Post-Election Audits

H. 652—Rep. Kaufman, S. 356—Sen. Petruccelli

Massachusetts Common Cause

The problem.

Almost all elections in the United States are conducted using electronic equipment—including those in Massachusetts. While touch screen voting has been a disaster in other states, even the optical scanners we have in Massachusetts—which have the benefit of preserving a paper ballot—have created result-altering errors. Until votes are properly counted, the integrity of the voting system—and our democracy—is compromised.

The solution.

Incorporating a post-election audit into the election procedures will expose potential error or manipulation. The audit is conducted by comparing reported preliminary machine counts to manual counts of the same ballots in order to independently confirm that machines are accurately counting the vote. If discrepancies reach a certain level, a contest-wide manual recount is required.

In addition to protecting against occasional mishaps or fraud, regular audits allow election officials to systematically improve accuracy by correcting repeated problems.

The audit would include all primary, general, or special elections for president, U.S. senate, U.S. representative, governor, secretary of the commonwealth, state attorney general and, as chosen at random, lieutenant governor, treasurer, or auditor. Uncontested elections will not be audited.

Other places it's used.

Alaska, Arizona, California, Colorado, Connecticut, Florida, Hawaii, Illinois, Kentucky, Minnesota, Missouri, Nevada, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Tennessee, Texas, Utah, Washington, West Virginia.

Benefits.

- Creates public confidence in election results.
- Identifies errors and prevents fraud.
- Provides election officials concrete, historical data allowing them to identify and correct systematic problems in results or procedures. Including data on blank votes, over-votes, and write-ins.
- Confirms that a complete manual recount would not change the outcome of an election.

Principles.

- Increase **transparency** in the electoral process by allowing the public to observe, verify, and comment on procedural problems.
- Ensure the audit's **accuracy** by using manual, observed counts of voter marked and verified paper ballots.
- Procedure to **secure** information by ensuring a strong chain-of-custody for materials and equipment.
- **Verify** discrepancies or aberrations by continuing the audit, and if needed conduct a full, manual recount.
- Ensure a **comprehensive** audit by randomly selecting precincts and including various ballot types.
- The audit report should lend **integrity** to the official election results—either by corroborating the original results, or by indicating the need for a recount.

59 TEMPLE PLACE | SUITE 600 | BOSTON, MA 02111 | 617-426-9600 | WWW.COMMONCAUSE.ORG/MA

A recurring problem.

SOME OF THE TOUCH SCREEN, OPTICAL SCANNER AND CENTRAL TABULATION ERRORS NATIONWIDE.

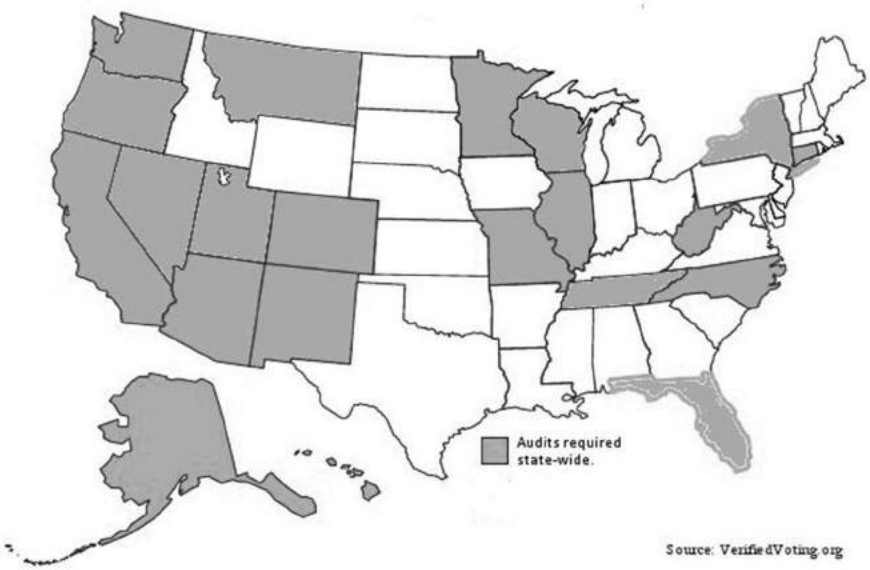
Baldwin County, Alabama—An error in the way officials download data led to incorrect results in the gubernatorial election—giving the incumbent a 50% more votes than he actually received.

Craighead County, Arkansas—When a candidate for constable received all the votes in his district, his opponent contested the results and a recount indicated that voting equipment had malfunctioned.

Sacramento, California—During a product demonstration for state election officials, a voting machine failed to report votes on Spanish language ballots.

Pitkin County, Colorado—Almost 1,200 phantom votes were reported though only 347 were cast.

States with post-election audit procedures.



Sarasota County, Florida—There were over 18,000 'under votes' in a congressional race and complaints that the race was not appearing on the machines or recording properly.

Union County, Florida—A programming error caused machines to read 2,642 Democratic and Republican votes as entirely Republican.

DeKalb, Fulton, and Cobb Counties, Georgia—Voting machines switched Democratic votes to Republican votes and technicians were dispatched to recalibrate the machines.

Honolulu, Hawaii—Voting machines recorded votes for a candidate who was not on the ballot.

Bannock County, Idaho—Although county officials were directed to use ink pens to mark ballots, the scanners failed to recognize the ink.

Lake County, Illinois—Because of a programming error that failed to account for the option of 'no candidate' on the ballot, election results were placed next to the names of the wrong candidates in several races.

Franklin County, Indiana—A glitch caused optical scanners to count Democratic votes as Libertarian votes. The manufacturer called the problem an 'isolated incident.'

Pottawattamie County, Indiana—A programming error caused the new system to tabulate votes incorrectly, wildly skewing the results of the election.

Clay County, Kansas—A computer glitch showed that a challenger in a primary race for county commissioner had won, but a hand recount showed the incumbent commissioner had won by a landslide of 540 to 175 votes. The computer had mistakenly reversed the totals.

Waterville, Maine—Voting machine malfunctions caused a senate candidate to receive 27,000 votes—about 16,000 more than the number of registered voters in the entire district.

Barry County, Michigan—Flawed programming caused incorrect results. The problem was discovered when a county clerk received the results from the precinct where he had voted and noticed that the candidate for whom he voted for had received no votes.