

# U.S. ELECTION ASSISTANCE COMMISSION

## QUICK START MANAGEMENT GUIDE ON CONDUCTING A RECOUNT

The Quick Start Management Guide on Conducting a Recount is part of a series of brochures designed to highlight and summarize the information contained in the chapters of the U.S. Election Assistance Commission's (EAC) [Election Management Guidelines \(EMG\)](#). The goal of the EMG is to provide a collection of election management guidelines, consolidated into one document, to assist State and local election officials effectively manage and administer elections. These guidelines are solely designed to serve as a source of information for election officials and not as requirements by which they must abide.

The content of the EMG and the Quick Start Management Guides has been developed in collaboration with State and local election officials and other election professionals who have first-hand experience managing elections. The EAC is grateful for their participation and ensuring the guidelines are practical and applicable for jurisdictions regardless of their size and resources. The EMG and the Quick Starts are available online at [www.eac.gov](http://www.eac.gov).

### Introduction

A recount is a retabulation of the votes cast in an election.<sup>1</sup> The broadness of this definition is based on the differences found across States in how they administer recounts for contests for State and Federal elections. In general, a recount is conducted for a particular race or measure to confirm the result of the vote canvass. Furthermore, each State has its own laws regarding what may trigger a recount, and they usually fall within the following general categories:

- candidate initiated
- voter initiated
- closeness of an election (results are within a specified vote margin requiring an automatic recount)
- automatic (required by law regardless of vote margin)<sup>2</sup>

Following are recommendations to consider regarding the general management of recounts.<sup>3</sup> The recommendations contained in this publication should be vetted with Federal, State, and local laws, regulations, and relevant case law to ensure they are properly and lawfully implemented; election officials should contact their State officials

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<sup>1</sup> U.S. Election Assistance Commission, *2005 Voluntary Voting System Guidelines, Vol. 1, Version 1.0*.

<sup>2</sup> Electionline.org, "Recounts: From Punch Cards to Paper Trails," October 2005.

<sup>3</sup> In addition to this brochure, the EAC will make available on its Website, [www.eac.gov](http://www.eac.gov), the findings of a study conducted under HAVA §241(b)(13) that reviews the laws and procedures used by each State that govern recounts of ballots cast in elections for Federal office, contests of determinations regarding whether votes are counted in such elections, and standards that define what will constitute a vote on each type of voting equipment used in the State to conduct elections for Federal office. The report will also include best practices regarding recounts.

when there is a question as to whether a practice is permitted or prohibited under State law.

## Pre-Election Planning

- The first step is to research and learn your State's election laws and regulations regarding the conduct of a recount. This will provide you the framework for proceeding with the next step, developing your office's internal policies and procedures for conducting recounts.

*Tip: Develop a team of employees to assist with reviewing and codifying all election laws pertaining to recounts. Utilize this team to develop a detailed work plan and procedure manual for managing future recounts in your jurisdiction.*

*Components of your recount work plan may include, but is not limited to, the following:*

- *Summary of the different types of recounts provided for by State law*
  - *Procedures for managing each type of possible recount*
  - *Sample media releases and legal notices*
  - *Detailed work flow diagrams, including table configuration, paper flow, etc.*
  - *Contact information (e.g. county technology staff, security company/police department, vendor support, supply vendors, facility, records storage, media, etc.)*
  - *Listing of temporary staff, including contact information, work availability, and applicable skill sets*
  - *Location of space options, based on volume of ballots and type of recount. Include details regarding observer/media areas*
  - *Security plan and procedures, including chain of custody for handling ballots and election materials*
- Develop informational brochures describing recount laws and procedures. Distribute these brochures to all candidates/media contacts and post this information on your local jurisdiction's Web site. Include information such as:
    - Who can hold the ballots?
    - Who can transport the ballots?
    - How are the ballots secured?
- Develop a handout of "Frequently Asked Questions on Recounts". Some examples of questions include:
    - Are recounts mandatory?
    - Will the recount establish a definite winner?
    - How long does the recount last?
    - How much does a recount cost?
    - Who pays for a recount?
    - Under what conditions can the results of a recount be challenged and how do you challenge a recount?

- Meet with your jurisdiction's legal, media, and budget staff on a regular basis to review the recount work plan. Identify the county staff from those departments that will assist your office in the event of a recount.
- Establish and maintain training procedures for full time and temporary staff. Review these procedures prior to every election cycle.

## Post-Election Preparation

- Develop a timeline for each recount. The timeline should include mandated deadlines and all other details for managing the recount. *Tip: Develop your timeline as a checklist and update it after every recount. Remember, the best timeline/checklist includes every single detail of the process.*
- Coordinate the recount timeline with your State election office and all other jurisdictions included in the recount district.
- Assign specific full time staff members to manage the media and observers. *Tip: If possible, designate one staff member to coordinate all media calls and interviews. (See Media and Public Relations Quick Start Management Guide)*
- Develop talking points for media and public handouts. *Example: Include a brief description of how the recount will be managed and when the final results will be announced. Also provide an overview of which races are being recounted, and the number of ballots included in the recount. (See Media and Public Relations Quick Start Management Guide)*
- Determine the location for conducting the recount. Set up the recount work area based on your pre-determined work plan and work flow design. Review and order supplies, as required.
- Prepare, post, and publish all required legal notifications and mailings. *Tip: Work in partnership with staff from your legal department to confirm that all legal requirements are met and documented.*
- Meet with your budget staff to prepare an estimate of the cost for conducting the recount. Communicate this cost estimate to the appropriate department managers and elected officials. If required, provide a cost estimate to the requesting candidate and/or party official.
- Assign staff to the various recount teams. *Tip: Work in teams of two when recounting ballots to ensure accuracy.*
- Review your security plan and secure security staff to be on-site throughout the recount process. *(See Voting System Security Quick Start Management Guide)*
- Determine the need for video/audio recording of the proceedings and plan accordingly.

## Conducting the Recount

- Conduct a kick-off briefing/orientation for all participants in the recount. This is an opportunity to describe the process, the workflow, State laws/regulations, and overall procedures for managing the recount.
- Review state mandated deadlines and determine staffing needs based on these deadlines.
- Review your office procedures, to include the following:
  - The working hours for the recount teams, including scheduled break and lunchtime. *Tip: Be sure to schedule periodic breaks for the recount teams. Consider limiting each recount member to no more than six working hours per day to ensure accuracy.*
  - Reinforce the “team of two” concept throughout the process. Assign team leaders to each component of the recount work flow.
  - Provide an overview of the policies and procedures for media and observers of the recount.
  - Distribute copies of your security plan to everyone involved in the process.
- Develop a process for managing the flow of information to the recount board, the media, to candidates, and political parties. *Tip: Consider allowing interested parties to sign up to receive a daily email update from your office throughout the recount.*
- Periodically meet with key staff members to review the progress of the recount. Be prepared to implement Plan B, to include additional staff and a modified work flow, in order to meet mandated deadlines.
- Conduct periodic media briefings in order to answer all questions during a designated time period. Communicate the dates and times of these media briefings to all interested parties.

## Reporting Outcomes

- Notify the candidates, media, and other interested parties of the time and location of the canvass board meeting where the recount outcome will be reported.
- Compile all required reports for the canvass board. This includes a detailed summary of the recount process, i.e. number of ballots counted, final outcome, etc.

- Prepare a cost analysis for the recount. This report should be provided to the budget department staff and/or billed to the appropriate party.
- Immediately following the recount process, conduct a full staff debriefing to include:
  - Overview of procedures and work flow process
  - Review of lessons learned and ideas for changes/modifications for future recounts
- Compile recount statistics to be included in future work plan documents. Examples include staffing needs, ballot storage and facility costs, etc.
- Prepare all ballots and recount documentation for archival storage.
- Itemize all records and documentation involved in the recount, including their secured storage location in preparation for public records requests and/or potential lawsuits.

**For information regarding this publication or to request additional copies at no cost, please contact:**

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*The EAC is an independent bipartisan commission created by the Help America Vote Act of 2002 (HAVA). It is charged with administering payments to states and developing guidance to meet HAVA requirements, implementing election administration improvements, adopting voluntary voting system guidelines, accrediting voting system test laboratories and certifying voting equipment and serving as a national clearinghouse and resource of information regarding election administration.*