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Elections Administrator



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TARRANT COUNTY ELECTIONS ADMINISTRATION

15 Oct 2024

CENTRAL COUNT STATION PLAN

A. PURPOSE:

Section 127.001 of the Texas Election Code (“TEC”) allows for the establishment of one or more Central Counting Stations (“CCS”). Section 127.007 of the TEC requires the *Manager* of the CCS to “establish and implement a written plan for the orderly operation of the central counting station.” this plan 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 combination form with the number of votes cast for an entire election.”

Note: All references noted are Texas Election Code (TEC), unless expressly otherwise indicated.

B. LOCATION:

The primary Tarrant County Central Counting Station will be located at the Tarrant County Elections Warehouse, 3333 Quorum, Suite 280, Fort Worth, TX 76137.

An alternate Tarrant County Central Counting Station will be located at Tarrant County Elections Administration, 2700 Premier St, Fort Worth, TX 76111.

C. CENTRAL COUNTING STATION PERSONNEL:

The Secretary of State provides training for members of a Central Counting Station, per Section 127.010, however, the training is not a prerequisite for eligibility to serve as a member of a Central Counting Station. (Sec 32.1111)

The following are the roles and responsibilities inside the Central Counting Station, as contained in Sections 127.002-127.006 of the Texas Election Code:

- The Elections Administrator will serve as the *Central Counting Station Manager* to manage the overall administration of the station and supervision of personnel.
- The Technology Resources Coordinator will serve as the *Tabulation Supervisor* to operate automatic tabulating equipment.
- The Voting Systems Analyst will serve as *Assistant Tabulation Supervisor* to assist the Tabulation Supervisor.

- The *Presiding Judge* of the Early Voting Ballot Board will serve as the *Presiding Judge* to maintain order at the Central Counting Station, administer oaths, and receive ballots to be counted. (See Notes 1, 2 and 3)
- The *Alternate Presiding Judge* of the Early Voting Ballot Board will serve as the *Alternate Judge* at the Central Counting Station to serve in the capacity of the Presiding Judge in the event the Presiding Judge is not present or available. (See Note 1)

Note 1: Section 127.005 (e) allows for the *Presiding Judge* and *Alternate Presiding Judge* to be appointed in the same manner as in section 32.002.

Note 2: The *Presiding Judge* is entitled to compensation at the same rate as a precinct *Presiding Judge*, except that the counting station judge is entitled to a minimum compensation of five hours' pay regardless of the amount of time worked. (127.005(d))

Note 3: During a Primary Election, each political party that has an Early Voting Ballot Board will also have *Presiding Judge* and *Alternate Presiding Judge* for the Central Counting Station. (123.033(f)(3), 127.001, 127.005)

- *Central Counting Station Clerks* may be appointed as needed by the *Manager*, the *Presiding Judge*, and the *Alternate Presiding Judge* (Section 127.006 of the Texas Election Code.) (See Attachment A)

Note: To be eligible to serve as a clerk, a person must be a qualified voter of the county in which the central counting station is located. The general custodian of election records, an employee of the custodian, or any other employee of a political subdivision is not ineligible to serve as a clerk under this section because the person is a qualified voter of a county other than the county in which the central counting station is located or because of the custodian's status as a candidate or officeholder. (127.006(b))

A clerk appointed by the *Manager* serves under the *Manager* and shall perform the functions directed by the *Manager*. A clerk appointed by the *Presiding Judge* or the *Alternate Presiding Judge* serves under the *Presiding Judge* and shall perform the functions directed by the *Presiding Judge*. (127.006(c))

A clerk is entitled to compensation at the same rate as a precinct election clerk, except that a clerk who serves for the entire time a counting station is in operation is entitled to a minimum compensation of three hours' pay regardless of the amount of time worked. (127.006(d))

D. PROCEDURES FOR CONVENING THE CENTRAL COUNTING STATION:

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(s)* 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:

Per [Attorney General Opinion KP-140](#), and in compliance with Article XVI, Sect 1 of the Texas Constitution, all presiding judges, alternate judges and early voting clerks must complete the [Statement of Officer](#) and take the [constitutional oath of office](#). This includes the presiding judge and alternate judge of the central counting station. Other central counting station personnel are not required to take the constitutional oath of office or complete the Statement of Officer. The constitutional oath and Statement of Officer must be completed prior to entering service.

Sections 86.006, 127.0015 of the Texas Election Code prescribe a required oath for all other 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 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." (Sec 127.0015)

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:

Sections 129.051 and 129.052 of the Texas Election Code require the general custodian of election records to develop certain procedures related to inventory control and chain of custody of voting system equipment and electronic media associated with this equipment, providing for verification of equipment identifiers, verification of seals, and verification of chain of custody. Intake personnel at Tarrant County Rally Sites are duly sworn Tarrant County Elections employees.

1. Election Judges, or their designee, brings paper ballots (in sealed ballot transfer bags) and V-Drives (in sealed Verity Scan ("Scan")) to a Tarrant County Elections Administration Office or Rally Site (regional site) – typically the site closest to their location – accompanied by the Alternate Judge or other designee. (Sec 127.066(c))
2. Intake personnel will verify all locks and seals are properly affixed, annotate the seal numbers, then give a signed receipt to the delivering officers.
3. If there is a discrepancy, CSS personnel shall contact the presiding judge of the polling place to determine the basis for the discrepancy and obtain an affidavit as to the reason for the discrepancy, if one has not already been filled out.

4. Tarrant County Elections Staff will place the “official” V-drive from the Scan in a security bag for transport to the Tally Room, along with the summary tape, if present. These represent the “official results”.
5. Tarrant County Elections Staff will place the “backup” V-drive from the Scan into another security bag, to be separately transferred to Tarrant County Elections Office.
6. At a time to be determined by the Elections Administrator or CCS Manager, the “official” V-Drive security bags will be delivered to Tarrant County Elections, where either the *Presiding Judge* or Tarrant County Elections Staff will verify the seal numbers with the chain of custody document before delivering them to the *Tabulation Supervisor* or *Assistant Tabulation Supervisor*. (NOTE: Transport may be done using Law Enforcement personnel or Tarrant County Elections Staff as provided for by Section 85.071 of the Texas Election Code.). Trips will be made in a “round robin” manner, transporting V-drives accumulated at the rally sites until the last of the polling locations have turned in their equipment and ballots to Election Administration intake staff.
7. Once received at the CCS, the results from the “official” V-drives will be read into the tabulation computer for tally by either the *Tabulation Supervisor* or *Assistant Tabulation Supervisor*, where the accumulated results will be periodically released to the public via the Election Night Reporting (“ENR”) program.
8. If there are any write-in candidates for any race requiring adjudication, the *Presiding Judge* and *Assistant Presiding Judge* or other sworn CCS member shall adjudicate the intent of the voter at that time. (See Note 3)
9. As the media is read into the central accumulator, the *Presiding Judge*, *Central Counting Station Manager* or designee shall verify that the vote totals on the electronic media match the vote totals on the printed summary tape, when provided.
10. After uploading all results to the central accumulator system, the election official must verify and document that the central accumulator’s total number of votes cast in an election matches the number of check-ins in E-Pulse. If there is a discrepancy, the *Presiding Judge* of the counting station in conjunction with the *Central Counting Station Manager* shall determine if a further audit is necessary. (Sec 127.007, 87.0211, 87.1221)
11. At a date and time to be determined, but not earlier than the opening of polls on Election Day, the Early Voting results tapes will be printed and signed by the Early Voting Ballot Board.

Note 3: In bipartisan elections, the *Presiding Judge* and another member of a different party (typically the *Alternate Presiding Judge*) must adjudicate the write-in candidates. In Primary elections, the Party representatives from each Party’s CCS will adjudicate their own Party’s write-in votes.

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. (Section 127.125-127.126)

1. The *Presiding Judge*, with any assistants they deem necessary, will duplicate any damaged ballots in accordance with Section 127.126 of the Texas Election Code.
2. All duplication of ballots will be conducted with at least two members of differing political parties in elections where there are partisan races. In Primary elections, each Party will duplicate ballots for their own Party’s Primary.

H. RESOLVING VOTER INTENT:

At the direction of the *Presiding Judge*, EVBB members will resolve any voter intent questions on the ballots as they are duplicated or manually counted, as applicable.

1. Absentee ballots that are not damaged will be resolved in the Central Count System upon successfully capturing the image of the ballot.
2. Absentee ballots that are damaged and cannot be scanned by the Central Count System will be duplicated in accordance with section 127.126, TEC. Prior to duplicating the ballot, the *Presiding Judge*, or an appointed ballot board team, with members from differing parties (in non-Primary elections), will determine the manner in which the voter's intent was deciphered.

I. TABULATION PROCEDURES:

1. The second tabulation test will be performed immediately before the ballots are counted using the tabulating equipment. (Section 127.093(c))
2. The Verity Count system will be used to produce zero reports to illustrate that no pre-existing votes exist on the official database.
3. The *Presiding Judge or CCS Manager* will designate clerks to scan all un-scanned FPCA ballots into Verity Central.
4. All scanned ballots will be reviewed by the software which will identify any that need human review (under-votes, over-votes, damaged, etc).
5. The V-drive(s) will then be read into Verity Count for addition to the database.
6. The *Tabulation Supervisor* will confirm that the number of V-drives read into the system is accurate. (See Note 6)
7. On Election Day, Early Voting ballots, including absentees received up that point, may be tabulated, but in no case will results be released prior to 7:00PM.
8. The third tabulation test will be performed immediately after the ballots are counted using the tabulation equipment (Section 127.093(d))

J. Ballots Deposited into Emergency Slot at Polling Place

If a precinct scanner is malfunctioning or the ballot is damaged in a manner that results in the voter being unable to deposit the ballot directly into the precinct scanner, then the voter should deposit their ballot into the emergency slot on the precinct scanner enclosure (ballot box). This is a separate compartment on the ballot box that allows for the voter to deposit their ballot, while segregating that ballot from other ballots that have already been counted by the precinct scanner. The ballots placed in the emergency slot must not be commingled with the ballots that were properly scanned by the precinct scanner and deposited into the ballot box. (Section 125.006). This process will be directed by TCE staff, after troubleshooting of the Scanner has been conducted.

The ballots in the emergency slot will be delivered to the CCS for counting using the automatic tabulating equipment at the CCS by the CCS Manager, or duplicated and then tabulated, in the event that the ballot is damaged in a manner that makes it unreadable. (Sections 125.006, 127.126)

K. 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 ePollbooks, minus any spoiled ballots, 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 voters on the ePollbooks, plus the Omissions List entries, minus any ballots-thrown-out (e.g. spoiled), to the total number of ballots cast. (127.007(b))

NOTE 4: Upon completion of reading all V-drives from the security bags into the tabulation computer to tally the totals, the *Tabulation Supervisor* or *Assistant Tabulation Supervisor* will print reports from the tabulation computer showing the final results. The report will be signed by the *Presiding Judge* certifying that the results are accurate.

NOTE 5: The *Presiding Judge* of the CCS shall provide and attest to a written reconciliation of votes and voters at the close of tabulation for election day and again after the CCS meets for the last time to process late-arriving ballots by mail and provisional ballots.

Note 6: In the event that an “official results” V-drive cannot be read, the *Presiding Judge* will direct the *Tabulation Supervisor* or *Assistant Tabulation Supervisor* to break the seal on the BACKUP V-drive bag and retrieve the BACKUP V-drive for the “official results” V-drive that was unable to be read and will read that drive in as the “official results” drive. In the event that the BACKUP V-drive also cannot be read, the *Presiding Judge* will break the seal on the ballot transfer bag of that location and the *Presiding Judge*, *Assistant Presiding Judge* or the *Central Counting Station Manager* will designate clerks to scan all un-scanned ballots into Verity Scans setup for that purpose (separate Scans are setup to accept Early Voting, Absentee or Election Day ballots as appropriate) and the resulting V-drives will be used as the “official” and “backup” V-drives.

L. PRINTING OF PRECINCT RETURNS AND ELECTION TOTALS:

Under Section 127.127, the *Tabulation Supervisor* and the *Assistant 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, the *Tabulation Supervisor and Assistant Tabulation Supervisor* of the CCS are responsible for preparing the precinct election returns. The *Presiding Judge* is required to sign the precinct returns to certify their accuracy. (Section 127.131(a))

The printed “precinct by precinct” report that has been adjusted to include any hand-counted ballots (if necessary) constitutes the 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 Administrator may withhold the release of unofficial results until the last voter has voted. (Section 121.1311)

Unofficial election results will be released via Tarrant County’s Election Night Results webpage, beginning no earlier than 7:00 PM on Election Day. Election Day results will be released incrementally as they are processed through acceptance and tabulation until all results are in. (Section 121.1311)

M. 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. This information can be reported to the SOS through their online portal or via telephone. (Section 68.001)

1. The *Tabulation Supervisor* or *Assistant Tabulation Supervisor* will prepare reports with the requested totals for the Secretary of State.
2. *Tarrant County Elections Staff* will report the totals to the Secretary of State using the SOS online portal (TEAM) or via telephone as appropriate.

N. 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)

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. (Section 33.055(b))

The poll watcher must deliver both their certificate of completion for the Texas SOS Poll Watcher Training **and** their certificate of appointment to the *Presiding Judge* of the CCS and the *Presiding Judge* must countersign their certificate of appointment.

Poll watcher(s) are permitted to stand, sit or move freely without obstructing the conduct of the election or interfering with the duties of the CCS personnel, while still being able to observe all activities. (Section 33.0015)

All activities of poll watcher(s) shall comply with Texas Election Code, Chapter 33 and the current *Poll Watchers Guide* issued by the Secretary of State.

O. DELIVERY OF MATERIALS TO THE GENERAL CUSTODIAN OF ELECTION RECORDS:

After the completion of the counting of ballots both on election day and after election day, if necessary; voted ballots, electronic media, election records, and election equipment will be retained by this office, who is the general custodian of election records, through the appropriate retention period in order to allow for the review of serial numbers as required.

P. SECURITY PROCEDURES:

A Licensed Peace Officer will be posted at the CCS, as required by Section 127.1232(a), at any time that the CCS is convened.

As provided for by Section 85.071, TEC, Law Enforcement personnel and/or Tarrant County Elections Staff may be used to transport “official” and/or “backup” V-drives, as required.

Live video streaming will be active during the time the CCS is convened and is available via the Tarrant County Elections website (<https://www.tarrantcountytx.gov/en/elections/current-election-information/elections-videos---livestream.html>). (Section 127.1232(b))

LIST OF CLERKS FOR CENTRAL COUNTING STATION MANAGER

ATTACHMENT A

**Assistant Elections Administrator
Operations Manager
Voter Registration Manager
Elections Manager
Elections Supplies Specialist
Election Equipment Support Specialist
Public Information Clerk
Chief Bookkeeper
Voter Registration Assistant Manager
Others as may be verbally appointed.**

**Troy Havard
Beth DiPaolo
Patricia Benavides
Grasie Alvarado
Melinda Lopez
Jessica Anderson
Mary Dane
Maria Serna
Kenisha Benjamin**