Election Night Reporting
A Cautionary Tale

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February 3, 2021
NASED Winter Conference
The Setup

• New Laws
  – No excuse absentee voting
  – Postmark deadline extended
    • Friday at noon after election

• Existing Laws
  – Allows for Pre-Processing of Ballots received by mail
The Setup

• Changes as a Result of COVID
  – No witness signature (litigation)
  – Drop off locations (legislation)
  – Pre-paid postage (legislation)
  – Cure process (legislation)
  – IMb required (regulation)
  – Ballot Tracking (regulation)
History

Total Turnout, Absentee and Early Voting (AB), Provisional
2016 - 2020
The Challenges

• Election Night Reporting (ENR) System
  – Technical limitations
    • Complicated Source Code
      – Required many hours of development time to make adjustments
    – Limited to only utilizing one Central Absentee Precinct (CAP) for ENR
      • Absentee and Early Voting were ALL reported in the CAP
      • Combined with the postmark deadline meant we could not close out CAP reporting through Election Night with a second CAP to report after Friday at noon

• Postmark Deadline
  – Public was going to want to know how many ballots were outstanding
    • Issue is that we all know ballots outstanding does not necessarily meant that many are going to be cast
The Challenges

• Concerns about Absentee by Mail
  – One party’s voters were all in for early voting and absentee by mail while another’s was not

• Pre-processing absentee ballots is not required
  – Several did so, but many did not

• Early Voting vs. Absentee by Mail voting
  – In numerous localities, the same machine was used to process absentee by mail ballots as were used to cast ballots by early voters
Resolution

• Urged localities to pre-process
  – But could not require them to do so
• Required localities to utilize a second machine or media for absentee ballots received after Election Day
• Instructed them to process by mail votes through 11pm on Election Night
• Communicated with Party Officials, Candidates, and the Media
• Press briefing at 4pm on Election Day to explain how results would be reported
Resolution

- Election Night Reporting page was updated to provide status as to how many ballots were outstanding

<table>
<thead>
<tr>
<th>State of Virginia</th>
<th>has counted 660,034 of 1,253,189 expected ballots in total.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accomack County</td>
<td>has counted 2,603 of 10,124 expected ballots.</td>
</tr>
<tr>
<td>Albemarle County</td>
<td>has counted 2,674 of 9,244 expected ballots.</td>
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</tbody>
</table>
What Happened?

• Election Day results reported not long after polls closed
  – Obviously showed a huge advantage for one party’s candidates

• Some localities misunderstood 11pm deadline
  – Some waited to report absentee and early voting until 11pm

• After 11pm, several localities entered CAP data substantially adding numerous votes
Hindsight is 20/20

• Do not be Afraid to Over Communicate
  – The issue was abstract to most people until they actually experienced it
  – Just because you communicate does not mean people will listen

• Confirm Assumptions
  – Assumed ENR could manage more than one CAP

• Start Planning Early
Who Wore it Best?

Submit your votes to Amy!