Ballot Examples for Handcounting Paper or Paper-based Ballots for Virginia Elections or Recounts

State Board of Elections
Commonwealth of Virginia

This document is based on and considered part of the "Standards for Recounts of Virginia Elections, " originally promulgated August 20, 2001 (effective for elections held after that date), revised 5/14/02 (effective 7/1/02), revised 11/28/05 (effective immediately), and revised 6/26/07 (effective 7/1/07).[1] These Standards must be used whenever paper or paper-based ballots are recounted manually. In addition, the revised version of the Standards states:

> **The State Board of Elections also directs that in the interest of uniformity whenever paper or paper-based ballots must be counted manually for whatever reason (outside of a recount), the local election officials shall use the accompanying "Ballot Examples for Handcounting Paper or Paper-based Ballots for Virginia Elections or Recounts" as guidance for such handcounts.**

The numbers below correspond to and quote directly from item 5(c) in the "Standards for Recounts of Virginia Elections."

5(c) For any other ballot ballot which is to be counted manually, and can be counted manually the following guidelines shall be used in determining the voter's intent.

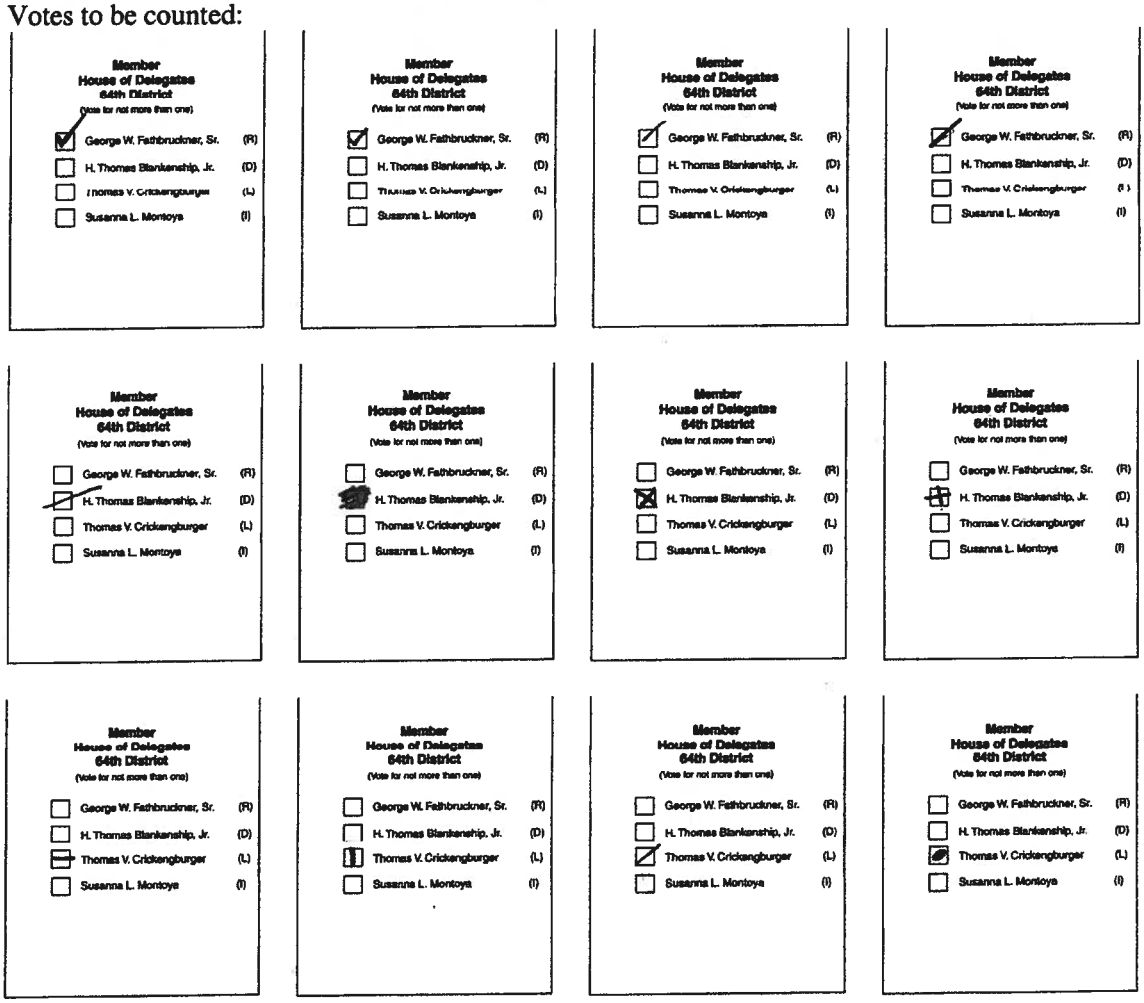
(1) As used below, the "target area" of the official ballot is the square next to the candidate's name on the paper ballot, the oval next to the candidate's name on the Accu-Vote ballot, or the incomplete arrow next to the candidate's name on the Optech ballot. The "candidate area" is the area between the lines separating candidate names, if the ballot includes such lines, or the area that is clearly closer to one candidate's name than another. The "candidate area" includes the candidate's name and party affiliation if listed, or "I" for any independent using that designation. These instructions only deal with marks that are under the office being recounted, except as provided in items 10 and 11.

(2) These instructions assume that the recount is for a single-seat office. That is, the voter was only permitted to vote for one candidate for the office. For multi-seat offices, the ballot shall be counted pursuant to the guidelines below so long as the voter has not voted for more candidates for that office than he is allowed to vote (in which case no votes are to be counted for the office).

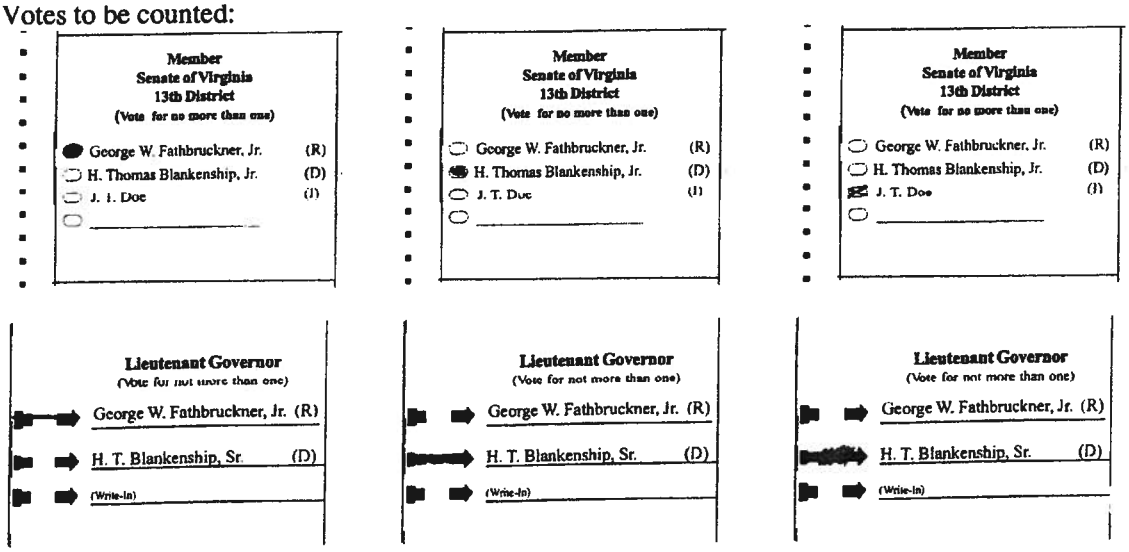
[1] Page 1a revised effective July 1, 2007 to reflect elimination of references to punchcard ballots.

(3) Any ballot which is <u>properly marked</u> (as specified for the type of ballot) in the target area for one candidate only for the office, shall be designated as a <u>vote for that candidate</u>.

Votes to be counted:

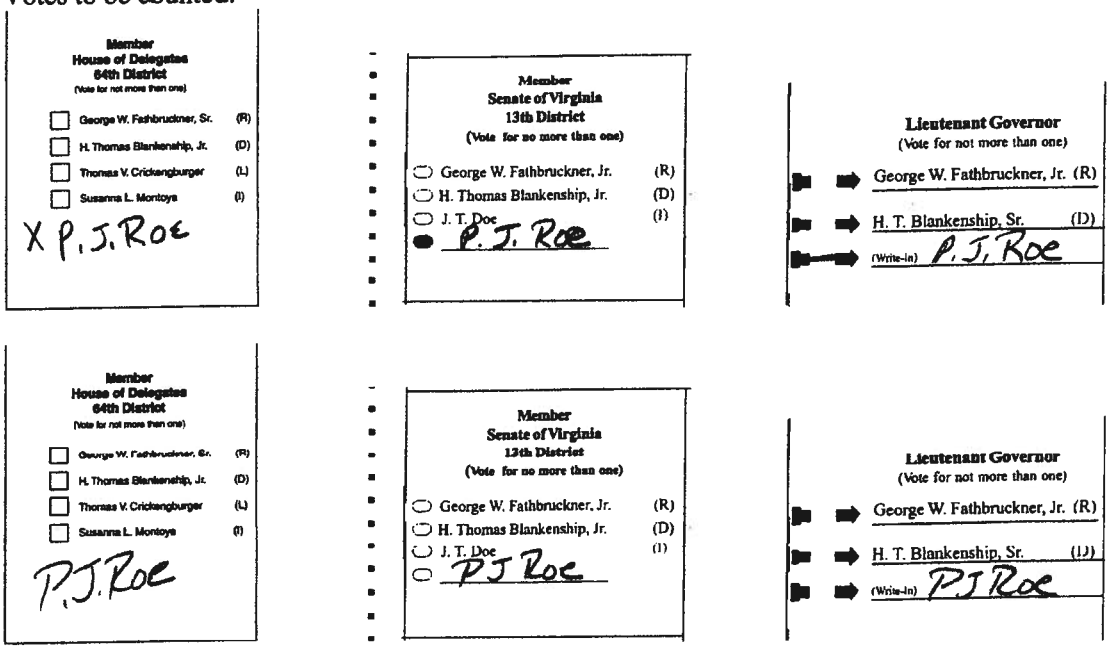


Votes to be counted:

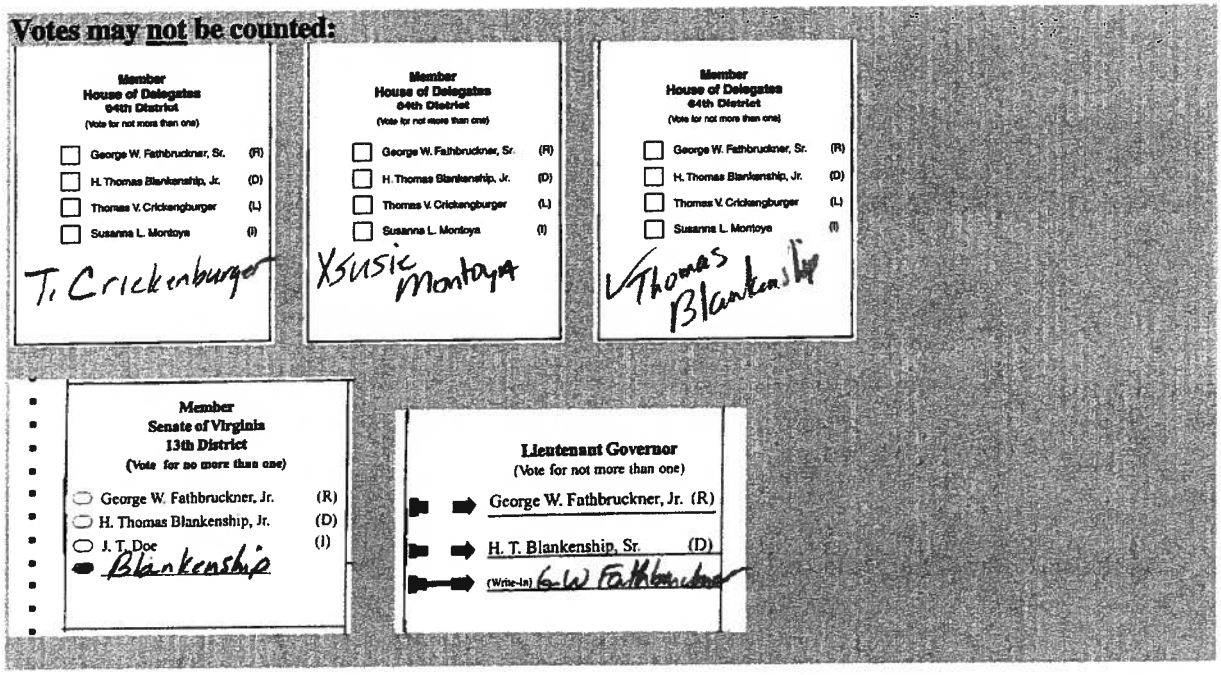


(4) If a write-in candidate is a party to the recount, a vote shall be counted for the write-in candidate if his name is written on the ballot under that office, even if the write-in square, oval or arrow is not marked, and provided that no other candidate is marked for that office.

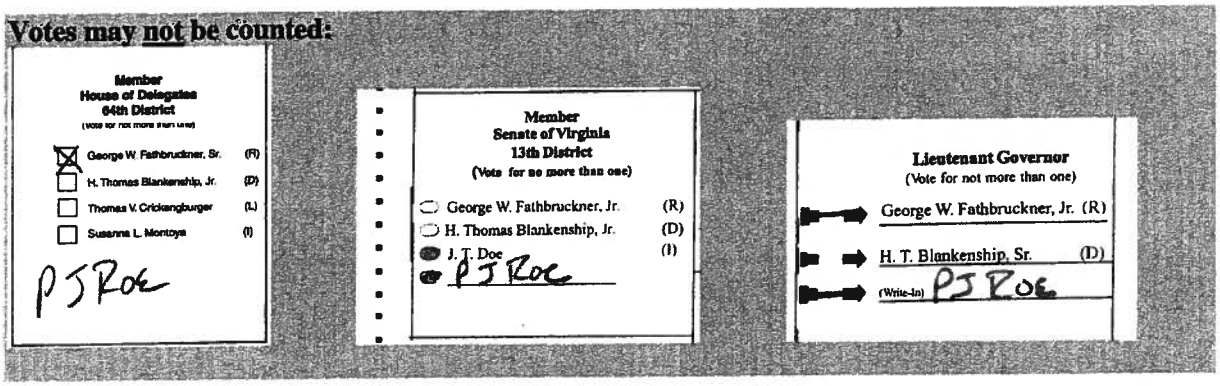
Votes to be counted:



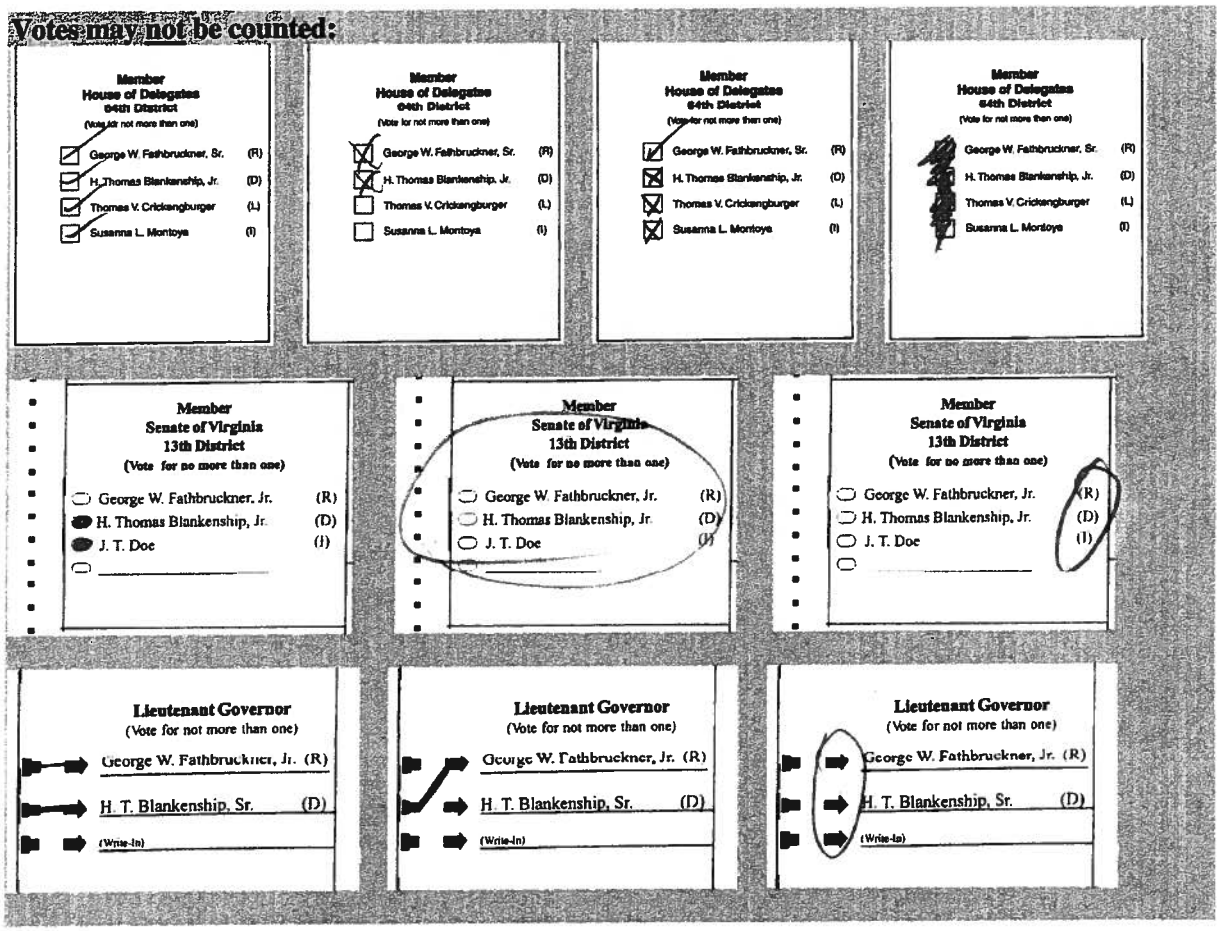
(4 continued) A write-in vote for a candidate whose name appears on the ballot for the same office <u>may not be counted</u>.



(4 continued) A write-in vote in addition to a vote for another candidate for the office is an overvote and <u>no vote shall be counted</u>.

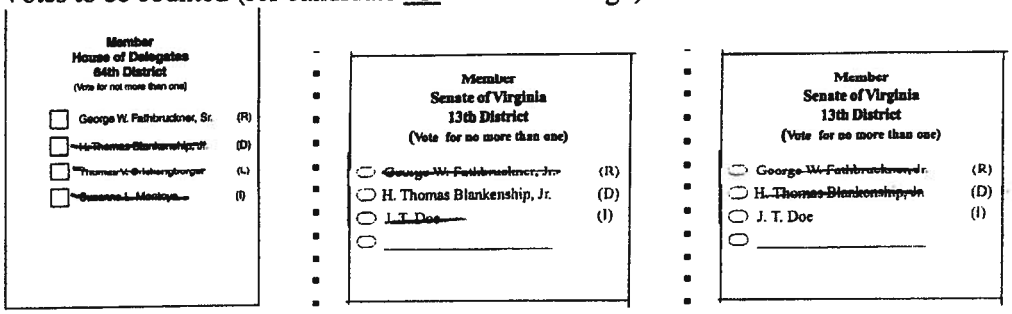


(5) Any ballot which is marked for more than one candidate for the office shall be deemed an overvote and no vote shall be counted except as provided in this section.



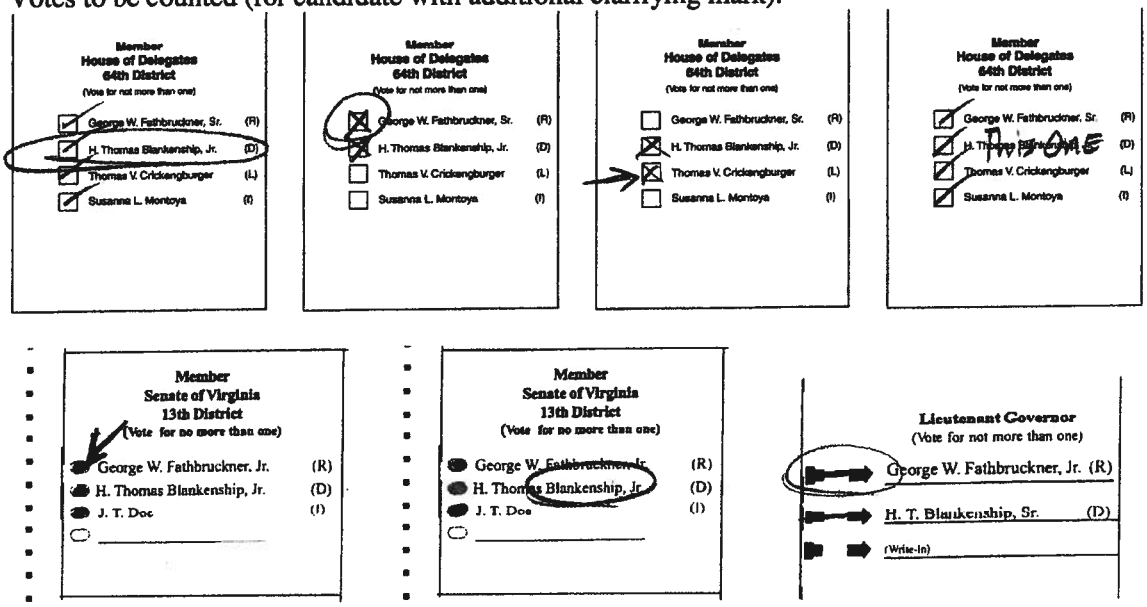
(5 continued) However, if more than two candidates had their names printed on the ballot for the office, and the names of all but one candidate are stricken through, that ballot shall be counted for the one candidate whose name was not stricken through.

Votes to be counted (for candidate not stricken through):



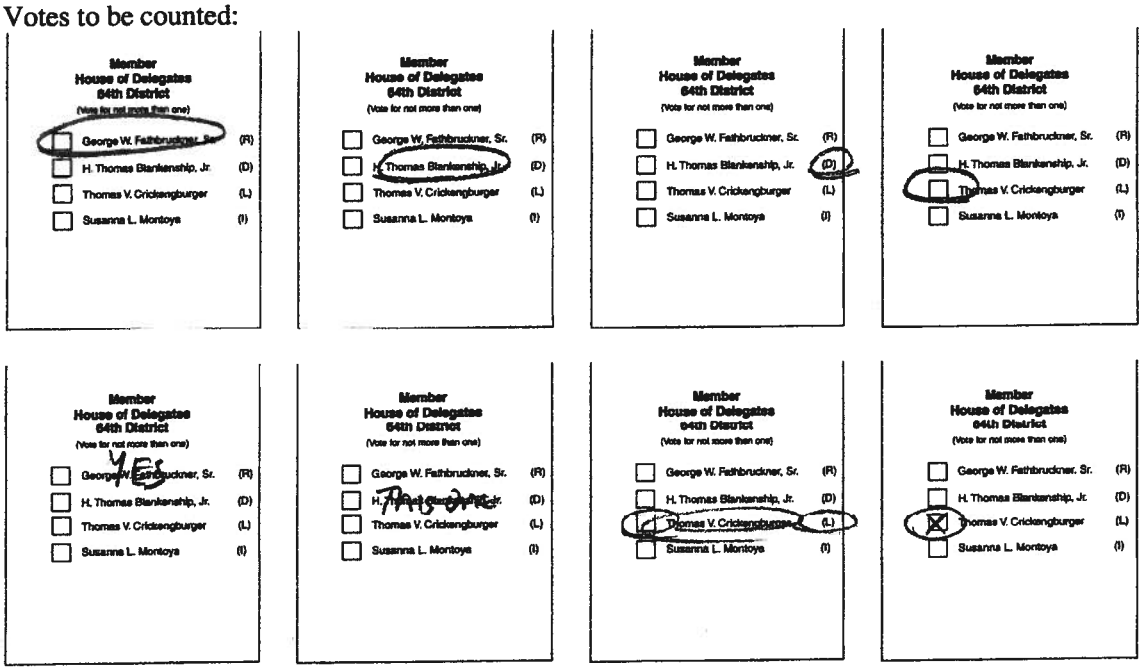
(5 continued) If there are identical marks for two or more candidates, clarified by an additional mark or marks that appear to indicate support, the ballot shall be counted as a vote for the candidate with the additional, clarifying marks.

Votes to be counted (for candidate with additional clarifying mark):

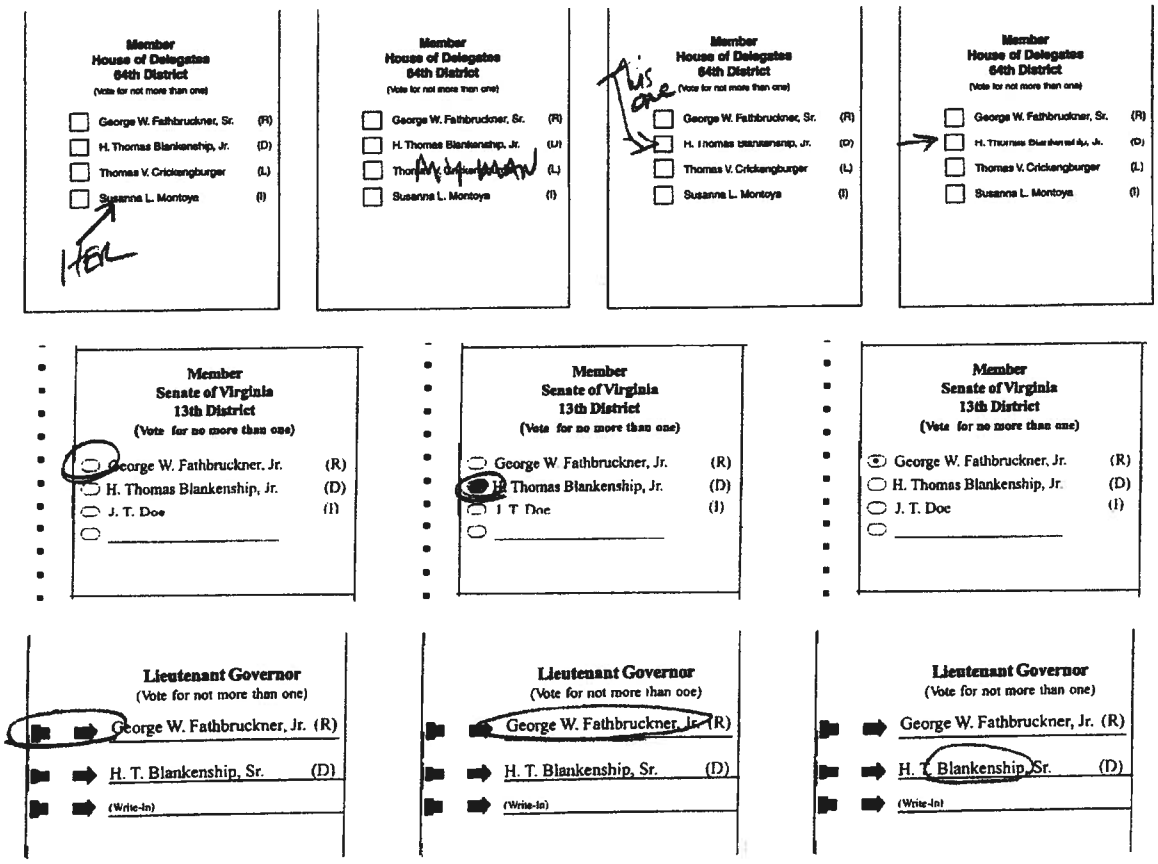


(6) Any ballot which has any other mark or marks in the target area or candidate area for one candidate only, including circling the target area and/or the candidate's name or making a mark through the target area or candidate's name, provided no other candidate for that office is similarly marked, shall be counted as a vote for that candidate

Votes to be counted:

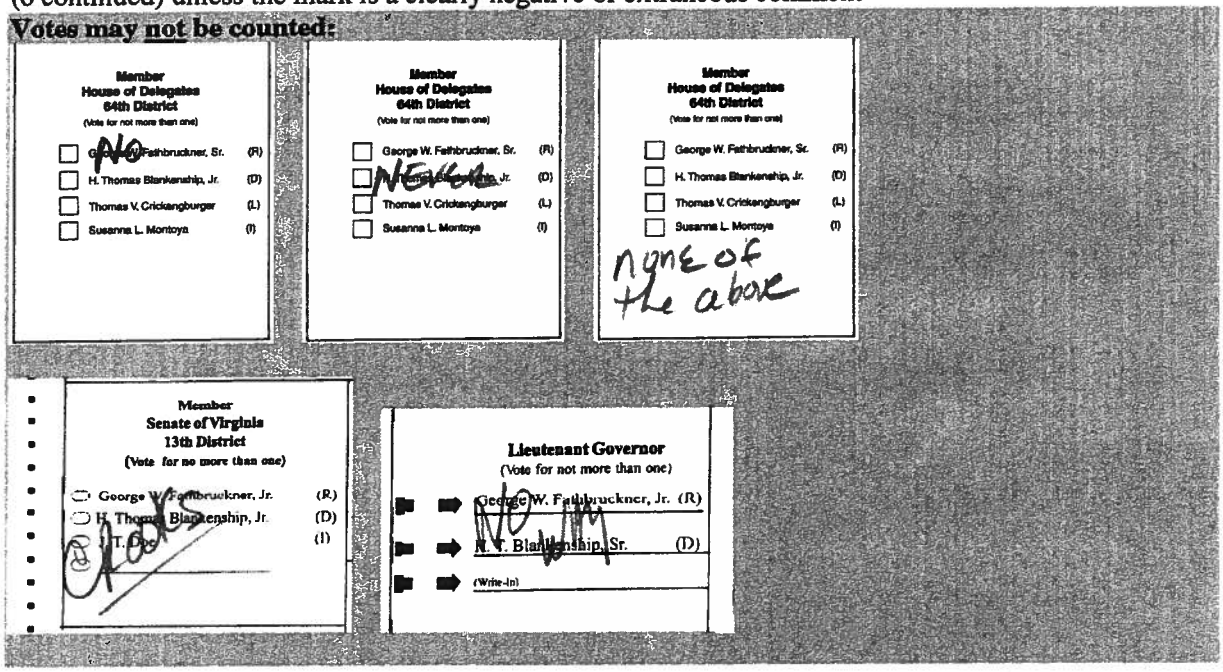


Votes to be counted:



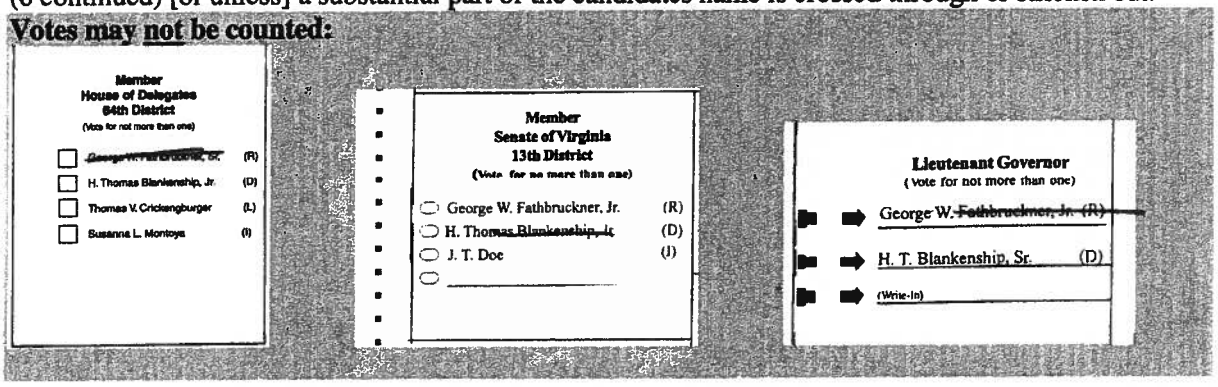
(6 continued) unless the mark is a clearly negative or extraneous comment

Votes may not be counted:



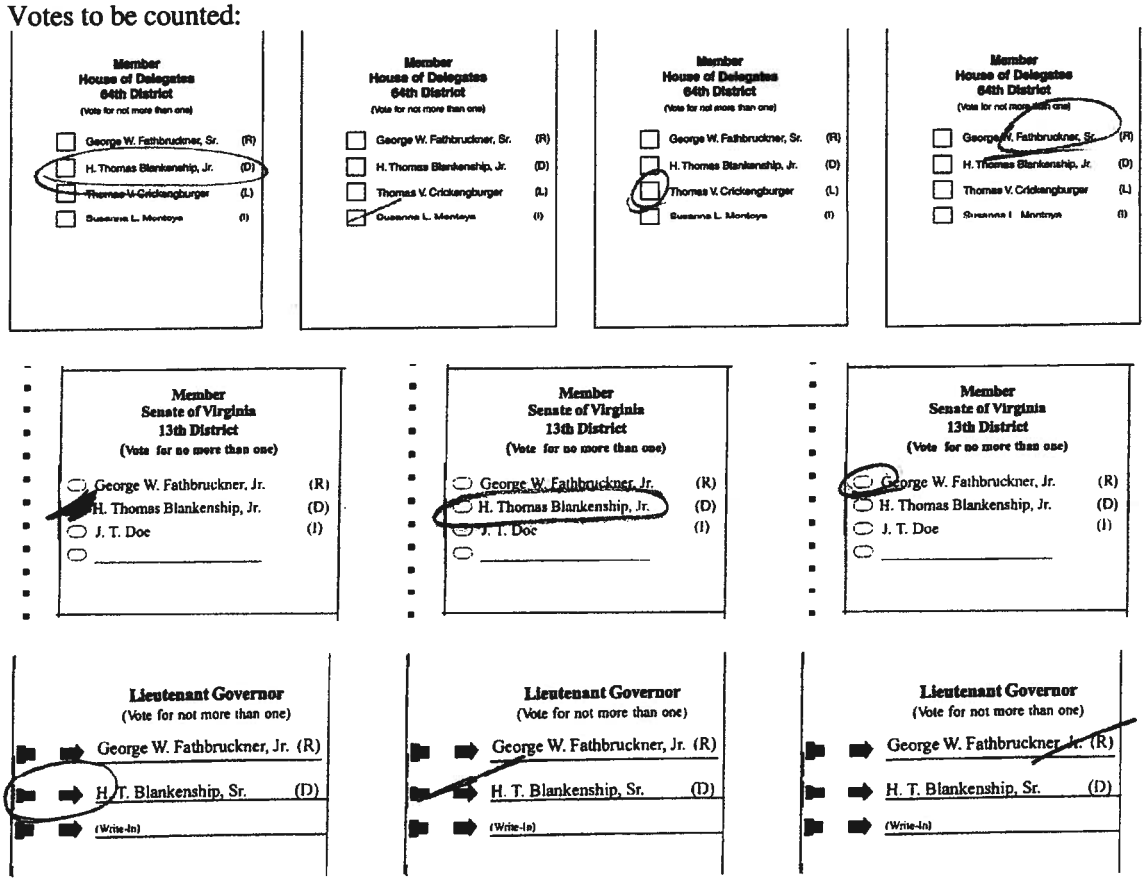
(6 continued) [or unless] a substantial part of the candidates name is crossed through or stricken out.

Votes may not be counted:



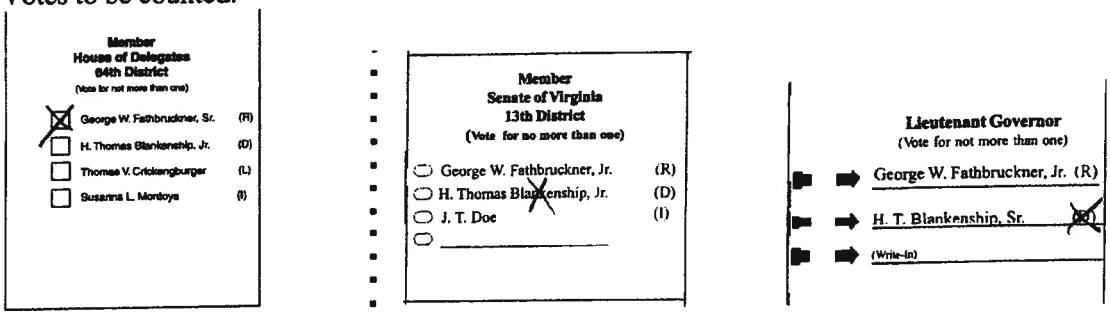
(7) Any ballot which has a mark or marks in the target area or candidate area for one candidate, which extend partially into one or more other target areas or candidate areas, shall be counted as a vote for the candidate so marked only if it is readily apparent that at least 3/4ths of the mark is in that candidate's area or target area, and no other candidate is similarly marked.

Votes to be counted:

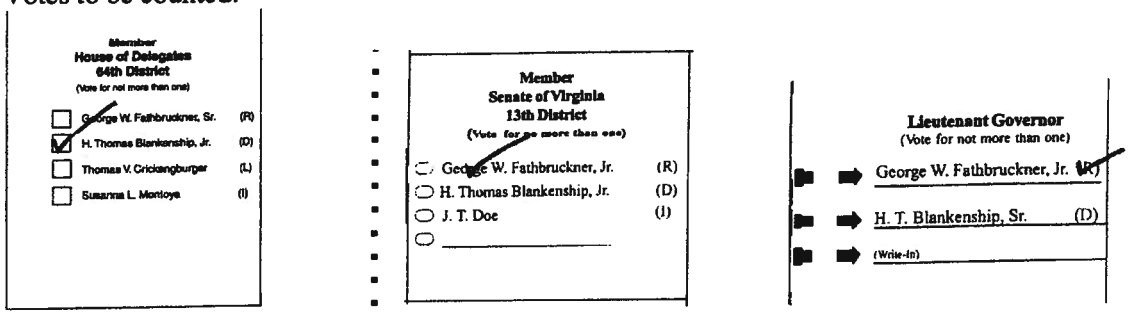


(7 continued) Other such marks, extending across more than one candidate areas, may be counted if the lines of the "x" or the bottom point of the check mark (√) clearly lie inside the box or on top of the name or party affiliation or candidate area of one candidate, and no other candidate is similarly marked.

Votes to be counted:

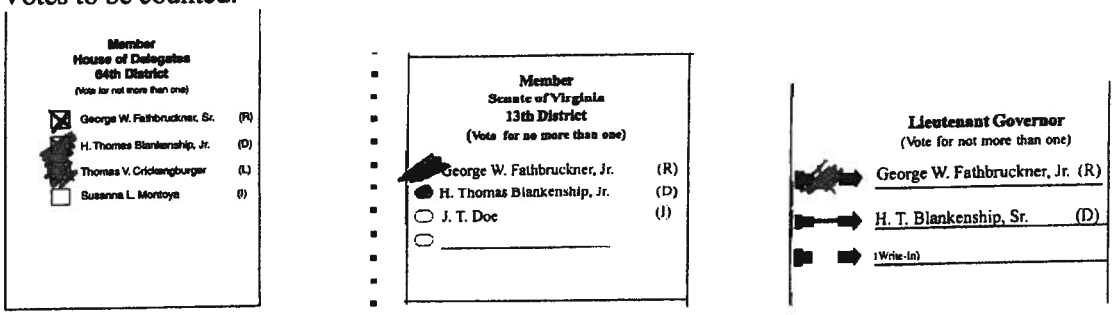


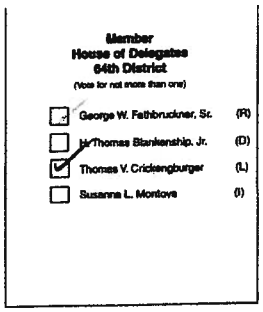
Votes to be counted:

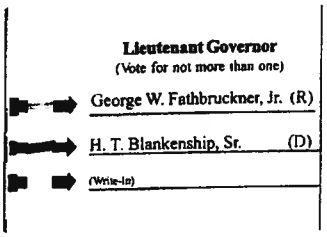


(8) Any ballot which has any mark, as above, in the target area or candidate area for one candidate, and on which other marks in the target areas or candidate areas for any other candidates have been partially erased, scratched out, or otherwise obliterated, shall be counted as a vote for the candidate for which the mark was not erased, scratched out or otherwise obliterated, provided no other candidate is similarly marked.

Votes to be counted:

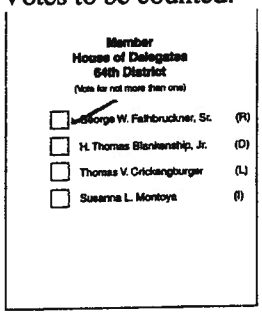


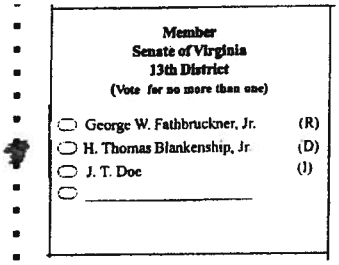


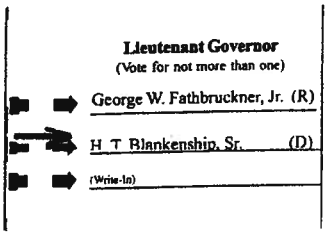


(9) Any ballot which has a mark that is clearly next to (either before or after) a candidate's name, or across the name, shall be recognized as a mark under items 1-6 above. Similarly, a mark between or over the "timing marks" of the ballot, that are clearly opposite or next to one candidate's name and not near another candidate's name, shall be recognized as a mark. (The "timing marks" are the small lines or boxes running down the right and/or left sides of certain electronically read or scanned ballots, which line up the ballot in the reader.)

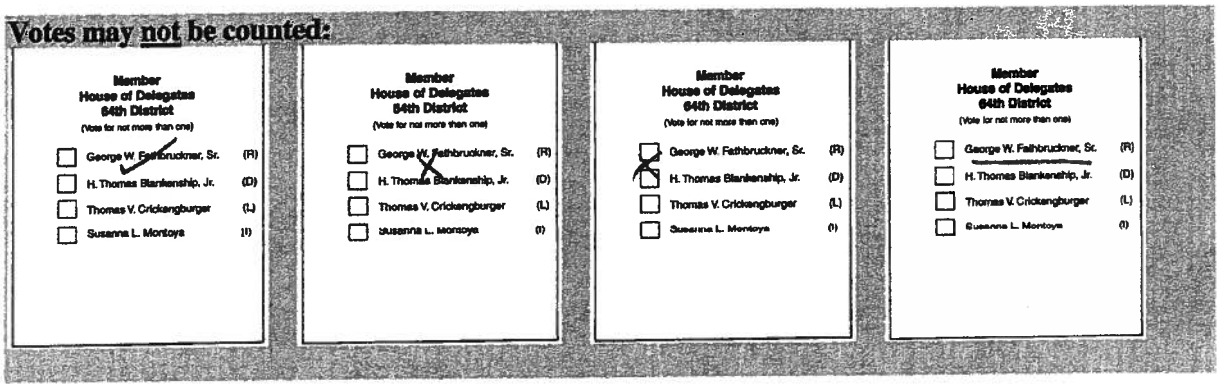
Votes to be counted:



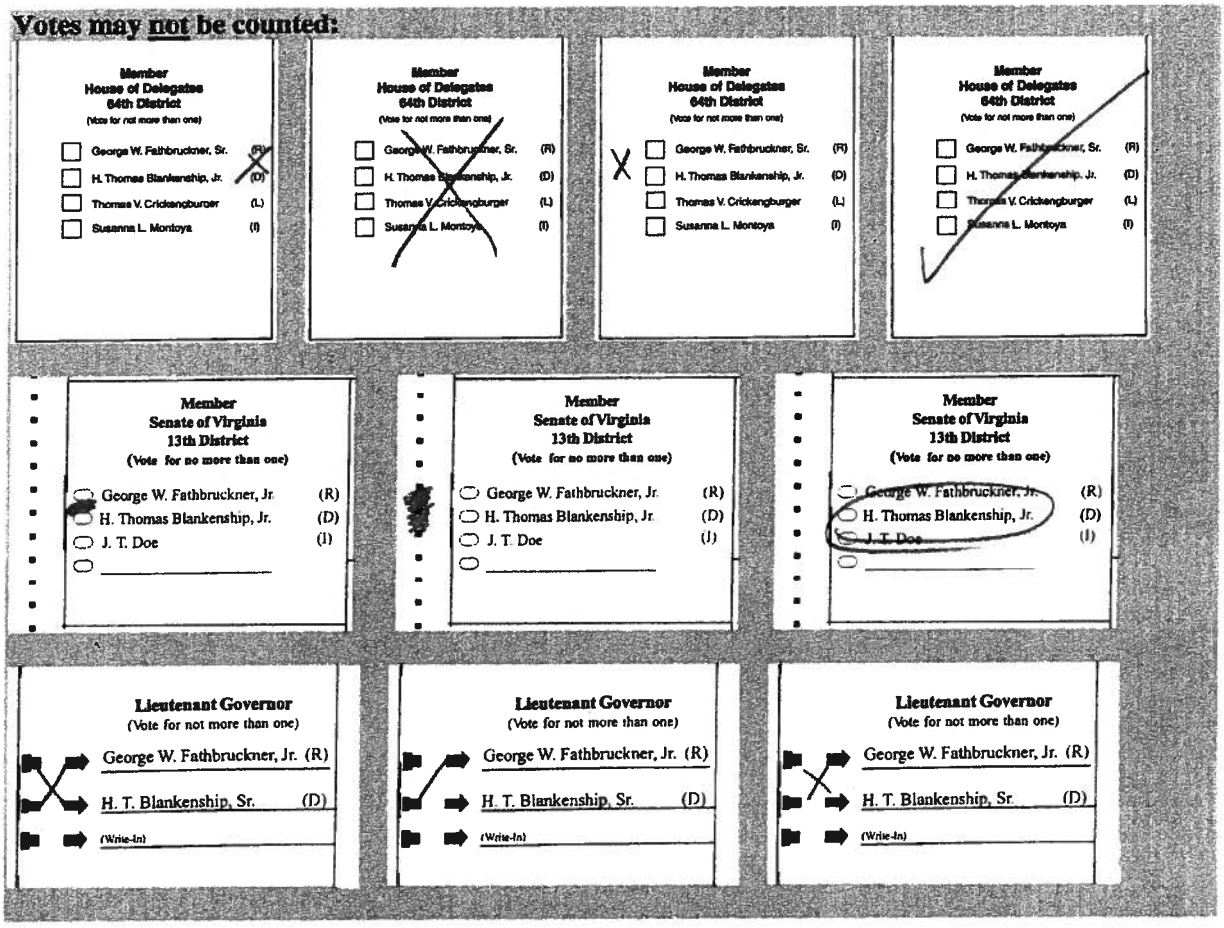




(9 continued) A mark that is between or across more than one candidates' names, candidate areas or target areas shall not be recognized as a mark except under items 5 and 6 above.

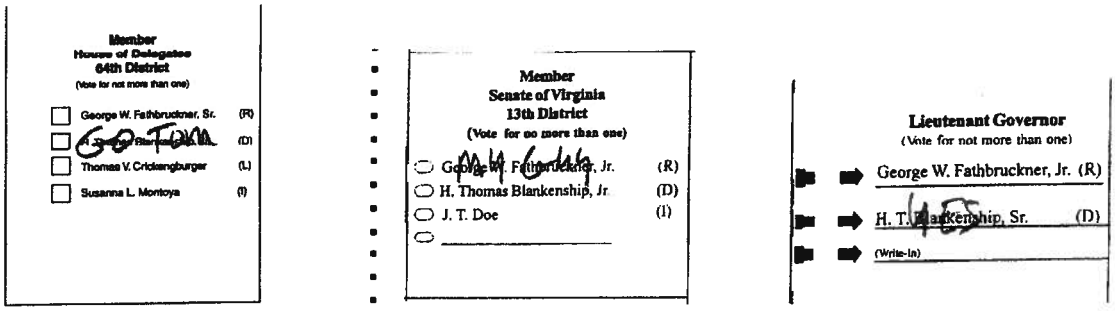


Votes may not be counted:

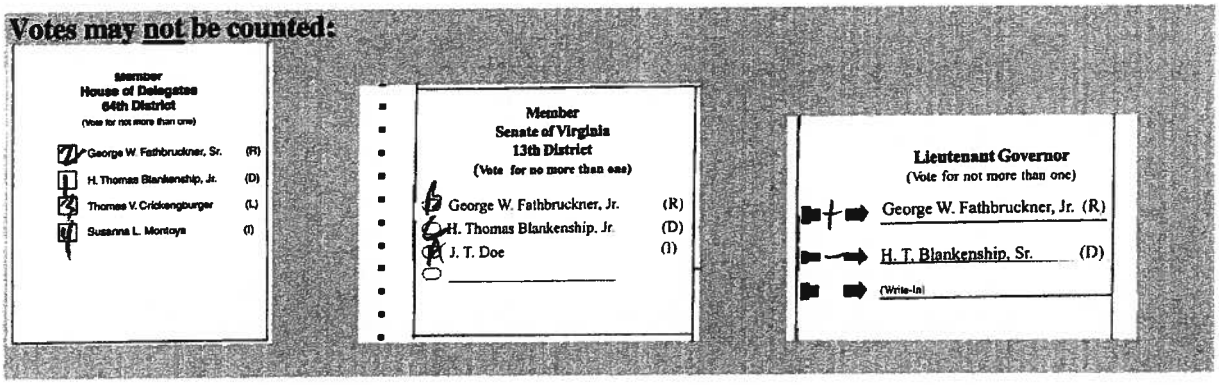


(10) Any other writing or remark on the ballot (other than a write-in unless a write-in candidate is a party to the recount) which clearly indicates the voter's support for one and only one candidate for the office that is the subject of the recount, and which cannot be interpreted as a remark in favor of any other candidate in that election, shall be counted as a vote for that candidate.

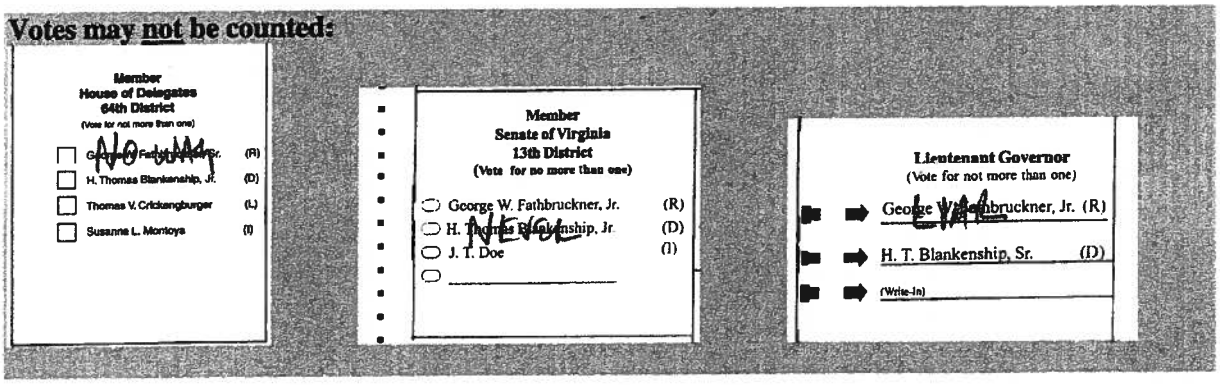
Votes to be counted:



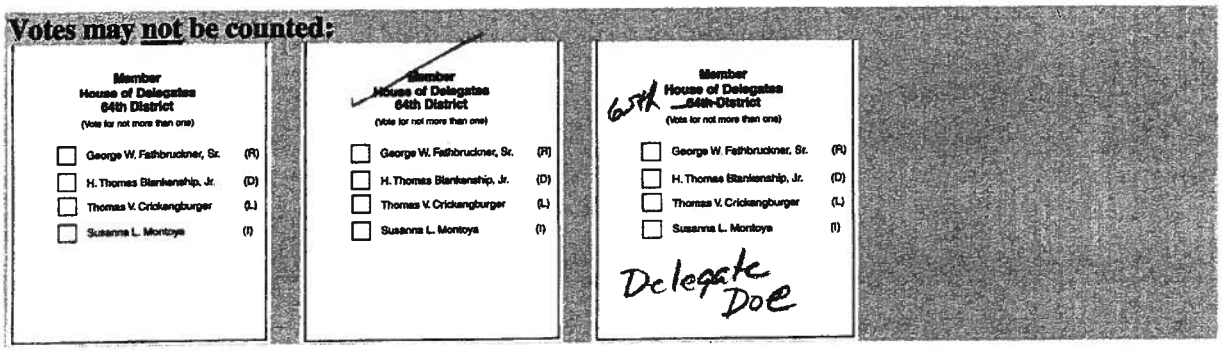
(10 continued) Writings or remarks which appear to be ranking the candidates (letters, numbers, +/-, etc.) shall not be considered valid marks unless only one candidate is marked and no other candidate is similarly marked.

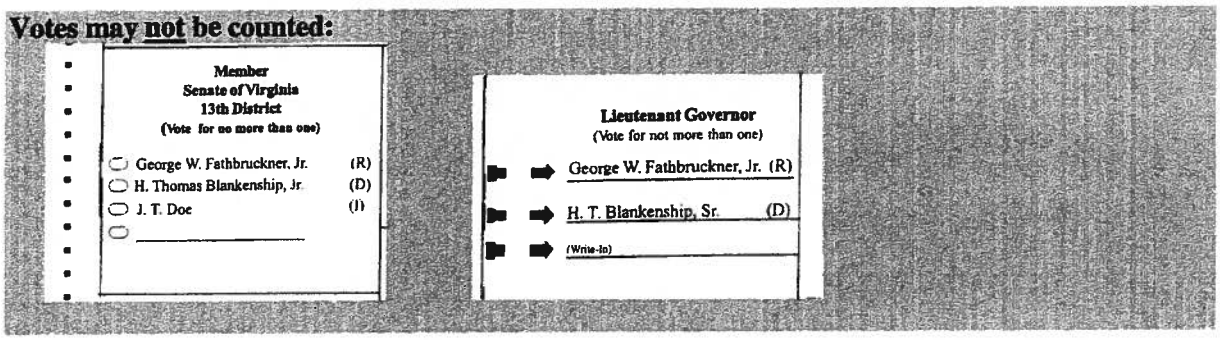


(11) Any other writing or remark on the ballot which indicates the voter's opposition to one or more candidates, provided the ballot is not so marked as to indicate which candidate the voter supports, shall not be counted as a vote for any candidate.



(12) Any ballot on which there is no mark under the office, or any other remark indicating support for a candidate for the office, shall not be counted as a vote for any candidate.





Virginia State Board of Elections
RLB: Recount Examples 10/31/01

Revised 5/14/02, Revisions effective 7/1/02