

# CANVASS BOARD AND THE ABSTRACT OF VOTES CAST PROCEDURES

LAST UPDATED: 18 JUNE 2015

## REQUIREMENT

Use this Standard Operating Procedures Manual for reference only.

Prior to implementing any procedure, always verify with the Elections Administrator the applicability of the Colorado Constitution, Colorado Revised Statutes, Secretary of State Rules, and other relevant laws.

## OVERVIEW

In a partisan election the Canvass Board is comprised of, at a minimum, the City and County Clerk and one representative from each of the major political parties. In a non-partisan election, the Canvass Board is created pursuant to the intergovernmental agreement. (See the Appointments section below for details.) The Canvass Board performs the following tasks in an election:

1. Confirms the number of ballots counted does not exceed the number of ballots cast;
2. Confirms the number of ballots cast does not exceed the number of registered voters;
3. Certifies the abstract of votes cast;
4. Observes the post election audit; and
5. Conducts any recounts.

## STATUTE, RULE, AND POLICY

Colorado Revised Statutes

- Title 1, Article 10 "Survey of Returns"
- §1-7-505
- §1-7-601 et seq.
- §1-7.5-208
- §1-8-308
- §24-6-401 et seq.

Election Rules [8 CCR 1505-1]

- Rule 10. Canvassing and Recount **(NOTE: WE ARE IN RULEMAKING JULY 2015)**

Related Documents

- Canvass: Colorado Department of State Quick Reference Guide (Revised 10/23/2013)
- Election Policy Manual Chapter 9 Canvass (Revised June 2015)

## CALENDAR / TIMELINE

Election	Appointment of Board	Completion of Canvass	Last Day to Finish Recount
<b>2015 Coordinated</b>	October 19, 2015	November 20, 2015	December 3, 2015

Canvass board shall be appointed no later than 15 days prior to Election Day. Canvassing shall be completed no later than the 13th day after a Primary Election. Canvassing shall be completed no later than the 17th day after a General Election. Canvassing shall be completed no later than the 17th day after a Coordinated Election.

## CONTACTS / PARTIES

- Appointed canvass board members
- Chairpersons of the major political parties
- Election judges (at the request of staff or the board)
- Coordinating entities who appoint a member to the board
- Unaffiliated and minor party candidates may appoint watchers to observe the work of the board

## DUTIES

The duties of the canvass board are defined in §1-10-101.5:

- Reconcile the ballots cast in an election to confirm that the number of ballots counted in that election does not exceed the number of ballots cast in the election;
- Reconcile the ballots cast in each precinct in the county to confirm that the number of ballots cast does not exceed the number of registered electors in the precinct; and
- Certify the abstract of votes cast and transmit the certification to the Secretary of State.

The abstract of votes cast is defined in §1-1-104 (1) C.R.S. as a "certified record of the results in each election for candidates for any office, ballot issue, or ballot question that the county clerk and recorder certified for the ballot."

The canvass board is also responsible for the conduct of any recounts, and to observe the post election audit. See related document *Recount Procedures* and *Tabulation System Procedures*. The board's role in conducting a recount includes selecting ballots for the random test, observing the recounting of ballots, and certifying the

results. The board's role in observing the post election audit includes, in coordination with staff and election judges, investigating and reporting discrepancies found in the audit.

The canvass board makes its determinations by majority vote.

Per Rule 10.2.4, the canvass board may not perform duties typically reserved for election judges, including:

- Determining voter intent;
- Evaluating voter eligibility; and
- Requesting new logs or reports that were not created to conduct the election.

*Upon majority vote of the canvass board, staff will produce existing logs or reports deemed necessary to complete the official duties of the Canvass Board. Requests for new logs or reports that were not created to conduct the election, or not necessary to complete the official duties of the Canvass Board may be requested through the Colorado Open Records Act.*

## CANVASS MEETINGS OPEN TO THE PUBLIC

The canvass board is not tasked with the formation of public policy, nor is it engaged in governmental decision-making. As a matter of practice, the Elections Division holds canvass board meetings so as to be open to the public.

As early as practicable, the City and County Clerk shall list the date(s) and time(s) of scheduled canvass board meetings. Notification shall be posted at 1 DesCombes Drive and also at [www.votebroomfield.org](http://www.votebroomfield.org).

## APPOINTMENTS

### PARTISAN ELECTIONS

At least 15 days prior to the election, the Broomfield major political parties shall each appoint a member to the canvass board.

Per §1-10-101 (1)(a), minor parties with candidates on the ballot, and unaffiliated candidates may appoint watchers to observe the board's activities. All watchers must complete the oath of watcher form.

Each member of the canvass board shall complete the oath of canvass board for each election. Retain the original oaths for 25 months, scan a copy to the network folder, and provide a copy to each respective member.

### NON-PARTISAN ELECTIONS

**WE ARE IN THE MIDDLE OF A RULEMAKING PERIOD JULY 2015 THAT MAY IMPACT COMPOSITION OF CANVASS IN NON-PARTISAN ELECTIONS. REVIEW AND UPDATE FOLLOWING ADOPTION OF RULES.**

Per §1-10-201 (1), in a coordinated election the canvass board shall be appointed in accordance with the intergovernmental agreement (IGA) between the governing bodies that put a question or issue on the ballot. In our current IGA, appointment of the board in non-partisan elections is as follows:

- The board shall consist of canvassers appointed consistent with the statutory requirements for a canvass board in a partisan election; and
- May, at the discretion of the Clerk as directed by the Broomfield City Council, include up to two Broomfield registered voters who were registered as unaffiliated voters at the time of the last general election and who have remained unaffiliated through the time of the appointment.

In the 2014 General Election, the Mayor appointed two unaffiliated voters to the board. Following a complaint filed by a voter, the Secretary of State ruled that the canvass must be bifurcated: the unaffiliated voters in a non-partisan election could only certify the non-partisan and non-state portions of the abstract of votes cast.

Each member of the canvass board shall complete the oath of canvass board for each election. Retain the original oaths for 25 months, scan a copy to the network folder, and provide a copy to each respective member.

The City and County Clerk and the Elections Division shall facilitate the canvass board in a non-partisan election.

## COMPENSATION

The Elections Technician II is responsible for facilitating payment through Finance. Contact Finance prior to hiring to verify current practices for invoicing vendors. By statute, board members are paid a minimum of \$15 per day. Broomfield pays each member of the board:

- \$12 per hour for training;
- \$96 per day of post-election audit; and
- \$96 per day of official canvassing of results.

## PROCEDURES

### POST ELECTION AUDIT - REQUIRED

Staff will schedule a date for the post election audit. See related document *Tabulation Systems Procedures*. At least two board members must observe the audit facilitated by staff. In coordination with the Clerk, the Board shall investigate and report discrepancies found in the audit.

The Board is responsible for completing the state's post election audit form. Once the Board signs the form, staff shall place the Broomfield seal on the form and submit it to the Secretary of State Voting Systems team.

## DAY OF CANVASS

After all ballots have been processed, including cured ballots and provisional ballots, the following reports and materials will be prepared:

- Statement of Votes Cast. Open the current election in GEMS. From the main menu, select GEMS > Statement of Votes Cast. Set the report parameters as depicted in Appendix A. Click Print.
- Cards Cast Report. Open the current election in GEMS. From the main menu, select GEMS > Cards Cast Report. Print the default report.
- From each voter service and polling center, have available the following materials and reports for each day:
  - Statement of Ballots for each inventory (mail, in person, and provisional ballots)
  - Signature cards
  - Unvoted ballots
  - Daily balancing reports (listed in sections below)
- From SCORE, prepare every recommended report and export on the Secretary of State's "Recommended Reports for Balancing an Election."

## BALLOTS CAST AND COUNTED

The first task of the canvass board is to reconcile the ballots cast in an election to confirm that the number of ballots counted does not exceed the number of ballots cast. This is determined as follows:

$$\begin{array}{r} \text{In-Person Votes} \\ \text{Mail Ballots Accepted} \\ \text{Mail Ballots Rejected} \\ + \text{ Provisional Ballots Counted} \\ \hline \text{Ballots Cast (from SCORE)} \end{array} \geq \text{Ballots Counted ("Total Cards Cast" in GEMS)}$$

These numbers are obtained from SCORE, GEMS, and also reports prepared by the election judges. The values in SCORE and GEMS are obtained as shown in the table below.

Staff shall prepare a Summary Sheet for the board to review, as well as calculators, scratch pads, pens and pencils. A sample sheet is included in the procedure binder.

The board shall reconcile the number of voters who voted by reviewing the reconciled detailed ballot logs for mail ballots and the Statement of Ballots for in-person ballots.

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Value	System	Report	Parameters
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<b>In-Person Votes<sup>1</sup></b>	SCORE	EV-001	Set Election to current election Set Districts/Precincts to "All" Set Confidential Voters to "Masked" Set Sort Order to "Last Name"
<b>Mail Ballots Accepted and Rejected</b>	SCORE	BP-012B	Select "All Precincts" and "All Ballot Styles." Ballot Stage "Validated."  The canvass board will total the active accepted and active rejected for each style.
<b>Provisional Ballots Counted</b>	SCORE	BP-012C	Run the default report. The canvass board will total the accepted provisional ballots.
<b>Ballots Counted</b>	GEMS	Cards Cast Report	Column "Cast" and row "Total."

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## RECONCILED DETAILED BALLOT LOGS

The detailed ballot log accounts for every ballot issued and received beginning when ballots are ordered and received.

There are several inventories that must be tracked throughout the election. They are tracked as follows:

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<sup>1</sup> In previous elections, we used the E-037B Early Voters report. That report no longer is provided by SCORE. All in-person voting is reported using the EV-001 Early Voters List (Internal) or the EV-002 Early Voters List (Public)

SCORE Type	SCORE Location	Explanation	Logs Available
Absentee	Vendor	Mail ballots delivered from print facility directly to USPS.	Ballot order form and vendor audit reports
Absentee	Election Dept	Used for health care facilities, supplemental daily mailings, and over the counter replacement ballots prior to the opening of VSPCs.	Ballot order form; shipping manifest; daily ballot inventory reports; address label logs
Absentee	VSPC <sup>2</sup>	Original and replacement mail ballots issued at a VSPC.	Ballot order form; shipping manifest; statement of ballots
Absentee	UOCAVA	Military and overseas ballots.	Ballot order form; shipping manifest; ballot inventory report
In Person	VSPC	In person ballots issued at a VSPC	Ballot order form; shipping manifest; statement of ballots
Duplicate <sup>3</sup>	n/a	For mail-in board judges when original ballot is unreadable.	Ballot order form; shipping manifest; duplicate ballot log
Test	n/a	For logic and accuracy testing of voting equipment.	Ballot order form; shipping manifest.

## STATEMENT OF BALLOTS (SOB)

The SOB is completed nightly by the election judges at each VSPC. It is used to balance the in-person ballot inventory. The SOB includes the name of the polling location, the number of ballots in the starting inventory, any additional ballots distributed to the VSPC, the number of ballots cast, the number of unvoted ballots, the number of damaged or spoiled ballots, the number of provisional ballots, and the date.

## DISCREPANCIES

If there are any discrepancies, the canvass board may review any of these source materials, and may call upon the election judge responsible for these materials.

Source material shall remain under seal during the canvass board proceedings.

Value	Judges Reconciliation	Source Material
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<sup>2</sup> There will be a separate set of reports for each VSPC.

<sup>3</sup> Duplicate ballots and test ballots are not tracked in SCORE because they are not issued directly to a voter.

<b>In-Person Votes</b>	Statement of Ballots	Signature cards, ballot stubs, voted ballots, unvoted ballots, machine displays
<b>Mail Ballots Accepted and Rejected</b>	Mail-In Board Logs (Ballot Duplication Log, Daily Balancing Log, Processing Log, Uncountable Ballots Log, Ballot Retrieval Log, Signature Verification Tracking Log, Other County Ballots Location Log, etc.)	Voted mail ballots, rejected mail ballots, mail ballot envelopes, uncountable ballots, original ballots that were duplicated, etc.
<b>Provisional Ballots Counted</b>	Statement of Ballots	Provisional ballot envelopes and unvoted ballot inventory.
<b>Ballots Counted</b>	Machine Votes Cast Log	Results tapes from the AccuVote OS and AccuVote TSX units; voted ballots scanned by the AccuVote OS units.

## BALLOTS CAST AND REGISTERED ELECTORS

The second task of canvass board is to reconcile the ballots cast in each precinct to confirm the number of ballots cast does not exceed the number of registered electors.

$$\text{Registered Electors by Precinct (from SCORE)} \geq \text{Ballots Cast by Precinct (from SCORE)}$$

The values for each number are available in SCORE as follows.

Value	System	Report	Parameters
<b>Mail Ballots Cast</b>	SCORE	BP-012B	Select "All Precincts" and "All Ballot Styles." Ballot Stage "Validated." The canvass board will total the active accepted and active rejected for each style.
<b>In-Person Votes</b>	SCORE	EV-001	Set Election to current election Set Districts/Precincts to "All" Set Confidential Voters to "Masked" Set Sort Order to "Last Name"
<b>Registered Electors by Precinct</b>	SCORE	DP-006	Set Precincts to "All Precincts" Set Status to "Active" and "Inactive"

Staff shall prepare a Summary Sheet for the canvass board to record its findings. A sample sheet is included in the procedures binder under "Forms."

## ABSTRACT OF VOTES CAST



If there is no recount, the final task of the canvass board is to certify the abstract of votes cast, which is defined in 1-1-104 (1) C.R.S. as follows:

*(1) "Abstract of votes cast" means a certified record of the results in each election for candidates for any office, ballot issue, or ballot question that the county clerk and recorder certified for the ballot.*

According to Rule 10.7, the County shall prepare a separate county and state abstract. The components of each are as follows:

<b>Component</b>	<b>How Obtained</b>	<b>County</b>	<b>State</b>
Total number of active registered electors on Election Day	SCORE	X	X
Total number of registered electors (active and inactive) on Election Day	SCORE (manually entered into GEMS)	X	X
The statement of votes counted by race and ballot question or issue	GEMS	X	X
The total number of ballots cast in the election	GEMS	X	X
The number of mail ballots counted and rejected	SCORE	X	
The number of in-person ballots counted	GEMS	X	
The number of provisional ballots counted and the number rejected listed by each rejection code	SCORE	X	
The number of damaged and spoiled ballots	SCORE	X	
The Canvass ENR upload	GEMS and SOE Software		X

In GEMS, you will also create a unique statement of votes cast for each coordinating district, reporting the votes cast for that district only.

When creating the official abstracts, you shall use the standard certification cover form on the state's Clerk's Corner under approved forms.

Refer to the state guide "County User Manual for a Statewide Election: Clarity ENR: SOE Software" for the canvass ENR upload procedures.

## WRITTEN COMPLAINTS

The designated election official shall provide to the canvass board any written complaints submitted by a registered elector about a voting device, including:

1. The details of the resolution of the complaint; or
2. A proposal for how the issue will be resolved.

## IMPERFECT RETURNS

If, in the course of its duties, the canvass board finds that the method of making or certifying returns does not conform to the requirements of law, the returns shall nevertheless be canvassed if they are sufficiently explicit in showing how many votes were cast for each candidate, ballot question, or ballot issue.

If the canvass board finds a clerical error or omission in the returns, the county clerk and recorder, after consultation with the election judges, shall make any correction required by the facts of the case. The election judges shall sign and submit to the canvass board any documentation required for any explanation or verification of the additions or corrections.

The canvass board may adjourn from day to day for the purpose of obtaining the additions or corrections.

The county clerk or the canvass board may request the Secretary of State to provide guidance and support to the canvass board in the exercise of the board's duties.

If the canvass board fails to certify or certifies imperfect returns that have no reasonable potential to change the outcome of any race or ballot measure, the Secretary of State and county clerk must certify the election and order recounts, if any are required.

## OTHER ITEMS OF INTEREST

Outside their official duties, canvass board members may also view ballots that were deemed uncountable by the election judges. This includes unvoted ballots from the group residential facility, surrendered ballots, late ballots and any mail ballots deposited without a green envelope. Ballots that were prepared and then voided prior to being mailed (due to an address change that occurred after our vendor was sent the voter registration file) will also be available.

## APPENDIX A. STATEMENT OF VOTES CAST REPORT PARAMETERS

**Statement of Votes Cast** [X]

Report: City and County of Broomfield  
 Coordinated Election  
 November 5, 2013  
 Statement of Votes Cast

Include Std. Title

District     Precinct

Reporting Set: All Races

Districts	ID	
Jurisdiction Wide	10	
State of Colorado	15	
Broomfield	20	
Broomfield Ward 1	30	
Broomfield Ward 2	40	
Broomfield Ward 3	50	
Broomfield Ward 4	60	
Broomfield Ward 5	70	
Adams 12 Five Star S...	100	
Jefferson County R-1 ...	120	
Weld County RE-8 Sc...	140	
Aims Junior College Di...	150	

Counter Group (I = Include):

Counter Group	I	
10	Mail	<input checked="" type="checkbox"/>
20	Provisional	<input checked="" type="checkbox"/>

Group By District (D = Include Pcts):

District	I	D
10	Jurisdiction Wide	<input checked="" type="checkbox"/>

Show:

Times     Race Id  
 Over     Vote For  
 Under  
 Blank     Cards Cast  
 Total     Reg. Voters  
 Write-In

Sort Precincts By Name:

Printer: HP LaserJet 5000 PCL 6  
 Status: Ready

Print range:  
 All    from: 1  
 Pages    to: 1

Copies: Number of 1

Sort Candidates By:  
 Sort Seq.  
 Votes

Counter Group Totals Only  
 Cross-Endorse Totals Only  
 Separate Under 10  
 Suppress Unreferenced Precinct

Report Settings:   Default