





0 Connecticut Citizen Election Audit Coalition	
0 	League of Women Voters of Connecticut
0 	Connecticut COMMON CAUSE <i>Holding Power Accountable</i>
0 	Connecticut Citizen Action Group
0 	CTVotersCount.org <i>because Connecticut voters count</i>

Report and Feedback Connecticut August 2012 Primary Post-Election Audit Observation

By

The Connecticut Citizen Election Audit Coalition

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www.CTElectionAudit.org

Table of Contents

Executive Summary	3
I. Introduction	4
A. Citizen Observation: Challenges and Limitations	4
B. Background	5
II. Analysis	6
A. Random District Drawing Lacks Integrity	6
B. Six Official Audit Reports Not Available To Date	7
C. Incorrectly Completed Forms, Possible Incomplete Audit Counting	7
D. Hand Count Only Counting, A Disturbing Trend	8
E. Procedures Are Not Being Followed, Understood	8
F. Procedures Unenforceable, Current Laws Insufficient	9
G. Delayed Drawing and Extra Races Counted:	9
III. Audit Statistics	11
A. Ballot Count Accuracy	11
B. Vote Count Accuracy	12
C. “Questionable” Votes and “Undisputed” Ballots	13
Appendix A: On Site Supervisor Interviews	14
Appendix B: Statistics from Observation Reports	16
Appendix C: Selected Quotes from Observers	19
Appendix D: Recommendations	20

Executive Summary

After the August 2012 Federal and State Primary, Connecticut conducted a post-election audit¹. The Connecticut Citizen Election Audit Coalition volunteers conducted an observation of the audit.

The coalition includes the League of Women Voters of Connecticut, Connecticut Common Cause, Connecticut Citizen Action Group, and Connecticut Voters Count. The purpose of the observation was to demonstrate citizen interest in the process, increase citizen involvement in elections, provide feedback to the Secretary of the State and the Connecticut Legislature on the audit process, and provide the public with information necessary to determine their confidence in our elections.

Readers of past reports will note little change in our observations and conclusions; little progress by officials in improving post-election audit integrity; and little change in our recommendations which have been, for the most part, not addressed by current and past Legislatures and Secretary of the State's Offices.

Most of our general observations and concerns remain the same as reported in previous reports. However, in this round of audit observations, we note that:

- **An increase in missing and incomplete official reports. There are 16 of 52 (31%) reports with errors making it impossible to determine if machines had functioned properly. What basis is there to trust audits, with this significant level of error in reporting?**
- **In an increasing trend, up to 19 towns avoided optical scanners and audits by conducting paper only elections. Such voting is not audited, not transparent, and error prone based on past observations of hand counts.**

We conclude, based on our observations and analysis of official audit reports submitted to the Secretary of the State, that the August post-election audits still do not inspire confidence because of the continued:

- Lack of integrity in the random district selection and race selection processes.
- Lack of consistency, reliability, and accuracy in the conduct of the audit.
- Weaknesses in the ballot chain-of-custody.
- Missing or incomplete reports, lacking critical information.

¹ In this document we will frequently use the term “audit” when we mean “post-election audit” or “post-election audit counting session”. Technically we believe that the whole process encompassing everything from the preservation of records, random drawings, counting in municipalities, the report by the University of Connecticut, and the evaluation of that report by the Secretary of the State would be the “audit”. However, for readability we will usually follow the common practice of using “audit” to refer to parts of the whole.

I. Introduction

After the August 2012 Primary, Connecticut conducted a post-election audit. The Connecticut Citizen Election Audit Coalition volunteers conducted an observation of the audit.

The coalition includes the League of Women Voters of Connecticut, Connecticut Common Cause, Connecticut Citizen Action Group, and Connecticut Voters Count. The purpose of the observation was to demonstrate citizen interest in the process, increase citizen involvement in elections, provide feedback to the Secretary of the State and the Connecticut Legislature on the audit process, and provide the public with information necessary to determine their confidence in our elections.

Volunteer observers invested 40 days observing 34 counting sessions, providing feedback on the process to the Coalition. Without these volunteers, Connecticut's audits would take place with no observation and this report would not be possible.

By law, the Secretary of the State is required, in each election, to select at random 10% of Connecticut's voting districts to participate in post-election audits and select races for audit, *"...in the case of a primary election, all offices required to be audited by federal law, plus one additional office, if any, but in no event less than twenty per cent of the offices on the ballot, selected in a random drawing by the municipal clerk..."*

This time 53 districts were chosen from the 523 in the election. The 523 districts represent a considerable consolidation of districts from the 723 in November 2011 and 722 in August 2010. The primary driver in this reduction is consolidation of polling places. We are concerned with an apparent trend of counting votes entirely by hand in a growing number of municipalities.

A. Citizen Observation: Challenges and Limitations

Through past experience in observing audits, we have continuously improved our forms, training materials, and conference call training sessions. We have made few changes since the November 2011 observation.

We recognize that there may be occasional errors in our raw data derived from observations. However, when taken as a whole, the observations tell a collective story that is quite consistent and provides valuable feedback for continuing improvement by elections officials.

Without our volunteer observers willing to invest a day of their time, available for short-notice scheduling, and observing to the best of their ability, nobody but local election officials would know how post-election audits are conducted in Connecticut. Our

observers care about democracy and ensuring that measures are in place to protect the integrity of our elections.²

B. Background

All Coalition reports covering this and previous audit observations are available at <http://www.CTElectionAudit.org>

The Observation Report form, the Observer Code of Conduct, and detailed data behind the statistics in this report, including copies of official audit reports, are also available at <http://www.CTElectionAudit.org>

² Upon request of any Registrar of Voters participating in the audit, the Coalition would be pleased to discuss Coalition observation reports and provide feedback applicable to their municipality.

II. Analysis

Compared to past audits there were significantly fewer ballot count and race count differences in this audit. The fewer number of ballots and the few races to be counted likely contributed to this result.

A. Random District Drawing Lacks Integrity

A new concern uncovered in 2010 is the inaccurate list of districts used in the random selection process which is required by law to be based on all of the districts in use for the election or primary. This directly impacts the integrity and credibility of the entire post-election audit.

In this observation:

We found only two districts of three for the town of Windham listed in the random drawing.

We have not expended the resources necessary to check each and every town to compare districts in the election to those in the drawing. What we can say is that in every election and primary, with the exception of one, since November 2009 with little effort, we have found at least one discrepancy in the districts included in the random drawing.

In the 2011 legislative session the General Assembly passed a law, at the Secretary of the State's request, to address this issue. The law required that all towns submit a list of districts in the election to the Secretary of the State, such that the Secretary of the State's Office could use that list to create the list of polling places in the drawing. For whatever reason, that system is not working, or is not being used, to provide an accurate list for the random selection.

When districts move or are identified in various ways – with and without district numbers, with and without polling place location, with many towns not posting districts on the web - it can be challenging or almost impossible for citizens to verify that the list of polling places for the drawing is accurate or verify that the selected district is actually the one audited. After the fact, it is possible to discover non-existent districts that were selected when towns are not able to count such districts, but it would be quite challenging to identify districts not included in the selection list from the 169 towns. In either case, there is no current, established legal or procedural means to restore the integrity of an audit based on a discovered inaccuracy.

An accurate, verifiable list of districts for selection is critical to the integrity of the audit. Missing or incorrectly specified districts can be the result of error or deliberate action on the part of election officials. If all discovered inaccuracies in the list are dismissed as errors, then the opportunity is opened for cover-ups, for fraud or for steering the audit away from particular districts, in advance or after an election.

B. Six Official Audit Reports Not Available To Date

We appreciate the assistance of the Secretary of the State's Office in providing us with copies of the official municipal audit reports. As of this date, 6 official reports from 4 municipalities have not been sent to us (and apparently not received by the Secretary's Office). For two of those districts, observers obtained unofficial reports which have been used in our calculations.

As yet, we have not received the 4 reports missing from the Nov 2011 audit report, or the 5 reports missing from the Apr 2012 report.

C. Incorrectly Completed Forms, Possible Incomplete Audit Counting

Reviewing the official district reports submitted to the Secretary of the State, we note that:

- Several report forms were not accurately completed, making it difficult to create comprehensive statistics or to depend on the audits as a vehicle for assessing the voting machines' accuracy and correct programming:
 - In 8 reports the number of ballots counted by hand was not filled in or was filled in incorrectly.
 - 1 report was missing the machine counted ballot count.
 - In 1 report the number of ballots was obviously incorrect.
 - In 5 reports some non-zero columns were not completed and/or incorrectly completed, including 1 where the machine tape counts were not specified.
 - There was 1 minor arithmetic error
 - In 1 report a count of (-1) questionable ballots was reported.

In summary 21 of 52 (40%) of reports were missing, missing data, or incorrectly filled in with 16 of 52 (31%) with errors making it impossible determine if machines had functioned properly.

What basis is there to trust audits, or optical scanners when 40% of reports are not available or missing data critical to the audit?

Images of the actual official Audit Reports supplied from the Secretary of the State's Office along with our compiled data a reports can be viewed at <http://www.CTElectionAudit.org>

D. Hand Count Only Counting, A Disturbing Trend

This time 53 districts were chosen from the 523 in the election. The 523 districts represent a considerable consolidation of districts from the 723 in the November 2011 and 722 in August 2010. The primary driver in this reduction is consolidation of polling places, while we note concern with a trend of counting votes entirely by hand in a growing number of municipalities.

We found that one selected municipality did not need to perform the audit³ because that municipality conducted an election without scanners, hand counting ballots on election night. Reviewing the list of districts in the drawing we found 19 municipalities were not included in the drawing because either they used paper ballots or were omitted for unknown reasons. In discussions with the Secretary of the State's Office we found that a law that changed in 2011 has been interpreted to allow registrars to use only paper when they deem it "impracticable" to use optical scanner.

We find this trend disturbing because:

- Using optical scanners, normally provides accuracy, compared to the demanding conditions of and unspecified methods for election night hand counting.
- Optical scanners followed by audits provide a double check on our elections.
- Many officials have argued that they cannot count accurately under the much more ideal counting conditions of post-election audits.
- Originally hand counted ballots are exempt from post-election audits.
- The Bridgeport Citizen Recount after the 2010 election demonstrated the limitations of election night hand counting.

E. Procedures Are Not Being Followed, Understood

Problems uncovered in this observation include: incorrectly completed forms, chain-of-custody concerns, transparency, and actions contrary to procedures and the law.

The Secretary of the State's Office has published slightly modified audit procedures for each election. The procedures are still inadequate, frequently not followed, are not enforced, and, as noted below, may not be enforceable. The procedures lack detailed guidance in efficient methods of counting that could provide accurate and observable results.

Our observations indicate that some towns do a good job of using the procedures in the audit, following each step in order, and enhancing them with effective detailed counting methods. However, in other towns, there is no evidence that election officials are referencing or following the procedures. Some who attempt to follow the steps do not seem to understand them and appear to be reading the procedures for the first time at the start of the local audit.

³ Since the audit only counts originally optically scanned ballots there were none to audit in the district. Audit random drawing integrity is equivalent if such districts are included in the drawing, selected, and do not conduct an audit or if they are not included in the drawing.

Selected quotes from official audit report forms

[Our commentary in brackets]⁴

Democratic ballots were counted 4 times, twice by 25s, twice by 10s. When the team arrived at the same number twice (283), we moved on to the vote count [This is an example of due diligence in working to verify a count off by a single ballot]

Some workers miscounted hashmarks [If they knew this, then why did they report the incorrect numbers?]

F. Procedures Unenforceable, Current Laws Insufficient

We noted in previous reports, discussions with representatives of the Secretary of the State's Office and the State Elections Enforcement Commission (SEEC) indicated that many, if not all, of the post-election audit procedures, including those covering chain-of-custody, are unenforceable. Early in 2011 the [now former] Executive Director of the SEEC stated that he believed that such procedures are enforceable. The enforceability remains in doubt. There is no incentive for following the procedures and no penalty for disregarding them.

We note that the adherence to prescribed chain-of-custody and ballot security procedures varies widely among audited districts. Laws that govern the sealing of ballots, memory cards, and tabulators after an election are unclear. Ballots are not uniformly maintained in secure facilities and access to these storage facilities is not reliably logged or recorded. In some towns two individuals are required to be present when these facilities are accessed. Yet, in many towns, each registrar could have individual, unsupervised access to the sealed ballots for extended periods undetected, and in some towns, several other individuals have such access. The lack of uniform security of the ballots diminishes confidence in the integrity of the ballots which are the basis for the data reported in audits.

We emphasize that this report does not question any individual's integrity. However, a secure, credible chain-of-custody procedures would preclude the opportunity for a single individual to have any extended access to ballots unobserved.

G. Delayed Drawing and Extra Races Counted:

The audit counting by law can begin on the 15th day after each election and primary with the random drawing usually held several days in advance of that date, however, the Secretary of the State's Office held the random drawing on August 30th, 16 days after the

⁴ Official comments and observer comments in this document are edited for grammar and spelling.

primary. This causes some confusion and otherwise unnecessary scrambling for officials and coalition observers.

As one observer noted: “Registrars expressed concern over the time it took for audits to be drawn and scheduled. They were not notified by the Secretary of State that the audit drawings had been delayed. They feel it is an important step to be notified by the Secretary of State if there is a delay with future election audits. They said that if they had bundled their ballots on time after the 2 weeks the audit would have been very difficult to perform.”

The Secretary of the State’s Office called for officials to audit all the races in the primary, while the law clearly calls for only a single race in each party to be audited. While we applaud the intention of greater auditing than required by the law, we are concerned that when extra counting is required without an obvious reason that it can contribute to some officials often stated opposition to the audits.

For additional details, see our past reports at <http://CTElectionAudit.org>

III. Audit Statistics

A. Ballot Count Accuracy

Among our greatest concerns in larger audits has been the discrepancies reported. We still have those concerns, but in this relatively simple audit with one vote for one race and comparatively few ballots, there were much fewer differences than in past higher volume audits. The table below shows the districts with ballot count discrepancies and those not reporting ballot counts.

August 2012			
Scanner Counted Ballots	Hand Counted Ballots	Difference	Percent Difference
169	498	-329	-194.70%
466	0	466	100.00%
235	0	235	100.00%
1020	0	1020	100.00%
806	0	806	100.00%
518	0	518	100.00%
237	0	237	100.00%
225	0	225	100.00%
109	19	90	82.60%
1318	1352	-34	-2.60%
563	562	1	0.20%

Table 1: Discrepancies in Numbers of Ballots Counted by Hand vs. Counted by Scanner⁵ Districts, August 2012 Audits

As noted previously, the majority of these reports are clearly incorrectly completed reports which make it impossible to assess the accuracy of ballot counting by the optical scanners.

⁵ The law and audit procedures often use the term “Tabulator” to refer to election machines. We use the terms “Scanner” or “Optical Scanner” to make the report clearer.

B. Vote Count Accuracy

Like ballot counts there were very few differences in race counts reported in this audit.

August 2012					
Col C Machine Totals (tape)	Col D Undisputed Vote Totals	Col E Questionable Vote Totals	Col F Overall Hand Count Totals (D+E)	Difference	Percent Difference
198	0	3	3	195	-98.50%
0	149	0	149	-149	100.00%
0	102	3	105	-102	100.00%
78	0	0	0	78	-100.00%
499	488	5	493	6	1.20%
182	187	1	188	-5	-2.70%
439	435	1	436	3	-0.70%
386	380	4	384	2	0.50%

Table 2: Candidate counts where Hand-Counted Votes and Machine-Counted Votes Show Differences in Votes > 1 August 2012 Audit.

Once again, several of these counts represent errors in completing forms, making it impossible to determine the accuracy of the optical scanners, which is the purpose of the audit.

C. “Questionable” Votes and “Undisputed” Ballots

In this audit there were a number of questionable votes identified, particularly in three towns. The following table has all the examples of questionable votes identified > 3.

August 2012				
Col C Machine Totals (tape)	Col D Undisputed Vote Totals	Col E Questionable Vote Totals	Col F Overall Hand Count Totals (D+E)	Percent Questionable
377	359	18	377	4.80%
406	389	17	406	4.20%
227	217	10	227	4.40%
341	332	9	341	2.60%
234	226	8	234	3.40%
171	165	6	171	3.50%
240	234	6	240	2.50%
109	103	6	109	5.50%
499	488	5	493	1.00%
329	326	4	330	1.20%
79	75	4	79	5.10%
386	380	4	384	1.00%
91	87	4	91	4.40%
119	115	4	119	3.40%
73	69	4	73	5.50%

Table 3. Examples of Candidate Counts Questionable
Votes > 3 August 2012 Audit

Reference Statistics:

Detailed base data can be found at: <http://CTElectionAudit.org>

Appendix A: On Site Supervisor Interviews

One page of our observation report forms, titled *Interview On Site Supervisor(s)*, is used to gain information on several aspects of the election and post-election audit processes.

UConn memory card audit reports⁶ and anecdotal reports⁷ indicated significant problems with memory cards malfunctioning with what UConn characterizes as “Junk Data.” Our survey results are consistent with other anecdotal reports that the memory card problems may be increasing and significantly greater than previously realized.

We asked election officials about memory card problems experienced. Anecdotal accounts indicate that the percentage of memory card problems may be higher than those reported in the UConn⁸ testing of memory cards. Many problems with memory cards are discovered in pre-election testing and many of those cards replaced by the vendor before pre-election testing is completed. We note a positive, yet still disturbing trend:

Question Asked Officials	Aug 2012 YES	Apr 2012 YES	Nov 2011 YES	Nov 2010 YES	Aug 2010 YES	Nov 2009 YES
Were there any memory card problems during pre-election testing or on Election Day? (% of those answering the Observation Report question)	50%	66%	90%	56%	46%	41%

Table 4: Memory card problems reported by officials

Selected quotes from interviews of officials

[Our commentary in brackets]

Too many audits for this town Believe that if the primary audit is correct they should be removed from pool for general election. Budget issues - expensive for them to have so many audits. [If any districts were exempt in advance of an election it would provide an opening for fraud.]

Hold the random drawing sooner.

⁷ See: <http://www.ctvoterscount.org/?p=111> for summary and links to reports from Dori Smith of TalkNationRadio.

⁸ UConn VoTeR Center: <http://voter.engr.uconn.edu/voter/Reports.html>. Due to the nature of the collection/selection of cards for the UConn, studies they do not represent a true random sample of the memory cards.

August 2012 Connecticut Post-Election Audit Observation

It was suggested that audits could be done by using a new memory card and rerunning the tapes. [Unfortunately that would not detect memory card programming errors]

Let's automate the audit. [The Coalition would support an independent, automated audit, which was transparent and publicly verifiable]

They want more assurance that audit is random. They feel over selected. [Participating in the drawing, the Coalition believes they are random, yet as noted in this report they do not include all districts legally required]

Better instructions from the state.

24 memory cards had to be returned after testing 2 weeks prior to the election. Two cards had to be returned election morning, but the replacements worked. 4 or 5 back up batteries for the tabulators need to be replaced.

Appendix B: Statistics from Observation Reports

Question	Yes	No	Not Obsd
Were the ballots delivered to the site by at least two individuals?	18	1	14
Were you permitted to observe that ballot container seals were not tampered with?	29	0	4
Were the ballot container seals intact?	28	1	4
Were you able to see the seals and the seal numbers on the Moderator's Return?	29	1	3
Did the supervisor review the state audit procedures with the counting team?	19	7	7
Did the supervisor clarify procedures for everyone before beginning to count ballots?	21	9	3
Did the supervisor review the ballot and vote counting procedures in detail with the counting teams?	17	13	3
Was the total number of BALLOTS counted before the VOTES were counted for races?	29	4	0
Were the BALLOTS counted by each team such that a 2nd election official verified each count?	23	7	3
If multiple teams counted BALLOTS, was the totaling independently verified by a second election official?	17	4	11
IF HASHMARKING USED: Did a second official observe that each vote was read accurately?	10	10	13
IF HASHMARKING USED: Did a second official make duplicate hashmarks OR observe that each hashmark was recorded accurately?	10	10	13
IF STACKING/PILES USED: Was the vote counting process such that two election officials verified each vote was stacked as marked?	17	0	16
IF STACKING/PILES USED: Were the stacks of ballots counted such that two election officials verified that each stack was counted accurately?	18	0	15
IF HASHMARKING USED: Were you permitted to see that each vote was read accurately?	22	0	11
IF HASHMARKING USED: Were you permitted to see that each hashmark was recorded accurately?	21	0	12
IF STACKING/PILES USED: Were you permitted to see that each vote was placed in a correct stack?	16	0	17
IF STACKING/PILES USED: Were you permitted to see that the count of ballots in piles was accurate?	17	0	15
Were counters kept unaware of the election totals for the ballots or races they were counting until counting and recounting each race was finally complete?	22	11	0

August 2012 Connecticut Post-Election Audit Observation

Question	Yes	No	Not Obsd
If initial counts were off, were counters kept unaware of the exact and approximate level of difference	10	15	8
Were votes on questionable ballots ruled upon separately race by race for reporting as questionable votes in the Audit Report?	28	1	4
Were votes on such ballots ruled upon prior to the tallying of votes for each race AND counts not adjusted based on knowledge of the results of the total count for each race?	24	5	4
Did elections officials find a match between machine counts and manual counts at the end of the initial count of each races?	12	20	1
Did elections officials try to resolve mismatched counts by counting again?	22	0	11
Did elections officials try to resolve mismatched counts by changing counting teams?	9	13	11
Did elections officials resolve mismatched counts by the end of the audit?	23	0	10
Were you able to confirm that hashmarks for each team and batch were tallied accurately	22	0	11
Were you able to confirm that the number of ballots from multiple teams/batches was tallied accurately?	23	0	10
Were you able to confirm that the number of votes from multiple teams/batches was tallied accurately?	26	0	7
Did elections officials record counts, including unresolved discrepancies if any, on official forms by the end of the audit?	30	1	2
Were you given an opportunity to have a copy or make a copy of the official forms?	30	2	1
Did the BALLOT counts on the signed optical scanner tape(s) printed on election-day match the machine tape ballot count transcribed on the audit report form(s)?	30	0	3
Did the RACE counts on the signed optical scanner tape(s) printed on election-day match the machine tape race counts transcribed on the audit report form(s)?	28	1	4
Were the ballots under the observation of at least two individuals at all times during the observation?	30	2	1
Could you confirm that ballots were returned to their proper containers?	32	1	0
Were the ballot containers resealed?	32	0	1
Were seal numbers recorded correctly on forms?	32	0	1
Do you have any concerns over the way the room was laid out?	4	29	0
Do you have any concerns that the auditing was not well-organized?	6	27	0
Do you have any concerns with the integrity of the counting and totaling process?	2	31	0

Question	Yes	No	Not Obsd
Do you have any concerns that the manual count was inaccurate?	2	31	0
Do you have any concerns that the officially reported information is inaccurate?	2	30	1
Do you have any concerns with the transparency/observability of the process?	2	31	0
Do you have any concerns with the chain-of-custody?	5	25	3

Table 5: Statistics from Observation Reports

Appendix C: Selected Quotes from Observers

[Our commentary in brackets]

Ballots were combined in cardboard box, as they thought they were not being audited based on late drawing.

Did not record Questionables properly on form. One that they think counted, classified as Undisputed. One they think did not count not included on form.

I went to [town] for the audit at 1pm but it was held at 10:30am. They had notified the Sec. of State but I guess she did not pass it on. [Registrars originally informed Coalition audit was 1:00pm.]

Stopped down at Registrars' Office, observed one registrar in hallway carrying 2 ballot bags, alone. Later they said two individuals were required to access ballots. One registrar started looking at reader, caught error on third ballot, but soon stopped watching reader - also team got confused on errors and often ended up making two hash marks - no balancing - after no match on counts, regrouped and after half hour adopted what other registrar did, and then hit count exactly.

The registrar actually read the numbers from the tape and then asked the counters if their counts matched.

Registrar said " 5 ballots short". As the 1000+ ballot were recounted in stacks, announced each extra ballot found and how many still short. Did not double check piles by second official when one official counted an extra ballot.

Both teams frequently referred to the tally machine tape to adjust their counts.

It was excruciatingly painful at first. [One registrar] was hashmarking and finally after screwing up three times in a row she suggested that she watch the woman calling the votes...Went quickly after that.

Appendix D: Recommendations

Each of our previous reports included recommendations and updated recommendations to the Legislature and the Secretary of State.

I. Independent Audits

The current system of the conduct of audits by individual towns lacks consistency, accuracy, and professionalism. A nonpartisan, independent audit board or professional team of independent auditors should conduct the audits.

However, if audits continue to be conducted by local officials, we recommend the measures below to improve the security and integrity of Connecticut's election outcomes. Many of these same recommendations would apply if an independent audit board were established, with the board performing many of the audit functions now performed or recommended by the Secretary of the State.

II. Audit Selection, Notification and Reporting

A. Amend PA 07-194 on selection and notification to:

1. In elections where federal and/or constitutional statewide offices appear on the ballot, require that the Secretary of the State randomly select the races to be audited during the same public event as the random selection of districts, at least one such race should be randomly selected from those federal races on the ballot and one race selected from statewide races on the ballot.
2. for municipal elections and primaries require that races randomly selected for audit be chosen by the Secretary of the State for all districts, or, at least, require local drawing of races be announced and held publicly in each selected municipality.
3. require that towns selected for audit be officially notified of their selection in a legally acceptable form, including an immediate posting of the list of audit sites on the Secretary of the State's Website.
4. require that towns provide ample notice of the scheduling and location of post-election audits to the Secretary of the State and on their municipal websites or local newspapers. We urge the Secretary of State's office to review how other states are establishing and publicizing the schedule of audits and race selection to ensure maximum public notice and transparency.

B. Amend PA 07-194 to mandate deadlines for:

1. random selection of audit locations
2. completion of audits
3. municipalities report of audit results to the Secretary of the State's Office

C. Amend PA 07-194 on reporting to:

1. mandate a deadline for completion of required reports from UConn and require that those reports include statistical data on deviations from the standards set in the audit law and reports on any incomplete or missing audit data
2. mandate timely publication of a final comprehensive report of each statewide audit. Require that the report include local statistics and analysis from local audit report forms, elections officials' and observers' (if any) comments, and conclusions regarding the effectiveness of the audit. The report should be readily available to the public

D. Amend PA 07-194 on reporting to:

require that audit reports be compared to the machine tapes and final election results (including amended results, if applicable) to assure that the correct machine tape counts are recorded.

III. General Provisions

A. Procedures that will yield trusted audits must be specified in law or regulation and must be made enforceable by the State Elections Enforcement Commission. Procedures should also provide a mechanism for the Secretary of State's office to report irregularities to appropriate authorities such as the State Elections Enforcement Commission.

B. The Secretary of State's Office should:

1. establish mechanisms and controls to audit the audits (log, detect and take action on errors) to assure that prescribed methods are followed. Audit reports that are incomplete or contain obvious or unexplained discrepancies should be rejected by the Secretary of State's office and corrective action taken by election officials.
2. increase competency of registrars and election officials in election audits through mandatory educational programs that include security, audit organization, and conduct; the steps and details of the audit procedures; counting methods; and organizing and supervising the audit teams.

C. Amend PA 07-194 to:

1. mandate investigation and independent analysis of data discrepancies over legally defined limits which are not thoroughly and reasonably explained .
2. require that copies of the Moderators' Returns, and machine tapes, be present at the audit for review.
3. mandate that all ballots in all elections remain sealed until thirty days after all audits and audit investigations are complete. They should be released only after the Secretary of the State's notification in writing that the audit and investigations are complete. During that period ballots should only be unsealed temporarily for the purpose of recounts, audits, and state investigations – and resealed whenever audits, recounts, and investigations are complete or continued.
4. resolve the conflicting demands for any extended audit investigations with the need for re-programming of memory cards in preparation for new elections or referenda.
5. limit the role that candidates can perform in the post-election audit process. Opposed candidates, even if they are sitting registrars, should not supervise or have official roles in post-election audits. The Secretary of State's office should develop procedures to identify who will supervise and have an official role in audits in cases of this kind of conflict.
6. set forth specific and enforceable criteria for chain-of-custody, access logs, and secure storage facilities for ballots, memory cards, and machines. The Secretary of the State's Office should establish a system of random unannounced inspections of storage facilities and access logs.

IV. Audit Procedures

A. The Secretary of the State should provide detailed guidance on methods of auditing that are efficient, transparent, specific, and accurate. National efforts should be reviewed, such as California's recently adopted audit procedures, the audit practices of Minnesota, recommendations of the Brennan Center, and the *Principles and Best Practices for Post Election Audits*⁹.

B. The Secretary of State should amend procedures to:

1. remove the subjectivity associated with the identification of what constitutes an undisputed ballot and a ballot containing a questionable vote.

⁹ <http://www.electionaudits.org/principles>

2. require all tallies be performed in public and audit reports be filled out as part of the actual public audit and displayed publicly at the end of the audit along with the tally sheets.

V. Public Involvement

Observers' rights should be established in law. As long as observers don't interfere with the hand counting process, the public should be allowed to observe and verify all phases of the election audit from district and race selection through any follow-up investigation.

VI. Random District Selection Integrity

In order that the random district selection is publicly verifiable and more accurate, with mechanisms for re-establishing audit integrity in the case of errors discovered:

A. Amend Sec. 9-50b to:

require registrars to maintain an accurate list of districts with the Secretary of the State for inclusion in the Central Voter Registration System (CVRS), with each district identified by a unique district number for the municipality

B. Amend Sec 9-314 to:

1. require the Head Moderator to submit copies of each district Moderator's Return totals and copies of all closing scanner tapes from the election or primary with the Head Moderator's Return shortly after the election or primary to the Secretary of the State. Provisions for later amended returns should also be included. Each district should be identified by unique district number for the municipality as listed in the CVRS.
2. require the Secretary of the State to make available a copy of the District Moderators' Reports and Head Moderator's Reports for public review.

C. Remove Sec. 9-322a, which requires the district results from the Municipal Clerk 60 days after the election or primary.

D. Amend PA 07-194 to:

1. require the Secretary of the State to make available a copy of an extract of districts from the CVRS for public review at the random district drawing.
2. require that each district in the drawing be identified by municipality and by the unique district number listed in the CVRS and the district reports.
3. require in the case of errors discovered after the drawing or in the list of districts for random selection (omissions, non-existent districts, or ambiguities), that they

must be, by law, resolved in a way that restores the integrity of the audit. For instance, when selected districts are ambiguous, audit integrity could be restored by clarifying the ambiguity. When districts are omitted from the drawing, integrity could be restored by auditing those districts.