the expenses for conducting a recount of votes.

2. The cost of the recount shall be deducted from the amount deposited by the applicant for the recount at the time of filing the request for the recount, and if a balance remains after the recount, the balance shall be returned to the applicant.

3. If the costs of the recount exceed the deposit, the applicant shall pay the difference. No charges may be deducted by the Canvassing Board from the deposit for a recount if the recount changes the result of the nomination or election for which the recount was ordered or requested.

CHAPTER XIV -- MANDATORY RECOUNT

Section I - Differences in Counts:

If the official canvass of all of the returns for any office at any primary or election reveals that the difference in the number of votes cast for a candidate apparently nominated or elected to any office and the number of votes cast for the closest apparently defeated opponent is less than two thousand votes and also less than one-half of one percent of the total number of votes cast for both candidates, the Canvassing Board shall conduct a recount of all votes cast on that position (RCW 29A.64.021)(1).

1. Whenever such a difference occurs in the number of votes cast for candidates for a position the declaration of candidacy for which was filed with the Secretary of State, the Secretary of State shall, within three business days of the day that the returns of the primary or election are first certified by the Canvassing Board of those counties, direct those boards to recount all votes cast on the position (RCW 29A.64.021)(1a).
2. For statewide elections, if the difference in the number of votes cast for the apparent winner and the closest apparently defeated opponent is less than one thousand votes and also less than one-fourth of one percent of the total number of votes cast for both candidates, the votes shall be recounted manually (RCW 29A.64.021)(1b).
3. For non-statewide elections if the difference in the number of votes cast for the apparent winner and the closest apparently defeated opponent is less than one hundred-fifty votes and also less than one-fourth of one percent of the total number of votes cast for both candidates, the votes shall be recounted manually. (RCW 29A.64.021)(1b).

Section II - Cost:

A mandatory recount shall be conducted in the manner provided by RCW 29A.64.030, 29A.64.041, and 29A.64.061. No cost of a mandatory recount may be charged to any candidate (RCW 29A.64.021)(2).

Section III - Recount Options:

Except for RCV contests, the apparent winner and closest apparently defeated opponent for an office for which a manual recount is required under Section I of this section may select an alternative method of conducting the recount. To select such an alternative, the two candidates shall agree to the alternative in a signed, written statement filed with the election official for the office. The recount shall be conducted using the alternative method if: It is suited to the balloting system that was used for casting the votes for the office; it involves the use of a vote tallying system that is approved for use in this State by the Secretary of State; and the vote tallying system is readily available in each county required to conduct the recount. If more than one balloting system was used in casting votes for the office, an alternative to a manual recount may be selected for each system (RCW 29A.64.021)(3).

Section IV - Guidelines for Election Recount for Observers:

1. The recount is not an adversary proceeding. It is another step in the statutory process for counting and canvassing the ballots for an election. The proceedings will be conducted as expeditiously and impartially as possible. To that end, all activities will be conducted transparently. Due to space limitations, ballot security and/or safety, it may be necessary to prioritize the spaces allocated for viewing. Priority shall be given in the following order: to the candidates of the affected race or their designated representative or to the designated representative for the proponents and opponents of any measure, to their legal counsel if any, to the official party observers from the two major political parties, and then to any additional observers for the candidates or ballot measure proponents/opponents as may be provided by these guidelines. The next priority shall be to the general public

and the media. Special arrangements may be made for television media. If at any time the conduct or activities of the observers, media, or public becomes an unreasonable distraction or otherwise impedes the progress of the recount, the process will be stopped until the situation has been corrected or the room has been cleared. Conversations are to be kept to a minimum and at a level that will not disturb the counting process or the canvassing authority.

2. Observers from the two major political parties will also be requested. Each candidate or the proponents or opponents to any measure will be permitted one person to observe the process. The designated observer may be replaced at any break or lunch period, but only one observer will be allowed inside the processing area at any given time. Additional Observers, the media and the public shall be allowed to observe as space permits to the point that it does not in any way interfere with the proceedings, as determined by the canvassing authority, and must remain inside the public viewing area.
3. State law does not make a provision for the challenge of ballots or voters during a recount. The recount procedure provided for by statute is a mechanical function of re-tallying the ballots cast and accepted as valid by the precinct election officials or the Canvassing Board during the canvass of the election. The decision of these officials with respect to the inclusion or exclusion of a particular ballot during the canvass is NOT in question during the recount.
4. The use of cell phones will not be permitted inside the Election Center.
5. Observers may not touch ballots, ballot containers or vote tallying equipment.
6. At certain times during the absentee ballot processing, you may be asked to sign an oath of secrecy.

7. While observing, note taking, photo taking, video and audio recording is prohibited.
8. The statutes provide that the person requesting a recount may specify whether the recount shall be conducted using the vote tallying system or shall be counted by hand. Where neither is specified, the vote tallying system shall be used, unless the Canvassing Board determines otherwise. Mandatory recounts shall be by the same method as the original counting process, unless otherwise required by law.
9. The recount of ballots using the electronic vote tallying system shall be conducted in a similar manner in which those ballots were counted during the canvassing of the vote. The tallying system will be prepared in a manner which will suppress all votes on the ballots except for the contest being recounted. Prior to the recounting of the ballots, a separate logic and accuracy test of the system shall be conducted. All interested parties may observe the process of running the ballots through the vote tallying equipment from the public viewing area. Due to security and space limitations, no one may be inside the 400C Ballot Tabulation Area, except the Election Department staff.
10. If the process is stopped temporarily, the individual teams will cease counting at the completion of the precinct in progress. All materials and supplies shall be carefully protected during any temporary stoppage. In the event the recount is not completed on the same day that it commences, at a reasonable stopping time, and upon completion of the precincts being counted, all containers shall be resealed. The process shall be continued the following business day. The recount may continue past regular business hours and on the weekends at the discretion of the County Auditor.
11. On completion of the recount, the results will be formally reviewed and approved by the Canvassing Board. If a different count results from the original canvass, the Board will then complete a new abstract showing the results in each precinct of the office which has been recounted. The certified canvass results

will then be amended as appropriate. The amended certified canvass report will normally be available to the candidates and all others concerned within twenty-four hours of the completion of the recount, unless completed on a Friday, in which case the report may not be available until the following Monday. The Canvassing Board does not intend to publish interim reports of the recount.

CHAPTER XV -- VOTER REGISTRATION CHALLENGES

Section I - Duty of Canvassing Board:

1. The Canvassing Board is statutorily charged with the duty to hear voter registration challenges filed with the County Auditor less than forty-five (45) days before a primary, special or general election (RCW 29A.08.820).
2. If the challenge is filed at least forty-five days before an election at which the challenged voter is eligible to vote, the County Auditor presides over the hearing. (RCW 29A.08.820).

Section II - Procedures for Challengers:

1. Qualifications of Challenger:

A challenge may be initiated by a registered voter or by the office of the County Prosecuting Attorney at any time. On Election Day a precinct election officer may initiate the challenge (RCW 29A.08.810).

2. Time for Challenge:
 - a. Challenge at Polling Place: Only a precinct election officer may challenge a voter's registration at the polls based upon the belief or knowledge of that officer that the voter is unqualified. The officer's challenge shall not be based on un-supported allegations or those by anonymous third parties (RCW 29A.08.810).
 - b. Challenges by a registered voter or the County Prosecuting Attorney: A challenger must file a challenge with the County Auditor not later than forty-five (45) days before any primary, special or general election. A challenge may be made not later than ten (10) days prior to the election or within ten (10) days of the voter being added to the voter database, whichever is later for any voter who

registered or changed residence less than sixty (60) days before the election. (RCW 29A.08.820).

All challengers must file a signed affidavit and satisfy the challenger duties set forth in RCW 29A.08.810 and WAC 434-324-115. The Auditor's Office shall maintain a supply of challenge forms available to interested parties.

Section III - Challenged Voters May:

1. Vote a ballot which shall be placed in a sealed envelope separate from other voted ballots and transmitted to the Canvassing Board at the close of the election (RCW 29A.08.820).
2. Properly transfer or re-register until the day before the primary, special or general election by applying personally to the County Auditor (RCW 29A.08.840).
3. The challenged voter has the opportunity to present testimony and evidence, either in person or by affidavit, to the canvassing board prior to them making their determination (RCW 29A.08.840).

Section IV - Notification:

1. State law (RCW 29A.08.840) requires the County Auditor notify, by certified mail, any voter whose registration has been challenged.
 - a. The notification must be mailed to the address at which the challenged voter is registered, to any address provided by the challenger as required by RCW 29A.08.840, and to any other address that the County Auditor could reasonably expect the challenged voter might receive such notification.
 - b. Included with the notification must be a copy of the affidavit and a request that the voter appear at a hearing at the place and time specified, in order to assist the County Auditor in determining the validity of his/her registration (RCW 29A.08.840).

- c. The challenge will be posted on the Auditor's web site.
2. The challenger shall be provided with a copy of the hearing notification and request mailed to the challenged voter. If either the challenger or the challenged voter, or both, are unable to appear in person they may file affidavits, stating under oath the reasons they believe the challenge to be valid or invalid (RCW 29A.08.840).

Section V - Time of Hearing:

The Canvassing Board hearing shall occur no later than the time of canvassing for the particular primary, special or general election. The decision of the Canvassing Board shall be made within the same time limit (RCW 29A.08.820).

Section VI – Presumption:

Registration creates a presumption that a voter has the right to vote as registrations are presumed valid (RCW 29A.08.810).

Section VII - Burden and Standards of Proof:

The burden is always on the challenger to prove by clear and convincing evidence that the challenged voter's registration is improper (RCW 29A.08.840).

Section VIII - Evidence:

1. Oath: All witnesses shall be placed under oath.
2. Number of Witnesses: The number of witnesses shall not be limited unless the testimony becomes repetitive or goes beyond the time limits for presenting testimony.
3. Length of Hearing: The challenger and challenged voter shall each have thirty (30) minutes to present evidence.

4. Questioning of Witnesses: Members of the Canvassing Board shall be free to examine any witness at any time in the proceeding. Cross-examination shall not be allowed.
5. Recording: The Canvassing Board hearing shall be either recorded or transcribed.

Section IX - Decision:

The decision of the Canvassing Board shall be made at the conclusion of the evidentiary portion of the hearing. The Canvassing Board's decision shall be final (RCW 29A.08.840).

Section X - Remedies:

The Canvassing Board shall give the challenged voter the opportunity to present testimony, either in person or by affidavit and evidence to the canvassing board before making their determination. The decision of the canvassing board or other authority charged by law with canvassing the returns shall be final (RCW 29A.08.840).

CHAPTER XVI -- LOGIC AND ACCURACY TESTING

Section I – Conducting the Logic and Accuracy Test:

1. The County shall provide adequate personnel to properly operate the ballot counting equipment. Whenever possible, the equipment should be operated during the test by the same persons who will be responsible for tabulation on Election Day (WAC 434-335-280).
2. If any error in programming or mechanical function is detected, the cause shall be determined and corrected, and an errorless test completed before the primary or election.

Section II - Logic and Accuracy Test Observers:

1. The official logic and accuracy test shall be observed by at least one representative of each major political party, if representatives have been appointed by the parties and are present at the test (WAC 434-335-290).
2. The observers shall be instructed as election observers, by the County Auditor (WAC 434-335-290).
3. The official logic and accuracy test shall be open to candidates, the press, and the public (WAC 434-335-290).
4. If any observer hinders or disturbs the Logic and Accuracy process, the County Auditor or representative may remove that observer from the test area. An observer who has been removed from a logic and accuracy test may also be barred from future tests. The absence of observers shall not delay or stop the test from being conducted (WAC 434-335-290).

Section III -- Logic and Accuracy Testing of Voting Systems and Equipment - State Primary and General Election:

1. At least three days before each state primary or general election the Office of the Secretary of State shall provide for a test of the programming for the vote tallying system to be used at that primary or election (WAC 434-335-300).
2. The test should verify that the system will correctly count the votes cast for all candidates and all measures appearing on the ballot (WAC 434-335-300).
3. The test shall also verify that the machines are functioning to specifications (WAC 434-335-300).

Section IV – Procedure for Conduct of Delayed Primary or General Election Emergency Logic and Accuracy Test:

1. If the official logic and accuracy test cannot be completed at the scheduled time and place, an emergency test shall be scheduled by the County Auditor. The emergency test must be conducted and properly completed prior to the processing of any official ballots through the tabulating system (WAC 434-335-310).
2. If no representative of the Office of the Secretary of State is able to attend the emergency test, the County Auditor and another member of the County Canvassing Board or their designated representative shall observe the test and certify the results. Observers and notification shall be provided for pursuant to WAC 434-335-290 and 434-335-320 (WAC 434-335-310).

Section V - Logic and Accuracy Test Scheduling and Preparation - State Primary and General Election:

1. Prior to each state primary and general election the Office of the Secretary of State will prepare a schedule of logic and accuracy tests (WAC 434-335-320).

2. The Office of the Secretary of State will notify each County of the date and time of their test at least 30 days before the test (WAC 434-335-320).
3. The County Auditor is responsible for preparing the counting system and testing it before the official logic and accuracy test (WAC 434-335-360).
4. The ballot counting system shall be fully programmed, cleaned, maintained, tested and functional before the official logic and accuracy test (WAC 434-335-360).
5. The County shall notify the parties, the press, the public, and candidates of the date and time of the test (WAC 434-335-320). (Appendix I)

Section VI -- Logic and Accuracy Test Certification - State Primary and General Election:

1. The County Auditor or Deputy, the Secretary of State Representative and any political party observers shall certify that the test has been conducted in accordance with RCW 29A.12.130 (WAC 434-335-330).
2. Copies of this certification shall be retained by the Secretary of State and the County Auditor and may be posted by electronic media (WAC 434-335-330).
3. All programming materials, test results, and test ballots shall be securely sealed until the primary or election (WAC 434-335-330).

Section VII -- Logic and Accuracy Testing of Voting Systems and Equipment - Special Elections:

1. At least three days before each special election the programming for the vote tallying system to be used at that election shall be tested for logic and accuracy (WAC 434-335-300).

2. The test should verify that the system will correctly count the votes cast for all candidates and all measures appearing on the ballot (WAC 434-335-300).
3. The test shall be conducted by processing a pre-audited group of ballots, marked with a predetermined number of votes, for each candidate and for or against each measure (WAC 434-335-300).

Section VIII - Logic and Accuracy Test Deck Preparation:

The test deck or decks used for the official logic and accuracy test will be prepared by the County Auditor's Office (WAC 434-335-445).

Section IX - Logic and Accuracy Test Scheduling and Preparation - Special Election:

1. The County is responsible for preparing the counting system and testing it before the official logic and accuracy test (WAC 434-335-440).
2. The ballot counting system shall be fully programmed, cleaned and maintained, tested, and functional before the official logic and accuracy test (WAC 434-335-440).
3. The County shall notify the parties, the press, the public, and candidates of the date and time of the official logic and accuracy test (WAC 434-335-320).

Section X - Logic and Accuracy Test Certification - Special Election:

1. The County Auditor or Deputy, and any political party observers, if present, shall certify that the test has been conducted in accordance with RCW 29A.12.130 (WAC 434-335-330).
2. The County Auditor shall retain copies of this certification. All programming materials and official test results shall be securely sealed until the day of the primary or election (WAC 434-335-330).

Section XI - Definitions for Optical Scan Voting Systems:

1. "Target Area" or "Voting Response Area," means the area defined by ballot instructions which the voter places their mark to indicate their vote (WAC 434-335-430).
2. "Scanning area," means the portions of each ballot that the system scans in order to read the vote marks made by voters.

Section XII – Logic and Accuracy Test Deck, Preparation – State Primary and General Election — Optical Scan Systems:

1. The test deck or decks used for the official logic accuracy test for optical scan systems shall be prepared by the County (WAC 434-335-445).
2. Information describing the candidates, offices, ballot formats, ballot positions, ballot styles, list or the number of appearances of each office and each rotation, and all other information required to create the test decks must be available to the Office of the Secretary of State by the 14th day prior to the test (WAC 434-335-450).
3. If a county is delayed due to complications related to lawsuits or late filing periods, the county will advise the Office of the Secretary of State.

Section XIII – Optical Scan Test Ballot Selection — State Primary and General Elections:

1. Prior to the official logic and accuracy test, the Office of the Secretary of State shall review the provided election materials with the county to ensure it is a representative sample of ballot styles sufficient to cover all offices and issues contained in the election. This representative sample shall constitute the official logic and accuracy test (WAC 434-335-450).

Section XIV – Optical Scan Read Head Adjustment Standards and Tests and Optical Scan Read Head and Ballot Scan Area Alignment Tests:

1. Prior to all state primaries, read heads of optical scan central counting systems shall be cleaned and tested to ensure that the reader is functioning within system standards.
2. Prior to all official logic and accuracy tests, a test shall be conducted by each county employing an optical scan balloting system to confirm that the voting response areas printed on all ballot faces are aligned properly with the scanning area of the ballot counter (WAC 434-335-440).
3. This test should also confirm that all ballot marking codes are being properly interpreted by the ballot counter (WAC 434-335-440).

Section XV – Optical Scan Ballot Marking Code Program Test:

1. Prior to the official logic and accuracy test each county employing an optical scan balloting system shall thoroughly test all programming and system components (WAC 434-335-440).
2. The test must at least certify the office programming by thoroughly testing each individual office, test the ballot style logic to ensure that all offices are included on the intended ballot faces, and verify that the program is accumulating all offices (WAC 434-335-440).
3. The County Auditor or Deputy shall certify that these tests have been completed prior to the official logic and accuracy test (WAC 434-335-440).

Section XVI – Precinct-Based Optical Scan Ballot Counter Preparation and Testing:

1. All logic and accuracy testing of precinct-based systems shall be performed by the County during the preparation of the precinct ballot counters prior to system distribution (WAC 434-335-490).
2. As each ballot counter is programmed and set up for distribution, a test of the ballot counter and ballot styles shall be performed. It shall be established by these tests that the ballot counter(s) are functioning within system standards (WAC 434-335-490).
3. All balloting styles programmed for each machine shall be processed by each machine in order to ensure that the machine is correctly counting and accumulating every office. The tests shall also establish that the printed ballot voter response areas are correctly aligned with the scanning area (WAC 434-335-490).
4. After all tests are performed and the machines are ready for distribution, each machine shall be sealed and the seal number recorded. This will serve as the official logic and accuracy test of these poll site ballot counters (WAC 434-335-490).

Section XVII – Precinct-Based Optical Scan Ballot Counter Test Notices, Observers and Log of Process:

1. A log shall be created during the testing of the poll site-based ballot counters. The log shall record the time and place of each test, the precinct number(s), seal number and machine number of each ballot counter and the initials of each person testing and observing the test for each machine (WAC434-335-490).
2. This log shall be included in the official logic and accuracy test materials.
3. The processes described in WAC 434-335-490 shall be open to observation and subject to all notices and observers pursuant to WAC 434-335-290 and 434-335-320.

Section XVIII – Logic and Accuracy Test of Touch Screen Disability Access Units:

1. The County Auditor shall prepare a test plan in the same manner as for optical scan ballots.
2. The official test must be completed before a disability access unit may be used in an election. In-person disability access voting is available starting 20 days prior to the election.
3. Poll site based disability access units shall be thoroughly tested in advance of the official logic and accuracy test.
4. Simulation scripts, containing a pre-determined pattern of votes, shall be used to ensure that all votes are properly recorded and tabulated.

Order of Adoption

This Pierce County Canvassing Manual was adopted by the Pierce County Canvassing Board this 30 day of May, 2008.



Pat McCarthy
Pierce County Auditor



Terry Lee, Chairperson
Pierce County Council



Gerry Horne
Pierce County
Prosecuting Attorney

Glossary of Terms:

Administer: To direct or manage; to tender (e.g. by oath).

Advancement: Is the first action performed by the RCV algorithm to prepare and properly count the votes for a specific RCV contest. During advancement a voter's second and/or third selections are moved to the voter's next highest choice(s) as appropriate. Advancement occurs for both skipped rankings and dual rankings.

An example of advancement is the moving of a voter's second and third place choices to the voter's first and second ranking when the voter fails to mark a first place selection (skipped ranking) for an RCV office.

Algorithm: A precise set of rules which defines how ranked choice votes are counted. The RCV algorithm reads the RCV ballot images round by round to count the vote and determine the winner. Based upon established rules the algorithm eliminates losing candidates and transfers the vote to remaining candidates based upon the voter's first, second and third ranking.

Auditor's Abstract of Votes: Is that report prepared by the County Auditor which lists registered voters, votes cast, all of the vote totals by precinct, or by combination of precincts if applicable, and which includes absentee ballot totals, legislative district subtotals, if any, and county-wide totals. Vote totals in the Auditor's abstract of votes shall be unofficial until verified and certified by the County Canvassing Board ((WAC 434-262-010)(4)).

Ballot Image: A "ballot image" is a collection of choices at each ranking for a single RCV contest.

Ballot Image Report: A ballot image report is a report listing all the stored ballot images for an RCV contest.

By Lot: An object used in making a choice or determination by chance. The form (i.e. coin toss, number draw, card draw) chosen by the Canvassing Board shall be used for all ties during that election.

Canvassing: Is that process of examining in detail a ballot, groups of ballots, election sub-totals or grand totals, in order to determine the final official returns of a primary, special or general election, and to safeguard the integrity of the election process ((WAC 434-262-010)(1)).

Dual Ranking: Is when a voter selects the same candidate as their first and second choice, first and third choice, second and third choice or as their first, second and third choice. Dual ranking is also referred to as a duplicate ranking.

Exhausted Ballot: Is any ballot that can not be advanced because no further candidates are ranked for a given race.

Final processing: means the reading of ballots by an electronic vote tallying system, but does not include tabulation (WAC 434-240-225).

Initial processing: means all steps taken to prepare absentee ballots for tabulation, except for the reading of ballots by an electronic vote tallying system. Initial processing includes, but is not limited to: Removal of the security envelope from the return envelope; removal of the ballot from the security envelope; manual inspection for damage, for write-in votes, and for incorrect or incomplete marks; duplication of damaged and write-in ballots; and other preparation of ballots for final processing (WAC 434-240-225).

Multiple Elimination: the process of eliminating candidates who are mathematically certain to be eliminated in a later round in one round.

Over-vote: A measure or race where two or more voting positions are marked.

Preliminary Abstract of Votes: is that report prepared by the County Auditor which lists the number of registered voters, votes cast, and all vote totals by precinct, or by combination of precinct if applicable, but it shall not include any absentee ballot totals or any subtotals or county-wide totals ((WAC 434-262-010)(3)).

Ranked Choice Voting: is a voting system used that allows voters to rank candidates in order of preference. In an RCV election, if no candidate receives a majority of first choices, the candidates with the fewest number of votes are eliminated, and ballots cast for the candidates are redistributed to the continuing candidates according to the voters' indicated preference. This process is repeated until one candidate obtains a majority.

Residence: for the purpose of registering and voting means a person's permanent address where he or she physically resides and maintains his or her home.

Skipped Ranking: A ranking with no candidate marked followed by a later ranking with a candidate marked is a skipped ranking.

Tabulation: means the production of returns of votes cast regarding candidates or measures in a form that can be read by a person, whether as precinct totals, partial cumulative totals, or final cumulative totals (WAC 434-240-225).

Under-vote: A race or measure that is un-voted (no voting position is marked).

Unused Ranking: An RCV race with no candidate marked at some ranking has unmarked rankings.

Appendix A

**DELEGATION OF AUTHORITY
TO SERVE ON CANVASSING BOARD**

I, _____, Pierce County _____, hereby designate
_____, to act in my place on the Pierce County
Canvassing Board for the _____ Election to be held on
_____. My designee is _____
and will serve for the time frame stated below.

Name of Designee: _____

Title: _____

Time Frame of Delegation: _____

Signed by: _____

Such delegation is made under the authority of RCW 29A.60.140 and WAC 434-262-015, in accordance with Washington State Law.

Appendix B

Oath of County Auditor or Supervisor of Elections

STATE OF WASHINGTON)
) ss.
COUNTY OF PIERCE)

I solemnly swear that the returns of the Election held on _____, in Pierce County, State of Washington, have been in no way altered and that they are the same as when they were deposited in my office.

County Auditor or Supervisor of Elections

Subscribed and sworn to me this ___ of _____, ____.

Chairman, County Legislative Authority

Appendix C

Certification of the Canvassing Board

STATE OF WASHINGTON)
) ss.
COUNTY OF PIERCE)

The undersigned officers designated by law as constituting the Canvassing Board for the County of Pierce, State of Washington, hereby certify that this is a full, true and correct copy of the Abstract of Votes including the cumulative results, precinct results, and a reconciliation report of votes cast at the _____ Election held on _____, in Pierce County, State of Washington, and that the following are the true and reconciled numbers of voters and votes counted.

Witness our hands and official seal this ___ day of _____, ____

County Auditor or Supervisor of Elections

Chairman, County Legislative Authority

County Prosecuting Attorney

Special Election May 20, 2008



The Canvassing Board of Pierce County, pursuant to chapter 29A.60 RCW, will hold public meetings at the dates and times listed below. These meetings of the Canvassing Board are open, public meetings, and shall be continued until the activity for which the meetings are held has been completed. A record of the proceedings of the County Canvassing Board shall be made and maintained in the County Auditor's Office, and shall be available for public inspection and copying. The record shall be retained for the same time period required by law for the retention of absentee ballots. The following events will take place at the **Pierce County Election Center, 2501 South 35th Street, Suite C, Tacoma, Washington.**

Canvassing Board Meeting
May 30, 2008, 1:00 p.m.

Certification of Election
June 4, 2008 11:00 a.m.

Pat McCarthy

Pierce County Auditor

piercecountywa.org/auditor

Appendix E

April 4, 2008

XXXXXXXXXX
Pierce County Party Chairperson
XXXXXXXXXX
XXXXXXXXXX

Dear _____:

The May 20, 2008 Special Election is fast approaching and I wanted to take this opportunity to provide you with our timelines so that you may schedule your observers accordingly.

Observers should report to the Auditor's Election Center at 2501 South 35th Street, Suite C at the beginning of their shift and identify themselves as party observers. Observers should enter through the Employee Entrance door on the east side of the building. All observers are expected to be scheduled for a four-hour shift. You must send a schedule of observers with hours and dates assigned. **Remember, each observer must have been certified at one of our recent observer classes in order to work this spring.**

We will begin the initial processing of ballots on Monday, May 5, 2008 in the Auditor's Election Center. Ballots will be processed weekdays from 7:00 a.m. to 5:00 p.m., up to certification; however, there may be days when staff hours may be adjusted to accommodate workflow. On Election Day, May 20, 2008 we will be working in the Auditor's Election Center from 7:00 a.m. until finished. Depending upon the volume of ballots that are returned, it may be necessary to add or cancel some shifts. We will notify you immediately of any schedule changes so that you may notify your observers.

You are encouraged to send an observer to these events as well:

- Logic & Accuracy Test of Disability Access Touch Screen voting machine Monday, April 28, 2008 at 10:00 am
- Logic & Accuracy Test of the Tabulation System Thursday, May 8, 2008 at 10:00 am
- Canvassing Board Meeting Friday, May 30, 2008 at 1:00 pm
- Certification Meeting Wednesday, June 4, 2008 at 11:00 am

We appreciate your participation in this program. If you have any questions, please do not hesitate to contact Rebecca Brauhn, Pierce County Auditor's Observer Coordinator at 253-798-2110.

Sincerely,

Pat McCarthy
Pierce County Auditor

c: Lead Party Observer

Appendix F

Re: Unsigned Affidavit

Your ballot for the upcoming election has been received by this office. Unfortunately, you neglected to sign the affidavit on the return envelope, as required by Washington State law.

Please sign the affidavit below and return this letter to us in the postage paid envelope provided. In order for your ballot to be counted, the signed affidavit must be returned to this office no later than 4:30 p.m. on June 3, 2008.

Please do not hesitate to contact the Elections Division at 253-798-3203 or 1-800-446-4979 if you have any questions.

I do solemnly swear or affirm under penalty of perjury that: I am a citizen of the United States; I am a legal resident of the state of Washington; I will be at least 18 years old on or before election day; I am not presently denied my voting rights as a result of being convicted of a felony; I have not been judicially declared mentally incompetent; I have not already voted in this election; and I understand it is illegal to cast a ballot or sign a ballot envelope on behalf of another voter. Attempting to vote when not qualified, attempting to vote more than once, or falsely signing this oath is a felony punishable by a maximum imprisonment of five years, a maximum fine of \$10,000, or both.

Phone Number (Optional)

Date

Signature

1. Two witnesses required if using a mark (X)

2. Two witnesses required if using a mark (X)

Appendix G

SUBJECT: Signature Does Not Match

This letter is regarding the absentee ballot which was returned to our office for the current election. Washington State law requires our office to verify the signature on every absentee ballot with the signature on each registration record. The signature on your absentee ballot does not match the signature on your voter registration record. Your ballot for this election cannot be counted until we receive an updated signature.

Three options are available to you to have your ballot counted:

1. Appear in person at the Pierce County Auditors Office, Election Division, located at 2501 South 35th St., Suite C to sign a new voter registration form. Hours are 8:30 a.m. to 4:30 p.m. Monday through Friday, except holidays. This will enable us to use the new signature for **this and future elections.**
2. In order to count your ballot for **this election only**, sign the affidavit below **and** provide a copy of a valid government identification that includes your signature. For example, you can make a copy of a driver's license, state, student, or tribal identification. The signature on the affidavit and the identification provided must match the signature on your ballot envelope.
3. In order for your ballot to be counted for **this election only**, sign the affidavit below in front of **two witnesses**, who also must sign. Your signature must match the signature on your ballot envelope.

The deadline for all options is 4:30 pm, June 3, 2008.

I do solemnly swear or affirm under penalty of perjury that: I am a citizen of the United States; I am a legal resident of the state of Washington; I will be at least 18 years old on or before election day; I am not presently denied my voting rights as a result of being convicted of a felony; I have not been judicially declared mentally incompetent; I have not already voted in this election; and I understand it is illegal to cast a ballot or sign a ballot envelope on behalf of another voter. Attempting to vote when not qualified, attempting to vote more than once, or falsely signing this oath is a felony punishable by a maximum imprisonment of five years, a maximum fine of \$10,000, or both.

Signature

Date

Witness No. 1

Witness No. 2

If you have any questions, please call The Elections Division at 253-798-3695 or (800)446-4979.

Appendix H

Delegation of Authority
(Staff and Volunteers)

We, the members of the Pierce County Canvassing Board, authorize the staff and volunteers to _____ (Describe Activity) _____ as stated in the County Canvassing Board Policies & Procedures manual for the _____ calendar year.

ADOPTED BY THE Pierce County Canvassing Board this ____ day of _____, ____.

Pierce County Auditor

Pierce County Council, Chair

Pierce County Prosecuting Attorney

Appendix I

Special Election May 20, 2008



The Canvassing Board of Pierce County, pursuant to chapter 29A.60 RCW, will hold public meetings at the dates and times listed below. These meetings of the Canvassing Board are open, public meetings, and shall be continued until the activity for which the meetings are held has been completed. A record of the proceedings of the County Canvassing Board shall be made and maintained in the County Auditor's Office, and shall be available for public inspection and copying. The record shall be retained for the same time period required by law for the retention of absentee ballots. The following events will take place at the Pierce County Election Center, 2501 South 35th Street, Suite C, Tacoma, Washington.

Preparation of Voting Systems

April 21 - May 8, 2008 7:00 a.m. - 5:00 p.m. (extended hours, if necessary)

Logic and Accuracy Test of Disabled Access Voting Units

April 28, 2008, 10:00 a.m.

Logic and Accuracy Test of Voting System

May 8, 2008, 10:00 a.m.

Election Results

May 20, 2008 after 8:30 p.m.

Processing of Ballots

May 5 - June 3, 2008
7:00 a.m. - 5:00 p.m.
(extended hours, if necessary)

Pat McCarthy
Pierce County Auditor

piercecountywa.org/auditor

Pierce County
Ranked Choice Voting Advancement Table

	Before Advancement			After Advancement			Conditions	Intpretation
	1st Choice	2nd Choice	3rd Choice	1st Choice	2nd Choice	3rd Choice		
1	Blank	Blank	Blank	No advancement			All Blank - Under voted	Under voted ballot, exhausted
2	Ant/Cat	Bird	Dog	No advancement			Over vote 1st Choice	Over voted ballot, exhausted
3	Bird	Ant/Dog	Cat	Bird			Over vote 2nd Choice	Count Bird, exhausted
4	Dog	Bird	Ant/Cat	Dog	Bird		Over vote 3rd Choice	Dog, then Bird, exhausted
5	Ant	Ant	Dog	Ant	Dog		Duplicate 1st and 2nd	Ant, then Dog, exhausted
6	Bird	Ant	Bird	Bird	Ant		Duplicate 1st and 3rd	Bird, then Ant, exhausted
7	Bird	Ant	Ant	Bird	Ant		Duplicate 2nd and 3rd	Bird, then Ant, exhausted
8	Ant	Ant	Ant	Ant			Duplicate All	Ant, exhausted
9		Dog	Cat	Dog	Cat		No 1st Choice	Dog to 1st, Cat to 2nd, exhausted
10	Cat		Bird	Cat	Bird		No 2nd Choice	Count Cat, Bird to 2nd, exhausted
11		Ant		Ant			No 1st or 3rd	Ant to 1st, exhausted
12	Bird			Bird			No 2nd or 3rd	Count Bird, exhausted
13	Ant	Bird		Ant	Bird		No 3rd	Ant, then Bird, exhausted
14			Cat	Cat			No 1st or 2nd	Cat to 1st, exhausted

Note: This advancement table displays advancement, overvotes, undervotes, skipped rankings and exhausted ballots.

Appendix K
Signature Verification Oath

Per WAC 434-379-020, a signature will be matched to the signature on file in the voter registration record using the following methods.

1. Agreement in style and general appearance, including basic construction, skill, alignment, fluency, and a general uniformity and consistency between signatures;
2. Agreement in the proportions of individual letters, height to width, and heights of the upper to lower case letters;
3. Irregular spacing, slants, or sizes of letters that are duplicated in both signatures;
4. After considering the general traits, agreement of the most distinctive, unusual traits of the signatures.

A single distinctive trait is insufficient to conclude that the signatures are by the same writer. There must be a combination or cluster of shared characteristics. Likewise, there must be a cluster of differences to conclude that the signatures are by different writers.

I will analyze, compare and evaluate the signature as it appears on the return envelope with the signature as it appears on the voter registration record. I will validate the ballot if in my judgment the same person signed both. I understand that a variation of the signature due to the substitution of initials or the use of common nicknames is permitted so long as the handwriting is clearly the same. I will challenge any ballot which does not meet the above requirements or appears to have been signed by someone other than the voter to whom it was issued. In making this determination, I will take into account the natural variations and characteristics inherent in all signatures.

I understand the above requirements and by signing below I acknowledge that I have received training in the ACE method of signature verification and agree to uphold this oath:

Print Name	Signature	Date

Appendix L

Delegation of Authority
(Staff and Volunteers)

We, the members of the Pierce County Canvassing Board, authorize and give the Pierce County Auditor, at any time a recount is called, to continue to work, to set costs for the recount and to complete the election, as designated in the County Canvassing Board Policies & Procedures Manual for the ____ calendar year.

ADOPTED BY THE Pierce County Canvassing Board this ____ day of _____, ____.

Pierce County Auditor

Pierce County Council Chair

Pierce County Prosecuting Attorney