Chairs and members of the Committee, my name is Luther Weeks, Executive Director of CTVotersCount. Since 2007, I have organized voters, committed to election integrity, to observe and independently report to you and the public on Connecticut’s post-election audits. I have personally observed over 70 audit counting sessions in municipalities across Connecticut.

We require random audits of voting machines for the same reasons that we inspect trucks, bridges, and airplanes. Because mechanical systems, no matter how well designed can break down over time.

We require random audits of voting machines for the same reasons that we audit tax returns, and campaign expenditures. Because humans are fallible, make mistakes, and take short cuts; if there is no random checking, some will likely commit fraud. Random auditing deters fraud and prevents errors by encouraging care and compliance.

Your predecessors mandated audits and voters observe audits, in order to protect democracy, to provide justified confidence in our elections to candidates and to the public. This bill would reduce that commitment by cutting the current audits in half. The audits should be strengthened, not weakened.

I have proposed changes to the proponents of this bill that would strengthen the audit. Changes that would reduce the work by close to half. (list attached)

Further, this bill would void much of the value of the audits by allowing the manual counting of ballots to be accomplished by a duplicate scanner and memory card. Such a change would not detect memory card or scanner program errors, nor would it detect fraud.

We are on the verge of being able to automate the audit process. Commercial products are being tested on the November 2013 election in four states, open source systems are being developed by OpenCount, and an alternative system is being developed under a PEW grant by the University of Connecticut and our own Secretary of the State’s Office. These systems innovative would not eliminate the need for manual audits, but dramatically reduce the work involved for a transparent, credible audit.

I am ready to work with the Committee, Registrars, and the Secretary of the State to strengthen the audits and to reduce the work and frustration for election officials.

Based on official reimbursement requests from registrars in Connecticut we estimate the total annual cost for existing random audits of elections and primaries to be in the range of $100,000 to $150,000 per year or about $0.05 per voted ballot -- a fraction of the cost of just printing ballots, let alone election day costs. At most, this bill would save half that amount statewide, perhaps $50,000 to $75,000 annually.


Let Connecticut not be known as the first state in the nation to effectively eliminate post-election audits.

Thank You
Strengthening our post-election audits, and cutting the work by approximately 40%

Our current audits have many weaknesses. The good news is that many of those weaknesses can be remedied without significant additional effort. Also improved procedures and training for the audits will pay off in accuracy, efficiency, and less recounting.

In our opinion, it would be a reasonable trade-off to make the following improvements in the post-election audits in return for a reduction in the randomly selected districts from 10% to 5%:

- Subject all originally machine counted ballots in selected districts to the audit, including polling-place voted, absentee, early voting, and Election Day Registration ballots. This would represent a 10% increase in the number of ballots counted and perhaps a 12% increase in the effort for the audit where central count absentee ballot counting occurs, and less than 10% increase in the effort where polling place absentee ballot counting is used. Overall, the current level of effort would still be reduced by 40%.

- It is important that all voting machines be subject to selection for audit. Central count absentee ballot machines require a more complex setup than polling place machines. If EDR is as successful in Connecticut as in other states, it could represent 20% or more of the vote. Should Connecticut adopt early voting we could expect that 40% or more of our votes would not be polling-place machine counted, further rendering the current law far from adequate.

- Subject all contests on the ballot to audit, not just races. Exempt races without opposing candidates from the audit.

- Have registrars randomly select the contests for audit, separately for each district, at the beginning of the municipal audit counting session, for every election and primary. This will make the audits much more inclusive and transparent, with the selection more clear and uniform. There would be no impact on the amount of counting, with just a little more to be done at the start of the audit.

- Require in the law a three workday public notice of the date, time, and location of audit counting sessions and some way that the public, including the Coalition could easily find this information for all the towns. This would be a minor additional requirement for registrars. It has been an ongoing problem for the Coalition to get information from towns with very part time registrars, and occasionally a couple of registrars that seem to be actively working to avoid the public finding this information prior to the counting. Perhaps, public notice and informing the SOTS Office and the town clerk at least three full business days in advance would be sufficient.

- Require in the law that all reports be filed with the SOTS office within 24 hours of the completion of the counting sessions for a town. Currently some reports have yet to be filed years after the completion of local counting.

- Place in law the rights of observers, now contained in SOTS procedures.

- Require that machine tapes, district and central AB Moderators Returns be available for review by the public at the audit.

- Require random drawing of districts to be performed by the SOTS at least five business days before the start of the audit counting period. This change should be welcomed by registrars as well as advocates.

Let me add that advocates are disappointed in the quality and efficiency of counting methods in use in towns. It makes me cringe when I see committed people do so much work that could be done more efficiently, more accurately, and less stressfully. In this November 2012 audit especially, several registrars requested and encouraged that I publish advice on counting to help them.
“Auditing election results isn’t just a good idea, it’s absolutely essential in order to guarantee the integrity of our elections,” said Secretary Merrill. “We don’t just take the machines’ word for it. So we will have every ballot cast in a full 10% of precincts using optical scan machines hand counted and matched against the machine totals…” - Press Release Nov 20, 2012

“but we don’t simply accept the optical scanners’ word for it,” said Secretary Bysiewicz. “The independent audits ensure that each vote was counted properly this month and give confidence to the people of Connecticut that our election process is secure and accurate…Auditing election results isn’t just a good idea, it’s absolutely essential in order to guarantee the integrity of our elections,” said Secretary Bysiewicz. “So we will have every ballot cast in a full 10% of all our precincts hand counted and matched against the machine totals”. - Press Release Mar 23, 2010

Connecticut Citizen Election Audit Coalition Reports: http://CTElectionAudit.org

The necessity of comprehensive manual, hand counted audits:

H.R. 12 – Co-Sponsored by all 5 Connecticut U.S. Representatives
http://thomas.loc.gov/cgi-bin/query/F?c113:1:/temp/~c113COy0Wc:e117900

“(i) PAPER BALLOT REQUIREMENT- (I) The voting system shall require the use of an individual, durable, voter-verified, paper ballot of the voter's vote that shall be marked and made available for inspection and verification by the voter before the voter's vote is cast and counted, and which shall be counted by hand or read by an optical character recognition device or other counting device. ...

(iii) MANUAL COUNTING REQUIREMENTS FOR RECOUNTS AND AUDITS- (I) Each paper ballot used pursuant to clause (i) shall be suitable for a manual audit, and shall be counted by hand in any recount or audit conducted with respect to any election for Federal office.”

Principles and Best Practices for Post-Election Audits: http://www.electionaudits.org/principles

“Ideally, post-election audits use hand-to-eye counts of voter-marked, voter-verified paper ballots.”

Report on Election Auditing, League of Women Voters of the United States
http://www.lwv.org/content/report-election-audits-task-force

“Audits should incorporate totals from all jurisdictions and all ballot types including those cast at early voting sites and on Election Day at the polls, absentee, mail-in and accepted provisional ballots”

“Ideally, post-election audits use hand-to-eye counts of voter-marked optical scan ballots or VVPATs, including those produced by ballot generating devices or ballot marking devices.”

Post-Election Audits: Restoring Trust In Elections, The Brennan Center For Justice
http://brennan.3cdn.net/f1867ccc368442335b_8em6bso3r.pdf

“AUDIT ALL METHODS OF VOTING. In conducting post-election audits, election officials should not exclude any category of votes (e.g., absentee ballots, provisional ballots, damaged ballots). Audits must be comprehensive to ensure that both error and fraud can be readily detected. Although voters cast the majority of ballots on polling place equipment, many jurisdictions increasingly see significant numbers of other ballot types, including early, absentee, provisional and emergency ballots… specific guidelines are needed to ensure that observers will be able to actually see each vote counted.”