

CAMERON COUNTY
CENTRAL COUNTING STATION PLAN
(Revised on 10/30/2024)
(Texas Election Code Section 127.007)

PURPOSE

Section 127.007 of the Texas Election Code requires the Manager of the Central Counting Station to "establish and implement a written plan for the orderly operation of the central counting station." This plan must be made available to the public upon request not later than 5 p.m. on the fifth day before the date of the election. Section 127.007(b) provides that a Central Counting Station 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."

The Central Counting Station Plan will be reviewed and updated periodically to include any updates to the Texas Election Code or to include any election-specific information. The date of the revisions will be included in the caption of the plan upon distribution to the public.

LOCATION AND ACTIVITIES

The Central Counting Station is generally located at the Cameron County Courthouse, Central Jury Room, at 974 East Harrison St., Brownsville, Texas. During Primary Elections, the 444th District Courtroom, located at the same address, is utilized for the Republican Central Counting Station. The Central Counting Station will begin operation a day before Election Day for the counting of early voting ballots, unless the county foresees a high voter turnout. In that case, they may opt to begin the early voting Central Counting Station a few days prior to Election Day. Election Day ballots are counted on the day of the election as they are delivered throughout the night by the election presiding judges.

The Central Counting Station will reconvene to tabulate any late-arriving mail ballots, mail ballots that required corrective action and were timely returned, qualified provisional ballots, and military and overseas ballots on or about seven days after the general election date. Generally, the Central Counting Station will reconvene at the Office Building of the Department of Elections and Voter Registration located at 1050 E. Madison St., Brownsville, TX. They will follow the general procedures outlined in this plan to the extent practicable.

The Central Counting Station site has secured extended stations around the perimeter of the building. The stations are set up to receive election returns as well as all election material in a secure and efficient manner. Station One is located in the back parking area of the Central Jury Room. Only authorized personnel such as staff, security, and the assigned Presiding Judge are allowed in this area. The Presiding Judge will deliver election records to Central Counting Station One as soon as possible. Our receiving clerk will retrieve the sealed thumb drive canvas bag, blue transfer case/box, orange provisional bag (sealed if the location had provisional ballots cast), clear emergency envelope #5 (sealed if the bag contains voted ballots), and combination forms.

All seals are documented on the delivery receipt, and a hard copy is handed to the Central Counting Station Secretary.

Items for Stations 2 through 5 are delivered by the appointed Alternate Judge or designee. They will drive through several stations and drop off the following items: Register of Official Ballots, Ballot Precinct Counter Log, Ballot & Seal Certificate, grey envelope, yellow envelope, blue bag containing surrendered ballots by mail and spoiled ballots, paper poll book, cell phone, supply box and unused ballots, vote bag, 100-foot distance marker, electronic poll book, computer supply bag, and hand cart.

The Department works with local law enforcement to secure all areas of the Central Counting Station.

In addition to serving as Cameron County's Central Counting Station, the Department utilizes this location for its Logic and Accuracy Testing.

A licensed peace officer will be posted at the Central Counting Station as required by Section 127.1232(a) at any time that the Central Counting Station is convened. Live video streaming will be active during the time the Central Counting Station is convened on the Cameron County Election Department's website, www.cameronvotes.com (Section 127.1232(b)).

CENTRAL COUNTING STATION PERSONNEL

As per Texas Election Code Sections 127.002–127.006:

- **Presiding Judge:** Governs over the Central Counting Station.
 - Administers the oath to all Central Counting Station personnel.
 - Receives and reviews tabulating and election material from its extended stations.
 - Maintains order and oversees the tabulating and reporting process.
- **Alternate Judge:** The role of the Alternate Judge is to assume the role of the Presiding Judge if the Presiding Judge is unable to serve. If the Presiding Judge is able to serve, then the Alternate Judge will perform other duties at the Central Counting Station.
- **Central Counting Station Manager:** Manages the overall administration of the Central Counting Station and all its components.
- **Tabulation Supervisor:** Operates the automatic tabulating equipment and produces the election results report as requested by the Presiding Judge and/or Central Counting Station Manager.
- **Assistant Tabulation Supervisor:** Assists the Tabulation Supervisor in all tasks.
- **Tabulation Team:** Under the direction of the Tabulation Supervisor.
 - Reconciles the number of voters listed as having voted and the votes received and counted in the Central Counting Station by precinct or polling location.
- **Resolution Board:** The Resolution Board is generally selected and appointed by the Presiding Judge (with the exception of the Primary Elections in which they are appointed by the Elected Party Chairs) to review ballots returned by DS850 and/or DS450 as "Overvotes" or "Undervotes" or irregularly marked ballots. The board's task is to resolve any ballots that are questionable to determine voter intent and to duplicate damaged ballots to be counted by the tabulating equipment.

- **Counting Teams:** Process and tabulate any write-in candidates and/or proceed with manual count if necessary.
- **Central Counting Station Clerks:** May be appointed as needed by the Central Counting Station Manager and the Presiding and Alternate Judges.

All Central Counting Station personnel will be:

- Checked in at entrance.
- Issued Authorized Personnel Badge.
- Cell phones may be turned in prior to entering the station.
- Sworn in by the Presiding Judge.
- A brief orientation will be given.
- Judge will issue assignments and instructions.

POLL WATCHERS

Chapter 33 of the Texas Election Code

A poll watcher observes the conduct of the election on behalf of a particular candidate, group, or party, and reports on their findings (see Poll Watcher Guide issued by the Texas Secretary of State Election Division, revised August 2023).

- They must deliver their Certificate of Appointment and Certificate of Completion from SOS training to the Presiding Judge, or clerk if the Presiding Judge is unavailable.
- They must be sworn in before they are allowed to serve.
- They are allowed to witness the running of the Logic and Accuracy Test and/or zero report, which are compared to the master and the printout from the public testing completed the week before.
- During the testing of the tabulating equipment, the Central Counting Station Manager will ask the poll watcher, if present, to accompany them to transport the Early Voting media bags and Emergency Envelope No. 5 that are secured in the Elections Office security room located at 1050 E. Madison St., Brownsville, Texas, to the Central Counting Station.
- They are allowed to observe all activities of the Central Counting Station.

The Presiding Judge has the responsibility to maintain order, prevent breaches of the peace, and prevent violations of the Election Code in the Central Counting Station, and has the power of a district judge in the performance of those responsibilities. If a poll watcher causes a disruption in the Central Counting Station that impedes the ability of Central Counting Station personnel to perform their duties, or if the watcher willfully violates the Election Code, then the Presiding Judge may remove the watcher from the Central Counting Station. (Secs. 32.075, 127.005)

All activities of poll watchers shall follow the current Poll Watchers Guide issued by the Secretary of State.

NOTICES

- The notices of Logic and Accuracy Testing are published in the major northern and southern newspapers the weekend before the county's tabulating system is tested.
 - Election Notices, Orders, and the Early Voting and Election Day locations and times are posted on the Department of Elections & Voter Registration exterior bulletin board located at 1050 E. Madison St., Brownsville, Texas, and on our website cameronvotes.com. Additionally, notices may be recorded at the County Clerk's Office.
 - The notice of convening of the Early Voting Ballot Board and Provisional Ballot Board is filed and posted at least 48 hours before convening.
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LOGIC AND ACCURACY TESTING

- Early Voting and Election Day Logic and Accuracy Testing of the equipment used to mark and tabulate ballots, such as ExpressVote machines, DS300, DS200, DS450, DS850, and the ElectionWare Results Module (ERM), are generally held the Wednesday or Thursday before Early Voting begins.
 - All testing is witnessed and certified by the Central Counting Station Presiding Judge and Alternate Judge (during Primary Elections both Presiding Judges), the Tabulation Supervisor, and the Central Counting Station Manager, if present.
 - The first Logic and Accuracy Test is open to the public. The second and third will be conducted in the Central Counting Station once it has convened.
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EARLY VOTING CENTRAL COUNTING

- Central Counting Station personnel and poll watchers are processed up to an hour before the Central Counting Station begins.
 - The Early Voting Clerk/Custodian of Records will deliver the blue transfer boxes to the Central Counting Station an hour before it convenes.
 - Equipment used at Early Voting locations will be located for access by the Central Counting Station should they be needed to process ballots not counted at the location, specifically those included in Emergency Envelope No. 5.
 - Once staff and poll watchers are processed, they will be sworn in by the Presiding Judge, and a brief orientation will be given prior to the event.
 - Logic and Accuracy Testing will be done prior to starting the tabulating process.
 - The Central Counting Station Manager, staff, and any present poll watchers will pick up and transport secured Early Voting media bags (blue canvas bags) and Emergency Envelopes No. 5 containing ballots not counted at the Early Voting sites to the Central Counting Station.
 - The Presiding and Alternate Judges of the Central Counting Station will confirm seals match the Seal Log for Early Voting media bags, ballot bins, and Emergency Envelope No. 5.
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- Early Voting media bags and Emergency Envelope No. 5 (if needed) will be opened by the Presiding and Alternate Judges once seals have been verified. The Presiding and Alternate Judges will break the seals on all Early Voting media bags and remove the media sticks.
- All media sticks will be read into the ElectionWare Results Module by the Tabulation Supervisor with the Presiding and Alternate Judges of the Central Counting Station present. The printed Ballot Status Report and the Early Voting Roster information will be compared.
- Any ballots that need to be scanned to be included in the early voting count will be processed using the DS300 returned from the Early Voting location with the media stick returned from the Early Voting site.
- Any provisional ballots mistakenly scanned at the Early Voting sites by the voters will be retrieved from the Early Voting location's blue transfer case and removed from the tabulation using the ERM.
- Early Voting ballots by mail will be scanned at the DS850s and/or DS450s. Any ballots needing to be reviewed will be resolved by the Resolution Board under the direction of the Central Counting Station Presiding Judge.
- After all Early Voting ballots by mail have been scanned, results will be saved to a media stick and read into the ElectionWare Results Module.
- The ballots by mail will then be placed in a storage container, which will be sealed by the Presiding and Alternate Judges or their designee and stored in a secure location.
- Logic and Accuracy Testing will be done at the conclusion of the Early Voting Central Counting.

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.

- 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.

RESOLVING VOTER INTENT: At the direction of the Presiding Judge, Central Counting Station clerks will resolve any voter intent questions on the ballots as they are duplicated or manually counted, as applicable. The Presiding Judge will resolve any questions concerning voter intent.

- The Presiding Judge and Resolution Board will make a determination of voter intent prior to duplication of a ballot.
- The duplicate ballot will then be created by the Presiding Judge and Central Counting Station clerks in the manner in which the voter intent was deciphered.

Intake personnel will deliver the Ballot Transfer Case to the Cameron County warehouse staff located in the Central Counting Station, where the ballots will be removed from the blue transfer case, moved into storage containers, and sealed.

ELECTION DAY CENTRAL COUNTING

- Central Counting Station personnel and poll watchers are processed up to an hour before the Central Counting Station begins.
- Once staff and poll watchers are processed, they will be sworn in by the Presiding Judge, and a brief orientation will be given prior to the event.
- Logic and Accuracy Testing will be done prior to starting the tabulating process.
- Once mail for the day is processed, the first numbers for the night are released after 7:00 p.m., once they are reviewed by the party representative and/or contracting entity representative if present.
- The Election Day returns are received by the extended secured Central Counting Station One, which is designated outside the perimeter of the Central Counting Station. The secured sealed canvas bag that holds the thumb drive and DS200 report, blue transfer case, provisional bag, clear envelope (Emergency Envelope No. 5), and combo forms are received, seals recorded, and delivered to the Central Counting Station Secretary as soon as possible.
 - **Canvas bag seals** are verified by the Extended Central Counting Station Receiving Clerk; the designated runner will deliver the bag to the Central Counting Station Secretary, and they will accept, review, and deliver it to the Central Counting Station Presiding Judge. The Presiding Judge will announce the precinct and polling location and remove the thumb drive(s) from the canvas bag and deliver them to the Tabulation Supervisor.
 - **Blue transfer case seals** are verified by the Extended Central Counting Station Receiving Clerk; the designated runner will deliver the case to the Central Counting Station Secretary, and they will accept, review, and deliver it to the Central Counting Station Presiding Judge. The blue transfer case is reviewed, accepted, and secured.
 - **Provisional bag seals** are verified by the Extended Central Counting Station Receiving Clerk; the designated runner will deliver the bag to the Central Counting Station Secretary, and they will accept, review, and file it in the provided bin. Once all polling locations have arrived and been processed by the Extended Central Counting Station One and delivered to the Central Counting Station Secretary, both the Extended Central Counting Station One Manager, Assistant Manager, and Central Counting Station Secretary will confirm that all provisional bags were received sealed and deliver them to the Early Voting Clerk's office to be secured until Early Voting Clerks review.
 - **Clear envelope (Emergency Envelope No. 5)** seals are verified by the Extended Central Counting Station Receiving Clerk; the designated runner will deliver the bag to the Central Counting Station Secretary, and they will accept and review it. The Extended Central Counting Station runner will advise the Central Counting Station Secretary if the Emergency Envelope No. 5 contains any emergency ballots. If so, they will deliver the emergency ballots along with the canvas bag to the Central Counting Station Presiding Judge for review and process. Clear envelopes not used will be filed in the provided bin. Once all polling locations have arrived and been processed by the Extended Central Counting Station One and delivered to the Central Counting Station Secretary, both the

Extended Central Counting Station One Manager, Assistant Manager, and Central Counting Station Secretary will confirm that clear envelopes (Emergency Envelopes) are empty.

- **Combo forms** are received by the Extended Central Counting Station One and delivered to the Central Counting Station Secretary. Once reviewed and accepted, they will deliver them to the Central Counting Station Presiding Judge for review and acceptance. The Presiding Judge will have his/her assistant clerk file them in the provided bin.
- The Tabulation Supervisor will upload the information from the thumb drive into the ERM, where the data are read and verified to ensure that the totals balance with the polling location report. Once totals are confirmed and approved, the precinct will be marked as received and counted on the list.
- The Central Counting Station Manager will attempt to release numbers every 30 minutes or every 10 precincts/polling locations received, whichever comes first, throughout the election night.

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.

- Election Judge, or their designee, brings paper ballots (in sealed ballot bin) and USB drives (in sealed election bag) to the Cameron County Elections Department.
- Intake personnel will verify location tags and verify the seals on the bags and bins are the same as the seal numbers on the seal log.
- Intake personnel will deliver the ballot bin and USB bag to the Cameron County warehouse staff located in the Central Counting Station, where the ballots will be removed from the blue transfer case, moved into storage transfer cases, and sealed.

RESOLVING VOTER INTENT

At the direction of the Presiding Judge of each party, Central Counting Station clerks will resolve any voter intent questions on the ballots as they are duplicated or manually counted, as applicable.

- The Presiding Judge and Resolution Board will make a determination of voter intent prior to duplication of a ballot.
- The duplicate ballot will then be created by the Presiding Judge and Central Counting Station clerks in the manner in which the voter intent was deciphered.

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.

- The Presiding Judge of each party, with any assistants they deem necessary, will duplicate any damaged ballots in accordance with Section 127.126 of the Texas Election Code.
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RECONCILIATION

The process for comparing the number of voters listed as having voted and the number of ballots cast is done in three ways:

- **Early Voting in Person:** Compare the number of early voting check-ins from e-pollbooks and/or combination forms to the number of ballots cast.
- **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. (Secs. 87.021, 87.1221)
- **Election Day:** Compare the number of Election Day voting check-ins from e-pollbooks and/or combination forms, plus the spoiled ballot log, to the number of ballots cast. (Sec. 127.007(b))

Additionally, in accordance with Texas Election Code Section 127.131(f), the Presiding Judges of the Central Counting Station shall provide and attest to a written reconciliation of votes and voters at the close of tabulation for Election Day and again after the Central Counting Station meets for the last time to process late-arriving ballots by mail and provisional ballots using a form created and rules promulgated by the Secretary of State to facilitate compliance with this subsection. Once completed, the form shall be posted on a website maintained by the county along with election returns and results.

ELECTION NIGHT RESULTS

- All Election Night Results shall be released by the Central Counting Station Manager via hard copy (printout) and/or on a projector in the public waiting area, no earlier than 7:00 p.m. on Election Night.
 - During the Primary and General Elections, the Texas Secretary of State has to tabulate the unofficial results statewide; therefore, we must report to the Texas SOS office our numbers online or via telephone.
 - The Cameron County Department of Elections and Voter Registration becomes the general custodian of all voted ballots and electronic media recording the votes and therefore must retain and store them according to the retention period requirements established by the Secretary of State.
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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 counted. After the counting of ballots (or accumulation of vote totals) has occurred, the Presiding Judge of the Central Counting Station is responsible for preparing the precinct election returns. The Presiding Judge is required to sign the precinct returns to certify their accuracy.

The printed "precinct by precinct" report will be adjusted to include any hand-counted ballots (if necessary) and constitutes our certified precinct returns (Section 127.127(e), Texas Election Code).

The unofficial election results shall be released as soon as available after the polls close. Alternatively, the Presiding Judge of the Central Counting Station, in cooperation with the Central Counting Station Manager, may withhold the release of unofficial results until the last voter has voted (Section 127.1311, Texas Election Code).

Unofficial election results will be released via Cameron County's Elections Department webpage (www.cameronvotes.com), beginning no earlier than 7:00 p.m. on Election Day. Election Day results will be released incrementally as processed through acceptance and tabulation until all results and precincts have been received.

Upon reconvening of the Central Counting Station, the tabulation of qualified late ballots by mail, corrective action mail ballots, qualified provisional ballots, and military and overseas ballots will be added to the unofficial returns and published on the county website. The Canvass Reports will then be prepared for adoption by the jurisdictions once the conclusion of the Central Counting Station.

REPORTING RESULTS TO THE SECRETARY OF STATE

For certain elections, including primary elections, the general election for state and county officers, and constitutional amendment elections, the Secretary of State is required to tabulate the unofficial results statewide (Sec. 68.001, Texas Election Code). For this election, this information will be reported to the Secretary of State through an online portal established by their office.

GENERAL RULES OF CONDUCT

The Central Counting Station Manager has prescribed the following conduct rules for the operation of the Central Counting Station, pursuant to Section 127.002 of the Texas Election Code. Wireless communication devices and devices that are capable of recording sound or images are prohibited in the Central Counting Station. These devices may only be used in the Central Counting Station by the Manager, Tabulation Supervisor, Judges, State Inspector, or Voting System Technician in the performance of their official duties under the Texas Election Code. All other individuals must deactivate these devices when present in the Central Counting Station. If individuals need to use one of those devices, they must obtain the permission of the Presiding Judge before leaving the Central Counting Station to use the device. (Secs. 33.051(c), 61.007, 127.002, 127.007)

If a person who is authorized to be present in the Central Counting Station (including poll watchers or Central Counting Station personnel) causes a disruption in the Central Counting Station that impedes the ability of Central Counting Station personnel to perform their duties, or if the person willfully violates the Texas Election Code, then the Presiding Judge may remove that person from the Central Counting Station. (Secs. 32.075, 127.005)

Release of results before the time the polls close or the last voter has voted is strictly prohibited and constitutes a criminal offense. Section 61.007 of the Texas Election Code provides that an election officer, watcher, or other person serving in an official capacity commits an offense if before the last voter has voted or the polls close, whichever is later, the person reveals the number of votes that have been received for a candidate or for or against a measure, a candidate's position relative to other candidates in the tabulation of votes, whether a measure is passing or failing, or the names of persons who have voted or not voted in the election. An offense under Section 61.007 of the Texas Election Code is a Class A misdemeanor. (Sec. 61.007)

News media are not authorized to be present in the Central Counting Station but may be present in the area designated for the media. Unofficial results will be made available to the media and to the public as soon as they are available after polls close. (Secs. 127.008, 127.1311)

REQUEST FOR DOCUMENTS

Please understand that requests should be for documents or other information that is already in existence. Under the Texas Public Information Act, the county is not required to answer questions, perform legal research, or comply with a continuing request to supply information on a periodic basis as such information is prepared in the future. The county is not required to create new documents to answer questions. Individuals seeking documents must adhere to the Texas Public Information Act for such inquiries. Central Counting Station personnel will not accept any written or verbal requests for documents.

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 ballot cards, electronic media, election records, and election equipment will be retained by the Cameron County Department of Elections and Voter Registration, which is the general custodian of election records, for the appropriate retention period.