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Delaware County Board of Elections Plan
For Conducting the Statewide Automatic Recount
For the Office of Judge of the Commonwealth Court
At the November 2, 2021 Municipal Election

Date of Plan: November 14, 2021

Per the Order of Recount ("Order") and the Recount Directive and Procedures ("Directive"), both of which were issued by the Pennsylvania Department of State ("DoS"), the Delaware County Board of Elections ("DCBOE") will perform a recount of the ballots from each precinct for the office of Judge of the Commonwealth Court. This document is the DCBOE plan for performing the recount.

Location and Dates
The recount will be conducted at the DCBOE's Wharf facility ("the Wharf"), 2501 Seaport Drive, Suite BH120, Chester, Pennsylvania, 19013. Per the DoS Order and Directive, the recount shall begin no sooner than 8:30 a.m. on Wed., Nov. 17, 2021 and shall conclude no later than noon on Tues., Nov. 23, 2021.
The DCBOE will begin work on the recount each day during this period, as needed, no sooner than 8:30 a.m. and end work on the recount as late in the evening as deemed necessary to make progress necessary to complete the recount at or before the deadline.
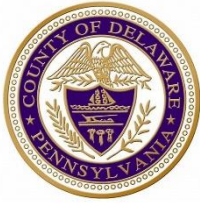
Ballot-Processing Equipment
At this Municipal Election, the Board used six Canon scanners that are permanently stationed at the Wharf for the processing of all:
   - Vote By Mail ballots
   - Absentee ballots
   - UOCAVA/UMOVA/Military-and-Overseas ballots
   - Provisional ballots
At this Municipal Election, Hart Intercivic precinct scanners were used to process all Election Day ballots, excepting for provisional ballots and the emergency-ballot-box ballots in Upper Providence 5.[1]

Per the Order and the Directive, the DCBOE must count all ballots on "devices of a different type" than were used during the initial ballot-counting processes.

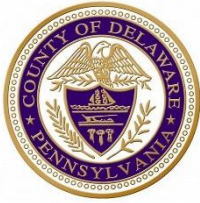Therefore, the DCBOE will use Hart InterCivic precinct scanners to recount:
- Vote By Mail ballots
- Absentee ballots
- UOCAVA/UMOVA/Military-and-Overseas ballots
- Provisional ballots, and
- The emergency-ballot-box ballots from Upper Providence 5.

At the same time, the DCBOE will use the Canon scanners that are permanently stationed at the Wharf to recount all standard ballots from Election Day that were cast in the precincts, excepting for the emergency-ballot-box ballots from Upper Providence 5.

Scanners permanently stationed at the Wharf: Canon model DR-G1100

The DCBOE will use the six Canon scanners that are permanently stationed at the Wharf for the recount of the standard Election Day ballots – that originally were processed through precinct scanners. Operators will:

1) Break the seal on the precinct ballot box.
2) Remove all ballots from the precinct ballot box.
3) Separate the A ballots that contain the office of Judge of the Commonwealth Court and place the B ballots that contain judicial-retention questions back in the precinct ballot box.
4) Inspect the A ballots for any undervotes, overvotes or marginal marks for manual recounting, per the Directive.
5) Recount all A ballots that do not contain undervotes, overvotes or marginal marks, through the Canon scanner that is permanently stationed at the Wharf.
6) Manually recount any A ballots with undervotes, overvotes or marginal marks in the contest for office of Judge of the Commonwealth Court.
7) Replace all A ballots (both recounted through the scanner and recounted manually) from that precinct in the ballot box.
8) Secure the ballot box with a new tamper-evident seal.
9) Log the seal number.
10) Mark the ballot box with red painter's tape to indicate that the precinct has been recounted.

Precinct Scanners: Hart InterCivic Verity System

The DCBOE will position up to 16 precinct scanners (plus as many as 9 back-up precinct scanners) at the Wharf for the recount of the Mail-In, Absentee, UOCAVA, Provisional and Providence 5 emergency-ballot-box ballots. The precinct scanners are programmed to detect and reject undervotes and overvotes for statewide, countywide and school director contests so that ballots that have an undervote or overvote for Court of the Commonwealth may be counted manually, per the Directive. When the undervote or overvote detection involves an office *other than the office of Court of the Commonwealth*, the operators will allow the precinct scanner to accept that ballot.
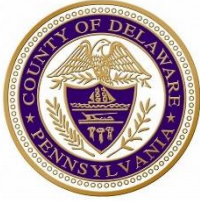
Precinct Scanners: Hart InterCivic Verity System (Continued from previous page.)

Workers will follow these procedures for recounting batches in the precinct scanners:
1. Remove only one batch at a time and separate non-ballot paperwork.
2. Scan both Ballot A and Ballot B
3. If Ballot A is rejected for an overvote or undervote for the office of Court of the Commonwealth, remove for manual recount, and after manually recounting, place with original batch paperwork.
4. If Ballot A is rejected for an overvote or undervote for any office *other than the office of Court of the Commonwealth*, override the rejection*.
5. Override all rejections of any Ballot B undervote alerts, as these Ballot B sheets do not contain the office of the Court of the Commonwealth.
6. Restore all ballots from the batch and mark the batch paperwork with red painter's tape to indicate that the batch has been recounted.

Transcribing of ballots for the Precinct Scanners

The Canon scanners that are permanently stationed at the Wharf can and did read the Absentee ballots and Vote By Mail ballots that the DCBOE printed using the Riso printer at the Wharf as well as the Provisional Ballots. However, the precinct scanners are programmed to accept only certain types of bar-coded ballots. Therefore, certain Riso-printed ballots and Provisional ballots may not be able to be read by the precinct scanners. Therefore, when necessary, these Absentee, Vote By Mail and Provisional ballots will be Transcribed onto a form of that precinct's ballot that can be read through a precinct scanner, and only with the vote for the office of Judge of the Commonwealth Court. DCBOE will maintain documentation to match or "wed" the original un-scannable ballot with the transcribed/scannable ballot.

Preservation of ballot batches

In order to preserve the ballots for the Risk Limiting Audit and/or one or more additional recount(s), the DCBOE will work to preserve original ballot batches. This means that once a batch is processed through any scanner and/or manually recounted, that batch will be re-assembled with paperwork from the original counting process.

Recount Observers Rules and Spaces

Recount observers:

- Must be pre-registered with the Board of Elections.
- Must present identification and wear identifying badges.
- May take notes.
- May pose questions to supervisors.
- CANNOT pose questions or interrupt the workers who are performing the work of opening, scanning and re-sealing ballots, ballot boxes and batches and processing ballots.
- CANNOT make objections to the decisions of the Board staff performing the recount.
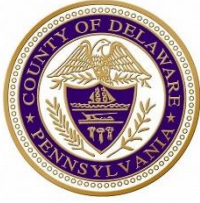- CANNOT touch any of the ballots.

Any observer who does not follow the rules and directions of the Board and its staff, or is otherwise disruptive, will be removed and shall not be permitted reentry.

Recount Observers Rules and Spaces (continued from previous page)

The six scanners that are permanently stationed at the Wharf will be positioned in three pairs of work stations. This will allow DCBOE workers and ballots to be positioned between Scanners 1 and 2, between Scanners 3 and 4, and between Scanners 5 and 6. In turn, recount observers will be able have space on the outside of Scanner 1, between Scanners 2 and 3, between scanners 4 and 5 and on the outside of Scanner 6.

Recount observers also will have spaces to observe the use of the precinct scanners. Recount observers also will have spaces to observe any ballot transcribing. A draft diagram of the spaces for DCBOE scanners and workers – and observers – is on the following page.

[1]At the precinct polling place for Upper Providence 5, there was a period on Election Day when the precinct scanner was not functioning. Per Board instructions and proper use of the certified equipment, poll workers told voters to use the auxiliary/emergency ballot box built into the ballot box. This emergency ballot box ensures that voting is not interrupted while a scanner is not functioning. The scanner was repaired/replaced. the poll workers then were to work in a bipartisan team to feed the ballots from the auxiliary/emergency ballot box into scanner before closing polls and running the results tapes. However, the poll workers closed the polls on the scanner and ran the results tapes – and then discovered/remembered the ballots in the auxiliary ballot area. The poll workers called DCBOE. DCBOE delivered a second ballot box to the poll workers so that chain of custody would be preserved. Upper Providence 5 then delivered two security-sealed ballot boxes to the drop-off site on Election Night – the one with ballots that had been run through the precinct scanner, and the second with the small number of ballots that had not been scanned. Those ballots then were processed through a scanner at the Wharf. Per the recount Directive to recount the ballots on different devices, these Providence 5 ballots must be processed through a precinct scanner.

Proposed Diagram of Recount Area at Wharf
(Subject to change, as needed.)

(Observer area)	**(Observer area)** Transcription area	Precinct Scan 1
(Canon Scanner 1)--------------------		Precinct Scan 2
Worker areas		Precinct Scan 3
(Canon Scanner 2)--------------------		Precinct Scan 4
(Observer area)		Precinct Scan 5
(Canon Scanner 3)--------------------		Precinct Scan 6
Worker areas		Precinct Scan 7
(Canon Scanner 4)--------------------		Precinct Scan 8
(Observer area)		Precinct Scan 9
(Canon Scanner 5)--------------------		Precinct Scan 10
Worker areas		Precinct Scan 11
(Canon Scanner 6)--------------------		Precinct Scan 12
(Observer area)		Precinct Scan 13
		Precinct Scan 14
	(Observer area) Transcription area	Precinct Scan 15
		Precinct Scan 16

(Observer area)