

MANUAL RECOUNT PROCESS USING DIGITALLY IMAGED BALLOTS

[1] This Application claims the benefit of:
U.S. Patent Application Number 12/752,232 filed April 1, 2010, entitled "MANUAL RECOUNT PROCESS USING DIGITALLY IMAGED BALLOTS," which claims the benefit of:
U.S. Provisional Application Number 61/167,257 filed April 7, 2009, entitled "MANUAL RECOUNT PROCESSES USING DIGITALLY IMAGED BALLOTS,"
each of which is incorporated herein by reference in its entirety.

[2] The present invention relates to a method for recounting an optically readable sheet, of a sort that may be employed for voting or other uses.

[3] Under current election law and regulations in certain jurisdictions, a paper record of certain voter's voting selections made on a paper ballot, e.g., a conventional "mark-sense" ballot, must be made and preserved. Most commonly, a paper voting record or ballot must be utilized for absentee voting and/or for provisional voting. Absentee voting is where a voter who will be absent from the jurisdiction or otherwise unable to be present at a designated polling location during the time for voting is issued a paper ballot in advance of the election and votes by completing and submitting the paper absentee ballot by hand, mail, messenger, or other permitted means. Provisional voting is where a voter who is unable to establish his eligibility to vote at a polling place during an election is issued a paper ballot and is permitted to vote thereby "provisionally," i.e. by sealed paper provisional ballot that is only opened and counted if the eligibility of the provisional voter to vote is established by election officials after the time for voting ends.

[4] Irrespective of whether a jurisdiction utilizes paper ballots or more modern electronic voting machines, absentee and provisional ballots must be handled separately and counted manually by election officials, i.e. apart from the votes recorded by voters voting normally (e.g., by voting machine) in the election, and may delay the completion of tabulating the voting results and/or the certification thereof. Certain jurisdictions even require a paper absentee and/or provisional ballot even where the absentee and/or provisional voting is done on an electronic (DRE) voting machine. In addition, because the paper ballots approved for being counted are placed into groups so that they are anonymous for counting, there is no way for a voter to know whether his vote was counted and/or was counted correctly.

[5] The prevalent paper ballot is an optically read or optically scanned paper ballot on which a voter marks his voting selections by darkening or otherwise marking one or more regions typically indicated by an outline in the shape of a circle, oval, rectangle, square or other desired closed shape. The marking areas of such conventional “mark-sense” ballots are typically arranged in discrete rows and/or columns that correspond to positions that are read by sensors in a conventional ballot reading machine. A different paper ballot, i.e. a customized ballot, is typically required to be prepared for each election and jurisdiction, e.g., voting district or precinct. In addition, a corresponding customized template must be provided for each different paper ballot, sometimes necessitating the manual sorting of the paper ballots by voting district or precinct and the separate reading/scanning thereof for each voting district or precinct.

[6] In election and other situations, there is generally a need for confidence and transparency of the election process, including where automatic ballot counting systems such as optical mark reader (OMR) and/or optical scan electronics are employed. This need is particularly important, for example, when the vote difference in an election between winning and losing candidates or issues are within a small range, e.g., perhaps such as 1% or less for local races, or 0.5% or less for races involving a larger number of voters. In certain situations, including a challenge, a manual recount is mandatory and is automatic when such situation arises.

[7] In other cases, there may be a requirement, need or desire to ascertain that the electronic ballot counting systems such as optical scan and/or optical mark recognition (OMR) systems are operating and functioning as expected. In such cases a random sample of precincts may be selected for a total (complete) manual recount for all races/contests or for one or more of the races/contests.

[8] In almost all cases, the recount is done manually by examining the original ballots that have been stored in the ballot boxes or in another secure manner, typically under a lock-and-seal condition, or where the original ballots have been taken out of a ballot box and have been packed into another secure container for safe keeping. There are several issues that may arise in many of these types of recounts involving original ballots:

- [9] 1. The original ballots may be tampered with or changed, e.g., with smudges that may induce over-voting, with erasures and/or other changes to the original selections made by the voters, and/or with remarked selections, and by other commonly known ballot tampering methods that have been

practice over the hundreds of years when paper ballots have been used.

- [10] 2. Original ballots may be lost and/or misplaced when the ballot boxes and/or the original ballots are transported and stored or are transferred from one container to another.

[11] It would be highly desirable if one could perform a recount without having to touch or handle the original ballots, irrespective of whether the recounting is called for by a random verification or is mandatory because of the difference between the winning and losing candidates or positions parties is less than a certain percentage of the vote or because the result is challenged.

[12] Of course, even though the legally controlling recount may still require recounting using the original ballots that have been marked by the voters, e.g., when such recounting of the original ballots is ordered by a Court of proper jurisdiction or is otherwise required by law, it could still be desirable to have available a recount method that does not require handling the original ballots.

[13] Accordingly, it would be desirable to have a method (process) for manually counting and/or recounting a sheet, such as an optically scanned or optically read sheet, in a more versatile and/or efficient manner.

[14] To this end, a method for counting and/or recounting selections marked on an optically readable sheet may comprise:

 receiving an image of a sheet having one or more choice regions and a plurality of mark spaces thereon in an image format;

 displaying the image of the sheet in human-perceivable form, ;

 receiving information decoded from the image of the sheet of the mark spaces thereon that are marked;

 receiving information determined from the displayed image of the sheet relating to marked mark spaces of the image of the sheet; and

 comparing the received information of marked mark spaces decoded from the image of the sheet and the received information determined from the displayed image of the sheet to determine any differences there between.

BRIEF DESCRIPTION OF THE DRAWING

[15] The detailed description of the preferred embodiments of the present invention will be more easily and better understood when read in conjunction with the FIGURES of the Drawing which include:

[16] FIGURE 1 is a schematic diagram illustrating an example ballot intended to be read by an optical reader;

[17] FIGURE 2 is a schematic diagram illustrating an example format for a voter identifier (VID);

[18] FIGURES 3A, 3B, 3C and 3D are schematic diagrams illustrating a generalized example ballot intended to be read by an optical reader;

[19] FIGURE 4 is a schematic diagram illustrating an example ballot including ranked and/or cumulative voting that is intended to be read by an optical reader;

[20] FIGURE 5 is a schematic block diagram of an example ballot generating apparatus;

[21] FIGURE 6 is a schematic block diagram of an example voting apparatus;

[22] FIGURE 7 is a schematic diagram illustrating an example ballot reader for reading optically read ballots of the sorts illustrated in FIGURES 1, 3A-3D and 4;

[23] FIGURE 8 is a schematic flow diagram of an example ballot reading process compatible with the apparatus of FIGURE 7;

[24] FIGURE 9 is a schematic flow diagram illustrating details of a portion of the ballot reading process of FIGURE 8;

[25] FIGURES 10A, 10B, and 10C are schematic diagrams of mark spaces of a ballot marked in a variety of ways and of details thereof;

[26] FIGURE 11 is a schematic flow diagram of an example process for generating the ballots of FIGURES 1, 3A-3D and 4;

[27] FIGURE 12 is a schematic flow diagram of an example voting process utilizing the ballot of FIGURES 1, 3A-3D and 4;

[28] FIGURE 13 is a schematic flow diagram of an example recount process usable with the example processes of FIGURES 8, 11 and/or 12, for example; and

[29] FIGURE 14 is an example computer screen display relating to the example process of FIGURE 13.

[30] In the Drawing, where an element or feature is shown in more than one drawing figure, the same alphanumeric designation may be used to designate such element or feature in

each figure, and where a closely related or modified element is shown in a figure, the same alphanumerical designation primed may be used to designate the modified element or feature. Similarly, similar elements or features may be designated by like alphanumeric designations in different figures of the Drawing and with similar nomenclature in the specification, but in the Drawing are followed by a character unique to the embodiment described. It is noted that, according to common practice, the various features of the drawing are not to scale, and the dimensions of the various features are arbitrarily expanded or reduced for clarity

DESCRIPTION OF THE PREFERRED EMBODIMENT(S)

[31] The arrangement of the present application may operate in conjunction with an electronic voting machine, also referred to as electronic voting apparatus and/or as a direct recording electronic (DRE) voting apparatus. Suitable voting apparatus, and methods employed therewith, are described in U.S. Patent Application 09/737,306 entitled "Electronic Voting Apparatus, System and Method" filed December 15, 2000, now U.S. Patent 7,036,730, and in U.S. Patent Application 10/255,348 entitled "Electronic Voting Apparatus, System and Method" filed September 26, 2002, now U.S. Patent 7,431,209, which applications are hereby incorporated herein by reference in their entireties.

[32] FIGURE 1 is a diagram illustrating an example sheet, e.g., a ballot, 100 intended to be read by an optical reader. Ballot 100 includes four regions 110 each containing information pertaining to a particular election contest or question and a number of marking regions or mark spaces 112 therein in which a voter makes a mark to select one or more voting selections for the particular election contest or question. Mark spaces 112 may be any convenient closed shape and provide a defined area in a defined location in which a voter marks his voting selections by darkening or otherwise marking therein. Mark spaces 112 are typically indicated by an outline in the shape of a circle, oval, rectangle, square or other desired closed shape. After the ballot 100 is marked by the voter, it is voted (e.g., deposited in a ballot box or otherwise submitted) and is read and tabulated, typically by a reading machine or reader that optically reads or senses the defined mark spaces to determine whether each mark space 112 is marked or unmarked, thereby indicating a voting selection. The reading machine is programed to define a "template" corresponding to the locations on the ballot where each of the contests/questions 110 and the respective mark spaces 112 therefor are located.

[33] In the example illustrated, a first region 110 designated “General Election (1/4)” contains the names and party affiliations of candidates for “President and Vice President” and a mark space 112 for each set of candidates, as well as mark spaces 112 for a “Skip Contest” or “No Vote” (abstain) selection 114 and for a write-in candidate selection 116. A second region 110 designated “General Election (2/4)” contains the names and party affiliations of candidates for “United States Representative (District 16)” and a mark space 112 for each candidate, as well as mark spaces 112 for a “Skip Contest” or “No Vote” (abstain) selection 114 and for a write-in candidate selection 116. A third region 110 designated “General Election (3/4)” contains the names and party affiliations of candidates for “State Senator” and a mark space 112 for each candidate, as well as mark spaces 112 for a “Skip Contest” or “No Vote” (abstain) selection 114 and for a write-in candidate selection 116. A fourth region 110 designated “General Election (4/4)” contains a question put before the voters designated as “State Question 214” and a mark space 112 for a “Yes” or “No” selection, as well as a mark space for a “Skip Contest” or “No Vote” (abstain) selection 114.

[34] In addition, each ballot includes a voter registration number 120, also known as a voter identifier number or voter identification number, commonly abbreviated as “VID.” Identifier or VID 120 is preferably located at a predefined location on ballot 100, e.g., near the upper right hand corner as illustrated. VID 120 may be provided in any convenient machine readable format, including but not limited to a bar code, two-dimensional bar code, a prescribed font, optical character recognition (OCR) characters, alphanumeric characters, non-alphanumeric characters, symbols, and the like. Typically, however, a human-readable number 120N and an equivalent simple machine-readable bar code 120C are satisfactory.

[35] FIGURE 2 is a schematic diagram illustrating an example format 380 for a voter identifier (VID) 120. VID 120 is a sequence of numbers or other alphanumeric characters or symbols that uniquely identify a voter and provide voting information relating to the voter that may be utilized by a voting machine or by a ballot reading machine or by election officials. VID format 380 includes, for example, six different informational fields 381-386. Field 381 includes a number of characters, typically 3, that uniquely identify the voter’s state of residence and field 382 includes a number of characters, typically 3, that uniquely identify the voter’s county of residence. Fields 381-386 may be used for automatic reading and tabulation of different ballots without manual or other sorting prior to their being read and tabulated, as well as for absentee

and provisional voting. While a three-digit numerical field is typical, providing up to 999 different entries, two-digit fields may be utilized where a lesser number (i.e. 99 or less) of possible entries are needed, as in the United States where there are only 50 states. Any field may be of greater or lesser number of characters as is convenient.

[36] Field 383 includes a number of characters, typically 4, that uniquely identify the voter's municipality of residence. Field 384 includes a number of characters, typically 2, that uniquely identify the voter's voting precinct or district within the county or municipality, and field 385 includes a number of characters, typically 2, that uniquely identify the voter's voting ward, if any, within the voting precinct or district. Field 386 includes a number of characters, typically 2, that uniquely identify the voter's political party affiliation if any has been declared and may be utilized for presenting the ballot of the declared political party for voting in a party primary election or for straight party voting, where permitted.

[37] Field 387 includes a number of characters, typically 4-10, that uniquely identifies the particular ballot in the applicable county, voting precinct, district and/or ward, as the case may be. The random generated number, field 387, is a randomly-generated unique identifier that is printed on a ballot prior to the election, and may or may not be traceable to the identity of a particular voter, as desired for security and privacy. The same unique identifiers as are printed on paper ballots, e.g., for absentee and/or provisional voting, may be stored in a voting machine or in a vote tabulating machine for verifying the authenticity and uniqueness of ballot when it is tabulated.

[38] In the United States, voting is typically conducted on a state by state basis, and most states delegate to its counties the conduct of elections. In local voting, i.e. voting wherein a particular voting machine is dedicated for voting by voters of a particular county, municipality, precinct, district or ward, fields 382-385 may be utilized by the voting machine or vote tabulating machine to verify that the voter is using the proper ballot form before the voting session is initiated and/or before the voting selections marked on the ballot are tabulated, e.g., in provisional voting. Typically in local voting, the voting machine is situated in a location in a particular precinct, district or ward and voters from that particular voting precinct, district or ward come to that location to vote, and provisional and/or absentee voters may vote using such voting machines even though their voting selections are then reproduced on a printed ballot, e.g., as printed by a printer associated with the voting machine.

[39] Data from fields 381-386 is utilized to select the voting screens and/or voting contests to be presented on a voting machine and/or on one or more printed ballot sheets that

together comprise a proper complete election ballot for that voter in a given election. Each voting machine may generate on a voter-by-voter basis a complete election ballot by selectively combining, for example, a “general ballot” including one or more voting contests 110 that are to be presented to all voters, a “residence-specific ballot” including one or more voting contests 110 to be presented to voters according to their residence, and/or a “party-specific ballot” including one or more voting contests 110 to be presented to voters in a party primary election according to their party affiliation. Thus, a voting machine and/or ballot printer is not constrained or limited to local voting, but may be utilized for county-wide or state-wide or nation-wide voting, for regional voting, and/or for remote voting.

[40] Where voters are issued a chip card or smart card containing his VID number 120 and an electronic voting machine is utilized for printing paper ballots, the voting machine is responsive to voting jurisdiction information 381-386 read from each voter’s chip card for providing a ballot to the voter and may retain the chip card for the writing of the voter’s voting selections therein and then collects the chip card in a collection container or may allow an election official to have the chip card. Optionally, the voting machine and/or vote tabulating machine may reject the chip card and/or the paper ballot 100 if the voter registration information 381-386 and/or the unique identifier 387 read therefrom do not match corresponding information stored in the voting machine and/or vote tabulating machine, and may return or collect the chip card. In either case, the chip card once inserted into the voting machine may be retained in a way that the voter may not retrieve the chip card, e.g., for securing the card against use to vote more than once. For provisional voting, the chip card may be likewise retained until the voting selections of a provisional voter are stored therein, and then may be returned to the provisional voter and/or a voting official, e.g., with a proper authorization. Unique identifiers 387 once used for an election may be “retired” and not used in one or more subsequent elections as a means to reduce the likelihood of fraudulent in a future election, e.g., either as a VID number 120 and/or by a counterfeit smart card.

[41] FIGURES 3A, 3B, 3C and 3D are schematic diagrams illustrating a generalized example ballot 100 intended to be read by an optical reader. Generalized ballot format 100a of FIGURE 3A has a plurality of locations 112’ at which mark spaces 112 may be provided and has a region 120’ in which a VID number 120 may be represented. Ballot format 100a is generalized in that it illustrates all possible mark space locations 112’ and a relatively large region in which a

VID number 120 representation may be provided. An actual ballot format will typically be on a standardized paper, such as an 80-column machine readable card or an 8½ x 11 inch or an A4 size paper, and have many more possible mark space locations 112'.

[42] In any particular ballot 100, less than all of possible mark space locations 112' will be utilized as mark spaces 112 and less than the entire region 120' will typically be utilized for providing the VID number 120 representation. Generalized ballot format 100a represents a ballot pattern from which particular ballots 100 and areas for particular contests 110, each utilizing specific selected ones of mark space locations 112', according to a template, may be provided.

[43] FIGURE 3B illustrates an example ballot 100b which is provided from a ballot format 100a on which contest regions 110 are defined by dashed lines 118 in the region having the possible mark spaces 112' and in which ones of possible mark spaces 112' to be utilized for marking voting selections are mark spaces 112 defined by solid line circles. The dashed lines 118 defining contest regions 110 and the mark spaces 112 that may be selected together define a template for ballot 100b, i.e. define the pattern by which voting selections will be marked for each of plural voting contests as well as the pattern by which voting selections will be read by a vote tabulating machine or reader for each of the voting contests in tabulating the vote. The template of ballot 100b defines four contest areas 110 of the same size, with each having three active mark spaces 112. Each three mark space contest 110-3 might be utilized, e.g., for a contest among three candidates, or for a contest among three candidates where mark spaces are provided for a "No Vote" selection and a write-in selection, or for a public question or other "Yes-No" response matter where a mark space is provided for a "No Vote" or "Abstain" selection.

[44] FIGURE 3C illustrates an example ballot 100A which is provided from a ballot format 100A on which contest regions 110 are defined by dashed lines 118 in the region having the possible mark spaces 112' and in which ones of possible mark spaces 112' to be utilized for marking voting selections are mark spaces 112 defined by solid line circles. The dashed lines 118 defining contest regions 110 and the mark spaces 112 that may be selected together define a template for ballot 100A, i.e. define the pattern by which voting selections will be marked and tabulated. The template of ballot 100A defines four contest areas 110 of two different sizes, one having five active mark spaces 112, and three having two mark spaces 112. The five mark space contest 110-5 might be utilized, e.g., for a contest among five candidates or for a contest among three candidates where mark spaces are provided for a "No Vote" or "Abstain" selection and for

a write-in selection. Each two-mark space contest 110-2 may be utilized, e.g., for a public question or other “Yes-No” response matter.

[45] FIGURE 3D illustrates a generalized example ballot 100 intended to be read by an optical reader, wherein ballot 100 includes a number of orientation indicia or fiducial marks 122 that are located in predetermined asymmetric positions that when read by a ballot reader may be utilized to define the orientation of ballot 100. Although only one indicia or fiducial mark 122 is necessary to define ballot orientation, and will satisfactorily define the orientation of ballot 100 for reading by an automatic ballot reader, plural (at least two or more) indicia or fiducial marks 122 are preferred so that the orientation of ballot 100 may be determined even when ballot 100 is not properly and precisely aligned for reading by a ballot reader and so that the scale of the ballot may be determined.

[46] In particular, orientation indicia or fiducial mark 122a near the upper corner of ballot 100 and orientation indicia or fiducial marks 122b and 122c near the lower edge, e.g., near the right-hand and left-hand corners of ballot 100 define the orientation of ballot 100 and, because the predetermined positional locations of indicia or fiducial marks 122a, 122b and 122c are precisely known, i.e. they are spaced apart a predetermined distance, orientation indicia or fiducial marks 122 also define the scale and/or size of ballot 100. Further, each mark space 112 is in a predetermined position relative to indicia or fiducial marks 122, and so the relative locations of all mark spaces 112, as well as any other location on ballot 100, can be determined from fiducial marks 122, whether or not a mark space 112 has been marked. Where ballots are imaged, the positions of each indicia or fiducial mark 122 and of each mark space 112 is defined in the same coordinate system as are the pixels of the ballot image, e.g., in X-Y coordinates, thereby to facilitate the “reading” of the ballot via its ballot image, e.g. to determine which mark spaces 112 are marked to indicate a voting selection.

[47] Comparing the predetermined relative positions and/or spacings of indicia or fiducial marks 122 with the imaged positions thereof permits the scale/size of the ballot image and the position of each mark space 112 to be determined. This is helpful for normalizing the

ballot image provided by the ballot reader as well as for locating the proper positions of ballot identifier 120 and of marking areas 112 as defined by the appropriate ballot template. Scaling and/or normalizing the size of the ballot image can be utilized to compensate for small changes in the size of ballots, e.g., due to stress, moisture content and the like, thereby to avoid any inaccuracy that might otherwise result therefrom.

[48] Suitable indicia or fiducial marks include, for example, cross-hair lines, cross-hair lines in a circle, targets, bulls-eye shapes, bullets, “+” marks, “X” marks, boxes, any of the foregoing with one or more black, darkened or contrasting adjacent sections, and/or any combination thereof. Symmetrical indicia or fiducial marks that uniquely define their own center are preferred. Indicia or fiducial marks 122 and/or the pattern thereof may be standardized for all ballots and/or may be different for different ballots and defined by the ballot template therefor. Indicia or fiducial marks 122 may be located at any location(s) suitable for defining the orientation, and preferably also defining the scale/size, of ballot 100. To this end, an odd-number of indicia or fiducial marks 122 disposed in an asymmetric pattern are preferred. Where a two-sided or plural sheet ballot is utilized, each sheet and/or side includes marking indicia or fiducial marks 122.

[49] In addition, where a ballot is too long to be provided on one ballot sheet, plural sheets may be provided with a page number identifier on each sheet that is read and utilized to select the proper ballot sheet template or to determine the portion of a selected ballot template applicable to each ballot sheet. Preferably, page number identifiers are human-readable and machine-readable, such as a numeral in a font easily read by a computer reader. Further, so-called “summary” ballots may be utilized wherein the candidates and questions are provided in a booklet, and each candidate and/or response is identified in the booklet by a number; in this case, the mark spaces 112 of the summary ballot are each associated with one of the numbers set forth in the booklet. In addition, a candidate name and/or response selection (e.g., a “yes” or “no”) may be printed on the summary ballot with the number.

[50] FIGURE 4 is a schematic diagram illustrating an example ballot 100 including ranked and/or cumulative voting that is intended to be read by an optical reader. Ballot 100 includes a plurality of contest areas 110 (each having a region wherein “NAME and other features of the contest” information identifying the particular contest is placed and wherein mark spaces for selecting a candidate are placed) and also includes a VID area 120, as described above. Any one or more contest areas 110 may be utilized for straight voting, for ranked voting and/or for cumulative voting, as may be the case for a particular election and/or contest.

[51] A first contest area 110-R is arranged for conducting ranked voting wherein the voter may rank the candidates in his order of preference. In this example, five candidates may be ranked. Filling one mark space 112 indicates first choice ranking, filling two mark spaces 112 indicates second choice ranking, and so forth. The opposite sense, where marking a greater

number of mark spaces for a candidate indicates a greater preference, could also be utilized. Thus, five mark spaces 112 are associated with each candidate's name and with each write-in candidate position 116. Optionally and/or alternatively, plural mark spaces may be associated with rank numbers (e.g., a "1" mark space for first choice, a "2" mark space for second choice, a "3" mark space for third choice, and so forth) for each candidate in a contest.

[52] Ranked voting may be utilized for conducting an "instant run-off" where no candidate or an insufficient number of candidates receives sufficient first-choice votes to be elected (e.g., fails to receive a majority of the votes cast) under the election rules in effect. If no candidates win or fewer than the required number win, a run-off election is required. Conventionally the run-off election occurs later in time and incurs the expense of conducting a second election. In an instant run off, so called because the voting needed for the run off are cast in the initial election and so are immediately ("instantly") available. In an instant run-off election, candidate(s) receiving the least first choice votes are eliminated and the voters' second choice rankings of candidates other than those eliminated are then counted to determine the winner(s). One mark space 112 is provided to skip the entire contest and/or to abstain 114 for the balance of that contest, i.e. to intentionally under vote. The voting apparatus and ballots described herein permit an instant run-off election to be conducted automatically and electronically if no winner emerges from the initial voting.

[53] A second contest area 110-C of ballot 100 is arranged for conducting cumulative voting wherein the voter may distribute a given number of votes among the candidates in his order of preference, typically where more than one candidate is to be elected in a given contest. Cumulative voting allows the voter to distribute his vote among any one or more of the candidates rather than being limited to voting for or not voting for each candidate equally, as in straight voting. In this example, five votes may be cast (five mark spaces 112 may be marked) in the contest and the five votes may be cast for any one or more candidates. Filling more mark spaces 112 for a candidate indicates a greater number of votes, and thus a greater preference, for

that candidate. Thus, five mark spaces 112 are associated with each candidate's name and with each write-in candidate 116. One mark space 112 is provided to skip the entire contest and/or to abstain 114 for the balance of that contest, i.e. to intentionally under vote.

[54] Alternatively to providing plural mark spaces 112 for each candidate for conducting ranked and/or cumulative voting, mark space 112 may be arranged as a seven-segment mark space 112' wherein selected ones of the seven segment spaces thereof may be

marked to define a numeral. For example, marking the two vertical segments at the left or at the right indicates the number “1”, marking the top, middle and bottom horizontal segments and the upper right and lower left vertical segments indicates the number “2”, marking all seven segments indicated the number “8”, and so forth, in like manner to illuminating selected segments of a seven-segment display to display numbers.

[55] The two remaining contest areas 110 of ballot 100 are examples of straight voting for two different example contests, one in which two candidates of eleven are to be elected and the other in which one candidate is to be elected. Ballot 100 may include, and preferably does include plural positional indicia 122 as described above in relation to FIGURE 3D.

[56] FIGURE 5 is a schematic block diagram of an example ballot generating apparatus 200. Apparatus 200 includes a processor for generating ballots 100 from information provided thereto either by election officials entering contest information, candidate information and the like, i.e. for generating ballot form and/or formats for particular jurisdictions and/or subdivisions thereof. The processor may be the processor included in an electronic voting machine that includes ballot generating capability, such as the VOTE-TRAKKER™ direct recording electronic voting machine available from Avante International Technology, Inc. located in Princeton Junction, New Jersey, described in Patent Applications 09/737,306 and 10/255,348, or may be a computer running suitable ballot generating software.

[57] Ballot printer BP may be a conventional ballot printer that prints ballots provided it is capable of printing the VID number 120 in machine- and/or human readable form and of printing the unique random portion of the VID 120, or may be a printer associated with voting machine VM. The actual format of ballots 100 will be in conformance to the applicable federal, state, county, and/or local legal requirements for election ballots, as is the case for conventional optically-scanned ballots. Thus, standardized paper sizes, e.g., 8½ x 11 inches or 8½ x 14 inches or A4 metric paper, may be utilized, and single-page ballot requirements, minimum font size standards, candidate ballot space standards, and the like, will be met, in a customized and/or conventional ballot format. For example, ballots 100 may be conventional ballots such as a Scantron ballot, which has an array of 48 x 80 elliptical mark spaces on fixed grid pattern on an 8½ x 11 inch paper ballot, onto which is added VID number 120 in machine- and/or human-readable form as described herein.

[58] FIGURE 6 is a schematic block diagram of an example voting apparatus VM as

shown and described in Patent Applications 09/737,306 and 10/255,348 incorporated herein.

Voting machine VM includes a processor P for processing information relative to a voter and/or voting and for providing a voting session identifier, a non-volatile memory M for storing and providing such information, a display unit DU for displaying information to the voter, and a voter interface VI whereby the voter can enter information into voting machine VM for processor P and/or memory M. It is noted that the components of voting machine VM are similar to the components of a personal computer and so a conventional personal computer, with or without modification, may be utilized in voting machine VM, although it is likely that conventional computer components, particularly processor P and memory M, may be utilized in conjunction with displays DU and input devices VI adapted to or customized for the voting machine application, for example, for ruggedness, resistance to tampering and/or abuse. In addition, processor P includes a function for providing unique voting session identifiers for each voting session, for example, a random-number or random-character generator RAG or a look-up table or other suitable generator. Voter interface VI may be a touch screen and so would provide display DU and a keyboard.

[59] Memory M may also be of any suitable non-volatile memory type. Suitable memory devices include floppy disks, computer hard disk drives, writeable optical disks, memory cards, memory modules and flash memory modules (such as those utilized in electronic cameras), magnetic and optical tapes and disks, as well as semiconductor memories such as non-volatile random-access memory (RAM), programmable read-only memory (PROM), electronically erasable programmable read-only memory (EEPROM) and the like. Memory M or a separate memory contains the operating system, data base and application software that operates processor P as voting machine VM.

[60] Alternatively, various programming information, a voting session identifier generator or list, voting information, candidate and office information and the like may be

provided in firmware, such as in an EPROM, which provides additional resistance to tampering and/or hacking attack. Such firmware may be utilized, for example, for controlling the reading and writing of information to optional smart cards SC, the storing of voting record information in memory M, particularly, a specific memory device such as a memory chip card, an optical disk or tape, or other electronic, magnetic or optical media. Preferably, memory M of voting machine VM includes two independent non-volatile memory devices so that voting record information and a voting session identifier are stored on two separate, independent memory devices for

redundancy and preservation of at least one copy of the accumulated voting records in the event one of the memory devices fails or otherwise becomes inoperative. Desirably, the two non-volatile memories are of different types, such as a semiconductor memory and a hard disk, or a memory card and an optical disk, or any other convenient combination.

[61] Voter interface VI may be a standard or custom keyboard, as may facilitate write-in voting, or may be dedicated vote buttons or switches similar to conventional mechanical voting machines, for example, or may be a touch-screen interface associated with display unit DU, and is typically connected to processor P via cabling. Special keys can be provided for voting functions such as “Elect” or “Select” or “Vote,” or for “Erase” or “Change,” or for “Write-in.” Alternative voter interfaces VI may include voice recognition apparatus, Braille keyboards or pen systems with writing recognition interfaces, each preferably with confirmation of the data entered displayed on display unit DU or even aurally via headphones. For a “standard” computer keyboard, for example, it is preferred that the “function keys,” i.e. those keys that can be used for a purpose other than voting, such as to access and/or control the operating system and other programs, e.g., the F1 - F12 keys, be disabled or rendered inoperative, either by software control or physical means.

[62] In addition, a voter interface VI for allowing visually impaired voters to vote without assistance may employ a modified standard keyboard of which only certain keys are responded to in combination with an aural device. E.g., only the four keys (buttons) at the corners of a numeric keypad or the four areas (buttons) in the four corners of a touch screen may be enabled to indicate possible selections such as vote, skip, next, previous, and the like, with audible voice instructions and confirmation of buttons pressed provided via a headphone. A typical function assignment to the corner keys can include: upper right key = “repeat” (to hear voice message again), lower right key = “Enter” (to make a selection within the allotted time), lower left key = “Cast Vote” (and proceed to the next contest), and upper right key = “Increase Speed” (to increase the rate at which contests and/or voice indications are presented). Any or all of these functional keys may be exaggerated in size or otherwise made easily distinguished by tactile feel. Such keyboard/button programming is commonly provided by software.

[63] Display unit DU may be of any suitable type, such as a conventional cathode ray tube or computer display, an LCD display, a touch-screen display or other suitable device, for displaying alphanumeric and/or graphical information, or a set of illuminated buttons, as desired, and is typically connected to processor P via cabling. Display unit DU may also include Braille devices, aural information via headphones, or other devices specially suited for people with

handicaps.

[64] Operatively associated with or coupled to processor P and memory M are a printer LP for providing a tangible record of the voting session, e.g., a printed paper receipt and an optional smart card reader/writer RW for writing and/or reading information from/to a smart card. Preferably, local printer LP and optional reader/writer RW are built into the physical container VMC of voting machine VM along with processor P, memory or memories M, display DU and voter interface VI, and that physical container VMC is rugged and sealable for security and to prevent unauthorized access to the components therein, thereby being resistant to tampering. Other voting booth components, such as a privacy curtain, the opening and closing mechanism therefor, or a floor stand, need not be part of voting machine container VMC, but may be permanently or demountably attached thereto as is convenient.

[65] Optional smart card reader/writer RW is operatively associated with or coupled to processor P and memory M for writing information including at least a unique voting session identifier and a voting record into the memory of a smart card SC and optionally for reading information, such as voter registration and/or identifying information, from a smart card. Each voting session identifier is a randomly-generated unique identifying or serial number or character sequence (e.g., a pseudo-random number) of at least eight characters or digits, and preferably of 12 or more characters or digits. Such voting session identifiers are generated for each voting session of each election, either centrally and then loaded into memories M of voting machines VM or by processor P as each voter participates in a voting session. It may be desirable for the voting session identifiers to include additional characters identifying voting district and /or the polling place and/or the voting machine VM on which the vote associated with the identifying number was cast, and/or the date and time of the voting session, but not the voter, so as to preserve voter anonymity while providing traceability of voting records. If any information

particular to an individual voter is stored in the memory of smart card SC, as may be the case where information confirming voter registration or an identifying PIN number, security code or other personal data is utilized, such information is written over or erased or otherwise rendered permanently unrecoverable either before or at the time that voting record and voting session identifier information is stored in the memory of smart card SC by reader/writer RW of voting machine VM.

[66] For optical ballot voting, voting machine VM generates a ballot format 100 for a particular jurisdiction, for example, according to a pre-programmed ballot information and/or in

response to the voting jurisdiction information corresponding to the voter's VID number (fields 381-386) as entered via voter interface VI and/or a smart card and reader RW, as the case may be. The ballot format is generated by processor P as described above and in incorporated Patent Applications 09/737,306 and 10/255,348, with a format layout for contests 110 consistent with local election requirements rather than as a series of voting screens. Ballot 100 so generated is printed by printer LP and is provided to the voter, e.g., by hand for provisional voting and/or by mail for absentee voting. Ballots 100 may be printed in advance of an election and/or may be printed during an election on a demand, i.e. as needed, basis.

[67] If reader/writer RW is a contact-type reader for use with contact-type smart cards, then the smart card SC is inserted into slot S thereof to be read and/or written to. If reader/writer RW is a wireless or contact-less -type reader for use with wireless or contact-less-type smart cards, then the smart card SC is placed proximate to antenna AN of reader/writer RW to be read from and/or written to. If reader/writer RW is of a type for use with both contact-type and wireless or contact-less -type smart cards, then the smart card SC is inserted into slot S if it is a contact-type smart card and is placed proximate to antenna AN if it is a wireless-type smart card, or is either inserted into slot S or is placed proximate antenna AN if it is a so-called "combos-card" that combines both external contacts and an internal antenna so that it can be read from or written to either via contacts or a wireless communication.

[68] Further, while optional smart card encoder RW need only be able to write information to a smart card, it may also read information stored in a smart card SC and provide same to processor P. Reader/writer RW may also be a decoder to decode information read from a smart card SC in encrypted or encoded form, and/or may also be a coder that encrypts or encodes information being written to the smart card SC. Such encryption and/or encoding may use public key encryption or any other suitable encryption and/or coding arrangement. Optionally, and preferably, reader/writer RW may include a "take-in" or capture mechanism that grabs smart card SC when it is inserted into slot S and, after the voting record and voting session identifier information is stored in the memory of smart card SC, deposits smart card SC into a secure collection box CB operatively associated with reader/writer RW and located in voting machine cabinet VMC. If this option is utilized, and it may be utilized with either contact-type or wireless smart cards SC, a separate collection box CB and action by each voter to deposit his or her smart card SC therein is not needed.

[69] Local printer LP may provide a tangible independent record of each individual voter's voting selections associated with the voter's unique identifying number and/or may be

utilized to print ballots 100. Printer LP if utilized for printing voting receipts is of a type that retains no record of the data printed (e.g., is not a daisy wheel or other printer employing a ribbon or other sheet-type ink source from which information printed may be extracted or reconstructed) such as a thermal printer, a dot matrix printer, an ink-jet printer, a bubble jet printer, a laser printer and the like, which are conventional. A specialty or security-type of paper, or other medium making authentication of a printed receipt and/or a printed ballot 100 easier and counterfeiting or altering of same more difficult, can be utilized, thereby reducing the likelihood of counterfeiting or fraud. Desirably, printer LP also prints information identifying the election district, the date and time of voting and similar information that may help to authenticate printed receipt PR and/or optical ballot 100.

[70] The preferred VOTE-TRAKKER™ voting system and apparatus as illustrated by FIGURE 4 is provided in incorporated Patent Applications 09/737,306 and 10/255,348. Desirably, the VOTE-TRAKKER™ voting system and apparatus provides redundancy for voting record and voting session identifier data in that each vote is recorded by at least one additional independent and verifiable means: to wit, by electronic recording in the memory of a smart card separate from the voting machine and the printed record. This apparatus, and the method it performs, can provide 100% transparency of each and every vote and can maintain 100% privacy and confidentiality of each and every voter and vote, although other embodiments may not do so.

[71] FIGURE 7 is a schematic block diagram illustrating an example ballot reader apparatus 1000 for reading machine-readable ballots 100. Ballot reader apparatus 1000 includes reading device 1010 that has an input container 1020 into which ballots 100 to be read are placed for being fed through transport path 1030 to an output container 1040 into which ballots 100 that have been read as they pass through transport path 1030 are deposited, i.e. are collected. Therebetween, ballot transport path 1030 defines a path through which ballots 100 are transported for being read as they are transported between input container 1020 and output container 1040. Transport path 1030 includes two readers 1031 and 1032 of reader device 1010 which read the information and/or markings on ballots 100 as they pass thereby. Preferably, ballots 100 are optically-read ballots 100 of the sorts illustrated in FIGURES 1 and 3A-3D and readers 1031 and 1032 are optical readers. Member 1034 may be a guide for transport path 1030 that also provides a light shield for optical readers 1031, 1032.

[72] It is noted that conventional optical readers have only one optical reader and must

be preprogrammed with a template corresponding to the particular ballots to be passed therethrough and read, and so the ballots must be sorted by jurisdiction and the like so that only ballots of the same form, i.e. of the form that corresponds to the preprogrammed template, are passed through to be read at any one time. Ballots of different format must be passed through as separate batches after the corresponding template therefor has been programmed into the optical reader. Even if a conventional optical reader were to have two optical readers, both optical readers thereof would be programmed for reading the ballots against the same preprogrammed template, i.e. would be for making redundant readings for verifying the correctness of either reading against one predetermined preprogrammed template.

[73] On the other hand, reader 1010 includes two readers 1031 and 1032 and a processor 1050 that cooperate for reading ballots 100 of different forms without the need to pre-sort the ballots into groups of like form. Specifically, optical reader 1031 reads ballots 100 for reading the VID number 120 thereon and communicates the VID number 120 to processor 1050. Reader 1031 need not read any other part of ballots 100. Processor 1050 is responsive to the VID number 120 read from each ballot 100 by reader 1031 to identify and select the ballot template corresponding thereto. Optical reader 1032 reads ballots 100 for reading the mark spaces 112 thereon that have been marked for comparison in accordance with the ballot template selected by processor 1050.

[74] The VID number 120 read from each ballot 100 by reader 1031 should include at least the jurisdictional information fields thereof, e.g., fields 381-386, utilized to identify and select the ballot template. Optical reader 1031 should also read the unique random number field, e.g., field 387, so that the unique random number portion of VID 120 is associated with the stored voting selection information and is available for later verification of the ballot and/or of the correct reading thereof, as well as for tracking of his vote by the voter, e.g., via an Internet or other posting, as described herein. Where VID 120 is on ballot 100 in two different forms, e.g., in machine-readable form and in human-readable form, reader 1000 may have the ability to read both forms of VID 120, e.g., a bar-code reader and an OCR reader, usually in processor 1050.

[75] Reader 1032 need not read portions of ballot 100 other than those containing valid mark spaces 112 according to the template corresponding to that ballot. The unnecessary portions of ballot 100 not containing valid mark spaces 112 may either not be read or may be read and then discarded while retaining the readings of mark spaces 112. Only images of the VID and mark space zones need be obtained and stored for tabulating and/or verifying voting by vote counter 1060. Images of the VID and mark space zones may be stored in any suitable

electronic format including but not limited to .BMP, .TIFF, .PDF or any other suitable format. In this way, the amount of storage capacity needed to store the information read from each ballot is substantially reduced because the standardized information, e.g., names of contests, names of candidates, and the like, are not stored. .

[76] As a result, ballots 100 placed into input container 1020 do not have to be pre-sorted to be of the same format, but may be of different formats because readers 1031, 1032 in cooperation with processor 1050 determine the proper template to be utilized for reading each ballot 100 according to its format. Specifically, because the information in fields 381-386 of each VID number 120 printed on each ballot 100 define the particular voting jurisdiction (e.g., state, county, municipality, precinct, ward and/or political party), they also define the form of ballot 100 for such jurisdiction. From the VID number 120 read by optical reader 1031, processor 1050 determines the jurisdiction and the ballot form therefor and supplies the template therefor for use in conjunction with the pattern of mark spaces 112 marked on ballot 100 for determining the voting selections made thereon.

[77] Simply put and by way of example, reader 1031 reads the VID number 120 from a first ballot 100 of form A and signals same to processor 1050 which then provides the mark space template for ballots 100 of form A for reading the marked voting selections from first ballot 100 read by optical reader 1032. The marked voting selections read by reader 1032 are then tabulated as votes by vote counter 1060. Next, reader 1031 reads the VID number 120 from a second ballot 100 of form B and signals same to processor 1050 which then provides the mark space template for ballots 100 of form B for reading the marked voting selections from second ballot 100 read by optical reader 1032, which read marked voting selections are then tabulated as

votes by vote counter 1060. Next, reader 1031 reads the VID number 120 from a third ballot 100 of form C and signals same to processor 1050 which then provides the mark space template for ballots 100 of form C for reading the marked voting selections from third ballot 100 read by optical reader 1032, which read marked voting selections are then tabulated as votes by vote counter 1060. If the next ballot is of form B, for example, reader 1031 reads the VID number 120 from that ballot 100 of form B and signals same to processor 1050 which then provides the mark space template for ballots 100 of form B for reading the marked voting selections from that ballot 100 read by optical reader 1032, which read marked voting selections are then tabulated as votes by vote counter 1060, and so forth. The process repeats for each ballot read by reader 1000 wherein the template for each ballot is selected by processor 1050 responsive to the VID number

120 read from that ballot, i.e. , specifically responsive to the jurisdictional information defined in fields 121-127 of VID number 120.

[78] Accordingly, an optical reader for reading paper ballots having a jurisdiction identifier thereon and having voting selections marked thereon, comprises a transport path for transporting paper ballots between an input and an output thereof; a first optical reader for reading the jurisdiction identifier of each paper ballot transported on said transport path, and a second optical reader for reading the voting selections marked on each paper ballot transported on the transport path. A processor receives the jurisdiction identifier read by the first optical reader for each paper ballot for selecting a template for reading in accordance with the selected template the voting selections marked on each paper ballot, whereby the voting selections marked on each paper ballot are read in accordance with a template corresponding to the jurisdiction identifier for that paper ballot.

[79] In addition and optionally, processor 1050 may include optical character recognition (OCR) software to provide alphanumeric outputs of the information in the VID field read by reader 1031 and/or of write-in information in the write-in portions of the voting fields read by reader 1032 according to the template selected by processor 1050. It is preferred that reader 1000 move ballots through transport path 1030 at the rate of at least about 10-12 inches per second (about 25-30 cm/sec.) so that ballots on either 8½ x 11 inch paper and/or on A4 paper may be read at a rate of at least about one ballot per second. It is also preferred that readers 1031 and 1032 have a resolution of at least about 100 dpi or greater, and it is desirable in some cases that reader 1000 provide dual-side document scanning.

[80] Reader 1000 may be utilized at a polling place or other voting location for “checking” ballots marked by voters prior to their being voted, i.e. officially deposited into a collection container. In this case, vote counter 1060 is eliminated and no record of the actual voting selections marked is retained; processor 1050 processes only the VID number 120 and the mark space 112 regions to select the corresponding ballot template and to verify that the proper number of mark spaces have been marked for each contest and/or question.

[81] Reader 1000 in checking a ballot preferably signals or otherwise provides a notice or indication if a ballot is under voted (i.e. less than the required number of spaces have been marked for each contest/question) or is over voted (i.e. more than the required number of spaces have been marked for each contest/question, which may invalidate a vote in a contest/question or may invalidate an entire ballot) or is otherwise incorrectly marked. Ballot checking may be utilized with straight voting, ranked voting, and/or cumulative voting similarly, e.g., indicating if

improper ranking has been marked and/or if the wrong number of cumulative votes have been marked. While such checking function advances the goal that ballots reflect voter intent, it can reduce but not eliminate under voting and over voting; however, it will at least give the voter an opportunity to correct such condition or at least indicate an intentional “no vote” if a “No Vote” or “Abstain” mark space 112 is marked.

[82] Ballot checking may avoid or at least mitigate the condition where the intent of the voter cannot be determined because under and over voting can be reduced and/or eliminated. However, where applicable law allows, under and over voting in cumulative voting contests may be adjusted and/or rectified when the ballot is counted by applying proportioning and/or normalizing rules to the votes actually cast by marking mark spaces, e.g., by adding or subtracting a proportionate weighted vote. Ballot checking may be preformed by a reader 1000 or by an other ballot reader such as a ballot imager based on commercial office imaging equipment.

[83] Reader 1000 utilized for ballot checking may also have a printer associated therewith for providing a tangible voting record, e.g., a printed receipt, to each voter, as described in Patent Applications 09/737,306 and 10/255,348. Desirably, such printed receipt includes the complete VID 120 including the unique random portion 381 so that the voter may track and verify his vote where the voting results are available via an Internet and/or other posting including the VID. Preferably, the VID read from the read ballot is printed on the receipt. If the receipt includes a record of the voter’s voting selections, the receipt also provides an immediate confirmation that the ballot can be read and of the voting selections marked, whereby the voter may seek correction of any error and/or omission prior to voting his ballot.

[84] While the reader arrangement described in the immediately preceding paragraphs is preferred, optical ballots 100 including a VID number as described herein may be sorted and read by conventional readers in the conventional manner, assuming, of course, that the election officials are willing and able to sort the paper ballots into groups of like form and to program the conventional readers for each particular ballot form before running ballots of that form therethrough for counting. Ballot readers as described herein may utilize all or part of conventional ballot readers and/or may utilize parts of conventional office equipment such as copiers, scanners, facsimile (fax) machines, and other commercial imaging and/or scanning devices, and the like, e.g., for imaging and/or optically reading the information contained on an optically-readable paper ballot.

[85] Examples of conventional ballot readers include the SCANMARK ES2800 reader available from Scantron located in Tustin, California. It is noted that such conventional ballot readers employ sensors positioned on a fixed grid pattern (e.g., in columns) corresponding to the fixed grid pattern of the mark-sense spaces of the ballot sheets with which they are utilized, and such readers do not image a ballot and so they cannot identify or determine pixel density and/or location as may be done for a true ballot image as described herein. An example of a conventional optical image scanner includes the PAGESCAN II reader available from Peripheral Dynamics, Inc. located in Plymouth Meeting, Pennsylvania. It is noted that this scanner can provide an image of a ballot or other document or sheet, and can be programmed to define multiple image areas. Examples of commercial imaging scanners include types DR5020 and DR5080 available from Canon Electronics, Inc. located in Japan, and type IS330DC available from Ricoh Company located in Japan. Examples of commercial printers suitable for ballot printing include the ImageRUNNER 600 and 105 available from Canon Electronics, Inc., and similar equipment available from Hewlett Packard of Palo Alto, California and Fujitsu of Japan.

[86] In addition, a “trial” ballot reader is preferably provided at each polling place so that a voter has the opportunity to have his voted ballot scanned privately and to have the voting selections read therefrom be displayed to him privately so that the correctness thereof may be confirmed before the ballot is cast. Preferably, the trial ballot scanner should employ the same reading apparatus and method as the ballot scanners that will read the ballot in counting and tabulating the vote. In any event, the trail ballot reader should be “read only” and have no memory or ability to store or transmit the voting selections from any ballot, whether by template and/or image, thereby to assure privacy. I.e. it is for vote checking only.

[87] FIGURE 8 is a schematic flow diagram of an example ballot reading process 300 compatible with the apparatus of FIGURE 7. Process 300 commences with passing 310 the voted ballots through a ballot reader, e.g., along a transport path of an optical scan reader, wherein the ballots do not need to be, but may be, sorted according to jurisdictions and/or ballot formats. The ballots are individually and serially read/imaged and the voting information thereon is read/decoded via either of alternative processes 320a or 320b. Path 320a comprises imaging 321 each ballot and then decoding the voting selection information thereon in two decoding steps 323, 327. Path 320b comprises reading the ballots in two steps 322, 326, wherein the voting selection information is read in second reading step 326. In either path, the ballot template (e.g., a set of computer instructions and/or statements and/or data defining a pattern of ballot mark

spaces for a ballot) for reading/decoding the voting information is selected responsive to the voting identifier and/or ballot identifier read/decoded in the first reading/decoding step 322, 323.

[88] Ballot imaging process 320a comprises imaging 321 the ballot to acquire an image of the voting information thereon and then decoding 323 a ballot identifier (e.g., VID) from the ballot image. While the entire ballot identifier (e.g., VID) may be decoded, only that portion thereof that contains jurisdiction information (e.g., ones of fields 381-386) need be decoded; decoding the unique random identifier portion (e.g., field 387) is optional). The decoded identifier correlates to a particular ballot format represented by a ballot template, and the ballot template corresponding to the decoded identifier is selected 325 from a database or other collection and/or set of ballot templates for decoding 327 the voting selection information from the ballot image previously imaged 321. Thus, each ballot of a mixed set of ballots is read (decoded) according to a template corresponding to the particular ballot format to obtain the voting selection information thereon.

[89] Ballot imaging process 320b comprises reading 322 the ballot to read a ballot identifier (e.g., VID) thereon, typically in a predefined location, area or region of the ballot. While the entire ballot identifier (e.g., VID) may be read, only that portion thereof that contains jurisdiction information (e.g., ones of fields 381-386) need be read; reading the unique random identifier portion (e.g., field 387) is optional). The read identifier correlates to a particular ballot format represented by a ballot template, and the ballot template corresponding to the read identifier is selected 324 from a database or other collection and/or set of ballot templates for

reading 326 the voting selection information from the ballot. While the entire ballot may be read 326, only that portion containing voting selection information according to the selected template 324 need be read. Thus, each ballot of a mixed set of ballots is read according to a template corresponding to the particular ballot format to obtain the voting selection information thereon.

[90] It is noted that the foregoing reading/imaging 321, 322, 323, 326, 327 of the VID and voting selections, and the template selecting 324, 325, and/or the tabulating 330 and storing 332, may be performed in “real-time” as each ballot is read, i.e., the voting selections are read/decoded, stored 332 and tabulated 330 substantially contemporaneously with the ballot passing through reader 1010. Alternatively, the VID and voting selections read/imaged 321, 322, 326 may be stored in “real-time” as each ballot passes through reader 1010, and the template selecting 324, 325, the decoding/reading 322, 323, 326, 327 of the stored VID and voting selections, and the tabulating 330 and storing 332 thereof may be performed after some or all of

the ballots have passed through reader 1010, i.e. delayed in time.

[91] It is further noted that in reading ballot 100, it is preferred that the ballot image be read/decoded 326, 327 to determine whether or not all of the mark spaces 112 as defined 324, 325 by the appropriate ballot template, and the indicia 122, if any, are present in the ballot image, thereby to enable detection of an anomalous and/or erroneous ballot 100, and/or to detect that a ballot 100 is, e.g., folded, torn, altered or otherwise incomplete or incorrect. Where an indicia 122 is employed to define the orientation of each ballot and a VID is employed to define the ballot form, the ballots may be in any order and orientation, the ballots need not be sorted by jurisdiction and/or voting district or the like and need not be placed in a given orientation prior to being read/imaged and /or decoded 321, 322, 323, 326, 327.

[92] The voting selection information read/decoded 326, 327 is tabulated 330 for counting the vote and determining an election outcome/result. The read/decoded 326,327 voting selection information may be stored 332, e.g., for later verification, auditing, confirmation and/or comparison with the paper ballots and the like, and may be printed and/or otherwise published 334, in whole or in part, in connection therewith. The steps of tabulating 330, storing 332 and/or printing/publishing 334 may be either with or without the voter identifier (e.g., VID) and/or other ballot identifier.

[93] In addition, it is sometimes, if not usually, preferred that the printing and/or publishing 334 of voting results be positively blocked prior to a predetermined time, e.g., prior to the end of the time for voting. This, for example, allows absentee ballots received prior to the election to be authenticated, read and/or tabulated prior to the end of the election period while the results thereof are not available until after the time for voting is completed. Advantageously, this may allow election personnel to more efficiently process both absentee ballots and the regular voted ballots.

[94] An advantage may obtain, however, where the tabulated 330 and/or stored 332 voter selection information is associated with the identifier where the identifier is not related and/or relatable to the identity of a particular voter, i.e. the voter remains anonymous. In such case, particular ballots can be inspected against the electronic records without compromising voter anonymity and privacy, including publishing voting results on a ballot-by ballot basis, e.g., via the Internet, as described in incorporated Patent Applications 09/737,306 and 10/255,348. Such ability to verify that a ballot has been received and has been counted could be desirable for absentee and/or provisional voters, as well as for general voting.

[95] FIGURE 9 is a schematic flow diagram illustrating details of a portion of the ballot reading process 300 of FIGURE 8. In particular, an example of details relating to the steps of decoding 327 voting selections, reading 326 voting selections and/or tabulating 330 voting selections using the selected 324, 325 ballot template are illustrated. In a preferred embodiment, ballots are imaged, read and/or decoded 320a, 320b irrespective of the orientation of each ballot as it is passed through the ballot reader and/or irrespective of the jurisdiction, voting district, precinct and the like to which it pertains.

[96] First, the orientation of each ballot is determined 340 from the location(s) of one or more indicia disposed in an asymmetrical pattern on the ballot, and then the ballot image and/or the selected 324, 325 template therefor is electronically oriented to be in the same orientation. Before, after, and/or contemporaneously therewith, the ballot is tested or checked 342 to verify that it is a complete ballot, i.e. that it includes all of the indicia 122 and marking space 112 outlines that the ballot should include as defined by the selected 324, 325 template, and so is not torn, folded, altered and the like. If the ballot is not complete 342, path “N” is taken and the ballot is rejected, e.g., is physically separated from the other ballots for manual verification and processing.

[97] If the ballot is complete 342, the path “Y” is taken and the ballot is tested 346 to determine whether there is any write-in voting selection thereon. If testing 346 finds any one or more write-in voting selections, the path “Y” is taken and, preferably, the portion(s) of the ballot

image containing a write-in voting selection(s) are stored 366, preferably along with the ballot VID for later verification, if necessary or desired. Typically, write-in voting selections are processed separately from voting selections from among the nominated candidates or other regular voting selections. Ballot processing then proceeds to the detail steps of decoding 350 the regular voting selections, i.e. those made by mark space(s) 112.

[98] If testing 346 finds no write-in voting selection is present, then path “N” is taken directly to the detail decoding 350 of regular voting selections. Decoding 350 includes a number of steps that determine whether each mark space 112 has been marked to indicate that a voting selection has been made or has not been so marked. For example, the pixels of the ballot image, e.g., in a TIFF or BMP or other bitmapped or pixelated format, for each mark space 112 are tested to determine whether it is a “light” (e.g., not marked) pixel or a “dark” (e.g., marked) pixel. The number of “light” and “dark” pixels for each mark space 112 are counted 352 and the counts of “light” and “dark” pixel are stored 354. Preferably, the ballot VID is associated with

the stored counts of “light” and “dark” pixels thereof, e.g., for auditing and/or recount. If a sufficient portion of the tested pixels in a given mark space are “dark” pixels, then that mark space 112 is considered to be marked, e.g., as described below.

[99] Testing 356 determines whether all of the mark spaces 112 of a contest have been counted 352 and the counts thereof stored 354. If not, path “N” is taken to go to 358 the next region of the contest repeat the pixel counting 352 and storing 354 until all of mark spaces 112 have been processed. When all mark spaces 112 of a contest have been processed, the path “Y” is taken from testing 356 to determine 360 whether the contest has been voted properly, i.e. whether the proper number of mark spaces have been marked. If the proper number of mark spaces 112 have been marked, the path “Y” is taken and the voting selection for that contest is counted 362. If either too many (over vote) or too few (under vote) mark spaces 112 have been marked, the path “N” is taken and the under vote or over vote is stored for later processing. If an under vote, the voting selections made can be counted 362, if the applicable law allows.

[100] In addition, if there is a write-in voting selection, the fact thereof is tested 368 with the affirmative result of the all regions counted test 356 at path “Y” to determine 368 whether the contest is voted properly considering the presence of a write-in voting selection. If not, then path “N” is taken and an over vote or under vote is recorded 364. If the voting selection is determined 368 to be proper, then path “Y” is taken and the write-in voting selection is processed 380.

[101] Following the counting of a voting selection 362, an under vote or over vote 364 or a “Y” determination 368, testing 370 determines whether all contests for that ballot have been counted and processed. If not, path “N” is taken to the next contest 372 which is then processed 350 and so forth as described. If yes, path “Y” is taken and the next ballot is then processed in like manner to that just described until all of the ballots have been processed and the voting selections thereon have been counted and tabulated 330.

[102] Separate processing 380 of write-in voting selections may proceed as follows, typically after all the regular voting selections have been tabulated. Optionally, the write-in voting selections may be converted to alphanumeric characters by optical character recognition (OCR) 382. The stored 366 images of the write-in voting selections are accumulated 384, with their corresponding OCR result, if any, and are displayed for manual processing 386, including validation, by election officials. The display may be on a computer display or the like or may be a printed form, as may be desired and/or required by applicable law.

[103] Preferably, write-in voting selection images are “clipped” from the ballot images

and have the ballot VID associated therewith, and plural clipped images are displayed on one screen or printed on one page. Manually processed 386 valid write-in voting selections are counted and tabulated 330 with the total vote. In processing write-in voting selections, either the clipped image is displayed, or if the ballot VID is associated therewith, the entire ballot image may be displayed or the original ballot may be retrieved for use in manual processing 386. Where the ballots are read, not imaged, based upon comparison to a ballot template, only the result of reading the ballot is stored, and so the original ballot is preferably separated and kept for manual processing 386 of write-in voting selections.

[104] A typical ballot image in a pixel or bitmap format may have a file size in the range of 3-500 kilobytes, depending upon the format and the degree of file compression utilized, but could be as large as 1-10 megabytes without file compression. A computer hard drive of the sort typically found in a current commercially available personal computer, e.g., of 60-100 gigabytes capacity, can easily store full-ballot images (of nominal or average 500 kilobyte size) for a population of 100,000 voters. One or more servers may be utilized for storing ballot images for a population of one million or more voters.

[105] Typically, full ballot images are stored initially on the hard drive of a computer and are later transferred to permanent storage media, e.g., a "write-once, read-many" (WORM) medium such as a CR-R disk, for long-term storage. Reduced images, whether by compression

and/or by "clipping" the portions of the ballot image that include mark spaces, write-in voting spaces, identifiers and the like, and other information pertinent to voting selection other than the standard information and candidates names printed on the ballot, may be utilized to reduce the quantity of information that needs be processed on counting and tabulating the vote and/or that needs to be stored. Such techniques can be utilized reduce the size of each ballot image file to as low as 10 kilobytes or less.

[106] FIGURES 10A, 10B, and 10C are schematic diagrams of mark spaces 112 of a ballot 100 marked in a variety of ways and of enlarged diagrams illustrating details thereof, and are helpful to understanding a preferred aspect for counting voting selections of the method described herein.

[107] FIGURE 10A illustrates some of the various ways that a voter may mark a mark space 112 in making a voting selection. For example, mark space 112a has been fully marked by the voter so that it is essentially 100% filled in and there is no question that the voter intended to

mark that region 112a and it should be counted as a vote. Mark space 112b is partially marked and may be about 50% filled in, and it is likely the voter intended to mark that region 112b and it should be counted as a vote. Similarly, mark spaces 112c, 112d and 112e are marked with a check, a large X and a small x, respectively, and it is likely that the mark was intended and should be counted as a vote. However, mark space 112f contains a small mark that may be an intended or unintended mark therein, and so may or may not be counted as a vote.

[108] Each ballot image captured by ballot reader in reading ballots 100 must be read to determine which ones of mark spaces 112 thereon have been marked sufficiently to count as being marked to indicate a voting selection and which ones have not. The ballot reader produces a ballot image, whether of the entire ballot or only of portions thereof selected in accordance with the applicable ballot template, that is preferably in a pixelated or bitmapped format, e.g., a TIFF or a BMP image, or other bitmapped format. Ballot images in such format may be produced directly by a commercially available office copier or scanner or may be converted to such format, if necessary, or may be provided by a specialized ballot scanning apparatus.

[109] FIGURE 10B illustrates a reading region 130 of a ballot which contains a marked mark space 112. Based on the applicable ballot template, e.g., the template selected 324, 325 from among the possible ballot templates using the VID number read/decoded 322, 323 from the ballot, a number of reading regions 130 each including one mark space 112 are selected from the ballot image. Each reading region 130 is preferably slightly larger than and includes one mark space 112. Each region includes a large number of pixels 132 as illustrated by the dotted grid lines, e.g., representing an over scan of mark space 112. Mark space 112 includes mark 140, e.g., a mark made by a voter to indicate a voting selection.

[110] For clarity, only a few rows and columns of pixels are illustrated, it being understood that a large number, e.g., 800 - 1000 pixels is typical. In one embodiment, reading region 130 includes about 900 pixels. Because each reading region 130, whether or not marked by a voter, includes the printed outline of mark space 112, a predetermined number of the pixels representing the mark space 112 outline will be "dark" pixels. In one embodiment, the outline of mark space 112 includes about 100 dark pixels, with a tolerance of about ± 40 pixels due to ballot to ballot variations, e.g., printing variations, outline-to-pixel pattern registration differences, reading/imaging differences, scanner lighting variations, sensor noise, and the like.

[111] One preferred arrangement for determining whether a mark space 112 has been marked to indicate a voting selection is as follows. The maximum number of pixels 132 that a mark 140 could darken (i.e. the number of "markable pixels") is determined by subtracting the

number of pixels of the outline of mark space 112 from the total number of pixels 132 in reading region 130. For the example embodiment, the number of markable pixels is $900 - 100 = 800$ pixels.

[112] A predetermined threshold of dark markable pixels (e.g., the “voted threshold”) is established for determining that a mark space 112 has been marked (voted). For example, voted thresholds of between about 20% and about 50% of the maximum number of markable pixels 132 have been found satisfactory, and are preferred, although higher or lower voted thresholds are satisfactory and may be utilized. If a higher percentage voted threshold were to be utilized, the effect is that the voter is being required to more fully darken the mark space 112 in order for a voting selection to be considered as such. If a lower percentage voted threshold is established, then mark space 112 outlines having a positive tolerance and/or reading “noise” could determine that a voting selection has been made when none was intended. In some tests, thresholds of about 10% and less were found to produce readings of a voting selection where none was intended.

[113] To determine whether a voting selection has been made in a given mark space 112, the number of pixels of the mark space outline is subtracted from the number of marked pixels, and the difference is compared with the predetermined voted threshold. This provides

additional safety margin against erroneous reading because the number of dark pixels of the mark space outline is subtracted both in calculating the voted threshold and in determining the number of pixels that have been read as marked by the voter.

[114] In the example embodiment, a voted threshold of 20% is equal to 160 marked pixels (20% of 800 markable pixels), and a threshold of 50% is equal to 400 marked pixels, in a reading region 130. It is noted that using the lower voted threshold of 20% requires that at least 160 marked pixels be present which is about four times the expected tolerance of 40 pixels of the outline of mark space 112 and so an unmarked mark space 112 will be unlikely to be erroneously determined to be a voting selection.

[115] An advantage obtains where the counts of the numbers of “light” and “dark” pixels are stored for each mark space 112 of each ballot, as is preferred, but is not necessary, as described above. After the ballots are read/imaged, their “light” and “dark” pixels counted and stored, and voting selections counted and tabulated with a given predetermined voted threshold, the predetermined voted threshold may be changed and the voting selections recounted and re-tabulated using the stored “light” and “dark” pixels counts, without having to again scan the

ballots. This is performed quickly and electronically, without the need for scanning or otherwise processing the original paper ballots, and ballot images may be inspected in case of a question.

[116] Thus the effect of changing the value of the predetermined voted threshold on the tabulated election result may be determined, and may be compared with the election result (e.g., the vote margin of the winning candidate) for determining whether that effect is significant with respect to the outcome of the election. Where the ballot VID is associated with the stored pixel counts, as is optional but is preferred, the ballots for which the reading of the voting selection is changed by the changing of the predetermined voted threshold may be identified, and may be obtained for visual inspection by voting officials. Typically, the differences in reading voting selections provided by the foregoing ballot reading and counting arrangement have been found to be relatively small, and so would not be significant in terms of an election result in all but the closest of elections.

[117] Because the counts of dark and light pixels are stored in the pixel-based preferred arrangement, it is quite easy to vary the predetermined threshold for what is and is not a voted (marked) mark space and to determine the variance if either a higher or lower threshold had been utilized (i.e. a higher or lower percentage of filled area of the mark spaces 112). For example, a typical predetermined threshold level might be set at 20%, 25%, 30%, 35% or 40%. Once the votes are read and counted using the predetermined threshold, it is quite easy to perform one or more recounts with the threshold set at a higher or lower threshold level utilizing the stored counts of light and dark pixels without having to re-scan (re-image) and reprocess the ballots.

[118] For example, where the ballots are initially read and decoded utilizing a predetermined threshold of 30%, the results can be tested and compared simply by setting the predetermined threshold to 20% and recounting using the stored counts of light and dark pixels and then to set the predetermined threshold to 40% and again recounting using the same stored counts of light and dark pixels. The differences in vote tallies generated using different predetermined thresholds of light and dark pixels will determine the sensitivity of the vote count to the relative level of marking filling of the vote selection mark spaces.

[119] Further, where the preferred arrangement is employed wherein the ballot identifier (VID) is associated with the ballot image and the stored counts of light and dark pixels, the voting results obtained for each ballot for each predetermined threshold level may be compared and the ballots for which the voting result changes when the predetermined threshold is varied may be identified by their respective ballot identifiers (VIDs) and may then be retrieved for manual inspection, e.g., by an election official and/or a court or other authority conducting an

examination of the voting result.

[120] Thus, the described arrangement facilitates the identification of those ballots for which voter intent may be in issue and also provides means whereby the ballots in question may be identified and evaluated automatically and without subjective human intervention. If this arrangement had been utilized in the November 2000 presidential election in the United States, for example, then the recounting of votes in certain counties of the state of Florida would have been much quicker and accurate, and may have been freed from the taint and embarrassment of partisan human interpretation.

[121] FIGURE 10C illustrates an enlarged view of a portion of reading region 130 which contains a portion of a mark 140 in mark space 112 (or of an outline of a mark space 112). Therein, dashed lines indicate rows a, b, c,... and columns 1, 2, 3,... of pixels 132 on which a portion of a mark 140 (or a mark space 112 outline) is superimposed, and pixels 132 are designated as "x-y" where "x" is the letter of the row thereof and "y" is the number of the column thereof, e.g., the pixel at row a, column 1, is designated as pixel "a-1." It is seen that while a mark 140 completely fills some pixels 132, it does not either completely fill or completely not fill all pixels 132. Thus a criteria is needed to determine whether any given pixel is "dark" or is

"light," i.e. is not dark.

[122] One convenient criteria is that the pixel is considered "light" if the intensity (brightness) of a pixel is greater than 50% of full brightness and is considered "dark" if its intensity (brightness) is less than 50% of full brightness, although any other suitable level could be utilized. Thus, illustrated pixels b-1, c-1, c-4, and f-7, among others, are "light" and illustrated pixels f-3, d-6, c-7 and b-8, among others, are "dark." Other illustrated pixels, such as pixels f-2, e-3, g-3 and e-6, among others, are more than 50% covered by mark 140 and so would be considered "dark" pixels, while illustrated pixels f-1, b-6, f-5 and d-8, among others, are less than 50% covered by mark 140 and so would be considered "light" pixels.

[123] Pixel intensity (brightness) is tested for each pixel and each pixel is determined to be either "light" or "dark" and the total numbers of "light" and "dark" pixels, respectively, are counted for each reading region 130, as described above. Because the processing of each reading region 130 as described above makes provision for variations in reading characteristics, the accuracy of counting of voting selections is not particularly sensitive to the predetermined intensity threshold that is utilized for determining "light" and "dark" pixels. It is noted that the preferred threshold of 50% is symmetrical and tends to avoid a statistical bias towards

determining whether any given pixel is a “light” pixel or a “dark” pixel.

[124] FIGURE 11 is a schematic flow diagram of an example process 400 for generating the ballots of FIGURES 1, 3A-3D and 4. In process 400, a ballot is generated 410, 410’ including the contests and/or questions to be presented to the voters generated from information entered by election officials prior to an election. Typically, election officials generate a database 408 of ballot forms (styles) for the various jurisdictions, districts, polling locations and the like, and in the case of a primary, for each political party, each being associated with a particular jurisdictional portion of the voter identifier (VID). In printing ballots, the appropriate form/style is selected from the database 408 thereof in accordance with the jurisdictional portion of a particular VID, e.g., ballot generation as described herein and/or in incorporated Patent Applications 09/737,306 and 10/255,348.

[125] Ballots may be generated 410 with a complete voter identifier (VID), i.e. an identifier including the jurisdictional information (e.g., fields 381-386) and a unique random identifier (e.g., field 387), and printed 412 as a set of unique ballots, either in advance of an election and/or “on-demand” in an election. Ballots may be generated 410’ with a partial voter identifier (VID), i.e. an identifier including the jurisdictional information (e.g., fields 381-386), and printed 412’ as a set of identical ballots either in advance of an election (e.g., conventional printing) and/or “on-demand” in an election. Such ballots may be utilized directly, i.e. without the unique identifier portion of the VID, or a unique random identifier (e.g., field 387) portion of a voter identifier may be generated 414 and may be printed 416 on the ballots to provide a set of unique ballots and/or may be printed on labels to be affixed to the printed ballots at a later time. A list of the voter identifiers utilized on ballots may be retained, e.g., in a database on a computer, for later use in verifying and/or authenticating voted ballots received 424, and may be without compromising voter anonymity and privacy where no record is kept that could relate a particular ballot to a particular voter. Further, printed ballots including the VID may be placed into envelopes, e.g., absentee ballots placed into mailing envelopes, by automated equipment to reduce the possibility of human action that may compromise privacy and/or anonymity.

[126] In either case, the printed ballots with a complete VID and/or with a partial jurisdictional VID are distributed 420 for being utilized by voters in voting in an election in accordance with the applicable election procedure, e.g., by marking their voting selections in the mark spaces provided. It is noted that the ballots may be distributed 420 in advance of an election, e.g., as absentee ballots or as ballots for early voting, may be distributed 420 during an

election as the usual ballot for all voters, e.g., at polling locations on an election day or days, and/or may be distributed 420 to particular voters, e.g., to voters voting provisionally.

[127] Absentee ballot envelopes may be printed in like manner to that employed for printing ballots, i.e. either as a batch printing process 412 and/or on demand 412'-416. An envelope voter identifier (EVID) may be printed on each envelope or later applied, e.g., by label, that includes fields identifying the jurisdiction and ballot type, with or without a unique randomly-generated identifier, in similar manner to the VID utilized on the ballot. The EVID may be utilized to identify the envelope/ballot upon distribution 420, e.g., sending/mailing out to the voter, and upon return 424, and facilitates automated placement of ballots into envelopes as described.

[128] Marked (voted) ballots are received 424, e.g., by election officials, the ballots having been submitted by mail, in-person or other delivery method, e.g., in the case of absentee ballots or ballots for early voting, by deposit in ballot containers or delivery to an election official at a polling location or other designated location, e.g., as the usual ballots voted and/or as provisional ballots. Ballots voted as absentee, early and/or provisional voting ballots are

typically sealed in a plain opaque envelope after the voter marks his voting selections thereon and the plain envelope is then sealed inside an opaque outer envelope on which is marked the voter's name and address, the election, jurisdiction, date, and/or other particulars, and a voter signature, and/or the identification and signature of a witness. Each ballot is verified 430, i.e. the information on the outer envelope is utilized by election officials to determine whether the ballot sealed therein should be opened and counted. Such determination may include, e.g., whether the voter is eligible to vote, whether the voter signature on the envelope matches the voter signature in the voter registration records, and/or whether the ballot is a valid ballot for the particular election (possibly including whether the ballot is a duplicate of another vote in the name of the voter).

[129] Upon return 424 of an absentee ballot and before opening it to obtain the ballot therein for counting, the envelope EVID on the outer envelope is read and is utilized for authenticating/verifying 430 the absentee ballot and for indicating that the voter to whom is was provided has voted and/or for disqualifying the absentee ballot if the voter has voted in person during the election, thereby to reduce the likelihood for a voter voting more than once without being detected. Once the absentee ballot is determined 430 to be a valid absentee ballot based upon the EVID, the envelope is opened and the ballot therein is counted 430 as described.

[130] While a record of the VID of ballots sent as absentee ballots may be retained for verifying that the ballot is an authentic absentee ballot as part of it being counted, it is preferred that the VID and EVID be separate and independent of each other and not linked, so that the identity of the voter remains anonymous and his vote remains private. Voter anonymity and/or privacy may also be enhanced where substantial numbers of such ballots are processed together, e.g., where absentee and/or provisional ballots are removed from their envelopes. Ballots not validated may be retained either physically and/or electronically by storing images thereof, and such stored images may be related to the voter registration database, if desired.

[131] The verified (qualified) received ballots are then read as described herein (e.g., see FIGURES 7 and 8) and tabulated 430, without the need for being sorted by election and/or ballot style and/or jurisdiction before reading and tabulating 430, to determine the result or outcome of the voting. Before and/or during the reading and tabulating 430, the ballots may be verified/authenticated by comparing the complete VID number on each ballot against a list of valid VID numbers for the election, e.g., a computer database listing the VID of each issued ballot, and/or by manual inspection by an election official.

[132] The result/outcome of the election is certified and/or published 432 as required by the applicable election laws. Preferably, the tabulating 430 of voted ballots preserves the specific voting selections read from each ballot and the associated VID (e.g., voting record) of that ballot, as well as tallying the vote totals for determining the election outcome, and a listing of the voting selections and VID (voting record) from all ballots are published where the public can access same, e.g., on a bulletin board, in a printed publication and/or on an Internet web site. Thus, each voter knowing his VID can access the listing and find the vote recorded from his ballot by its VID and can satisfy himself that his vote has been counted and has been counted correctly and accurately. Where the voter retains a copy of his ballot and/or is issued a voting receipt, such may be utilized for correcting an incorrectly recorded vote and/or an improperly disqualified ballot where permitted by applicable law.

[133] FIGURE 12 is a schematic flow diagram of an example voting process 500 utilizing the ballot of FIGURES 1, 3A-3D and 4. Voting district specific ballots are generated 510 and distributed 512 for being voted. Voters vote 514 by marking the mark spaces on the ballot corresponding to their desired voting selections (votes) and submit their ballots in accordance with applicable election procedure. A voter may copy 516 his marked ballot for later checking that his vote was counted and was counted properly. Voted ballots are received 520

and the received voted ballots are authenticated 522 before being read and counted. All the foregoing may be as described in relation to FIGURE 11.

[134] Authenticated (valid) ballots are read (scanned) 524 to read the VID number printed thereon and the voting selections marked thereon, i.e. the voting selections marked on each ballot are read according to a ballot template corresponding to the jurisdictional portion of the VID selected based upon the jurisdictional portion of the VID read 524 from each ballot. Write-in votes are preferably read and processed 525 by optical character recognition (OCR) software for computer tabulation, and/or ballots having write-in votes may be separated for manual processing (e.g. manual deciphering and posting) 525 and/or inspection and/or verification. As described, ballots are read 524 according to ballot templates selected based upon the read VID and so do not need to be sorted by jurisdiction and/or style prior to reading 524.

[135] Ballots over-voted (i.e. wherein more mark spaces than are permitted to be marked have been marked) may be disposed 526 by being separated or ejected for manual inspection and/or invalidation, and/or the valid portions of the voting selections may be recorded

and tabulated 530, depending on the treatment of over-voted ballots under applicable law. Some jurisdictions invalidate only the voting selections made in over-voted contests and other jurisdictions invalidate an entire ballot containing any over-vote. Ballots under-voted (i.e. wherein fewer mark spaces than are permitted to be marked have been marked) may be recorded separately 526 and/or the under-vote may be recorded separately 526 (e.g., for review and/or for statistical purposes), and the voting selections thereon are recorded and tabulated 530, and/or under-voted ballots may be separated for manual inspection, depending on the treatment of under-voted ballots under applicable law. Further, the read and/or imaged information for each under- and/or over-voted ballot may be printed out for review by election officials.

[136] The voting selections from read 524 ballots is recorded 530 including the VID number from each ballot, i.e. the voting selections and VID of each ballot are recorded and stored as an individual voting record, and the voting selections therefrom are also tabulated 530 to determine the result of voting. Preferably, the information read from each ballot, e.g., voting record of voting selections and VID, are stored in plural separate and independent memory devices, e.g., hard drives, flash memories, optical CD-ROM and the like, as described in incorporated Patent Applications 09/737,306 and 10/255,348, for preservation with the original paper ballots in accordance with applicable procedures.

[137] When the voting results tabulations are properly verified, the result is certified 532

as official. Thereafter, the certified results may be posted/published 534, e.g., on an Internet web site, including both the tabulated 530 result and/or the voting records including VID of each individual ballot, thereby enabling any voter knowing his VID, e.g., from a ballot copy and/or a printed voting receipt, to review 540 the voting record corresponding to that VID to ascertain whether it was counted and, if counted, whether it was correctly counted. The posted/published 534 voting records can include not only those voting records for ballots that were authenticated 522 and thus counted 524, 530, but may also include the voting records for ballots that were disqualified or otherwise not counted and/or not completely counted and/or the fact that the ballot of that VID was disqualified or was not counted and/or not completely counted.

[138] In connection with the steps of reading 524, recording and tabulating 530 and/or the processing of write-in, under and over-votes 525, 526, 528, for example, election officials may be provided with administrative and management tools, such as user rights and levels of access, passwords and the like, the keeping of logs of events and/or actions performed, functions to export (e.g., by electronic file transfer and/or via floppy disks, CD-ROMs and other tangible media) all or part of the files of vote tabulations, voting records, vote statistics and the like, and/or for the printing of various reports and/or forms, such as vote tallies, voting reports, vote certification forms and the like.

[139] FIGURE 13 is a schematic flow diagram of an example recounting process 600 usable in conjunction with the example processes 300, 400, and/or 500 of FIGURES 8, 11 and/or 12, for example, and FIGURE 14 is an example computer screen display relating thereto. The recount process and method 600 described herein employs digital images of the original ballots that have been scanned and/or "pictures" of the original ballots that are taken by the ballot counting systems. This method 600 is applicable irrespective of whether the ballot counting process is conducted locally, such as in the voting precincts, e.g. as when the voters submit their ballots to be scanned and counted individually, or whether ballots that are cast (and collected) locally are counted centrally, e.g., in an election office or other central location, and whether counted with ballots that have been mailed in or dropped off, such as absentee ballots, or separately. The manual counting and/or recounting process described herein includes the displaying for review of ballot images, not the original ballots, one by one, whether the review is for one contest or for all contests, and whether it is for all ballots or for a sampling of ballots.

[140] Typically, but not exclusively, recounting is used to refer to verifying the result in a specific race, question, referendum or other contest such as where the result is either very close

or is challenged. Also typically, but not exclusively, an audit is used to refer to verifying the results from a sampling of ballots and/or from a sampling of voting equipment, usually with regard to all races, questions, referenda, and other contests.

[141] Typically, recounting process 600 is only utilized after the automatic ballot counting has been completed and closed, e.g., after the election time for voting has ended and the counting and tabulating of ballots cast is completed. Both manual recounting alone (i.e. recounting without the use of automatic machine scanning and counting of the optical scan ballots) and manual recounting with automatic machine recounting of the optical scan ballots are provided for. While in most cases the use of machine automatic ballot counting will be preferred whenever possible, manual counting (same as manual recounting in terms of process) may be needed, e.g., as when there is an emergency situation that the automatic machine counting cannot be done or that manual counting is the only allowed method.

[142] Recount process 600 may be entered, e.g., following step 332 or 334 of process

300 of FIGURE 8, or following step 430 or 432 of process 400 of FIGURE 11 or following step 530 of process 500 of FIGURE 12. The following describes a counting and/or recounting process 600 in relation to a flow chart diagram thereof. It is noted that process 600 may be utilized for manually recounting ballots or marking sheets that have previously been imaged and counted either automatically or manually, or for simply manually counting ballots or marking sheets that have previously been imaged and/or that are imaged in connection with process 600.

[143] Counting and/or recounting process 600 initiates 602 a count or recount and preferably requires persons involved therewith to pass an identification and/or security control 610 in order to access, view and process ballots and/or other marked sheets. Controlling access 610 may comprise entering a user name and password and/or an identifier card or token as a precondition to access the voting system. Preferably, access should be controlled 610 responsive to user names and passwords and/or preferably with machine-readable tokens such as smart cards, that identify the individual election officials. Ballots may include voting/election ballots and/or other sheets that are markable to indicate selections for purposes other than elections, e.g., tests, surveys, lotteries, and the like.

[144] Manual counting 612 or machine automatic recounting 614 or manual recounting 616 may optionally be performed at this point if desired. Optional manual counting 612 may include a manual counting of original ballots or of printed ballots from stored images of original ballots. Optional machine recounting 614 may be a re-scanning, re-imaging, re-decoding and re-

tallying of original paper ballots for comparison with the results of the original scanning, imaging, decoding and tallying thereof, and may further include an additional or second re-scanning, re-imaging, re-decoding and re-tallying for comparison with the first re-scanning, re-imaging, re-decoding and re-tallying thereof. Alternatively, automatic machine recounting 614 may include re-decoding of the ballot images of the original ballots that were stored as part of the original scanning, imaging, and decoding thereof, e.g., when the ballots were cast or counted. Optional manual recounting 612 may be the same as manual counting 612 except that it counting other than as the first counting.

[145] Selecting or entering 618 of a ballot style or ballot template identifier, sometimes also referred to as a jurisdiction identifier, defines the ballots to be recounted. Selection 618 from a group listing of valid ballot styles and/or templates is preferred, e.g., as by clicking on a menu thereof on a computer display, to facilitate the operation and/or to limit the ballot style recount sheets that are accessible by the poll workers and/or election officials in accordance with their respective role-based permitted levels of access to ballots and other voting data. Role-based access may be limited automatically by the particular access token or smart card possessed by the poll workers and/or election officials so as to provide additional system security.

[146] Manual counting or recounting sheet(s) corresponding to the selected 618 ballot styles and/or templates are printed 620 to be available to the election officials and/or poll workers conducting the recount process 600. It is preferred that a recount sheet be generated before the actual recount or manual counting of ballots starts, and that the recount sheet can be automatically recognized and processed by the voting system scanning equipment when such recount sheets are submitted 660 for counting and tabulation. Typically, a preferred form of recount sheet will be generated in a format similar to that of the original ballots to be recounted, the similar layouts thereby making it easier for data and counts to be properly entered thereon. Also typically, the recount sheets will have spaces to write in the manual recount numbers and/or have optically readable spaces, e.g., a set of horizontally adjacent boxes, into which the respective digits of the recount may be entered, rather than the mark space ovals or boxes of the original ballot.

[147] It should be noted that process 600 may be employed for auditing an election and/or for performing a recount of an election. One principal difference is that in an audit a sampling of complete ballots are typically manually verified against the corresponding original ballots, whereas in a recount one or more particular contests are verified against the original count or counts for such contests. For an audit, the recount sheet would typically be formatted to

have all contests thereon, whereas in a recount the recount sheet would preferably be formatted to have only the contest or contests being recounted thereon. The recount sheet will have all contests being recounted and/or audited, and for each of those contests will have all of the contestants and/or choices listed. Proximate each contestant will be a space for entering the numeric count along with optical mrk reader (OMR) numbering ovals or boxes for entering the digits of the numeric counts for enabling automatic data acquisition when the recount sheets are scanned, e.g., on optical-scan voting equipment.

[148] While recounts usually arise when a result of a particular contest is challenged, both recounts and audits may be required or desired when the results of one or more contests are close, e.g., within 0.5% or 1% or 2% either absolutely or in relation to the number of voters voting. Audits may also be performed routinely or periodically or on a sampling basis to verify the proper operation and accuracy of voting equipment.

[149] In method 600, such recount sheets can be generated and printed 620 responsive to a suitable manual input 618 or automatic input 618 of the style of the ballot to be counted, and preferably with a machine-readable identifier of the ballot style identifier or another identifier related thereto, e.g., the ballot style identifier plus a character indicating recount sheet as a prefix or suffix. Machine-readable bar codes (e.g., 1- or 2-dimensional bar codes) or other machine-readable identifiers for the specific ballot styles to be recounted may be utilized. It is preferable that the specific ballot style recounting or manual counting sheet be selected 618 from a group, e.g., as from a menu of available recounting sheets. Where a sheet or ballot style or form is inputted 618, the recount sheet generated 620 preferably is of a style or form that closely parallels the style or form of the sheet or ballot inputted, so that there is a correspondence in layout between the sheet or ballot and the recount sheet that eases use of the recount sheet, thereby to reduce the likelihood of human error in data entry thereon.

[150] Access to such selection function 618 is preferably controlled 610 by user name and password and/or with a machine-readable token such as a smart card or RFID tag or fob that identifies the individual election official to whom it is issued. Optionally, but preferably, such access token, etc. provides for role based access wherein the degree of access is related to the role of the person to whom the access token is issued. Also preferably, recount sheets should have spaces for the signature and/or fingerprint of the poll site officials, poll workers, election officials and observers to indicate they did witness the recount and verify the count recorded on the recount sheet and the process.

[151] The actual manual counting or recounting process 630 comprises a number of different steps described in a preferred order. Recounting 630 begins with retrieving 632 the ballot image, i.e., the ballot image obtained and stored in the original counting of ballots or in the optional machine recounting 614 previously described. If the ballot image includes a decodable machine readable identifier 634-Y, the ballot is tested 638. If the ballot image does not include a decodable machine readable identifier 634-N, a ballot identifier may be and preferably is assigned 636 and the ballot is tested 638. Preferably, the ballot identifier, whether included in the original ballot and image thereof, or whether a recount ballot identifier assigned to the ballot image, is unique so that both the selections originally decoded from the original ballot and the selections determined by the manual recount may later be reviewed, e.g., as when there is an appeal from the manual recount decision, so that the selection recorded may be linked to the specific ballot (both the original ballot and the ballot image thereof) being recounted. The unique ballot identifier is preferably recorded along with the manual recount of the selections on that ballot, e.g., on a ballot recount sheet.

[152] Ballot testing 638 may include, e.g., authentication, verifying a ballot identifier against a list, e.g., a database, of known valid identifiers, verifying ballot completeness, both for each sheet and for all sheets of a plural sheet ballot (complete ballot), checking for under voting and over voting, and the like as may be conducted from the information contained in the image of the ballot. Ballot testing 638 may also include decoding from the ballot image the mark spaces (voting selections) that have been marked on the ballot as decoded by processing the ballot image, e.g., utilizing the same decoding processing as was utilized in the original decoding of the ballot images in determining and counting the votes in the original election process, e.g., including process 300, 400 or 500.

[153] Alternatively and optionally, where it is desired to review ballots where the marking of one or more mark spaces might be marginal or questionable, e.g., might or might not be counted as being marked, testing 638 may include decoding the ballot image using the first and second predetermined threshold levels of counts of dark and/or light pixels of the ballot image as described above. Those ballot images that decode differently at the two different predetermined threshold levels may then be selected for recount and/or review, either on a preferential basis, e.g., before other ballot images, or on an exclusive basis, e.g., where they are the only ballot images 100-IM that will be recounted and/or reviewed.

[154] The ballot image is displayed 642 for manual review by the appropriate poll worker, and/or election official, with or without observers, e.g., political party observers, court

observers, observers representing the public, and the like. The displayed 642 ballot image may include the actual ballot image as the ballot was imaged in the original ballot scanning and decoding after the election, or may include the actual ballot image as the ballot was imaged in an optional automatic machine recounting operation 614, or may include a combination thereof. In addition, the results of ballot testing 638 may also be displayed, either with the actual ballot image, e.g., on a portion of the display separate from the actual ballot image, or highlighted and/or superimposed upon the actual ballot image, or a combination thereof.

[155] In the case of a recount, the ballot images 100-IM are preferably displayed 642 one at a time with manual control of the duration of display so as to allow a proper manual counting to be conducted. In the first instance, it is preferably that full ballot images 100-IM are displayed. If two-sided ballot sheets were used, then both sides may be displayed 642 side-by-

side to give an overall view of each specific ballot. In some cases, it may be preferred to indicate, along with the specific ballot identifier number, how the optical ballot reading machine is reading (decoding) the ballot when a specific contest on the ballot is being highlighted for manual recounting. In this case, along with the specific ballot identifier number, one can easily distinguish any ballot and/or contest that has a machine count that is different than the manual count and to allow for ease of additional review, e.g., in case of appeal or an extremely close race.

[156] Displaying 642 the ballot images preferably displays ballots one at a time and preferably under observation by one or more observers, e.g., impartial observers, official observers, and/or partisan observers, as is also the case for manual counting or recounting 612, machine counting or recounting 614, selecting 620 a style, interpreting 644 the displayed voting selections, and the like. The ballots displayed and/or the actions of the officials and/or others involved may be video recorded to otherwise recorded for later review should any question or discrepancy arise.

[157] The example display 700 illustrated in FIGURE 14 may be a computer screen display 700 that includes a ballot image 100-IM, e.g., generally centrally located, and an identification bar 710 across the top, ballot testing indications 720, and control buttons 730. Ballot testing indications 720., e.g., at the upper left hand corner of the display, typically report each of the ballot testings 638 conducted, such as the total pages scanned, the correct number of pages, and errors identified such as an over voting error and/or an under voting error. The then current date (month-date-year) and time (hour-minute-second) may be displayed 712, e.g., as

illustrated at the upper right hand corner of the display screen 700.

[158] It is considered beneficial to include navigation controls 730 such as either scrolling or cursor control (arrow) keys or a simple contest listing. Preferably, clicking on a specific contest box 110 may cause the ballot image 100-IM display to automatically zoom in on that particular contest, thereby to provide higher resolution and a larger display for facilitating review and ease of manual recount; clicking on a zoomed contest a second time may restore the display of the full ballot image. Control buttons 730 may typically include functions useful to those reviewing ballot image 100-IM, such as a Scroll Up button 732, a Scroll Down button 733, a Zoom In button 734, a Zoom Out button 735, a Next Page button 735, a Previous Page button 737, a Cast Ballot button 738 and a Return Ballot button 739.

[159] However, if a trial ballot reader of the sort utilized by voters in a precinct to verify their voting selections prior to casting their ballots was being employed to conduct the recount, Cast Ballot button 738 and Return Ballot button 739 could be present in display 700, but those buttons 738, 739 would typically be inactivated when a recount was being conducted.

[160] Ballot image 100-IM includes the ballot elements like those described in relation to ballots 100 herein above. Ballot image 100-IM includes various contests 110 including, e.g., races for offices, constitutional amendments, public questions, and/or referenda, and the like, wherein each contest 110 has one or more mark spaces that a voter may mark (e.g., mark with an "X" or fill in) to indicate a selection. Typically there is a title or name for each contest and thereunder are separate entries for each candidate and/or each possible selection, typically each on a separate line with a mark space. In contests for offices, one or more spaces for a write-in selection are usually also provided. Ballot image 100-IM may also include a ballot identifier 120 if one is provided on the ballot imaged and/or fiducial or registration marks 122 if provided on the ballot imaged.

[161] Ballot 100 may be displayed by displaying 642 the ballot image 100-IM thereof without any additions or subtractions, i.e. exactly as it is in the stored ballot image file, as may be preferred and/or required in certain jurisdictions. Alternatively and/or optionally, ballot image 100-IM may be enhanced for purposes of the recount by highlighting and/or superimposing thereon in areas other than regions including a mark space, indications from the testing 638 of the ballot image 100-IM. For example, the status of each contest 110 may be superimposed over the title thereof, e.g., by an "OK" indication 7110 where the contest is properly voted, or by an "Under Voted" indication 7110A where a contest is under voted, and/or by an "Over Voted" indication 7110R where a contest is over voted. Alternatively and/or additionally, the status of

each contest may be indicated by highlighting the contest or a portion thereof.

[162] The received ballot image, or a new ballot image, as the case may be, can be decoded to determine which of the mark spaces thereon are marked mark spaces, e.g., for use in testing 638 the ballot. This mark space decoding may be performed as part of the retrieval 632 of the image, as part of the decoding 634 of the image, as part of the testing 638, and/or as part of the displaying 642 of the image, as may be convenient and desirable, and those steps may be performed in any convenient order.

[163] Additionally and optionally, each mark space 112 that has been decoded as being marked as a selection may be identified by a highlighted and/or superimposed indicator 7112, e.g., an arrow 7112 pointing towards that mark space and selection, or a superimposed

background or outline, e.g., a circle or oval of different color. Preferably, indicator 7112 is of a contrasting color, e.g., red or green, so that it is easily recognized by a person conducting the recount and/or review.

[164] Alternatively and optionally, but preferably, the indications 7110, 7110A, 7110R, may be further indicated by a colored background or highlighting corresponding to the indication. For example, the superimposed "OK" indication may be displayed (e.g., highlighted) with a green background, the superimposed "Under Voted" indication may be displayed (e.g., highlighted) with an amber or orange or yellow background, and the superimposed "Over Voted" indication may be displayed (e.g., highlighted) with a red background, and any of the backgrounds may be fixed or may flash or may otherwise change to attract attention.

[165] In addition, and optionally, other features of ballot 100 captured in ballot image 100-IM preferably are displayed, including the ballot identifier 120 and fiducial marks 122. An indication of the validity, correctness and/or completeness, e.g., of ballot identifier 120, may be superimposed on ballot image 100-IM, such as by a rectangular outline 7120 surrounding bar code 120, and the outline 120 may be coded to indicate the evaluation of bar code 120, e.g., with a green outline if it is valid and with a red outline if it is not or is otherwise incomplete or suspect, or by highlighting. A message 7121 may also be superimposed over bar code 120, e.g., a message 7121 indicating a control or tracking number or style/template identifier, and/or the type of voting the ballot 100 was used for, e.g., normal voting, absentee voting, provisional voting, and the like.

[166] Similarly, fiducial marks 122 that are present and in the correct locations may be identified by a highlighted and/or superimposed indication 7122, such as a green circle 7122 or

other indicator. The indication 7122 may be displayed in a color, e.g., green, if all fiducial marks 122 are present and in the correct location and may be displayed in another color, e.g., orange or red, if any fiducial mark 122 is missing or not in the correct location.

[167] Each displayed 642 ballot image is reviewed and interpreted 644, e.g., by the appropriate poll worker, election official, to determine which of the mark spaces thereon is indeed marked to indicate a voting selection has been made, which determination may be the same as the machine decoding of the ballot image 100-IM or may be different therefrom, as determined by those performing the manual recount. The interpreted 644 selections are then counted and/or tallied 646 in keeping a contemporaneous record of the recount results. If all of the ballots to be recounted have not been considered 648, then 648-N the steps of recounting process 630 are repeated for the next ballot until all of the ballots have been recounted 648-Y.

[168] Once a contest 110 has been reviewed, preferably the display and cursor may be employed to highlight and/or superimpose an indication on the specific contest box that is has been reviewed. However, clicking on the same contest 110 a second time will still allow that contest to be reviewed again, e.g., using the same manual counting (recounting) process. Typically, the specific selection marked on the ballot as determined manually from ballot image 100-IM will be read out aloud and/or will be confirmed by the observer(s), if any. If no objections are raised, the candidate determined to have been selected will be given one more vote. If an objection is made, the same specific candidate vote may still be added so long as a "judge" with authority to render a final decision makes such decision.

[169] However, to provide for a post recount audit, the display preferably allows a special virtual marker to be placed on this specific objected-to selection and the image thereof may be extracted so as to be preserved for further review, e.g., additional processing 690. Also preferably, the display may allow the opposing side and/or the objecting party to append a note or comment on such extracted image for consideration in any future contest appeal, e.g., as in additional processing 690.

[170] The process 600 set forth in the immediately preceding paragraphs will be repeated for all of the contests when total recount is being performed. In the case of a recount of a specific contest, the specific contest will be highlighted and displayed for expanded viewing and a recounting determination. This process will continue until all of the digital ballot images 100-IM are displayed and examined.

[171] After all ballot images 100-IM have been reviewed, 648-Y, the recount sheets produced 620 previously are completed 650 in accordance with the applicable legal requirements

and procedures. Poll site officials enter 650 the recounted numbers and/or witness the recounted numbers onto manual counting or recounting sheet(s), usually under observation by partisan and/or non-partisan observers. Data is entered 650 onto the recount sheet(s) systematically for all of the contests and the contestants (candidates) listed. Where the recount sheets have places for the entering of numeric information and optical mark recognition data, the numbers of the numeric recount are entered and the OMR numbering ovals are filled in and are checked by the observers. Poll site officials and observers then witness and verify the recount information entered 650 on the recount sheets and the recount process by placing their respective signatures and/or fingerprints in the spaces provided therefor on the recount sheets.

[172] When the recount is completed for a specific precinct (recounting is normally done on precinct-by-precinct basis or on a similar grouping basis), a recount sheet is usually made 650. It is preferable that the special recount sheet that includes all contests and all candidates be available for that recount. In this recount sheet, a special OMR marking area of a suitable number of digits, such as 3-5 digits, may be provided next to the name of each candidate and/or selection. The recounted number will be written down in the place provided on the recount sheet along with the filling in of that number in the OMR numbering spaces. The filled in OMR number along with the written numeric recount number is intended to allow automatic deciphering of the recounted number of votes that an individual candidate and/or selection receives, and can facilitate verification thereof in case of doubt.

[173] The recount recording sheets normally are filled in 650 by the poll site election officials, such as poll workers. Each of these persons will be required to place his or her signature and/or fingerprint on the recount sheet to confirm their participation in the recount process. It is also preferable that the observers, whether partisan and/or non-partisan observers, also place their signature and/or fingerprint on the recount sheet to indicate their having witnessed the recount process and optionally approval of the recount entries.

[174] If the count or recount is simply for a local contest 652-Y, e.g., involving only one precinct or one polling place or ward or district, or if it is desired to manually transport the recount papers for further processing 670, then there may not be a need to scan or image 660 the recount sheets and process 600 may advance 652-Y to reconciliation 670-674 of the original and the recount results.

[175] If not a local recount 652-N, or if the recount sheets are to be accumulated and transported electronically for consolidation of results 652-N, then the completed 650 recount

sheets are submitted and scanned (imaged) 660, and so images of the recount sheets are preferably captured and stored as part of the recount process 600 and the authentication of the results thereof. The captured recount sheet images are decoded 662 to determine the recount information therein. The decoded 662 recount information from the recount sheet images 660 are displayed 664, e.g., at a central recount location for reconciliation with the original election results.

[176] Preferably, the voting system that is utilized for scanning/imaging 660 and decoding 662 the recount sheets provides a manual recount setting or mode wherein it will accept the recount sheets (i.e. the equipment is able to image 660 and to decode 662 the recount sheets) and automatically attribute the votes recorded on the recount sheets to particular selections and contests, e.g., utilizing the unique ballot identifier. The unique ballot identifier is preferably encoded on the recount sheets with either a 1-dimensional bar code or a 2-dimensional bar code or another machine-readable identifier.

[177] Completion of the recount process 600 includes retrieving 670 the counts and tallies from the original election counting process, e.g., process 300, 400 and/or 500. The results from the original election results 300, 400, 500 and the results from the recount 600 are compared 672 and displayed for evaluation by voting officials and/or poll workers, and usually observers. The system preferably displays 664 comparative counts, e.g., with the manual count numbers being displayed next to the machine count numbers in case of recounting. In the case of manual counting only, the display 664 preferably will include the manual count number for public view. The comparative results may also be printed for creating part of the record of the recount 600, e.g., with the record including the recount sheets and the comparative results.

[178] If the results are the same 674-Y, e.g., are numerically the same or at least are sufficiently alike that the result does not change, then process 600 may end 680. If however, the results are not the same 674-N, or possibly if the result (outcome) is different 674-N, then additional processing 690, which may be optional, may be conducted.

[179] Additional processing 690, if any, may vary widely depending upon legal and jurisdictional requirements, and may include a full or partial review and/or re-verification of the original results, of the recount results, or of both, and alternatively or additionally may include repeating all or part of recount process 600, e.g., as by beginning again (B), e.g., at controlling access 610, at counting/recounting options 612, 614, at selecting template 618, at printing recount sheets 620, or at the actual recounting process 630. Process 600 ends 680 at the completion of additional processing 690.

[180] The numbers of votes determined for each candidate, selection and/or contest in the manual counting process 600 may be posted publicly along with the machine determined counts for direct comparison 672 for the officials and observers conducting the recount as well as for the public to view and/or may be printed as part of the official or unofficial record of the recount. Such posting and/or printing of a record may be, e.g., included in additional processing 690.

[181] In recounting process 600, it may sometimes be preferable that the recounting of the ballots be done by the voting system ballot scanning equipment (e.g., at least equipment of the same type as was employed in originally counting the original ballots in the election) while the ballots are being feed into the ballot scanning machine manually one-by-one or as a group under the observation of the public. In this machine-recount process 600, the ballots are mixed, i.e. are in a different and unknown order from when they were cast by the voters, and so voter privacy is no longer a concern, and the counting under the public observation provides some aspect of transparency without jeopardizing voter privacy and ballot secrecy. When ballots are submitted for scanning individually, i.e. one at a time, the system may display the digital ballot images on a display screen so as to indicate exactly how the system is reading, decoding and tabulating the ballots. Thus, the system would display the results incrementally, thereby to desirably provide transparency.

[182] To further enhance the machine-recounting process 600, the ballots and/or ballot images may be reviewed by the public one at a time as they are processed and/or may be video recorded one at a time, e.g., for later review.

[183] While manual counting and recounting of original ballots can be used successfully, the need for direct human intervention in both the handling and counting of the original ballots tends to generate possible opportunities for tampering with the ballots. This is particularly so where the governing legal structure is not as comprehensive as it could be and where enforcement may be not adequate. In the present process 600, employing a machine for first counting the original (paper) ballots and then recounting using digital ballot images (pictures) captured by either the ballot scanning /imaging equipment or by an accompanying separate physical camera will not place the original ballots in the hands of humans who might tamper with them, thereby to provide additional security.

[184] In the case of the voting system and recounting system and method described herein which is available from Avante International Technology, Inc., of Princeton Junction,

New Jersey, the ability to verify the authenticity of the ballots using a randomly generated unique ballot identifier and/or anti-counterfeit paper ballots further provide additional security, transparency and credibility to the election process.

[185] Ballots having features providing protection against copying and other counterfeiting, and the systems and methods for creating and processing such ballots, are described in US Patent Application No. 12/207,096 entitled “Optically Readable Marking Sheet and Reading Apparatus and Method” filed September 9, 2008, which is hereby incorporated herein in its entirety.

[186] While the VID information may be provided to the voter on a paper ballot and/or on a paper or other identification card, or may be entered by an election official at the election office and/or polling place for printing on a ballot, VID information may be coded into the memory of a smart card and the voting machine may include a smart card reader for reading the coded VID stored therein where the voting machine is utilized to print an optically scan-able ballot including the VID. Identification of the voter at the time for voting may utilize the VID information stored in the voter’s smart card, or may be by traditional identification methods, such as signature verification, conventionally utilized by various jurisdictions.

[187] Alternatively, a unique identifier stored in the voting machine may be read into the voter’s smart card and may either supplement or replace the voter number stored therein at issuance, whereby the pre-stored voter number may be used to verify registration and/or the unique identifier may be utilized to preserve voter anonymity and privacy. Preferably for voter privacy, only the unique identifier, e.g., VID, is stored in the voter smart card and/or on a printed ballot at the completion of a voting session. A database of unique identifiers valid only for a particular election may be pre-loaded into the voting machines and/or vote tabulating machines prior to that election, and/or smart cards may be collected when voted, for security.

[188] US Patent 7,077,313, entitled “Electronic Voting Method for Optically Scanned Ballot” issued July 18, 2006, and pending US Patent Application No. 12/207,096 entitled “Optically Readable Marking Sheet and Reading Apparatus and Method Therefor” filed September 8, 2008, are hereby incorporated herein by reference, each in its entirety.

[189] While the present invention has been described in terms of the foregoing exemplary embodiments, variations within the scope and spirit of the present invention as defined by the claims following will be apparent to those skilled in the art. For example, while

the identifier (e.g., VID number) of a ballot must be machine readable for automatic tabulation of votes, the machine-readable VID may be the same as the desirable human-readable VID, i.e. alphanumeric characters readable by people as well as machines (e.g., readers having OCR) may be utilized.

[190] Moreover, any arrangement described in relation to a particular form of voting (e.g., absentee or provisional voting) may be utilized in relation to any other form of voting (e.g., regular or early voting) as well.

[191] Further, the identifier (VID) may include any one or more of the fields described and/or additional or different fields, as may be appropriate and/or desirable. Each identifier (VID) includes one or more fields containing a representation of jurisdictional information and/or a ballot form, and may include one or more fields containing a unique random portion. Herein, an identifier may be or be referred to as a ballot identifier and/or a voting session identifier, e.g., where the ballot is generated with an identifier in a voting session of an election, i.e. in recording a voter's vote or is generated apart from a voting session and any voter, and/or may be referred to as a voter identifier in relation to a particular voter (even if random and anonymous).

[192] Also, and optionally, for weighted and/or ranked voting, the ballot may provide for the voter to write-in the weighting and/or rank for each candidate and/or response in a marking space 112 provided therefor and the write-in portion may be read and translated into machine readable form manually. Further, the reader may include an OCR function for translating the written weight and/or rank into machine readable form, and in such case, means for writing in the selection in a common font easily understood by the reader may be provided. Voter over-voting errors in making weighting and/or ranking preferences may be proportionately corrected automatically, e.g., normalized to the proper weight, if the law allows. Under votes may be counted insofar as they are voted.

[193] While ballots are generally referred to herein as "paper" ballots, it is understood that while present day sheet ballots are typically of paper or of a somewhat heavier stock, paper ballot as used herein is intended to include paper, heavy paper, card stock, cardboard, plastic, punch card and other forms of ballots on a sheet of material. While sheet ballots are most commonly read by optical scanning when the ballot passes a light source and the marked/unmarked state of the mark regions is sensed by an associated light detector, marking may be detected by other means such as a mechanical and/or electrical sensing and detecting means.

[194] Where ballots are separately processed, such processing may be automated or manual, or may be a combination thereof. Separate processing may be utilized where ballots include a write-in vote, an overvote, an undervote, and/o where a ballot appears to be missing voting mark spaces, ballot identifier and/or fiducial marks, and/or wherein such features have not been properly read and/or imaged.

[195] In any of the arrangements described herein, a printer may be associated with a ballot reader, e.g., such as reader 1000 described in relation to FIGURE 7, for providing a voting receipt and/or confirmation that a ballot has been properly read. Such receipt may be a simple confirmation of a readable ballot, a listing of voting selections and/or may include a printout of a full ballot image, or anything in between. In the latter case, it may be desirable for the printed version of the voter's ballot to be submitted as the official vote after the voter has opportunity to verify its accuracy and completeness. The printed ballot version would have fully blackened mark spaces for each voting selection made thereby to further reduce the already extremely low rate of questionable vote counting error typically obtained with the described arrangements.

[196] In addition, while the apparatus and method herein are typically described in relation to voting apparatus having a user interface, e.g., a display and a data entry device such as a touch screen, either or both may be eliminated and/or rendered inoperative, if desired, and replaced by the optical ballot reading apparatus such as that described. Further, the apparatus and method herein may be utilized in fields and applications other than elections and voting, e.g., in the grading/marking of examinations and tests such as school and university tests, professional tests, and the like, wherein the voter is a test taker and an answer sheet replaces the ballot, in the tallying and tabulating of surveys and questionnaires (replacing the ballots), in the reading and tabulation of gaming sheets (replacing the ballots) such as for races and lotteries, and the like.

[197] A method for reading a sheet having one or more regions of choices and a plurality of mark spaces thereon in which one or more selections may be marked for each of one or more choices, each mark space being a space defined for marking a selection therein, the method may comprise: imaging the sheet having one or more choice regions and a plurality of mark spaces thereon wherein the image of the sheet includes all of the mark spaces for the choice regions thereon and is in a pixelated or bitmapped format including a plurality of pixels; defining for each sheet the one or more choice regions each containing a plurality of reading regions each including one mark space; processing the image of the sheet for decoding from the image of the sheet the defined one or more choice regions and for decoding from the image of the sheet the

plurality of reading regions including the one mark space thereof; and for each decoded choice region: counting at least the number of dark pixels for each reading region; determining from the counts of the dark pixels for each reading region whether the mark space therein is unmarked or is marked as a selection; and counting each determined marked selection. The determining may comprise: determining the difference between a number of dark pixels representative of the mark space and a total number of pixels for a reading region, and determining whether the counted

number of dark pixels for that reading region exceeds a predetermined portion of the difference between the number of dark pixels representative of the mark space and the total number of pixels for that reading region. Where two or more of the mark spaces are associated with a choice, each choice may have a given number of selections that may be made therein, the method may comprise: counting the number of mark spaces for the choice that are determined from the counts of light and dark pixels for each reading region to be marked as a selection; comparing the number of selections marked to the given number of selections; and if the number of selections marked equals the given number, then performing the counting each determined selection, if the number of selections marked is less than the given number, then providing an indication of an under selection, and if the number of selections marked exceeds the given number, then providing an indication of an over selection and not performing the counting each determined selection. An indication of an under selection or an over selection or both may be provided, and the method may further comprise providing at least an image including any under selected selection, any over selected selection or any under selected selection and any over selected selection for separate processing. Wherein two or more of the mark spaces and a write-in selection space are associated with a choice, the method may comprise: determining whether a write-in selection space has been marked; and if a write in selection space has been marked, providing at least an image including the write-in selection for separate processing. The separate processing may comprise: storing the images of write-in selections and/or content of write-in selections; and displaying the stored image and/or content of a write-in selection, accumulated stored images and/or contents of a plurality of write-in selections or both. Each choice may have a given number of selections that may be made therein, and the method may comprise: counting the number of selections made for the choice including mark spaces and write-in selection spaces that are determined to be marked as a selection; comparing the number of selections marked to the given number of selections; and if the number of selections marked equals the given number, then the counting each determined selection, if the number of selections marked is less than the

given number, then providing an indication of an under selection, and if the number of selections marked exceeds the given number, then providing an indication of an over selection and not performing the counting each determined selection. Determining from at least the counts of dark pixels for each reading region whether the mark space therein is marked as a selection may comprise: (a) comparing the relative numbers of light and dark pixels to a first predetermined value to determine whether the mark space is marked as a selection; and the method may further comprise: (b) comparing the relative numbers of light and dark pixels to a second predetermined value that is higher or lower than the first predetermined value to determine whether the mark space is marked as a selection; and (c) providing an indication of the difference, if any, in the determinations of step (a) and step (b). Each sheet may have a corresponding unique identifier, and the providing an indication may include providing the unique sheet identifier. Each sheet may have an identifier thereon or may have two or more fiducial marks thereon or may have an identifier and two or more fiducial marks thereon, and the method may further comprise, prior to the counting each determined marked selection: defining for each sheet one or more second reading regions each including one or more of the identifier and fiducial marks; counting the number of light pixels and dark pixels for each second reading region; determining from the counts of light and dark pixels for each reading region and for each second reading region whether at least all mark spaces and all of the identifier and fiducial marks are present in the image of the sheet. The sheet may include an examination sheet, a test sheet, an answer sheet, a tally sheet, a tabulation sheet, a survey sheet, a questionnaire, a gaming sheet, a race sheet, a lottery sheet, or any combination of the foregoing. The method may be utilized for grading and/or marking an examination, for grading and/or marking a test, for grading and/or marking a school test, for grading and/or marking a university test, for grading and/or marking a professional test, for grading and/or marking an answer sheet, for tallying and/or tabulating a survey, for tallying and/or tabulating a questionnaire, for reading and/or tabulating gaming sheets, for reading and/or tabulating races, for reading and/or tabulating lotteries, or any combination of the foregoing.

[198] A method for optically reading sheets may comprise: making selections using any of a keyboard, a touch screen, a button, a switch, voice recognition apparatus, a Braille keyboard, a pen with writing recognition interface; then producing a sheet by printing the selections on a pre-printed form or printing a form including the selections; repeating the making and the producing steps for a plurality of participants, and then: reading or imaging each sheet including reading the selections marked thereon; and processing the read or imaged sheet for determining

the selections thereon in accordance with a template to which the read or imaged sheet corresponds, whereby the selections are marked on each sheet and are processed in accordance with the corresponding template. The method may further comprise either: recording the selections marked on each sheet in accordance with the template; or displaying the selections marked on each sheet in accordance with the template, but not recording or storing the selections.

Each sheet may be associated with a jurisdiction and wherein the processing may include selecting the template corresponding to the jurisdiction in accordance with the jurisdiction associated with the sheet. Two or more of the mark spaces and a write-in selection space may be associated with a choice, and the method may comprise: determining whether a write-in selection space has been marked; and if a write in selection space has been marked, providing at least an image including the write-in selection for separate processing. Separate processing may comprise: storing the images of write-in selections and/or content of write-in selections; and displaying the stored image and/or content of a write-in selection, accumulated stored images and/or contents of a plurality of write-in selections or both. Each choice may have a given number of selections that may be made therein, and the method may comprise: counting the number of selections made for the choice including mark spaces and write-in selection spaces that are determined to be marked as a selection; comparing the number of selections marked to the given number of selections; and if the number of selections marked equals the given number, then the counting each determined selection, if the number of selections marked is less than the given number, then providing an indication of an under selection, and if the number of selections marked exceeds the given number, then providing an indication of an over selection and not performing the counting each determined selection. Determining from at least the counts of dark pixels for each reading region whether the mark space therein is marked as a selection may comprise: (a) comparing the relative numbers of light and dark pixels to a first predetermined value to determine whether the mark space is marked as a selection; and the method may further comprise: (b) comparing the relative numbers of light and dark pixels to a second predetermined value that is higher or lower than the first predetermined value to determine whether the mark space is marked as a selection; and (c) providing an indication of the difference, if any, in the determinations of step (a) and step (b). Each sheet may have an identifier thereon or may have two or more fiducial marks thereon or may have an identifier and two or more fiducial marks thereon, and the method may further comprise, prior to the counting each determined marked selection: defining for each sheet one or more second reading regions each including one or more

of the identifier and fiducial marks; counting the number of light pixels and dark pixels for each second reading region; determining from the counts of light and dark pixels for each reading region and for each second reading region whether at least all mark spaces and all of the identifier and fiducial marks are present in the image of the sheet. The sheet may include an examination sheet, a test sheet, an answer sheet, a tally sheet, a tabulation sheet, a survey sheet, a questionnaire, a gaming sheet, a race sheet, a lottery sheet, or any combination of the foregoing. The method may be utilized for grading and/or marking an examination, for grading and/or marking a test, for grading and/or marking a school test, for grading and/or marking a university test, for grading and/or marking a professional test, for grading and/or marking an answer sheet, for tallying and/or tabulating a survey, for tallying and/or tabulating a questionnaire, for reading and/or tabulating gaming sheets, for reading and/or tabulating races, for reading and/or tabulating lotteries, or any combination of the foregoing.

[199] A machine readable sheet may comprise: a sheet of material having an identifier region thereon wherein a sheet identifier therein is unique and is not related to the identity of an individual person, the sheet may also have a plurality of choice regions thereon, each choice region having two or more mark spaces therein for making selections or having a write-in space for entering a write-in selection therein or having two or more mark spaces therein for making selections and a write-in space for entering a write-in selection therein, and the unique identifier and the mark spaces may be machine readable. The unique identifier may include one or more of a bar code, a two-dimensional bar code, a prescribed font, optical character recognition (OCR) characters, alphanumeric characters, non-alphanumeric characters, and symbols; the unique identifier may identify a template corresponding to the two or more mark spaces for making selections in each of the plurality of choice regions; or the unique identifier may be represented by characters that are machine readable and are human readable; or the unique identifier may be represented by characters that are randomly generated; or the machine-readable sheet may comprise a plurality of pages and each of the plurality of pages may have a machine-readable indicia representative of a page number thereof; or the sheet may have two or more fiducial marks thereon for defining the orientation and the scale of the sheet; or one of the mark spaces in a choice region may represent an abstention selection; or any combination of any of the foregoing. The machine readable sheet may include an examination sheet, a test sheet, an answer sheet, a tally sheet, a tabulation sheet, a survey sheet, a questionnaire, a gaming sheet, a race sheet, a lottery sheet, or any combination of the foregoing. The machine readable sheet may be readable by an optical scanner, by an imager, or by an optical scanner and an imager, for reading

selections marked in the two or more mark spaces, for reading a write-in selection in a write-in space, or for reading selections marked in the two or more mark spaces and a write-in selection in a write-in space.

[200] A method for reading a sheet having a plurality of mark spaces thereon in which selections may be marked may comprise: defining first and second predetermined values related to counts of light pixels and dark pixels for a mark space being considered marked as a selection, wherein the second predetermined value is greater than or less than the first predetermined value; imaging the sheet having a plurality of mark spaces thereon wherein the image is in a format including a plurality of pixels; defining for each sheet a plurality of reading regions each including the outline of one mark space; counting the number of light pixels and dark pixels for each reading region; determining from the counts of light and dark pixels for each reading region and the first predetermined value whether the mark space therein is marked as a selection; determining from the counts of light and dark pixels for each reading region and the second predetermined value whether the mark space therein is marked as a selection; identifying each sheet wherein the determination of a marked selection based on the first predetermined value differs from the determination of a marked selection based on the second predetermined value. The sheet may include an examination sheet, a test sheet, an answer sheet, a tally sheet, a tabulation sheet, a survey sheet, a questionnaire, a gaming sheet, a race sheet, a lottery sheet, or any combination of the foregoing. The method may be utilized for grading and/or marking an examination, for grading and/or marking a test, for grading and/or marking a school test, for grading and/or marking a university test, for grading and/or marking a professional test, for grading and/or marking an answer sheet, for tallying and/or tabulating a survey, for tallying and/or tabulating a questionnaire, for reading and/or tabulating gaming sheets, for reading and/or tabulating races, for reading and/or tabulating lotteries, or any combination of the foregoing.

[201] A method for counting and/or recounting selections marked on an optically readable sheet having one or more regions of choices and a plurality of mark spaces in each region in which one or more selections may be marked for each of one or more choices, each mark space being a space defined for marking a selection therein, the method may comprise: receiving an image of a sheet having one or more choice regions and a plurality of mark spaces thereon wherein the image of the sheet includes all of the mark spaces for the choice regions thereon and is in an image format; displaying the image of the sheet on a display in human-

perceivable form, whereby a human may view the image of the sheet including the one or more choice regions and the mark spaces thereon, including mark spaces that are marked; receiving information decoded from the image of the sheet of the mark spaces thereon that are marked; receiving information determined from the displayed image of the sheet relating to marked mark spaces of the image of the sheet; and comparing the received information of marked mark spaces decoded from the image of the sheet and the received information determined from the displayed image of the sheet to determine any differences there between. The method may further comprise: repeating the preceding steps for images of a plurality of sheets, and recording the received information of marked mark spaces decoded from the images of the plurality of sheets, the received information determined from the displayed images of the plurality of sheets, and any differences there between. The method may further comprise: generating a recount sheet; wherein receiving information determined from the displayed image of the sheet includes: marking the information determined from the displayed image of the sheet on the recount sheet; imaging the marked recount sheet; and decoding from the image of the marked recount sheet the information determined from the displayed image of the sheet. If the imaged sheet includes a sheet style identifier, then generating a recount sheet may include: formatting the recount sheet in accordance with the sheet style identifier. The method may further comprise: highlighting and/or superimposing on the displayed image of the sheet an indication of the received information of marked mark spaces decoded from the image of the sheet; or decoding the marked mark spaces from the image of the sheet and highlighting and/or superimposing on the displayed image of the sheet an indication of the marked mark spaces decoded from the image of the sheet. Receiving information decoded from the image of the sheet may include: decoding from the image of the sheet for each mark space whether the mark space is marked as a selection, wherein the decoding includes: counting at least the number of dark pixels for each mark space; and determining from the counts of at least the dark pixels for each mark space whether the mark space is unmarked or is marked as a selection. Determining from the counts of at least the dark pixels for each mark space may comprise: comparing the counts of at least the dark pixels for each mark space with a first predetermined threshold to determine whether the mark space is unmarked or is marked as a selection; comparing the counts of at least the dark pixels for each mark space with a second predetermined threshold to determine whether the mark space is unmarked or is marked as a selection; for each mark space for which one of the preceding two comparing steps determines that a mark space is unmarked and the other of the preceding two comparing steps determines that a mark space is marked as a selection: highlighting and/or superimposing an indication of the

different determination near each mark space on the displayed image of the sheet for which the determinations based on the first and second thresholds differ. The method may further comprise: determining from the marked mark spaces whether there is an under selection and/or

an over selection in any choice region; and highlighting and/or superimposing on the choice region of the displayed image of the sheet an indication of the under selection and/or over selection therein. Where two or more mark spaces are associated with a choice region, each choice region may have a given number of selections that may be made therein, and receiving information decoded from the image of the sheet may further comprise: counting the number of mark spaces for each choice region that are determined to be marked as a selection; comparing the number of selections marked to the given number of selections; and: if the number of selections marked for a choice region is less than the given number, then providing an indication of an under selection on the displayed image for that choice region, or if the number of selections marked for a choice region exceeds the given number, then providing an indication of an over selection on the displayed image for that choice region, or if the number of selections marked for a choice region is less than the given number, then providing an indication of an under selection on the displayed image for that choice region, and if the number of selections marked for a choice region exceeds the given number, then providing an indication of an over selection on the displayed image for that choice region. The indication of an under selection on the displayed image may include a colored region highlighted and/or superimposed on the displayed image of the sheet; or the indication of an over selection on the displayed image may include a colored region highlighted and/or superimposed on the displayed image of the sheet; or the indication of an under selection on the displayed image may include a colored region of a first color highlighted and/or superimposed on the displayed image of the sheet and the indication of an over selection on the displayed image may include a colored region of a second color highlighted and/or superimposed on the displayed image of the sheet. Receiving an image of a sheet may include: receiving an image of a sheet made in a previous counting of selections marked on the sheet; or imaging a sheet for receiving the image thereof; or receiving an image of a sheet imaged in a previous counting of selections marked on the sheet and re-imaging the sheet for receiving the image thereof, and comparing the received image of the sheet and comparing the received image of the sheet and the re-imaged image of the sheet for determining differences there between. The method may comprise, prior to receiving an image of a sheet: imaging the sheet for obtaining an independent image thereof; decoding the independent image of the sheet for

determining marked mark spaces thereon; and tabulating the decoded marked mark spaces thereof. Comparing the received information of marked mark spaces decoded from the image of the sheet and the received information determined from the displayed image of the sheet may include: comparing the marked mark spaces decoded from the image of the sheet and the decoded marked mark spaces of the independent image of the sheet to determine any differences there between. The sheet may be a ballot and the preceding steps may be performed in connection with an election. Access to perform the preceding steps may be: controlled by a security control; or controlled by a user name and password; or controlled by an access token; or any combination of the foregoing. Displaying the image of the sheet on a display may include: displaying the image of the sheet in its entirety; or displaying the image of the sheet in enlarged form; or displaying the image of the sheet in part; or displaying the image of the sheet in part in enlarged form; or any combination of the foregoing. The method may further include: if the sheet includes a unique identifier, then associating the unique identifier with the image of the sheet and with the information determined from the image of the sheet; or if the sheet does not include a unique identifier, then assigning a unique identifier and associating the assigned unique identifier with the image of the sheet and with the information determined from the image of the sheet; or a combination of the foregoing. The unique identifier may be randomly generated. The displaying the image of the sheet on a display may be controlled by a human. The sheet may include an examination sheet, a test sheet, an answer sheet, a tally sheet, a tabulation sheet, a survey sheet, a questionnaire, a gaming sheet, a race sheet, a lottery sheet, or any combination of the foregoing. The method may be utilized for grading, re-grading, marking and/or re-marking an examination, for grading, re-grading, marking and/or re-marking a test, for grading, re-grading, marking and/or re-marking a school test, for grading, re-grading, marking and/or re-marking a university test, for grading, re-grading, marking and/or re-marking a professional test, for grading, re-grading, marking and/or re-marking an answer sheet, for tallying, re-tallying, tabulating and/or re-tabulating a survey, for tallying, re-tallying, tabulating and/or re-tabulating a questionnaire, for reading, re-reading, tabulating and/or re-tabulating gaming sheets, for reading, re-reading, tabulating and/or re-tabulating races, for reading, re-reading, tabulating and/or re-tabulating lotteries, or for any combination of the foregoing.

[202] A method for counting and/or recounting selections marked on an optically readable sheet having one or more regions of choices and a plurality of mark spaces in each region in which one or more selections may be marked for each of one or more choices, each mark space being a space defined for marking a selection therein, the method may comprise:

receiving an image of a sheet having one or more choice regions and a plurality of mark spaces thereon wherein the image of the sheet includes all of the mark spaces for the choice regions

thereon and is in an image format; decoding from the image of the sheet the mark spaces thereon that are marked; displaying the image of the sheet on a display in human-perceivable form, highlighting and/or superimposing on the displayed image of the sheet an indication of at least the marked mark spaces decoded from the image of the sheet; whereby a human may view the image of the sheet including the one or more choice regions and the mark spaces thereon, including the marked mark spaces; receiving information determined from the displayed image of the sheet relating to marked mark spaces of the image of the sheet; comparing the marked mark spaces decoded from the image of the sheet and the received information determined from the displayed image of the sheet to determine any differences there between; and recording at least the differences between the marked mark spaces decoded from the image of the sheet and the received information determined from the displayed image of the sheet. The method may further comprise: repeating the preceding steps for images of a plurality of sheets, wherein recording includes recording the marked mark spaces decoded from the images of the plurality of sheets, the received information determined from the displayed images of the plurality of sheets, and any differences there between. The method may further comprise: determining from the marked mark spaces whether there is an under selection and/or an over selection in any choice region; and highlighting and/or superimposing on the choice region of the displayed image of the sheet an indication of the under selection and/or over selection therein. The method may further include: if the sheet includes a unique identifier, then associating the unique identifier with the image of the sheet and with the information determined from the image of the sheet; or if the sheet does not include a unique identifier, then assigning a unique identifier and associating the assigned unique identifier with the image of the sheet and with the information determined from the image of the sheet; or a combination of the foregoing. The unique identifier may be randomly generated. The decoding may comprise: decoding each mark space using a first predetermined threshold to determine whether the mark space is unmarked or is marked as a selection; decoding each mark space using a second predetermined threshold to determine whether the mark space is unmarked or is marked as a selection; for each mark space for which one of the preceding two decoding steps determines that a mark space is unmarked and the other of the preceding two comparing steps determines that a mark space is marked as a selection: highlighting and/or superimposing an indication of the different determination near each mark

space on the displayed image of the sheet for which the determinations based on the first and second thresholds differ.

[203] A method for counting and/or recounting selections marked on an optically readable sheet having one or more regions of choices and a plurality of mark spaces in each region in which one or more selections may be marked for each of one or more choices, each mark space being a space defined for marking a selection therein, the method may comprise: receiving an image of a sheet having one or more choice regions and a plurality of mark spaces thereon wherein the image of the sheet includes all of the mark spaces for the choice regions thereon and is in an image format; decoding from the image of the sheet the mark spaces thereon that are marked, wherein said decoding includes a first decoding employing a first threshold and a second decoding employing a second threshold; displaying the image of the sheet on a display in human-perceivable form, highlighting and/or superimposing on the displayed image of the sheet an indication of at least the marked mark spaces decoded from the image of the sheet; highlighting and/or superimposing an indication near each mark space on the displayed image of the sheet for which the first and second decodings employing first and second thresholds, respectively, differ; whereby a human may view the image of the sheet including the one or more choice regions and the mark spaces thereon, including the marked mark spaces; receiving information determined from the displayed image of the sheet relating to marked mark spaces of the image of the sheet; comparing the marked mark spaces decoded from the image of the sheet and the received information determined from the displayed image of the sheet to determine any differences there between; and recording at least the differences between the marked mark spaces decoded from the image of the sheet and the received information determined from the displayed image of the sheet. The method may further include: if the sheet includes a unique identifier, then associating the unique identifier with the image of the sheet and with the information determined from the image of the sheet; or if the sheet does not include a unique identifier, then assigning a unique identifier and associating the assigned unique identifier with the image of the sheet and with the information determined from the image of the sheet; or a combination of the foregoing.

WHAT IS CLAIMED IS:

1. A method for counting and/or recounting selections marked on an optically readable sheet having one or more regions of choices and a plurality of mark spaces in each region in which one or more selections may be marked for each of one or more choices, each mark space being a space defined for marking a selection therein, the method comprising:
 - receiving an image of a sheet having one or more choice regions and a plurality of mark spaces thereon wherein the image of the sheet includes all of the mark spaces for the choice regions thereon and is in an image format;
 - displaying the image of the sheet on a display in human-perceivable form, whereby a human may view the image of the sheet including the one or more choice regions and the mark spaces thereon, including mark spaces that are marked;
 - receiving information decoded from the image of the sheet of the mark spaces thereon that are marked;
 - receiving information determined from the displayed image of the sheet relating to marked mark spaces of the image of the sheet; and
 - comparing the received information of marked mark spaces decoded from the image of the sheet and the received information determined from the displayed image of the sheet to determine any differences there between.
2. The method of claim 1 further comprising:
 - repeating the steps of claim 1 for images of a plurality of sheets, and
 - recording the received information of marked mark spaces decoded from the images of the plurality of sheets, the received information determined from the displayed images of the plurality of sheets, and any differences there between.
3. The method of claim 1 or 2 further comprising:
 - generating a recount sheet;
 - wherein said receiving information determined from the displayed image of the sheet includes:
 - marking the information determined from the displayed image of the sheet on the

recount sheet;

imaging the marked recount sheet; and

decoding from the image of the marked recount sheet the information determined from the displayed image of the sheet.

4. The method of claim 3 wherein if the imaged sheet includes a sheet style identifier, then said generating a recount sheet includes:

formatting the recount sheet in accordance with the sheet style identifier.

5. The method of any one of the preceding claims further comprising:

highlighting and/or superimposing on the displayed image of the sheet an indication of the received information of marked mark spaces decoded from the image of the sheet; or

decoding the marked mark spaces from the image of the sheet and highlighting and/or superimposing on the displayed image of the sheet an indication of the marked mark spaces decoded from the image of the sheet.

6. The method of any one of the preceding claims wherein said receiving information decoded from the image of the sheet includes:

decoding from the image of the sheet for each mark space whether the mark space is marked as a selection, wherein said decoding includes:

counting at least the number of dark pixels for each mark space; and

determining from the counts of at least the dark pixels for each mark space whether the mark space is unmarked or is marked as a selection.

7. The method of claim 6 wherein said determining from the counts of at least the dark pixels for each mark space comprises:

comparing the counts of at least the dark pixels for each mark space with a first predetermined threshold to determine whether the mark space is unmarked or is marked as a selection;

comparing the counts of at least the dark pixels for each mark space with a second predetermined threshold to determine whether the mark space is unmarked or is marked as a selection;

for each mark space for which one of the preceding two comparing steps determines that a mark space is unmarked and the other of the preceding two comparing steps determines that a mark space is marked as a selection:

highlighting and/or superimposing an indication of the different determination near each mark space on the displayed image of the sheet for which the determinations based on the first and second thresholds differ.

8. The method of any one of the preceding claims further comprising:
 - determining from the marked mark spaces whether there is an under selection and/or an over selection in any choice region; and
 - highlighting and/or superimposing on the choice region of the displayed image of the sheet an indication of the under selection and/or over selection therein.

9. The method of any one of the preceding claims wherein two or more mark spaces are associated with a choice region, each choice region having a given number of selections that may be made therein, and wherein said receiving information decoded from the image of the sheet further comprises:
 - counting the number of mark spaces for each choice region that are determined to be marked as a selection;
 - comparing the number of selections marked to the given number of selections;
 - and:
 - if the number of selections marked for a choice region is less than the given number, then providing an indication of an under selection on the displayed image for that choice region, or
 - if the number of selections marked for a choice region exceeds the given number, then providing an indication of an over selection on the displayed image for that choice region, or
 - if the number of selections marked for a choice region is less than the given number, then providing an indication of an under selection on the displayed image for that choice region, and if the number of selections marked for a choice region exceeds the given number, then providing an indication of an over selection on the displayed image for that choice region.

10. The method of claim 9 wherein:
 - the indication of an under selection on the displayed image includes a colored region highlighted and/or superimposed on the displayed image of the sheet; or
 - the indication of an over selection on the displayed image includes a colored region highlighted and/or superimposed on the displayed image of the sheet; or
 - the indication of an under selection on the displayed image includes a colored region of a first color highlighted and/or superimposed on the displayed image of the sheet and the indication of an over selection on the displayed image includes a colored region of a second color highlighted and/or superimposed on the displayed image of the sheet.
11. The method of any one of the preceding claims wherein said receiving an image of a sheet includes:
 - receiving an image of a sheet made in a previous counting of selections marked on the sheet; or
 - imaging a sheet for receiving the image thereof; or
 - receiving an image of a sheet imaged in a previous counting of selections marked on the sheet and re-imaging the sheet for receiving the image thereof, and comparing the received image of the sheet and comparing the received image of the sheet and the re-imaged image of the sheet for determining differences there between.
12. The method of any one of the preceding claims wherein prior to said receiving an image of a sheet, said method comprises:
 - imaging the sheet for obtaining an independent image thereof;
 - decoding the independent image of the sheet for determining marked mark spaces thereon; and
 - tabulating the decoded marked mark spaces thereof.
13. The method of claim 12 wherein said comparing the received information of marked mark spaces decoded from the image of the sheet and the received information determined from the displayed image of the sheet includes:
 - comparing the marked mark spaces decoded from the image of the sheet and the decoded marked mark spaces of the independent image of the sheet to determine any

differences there between.

14. The method of claim 12 wherein the sheet is a ballot and the steps of claim 12 are performed in connection with an election.
15. The method of any one of the preceding claims wherein access to perform the steps of claim 1 is:
 - controlled by a security control; or
 - controlled by a user name and password; or
 - controlled by an access token; or
 - any combination of the foregoing.
16. The method of any one of the preceding claims wherein said displaying the image of the sheet on a display includes:
 - displaying the image of the sheet in its entirety; or
 - displaying the image of the sheet in enlarged form; or
 - displaying the image of the sheet in part; or
 - displaying the image of the sheet in part in enlarged form; or
 - any combination of the foregoing.
17. The method of any one of the preceding claims further including:
 - if the sheet includes a unique identifier, then associating the unique identifier with the image of the sheet and with the information determined from the image of the sheet;
 - or
 - if the sheet does not include a unique identifier, then assigning a unique identifier and associating the assigned unique identifier with the image of the sheet and with the information determined from the image of the sheet; or
 - a combination of the foregoing.
18. The method of claim 17 wherein the unique identifier is randomly generated.
19. The method of any one of the preceding claims wherein said displaying the image of the sheet on a display is controlled by a human.

20. The method of any one of the preceding claims wherein the sheet includes an examination sheet, a test sheet, an answer sheet, a tally sheet, a tabulation sheet, a survey sheet, a questionnaire, a gaming sheet, a race sheet, a lottery sheet, or any combination of the foregoing.
21. The method of any one of the preceding claims wherein the method is utilized for grading, re-grading, marking and/or re-marking an examination, for grading, re-grading, marking and/or re-marking a test, for grading, re-grading, marking and/or re-marking a school test, for grading, re-grading, marking and/or re-marking a university test, for grading, re-grading, marking and/or re-marking a professional test, for grading, re-grading, marking and/or re-marking an answer sheet, for tallying, re-tallying, tabulating and/or re-tabulating a survey, for tallying, re-tallying, tabulating and/or re-tabulating a questionnaire, for reading, re-reading, tabulating and/or re-tabulating gaming sheets, for reading, re-reading, tabulating and/or re-tabulating races, for reading, re-reading, tabulating and/or re-tabulating lotteries, or for any combination of the foregoing.