



COUNTY OF LOS ANGELES
REGISTRAR-RECORDER/COUNTY CLERK

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January 28, 2004

TO: ALL CANDIDATES – March 2, 2004 Primary Election

FROM: Conny B. McCormack, Registrar-Recorder/County Clerk *CBC*

INCOMPLETE BALLOT COUNTING ELECTION NIGHT

Candidates are frequently surprised on the day after a major election when they learn that there are approximately 100,000-200,000 ballots countywide remaining to be counted. These uncounted ballots may leave some close races undecided for days or even weeks. This memo is provided as a courtesy to explain the logistics of election night ballot counting, and follow-up ballot tabulation, which occurs in the days/weeks following the election. The law allows 28 days after the election to complete the ballot tally and the official audit of the election, known as the Canvass. When the Canvass is completed, the official results are certified.

There are three categories of ballots which cannot be processed on Election Night:

- ◆ Absentee ballots turned in at polling locations
- ◆ Provisional ballots voted at the polls
- ◆ Write-in ballots

ABSENTEE BALLOTS TURNED IN AT THE POLLING LOCATIONS

Many absentee voters wait until the last minute to make their voting choices and then drop off their absentee ballots at a polling place on election day. We receive these ballots very late on election night. All absentee ballots must be pre-processed before they are counted - this includes verifying every absentee voter's signature prior to opening the absentee ballot envelopes to remove the ballots in preparation for counting.

PROVISIONAL BALLOTS

Provisional ballots are voted at the polls when a voter's registration is in question, or when our records indicate the voter was already sent an absentee ballot. Provisional ballots are sealed in special envelopes at the polls and must be individually researched and verified at the Registrar's Office before ballots are counted or rejected in accordance with election laws.

WRITE-IN BALLOTS

All ballots containing write-in votes must be set aside for manual review of each individual ballot. When a voter chooses to vote for a write-in candidate whose name is not printed on the ballot, **every race and measure** on that ballot cannot be counted on election night. Each ballot containing a write-in vote must be individually reviewed to determine whether or not the write-in vote is for a qualified write-in candidate and whether or not the voter overvoted (i.e. voted for a candidate on the ballot and also voted for a write-in candidate for the same office). When an overvote occurs, neither vote can be counted for that one office, although the rest of the ballot selections will be counted. Due to the individual scrutiny involved, no portion of any ballot containing a write-in vote is counted on election night. **Vote tallies for write-in candidates are not available until the conclusion of the official canvass.**

SUMMARY

Supplemental ballot counting of absentee, provisional and write-in ballots will occur in the days/weeks following the election. Based on past trends, the number of ballots remaining to be counted after election night is anticipated to exceed 100,000 countywide for this election. These ballots are not segregated by district prior to counting. Therefore, the number of outstanding ballots for any specific electoral district will be unknown until the computer tallies these ballots. Our staff will be working double shifts to prepare all outstanding ballots for tabulation.

California law permits 28 days to complete the final, official canvass and certify the results of a Presidential Primary election. This provision of the law recognizes the complexity of completing the ballot count and conducting a thorough audit of the election results to ensure accuracy. Part of the canvass process is a legally required manual recount of the votes cast for all candidates and measures on the ballots in 1% of the 4,571 voting precincts. This manual process verifies the accuracy of the computer count.

Supplemental ballot counting will take place at 2 p.m. every Friday and Tuesday throughout the canvass period. Therefore, the first supplemental count will be held on Friday, March 5 at 2 p.m. We anticipate the majority of the outstanding absentee ballots will be included by the Tuesday, March 9 update. However, due to the extra research required to validate provisional ballots, these ballots are usually the last to be tallied prior to the completion of the official canvass (which must be completed by March 30, 2004).

Candidates and members of the general public are invited to observe supplemental ballot counting and the manual tally of ballots from the randomly selected 1% of the voting precincts. After election night, the schedule of supplemental ballot counting will also be posted on the entrance door of our office in Norwalk.

We realize it is difficult for candidates/campaigns involved in close races to wait days and sometimes weeks to know whether or not they won or lost the election. However, we hope that the reasons for the delays in the final ballot tally have been explained fully in this memo. If you have any additional questions, please call me at (562) 462-2716.

c: Political Party Chairpersons