From: Widen, Molly [SOS] Molly.Hammer@sos.iowa.gov @

Subject: Update: Recount Training Session
Date: November 17, 2020 at 1:06 PM

To: Elections Department soselections@sos.iowa.gov



## Good Afternoon County Auditors, Deputies and Staff:

Both yesterday's recorded training session and the PowerPoint I presented are now available on the Auditor's Portal.

Following yesterday's special training session, we've received a couple of follow-up questions from counties, and I wanted to ensure that I shared the answers with everyone:

Q1: Can we alter the programming of our machine to separate undervote and overvote ballots into a separate pile?

A1: NO. You cannot change any programming for the recount process. Iowa Code §50.48(4)(a) states in relevant part, "The same program used for tabulating the votes on election day shall be used at the recount unless the program is believed or known to be flawed." Because no county has reported that their program is believed or known to be flawed, everyone is required to use the same programing as election day.

Q2: Can the Recount Board conduct a hand recount of only the undervote and overvote ballots cast in a precinct?

A2: NO. If the Recount Board is going to conduct a hand recount of a precinct, then they are required by IAC 721—26.104 to tabulate all votes cast in that precinct. IAC 721—26.104 states in relevant part, "The responsibility of a recount board is to tabulate **all votes** for the office in question on ballots that were counted by the precinct election officials at the election." (emphasis added). Therefore, the Recount Board will need to determine on a precinct-by-precinct basis if a hand count will be conducted, and if so will be required to conduct a hand count of all ballots cast in that precinct.

Q3: Can the Recount Board do a machine count ONLY in some precincts and a machine and hand count in others?

A3: YES. As we discussed yesterday, you can view each precinct as its own recount. For example, after the machine count for a precinct, the Recount Board may conduct a hand recount in that precinct if it reported either undervotes or overvotes on Election Day and after the machine recount.

As always, do not hesitate to reach out with additional questions.

Sincerely,

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