

CENTRAL COUNT STATION PLAN
JEFFERSON COUNTY, TEXAS



THERESA GOODNESS
JEFFERSON COUNTY CLERK

A. PURPOSE

Section 127.007 of the Texas Election Code requires the Manager of the Central Counting Station (“CCS”) to “establish and implement a written plan for the orderly operation of the Central Counting Station.” This plan shall be made available to the public on request not later than 5 p.m. on the fifth day before the date of the election.

Section 127.007(b) provides that a CCS plan “must address the process for comparing the number of voters who signed the electronic pollbook with the number of votes cast for an entire election.”

B. LOCATION

The Jefferson County Central Counting Station will be located at the Jefferson County Elections Barn, 7963 Viterbo Road, Beaumont, TX 77705.

C. CENTRAL COUNT STATION PERSONNEL

The following are the rules and responsibilities inside the Central Counting Station, as contained in Sections 127.002 – 127.006 of the Texas Election Code. An oath will be given to all Central Counting Station personnel. Following is the list of the appointed and assigned CCS personnel:

Manager

The manager is the overall supervisor of the CCS. The manager, as well as the presiding judge, may appoint clerks to perform duties at the CCS. The manager is entitled to compensation in an amount fixed by the authority establishing the CCS. To be eligible for appointment, the manager must have knowledge and experience in the conduct of elections with the electronic voting system for which the CCS is established. Employees of a political subdivision are not disqualified from appointment as manager and, if appointed, may be paid additional compensation for their services. The general custodian of election records is eligible for appointment as the manager, even if the custodian is a candidate or officeholder.

Tabulation Supervisor

Oversees automatic tabulation equipment. The tabulation supervisor is responsible for counting the ballots and preparing the necessary reports such as the canvass, and the overvote and undervote reports. The tabulation supervisor is responsible for the security of the program and ensures that no person, other than assistant tabulation supervisors, operate the tabulation equipment. If the tabulation supervisor is not the programmer, the tabulation supervisor must approve the program used to count the ballots prior to election day. To be eligible for appointment, the tabulation supervisor must be trained in the operation of the automatic tabulating equipment installed at the CCS. Employees of a political subdivision are not disqualified from appointment as the tabulation supervisor. The tabulation supervisor is entitled to compensation in an amount fixed by the authority establishing the CCS.

Assistant Tabulation Supervisors

Assists Tabulation Supervisor.

Presiding Judge

Maintains order at Central Counting Station and administers oaths. Receives ballot boxes. The Presiding Judge and the Alternate Judge are appointed in the same manner as polling place officials provided in Section 32.002 of the Texas Election Code. In the General Election for State and County Officers, County Commissioners Court must appoint the Presiding Judge and Alternate Judge from the lists of names provided by the county chairs. The Presiding Judge has the same authority as a Precinct Election Judge with respect to maintaining order and administering oaths. This authority also includes resolving any questions about voter intent on a ballot. If the manager determines that ballots will be duplicated or manually counted, the clerks will duplicate or hand count the ballots. The Presiding Judge will resolve any questions concerning voter intent. The Presiding Judge may also confer and advise the manager and tabulation supervisor on the operation of the CCS. The Presiding Judge is the custodian of the testing materials prepared for the test until the materials are delivered to the general custodian of election records following the third test. If personnel are granted temporary absence from the CCS while the polls are still open and the counting of ballots has begun, the Presiding Judge shall supervise those absences.

After the Tabulation Supervisor has prepared the necessary reports for canvass, the Presiding Judge must certify their accuracy and prepare documents for proper distribution. If the results are being transmitted via modem to the CCS, the Presiding Judge is responsible for comparing the results transmitted with the results printed at the precinct and delivered to the CCS. The Presiding Judge must also deliver counted ballots and other election materials to the proper authority.

Alternate Presiding Judge

Assists in maintaining order at Central Counting Station. If the Presiding Judge is absent, the Alternate Judge shall serve in the capacity of Presiding Judge; otherwise, the Alternate Judge performs the duties assigned by the Presiding Judge.

Clerks - Assist in operations of the Central Counting Station. Others permitted to be at the Central Counting Station are pollwatchers, inspectors, and security officers.

D. PROCEDURES FOR CONVENING THE CCS

Section 87.0241 of the Texas Election Code dictates when an entity is permitted to count ballots.

The Central Counting Station will convene based on the size and type of election as determined by the Central Counting Station Manager and the Presiding Judge to count early voting ballots and provisional or late ballots as may be required.

The Central Counting Station may not begin the process to count early voting ballots until: (1) the polls open on election day; or (2) in an election conducted by an authority of a county with a population of 100,000 or more or conducted jointly with such a county, the end of the period for early voting by personal appearance.

E. ADMINISTRATION OF OATHS

Section 127.0015 of the Texas Election Code prescribes a required oath for all CCS personnel. The administration of oaths must take place prior to those individuals commencing any of their duties at the Central Counting Station.

This oath should be administered verbally to all members of the Early Voting Ballot Board and all personnel at the Central Counting Station prior to the performance of any duties by the Early Voting Ballot Board or the Central Counting Station.

For use in Primary Elections, General Elections for State and County Officers and Elections ordered by the Governor:

"I swear (or affirm) that I will objectively work to be sure every eligible voter's vote is accepted and counted, and that only the ballots of those voters who violated the Texas Election Code will be rejected. I will make every effort to correctly reflect the voter's intent when it can be clearly determined. I will not work alone when ballots are present and will work only in the presence of a member of a political party different from my own. I will faithfully perform my duty as an officer of the election and guard the purity of the election."

For use in all Other Elections that do not contain Party Affiliation:

"I swear (or affirm) that I will objectively work to be sure every eligible voter's vote is accepted and counted, and that only the ballots of those voters who violated the Texas Election Code will be rejected. I will make every effort to correctly reflect the voter's intent when it can be clearly determined. I will not work alone when ballots are present. I will faithfully perform my duty as an officer of the election and guard the purity of the election."

F. INTAKE OF BALLOTS, ELECTRONIC MEDIA AND SUPPLIES

1. A Ballot and Seal Certificate is given to each polling location, in accordance to how many JBCs assigned to the location.

2. The Ballot and Seal Certificate contains the following information input at the time of preparation of equipment (all information should be the exact same when received at intake):

a. JBC Serial No. – to verify that JBC sent to location is the same JBC received at intake
b. Seal No. (MBB door): - to verify that the MBB containing votes records has not been tampered with.

c. MBB Asset No. – to verify that MBB sent to location is the same MBB received at intake

- d. JBC Box Seal No. – this seal should be used for the final sealing of the JBC Box by the poll workers
- e. Ballot Box Seal No. – this seal should be used for the final sealing of the Ballot Box by the poll workers

3. Central Counting Station processing at Intake:

1. As a polling location comes in, get the appropriate Intake Polling Location folder
2. CCS clerks will receive the Ballot Box, Transfer Bag, and JBC Box from poll worker.
3. CCS clerks will perform the following before sending the JBC box to CCS Judges for verification:
 - a. Break open the JBC Box and remove the white envelope containing the Ballot and Seal Certificate
 - b. Use the Ballot and Seal Certificate to verify the seal broken to open JBC Box and the Seal broken to open the Ballot Box
 - c. Break the seal and use the ballot box key to open the Ballot Box and remove any provisional ballots and place on top of Intake Polling Location folder
 - d. Ensure that poll worker has signed all provisional envelopes
 - e. Verify the Access Codes Voted on the FINAL ACCESS CODE REPORT matches the Reconciliation log
 - f. Verify the Number of voters signed in matches the number of voters marked for that location.
 - g. Place the BALLOT AND SEAL CERTIFICATE, RECONCILIATION LOG, and FINAL ACCESS CODE REPORT inside the Intake Polling Location folder
 - h. Send the JBC Box and Intake Polling Location folder to CCS Judges for further verification
4. CCS Judges will verify and initial the following on the Ballot and Seal Certificate:
 - a. JBC Serial No. – to verify that JBC sent to location is the same JBC received at intake
 - b. Seal No. (MBB door): - to verify that the MBB containing votes records has not been tampered with.
 - c. MBB Asset No. – to verify that MBB sent to location is the same MBB received at intake
5. CCS Judges will break the MBB door seal and remove the MBB to verify the above information (c). After verification and removal, the MBB is to be placed in the small pocket of the Intake Polling Location folder
6. If information in 4a, 4b, or 4c does not match, contact the Election Staff immediately.
 - a. Election Staff can pull the inventory report to verify JBC Serial No. and MBB Asset No
 - b. Consult with Poll Location Judges about why information is incorrect.
 - c. Notate findings of error on the Ballot and Seal Certificate
7. Once information is verified, place the following in the Intake Polling Location Folder with Provisional Ballots on top:
 - a. Ballot and Seal Certificate
 - b. Reconciliation Log
 - c. Final Access Code Report (totals facing upward on top all paperwork)

- d. MBB (in small pocket, behind the Final Access Code Report)
8. CCS Judges will deliver the Intake Polling Location folder and Provisional

Ballots to the CCS Clerk who will take it to the Tabulation Supervisor for tallying.

G. DUPLICATION OF BALLOTS

Certain ballots that are counted with automatic tabulating equipment may have to be duplicated if the ballot is damaged or cannot be read with the equipment.

1. Once the need for a duplicate ballot is determined, the Batch that contains a ballot to be duplicated should be deleted from Ballot Now and set aside for processing after the ballot is remade.
2. The CCS Asst. Tabulation Supervisor will print another election ballot for that same precinct of the ballot to be replaced.
3. The CCS Judges, Manager, and clerks will complete the following to ensure proper duplication:
 - a. On the ballot that must be remade write “ballot to be replaced” or “B2R” and Initial at the top of the ballot (near the precinct)
 - b. Record the serial number of the “replacement ballot” in this section as well on the BALLOT TO BE REPLACED
 - c. Write “Replacement Ballot” or “RB” and initial on the ballot to be used as the REPLACEMENT BALLOT at the top of the ballot (near the precinct).
 - d. Record the serial number of the BALLOT TO BE REPLACED on the newly printed replacement ballot at the top of the ballot (near the precinct).
 - e. The BALLOT TO BE REPLACED will go in a folder labeled “replaced ballots”
 - f. The REPLACEMENT BALLOT will be added back to the batch it came from for processing.
4. The Asst. Tabulation Supervisor will run the batch now containing the duplicated ballot and added to the accumulated totals.

H. RESOLVING VOTER INTENT

At the direction of the CCS Presiding Judge, CCS clerks will resolve any voter intent questions on the ballots as they are duplicated or manually counted, as applicable

1. The Presiding Judge, Alternate Judge and Manager will make a determination of voter intent prior to duplication of a ballot.
2. The Presiding Judge will be the final authority concerning the intent of the voter.
3. The duplicate ballot will then be created by the Presiding Judge and CCS clerks in the manner in which the voter intent was deciphered.

I. TABULATION PROCEDURES

Early Voting

- Presiding Judge of the EVBB will confirm seals match the Seal Log for Early Voting. EVBB Judge will deliver the JBC ballots to CCS. CCS Judge will confirm receipt of the JBC ballots.
- JBC Cards will be securely stored in the Tabulation Room to be accessed on Election Day by the Tabulation Supervisor.
- After Ballot Board completes their review of the Early Voting Ballots by Mail, approved ballots will be stored in a secure container for tabulation. JBC Cards will be stored for tabulation in the Central Count Station on Election Day. Results will not be released until after 7 PM.

Election Day

- Presiding Judge of the EVBB will review the seals of ballot boxes containing ballots reviewed by the Ballot Board. EVBB Judge will deliver the ballots to CCS. CCS Judge will confirm receipt of the ballots.
- After seals have been checked, the ballot boxes will be opened and the Tabulation Supervisor and Clerks will scan any approved ballots.
- After Early Voting ballots by mail have been scanned, results will be saved to an MBB Card and stored in the Tabulation Room to be read into the Hart system.
- Before any data is loaded into the computer a Zero Report will be printed and signed by the Tabulation Supervisor and the Assistant Tabulation Supervisor.
- Tabulation Supervisor and the tabulation assistants will confirm the MBB Cards for each site have been loaded and accounted.
- On Election Day, Early Voting ballots, including absentees received up to the point, may be tabulated, but in no case will results be released prior to 7 PM.

J. RECONCILIATION

The process for comparing the number of voters listed as having voted and the number of ballots cast is done in three ways:

1. Early Voting in Person – Compare the number of early voting check-ins from the POLLPAD, plus the spoiled ballot log, to the number of ballots cast.

2. Early Voting by Mail – Compare the number of ballots entered on the “Ballot Transmittal Form” from the early voting ballot board to the number of ballots counted. (87.021, 87.1221)
3. Election Day – Compare the number of early voting check-ins from POLLPAD, plus the spoiled ballot log, to the number of ballots cast. (127.007(b))

K. PRINTING OF PRECINCT RETURNS AND ELECTION TOTALS

Under Section 127.127, the Tabulation Supervisor and the assistants to the Tabulation Supervisor are the only ones authorized to operate the automatic tabulating equipment or handle ballots that are automatically counted.

After the counting of ballots (or accumulation of vote totals) has occurred, under the direction of the Presiding Judge of the CCS the precinct election returns are prepared. The Presiding Judge is required to sign a copy of the precinct returns to certify their accuracy. (Section 65.014, 127.131)

The printed “precinct by precinct” report will be adjusted to include any hand-counted ballots (if necessary) and constitutes our certified precinct returns. (Section 127.131(e)) The unofficial election results shall be released as soon as available after the polls close. Alternatively, the Presiding Judge of the CCS, in cooperation with the Elections Division Director may withhold the release of unofficial results until the last voter has voted. (Section 66.056, 127.1311) Unofficial election results will be released via the Jefferson County Clerk Elections Division webpage www.jeffersonelections.com, beginning no earlier than 7:00 pm on Election Day. Election Day results will be released incrementally as processed through acceptance and tabulation until all results are in.

L. REPORTING RESULTS TO THE SECRETARY OF STATE (if applicable)

For certain elections including primary elections, the general election for state and county officers, and constitutional amendment elections, the SOS is required to tabulate the unofficial results statewide. (68.001, Texas Election Code). This information can be reported to the SOS through their online portal or via telephone. Jefferson County Elections Staff will report the totals to the Secretary of State using the SOS online portal (TEAM) or via telephone as appropriate.

M. POLL WATCHERS

Poll watchers are entitled to be present during the time the CCS has convened for the “purpose of processing or preparing to process election results and until the election officers complete their duties at the station.” (Section 33.055)

The poll watcher must deliver their certificate of appointment to the Presiding Judge of the CCS and the watcher must countersign their certificate in the presence of the Presiding Judge. (Section 33.051) A watcher serving at Central Counting Station may be present at any time the

station is open for the purpose of processing or preparing to process election results and until the election officers complete their duties at the station. The watcher may serve during the hours the watcher chooses, except as provided by Subsection (b) a watcher may not leave during voting hours on Election Day without the Presiding Judge's permission if the counting of ballots at the Central Counting Station has begun.

Poll watcher(s) are permitted to stand or sit to observe the counting activities. The Presiding Judge may dictate where the poll watcher(s) may stand and/or sit in order to prevent interference with the duties of the Central Counting Station personnel while still being able to observe all activities.

All activities of poll watcher(s) shall be in compliance with the current Poll Watchers Guide issued by the Secretary of State.

A poll watcher may request a printed copy of an audit log produced by a central accumulator:

- (1) before any votes are tabulated;
- (2) after early voting results are tabulated; and
- (3) immediately following the completion of the vote tabulation.

N. POLL WATCHERS

All media will be retained in the secured tabulation room until after the canvass and filing period for recounts has passed. The ballots will remain in secure containers and stored in retention at the Elections Barn. After 60 days, the ballots will be removed from their storage bins and boxed and sealed for the remainder of the retention period.