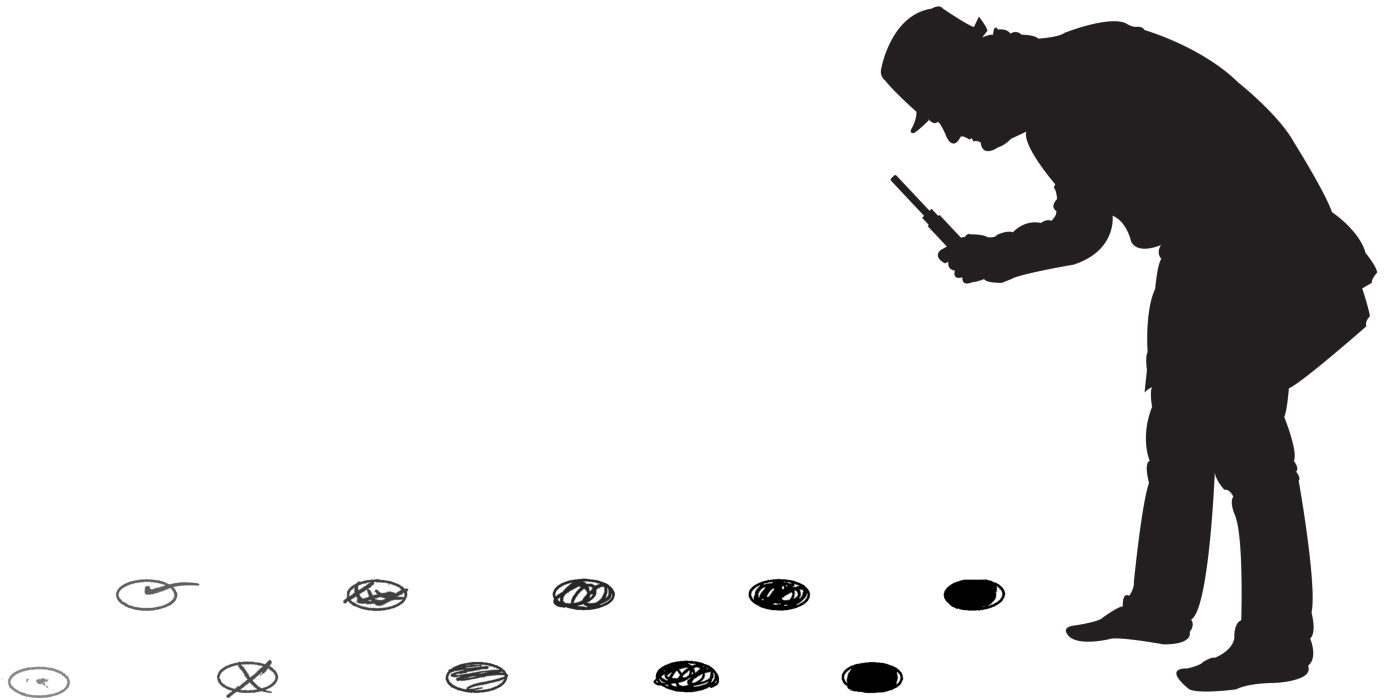




RECOUNTS IN AMERICA

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Recounts in America:

Recounts are an intimidating occurrence in the world of elections. Forty-three (43) states and Washington DC allow a losing candidate to petition for a recount under approved circumstances. Twenty (20) states have regulations in place that automatically trigger a recount when there is a low enough margin of victory between the two primary candidates after unofficial results are posted. Most states with automatic recount regulations require the State to cover the cost of the recount.

Of the twenty-seven (27) statewide recounts between 2000 and 2015, over 11% of them led to a different outcome than was originally reported. These changed outcomes came from recounts in Washington, Minnesota, and Vermont.

In November of 2018, several counties across the United States held full recounts. These counties included Minnehaha County, South Dakota, Erie County, New York, and Broward County, Florida. None of these recounts changed the original outcome of the election. Below are factual descriptions of events and costs that occurred within these jurisdictions.

Statewide Recounts

There were twenty-seven (27) statewide recounts between 2000 and 2015. Fifteen (15) of those twenty-seven (27) recounts were within a 0.15% or lower margin of victory, and the margin swing between leading candidates during those recounts was 282 votes on average, which represents 0.0191% of the statewide vote. Three (3) of the twenty-seven (27) statewide recounts led to a different outcome than was originally determined: the Washington State 2004 gubernatorial race, the Minnesota U.S. Senate race in 2008, and the Vermont 2006 auditor election. Larger elections have historically led to lower vote margin discrepancies than smaller recounts.

Washington 2004

A recount in Washington is automatically triggered when the difference in vote totals between leading candidates is within .5%, or less than 2,000 votes.

Almost 3 million ballots were cast during the 2004 gubernatorial race which Christine Gregoire won after two recounts by 133 votes.

Minnesota 2008

A recount in Minnesota is automatically triggered when the difference in vote totals between leading candidates is within .5%.

Minnesota's 2008 Senate race recount took almost eight months to complete and resulted in a 312 vote victory for the Democratic Candidate, Al Franken.



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Vermont 2006

A statewide recount in Vermont can be triggered if the difference between the numbers of votes cast for a winning and losing candidate is 2% or less of total votes cast.

Vermont's 2006 recount took over a month to complete and found Thomas Salmon to be the winner by a margin of 102 votes.

Countywide Recounts

Smaller scale countywide recounts regularly take place with generally limited attention from the media or local government. This past November, several counties across the United States held full recounts, including Minnehaha County, South Dakota, Erie County, New York, and Broward County, Florida.

Minnehaha County, South Dakota

Minnehaha County held a recount in November of 2018 for a Senate election between Republican incumbent Blake Curd, and Democratic candidate Kasey Olivier. The recount was requested by Olivier, as the unofficial results showed her losing to Curd by twenty-seven (27) votes out of 9,717 votes cast. The recount did not change the outcome of the election, as Curd retained his legislative seat by a similar margin of votes.

Erie County, New York

Erie County faced a recount of the 27th Congressional District election between Republican Chris Collins, and Democrat Nate McMurray in November of 2018. Collins' margin of victory was near 1% when McMurray demanded a recount. The recount did not change the outcome of the election, and Collins remained victorious.

Broward County, Florida

Broward County faced a county-wide recount of the senate election in November of 2018 between Republican candidate, Rick Scott, and the Democratic incumbent, Bill Nelson. Scott ended November 7 with a considerable lead of almost 50,000 votes over Nelson, but as of November 8, Scott only led by 15,079 votes, a margin that decreased by almost 35,000 votes from the early reports issued the day before. This swing put the county within the 0.25% margin required for a recount.

The State of Florida required the first unofficial results of the recount to be released Saturday November 10, after the election. Election Supervisors then had until November 15 to submit their second unofficial results from the machine recounts, and if those results showed a margin of victory of less than or equal to 0.25%, the manual recount of all overvotes and undervotes was to be concluded by Sunday November 18.



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Broward County was two minutes late in its submission of the second unofficial results, which led to the recount's disqualification by the secretary of state's office. The disqualification would mean that the county's first unofficial recount would stand as the official count until the final manual count was conducted from November 16-17. Broward's second unofficial results would have granted Scott and additional 700 votes in his favor. The final tally of counted votes had no effect on the original outcome of the election as the final margin of votes tallied between the winner, Scott, and the incumbent, Nelson, was 10,033.

Mail-in Ballots:

Absentee ballots often play a major role in determining whether a recount is necessary. One of the primary complications can be delays in the arrival of absentees, overseas and UOCAVA ballots before and after an election.

Recount Cost:

The cost of recounts can vary depending on the number of ballots needing re-tabulation, employed election officials working on tabulation, and the timeframe necessary for completing the recount.

Washington:

2.88 million ballots were cast during Washington's 2004 gubernatorial race which Christine Gregoire won after two recounts by 133 votes. The State's initial machine recount per county cost \$260,000 dollars. The State's manual recount came down to 30 cents per ballot, totaling over \$900,000. The total estimated cost to each of Washington's 39 counties was \$1,160,000, cumulating to \$45,240,000 statewide, of which the State reimbursed almost 40% of expenses.

The majority of Washington's ballots came from King County, where Seattle is located. With a population of over 1 million registered voters, King County accounted for almost one-third of recounted votes in 2004. This high volume of ballots, along with more expansive labor processes like presorting ballots and ensuring redundancy in manual tally procedures led to higher costs for staffing and facility leasing. Ultimately, the county's recount cost more than 60 cents per ballot, or double the statewide average.

Minnesota:

Minnesota's 2008 Senate race cost an estimated \$460,000 per county, totaling \$40,020,000 statewide, of which the State reimbursed approximately 20%. 90 to 100% of all expenses in the recounting process went to the manual re-adjudication of tabulated ballots, and the recount took almost eight months to complete. 2.92 million ballots were cast, resulting in a 312 vote victory for the Democratic Candidate, Al Franken.

For the recount, the Minnesota secretary of state set in place a cost-reimbursement formula of three cents per ballot recounted. This covered less than 1/5th of the total recount costs.



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Possible Solution:

It is vital as an American process that every election be counted accurately. With the nation trending towards paper ballots and the development of technological advances in scanning, automation could be the next step in recount accuracy and success. This is particularly true when it comes to large counties tabulating thousands of ballots by hand.

Hand counting ballots over the course of several hours leaves room for human error, a variable that we as a nation cannot afford in our efforts to tabulate every vote. With recent upticks in voter turnout, jurisdictions are tabulating more ballots than ever before. Variable costs, such as labor hours, will only continue to raise overall expenditures unless it is off set through technological innovation.

Adopting fully auditable automated recounts as the end all be all can be the start of a less expensive and faster solution.





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Bibliography:

- AP News. "SD Senate GOP Leader Keeps Seat after Recount in Close Race." *AP News*, Associated Press, 28 Nov. 2018, www.apnews.com/44d93033ffc94b21a03ee805869e4bb4.
- Blaskey, Sarah, and John Fitzhugh. "South Florida's Absentee-Ballot Blues: 'I Am Infuriated That I Was Not Able to Vote'." *Miamiherald*, Miami Herald, 13 Nov. 2018, www.miamiherald.com/news/politics-government/election/article221518235.html.
- FairVote.org. "Statewide Election Recounts, 2000-2015." *FairVote*, 29 Nov. 2016, www.fairvote.org/recounts.
- Gross, Samantha J., and Marta Oliver Craviotto. "Here's How a Recount in Florida Works, What Happens When and How Long It Takes." *Miamiherald*, Miami Herald, 13 Nov. 2018, www.miamiherald.com/article221342415.html.
- McCarthy, Robert J. "Chris Collins Maintains Win over Nate McMurray with Erie County's Absentees Counted." *The Buffalo News*, The Buffalo News, 21 Nov. 2018, www.buffalonews.com/2018/11/20/mcmurray-gains-in-absentee-count-collins-maintains-ny27-lead/.
- Ncsl.org. "Automatic Recounts." NCSL National Conference of State Legislature, <http://www.ncsl.org/research/elections-and-campaigns/automatic-recount-thresholds.aspx>
- Pew Center on the States. "The Cost of Statewide Recounts, A Case Study of Minnesota and Washington." *www.pewtrusts.org*, Pew Center on the States, Nov. 2010, www.pewtrusts.org/-/media/legacy/uploadedfiles/pcs_assets/2010/recountbrief1.pdf.pdf.
- Sneve, Joe, "Seven Legislative Races eligible for recounts, could change number of Ds and Rs in Pierre" *Sioux Falls Argus Leader*, 7 Nov. 2018 <https://www.argusleader.com/story/news/politics/2018/11/07/south-dakota-2018-elections-legislature-county-races-election-results-midterms/1920816002/>
- Swisher, Skyler, and Gray Rohrer. "Rick Scott Calls for Investigation of Vote 'Fraud' and 'Incompetence' in Broward and Palm Beach Counties." *Sun-Sentinel.com*, 8 Nov. 2018, www.sun-sentinel.com/news/politics/fl-ne-scott-sues-snipes-20181108-story.html.
- "New York Recount Laws." *Citizens for Election Integrity Minnesota*, 11 Sept. 2018, www.ceimn.org/searchable-databases/recount-database/new-york.
- "The 2018 Florida Statutes." *Statutes & Constitution :View Statutes : Online Sunshine*, The Florida Legislature, 22 Jan. 2019, www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199%2F0102%2FSections%2F0102.141.html.