



COUNTY OF LOS ANGELES

REGISTRAR-RECORDER/COUNTY CLERK

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CONNOR B. McCORMACK
Registrar-Recorder/County Clerk

December 5, 2006

TO: Each Supervisor

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

**NOVEMBER 2006 ELECTION REPORT: MANUAL TO MACHINE COUNT
COMPARISONS OF RANDOMLY SELECTED 5% OF SNAP TALLY PRECINCTS**

At the Board meeting on October 24, 2006, upon motion by Supervisor Yvonne Burke, your Board instructed the Registrar-Recorder/County Clerk (RR/CC) to:

1. Randomly select no fewer than 5% of the designated snap tally precincts to be manually counted and compared to the snap tally results produced on election night and the electronic vote count for those same precincts with this manual count to be conducted during, but separate from, the statutorily required random manual count of 1% of all voting precincts; and
2. Report back to the Board with the findings of the manual count by December 5, 2006, the statutory deadline for the official election certification.

Introduction

The California Elections Code requires each local election official to conduct a manual count of all contests on ballots cast in a randomly selected 1% of the Election Day voting precincts in order to verify the accuracy of the machine count. This manual tally occurs during the 28-day vote canvassing period prior to official certification of election results and augments extensive pre-election testing activities to demonstrate the integrity of the tabulation system.

In addition to the manual count audit required by the State Elections Code as described above, and in the interest of enhancing public confidence in the County's multiple voting systems, your Board requested two additional manual to machine count audits in conjunction with the November 2006 Election. Additionally, the Registrar-Recorder/County Clerk (RR/CC) decided to conduct a third supplemental manual audit of a sampling of absentee by mail ballots. A chart of all four audits is found at Attachment 1 following the Appendices.

This report addresses the manual to machine count comparisons for a 5% random selection of snap tally precincts. The report to your Board on the manual to machine count comparison of the randomly selected 5% of the electronic touchscreen voting units was issued yesterday. A report of findings of the RR/CC's audit of absentee by mail ballots will be issued later this week.

Background

For many years, Los Angeles County has made snap tally services available to the news media to enable them to establish voting trends in certain election contests. Snap tally is a process described in California Elections Code Sections 14440 through 14443 (see *Appendix A*). Section 14440 states that the Board of Supervisors may find that

“...certain offices or measures to be voted on are of more than ordinary public interest and require an early tabulation and announcement.”

Los Angeles County is the only county in California where snap tallies are performed in conjunction with major elections. Snap tallies take place after all polls have closed. The media companies who request snap tallies use the unofficial close-of-polls data received through snap tallies to compare with the data they gather in the course of conducting Election Day exit polls.

The RR/CC does not use snap tally results for any purpose, but simply coordinates the process at the request of media companies that conduct exit polls

In elections prior to November 7, 2006, after the polls closed at 8 p.m., pollworkers in media-selected snap tally precincts manually tallied the ballots for those candidates and measures requested by media companies. This process added considerable time to the already lengthy work day of pollworkers. Although RR/CC offered pollworkers an additional stipend for performing this task, it was not uncommon for pollworkers in some of the selected precincts to refuse to conduct the snap tally at the end of their 14+ hour work day.

November 7, 2006 General Election Snap Tally

For the November 2006 General Election, the RR/CC piloted a method of conducting snap Tallies at the close of polls that utilized a feature of the newly-implemented InkaVote *Plus* precinct ballot readers (PBRs) to retrieve the votes cast. This method significantly reduced the time needed to conduct the snap tallies, placing less of a burden on pollworkers in the selected precincts. It also resulted in faster reporting of snap tally results to the requesting media organizations.

RR/CC staff trained pollworker Inspectors in the selected precincts (see *Appendix B*) to obtain unofficial election results from the new InkaVote *Plus* PBRs after the end of the voting day. This process was much less time-consuming, taking less than five minutes, compared with the manual process of past snap tallies. As a result, it was not necessary to pay an additional stipend to the pollworkers for this task and the rate of cooperation from precinct Inspectors in the 38 snap tally precincts was very good.

As directed by your Board, the Department conducted a 5% random manual audit of the snap tally totals during the vote canvassing period in order to compare the snap tally results to election night precinct vote totals on the PBRs and on the central vote tally equipment in Norwalk. A 5% random audit entailed selection of two (2) of the 38 snap tally precincts..

Snap Tally Manual Audit

The random selection process of snap tally precincts for manual audit was conducted on November 13th with prior notification to citizens who had expressed interest in observing. Several observers were present for and participated in this random selection of the two precincts which elicited precinct numbers 4150048A and 6700054A. Procedures for this process are detailed at Appendix C.

However, while assembling the election materials for the manual audit, staff discovered that precinct 4150048A was one of two precincts in a Neighborhood Voting Center (NVC). By design, only one InkaVote Plus PBR was deployed at NVCs to accommodate two voting precincts. Therefore, the PBR vote totals contained combined results from two voting precincts and would render meaningless any comparison to either election night centralized tally results of individual precincts or a manual tabulation of that single precinct's ballots.

As a result, staff drew a replacement precinct from the remaining snap tally list. Precinct 5850027A was selected to replace the above NVC precinct for the manual audit.

Subsequently, manual audits were conducted on precincts 5850027A and 6700054A on November 14 and 15, 2006. Although previous observers were given notice, no members of the public appeared to observe the manual audits on these days. *Appendix D* details the results of the audit, showing the comparison among election night centralized tally of precinct results, snap tally totals on the PBRs and the manual counts.

An explanation of the differences among the three results follows.

Total Number of Ballots Cast

In precinct 5850027A, the total number of ballots counted during the election night snap tally using the PBR was 242 compared with the election night centralized tally of 241 ballots. The difference of one ballot resulted from the fact that one voter cast an audio ballot on the new disability access voting unit. Audio ballots are a slightly different format and are subsequently re-made on standard ballot card stock prior to centralized ballot tabulation in Norwalk. The manual audit of this snap tally precinct occurred prior to the re-make process, thereby accounting for the one vote difference during the audit.

In precinct 6700054A, the total number of ballots counted during the election night snap tally using the PBR was 297 compared with the election night centralized tally of 305 ballots. A telephone conversation with this precinct's Inspector (lead pollworker) indicated that eight voters declined to feed their ballots through the InkaVote *Plus* PBR. These voters deposited their ballots directly into the ballot box at the voting precinct, bypassing the PBR which was there for error-detection of over and undervotes. This resulted in a variance between the precinct count from the PBR and the centralized vote tally in Norwalk later that evening.

Votes for Specific Contests

In precinct 5850027A, one additional vote was counted during snap tally in several races compared to the election night centralized vote tally for this precinct. This is a result of the audio ballot which was isolated for re-make as described above.

In one contest, State Measure 1B, there was a two vote variance between snap tally and election night results. This difference also emerged during the manual audit leading to the

conclusion that one voter's mark for this proposition was either inadvertent or too lightly marked to be detected by the centralized vote tabulating equipment, but was discerned to be a probable vote by the person manually examining the ballot and by the PBR.

In precinct 6700054A, there are variances between the snap tally and election night centralized tally due to the difference in total ballots cast explained above as a consequence of eight voters opting to deposit their ballots directly into the ballot box without feeding them through the PBR at that precinct.

Conclusion

Snap tallies are not a part of the County's official election results. Snap tallies are simply requested by media to provide a quick election night snapshot comparison with media exit polling in several ballot contests.

Appendix A

California Elections Code Sections Governing the Conduct of Snap Tallies

14440. Before any election, the governing body of the jurisdiction holding the election shall decide that certain offices or measures to be voted on are of more than ordinary public interest and require an early tabulation and announcement. The decision shall be transmitted to the elections official not less than 30 days before the election.

14441. The elections official shall prepare and forward to each selected precinct forms containing a list of the offices and measures designated as being of more than ordinary interest, and stating the number of ballots to be counted for the snap tally. In each general election, the special form shall, for each office listed on it, include the names of all candidates for that office whose names appear on the ballot.

The inspector at each selected precinct shall note the results of the count and the total number of votes cast in the precinct on the snap tally forms as soon as the designated number of ballots has been tallied. The inspector shall then communicate the figures in the manner directed by the elections official. In each general election, the figures shall include the votes cast for every candidate whose name appears on the ballot for an office listed on the forms. The inspector shall continue, each time the designated number of ballots have been tallied, to note and report the results as directed.

14442. Upon receipt from the precincts of the reports of votes cast on the specially designated offices and measures, the elections official shall tabulate the results and make the results available to the public. In each general election, all these reports of the election results shall include the votes cast for all candidates whose names appear on the ballot for each office for which returns are reported.

14443. If ballots are counted by means of electronic, electromechanical, or punch card device, the elections official may provide for early tabulation and announcement of the returns in a manner consistent with the use of the tabulating devices.

Appendix B

Precincts Requested by Media Organizations for Snap Tally

Precincts Selected by the Los Angeles Times

Precinct	Address	City, State, Zip
0050014A	30500 Arrastre Canyon Rd	Acton, CA 93510
0950190A	3200 Jefferies Ave.	Burbank, CA 91505
1850023B	11405 Paramount Blvd.	Downey, CA 90241
2700039A	13500 Aviation Blvd.	Hawthorne, CA 90250
2950007B	601 Centinela Ave	Inglewood, CA 90302
9000396A	13000 Montague St	Pacoima, CA 91331
9001278A	10505 Santa Monica Bl	Los Angeles, CA 90025
9001343A	10409 Scenario Lane	Los Angeles, CA 90077
9001926A	5041 Sunnyslope Ave	Sherman Oaks, CA 91423
9003050A	4020 Roxton Ave.	Los Angeles, CA 90008
9003891A	740 N. Pacific Ave	San Pedro, CA 90731
4800047A	10932 Excelsior Dr.	Norwalk, CA 90650
5850027A	1920 Brea Canyon Cut Rd	Walnut, CA 91789
6220109A	24350 Sorrento CT	Valencia, CA 91355
7150044A	4565 Sharynne LN	Torrance, CA 90505

Precincts selected by Edison/Mitofsky

Precinct	Address	City
0090004A	34709 Agua Dulce Cyn Rd.	Saugus, CA 91390
0950022B	221 S. 6th St.	Burbank, CA 91501
1450062A	603 S. Acacia Ave.	Compton, CA 90220
2500029A	17100 South Park Ln.	Gardena, CA 90247
3400023A	1040 Base Line Rd.	La Verne, CA 91750
3550098A	1611 E. Avenue J	Lancaster, CA 93535
3850101A	1407 W. Hill St.	Long Beach, CA 90810
3850562A	515 W. San Antonio Dr.	Long Beach, CA 90807
9000318A	8428 Cozycroft Ave.	Winnetka, CA 91306
9001648A	4201 Fountain Ave.	Los Angeles, CA 90029
9002054A	8508 S. Broadway	Los Angeles, CA 90003
9000518A	7541 Simpson Ave.	North Hollywood, CA 91605
9001013A	14914 Burbank Bl	Sherman Oaks, CA 91411
9005428A	2760 Claray Dr.	Los Angeles, CA 90077
9001094A	14755 Greenleaf St.	Sherman Oaks, CA 91403
9000429A	6300 Owensmouth Ave.	Woodland Hills, CA 91367
3990015A	11330 Bullis Rd.	Lynwood, CA 90262
4150048A	13900 Tahiti Way	Marina Del Rey, CA 90292
5200042A	33922 121st St. E	Pearblossom, CA 93553
6230051A	9255 Pioneer Bl.	Santa Fe Springs, CA 90670
6700010A	10262 Colima Rd.	Whitter, CA 90603
6700054A	13201 Meyer Rd.	Whitter, CA 90605
7150146B	4223 Emerald St.	Torrance, CA 90503

Appendix C

Procedures for 5% Snap Tally Manual Audit November 7, 2006 Gubernatorial General Election

Random Selection – November 13, 2006

Manual Count Comparison beginning November 14, 2006

1. Welcome and Introduction
2. Brief description of the manual audit process.
 - a. 5% applies to the Snap Tally precincts selected by media for results at the close of polls.
 - b. Random precinct selection is scheduled early to allow time for preparation of tally materials.
 - c. Manual tally will begin on Tuesday, November 14th continuing through November 22nd as needed.
3. Two precincts will be randomly selected from paper slips containing the precinct numbers of each of the 38 Snap Tally precincts.
4. Staff will produce a report from the Micro-Tally System (MTS) of the randomly selected Snap Tally precincts.
5. Contests to be manually recounted will be those selected by media for the randomly selected Snap Tally precincts.
6. Ballots from the two precincts will be pulled from the secure ballot cabinets in the MTS room
7. Audit teams, led by a manual tally supervisor from the Election Planning Division, begin the manual tally of the AV ballots.
8. The final report from the manual tally will be compared to the MTS produced tally and to the Snap Tally report prepared by precinct Inspectors on election night. Any variances will be analyzed and a report will be prepared on the outcome of the manual audit proceedings.

Attachment D
Results of Snap Tally Manual Audit

Precinct 5850027A

	Election Night Unofficial Results	Snap Tally Result	Manual Audit
Total Ballots	241	242	241

Contest	Election Night Unofficial Results	Snap Tally Result	Manual Audit
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Governor

Olivier	3	3	3
Jordan	3	3	3
Camejo	7	7	7
Noonan	2	2	2
Angelides	93	93	93
Schwarzenegger	130	131	130

Attorney General

Harrison	3	3	3
Brown	126	126	126
Weissman	2	2	2
Wyman	6	6	6
Poochigian	90	91	90

State Measure 1B

Yes	138	140	141
No	91	93	92

State Measure 1C

Yes	115	115	115
No	110	111	110

State Measure 1D

Yes	123	123	123
No	106	107	106

State Measure 1E

Yes	125	127	125
No	102	103	102

Results of Snap Tally Manual Audit

Precinct 6700054A

	Election Night Unofficial Results	Snap Tally Result	Manual Audit
Total Ballots	305	297	305

Contest	Election Night Unofficial Results	Snap Tally Result	Manual Audit
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Governor

Olivier	10	10	10
Jordan	2	2	2
Camejo	4	4	4
Noonan	1	1	1
Angelides	175	170	175
Schwarzenegger	104	101	104

U. S. Senator

Grundmann	2	2	2
Mountjoy	77	76	78
Metti	7	7	7
Chretien	1	1	1
Feinland	1	1	1
Feinstein	194	193	194

Attachment 1



VOTING SYSTEM INTEGRITY ACTIVITIES IN L.A. COUNTY
November 7, 2006 GENERAL ELECTION

The California Elections Code requires each local election official to conduct a manual count of ballots cast in a randomly selected 1% of the voting precincts in order to verify the accuracy of the machine count. This manual tally occurs during the vote canvass period prior to official certification of election results. This 1% manual count augments pre-election testing activities in demonstrating the integrity of the tabulation system. In addition to this legal requirement – and in the interest of enhancing public confidence in our voting systems – the Los Angeles County Board of Supervisors together with the Registrar-Recorder/County Clerk have established three additional activities to demonstrate the integrity and transparency of Los Angeles County’s voting systems.

The activities listed below will be conducted prior to certification of the November 7, 2006 General Election results.

All proceedings are open for public observation.

PRECINCT BALLOTS

Manual Count of BALLOTS FROM 1% OF Precincts

(all contests; polling place ballots)

Random selection of precincts will take place on Wednesday, November 8, 2006 at 3:00 p.m. in the Registrar’s Executive Conference Room, 7th floor, Norwalk headquarters.

<p>Dates: Begins Saturday, November 11, 2006 and continues daily until completed.</p> <p>Time: 8:30 a.m. – 4:00 p.m. on Saturdays and Sundays; 8:30 a.m. – 6:30 p.m. weekdays</p> <p>Location: Registrar-Recorder/County Clerk headquarters, 12400 Imperial Highway, Norwalk; 7th Floor Executive Conference Room</p> <p>Coordinator(s): Alex Olvera & Cynthia Taylor</p>	<p>Authority: California Elections Code (E.C.) Section 15360</p> <p>Description: E.C. 15360 states: “During the official canvass of every election in which a voting system is used, the official conducting the election shall conduct a public manual tally of the ballots tabulated by those devices cast in 1% of the precincts chosen at random by the elections official. In addition to the 1% count, the elections official shall, for each race not included in the initial group of precincts, count one additional precinct. The manual tally shall apply only to the race not previously counted. Additional precincts for the manual tally may be selected at the discretion of the elections official.”</p>
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**TOUCH SCREEN EARLY VOTING
MANUAL COUNT COMPARISON OF RANDOMLY SELECTED 5% OF VOTING
UNITS
(randomly selected contests)**

Random selection of voting units will take place on Monday, November 13, 2006 at 11:00 a.m. in the Registrar's Conference Room, 7th floor, Norwalk headquarters.

<p>Date: Begins on Monday, November 13, 2006</p> <p>Time: 11:00 a.m. to 5:00 p.m. Continuing Tuesday, November 14, 2006 at 9:00 a.m. until completed.</p> <p>Location: Registrar-Recorder/County Clerk headquarters, 12400 Imperial Highway, Norwalk; 7th Floor, Registrar's Conference Room</p> <p>Coordinator: Kenneth Bennett</p>	<p>Authority: By motion of the Los Angeles County Board of Supervisors adopted October 24, 2006</p> <p>Description: The Registrar-Recorder/County Clerk conducts an audit of votes cast on no fewer than 5% of the Direct Recording Electronic (DRE or "Touchscreen") machines used for early voting. The DRE units and contests to be audited are randomly selected. A comparison is made of the votes recorded on the Voter-Verifiable Paper Audit Trail (VVPAT) with the centralized vote tally system count. In the event of a VVPAT paper jam, ballot images will be printed from the equipment for use in the vote comparison.</p>
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**SNAP TALLY
Manual count Comparison of randomly selected 5% of "Snap Tally" Precincts
(snap tally contests selected by media)**

Random selection of precincts will take place on Monday, November 13, 2006 at 9:00 a.m. in the Registrar's Conference Room, 7th floor, Norwalk headquarters.

<p>Date: Tuesday, November 14, 2006</p> <p>Time: 1:00 p.m. to 5 p.m. (or until completed)</p> <p>Location: Registrar-Recorder/County Clerk, 12400 Imperial Highway, Norwalk; 7th Floor, Registrar's Conference Room</p> <p>Coordinator: Deborah Wright</p>	<p>Authority: By motion of the Los Angeles County Board of Supervisors adopted October 24, 2006; California Elections Code Sections 14440, 14443 describe "snap tallies"</p> <p>Description: The Registrar-Recorder/County Clerk randomly selects no fewer than 5% of the designated snap tally precincts to be manually counted and compared to the snap tally results produced on election night and the centralized vote tally system count for these precincts.</p>
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ABSENTEE BALLOTS

MANUAL COUNT COMPARISON OF BALLOTS FROM 1% OF ABSENTEE BALLOTS TABULATED ON ELECTION DAY (randomly selected contests)

Random selection of ballot groups and contests will take place on Monday, November 13, 2006 at 9:00 a.m. in the Registrar's Conference Room, 7th floor, Norwalk headquarters.

<p>Date: Begins on Monday, November 20, 2006</p> <p>Time: 9:00 a.m. – 4:00 p.m. Continues daily until completed.</p> <p>Location: Registrar-Recorder/County Clerk, 12400 Imperial Highway – Norwalk – 3rd Floor MTS Room & 7th Floor Registrar's Conference Room</p> <p>Coordinator: Kenneth Bennett</p> <p>.</p>	<p>Authority: Registrar-Recorder/County Clerk Policy adopted October 30, 2006</p> <p>Description: The Registrar-Recorder/County Clerk conducts a random audit of votes cast by absentee/mail ballots. The random audit will include no fewer than 1% of the absentee ballots cast and tabulated on Election Day in a sampling of electoral contests. Manual count will be compared to the totals produced for the same contests on the county's centralized vote tally system.</p>
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