

0 Connecticut Citizen Election Audit Coalition	
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Report and Feedback November 2007 Connecticut Election Audit Observation

By

The Connecticut Citizen Election Audit Coalition

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www.CTElectionAudit.org

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Introduction

After the November 2007 elections, Connecticut conducted its first large scale post-election audit. The Connecticut Citizen Election Audit Coalition was formed to organize citizens to observe the audits. The coalition includes the League of Women Voters of Connecticut, Common Cause Connecticut, 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, and provide feedback to the Secretary of the State, and the legislature on the process and its contribution to confidence in our elections.

The audits were conducted between November 21, 2007 and December 12, 2007. Fifty-one (51) citizens observed 31 of the 41 scheduled audits, providing feedback on the process to the coalition. These citizen volunteers provided invaluable information, often attending audits on short notice, accommodating schedule changes and extended hours.

We want to especially thank the Citizens for Election Integrity, Minnesota, and the League of Women Voters, Minnesota, for generously sharing their advice and materials from their pioneering post-election audit observation in 2006. We also appreciate the cooperation and assistance of the Connecticut Secretary of the State's Office with this project.

Purpose of Connecticut's Random, Post-Election Audits

As stated in the Office of the Secretary of the State's Audit Procedures:

The purpose of this audit is to ensure that the optical scan voting machine(s) used in the election or primary accounted for all votes properly.

Also worthy of note is the definition used at the October 2007 Post-Election Audit Summit, October 25-27, 2007 in Minneapolis, Minnesota:¹

Definition of post election audits: The audit of election results, conducted after the polls have closed and before certification, by performing manual counts of paper ballots and voter-verifiable paper records in randomly selected units (e.g. precincts) and comparing them to the corresponding electronic or manual tallies, for the purpose of verifying the election result with a high degree of confidence.

Background

In 2002, Congress passed the Help America Vote Act, which effectively rendered Connecticut's lever voting machines unacceptable for federal elections. In 2006, Susan Bysiewicz, Connecticut Secretary of the State, chose Diebold Accu-Vote-OS optical scanners for use in all

¹ Sponsored By: The American Statistical Association, Verified Voting Foundation, The Brennan Center for Justice at NYU School of Law, Common Cause, Citizens for Election Integrity Minnesota, The Florida Voters Coalition. The Election Audit Summit brought together statisticians, election officials and advocates. <http://electionaudits.org/>

elections starting in 2007. In November 2006, these machines were used in pilot programs in 25 towns. Post-election audits were conducted after the 2006 elections and six post-election audits were also conducted after the September 2007 municipal primary elections.

In November 2007, most Connecticut municipalities conducted local elections, with voting occurring in 695 election districts throughout the state. It was the first large scale use of the new optical scanners.

Unlike many states, Connecticut elections are conducted by municipal, not county, elections officials. Elections administration in Connecticut is the joint responsibility of the Secretary of the State and two registrars, one Democrat and one Republican, in each of the state's 169 municipalities. Typically, large cities have full time registrars and assistant registrars, while small towns often have part time registrars, normally working only a few hours a week.

In June, 2007 the Connecticut Legislature passed Public Act 07-194 which mandated random, post-election audits after each federal, state, and municipal election and primary. Special elections and referenda are not covered by the law. Ten percent of districts in the election are randomly selected by the Secretary of the State for auditing. Districts with a contested race or undergoing a recount are exempt from participating in the audit, and, if selected in the post-election random drawing, must be replaced by an eligible district. In municipal elections, the municipal clerk in the selected municipalities is responsible for randomly selecting three races, or a minimum of 20% of races on the ballot, to be audited. Ballot questions are not included. The ballots audited are those that have been counted by optical scanners on Election Day in the polling places. Ballots counted by hand or by central count optical scanners are not included the audit.

In each selected municipality, registrars are responsible for conducting all aspects of the post-election audits in conformance with procedures published by the Secretary of the State. Selecting the date, time, and location of the audit within parameters of the law, recruiting election officials for the audit, supervising the audit, and reporting results of the audit to the Secretary of the State's Office are the responsibilities of local registrars of voters.

The audit reporting form includes four numbers for each candidate, in each audited race: Machine Totals; Undisputed Ballot Hand-Count Totals; Questionable Ballot Hand Count Totals; Overall Hand Count Totals (Undisputed & Questionable). The procedures define a questionable ballot as "[a]ny ballot that contains a bubble that is not completely filled in or has substantial marks outside of the voting target, a ballot that has been marked by red or green pen, or a ballot that has a questionable mark." (Appendix B)

According to state law (PA 07-194), if the total of votes from the hand count is .5% less than the machine totals or is .5% greater than the sum of the undisputed plus questionable ballots then the law indicates that "The Secretary of the State may...establish guidelines for expanded audits when there are differences between the manual and machine counts."

The audit procedures published by the Secretary of the State on November 20, 2007 are included in an appendix to this report.

Discussion and Recommendations

Summary

The Connecticut Citizen Election Audit Coalition observers reported many concerns over procedures that were problematic and over discrepancies between machine and hand counts in their reports of the post-election audit. Many, perhaps all, of these are attributable to procedures that should have been more specific, processes that should have been more consistent throughout the state, and to human errors in counting. Moreover, lack of transparency, rigor, controls, and consistency in the process leaves us unable to provide explanations for the discrepancies in the actual counts, or justification for confidently attributing them either to machine or to human error.

The audit statistics and observations leave us without the information necessary to vouch for the accuracy of many of the hand-counting results, whether those results indicated discrepancies or agreement with the counts obtained by the optical scanners. Moreover, many of the audits, as observed, leave us uncertain as to whether an error or fraud would have been detected in an audited race in this election.

The Coalition recommends that the Secretary of the State's Office establish a clear statistical threshold which would trigger a rigorous analysis of discrepancies to determine their source. Unfortunately, with ballot and optical scanners now unsealed, even such an analysis cannot provide unquestioned confidence in the counts reported.

To provide the necessary transparency, rigor, controls, and consistency in future post-election audits, additional recommendations for improvement of the process are listed below, along with related discussion. These recommendations are consolidated in a final section of the report.

We strongly urge the Secretary of State's office to seek out national efforts on "best practices" and procedures for conducting of audits and ensuring maximum transparency of the process.

Increased Appreciation for Registrars and Election Officials

In every case, observers noted the friendly and open welcome of registrars and election officials. Every official exhibited high levels of dedication to democracy and performing their work accurately and efficiently. We were often allowed complete freedom to observe the counting, ballots, and work product at close range.

We all came away with increased knowledge and understanding of the operation of elections, the challenges of managing elections, and heightened appreciation for the work of election officials.

Converting to a new technology, adopting dramatically altered procedures, enacting last minute adjustments, and assuming additional responsibilities, all simultaneously, were major undertakings for local elections officials.

Lack of Guidance and Expertise on Counting Methods

One of the most apparent results of the observation was that registrars exhibited a variety of methods for counting the ballots. Many of these methods appear reliable and did indeed produce results in which we can have confidence. In other instances, inadequate counting methods, execution, and supervision of counting, made it impossible to trust the count and often led to results that would appear to be incorrect. Some registrars organized and supervised the counting well; others did not explain their counting methods well to their staff, did not closely observe the process, tolerated a variety of methods by different counting teams, or accepted a generally disorganized process.

Frequently, registrars expressed frustration in their lack of knowledge and experience with manual counting. Several observers were asked for advice on how to count.

In their reports, Coalition observers offered several suggestions on how to improve counting:

- Provide plenty of space—ideally a separate table—for each counting team, offering room for observers and supervisors to observe from any side.
- Registrars should personally practice the audit method in its entirety with a small number of ballots prior to the audits, in order to determine the time required to count a typical ballot by hand and to assure that adequate staff is available to participate in an audit.
- Registrars should not personally participate in the counting and classifying: they should make sure every team is performing the counting uniformly.
- Ballots should be separated into reasonable size batches (perhaps 25 or 50) to be counted and totaled. This would provide for easier recounting, if necessary, and detecting tallying errors.
- Require separate tally (or hash mark) sheets for each team's count and, if necessary, its recount. Clearly label these sheets with the name of the team and the batch of ballots counted. Hash mark totals should be clearly labeled and all tabulation sheets should be preserved.
- Elections officials should make arrangements for food and breaks, especially whenever an audit extends beyond lunch or dinnertime.
- Except in an emergency, no counter should be allowed to leave until all counting is complete and the audit report is complete.
- If counting must be continued on another day or time, all ballots and other materials should be resealed and securely stored, with seal numbers recorded. When counting resumes and materials are opened, seal numbers should be checked and recorded.

Recommendation #1: The Secretary of the State should provide detailed guidance on methods of auditing that are efficient, transparent, specific, and accurate. These methods should address adequate space, sufficient staffing, ways to detect and prevent human error, procedures for handling questionable ballot markings, recording requirements, and security measures. National efforts, such as California's recently adopted audit procedures, New Jersey's proposed audit law (passed by both houses of the legislature), and the Pew Center's current research to determine "best practices," should be investigated for possible assistance in this regard. Additionally, we believe that the specificity and clarity of Connecticut's recently-revised Recanvass Procedures should be emulated for the Audit Procedures.

Recommendation #2: Mechanisms and controls should be put in place to audit the audits to assure that rigorous methods and controls are employed and followed.

Inadequate Procedures, Training, and Adherence to Procedures

In many audits there was no evidence that the procedures were being followed or that there was any knowledge of the procedures. Some audits started before the scheduled time. Questionable ballots were not separated from others as the first required step of the audit. A few observers commented that the procedures required recording the optical scan seal number, but the reporting forms called for checking the ballot bag serial number.

Even where procedures were followed or referenced at the end of the audit, similar problems were observed: the question of whether to record the optical scanner seal number vs. ballot bag seal numbers was noted; guidance on counting was missing; variable interpretations of the definition of "questionable" ballots, as contained in the Audit Procedures, were employed. (See section below for further discussion re: questionable ballots).

In addition to refining the definitions, the reporting forms need clarification. For example, in at least one town, officials mistakenly compared the machine totals with the hand count totals and merely noted the difference in the "Questionable" column on the reporting form. One town reported a negative number in this column. Because procedures require the separation and review of the questionable ballots as the first step of the audit, the questionable column should always be 0 or greater.

The questions on the Audit Report proved difficult for registrars to interpret. Thirty-five percent (35%) of the time, Question #1 was either answered incorrectly or not answered at all. Question #2 was even more difficult to interpret, and seems that it should have been invoked when the answer to Question #1 was "Yes" rather than "No".

In some towns the audit report was left with some columns empty and others with numbers in the wrong columns. In several cases, observers questioned the completion of the audit reports and, thus, helped avoid additional instances of such errors.

Recommendation #3: The procedures and forms should be reviewed for clarity, reviewed for consistency, tested, and reissued before the February 2008 Primary audits. For example,

columns on the audit report should be labeled (a), (b), (c), etc. and referenced as such in Questions #1 and #2. The procedures and the reporting forms should be consistent in requesting the seal number from the ballot bag. Expressly stating in procedures that optical scanners should not be brought to the audit would also help eliminate this problem. The procedures should articulate that the law does not require auditing central count voting machines.

Recommendation #4: The wording and the clarity of Question #1 and Question #2 should be refined so that it would be interpreted identically by all election officials. Alternatively, the Secretary of State's office may wish to eliminate the questions from the form and to assess the results themselves.

Recommendation #5: The total number of ballots counted should be added to the information on the audit report.

Recommendation #6: Deadlines should be mandated for audit completion and for reporting results to the Secretary of State's office.

Confusion in Classifying Undisputed and Questionable Ballots

The classification of "undisputed" and "questionable" ballots is subjective, can be inconsistent, and, therefore, difficult for election officials to interpret. From the municipal audit reports and observer feedback, some officials called a ballot "questionable" if they observed any problematic marks only in the races being audited, while others called ballots "questionable" if they observed such marks anywhere on the entire ballot.

Some officials classified huge numbers of ballots as "questionable", while others searched for questionable ballots after the initial hand counting was completed, in order to explain differences in totals. Yet other registrars demonstrated a misunderstanding of the basis of the audit, stating to the ballot counters that "if it went through the machine it is not questionable". From the variation from town to town in the number of votes counted as "questionable" and from observer feedback, it is clear that the definition was interpreted in differing ways in different towns.

Although statistics show that the actual variation in machine vs. hand count was likely very low in this audit, we believe there is a great danger to the integrity of future elections by dismissing discrepancies between machine counts and hand counts as merely due to large numbers of questionable ballots. It is a natural human temptation to explain discrepancies in a way that requires the least effort. Finding enough questionable ballots to explain a discrepancy is much easier than the work involved in recounting to verify hand totals. However, even though human error might explain most discrepancies, accepting this explanation for discrepancies, without a second manual count to verify human error, voids the entire value of an audit, which is to detect machine errors or fraud.

Recommendation #7: Procedures for implementing PA 07-194 should be amended to remove the subjectivity associated with the identification of what constitutes an undisputed ballot and a questionable ballot.

Recommendation #8: PA 07-194 should be amended to mandate further investigation of a report of a significant number of questionable ballots which exceed thresholds to be established by the Secretary of State's office.

Public Notification Requirements

Determining the date, time, and location of the audits proved to be a challenge for the Connecticut Citizen Election Audit Coalition. While PA 07-194 mandates that the audits be public, the only notification required is for local elections officials to inform the Secretary of the State's Office of the audit schedule. Although the Secretary of the State's Office volunteered to inform the Coalition of any audits as it received the information, most often the Coalition discovered audit schedules by calling registrars directly, often repeatedly leaving voice mail messages. We learned of some audits with less than 48 hours notice; others with less than a day's notice. Two audits were conducted before we were able to obtain any scheduling information.

Additionally, PA 07-194 does not mandate that the random drawing of races in municipal elections be public which runs counter to goal of a transparent process.

Recommendation #9: The audit race selection and the audit itself, should be public events. 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.

Recommendation #10: Once "best practices" are identified per above, they should be codified into law to ensure that these events are subject to public notification requirements.

Guidance On Count Discrepancies

Observers noted that several registrars stated their opinion that hand counting was not as accurate as machine counting. When hand counting results varied significantly from machine counts, they accepted that to be proof of human counting problems.

While we agree that hand counting can be difficult and error prone, hand counting can also be highly accurate, as demonstrated by the 55% of candidate counts where machine and hand counts matched perfectly. Moreover, 86% of all candidate counts showed less than 4 votes of difference between the machine and hand counts. (See Audit Statistics presented in the Statistics Report by CTVotersCount) Variations in the rest may be due, in part, to human error or, in part, to questionable ballot markings. However, the many accurate results may serve as an indication that human counting can be reliable.

Registrars had a variety of reactions when counts did not match. Some, when counts were only off by 1 or 2 with several questionable ballots, performed a recount. Some registrars, with huge discrepancies in a race, accepted the results of the first count. In some municipalities, observers were asked for advice when counts did not match.

Recommendation #11: When the machine and the manual counts disagree, registrars should first re-check tally sheets and re-calculate results. If discrepancies remain and the recount has not been conducted and verified for accuracy using a “double entry” or best management practice system, complete recounts should be performed until totals of two manual recounts agree exactly. The results of all re-counts and original counts should be reported to the Secretary of the State’s Office.

Ambiguity in Race Selection

There were several types of ambiguities, misunderstandings, and inconsistencies in the methodology by which municipal clerks selected the races to be audited.

PA 07-194 requires municipal clerks to randomly choose offices to be audited. Most clerks interpreted this as a town wide, single random drawing covering all districts. At least one municipality interpreted the law to mean a separate drawing for each district to be audited. The interpretation becomes particularly significant when different districts have different offices on the ballot. This ambiguity will be an issue in every election, except the election with the office of governor or president on the ballot.

In one municipality only one office was selected and audited; in another, one race was selected for each district; and in still another, two races were audited. These failures to follow the law—requiring officials to select and audit three races—went unnoticed by the municipal clerks selecting the race and by the registrars performing the audit.

In the cases where the offices of governor and president are on the ballot, the law mandates that the Secretary of State select races to be audited across the state. This raises the concern that if all the office titles in every district are subject to selection, it lowers the probability that statewide and federal races will be selected for audit to a very low level.

Recommendation #12: PA 07-194 should be amended to clarify the selection of races to be audited. For this race selection, the law should clarify that municipal clerks will select three races to be audited in each district. In elections where federal and/or constitutional statewide offices appear on the ballot, we recommend that at least one federal or statewide race be selected.

Recommendation #13 The Secretary of the State’s Office should establish, if not already in place, controls to log and detect errors, such as the incorrect number of races audited, huge discrepancies without explanation, incorrect or missing seal numbers, and incorrectly completed or missing forms. We further recommend that a mechanism be established for the Secretary of State’s office to report irregularities to appropriate authorities such as the State Elections Enforcement Commission.

Lack of Transparency for Observers

Without full transparency for observers there is no way for the public to have confidence that accurate audit counts are reported. Connecticut law does not mandate that observers have the right to view ballots to verify that they are being counted correctly.

In several of the audits, observers—attempting to observe the counting—were required to stay up to 30 feet away from the counters. In one case they were restricted to observing from another room.

In other audits, observers were not restricted in any way and were able to view ballots. To our knowledge no election officials complained about observers interfering in the process. (In one case, a counter complained to an observer that his conversation was interfering, from several feet away. The observer reported the incident on our forms and believes that the counter did not realize that the loud conversation was actually that of one of the official counters.)

In some audits, results from counters were not available for observers to see or hear. Totals were added and reported without providing observers any mechanism for determining whether the numbers from the counters were added correctly or reported correctly. Without access to the counters' hash count sheets, observers were unable to verify that the counters' totals matched their hash marks.

In many cases, observers were not able to see audit reports at the end of the audit. In most of these cases, registrars wanted to fill them out later. In some cases, the registrars declined to show them to observers.

Recommendation #14: As long as they don't interfere with the hand counting process, observers, by law, should be able to stand anywhere behind or in front of counters so that that they can see ballots as they are counted and see hash marks as they are recorded.

Recommendation #15: By regulation or enforceable procedure, all totals should be tallied in public. Audit Reports should be required to be filled out as part of the actual public audit and displayed publicly at the end of the audit along with the tally sheets.

Follow-up Investigations and Security

In several instances, significant discrepancies between the manual counts and the machine counts were reported as the final result of the audit. Each of these instances of significant variation should be investigated by the Secretary of the State to attribute the cause to machine or human error.

Unfortunately, since ballots and machines are no longer required to be under seal, such an investigation cannot be completed with the full confidence that could be provided if ballots and machines were still under an unbroken chain of seal and custody.

Recommendation #16: The Secretary of State’s Office should establish a clear threshold which will trigger additional investigation and analysis where discrepancies exist. PA 07-194 should be amended to mandate further investigation and independent analysis to determine the cause of discrepancies between machine and hand count results that exceed this threshold. By law, the use of this trigger should be mandatory in all audits of elections and primaries after June 2008.

Recommendation #17: The Secretary of the State’s Office must resolve the conflicting demands for any extended audit/forensics with the need for re-programming of memory cards in preparation for new elections. By law, all ballots in all elections should remain sealed until thirty days after all audits 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. By law, all voting machines and their memory cards should remain sealed for the same period as ballots and only unsealed temporarily for the purpose of state investigations.

Recommendation #18 By law, the Secretary of State’s office should publish a final comprehensive report of each statewide audit in a timely manner. The report should include, at minimum, statistics gathered from local audit report forms and a statistical analysis of the reported data. We further recommend that the report include observations from local elections officials and observers (if any), and conclusions regarding the effectiveness of the audit. The report should be readily available to the public.

Audit Statistics

Seventy (70) Connecticut voting districts—10% of the districts in the state—were randomly selected to participate in this audit. These districts were located in 41 different municipalities.² Data presented in CTVotersCount auxiliary Statistics report represent selected information reported from 65 audited districts and from 912 unique candidate counts. However, as mentioned earlier in this report, the differing interpretations regarding what constitutes a “questionable” ballot makes it difficult to draw conclusions from this data.

Also noteworthy is the finding that only 52% of the districts correctly interpreted Question #1 on the audit reporting form.

The CTVotersCount Statistics Report is available at <http://www.CTElectionAudit.org>

² Initially 70 districts in 44 municipalities were selected. Because of subsequent recounts, three districts were replaced by alternates. All three were in other municipalities already included in the initial list,

All Recommendations

Recommendation #1: The Secretary of the State should provide detailed guidance on methods of auditing that are efficient, transparent, specific, and accurate. These methods should address adequate space, sufficient staffing, ways to detect and prevent human error, procedures for handling questionable ballot markings, recording requirements, and security measures. National efforts, such as California's recently adopted audit procedures, New Jersey's proposed audit law (passed by both houses of the legislature), and the Pew Center's current research to determine "best practices," should be investigated for possible assistance in this regard. Additionally, we believe that the specificity and clarity of Connecticut's recently-revised Recanvass Procedures should be emulated for the Audit Procedures.

Recommendation #2: Mechanisms and controls should be put in place to audit the audits to assure that rigorous methods and controls are employed and followed.

Recommendation #3: The procedures and forms should be reviewed for clarity, reviewed for consistency, tested, and reissued before the February 2008 Primary audits. For example, columns on the audit report should be labeled (a), (b), (c), etc. and referenced as such in Questions #1 and #2. The procedures and the reporting forms should be consistent in requesting the seal number from the ballot bag. Expressly stating in procedures that optical scanners should not be brought to the audit would also help eliminate this problem. The procedures should articulate that the law does not require auditing central count voting machines.

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Recommendation #18 By law, the Secretary of State's office should publish a final comprehensive report of each statewide audit in a timely manner. The report should include, at minimum, statistics gathered from local audit report forms and a statistical analysis of the reported data. We further recommend that the report include observations from local elections officials and observers (if any), and conclusions regarding the effectiveness of the audit. The report should be readily available to the public.

Appendix A– Audit Observer Report Forms

VOLUNTEER OBSERVER TEAM REPORT (Page 1)

Post-Election Audit Town/City: _____ Date _____

Instructions:

1. Refer all media inquiries to (000)-000-0000. Use this number for questions during the day.
2. Fill in the Observer Team Report, attach additional pages with additional comments if needed, and add Observer Evaluation Forms.
3. Ask to see the Audit Report at the end of the audit and copy the results to the form at the end of the Secretary of the State’s Audit Procedures, at the end of this package. (Note: Official procedures are provided for background information purposes only)
4. Have everyone read and sign the reports
5. Verbally report results immediately after the review to: (000)-000-0000
6. Fax or mail both Report Forms and CT Audit Report Form to: Fax: (000)-000-0000

Note: If the audit goes on beyond 5:00pm and some or all of the observers must leave, complete as much information as possible.

Team Member Names:

1) _____ 2) _____ 3) _____ 4) _____

Team member phoning results and faxing completed forms:

NAME: _____ PHONE: _____

Which districts were audited?

1) _____ 2) _____ 3) _____ 4) _____

Races were selected for audit? _____

What is the name of the on-site supervisor of the audit? _____

The audit began at: _____(time) ___as scheduled ___ later ___before the scheduled time

Number of other observers present: _____ Number of election officials performing the audit _____.

If known, were there any observers representing candidates or parties? ___ How many? ___

Were the ballots delivered to the audit in unopened cases with seals still intact? Don’t know ___ Yes ___ No ___ If no, describe:

Approximately how many feet away were you able to stand, from the individuals counting the ballots? _____

Were you able to see the ballots as they were being counted? Yes ___ No ___

Were you close enough to see the markings on the ballots to see they being counted correctly? Yes ___ No ___
(Note: State law does not require that observers be able to see the ballots as they are counted)

VOLUNTEER OBSERVER TEAM REPORT (Page 2)

Post-Election Audit Town/City: _____ Date _____

Were the races to be audited selected as part of the public audit? ___yes ___no at some earlier time

How was the room arranged for auditing? Tables? Seated at council meeting table? Etc. (or attach a diagram)

Were there multiple teams counting the ballots? ___ yes ___no How many teams? _____

How many people on each counting team? _____

Describe the method of counting the ballots: (e.g. Separating into piles counting the piles or making hash marks while reading each ballot)

Did team members switch duties occasionally? ___ yes ___no Time the audit ended: _____

Were the ballots under the observation of two election officials at all times? ___ yes ___no If not, Describe:

Do you have suggestions for improvement of the process or the procedures?

Comment on the overall process and your overall impressions:

We, as a team, agree on all items reported by us on these forms, and believe our report to be accurate and factual, to the best of our knowledge and understanding:

Signature #1 _____ Signature #2 _____

Signature #3 _____ Signature #4 _____

Observer Program Evaluation

For Questions 1 through 3, please indicate the extent you agree or disagree with each statement, where A = Strongly Agree, B = Agree, C = Neither Agree nor Disagree, D = Disagree, E = Strongly Disagree

1. Overall, this program will help improve the audit process.	A	B	C	D	E
2. I believe that this program was effective in explaining what was required of me and other observers.	A	B	C	D	E
3. The forms were easy to understand and complete.	A	B	C	D	E
4. The best thing about this program is...					
5. The one thing that would make the program better is...					

Appendix B – Observers Evaluation Of The Coalition Process

For Questions 1 through 3, please indicate the extent you agree or disagree with each statement, where A = Strongly Agree, B = Agree, C = Neither Agree nor Disagree, D = Disagree, E = Strongly Disagree

<p>1. Overall, this program will help improve the audit process.</p> <p>20 Responses</p>	<p>A B C D E</p> <p>Average 3.75</p>
<p>2. I believe that this program was effective in explaining what was required of me and other observers.</p> <p>21 Responses</p>	<p>A B C D E</p> <p>Average 4.3</p>
<p>3. The forms were easy to understand and complete.</p> <p>21 Responses</p>	<p>A B C D E</p> <p>Average 3.9</p>

4. The best thing about this program is...

The education it provides regarding the election process
It reaffirms that the process is working.
Informative for counters, observers and town officials.
To create and increase awareness of the voting process. To emphasize the importance of the vote.
Keeping election officials on target of the audit.
It is informative to auditor. The presence of auditors probably adds seriousness to process.
The proof of public interest in the voting system.
Helps to ensure that audits are run honestly.
Talking to the registrars and finding out about the entire process.
The chance to see just how inconsistent audit procedures really are.
Checks and balances. Developing better ways to make voting results easier.
It gave audit officials the impression that citizens care about the election process.
The West Hartford registrars were experienced and conscientious, so it's hard to tell if we weren't there might have had a different impact
Learning opportunity for observers (we learned a lot)
Ensures integrity of the audit process
To be able to observe the recount process and how involved it can become
Larger awareness of the town voting process, that counting happens when we leave the voting machine, and the count is done right, we hope.
Citizens getting informed and involved in the voting process
I think that the Town officials really appreciated that outside observers were present
I think for some towns observers will make the count more reliable. For others probably not necessary.

5. The one thing that would make the program better is...

More citizen participation
Consistency in towns on tally sheets
More instruction needed to clarify write-in ballots ,ie, are they counted in audits?
Town complained that they were not informed that we were coming
Confusing: who are election officials; what happens when audit done in two rooms – 2 reports?
Uniform expectations and outlined procedures.
I don't know. More experience needed.
More public interest.
Great program! Too bad the state instructions (SOTS) were so unclear!
Being able to see the markings on the ballots. Having a SOTS staff person present at beginning of every audit to set the course for the day, introduce observers, re-state purpose of audit and observation, etc.
The forms need better explanation.
Directions to audit location. Better labels.
Maybe less human interaction(ie, machine count)
Having two people at each site is preferable
Nothing we can think of
Make the program better :my (our) experience was good, it was a small town and a small count. Only 1700 ballots to check. I don't know what would have made the day go better.
If people were better informed about the serious flaws in the system's premise. Even if the vote was secure, there are too many variables and difficulties that the memory card is the most important and weakest link in such voting machines. Overall, because the basic security of such a voting system involves trust and this system is therefore not really accountable as far as I can tell, I consider computer voting to be an unworkable and completely vulnerable system at this time and it should be abandoned.
I have no ideas for improvement for observer program.

Appendix C – Official Audit Procedures

Office of the Secretary of the State
Audit Procedures
Optical Scan Voting Equipment
November 2007

PURPOSE

The purpose of this audit is to ensure that the optical scan voting machine(s) used in the election or primary accounted for all votes properly. The purpose is not to identify winners or losers or to reaffirm election night vote totals for all candidates. As such, we will only be hand-counting ballots that were first counted by the optical scan voting machine. In many cases, this will be only a portion of the total votes cast for a candidate at the election or primary. Finally, in an effort to ensure that we make a true comparison of the optical scan voting machine's functionality, we need to separate the ballots into two separate groups (1) ballots that could be read by the machine and (2) ballots that could not be read by the machines. By doing this, we account for questionable ballots that were not read by the optical scan machine (because of voter error) and as a result do not blame the machine for those errors.

IMMEDIATELY AFTER THE ELECTION

1. Immediately after the polls have closed and all ballots have been counted (by machine and hand) and vote totals have been determined, the optical scan voting machine (with memory card intact and sealed) should have been placed in the carrying case and sealed by the moderator and both assistant registrars of voters in the polls. The seal number should have been recorded and the machinery delivered to the Registrars of Voters to be held until the lock-down period for voting machines has ended.
2. All ballots associated with the election should have been placed in depository containers and sealed by the moderator and both assistant registrars of voters in the polls. All ballots must be stored in a manner that separates ballots that were counted by the optical scan voting machine and those that were hand-counted. For example, hand-counted ballots should be placed in a separate envelope appropriately labeled and stored in the larger container with all ballots from a polling place. Only those ballots that were counted by the optical scan voting machine will be included in the audit.
3. All ballots and voting machines shall be returned to the secure location in town and shall remain sealed for a period of 14 days after the election or primary (November 20, 2007).

SELECTION OF POLLING PLACES

1. Prior to the 15th day after the election or primary (November 21, 2007) the Secretary of the State shall determine by lot the specific local voting districts and corresponding voting machines that will be subject to the audit. *Any voting district in a town subject to a recount will not be included in the lot ceremony for the audit.* If you were notified that a polling place in your town was selected for audit but that same polling place was involved in a canvass, please contact this office immediately.
2. The audit sample size shall consist of 10% of the total number of voting districts that used optical scan voting machines in the November 6, 2007 election.

SELECTION OF OFFICES

1. Once the municipalities are identified by the lottery, the offices on the ballot that will be subject to the audit must be identified as follows:
 - a. in a presidential year selected federal offices plus an additional office selected in a random drawing by the *Secretary of the State*;
 - b. in a gubernatorial election selected federal offices plus an additional office selected in a random drawing by the *Secretary of the State*;
 - c. in a municipal election three offices or twenty per cent of the number of offices (not candidates) on the ballot selected at random by the *municipal clerk*;
 - d. in the case of a primary selected federal offices (if any) plus one additional office (if any) but in no event less than twenty per cent of the number of offices on the ballot selected at random by the *municipal clerk*; and
 - e. in the year of a municipal primary, twenty per cent of the number of offices on the ballot selected at random by the *municipal clerk*.

Important Reminder: In a state or federal election year, the Secretary of the State will select the offices on the ballot subject to the audit. In a municipal election year, the municipal clerk will select the offices on the ballot subject to the audit.

SELECTION OF AUDIT PERSONNEL

1. Once the municipalities and offices subject to the audit are identified by lottery, appropriate audit workers must be identified by the registrars of voters. These individuals do not have to be the same individuals that worked at the polls. However, they should be familiar with the procedures for counting paper ballots. Assistance for the audit may be solicited from municipalities not involved in the audit, provided that all audit personnel must have experience counting paper ballots. If at all possible equal representation of poll workers should be provided between the Republican and Democratic Party (in an election) or opposing slates (in a primary) otherwise other appropriate poll workers may be used. The individuals selected are required to take an oath before performing their required duties.

SELECTION OF AUDIT TIME AND PLACE

1. Once appropriate individuals are identified by the registrars of voters, the audit date must be selected. Each municipality can set their audit date individually. However, any audit must be completed by all municipalities between November 21, 2007 and December 12, 2007. *The Office of the Secretary of the State MUST be notified of the audit date and location(s) selected. The date selected must be made publicly available.*
2. Once the audit date is set, the Registrars of Voters shall impound, identify and gather all write-in materials, absentee ballot materials, moderators' returns and all other notes, worksheets or written materials used in the election or primary.

DELIVERY OF THE AUDIT MATERIALS

1. On the day of the audit, all ballot materials must be delivered to the audit location by two individuals of separate political parties or opposing slates (in a primary) if possible.
2. All audit procedures shall be open to public inspection and administered by the registrars of voters.
3. The audit personnel shall examine the seal or protective tape on the ballot depository containers. If the protective seal has not been tampered with, the audit personnel shall open each container containing the paper ballot materials.
4. If the seals referred to above have been broken, or are different from that applied on Election or Primary night, the registrars shall immediately notify the Office of the Secretary of the State.
5. Once the balloting materials have been removed from their respective containers by the audit personnel, all ballots shall be reviewed and sorted by two individuals from opposite political parties or opposing slates (in a primary), if possible, to determine which ballots will be part of the audit.

SORTING OF BALLOTS

1. **BALLOTS INCLUDED IN THE AUDIT:**
 - a. First, all ballots that were hand counted on Election or Primary Day will be set aside and not part of the audit procedure.
 - b. Second, write-in ballots will be part of the audit review.
 - c. Third, all ballots from the machine read main bin will be part of the audit.
2. **DIVIDING THE BALLOTS:** Each ballot shall be examined and divided into two different categories:
 - a. The first category of machine read ballots are those ballots that both individuals agree should have been read by the optical scan voting machine. That is, each oval on the ballot is completely filled in and there are no noticeable stray marks on the ballots. This shall include any write-in ballots and over-voted ballots.
 - b. The second category of ballots are those ballots that both individuals agree may not have been read by the optical scan voting machine. That is, each oval is not completely filled in or there are stray marks or other irregularities on the ballot that may have interfered with a machine count.
 - c. The decision regarding each ballot shall be made by two individuals from opposite political parties or slates (in a primary). The Registrars of Voters shall make the final decision on any outstanding question.

COUNTING OF BALLOTS

1. Once the ballots are separated, the audit personnel shall count the ballots from both categories and keep separate vote totals for each candidate.

REPORTING BALLOT TOTALS

1. The results of this manual audit shall be recorded on a form provided by the Secretary of the State which details the following information: Town Name, Voting District, Congressional, Assembly and Senate District, Optical Scan Voting Machine Serial Number, Optical Scan Produced vote

totals for each candidate (machine tape), hand count vote totals for each candidate of the ballots that were machine counted.

2. For each race, the following hand-counted totals are needed (as compared to the optical scan voting machine totals):
 - (a) the hand-count of the legible votes that were machine counted (including write-in and over votes); and
 - (b) the hand-count of the votes that could have been miscounted by the machine.
3. The results of the audit should indicate that the total votes recorded by the hand audit count should be less than or equal to the vote totals produced by the optical scan voting machine, and greater than or equal to the machine recorded totals less the total number of questionable ballots. Any variation and/or discrepancies from this result should be noted and reported to the Secretary of the State and a second hand count shall be performed in an attempt to resolve any discrepancies. During that second count, if necessary, you should be sure to re-check your math and look for any uncounted ballots.
4. Once completed, all ballot materials shall be returned to a secure location until such time as the Secretary of the State notifies each municipality that the voting machine seals can be removed and the memory cards can be reprogrammed for any future election related event.

IMPORTANT CONSIDERATIONS

It is important to note that the optical scan voting machines should not be activated or in any way changed from the state they were in at the closing of the polls.

If the results of the audit reveal any unexplained deviations or errors, The University of Connecticut (UConn VoTeR Center) shall examine the machines that apparently produced incorrect results to determine if such errors were caused by the optical scan voting machine.

ROLE OF OBSERVERS

The State of Connecticut is committed to an open, public, transparent process. However, it lies within the discretion of the Registrars of Voters to ensure that no observer disrupts the integrity or order of the process. Observers should be allowed to view the process and to see the ballots being counted. This means that an observer should be allowed in a place where they can view the process but not interfere. Observers should be allowed to ask questions of the Registrars of Voters about the process used to count the ballots but should not be allowed to interfere with the process or to ask questions of the counters as they count the ballots. Questions should be referred to Lesley Mara, Deputy Secretary of the State at (860) 509-6268.

Town Name: _____

Voting District (and polling place name): _____

District Numbers:(Cong _____) (State Senate _____) (Assembly _____)

Voting Machine Seal Number: _____

Voting Machine Carrying Case Seal Number: _____

Sort all ballots that were hand-counted ballots on Election Day. These ballots will not be subject to the audit.

Divide the ballots that were machine counted on Election Day into two categories. (1) One category are those ballots that have no clear mistake or stray mark and whose ovals are completely filled in so it is fairly certain that the machine would have counted them properly on Election Day. This category should include write-in ballots and over-voted ballots that were read by the machine (except that the actual write-in vote or the over-voted race on the ballot would not have been read by the machine). (2) The second category are those ballots that cannot be machine read because of a clear marking error. This category should not include any ballots that were not run through the machine on Election Day for any reason.

Hand count the undisputed ballots.

Hand count the questionable ballots.

Use the separate attached forms to record your totals.

Definitions:

Undisputed Ballots – A ballot that has completely filled in bubbles with no stray marks or lines. This includes any ballot with a write-in candidate and any ballot with an over vote as long as the remainder of the race’s bubbles are filled in properly.

Questionable Ballots – Any ballot that contains a bubble that is not completely filled in or has substantial marks outside of the voting target, a ballot that has been marked by red or green pen, or a ballot that has a questionable mark.

