



Virginia's Guide To Hand-Counting and Duplicating Ballots

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Introduction

Hand-counting and ballot duplication are two processes that allow local election officials to tabulate ballots that cannot be read by a ballot scanner. Hand-counting refers to the act of manually tabulating ballots, i.e., counting them “by hand.” Ballot duplication refers to the process of transcribing a voter’s markings from a damaged or defective machine-readable ballot to another machine-readable ballot.

In Virginia, hand-counting and ballot duplication are allowed only in certain circumstances. Further, some circumstances mandate the use of either hand-counting or ballot duplication. To assist local election officials with the tabulation of ballots, the remainder of this guide explains Virginia’s rules and requirements for hand-counting and ballot duplication.

What will you learn in this guide?

- Definitions of key terms like “Machine-readable ballot” and “Unique identifier.”
- A step-by-step process for ballot duplication
- Answers to frequently asked questions or “FAQs”
- How to determine whether a ballot should or should not be hand-counted or duplicated.

Definitions:

“Ballot duplication” is the process of replacing damaged or improperly marked ballots (i.e. the ballot scanner cannot read the ballot) with a new ballot that preserves the voter’s intent. In Virginia, machine-readable ballots that are damaged or defective cannot be hand-counted and *must* undergo ballot duplication, pursuant to Va. Code §§ 24.2-653.01(D) and 24.2-709.2

“Hand-counting” is the process by which ballots are manually counted rather than tabulated by a ballot scanner. In Virginia, tabulation by hand-count should happen only when a ballot scanner is inoperative, there is no other available scanner, and it would be unreasonable to wait for the inoperative machine to be made operative or replaced with an operative machine. See Va. Code §24.2-654.

“Machine-readable ballot” means a tangible ballot that can be fed into and scanned by a ballot scanner capable of reading ballots and tabulating results. See Va. Code §24.2-101. All machine-readable ballots must be tabulated by the ballot scanner, and damaged or defective machine-readable ballots must be duplicated.

“Non-Machine-readable ballot” means a tangible ballot that cannot be fed into a ballot scanner but is otherwise a valid ballot. Examples of non-machine-readable ballots are electronically transmitted UOCAVA or Print Disabled ballots.

“Unique identifier” means a number or code that links a defective or damaged ballot to its duplicate counterpart. Localities may create their own system for assigning unique identifiers. However, each unique identifier should capture a ballot’s precinct, the date of duplication, the team who duplicated the ballot, and the ballot’s order number (e.g. the 17th ballot that Team A duplicated that day).

When Do I Duplicate?

Ballot duplication *must* occur when:

- A machine-readable ballot is damaged or defective; or
- A machine-readable ballot contains an error, such as a timing-mark error, that renders the ballot unreadable by the ballot scanner.
- Ballot duplication should only occur in three instances:
 1. During an absentee pre-processing meeting;
 2. At the central absentee precinct (CAP) on Election Day; or
 3. During the canvass.

A locality may choose to conduct as many, or as few ballot duplication sessions as needed to process absentee ballots that cannot be read by a ballot scanner.

When Don’t I Duplicate?

Do not perform duplication on ballots that are not inherently machine-readable. For example, ballot duplication is not permitted on electronically transmitted UOCAVA ballots, because even validly marked electronically transmitted UOCAVA ballots are not machine-readable.

During instances where ballot duplication is an option, if a ballot is machine-readable and is not clearly identified as damaged or defective then the ballot should not be immediately duplicated or hand-counted— it must be inserted into the ballot scanner if one is available. If the ballot is inserted into the machine and returned out of the machine due to unreadability, then set aside for duplication.

On Election Day, if the ballot scanner is unable to tabulate a voter's damaged or defaced machine-readable ballot, the officer of election may instead void the damaged ballot and issue a replacement to the voter.

When Do I Hand-Count?

Always hand-count ballots that are not inherently machine-readable, such as electronically transmitted UOCAVA ballots. In rare circumstances, election officials can hand-count machine-readable ballots. However, this is permitted only when all the following apply:

1. The ballot scanner machine is inoperative;
2. There is no other available scanner; and
3. It would be unreasonable to wait for the inoperative ballot scanner to be made operative or an operative ballot scanner to be delivered to the polling place rather than hand-counting the ballots.

When is a scanner considered unavailable or a wait considered unreasonable?

Localities should plan to ensure that any machine-readable ballots that are not defaced or damaged are read by a ballot scanner. Localities should budget to purchase additional ballot scanners so that all machine-readable ballots can be tabulated by machine.

There may be circumstances, including during the post-election period, in which a locality determines that an operative scanner cannot reasonably be made available at a particular location. Under Va. Code § 24.2-654, registrars may, after certain conditions are met, hand count ballots consistent with this guide if it would be unreasonable to wait for an operative ballot scanner to be delivered to the polling place rather than hand counting the ballots.

Localities should exercise their best judgment, on a case-by-case basis, to determine whether the conditions in Va. Code § 24.2-654 have been met, and whether waiting for an operative scanner is unreasonable. If possible, these determinations should be made in consultation with your local attorney and documented. When making these decisions, localities should consider the following:

1. Is there a backup and programmed scanner that can be easily delivered to the voting location?
2. Are all available scanners currently in use?
3. Would assigning an available scanner prevent or otherwise interfere with efficiently running any future ballots through the scanner?
4. If a scanner is inoperative, how long would it take to repair the scanner?

Recommended Ballot Duplication Steps

Preparation

1. Create a chain of custody, accounting, and storage system for tracking ballots that cannot be scanned and will require duplication. Establish a system and schedule for the duplication operation.
2. As part of the pre-processing or post-election notice, give notice to the local political party chairs of the time and place for ballot duplication in sufficient time to allow for the authorized party representatives to be present.
3. At least two officers of election, one representing each political party (as defined by VA Code §24.2-101), shall perform the duplication of ballots. No person present while ballot duplication is occurring shall disclose any information concerning the ballots.

If CAP officers are going to be designated as the pair of election officials to duplicate ballots, make sure to clear their roles with the political party chairs. If service by party is difficult with the lack of party affiliation amongst officers of election, designate a bipartisan pair of EBs to serve as the ballot duplicators for the CAP.

4. Prepare materials and logging templates for establishing unique identifiers and tracking chain of custody for original ballots versus duplicate ballots.
5. Prepare pre-processing staff for identifying ballots to be duplicated. Develop a process for determining a cure versus duplication (see FAQ section for more information on cure).

Processing

1. Once a ballot is identified to require duplication, alert designated staff.
2. Collect the ballot at a central workstation at the meeting and set aside for duplication with any other damaged or defective ballots. If not being duplicated on the same day, these should be stored in a secure location consistent with the locality's security plan.
 - To consolidate the process and improve efficiency, ELECT recommends conducting all pre-processing duplication at the end of pre-processing, at the CAP on Election Day, or at the CAP during post-election.
 - If there are multiple duplication teams across multiple days, each team should have a tracking log to complete while duplicating ballots. The information must be consolidated into a master tracking sheet for each precinct and a grand master tracking sheet for the entire locality.
3. Mark the voter's status in VERIS.
4. Once ready for duplication, retrieve the ballots from the secure location.
5. Use the guidance in this document for determining voter intent.

-
- Voter intent for each ballot must be agreed to by the officers of election present representing the two political parties. If the officers of election cannot agree on voter intent, the ballot cannot be counted and must be determined invalid.
6. Assign the original voter-marked ballot a unique identifier that corresponds with the duplicated ballot. Your unique identifier should, at a minimum, indicate the ballot's precinct, date of duplication, team responsible for duplication, and the duplicated ballot's order (for example, the fourth ballot duplicated by team C for the day).

Each locality may designate its own unique identifier format. Alternatively, localities may choose to follow one of the example formats below:

Example 1:

- F-110926-7-003
 - Precinct F
 - Processed on 11/09/26
 - Team 7 (Carla F and Jack R)
 - 3rd ballot Team 7 duplicated that day

Example 2:

- P215-007
 - Precinct 215
 - 7th ballot transcribed for that precinct
 - Date of transcription and individuals who performed the duplication would be captured on the master Duplication Log

7. Have a team member duplicate the original ballot's selections onto the new duplicate ballot.
8. Place a stamp or written note on the back of the original and duplicate ballot and write:
- The precinct number/name
 - Original or Duplicate Ballot with a ballot number
 - Examples: "Precinct 101-Central Library Original #1", "Precinct 101-Central Library Duplicate #1"; "Precinct 201 Original #2, "Precinct 201 Duplicate #2"

Note: If a stamp is used, it should be placed on the back of the ballot to keep it away from the area that is read by the ballot scanner, i.e. away from the timing marks and where the voter is marking their votes. Localities may also wish to discuss the placement of the stamp with their vendor.

9. Once complete, insert the duplicate ballot into the ballot scanner. Total results when appropriate and record the results per normal locality process.

Documentation and Records Retention

Robust documentation is key to the successful and transparent implementation of ballot duplication. Local election officials should maintain daily counts, a duplication log, and any other recordkeeping necessary.

The original and duplicated ballots should ultimately be stored with the clerk of court and be organized in such a way to be easily identified. Localities may decide how best to organize the original and duplicate ballots for storage after the ballots have been duplicated and scanned. Examples could include:

- Paperclipping the original ballot and the duplicated ballot together and placing with the other machine-readable ballots in an Envelope 3.
- Keeping the original ballot in one Envelope 3 labeled “Damaged/Defective Original Ballots-Precinct 101” and the duplicated ballot in another Envelope 3 labeled “Duplicated Ballots-Precinct 101.”
- For absentee ballots, ELECT offers a 5A envelope that will capture the original damaged absentee ballot, its B envelope, and its return envelope. This envelope will carry the same retention period as the current Envelope 5. If the absentee ballot duplication process is an on-going process, the unsealed Envelope 5A should be placed in the locality’s locked security area after each day’s activity. In this scenario, the counted duplicated ballots may either be stored in a traditional Envelope 3 with a paperclip or folder to separate these uniquely identified ballots from the other counted absentee ballots or in a uniquely identified Envelope 3, e.g., Envelope 3D, Duplicated Absentee Ballots ONLY.
- For provisional ballots, ELECT recommends that damaged original provisional ballots be returned and sealed in the precinct’s Envelope 1A. Do not attach the original and duplicated ballots with the green provisional envelope to ensure secrecy of the ballot. The counted duplicated provisional ballots may either be stored in a traditional Envelope 3 with a paperclip or folder to separate these uniquely identified ballots from the other counted provisional ballots or in a uniquely identified Envelope 3, e.g., Envelope 3D, Duplicated Provisional Ballots ONLY.

Ensure the locality log of all ballots duplicated is retained by the general registrar and held per the Library of Virginia’s record retention schedule. Example templates can be found in the appendix of this guide.

(Ranked Choice Voting ONLY) A grand master sheet must be created for every RCV contest: one copy must go to the Clerk of Court, one copy must go to ELECT, and one copy must be retained by the general registrar.

Frequently Asked Questions

What if my team cannot determine who the voter voted for?

If the bipartisan review team cannot discern a voter's intent from a damaged ballot, vote a ballot with the contests under contention not marked (under-voted). This may mean voting a blank ballot. If required by your ballot scanners, override a return of duplicated ballots with under-voted offices so the ballot is scanned/counted.

If the team agrees on partial voter intent, the agreed upon office selections should be marked on the duplicate ballot and the other offices left blank. A duplicated ballot with under-voted offices must be overridden by the ballot officer once entered into the ballot scanner.

In a recount, if the teams cannot agree on how to process the ballot, the vote must be challenged and adjudicated by the court.

How do I ensure political party representation for a primary election?

During a primary, officers of election may all represent one party, pursuant to §24.2-115(B). However, pursuant to §§24.2-653.01 and 24.2-709.2, when duplicating damaged or defective provisional or absentee ballots, the team of election officials must represent both political parties. Localities may need to reach out to officers of election who represent the other party to assist in the duplication process during pre-processing, CAP, or during the post-election period. Alternatively, Electoral Board members who represent both parties may work as a duplication team if officers of election representing the other party are unavailable.

Do the same rules apply to Ranked Choice Voting (RCV) elections?

Since ballots in RCV elections require marking ranking selections in a comparable manner to marking candidate selections in traditional elections, the provisions of this guide generally apply to ranked choice voting elections in determining voter intent. See Section 8 for guidance regarding ranked choice voting ballots and example scenarios specific to that method of voting. In the event of a conflict between Section 8 and the remainder of the guide in relation to ranked choice voting, Section 8 shall control.

How does ballot duplication apply to the cure process?

While both processes involve intervention by an election official, the two processes are distinct and function differently.

Cure process

The cure process exists primarily to remedy defects in the *B Envelope* used to return mail absentee ballots. Common errors on the B Envelope include a missing signature or address.

The cure process involves an election official contacting a voter and offering the voter an opportunity to correct any material omissions on the voter's B Envelope. This is because *only a voter can cure their own B Envelope*.

Ballot duplication

Ballot duplication remedies a defect in or damage to a *ballot* such that the ballot can no longer be read by a machine. Unlike the absentee ballot cure process, the ballot duplication process does not involve the

voter. Rather, bipartisan teams of election officials perform ballot duplication.

How should duplicated ballots be handled in a Risk Limiting Audit (RLA)?

Risk Limiting Audits are to ensure the accuracy of the reported outcome of an election before an election is certified. Therefore, when performing an RLA, the original damaged absentee ballot must be acquired and counted rather than its corresponding duplicated ballot. The original ballot should still be compared to the duplicated ballot to ensure proper duplication occurred. Therefore, when a locality is asking its Clerk of Court for envelopes, the request must include Envelope 5A along with the #3 Envelopes, if that was the method chosen by the locality. Additionally, duplicated ballots captured in a unique Envelope 3 will create a batch for ballot manifest purposes. Duplicated ballots that were placed in the same Envelope 3 as other machine-read ballots would not create a new batch, as the duplicated ballots would be a part of that batch. Please review the RLA Manual for further information regarding the RLA process.

How should duplicated ballots be handled in a recount?

If a recount were to occur in your locality, any absentee ballot “sought to be cast but ruled invalid and not cast in the election” shall not be taken into account for the recount, pursuant to §24.2-802.2.

If duplicated ballots were counted in the election, the duplicated ballot, not the original ballot, should be counted in the recount. The determination of voter intent, i.e., hand-counting ballots, used in recounts is only applicable as prescribed by Va. Code §24.2-802.2.

Determining Voter Intent: Can this vote count?

Use the following vote-marking scenarios when duplicating or hand-counting a ballot to determine if a voter's intent can be determined and captured in the results.

1. Extra Marks

A voter might accidentally make extra pen marks or smudges on their ballot.

- Any ballot marked so that the intent of the voter is clear shall be counted. (Va. Code §24.2-644)
- Count the vote for the mark that stands out and is clearly associated with a candidate.

**Member
House of Delegates
64th District**

Vote for not more than one

☐ Aaron J. Peshkin II (D)

☐ G. Duane Kruse (R)

☒ Davitra Rangel (L)

☐ Jin Chen (I)

☐ Viviana Montoya (I)

#1a



Vote to count

This example contains two marks, but one stands out because it is bold and complete.

This vote is counted for Davitra Rangel.

**Member
House of Delegates
64th District**

Vote for not more than one

☒ Aaron J. Peshkin II (D)

☒ G. Duane Kruse (R)

☐ Davitra Rangel (L)

☐ Jin Chen (I)

☐ Viviana Montoya (I)

#1b



Vote not to count

The voter marked between two candidate names. In this instance, the voter did not clearly indicate their choice.

This vote cannot be counted.

**Member
House of Delegates
64th District**

Vote for not more than one

- ☐ Aaron J. Peshkin II (D)
- ☐ G. Duane Kruse (R)
- ☐ Davitra Rangel (L)
- ☐ Jin Chen (I)
- ☐ Viviana Montoya (I)

#1c



Vote not to count

The mark is between two names and gives no clear indication of voter's choice.

This vote cannot be counted.

**Member
House of Delegates
64th District**

Vote for not more than one

- ☐ Aaron J. Peshkin II (D)
- ☐ G. Duane Kruse (R)
- ☐ Davitra Rangel (L)
- ☐ Jin Chen (I)
- ☐ Viviana Montoya (I)

1d



Vote not to count

It is not clear who the voter prefers because the mark is in between candidates

This vote cannot be counted

**Member
House of Delegates
64th District**

Vote for not more than one

- ☐ Aaron J. Peshkin II (D)
- ☐ G. Duane Kruse (R)
- ☐ Davitra Rangel (L)
- ☐ Jin Chen (I)
- ☐ Viviana Montoya (I)

#1e



Vote not to count

The mark is between-and touches-two names and gives no clear indication of the voter's choice.

This vote cannot be counted.

2. More than one candidate marked

You may encounter a ballot that contains more than one mark for a vote-for-one contest.

- Any ballot marked so that the intent of the voter is clear shall be counted. (Va. Code §24.2-644).
- If a ballot for an office contains a greater number of votes than permitted, no vote for the office can be counted (Va. Code §24.2-663).
- In a recount, voting for more candidates than permitted is considered an overvote and the vote cannot be counted (Va. Code §24.2-802.2).
- Count the vote for the mark that stands out and is clearly associated with a candidate.

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64th District**

Vote for not more than one

☒ Aaron J. Peshkin II (D)

☒ G. Duane Kruse (R)

☐ Davitra Rangel (L)

☐ Jin Chen (I)

☐ Viviana Montoya (I)

#2a



Vote to count

This example contains two marks, but one stands out because the box contains an x and is circled.

The vote is counted for Aaron J. Peshkin II.

**Member
House of Delegates
64th District**

Vote for not more than one

☒ Aaron J. Peshkin II (D)

☒ G. Duane Kruse (R)

☒ Davitra Rangel (L)

☒ Jin Chen (I)

☒ Viviana Montoya (I)

#2b



Vote not to count

The voter marked each candidate on the ballot. One candidate was marked with a check while the others are marked with an "X". Each mark has the same weight for choice, and there is no clear indication of voter intent.

The voter marked each candidate, which is an overvote; the vote cannot be counted.

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House of Delegates
64th District**

Vote for not more than one

- ☐ Aaron J. Peshkin II (D)
- ☒ G. Duane Kruse (R)
- ☐ Davitra Rangel (L)
- ☐ Jin Chen (I)

P. J Roe

#2c



Vote not to count

The voter marked a candidate and wrote the name of a write-in candidate Both are a voter for a candidate.

This vote cannot be counted.

**Member
House of Delegates
64th District**

Vote for not more than one

- ☒ Aaron J. Peshkin II (D)
- ☒ G. Duane Kruse (R)
- ☐ Davitra Rangel (L)
- ☐ Jin Chen (I)
- ☐ Viviana Montoya (I)

#2d



Vote not to count

The voter marked two candidates, when only one is allowed. It is not clear who the voter prefers because both marks the same. No mark stands out for a particular candidate.

This vote cannot be counted.

3. Strikethroughs

Some voters draw lines (also called strikethroughs) across candidate names instead of marking in the oval or box.

- Any ballot marked so that the intent of the voter is clear shall be counted. (Va. Code §24.2-644)
- Strikethroughs mean a voter does not favor a candidate. They don't provide information about voter intent. Often, these votes cannot be counted.

**Member
House of Delegates
64th District**

Vote for not more than one

☐ ~~Aaron J. Peshkin II (D)~~

☐ ~~G. Duane Kruse (R)~~

☐ ~~Davitra Rangel (L)~~

☐ ~~Jin Chen (I)~~

☒ Viviana Montoya (I)

#3a



Vote to count

This voter checked the oval for one candidate and marked out the others.

This vote is counted for Viviana Montoya.

**Member
House of Delegates
64th District**

Vote for not more than one

☐ Aaron J. Peshkin II (D)

☐ G. Duane Kruse (R)

☐ Davitra Rangel (L)

☐ Jin Chen (I)

☐ Viviana Montoya (I)

3b



Vote not to count

The voter marked a line in between two names, and there is no clear indication of the voter's choice.

The vote cannot be counted.

**Member
House of Delegates
64th District**

Vote for not more than one

- ☐ ~~Aaron J. Peshkin II (D)~~
- ☐ ~~G. Duane Kruse (R)~~
- ☐ ~~Davitra Rangel (L)~~
- ☐ ~~Jim Chen (H)~~
- ☐ Viviana Montoya (I)

#3c



Vote not to count

In this example, 4 candidates are struck out. There is no clear mark that indicates who the voter prefers.

This vote cannot be counted.

4. Mark outside the oval

A voter's mark for a candidate may fall outside the oval or box.

- Any ballot marked so that the intent of the voter is clear shall be counted. (Va. Code §24.2-644)
- Consider whether the mark indicates a preference for a candidate. If the mark is unclear, the vote cannot be counted.

**Member
House of Delegates
64th District**

Vote for not more than one

☒ Aaron J. Peshkin II (D)

☐ G. Duane Kruse (R)

☐ Davitra Rangel (L)

☐ Jin Chen (I)

☐ Viviana Montoya (I)

#4a



Vote to count

In this example, it is clear that the checkmark aligns with a candidate.

The vote is counted for Aaron J. Peshkin II.

**Member
House of Delegates
64th District**

Vote for not more than one

☐ Aaron J. Peshkin II (D)

☐ G. Duane Kruse (R) ←

☐ Davitra Rangel (L)

☐ Jin Chen (I)

☐ Viviana Montoya (I)

#4b



Vote to count

In this example, the arrow clearly points to a candidate.

The vote is counted for G. Duane Kruse.

I

**Member
House of Delegates
64th District**

Vote for not more than one

- ☐ Aaron J. Peshkin II (D)
- ☐ G. Duane Kruse (R)
- ☐ Davitra Rangel (L)
- ☐ Jin Chen (I)
- ☐ Viviana Montoya (I)

#4c



Vote not count

This mark outside of the oval is not clearly associated with any candidate.

This vote cannot be counted.

**Member
House of Delegates
64th District**

Vote for not more than one

- ☐ Aaron J. Peshkin II (D)
- ☐ G. Duane Kruse (R)
- ☐ Davitra Rangel (L)
- ☐ Jin Chen (I)
- ☐ Viviana Montoya (I)

#4d



Vote not to count

This mark is not clearly associated with a single candidate.

This vote cannot be counted.

5. Circle-like marks

You may encounter a ballot on which a voter has circled a candidate name, rather than filling in an oval or box to specify their vote.

- Any ballot marked so that the intent of the voter is clear shall be counted (Va. Code §24.2-644).
- Consider whether the mark indicates a preference for a candidate. If it is unclear, the vote cannot be counted.

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64th District**

Vote for not more than one

☒ Aaron J. Peshkin II (D)

☐ G. Duane Kruse (R)

☐ Davitra Rangel (L)

☐ Jin Chen (I)

☐ Viviana Montoya (I)



Vote to count

In this example, the circle corresponds to a specific candidate.

The vote is counted for Aaron J. Peshkin II.

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64th District**

Vote for not more than one

☐ Aaron J. Peshkin II (D)

☐ G. Duane Kruse (R)

☒ Davitra Rangel (L)

☐ Jin Chen (I)

☐ Viviana Montoya (I)

#5b



Vote to count

In this example, the circle line touches more than one candidate. The center of the circle closes on one candidate.

The vote can be counted for Davitra Rangel.

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64th District

Vote for not more than one

☐ Aaron J. Peshkin II (D)

☐ G. Duane Kruse (R)

☐ Davitra Rangel (L)

☐ Jin Chen (I)

☐ Viviana Montoya (I)

#5c



Vote not to count

The circle closes around two candidates. The voter's preference cannot be determined.

This vote cannot be counted.

6. Writing words

Voters shall not write words, other than a candidate's name, to indicate preference. Writing words cannot be used to indicate preference.

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House of Delegates
64th District**

Vote for not more than one

This one

☐ Aaron J. Peshkin II (D)

☒ G. Duane Kruse (R)

☐ Davitra Rangel (L)

☐ Jin Chen (I)

☐ Viviana Montoya (I)

6a



Vote to count

In this example, the words “this one” cannot be taken as an indication of preference. However, the voter also drew an arrow, which can be used to indicate the voter's preference for 1 candidate.

The vote is counted for G. Duane Kruse.

**Member
House of Delegates
64th District**

Vote for not more than one

This one

☒ Aaron J. Peshkin II (D)

☒ G. Duane Kruse (R)

☒ Davitra Rangel (L)

☒ Jin Chen (I)

☒ Viviana Montoya (I)



Vote not to count

The voter checked all boxes and wrote “this one” on the ballot. The words “this one” cannot be used as an indication of preference.

Additionally, voter marked each candidate, which is an overvote; the vote cannot be counted.

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House of Delegates
64th District**

Vote for not more than one

- ☐ ~~my GUY~~ Aaron J. Perlut (D)
- ☐ G. Duane Kruse (R)
- ☐ Davitra Rangel (L)
- ☐ Jin Chen (I)
- ☐ Viviana Montoya (I)

#6c



Vote not to count

The voter only wrote “My Guy” across a candidate’s name. This is not a clear indication that the voter was choosing this candidate for their vote.

This vote cannot be counted.

7. Write-in votes

Voters may choose to write in the name of a candidate not listed on the ballot.

Follow the rules in the election code

- At all elections, except primary elections, a voter may vote for any person other than the listed candidates for the office by writing or hand printing the person's name on the official ballot. No check or other mark shall be required to cast a valid write-in vote.
§24.2-644(C)
- No write-in vote shall be counted for an office for any person whose name appears on the ballot as a candidate for that office.
§24.2-644(D)

**Member
House of Delegates
64th District**

Vote for not more than one

☐ Aaron J. Peshkin II (D)

☐ G. Duane Kruse (R)

☐ Davitra Rangel (L)

☒ Write-In
P.J. Roe

#7



Vote to count

The voter wrote the name and filled in the oval to indicate that this is their choice.

The vote is counted as a write-in for P.J. Roe.

**Member
House of Delegates
64th District**

Vote for not more than one

☐ Aaron J. Peshkin II (D)

☐ G. Duane Kruse (R)

☐ Davitra Rangel (L)

☐ Jin Chen (I)

X P.J. Roe

#7a



Vote to count

The voter wrote in the name and created a mark to indicate that this is their choice.

The vote is counted as a write-in vote for P.J. Roe.

**Member
House of Delegates
64th District**

Vote for not more than one

- ☐ Aaron J. Peshkin II (D)
- ☐ G. Duane Kruse (R)
- ☐ Davitra Rangel (L)
- ☐ Jin Chen (I)

P.J. Roe

#7b



Vote to count

The voter clearly indicated their voting preference.

No check or other mark shall be required to cast a valid write-in vote. §24.2-644(C)

The vote is counted as a write-in vote for P.J. Roe.

**Member
House of Delegates
64th District**

Vote for not more than one

- ☐ Aaron J. Peshkin II (D)
- ☐ G. Duane Kruse (R)
- ☐ Davitra Rangel (L)
- ☐ Write-In

AARON J PESHKIN II

#7c



Vote not to count

The voter indicated their choice; however, their choice is already printed on the ballot.

No write-in vote shall be counted for an office for any person whose name appears on the ballot as a candidate for that office. §24.2-644(D)

This vote cannot be counted.

**Member
House of Delegates
64th District**

Vote for not more than one

- ☐ Aaron J. Peshkin II (D)
- ☐ G. Duane Kruse (R)
- ☐ Davitra Rangel (L)

☒ Write-In
Peshkin

#7d



Vote not to count

The voter indicated their choice with the last name of the candidate; however, their choice is already printed on the ballot.

No write-in vote shall be counted for an office for any person whose name appears on the ballot as a candidate for that office. §24.2-644(D)

This vote cannot be counted.

Member
House of Delegates
64th District

Vote for not more than one

☒ Aaron J. Peshkin II (D)

☐ G. Duane Kruse (R)

☐ Davitra Rangel (L)

☐ Write-In

P.J. Roe

#7e



Vote not to count

The voter marked a selection and wrote down a name. This indicates two choices, more than what is permitted for this contest.

If voter indicate a number of choices for a race in which is not permitted they have made an overvote and no vote shall be counted. §24.2-802.2

This vote cannot be counted.

8. Ranked Choice Votes

Pursuant to § 24.2-673.1 of the Code of Virginia, the State Board of Elections promulgated 1VAC20-100-40, which sets forth standards for ballot treatment in ranked choice elections for scenarios in which a voter completes their ballot in a manner inconsistent with given instructions. This section provides a visual guide for those scenarios and how they are resolved.

The examples in this section presume the ability to determine the intent for each choice. If there is uncertainty about whether a voter intended to make a choice, the preceding sections will serve as a guide to make determinations of intent. This section shall control for purposes of ranked choice votes in the event of a conflict with the preceding sections. .

In the following examples, keep in mind that only first-choice rankings may be applied in the first-choice ranking tabulation round. 1VAC20-100-50(A).

Ranked choice Overvote: More than one candidate assigned same ranking

MAYOR (4 year term)	Vote 1 st Choice Here	Vote 2 nd Choice Here	Vote 3 rd Choice Here	Vote 4 th Choice Here	Vote 5 th Choice Here
Thomas Jefferson	☒	☐	☐	☐	☐
Benjamin Franklin	☐	☒	☐	☐	☐
Alexander Hamilton	☐	☒	☐	☐	☐
John Adams	☐	☐	☒	☐	☐
Write in: _____	☐	☐	☐	☐	☐

In the case of a ranked choice overvote for a ranking on a ballot, the ranking shall not be counted in any round and the next valid ranking shall be counted in all rounds except the first-choice ranking tabulation. 1VAC20-100-40 A 1.

Votes are invalid for a ranking assigned to multiple candidates. In this example, the first-choice vote would be applied in the first-choice ranking tabulation round. If the first-choice candidate is eliminated in a subsequent round, the second-choice overvotes would be invalid and the third-choice vote would be valid.

Duplicate Ranking: Voter assigned one candidate multiple rankings

MAYOR (4 year term)	Vote 1 st Choice Here	Vote 2 nd Choice Here	Vote 3 rd Choice Here	Vote 4 th Choice Here	Vote 5 th Choice Here
Thomas Jefferson	☐	☒ 	☐	☐	☐
Benjamin Franklin	☐	☐	☐	☐	☒ 
Alexander Hamilton	☐	☐	☐	☒ 	☐
John Adams	☒ 	☐	☒ 	☐	☐
Write in: _____	☐	☐	☐	☐	☐

In the case of a duplicate ranking for an active candidate, only the voter's highest ranking for the candidate shall be counted. Valid rankings after a duplicate ranking shall be counted. 1VAC20-100-40 A 2.

In this example, the voter's highest ranking for John Adams is valid. The third-choice vote for John Adams is not valid. If the voter's first- and second-choice candidates are eliminated, the fourth-choice ranking would be applied.

Skipped Ranking #1: One ranking skipped

MAYOR (4 year term)	Vote 1 st Choice Here	Vote 2 nd Choice Here	Vote 3 rd Choice Here	Vote 4 th Choice Here	Vote 5 th Choice Here
Thomas Jefferson	☐	☐	☒ 	☐	☐
Benjamin Franklin	☒ 	☐	☐	☐	☐
Alexander Hamilton	☐	☐	☐	☐	☐
John Adams	☐	☐	☐	☐	☐
Write in: _____	☐	☐	☐	☐	☐

In the event of a ballot with a skipped ranking, the next valid ranking shall be counted, except in the first-choice tabulation round. 1VAC20-100-40 B 1.

If only one ranking skipped, next valid vote to count. In this example, first-choice and third-choice votes are valid.

Skipped Ranking #2: More than one ranking skipped

MAYOR (4 year term)	Vote 1 st Choice Here	Vote 2 nd Choice Here	Vote 3 rd Choice Here	Vote 4 th Choice Here	Vote 5 th Choice Here
Thomas Jefferson	☐	☐	☐	☐	☐
Benjamin Franklin	☐	☐	☐	☐	☐
Alexander Hamilton	☐	☐	☐	☐	☐
John Adams	☐	☐	☒ 	☐	☐
Write in: _____	☐	☐	☐	☐	☐

In the event the ballot reaches two consecutive skipped rankings, the ballot will be considered an inactive ballot. 1VAC-20-100-40 B 2.

Vote after two consecutive skipped rankings not to count. In this example, the third-choice vote is not valid.

Please note: Pursuant to 1VAC20-100-10, “skipped ranking” is when a voter has left a ranking unassigned but validly ranks a candidate at a subsequent ranking. A round in which a voter has made a choice deemed invalid is not a “skipped ranking” (e.g., an overvote followed by a skipped ranking does not count as two consecutive skipped rankings).

Appendix

A. Example tracking logs/sheets

- Example of a team log (new log each day):

Precinct:	CAP		
Team:	A: Jackson F and Felicia S		
Process Date:	11/03/26		
Ballot Unique Identifiers			
12-110326-A-001		12-110326-A-004	
12-110326-A-002			
12-110326-A-003			
Total Ballots Processed		4	
Team Member 1 Signature:		Jackson Forest	
Team Member 2 Signature:		Felicia Sampson	

- Example of a precinct sheet:

Precinct:	Provisional			
Process Date	Team Name	Team Member 1	Team Member 2	# of Ballots Duplicated
11/12/26	1	Susan G	Sammy B	1
11/12/26	2	Andi K	Carol V	0

- Example of a locality-wide sheet:

Process Date	Precinct	# of Ballots Duplicated
11/03/26	304	38
11/03/26	307	27

B. Damaged\Unreadable Ballot Duplication Log

County\City of:	Universal	Precinct:	Central Absentee
Election:	11/3/2026 General and Special	Team Member 1:	Republican EB Member
Process Date:	11/03/2026	Team Member 2:	Democratic EB Member
		Team Name:	Duplication Team (DT)
A. Total # of Duplicated Ballots	6	B. Total # of ABs to Process:	909
Unique Ballot Identifiers			
1. 201-110326-DJ-01		5. 623-110326-DJ-05	
2. 515-110326-DJ-02		6. 402-110326-DJ-06	
3. 111-110326-DJ-03			
4. 315-110326-DJ-04			
Total Number of Absentee Envelopes to be Processed (Total of A and B Above):	915		
Public Count at the Start of the Day:	377		
Public Count at the end of the Day:	1292		
Difference:	915		
Total Ballots Processed:	915		
Duplication Team Member 1 Signature:	<i>Republican Electoral Board Member One</i>		
Duplication Team Member 2 Signature:	<i>Democratic Electoral Board Member Two</i>		

Number of Original Damaged Ballots Sealed in Envelope 5A:	
6	
Number of Counted Ballots Sealed in Envelope 3:	915
CAP Chief Officer's Signature:	
CAP Deputy Chief Officer's Signature:	