

## **PROCEDURES FOR PROCESSING WRITE-IN VOTES**

In the State of California, each voter is entitled to write the name of any candidate for any public office on the ballot of any election. The State has established guidelines for the processing of write-in votes. California Elections Code section 15342 states that:

Any name written upon a ballot for a qualified write-in candidate, including a reasonable facsimile of the spelling of a name, shall be counted for the office, if it is written in the blank space provided and voted as specified below:

(a) For voting systems in which write-in spaces appear directly below the list of candidates for that office and provide a voting space, no write-in vote shall be counted unless the voting space next to the write-in space is marked or slotted as directed in the voting instructions.

(b) For voting systems in which write-in spaces appear separately from the list of candidates for that office and do not provide a voting space, the name of the write-in candidate, if otherwise qualified, shall be counted if it is written in the manner described in the voting instructions.

(c) The use of pressure-sensitive stickers, glued stamps, or any other device not provided for in the voting procedures for the voting systems approved by the Secretary of State to indicate the name of the write-in candidate are not valid, and a name indicated by these methods shall not be counted.

(d) Neither a vote cast for a candidate whose name appears on the ballot nor a vote cast for a write-in candidate shall be counted if the voter has indicated, by a combination of marking and writing, a choice of more names than there are candidates to be nominated or elected to the office.

(e) All valid write-in votes shall be tabulated and certified to the elections official on forms provided for this purpose, and the write-in votes shall be added to the results of the count of the ballots at the counting place and be included in the official returns for the precinct.

(f) In the event of a manual recount, this section shall be liberally construed to ensure that each ballot is counted if the intent of the voter can be determined, regardless of whether the voter has complied with the voting instructions.

The City and County of San Francisco Department of Elections follows these guidelines in the design of the procedures for processing voted ballots with write-in votes.

## **Section 1: Vote-by-Mail Ballots/ Provisional Ballots/ Auxiliary Bin Ballots**

### **Initial Sorting**

Vote-by-mail ballots are processed at City Hall in the Department of Elections' computer room using the 400-C Central Count System. Provisional ballots, once determined to be valid, are also processed using the 400-C. In addition, any ballot cards remaining in the Auxiliary Bin of an Insight voting machine after the close of polls are processed using the 400-C, after verification that the cards were not counted at the polling place.

Write-in votes may appear on two different types of ballots: those with ranked-choice voting contests and those with conventional non-ranked-choice voting contests. The 400-C routes each non-ranked-choice voting ballot card with at least one write-in vote to a write-in tray, separate from the other ballot cards.

All vote-by-mail, provisional and auxiliary bin ballot cards that have at least one write-in vote are collected and delivered to the write-in processing area in City Hall. Vote-by-mail ballot cards and ballot cards from mail-only precincts are kept together, while the provisional and auxiliary bin ballot cards are each kept separate.

## **PROCESSING BALLOT CARDS WITH WRITE-IN VOTES**

### **I. Reviewing Vote-by-Mail Ballots / Provisional Ballots / Auxiliary Bin Ballots**

#### **Teamwork**

All work on write-in votes is done in teams. For the sorting step, two staff members work together to check the write-in votes and must agree on a determination of the validity or invalidity of these votes. For the review step, a different pair will check the first pair's work.

For the unofficial tally of write-in votes, which is only performed for non-RCV ballots, a team of four works together to observe and record any valid write-in votes.

#### **An Important Note on Overvotes**

When a voter casts a ballot where the votes in a contest exceed the number of votes permitted, none of the votes in that contest can be counted. This is an overvote. At a polling place, the voting machine will return this ballot and print a message notifying the voter of the overvote, and the voter may choose to mark a new ballot.

However, a voter who has voted via a mailed ballot, voted provisionally, or voted using the Auxiliary Bin has not been given the opportunity to correct the overvote. For this reason, in the event of an overvote in which a candidate listed on the ballot is selected and the same candidate is also indicated as a write-in vote, this should be accepted as a valid write-in vote for that candidate, rather than treated as an overvote.

## **II. Sorting Non-RCV Ballots:**

To sort the ballot cards you will need:

- A box labeled “Valid”
  - A box labeled “Invalid”
  - The *List of Qualified Write-In Candidates*, if there are qualified write-in candidates in this election; or, the *Unofficial Tally Sheet for Write-ins*, which lists all the candidates that appear on the ballot and any qualified write-in candidates.
- a. Beginning with the first precinct, review each ballot card, checking each contest with a write-in vote. **If there are any questions about the determination of voter intent, address them to the Department of Elections manager supervising the write-in review process.**
1. Is it an overvote?
    - If the number of votes for different candidates exceeds the number of candidates to be elected for that office, an overvote exists and none of the votes for the office may be counted. Place these cards in the invalid box.
  2. Is it a valid write-in vote?
    - Compare write-in votes with the list of candidates for that contest on the write-in tally sheet. If the name written in is not on the list, the vote is invalid.
    - If the name is on the list but the write-in is not made in the space(s) provided, the vote is invalid.
    - If the arrow next to a write-in name is not connected or not marked in any way, the vote is invalid.
    - If the write-in vote is for a qualified candidate for the office, place the card in the valid box.
    - If, after each contest has been examined, all write-in votes on a card have been determined to be invalid, place the card in the invalid box.

NOTE 1: Some cards may have both valid and invalid write-in votes on the same card; these should be placed in the valid box.

NOTE 2: Cards that were found in Bag 1 but clearly have no write-in votes will be set aside for review by the Canvass Supervisor and possible inclusion in the tally of regular voted cards. These cards will be stored separately from the other ballot cards in a box labeled “No Write-ins”, to facilitate reconciliation.

- b. Continue processing all cards for precinct as described above, and then proceed with subsequent precincts. Keep stacks of ballot cards in order by precinct number.

### III. Reviewing Non-RCV Ballots

After the first check is complete, the teams will change stations for a second review and simultaneous stamping of the ballot cards.

- a. Beginning with the first precinct, review each card according to the same criteria used in the first sorting step above. **If there are any questions about the determination of voter intent, address them to the Department of Elections manager supervising the write-in review process.**
  1. Are all the write-ins on the card invalid?
    - If all of the write-in votes that appear on a card are invalid, stamp “INVALID” on the masthead of the ballot (the top part), in a place where the stamp is easily visible. Then return the card to the invalid box, keeping all cards in precinct order.
  2. Are all the write-ins on the card valid?
    - Stamp “QUALIFIED” **below** each valid write-in name and return the card to the valid box, keeping all cards in precinct order.
  3. Are there both valid and invalid write-ins on the card?
    - If there are both valid and invalid write-in votes on a card, stamp “INVALID” directly over the invalid write-in space, **but avoid the voting arrow**. Stamp “QUALIFIED” **below** each valid write-in name. Do not stamp “INVALID” on the top of the ballot card. Return the card to the valid box, keeping all cards in precinct order.

NOTE: Cards that were found in Bag 1 but clearly have no write-in votes will be set aside, in precinct order, for review by the Canvass manager and possible inclusion in the tally of regular voted cards. These cards will be stored separately from the other ballot cards, to facilitate reconciliation.

- a. Continue processing all ballot cards for as above. Keep stacks of ballot cards in order by precinct number.

### IV. Unofficial Tally of Write-In Votes (Applies to All Non-RCV Ballots with Write-Ins)

After sorting and stamping are complete, a team of four will record the valid write-in votes from non-RCV ballot cards:

- a. After all of the ballot cards with write-in votes have been reviewed and separated, begin a tally of votes for qualified write-in candidates. This tally will be recorded on the Unofficial

Tally Sheet for Write-Ins, with the appropriate box checked indicating the source of the ballots (“Vote-by-Mail Ballots,” “Provisional Ballots,” or “Auxiliary Bin Ballots.”).

- b. The recording team will consist of four people: the Caller, the Observer, and two Recorders. In addition, the Monitor will oversee the workflow.
- c. The team will work one precinct at a time, one card at a time.
- d. First, the Caller will read aloud the precinct number, the card number (if applicable), the contest that contains a valid write-in vote, and the name in the write-in space.
- e. The Observer, who sits close enough to the caller to be able to read the ballot, will ensure that the Caller is correct. If there is any discrepancy, the Observer will call for a stop and correct the Caller.
- f. When the Caller reads the name on the card, each Recorder will look for the candidate’s name on the Unofficial Tally Sheet for Write-Ins. This sheet lists only qualified write-in candidates (candidates whose names already appear on the ballot plus certified write-in candidates) for each contest. Each recorder will write the corresponding precinct number on the tally sheet, in the first available slot next to the candidate’s name.
- g. This process will continue until each contest with a valid write-in vote has been recorded.
- h. Continue until all ballot cards with write-in votes have been processed.
- i. Each Recorder will then enter the total number of votes for each qualified write-in candidate for each contest and check them against the other recorder’s numbers. There should now be two identical, simultaneously generated Unofficial Tally Sheets for Write-Ins, one from each Recorder.
- j. If the two Unofficial Tally Sheets do not match, the ballot cards will be reviewed until the cause for the discrepancy is determined and the discrepancy is resolved.

**V. Official Count of Write-In Votes**

Once all of the ballot cards with write-in votes have been processed, the results recorded on the Unofficial Tally Sheets for Write-Ins will be reviewed by the MIS division and manually added to the vote totals, by precinct, for inclusion in the Official Election Results.

Upon the Director's certification of the final Canvass report and Official Results, the Canvass is complete and the results are presented to the Board of Supervisors as official, and in the case of federal or state elections, reported to the California Secretary of State.

## **Section 2: Precinct Ballots (Ballots cast on Election Day at a regular polling place)**

### **Initial Sorting**

Precinct ballots are processed in each polling place using an Insight optical scan voting machine. The Insight machines route each ballot card with at least one write-in vote to its internal Bin 1. Bin 1 is lined with a plastic bag, and after closing the poll, poll inspectors remove this bag with the ballot cards contained inside and seal it for transport to the Pier 48 warehouse. This is Bag 1.

During Canvass, Bag 1 is separated from each precinct's Rice Bag and placed in a designated area. The write-in staff is provided with a list of the number of cards with write-in votes processed by the Insight machine, listed by precinct. The staff checks the number of cards in Bag 1 against the number on the list, while simultaneously confirming that the cards have write-in votes.

Bags that pass this review are placed in a designated area for further processing. Bags with an incorrect number of cards are placed in a designated area for investigation.

**NOTE:** During the course of the Canvass, cards with write-in votes may be found from sources other than Bag 1's. These cards are to be combined with the Bag 1 write-in ballot cards and processed accordingly.

## **PROCESSING OF BALLOT CARDS WITH WRITE-IN VOTES**

### **Teamwork**

All work on write-in votes is done in teams. For the sorting step, two staff members work together to check the write-in votes and must agree on a determination of the validity or invalidity of these votes. For the review step, a different pair will check the first pair's work.

For the unofficial tally of write-in votes, which is only performed for non-RCV ballots, a team of four works together to observe and record any valid write-in votes.

### **I. Sorting Non-RCV Ballots:**

To sort the ballot cards you will need:

- A box labeled "Valid"
- A box labeled "Invalid"
- The *List of Qualified Write-In Candidates*, if there are qualified write-in candidates in this election; or, the *Unofficial Tally Sheet for Write-ins*, which lists all the candidates that appear on the ballot and any qualified write-in candidates.

- a. Beginning with the first precinct, review each ballot card, checking each contest with a write-in vote. **If there are any questions about the determination of voter intent, address them to the Department of Elections manager supervising the write-in review process.**
  1. Is it an overvote?
    - If the number of votes for different candidates exceeds the number of candidates to be elected for that office, an overvote exists and none of the votes for the office may be counted. Place these cards in the invalid box.
  2. Is it a valid write-in vote?
    - Compare write-in votes with the list of candidates for that contest on the write-in tally sheet. If the name written in is not on the list, the vote is invalid.
    - If the name is on the list but the write-in is not made in the space(s) provided, the vote is invalid.
    - If the arrow next to a write-in name is not connected or marked in any way, the vote is invalid.
    - If the write-in vote is for a qualified candidate for the office, place the card in the box designated for valid write-in votes.
    - If, after each contest has been examined, all write-in votes on a card have been determined to be invalid, place the card in the box designated for invalid write-in votes.

NOTE 1: Some cards may have both valid and invalid write-in votes on the same card; these should be placed with the cards with valid write-ins.

NOTE 2: Cards that were found in Bag 1 but clearly have no write-in votes will be set aside, in precinct order, for review by the Canvass Supervisor and possible inclusion in the tally of regular voted cards. These cards will be stored separately from the other ballot cards in a clearly labeled box, to facilitate reconciliation.

- b. Continue processing all cards for precinct as above, and then proceed with subsequent precincts. Keep stacks of ballot cards in order by precinct number.

## II. **Reviewing Non-RCV Precinct Ballots (Ballots cast on Election Day at a regular polling place)**

After the first check is complete, the teams will change stations for a second review and simultaneous stamping of the ballot cards.

- a. Beginning with the first precinct, review each card according to the same criteria used in the first sorting step above. **If there are any questions about the determination of voter intent, address them to the Department of Elections manager supervising the write-in review process.**
  1. Are all the write-ins on the card invalid?

- If all of the write-in votes that appear on a card are invalid, stamp “INVALID” on the masthead of the ballot (the top part), in a place where the stamp is easily visible. Then return the card to the invalid box, keeping all cards in precinct order.
2. Are all the write-ins on the card valid?
    - Stamp “QUALIFIED” **below** each valid write-in name and return the card to the valid box, keeping all cards in precinct order.
  3. Are there both valid and invalid write-ins on the card?
    - If there are both valid and invalid write-in votes on a card, stamp “INVALID” directly over the invalid write-in space, **but avoid the voting arrow**. Stamp “QUALIFIED” **below** each valid write-in name. Do not stamp “INVALID” on the top of the ballot card. Return the card to the valid box, keeping all cards in precinct order.

NOTE: Cards that were found in Bag 1 but clearly have no write-in votes will be set aside, in precinct order, for review by the Canvass manager and possible inclusion in the tally of regular voted cards. These cards will be stored separately from the other ballot cards, to facilitate reconciliation.

- a. Continue processing all ballot cards for as above. Keep stacks of ballot cards in order by precinct number.

### **III. Unofficial Tally of Write-In Votes (Applies to All Non-RCV Ballots with Write-Ins)**

After sorting and stamping are complete, a team of four will record the valid write-in votes on non-RCV ballot cards:

- a. After all of the ballot cards with write-in votes have been reviewed and separated, begin a tally of votes for qualified write-in candidates. This tally will be recorded on the Unofficial Tally Sheet for Write-Ins, with the appropriate box checked indicating the source of the ballots (“Precinct Ballots”).
- b. At least one recording team will be set up at the Canvass processing area to complete the Unofficial Tally Sheet for Write-Ins. Each recording team will consist of four people: the Caller, the Observer, and two Recorders. In addition, the Monitor will oversee the workflow.
- c. Each data recording team will work one precinct at a time, one card at a time.
- d. First, the Caller will read aloud the precinct number, the card number (if applicable), the contest that contains a valid write-in vote, and the contents of the name field.
- e. The Observer, who sits close enough to the caller to be able to read the ballot, will ensure that the Caller is correct. If there is any discrepancy, the Observer will call for a halt and correct the Caller.



- f. When the Caller reads the name on the card, each Recorder will look for the candidate's name on an Unofficial Tally Sheet for Write-Ins. This sheet lists only qualified write-in candidates (certified write-in candidates plus candidates whose names appear on the ballot) for each contest. Each recorder will write the corresponding precinct number on the tally sheet, in the first available slot next to the candidate's name.
- g. This process will continue until each contest with a valid write-in vote has been recorded.
- h. Continue until all ballot cards with write-in votes have been processed.
- i. Each Recorder will then enter the total number of votes for each qualified write-in candidate for each contest and check them against the other recorder's numbers. There should now be two identical, simultaneously generated Unofficial Tally Sheets for Write-Ins, one from each Recorder.
- j. If the two Unofficial Tally Sheets do not match, the ballot cards will be reviewed until the cause for the discrepancy is determined and the discrepancy is resolved.

#### **IV. Official Count of Write-In Votes**

Once all of the ballot cards with write-in votes have been processed, the results recorded on the Unofficial Tally Sheets will be reviewed by the MIS division and manually added to the vote totals, by precinct, in Win-EDS for inclusion in the Official Election Results.

Upon the Director's certification of the final Canvass report and Official Results, the canvass is complete and the results are presented to the Board of Supervisors as official, and in the case of federal or state elections, reported to the California Secretary of State.