

Issue Guide on Post-Election Day Communications

As an election official, communicating with voters, media, and other community stakeholders is important. This generic, nonpartisan document provides sample statements to help guide your discussions with key audiences on what to expect after Election Day until results are certified:

- Vote Count Differences 2024 vs. 2020
- <u>Unforeseen Delays in Counting Ballots</u>
- Election Workers Do Not Declare Winners
- Length of Time for Vote Tabulation

- Unofficial vs. Official Results
- <u>Timeliness of Results</u>
- <u>Calling Elections vs. Counting Ballots</u>

We encourage you to customize the material below based on the particulars of your jurisdiction. You may also refer to our <u>Resiliency Toolkit</u> for basic information and links to several sources that can help with navigating questions around election security, transparency, accuracy, and in a timely manner.

VOTE COUNT DIFFERENCES 2024 VS 2020

It is normal and expected for voter participation to vary between elections. Some voters cast a ballot for the first time, while others choose not to cast a ballot or decide to vote in some races and not others (also known as an 'undervote'). Each eligible voter has the right to determine how and when they vote, and for whom they vote. Voter turnout levels will also fluctuate by jurisdiction and state. The total number of eligible voters is not static. Rather, it continually varies. The percentage of votes cast needed to set a record in one election may not be a record in the next. This is also expected.

Because elections in the U.S. are run at the state and local level, each state will report its total results at different times. This is not a sign of anything wrong. Instead, it is an example of local election officials working diligently to make sure every legal ballot cast by an eligible voter is verified and counted. In fact, the Cybersecurity and Infrastructure Security Agency (CISA) – the lead federal government agency for protecting election infrastructure security – <u>issued a statement</u> on November 6, 2024 declaring "we have no evidence of any malicious activity that had a material impact on the security or integrity of our election infrastructure." CISA Director Jen Easterly added, "our election infrastructure has never been more secure."¹

UNFORESEEN DELAYS IN COUNTING BALLOTS

Unofficial vote totals are expected to fluctuate as more legal ballots are tabulated, as occurs in every election, until the results are certified. In [INSERT NAME OF JURISDICTION], certification of the November 5, 2024, General Election is scheduled for [INSERT DATE] before the [INSERT NAME OF CERTIFICATION AUTHORITY].

ELECTION WORKERS DO NOT DECLARE WINNERS

Local election administrators do not declare winners in state and federal races. Once certified by [INSERT LOCAL CERTIFICATION AUTHORITY], the vote totals from [INSERT NAME OF LOCAL JURISDICTION] are sent to [INSERT NAME OF STATEWIDE CERTIFICATION AUTHORITY]. For federal races, the governor of [INSERT NAME OF STATE] must certify the results before they are considered official. There is no evidence of any interference in election infrastructure or the vote tallies, according to the Cybersecurity and Infrastructure Security Agency's post-election assessment.²

¹ <u>https://www.cisa.gov/news-events/news/statement-cisa-director-easterly-security-2024-elections</u>

² <u>https://www.cisa.gov/news-events/news/statement-cisa-director-easterly-security-2024-elections</u>



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LENGTH OF TIME FOR VOTE TABULATION

Our [staff/volunteers] are currently verifying each ballot cast by an eligible voter to ensure they're counted properly. Our office is committed to ensuring the results for every election are reported accurately and securely, so voters can have confidence in the outcome. We appreciate voters' patience as we work hard to accurately count the results and then verify those totals.

Any results published in the coming days are *unofficial* until certified by the proper election authorities, as required by state law. Unofficial vote totals are expected to fluctuate as more ballots are tabulated, as occurs in every election, until the results are certified. In **[INSERT NAME OF JURISDICTION]**, certification of the November 5, 2024, General Election is scheduled for **[INSERT DATE]** before the **[INSERT NAME OF CERTIFICATION AUTHORITY]**.

UNOFFICIAL VS. OFFICIAL RESULTS

Any results published on Election Night or in the coming days are *unofficial* until certified by the proper election authorities, as required by state law. Unofficial vote totals are expected to fluctuate as more ballots are tabulated, as occurs in every election, until the results are certified. In [INSERT NAME OF JURISDICTION], certification of the November 5, 2024, General Election is scheduled for [INSERT DATE] before the [INSERT NAME OF CERTIFICATION AUTHORITY].

While a candidate may declare themselves the winner of a particular race, no candidates for local, state, and federal races will have legally won their races until the **[INSERT NAME OF CERTIFICATION AUTHORITY]** certifies the results on **[INSERT DATE]**. In the presidential race, the final federal certification authority is the United States Congress, which will meet in joint session, as required by the U.S. Constitution, on January 6, 2025, to certify the next President and Vice President of the United States.

We thank the voters of [INSERT NAME OF JURISDICTION] for their patience as work to accurately tally the results.

TIMELINESS OF RESULTS

On what pre-Election Day activity means for expedited results:

Voters should be aware that even as some states report large numbers of early voting results relatively quickly, mail-in and absentee ballots in states that do not allow pre-Election Day processing will take much longer. [Insert information about pre-processing specific to your jurisdiction, for example: That's because election officials in [State] are not even allowed to verify and validate the ballot envelopes or begin any processing steps in advance].

Voters should know election officials will take as long as necessary to accurately and carefully count every eligible ballot. This is part of the strength of our decentralized election system and not a sign of any irregularities.

CALLING ELECTIONS VS. COUNTING BALLOTS

CONTEXT: One common source of misconception and voter confusion results from the gap between a race being 'called', and the official ballot totals continuing to change in the days following Election Day. This often leads to questions from members of the public and the media such as,"If a news outlet can call the race on election night, why does it take you so long to count ballots and publish results?"

The reasons are multifaceted. Some states can pre-process ballots, others cannot. Some states accept ballots postmarked up until Election Day; other states have to have received them by Election Day. More than any of these process differences, the reality is that the margins of recent elections have been closer than ever, meaning it is more and more challenging to reach a statistical conclusion quickly anyway. These are sample responses to that question:



Issue Guide on Post-Election Day Communications

On why it takes days, or even weeks, to announce results when news outlets project winners early:

News outlets may use scientific projections to call races before all votes are counted, but our responsibility is accurate results. We count and confirm every last vote – including absentee and overseas ballots that come in by mail. So, as with every election, we will put our responsibility to the democratic process first, and we'll do so promptly and transparently.

On why vote totals keep changing over the course of the next week or two:

Our first responsibility will always be managing a secure, accurate, legitimate election. That means counting every eligible ballot. That means verifying signatures, canvassing ballots while public observers are present, cross-checking tabulations, and more. Vote totals evolve as ballots are processed and counted in batches. We aim to do this as quickly as possible while ensuring the count is above reproach, and we ask the public - and the media - to respect that responsibility.

On why counting takes so long:

"Counting" is an umbrella term that includes several steps designed to ensure the legitimacy and security of the election. We don't just run ballots through a counting machine and then upload that number. [Insert information about your jurisdiction's process, for example: For in-person votes, we ... Then, we cross-reference... For mail-in ballots, we ... Then, only while public observers are present, we....]