District Level Reporting Guide

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District Results Reporting Requirements

L. 2022, c. 70, amending N.J.S.A. 19:63-22c, requires mail-in ballot results for all elections, except fire district elections, to be reported by election district. Chapter 70 further states "whenever the reporting requirement of this subsection would cause a voter's privacy to be violated, the election results shall be reported in a manner that maintains the privacy of the vote."

L. 2022, c. 67, amending N.J.S.A. 19:15A-4, requires early voting results for all elections to be reported by election district. Chapter 67 further states "whenever the reporting requirement of this subsection would cause a voter's privacy to be violated, the election results shall be reported in a manner that maintains the privacy of the vote."

District level reporting should not be produced as part of a county's pre-certification unofficial results, as updates for timely postmarked mail-in ballots, provisional ballots, or any ballots set aside for voter cures may be in sufficiently lesser quantities which could potentially compromise voter privacy.

While individual ballots are anonymous and tabulation systems count ballots with no indication of who actually cast the ballot, some election districts may contain as few as one voter such that district level reporting could reveal how that individual voted. The voting systems currently used in New Jersey contain reporting functionality to protect voter privacy. Vote tallies for individual voting district(s) can be concealed without impacting the reported contest totals.

Once election results are certified, reported results must indicate the number of votes cast in each district for each contest; except that, if the total number of votes cast and counted in any election district is fourteen or fewer, the returns for all such districts in the county shall be concealed to maintain voter privacy. Consult with your vendor for instructions on how to set the threshold so that reporting groups are concealed where fourteen or fewer voters have cast ballots. Result reports should automatically include an explanation where results are concealed within one or more districts. Grand totals must be accurate and displayed in the report by municipality.

Unofficial and Election Night Reporting

Counties using Election Night Reporting ("ENR") Systems should consult with their vendors regarding reporting formats utilized. Data exports from the current voting systems required for ENR systems **do not contain safeguards for voter privacy**. Voter privacy protections are only available within the tally system reporting modules.

Counties may wish to provide pre-certification unofficial results in summary form only, as some single district results within a municipality may compromise voter privacy if reported by tally category. Both currently used voting machine vendors offer various results reports that do not include election district breakdowns. Alternatively, all election tally categories (polling place, early voting, mail-in, etc.) reported as a single tally total by voting district in external election night reporting systems may provide for voter privacy.

Reporting Certified Results

At the time of certification, vote-by-mail and early voting results must be reported by election district, except when it would cause a voter's privacy to be compromised. The election results shall be reported in a manner that maintains the privacy of the vote. The solution offered by the vendors currently utilized in New Jersey is to conceal the results in individual reporting districts that do not exceed a specified threshold, while still reporting complete grand vote totals. Result reports available from election management systems utilized in New Jersey will conceal all methods of voting that do not meet the threshold, including polling place, early voting, mail-in, provisional, etc. This is typically a report parameter which is easily executed. An explanation regarding the concealed results is automatically placed on the result report (when concealing is enabled). It is important to note that concealing is not enabled automatically, and steps must be taken in order to enable/disable. When concealing is enabled, the required threshold is fourteen or fewer voters in an election district. The result reports explain where votes have been concealed to protect privacy by stating "vote data was suppressed due to voter privacy settings" or "suppressed". The explanation language cannot be modified by the vendors at this time. Concealed vote tallies for individual voting district(s) do not impact the reported contest totals. Concealing reporting groups does not change results. All votes cast are reflected in reported totals.