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## BOARD OF ELECTIONS

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### STATEMENT ON THE PRELIMINARY NATURE OF ELECTION NIGHT TALLIES

The preliminary election "results" compiled on election night are produced by a combination of poll workers manually recording the results and the New York City Police Department (NYPD) collecting the materials containing these results, compiling them, and entering the information into its computer system for tabulation.

After the polls close on election night, more than 30,000 poll workers transcribe the number of votes for each candidate from the face of the voting machines onto Return of Canvass forms. These poll workers, who receive a very small compensation in return for working a 17 hour day and who are essentially volunteers for the agency, then hand the Return of Canvass sheets to the NYPD Officer assigned to that polling location. The candidates and/or members of their respective campaigns are permitted by law to assign poll watchers to observe and record the preliminary results (See NYS Election Law, Section 9-126).

Once collected, the NYPD Officer delivers the Return of Canvass sheets to his or her police precinct to be transcribed into its computer system by civilian employees of the NYPD. The computer records are then transmitted to the Associated Press and a copy of each Return of Canvass form is delivered to its office at 55 Washington Street in Brooklyn. The Associated Press then shares the preliminary results with its colleagues in the news media. These preliminary results, however, do not include thousands of absentee and affidavit ballots (See NYS Election Law, Section 9-102).

New York State has one of the most meticulous recanvass procedures in the country. State Election Law requires all Board of Elections to recanvass every voting machine used within 15 days of the election. During this process, bipartisan teams of Board employees record the results for official tabulation. As an extra layer of oversight, representatives of all the campaigns are notified of the recanvass schedule and invited to monitor the official recanvass and ensure its accuracy. The absentee and affidavit ballots are then opened and tabulated after staff review. The campaigns are once again invited to monitor the opening and counting of these paper ballots (See NYS Election Law, Section 9-208).

The Board of Elections is required to promptly complete its official certification of the election results. Board of Elections staff completed and certified the 2008 Presidential Primary Election within 21 days of the vote on February 26, 2008 (See NYS Election Law, Sections 3-222, 9-200, 9-208).

In response to media inquiries during the recanvass procedure for the 2008 Presidential Primary election, the Board conducted an investigation into several Election Districts that showed zero votes for Senator Barack Obama on the preliminary election night results. The Board's investigation revealed that there were 35 instances of inspector error where the results were written incorrectly on the Return of Canvass sheets, 20 instances of NYPD error entering the data to its computer system, and 27 instances where the reported results were correct.

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