



**Report and Feedback
February 2008
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 February 2008 presidential primary election, Connecticut conducted its second large scale post-election audit. This was also The Connecticut Citizen Election Audit Coalition's second audit observation. The Coalition was formed to organize citizens to observe the audits. The Coalition for the February election included the Common Cause Connecticut, Connecticut Citizen Action Group, and Connecticut Voters Count¹. 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 legislature on the process and its contribution to confidence in our elections, and provide the public with information necessary to determine their confidence in our elections.

The audits were conducted between January 20, 2008 and March 7, 2008. Forty-eight (48) citizens observed thirty-four 34 of the forty-seven 47 audited towns, providing feedback on the process to the coalition. These citizen volunteers provided invaluable information, often attending audits on short notice, many attending multiple audits, and accommodating schedule changes.

The Coalition's previous large scale post-election audit observation was conducted after the November 2007 election. The report from that observation will be referenced extensively in this report as the *November Report*. It is available at <http://www.ctelectionaudit.org/Reports/AuditObservationReport.pdf>

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.

¹ The Coalition for the November 2007 election included the League of Women Voters, Connecticut. We thank the League for their strong participation in the fall municipal audit observations and hope they will join us in future audit observations

Purpose of Connecticut's Random, Post-Election Audits

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

The primary purpose of the hand count audit is to assess how well the optical scan voting machines functioned in an actual election and to ensure that votes cast using these machines are counted properly and accurately.

Also worthy of note is the definition used at the October 2007 Post-Election Audit Summit, October 25-27, 2007 in Minneapolis, Minnesota:²

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 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 February 2008, Connecticut municipalities conducted the presidential primary elections, with voting occurring in 701 election districts throughout the state.

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.

² 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/>

The ballots audited are those that have been counted by optical scanners on Election Day in the polling places in the districts being audited. 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 Totals; Ballots with Questionable 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." (See Appendix F)

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 February 19, 2008 are included in Appendix E of this report.

Discussion and Recommendations

Summary

In the November Report, we said: *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.*

We report the good news that procedures have been significantly improved and that discrepancies noted in the counts in February post election audit were much lower than November. We are also pleased to report that, for the most part, registrars fully supported the portion of the procedures providing significantly improved observation opportunities for observers. These procedures allowed us to visually verify that ballots were being counted accurately and totals reported were accurately accumulated from those counts.

Unfortunately, now that procedures have been improved, the audit observations have exposed the lack of understanding of those procedures, lack of understanding of the principles behind the procedures, lack of attention to those procedures, and apparent lack of ability for election officials to follow those procedures.

Some audit teams performed well and followed procedures. Many failed to follow procedures or broke the chain of custody in one or more ways. A chain is only as strong as its weakest link. Election confidence and integrity is dependent on the integrity of each municipality and district involved. In turn, each district's integrity is dependent on each procedure being followed in the chain of custody, pre-election testing, election closing, and auditing.

No matter why procedures are not followed, each failure is an opportunity for well intentioned officials to be exploited by the rare individual bent on illegally changing election results or an opportunity for an error to occur and go unnoticed.

In the November Report, we said: *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 February audit observations leave us with the information necessary to vouch for the accuracy of the hand-counting results we observed. **However, many of the audits, as observed, leave us uncertain as to whether an error or fraud would have been detected in an audited race where we were not present to observe. We also question the security of the chain of custody to protect the integrity of ballots before the audits and to protect the integrity of ballots and tabulators after the audits such that further audits and investigations could effectively be performed.**

In only two instances of thirty-four observed audits other, non-coalition, observers were present for the audits.

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. We also provide an update on the status and progress on the recommendations in the November Report.

Procedures Are Not Being Followed

The Secretary of the State's Office published significantly improved audit procedures. They are now clear, consistent, and much more complete. However, they were frequently not followed, not enforced, and in many cases may not be enforceable.

In twelve of thirty-four observed audits, audit teams followed procedures, with no reported failures to follow procedures or chain of custody problems.

In thirteen of forty-seven instances observation report forms were not accurately completed. Many of these were failures to record the number of ballots or failure to record hand counts when presumably they matched the machine tape counts. In one instance, the audit reporting form from the November 2007 election was used rather than the revised form required in the February 2008 procedures. (See Appendix B for examples)

In several cases, forms that would have been filled in incorrectly were filled in correctly only because observers pointed out mistakes to the election officials.

In two instances of thirty-four observed audits, ballots were left unattended in empty rooms with only observers present. In one instance of thirty-four observed audits, ballots were left under the observation of only one elected official who started the audit alone.

In at least three instances of thirty-four observed audits, ballots were not or were never sealed. In addition, four instances of thirty-four observed audits, unsealing of ballots either did not occur or occurred before observers arrived, before the scheduled start of the public audit.

In one instance, two counts were off but the election officials decided, in the presence of observers, to record that the counts were equal in the report.

In one instance, the seal number did not match, but was not immediately reported to the Secretary of the State's Office as required in the procedures.

In one instance, the location of the audit changed without notice, and in two cases the start time of the audit changed to 30 and 60 minutes earlier without notice.

In spite of the three business days notice required in the new procedures and many calls to registrars, we were unable to determine dates, times, and locations of all audits before they

occurred. In at least one other instance we were told the time of an audit of one party primary but not told that there was another time for the other party primary audit.

Frequently audit supervisors made statements such as “Our job is to prove the machine counted accurately” or “The count is off by x votes for candidate y” giving a goal for the counters to find an exact error in their counting.

Over and over observers reported that procedures were not being followed step by step. Often it seemed that audit supervisors, even if they had read the procedures, focused on filling in the data on the report form without regard for the steps and understanding of the details.

Recommendation #19³: In addition to detailed procedures there is a need for principles to be described and followed such as: Whenever ballots are transported or not in secure facilities, they must be accompanied by or under the observation of at least two election officials of different parties at all times. Whenever ballots may be subject to a recount or audit they must be sealed and held in secure facilities. Whenever ballots are sealed or unsealed the old and new seals must be recorded. Whenever ballots are unsealed the seal must be checked against the last recorded seal, and any variances reported immediately to the Secretary of the State. Whenever ballots are counted, each ballot must be observed by at least two individuals. Whenever ballots are counted, each ballot and batch must be counted by at least two individuals. Whenever hash marks are made, each must be observed by at least two individuals. Counters should not be privy to totals that their assigned ballots must equal. Counters may be told that counts do not match, but must not be told the amount or direction of the variations in counts.

Current Procedures Are Insufficient

In the November Report, we said: *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.*

Along with improvements in the audit procedures, counting improved in the February audit over the November audit. This may be due to several factors:

- Many of the teams had experienced the November audits, or heard about them.
- The procedures called for counting the ballots prior to counting the votes.
- The procedures gave some suggestions on counting methods.
- Counting the single vote, single races of the presidential primary was much simpler than counting multiple races with many candidates in the municipal elections.

³ The November 2007 audit observation report contained 18 recommendations. We will continue the numbering in this report to distinguish additional recommendations which are numbered 19 to 22 in this report.

Yet, we can repeat many our observations from November: 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. 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.

Moreover, many of the counting methods did not provide sufficient redundancy and organization such that two individuals on the counting team verified the markings, counting, and hashing of individual ballots. Often the presence of the observer provided that verification and confidence for the observer, without providing confidence that the process would have been satisfactory without the presence of the observer.

We continue to see the need for best practice counting methods that are reliable, trusted, accurate, observable, and efficient.

Recommendation #20: Training of registrars and election officials in several areas is needed: in the principles to follow in security; in audit organization, and conduct; in the steps and details of the audit procedures; in counting methods; and in organizing and supervising the audit teams;

Confusion About Questionable Ballots And Other Data Items

Despite examples and clearer language, registrars and election officials continued to have difficulty understanding and following the meaning of questionable ballots. Many stated that since all the ballots were read by the scanner, there were no questionable ballots. Others, instead of counting questionable ballots by voters intent, tried to guess how the scanner counted the ballots and recorded the ballots as they suspected the machine would have counted it.

Some interpreted “Total ballots counted by hand:” as required in the Audit Report, as meaning a number of ballots not counted by the scanner during the election, rather than the number of ballots used for the audit that were believed to have been counted by the scanner.

Several municipalities supplied tape counts for each candidate in the report but zeros for the undisputed ballots, questionable ballots, and total ballots columns, demonstrating a lack of understanding of the procedures and their purpose.

One audit where the hand count was one less than the machine count stated “Human error in audit, because a couple of the lightly colored in ovals may not have been read by the tabulator”. There are several things that seem to have been misunderstood in this case: 1) Such an “error” would have resulted in a lower machine count than the hand count. 2) Such an “error” would not be a “human error in audit” or not even a machine error, but might possibly be considered a voter error. 3) And the “may” leads us to conclude that this is just speculation, more a speculated

excuse than an explanation. In fact, this may actually be an indication of a goal to get the numbers to come out exactly right.

Rather than instilling confidence in the audits, the lack of understanding, interest or ability to follow procedures leaves us with several questions, such as: What happens when observers are not present? To what extent does this lack of understanding, interest or ability extend to the many other processes and procedures associated with conducting elections?

Some audit teams performed well and followed procedures. Many failed in one or more ways. A chain is only as strong as its weakest link. Election confidence and integrity is dependent on the integrity of each municipality and district involved. In turn, each district's integrity is dependent on each procedure being followed in the chain of custody, pre-election testing, election closing, and auditing.

Procedures Alone Are Insufficient

Procedures that are not followed are clearly not sufficient. Procedures must be understandable, easy to follow, observable, audited, and enforced.

No matter why procedures are not followed, each failure is an opportunity for well intentioned officials to be exploited by the rare individual bent on illegally changing election results or an opportunity for an error to occur and go unnoticed.

In discussions with the Secretary of the State's Office and representatives of the State Elections Enforcement Commission, it is clear that many, if not all, procedures are inherently unenforceable.

In particular there is confusion in the law and procedures about the time for which ballots, memory cards, and tabulators must be under seal. It is questionable if ballots, memory cards, and tabulators are actually required to be under seal after fourteen days, while audits cannot start until the fifteenth day after the election.

Recommendation #21: Standards and minimum procedures that will provide for trusted audits must be specified in law. These laws must be taken seriously by election officials and be easy to follow, observe, enforce.

Recommendation #22: All ballots, tabulators, and memory cards should legally be required to remain under seal until no longer needed for possible audit investigations and released by the appropriate audit authority. When temporary unsealing for counting or investigation is necessary an unbroken log of seals must legally be maintained. It should also be legally required that ballots and tabulators be kept in appropriately secure facilities and accompanied at all times outside of such facilities by at least two opposing election officials, with appropriate transportation logs maintained.

One Exceptional Situation

Our lone observer at one audit reported that ballots were delivered in a variety of cardboard boxes with ballots from all the districts in the municipality generally mixed together and generally separated in different boxes between the two party primaries. Our understanding is that the Secretary of the State's Office was informed of broken seals and mixed ballots prior to the audit and that a count of the entire combined ballots of the of all districts in the municipality was ordered.

The originally submitted official audit report indicated that some 304 ballots counted by the scanners were not accounted for in the audit. Out of 12,335 ballots counted in the audit 6565 were votes for candidates, leaving 5770 ballots that presumably were undervotes or overvotes, with 0 questionable ballots; with Clinton receiving 4787 votes and Obama only 642 votes citywide.

The official election results from the Secretary of the State's web site indicate 6528 votes for Obama and 4926 for Clinton which are discrepancies of 126 and 142 votes respectively.

Later the municipal registrar said that one number was incorrectly listed in the report, as 642 when it should have been 6412. which would account for the 5770 ballots, leaving no overvotes or undervotes. A revised report was submitted with 6412 replacing 642 votes accounting for the 5770 votes. The revised report contained several other errors on the form. Leaving 11 of the counts not matching the totals listed on the Secretary of the State's web results for the municipality and no explanation. (See Appendix B for images of these Audit Reports)

Audit Statistics

We are pleased to report that very few discrepancies were found during the audits, all with one exception, very small. We will leave the computation of the statistics to University of Connecticut VoTeR Center, which will prepare a report for the Secretary of the State.

All Recommendations

Progress Against November 2007 Recommendations

The observation report of the November 2007 elections contained 18 recommendations to the Secretary of the State and the Legislature. In the three months between the observations, substantial progress has been made in several areas. Below we review the progress on each of the 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.

Update: This recommendation still applies. Registrars continue to use a variety of methods with significant variation in accuracy, observability, and efficiency. It is difficult to compare counting the simple presidential primary ballots to the more difficult municipal ballots, however, it seems that the change in procedures to require a ballot count and the suggestion to count ballots first, did contribute to more accurate, organized, and efficient counting.

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.

Update: This recommendation still applies. Audits were not rigorous, with many procedural and security inadequacies. Many audits resulted in incomplete and incorrectly filled in forms, which as far as we are aware, with one exception, were accepted. We are aware of additional controls in place by the Secretary of the State's office to track reports as they are received.

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.

Update: The Secretary of the State's Office published significantly improved audit procedures, implementing many suggestions from the Coalition. The procedures are now consistent, useful, and accurate. Based on the improved procedures, additional minor improvements have been identified.

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.

Update: As recommended, the questions were eliminated.

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

Update: As recommended, the total number of ballots counted was added. We believe this contributed to a more accurate, orderly, and efficient counting process. It also added to our confidence in the reported results.

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

Update: Our understanding is that towns provided audit reports on a timely basis to the Secretary of the State's Office. Reporting deadlines should be mandated in procedures and the law.

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.

Update: Procedures and the law continue to require the separation and identification of questionable ballots. With examples added to the procedures, there are now fewer questionable ballots identified. However, this remains an area of ongoing failure to follow procedures, confusion, and misinterpretation by election officials. This area needs ongoing attention, reevaluation, and education.

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.

Update: The law in this area is not anticipated to be changed in 2008. In addition there is confusion about the time that ballots and tabulators need to be sealed. The law should be changed (see Recommendation #22) to clearly mandate that all ballots and tabulators (not just those in audited districts) be sealed until it is determined that, based on the audit results, no further investigation will be necessary. This includes resealing ballots after they have been unsealed for audits, recounts, or other reasons.

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.

Update: We urge the legislature to change the law in 2008 to require race selection to be public and to mandate a minimum notification period to the Secretary of the State's office. While procedures were changed to require three business days notice of the audits to the Secretary of the State's Office, several audits were conducted without notice to the Coalition either by information from the Secretary of the State's office or responses to our requests for information to registrars. Several audit locations and times were changed without notice.

Recommendation #10: Once "best practices" are identified per above [Recommendation #9], they should be codified into law to ensure that these events are subject to public notification requirements.

Update: No change. Still recommended.

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.

Update: No change. Still recommended. We did observe that, in most cases, a discrepancy did result in additional counts.

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.

Update: No change. Still recommended.

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.

Update: We have indications that some logging of errors has been instituted by the Secretary of the State's Office. However, many forms missing ballot counts and others incorrectly filled in apparently have been accepted as final and correct. We continue to recommend that changes in the law in 2008 will provide additional powers and responsibilities for the Secretary of the State and the State Election Enforcement Commission, that will empower them to enforce procedures.

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 they can see ballots as they are counted and see hash marks as they are recorded.

Update: Significant progress. The audit procedures now provide sufficient observation roles for observers. In most cases election officials followed those procedures. The procedures' observation roles should be made law, so that they can be enforced.

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.

Update: Significant progress. In most cases the observation roles in the revised procedures were followed, allowing observers to observe and verify tallying, in some cases they were not.

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.

Update: We continue to recommend that the law be changed in this area in 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.

Update: No progress. The law is not anticipated to be changed in this area in 2008. There is confusion in this area both on the part of registrars and in the law. Many believe that ballots do not have to remain sealed beyond fourteen days after the election (where audits cannot start until 15 days after an election). Without a clear mandate in law, it is doubtful if any sealing of ballots or tabulators can or will be enforced beyond fourteen days after the election without a court order.

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.

Update: There was a statistical analysis published by the University of Connecticut that substantially confirmed the data and statistics provided by the Coalition. It was readily available to the public.

Additional Recommendations February 2008

Recommendation #19: In addition to detailed procedures there is a need for principles to be described and followed such as: Whenever ballots are transported or not in secure facilities, they must be accompanied by or under the observation of at least two election officials of different parties at all times. Whenever ballots may be subject to a recount or audit they must be sealed and held in secure facilities. Whenever ballots are sealed or unsealed the old and new seals must be recorded. Whenever ballots are unsealed the seal must be checked against the last recorded seal, and any variances reported immediately to the Secretary of the State. Whenever ballots are counted, each ballot must be observed by at least two individuals. Whenever ballots are counted, each ballot and batch must be counted by at least two individuals. Whenever hash marks are made, each must be observed by at least two individuals. Counters should not be privy to totals that their assigned ballots must equal. Counters may be told that counts do not match, but must not be told the amount or direction of the variations in counts.

Recommendation #20: Training of registrars and election officials in several areas is needed: in the principles to follow in security; in audit organization, and conduct; in the steps and details of the audit procedures; in counting methods; and in organizing and supervising the audit teams;

Recommendation #21: Standards and minimum procedures that will provide for trusted audits must be specified in law. These laws must be taken seriously by election officials and be easy to follow, observe, enforce.

Recommendation #22: All ballots, tabulators, and memory cards should legally be required to remain under seal until no longer needed for possible audit investigations and released by the appropriate audit authority. When temporary unsealing for counting or investigation is necessary an unbroken log of seals must legally be maintained. It should also be legally required that ballots and tabulators be kept in appropriately secure facilities and accompanied at all times outside of such facilities by at least two opposing election officials, with appropriate transportation logs maintained.

Appendix A– Selected Observer Comments

<ul style="list-style-type: none"> ▪ One registrar opened and started sorting before the other arrived ▪ This audit was done very casually. [The municipality] had been selected for the last audit and there was some griping that it should have been excluded from the selection process this time.
<ul style="list-style-type: none"> ▪ Re: chain of custody Yes, with this qualification: there was discussion of, on one hand the need to retain the ballots until a specific date, and on the other the sealing duffles being needed for the general election, prior to that date. It appeared that the ballots went back to the Clerk unsealed and without obvious concern for sealing them again. Their general attention to ensuring integrity seemed to me proportionate, and (though I'm a former RoV) IANAL, [I am not a lawyer] but the lack of obvious attention to post-audit protection was a bit uncomfortable to me" ▪ Was not allowed to get close enough to see "any significant detail". ▪ Neither machine counts or hand counts were announced and the volunteer was not aware whether the Audit report had been completed. The most that was said was that the counts matched.
<ul style="list-style-type: none"> ▪ Ballots were unsealed prior to the start of the audit ▪ Not able to get close enough to verify ballots and see hash marks. ▪ Did double check counts by both members of a team ▪ Totals were being compared to the machine counts as they were being added up. ▪ The totals for the Republican ballots were done outside the room by one of the supervisors. When the Democratic ballots were totaled, I followed the supervisor down to her office, but I was not close enough to see the actual totals being tallied.
<ul style="list-style-type: none"> ▪ Scheduled for 4:30 but started as soon as all the counters were there; our observer had arrived ▪ Ballots not sealed; "they were in a 'copy paper' cardboard box sealed with tape. Two cut seals were inside with the ballots ▪ Two eyes no. Democrats counted democratic primary and republicans counted the Republican primary ▪ Observer was allowed to observe freely ▪ Used the piles method ▪ Totals were not written down; agreed on number by counting batches and writing it down ▪ Registrar told counters "technically we are supposed to tell you the machine count ahead of time but we don't want to influence the count." Step 3 of the procedure should be clearer about that ▪ "Counters had put a few ballots in a 'questionable' pile but when it became clear from the counts that the counts that the machine had counted then no disputed ballots were listed on the audit report" ▪ Two boxes of ballots were left on a table in the meeting room to be used for the audit. This was far down the hall from the Registrar's Office and they could not have seen anyone entering or exiting the room. The boxes were cardboard boxes like those used for copy paper and appeared to be sealed with transparent packing tape. I don't know how long the boxes were left like this. They were there when I arrived 20 minutes before the scheduled audit. When I arrived 20 minutes early I was told to wait in the meeting room. I was alone with the boxes for at least 5 minutes before they realized I should wait in the lobby and requested me to do so...When they opened the box containing the machine read ballots, the ballots were loose in the box. Contained in the box wee two broken seals, apparently from the two ballot carrying cases (two machines were used on Election Day – one for the Dem ballots and one for the Rep ballots.) The republican registrar explained that the town clerk had "disposed" of the ballots because they don't have to be secured longer than 2 weeks. ▪ Registrars indicated they did not intend to order 100% of ballots for the November election as it was a waste of Taxpayer (their) money.
<ul style="list-style-type: none"> ▪ Seals broken on 2 of 3 bags so sots ordered full recount ▪ Ballots arrived packed in cardboard boxes with all type of ballots lumped in together ▪ Counting was done independently (no two eyes) and counters left before the final tally ▪ Manual count differed from Machine count by 300. Machine count was off by 900 from the # voters who walked in and manual count was off by 600 from # voters checked in. ▪ ROV said we shouldn't worry about the count being off because you're never going to be right on anyway.

<ul style="list-style-type: none"> ▪ The 4 officials left me alone with the ballot bags and the open ‘election on wheels’ cabinet where the machines were stored while they went to the town clerk’s office to be sworn in. ▪ They were not sure what questionable ballots were and felt the field would always be zero because the machine had, by definition counted (or not rejected) the ballots. ▪ They were going to seal the ballots in a cardboard box they found in the trash until I suggested that other towns were sealing them back in the ballot bags and recording a new seal number. Better language is needed in the procedures so the work ‘seal’ is not misinterpreted. ▪ Should add a place on the form for the re-seal seal number. ▪ They reported having a bad memory card ▪ They complained that they were told that the memory cards would be sent to them in tamper proof packaging but they were sent in regular manila envelopes. ▪ They raised questions about how to empty the ballot boxes when they fill up in the during the presidential election without voters getting suspicious. Procedures should be outlined for doing so in a transparent and secure way.
<ul style="list-style-type: none"> ▪ They didn’t count all the ballots first ▪ Initially the seal numbers did not match. They explained that the moderator had mis written the last number. ``They didn’t call the SOTS when the Seal numbers appeared not to match. They later determined that they were looking at the wrong paperwork.
<ul style="list-style-type: none"> ▪ Newtown officials used large plastic boxes to store ballots. They thought the boxes worked better than the bags that we have seen at other audit locations (easier to stack and were waterproof.
<ul style="list-style-type: none"> ▪ Ballots were not sealed; said she ran out of seals ▪ Two eyes not on counting and checking process ▪ Needed to be reminded to count only machine counted ballots ▪ Needed to be reminded to reseal ballots until released.
<ul style="list-style-type: none"> ▪ We were told that the audit would begin at 10:00 AM. Our observers arrived at 9:50 and the counting was complete. They were told that the time of the audit had been changed. ▪ They recorded that 0 ballots were counted by hand on the audit report to the SOTS. The procedures say that ‘the hand count vote totals for each candidate of the ballots that were machine counted’ should be recorded. Unless no ballots were scanned, this number should be greater than 0.
<ul style="list-style-type: none"> ▪ Audit was moved to a different room that had a TV so they could watch their Sunday AM shows while they did the count. When 9:00 arrived we got suspicious and found them in another room. ▪ One questionable ballot had three circles partially filled in. It was hard to determine voter intent but the machine appeared to have counted it for Dodd. ▪ Counters worked separately, not checking each other’s work ▪ They reported they had problems with a few bad memory cards in pre –election testing.
<ul style="list-style-type: none"> ▪ Counters were dismissed before the counts were reconciled ▪ Registrar’s opinion that the tally never matches the count so they did not pursue the differences, which were small ▪ Registrar requested adding space for reseal number ▪ Were not obstructed from seeing what was going on ▪ Recommend continuing the observations
<ul style="list-style-type: none"> ▪ Count was off by one because voter fed provisional ballot into the scanner ▪ Counters had access to machine tape totals while counting ▪ Registrars indicated at the start of the count that “we are trying to match’ the machine count. ▪ Confusion about questionable ballots but not a problem ?? because the machine reading was consistent with voter intent. ▪ One ballot had three choice marks yet the machine accepted it. Not recorded as overvote in audit

<ul style="list-style-type: none"> ▪ Workers worked in teams of 1 dem and 1 rep but counted separately not checking each other's work. The supervisor wasn't supervising but counting; he didn't seem to have a plan but rather seemed to be making it up as he went along. ▪ Did not sort for questionable ballots at first as the supervisor concluded, that since the overall count of ballots matched the overall hand count of the ballots, the machine must have counted them all and so none were questionable. In the end he did record questionable ballots in the questionable ballot column for the candidates they seemed to be intended for. ▪ The tape was visible to counters throughout the counting process and frequently referred to by counters to validate whether they were coming up with the
<ul style="list-style-type: none"> ▪ Counting was conducted in two rooms so one observer was not able to observe both at the same time. ▪ Team counting the Democratic ballots recorded zeros for each candidate in the Undisputed Ballot count, the Questionable Ballot count and the Overall Hand Count Totals for two districts yet 629 and 771 ballots were counted by the machine so these counts should have been >0.
<ul style="list-style-type: none"> ▪ Team recorded zeros for each candidate in the Undisputed Ballot count, the Questionable Ballot count and the Overall Hand Count Totals yet 146 ballots were counted by the machine so these counts should have been >0.
<ul style="list-style-type: none"> ▪ Team counting xxxxxx district recorded zeros for each candidate in the Undisputed Ballot count, the Questionable Ballot count and the Overall Hand Count Totals yet 29 ballots were counted by the machine so these counts should have been >0.
<ul style="list-style-type: none"> ▪ Workers didn't separate the test ballots from the real ballots which led to some uncertainty in the counting at first
<ul style="list-style-type: none"> ▪ Were ballots under supervision of at least two election officials at all times? Most of the time; only for a few minutes. ▪ Used the old form from November
<ul style="list-style-type: none"> ▪ Used piles and hash counts; two eyes on the process all the way ▪ Supervisors did not give out machine counts ▪ Did have pens on the table not just pencils
<ul style="list-style-type: none"> ▪ The team counting Republican ballots recounted to identify a discrepancy however the team counting Democratic ballots noted a discrepancy of 1 in Obama and 2 in Clinton yet did not recount. Additionally, they did not note the difference on their report.
<ul style="list-style-type: none"> ▪ Only ballots for one party were counted and members of both parties not present ▪ There were two counters; each counted separately ▪ Don't understand questionable ballots "the Democratic registrar explained to me that they try to catch the questionable ballots during the voting day; any ballot rejected by the scanner is placed in the side pocket of machine and reviewed at the end of voting. This reduces the questionables during counting process for audit" ▪ Was allowed to observe freely.
<ul style="list-style-type: none"> ▪ Ballots contained Xes and check marks but no questionable ballots were recorded. The supervisor stated in initial instructions "there will be not questionable ballots...the machine would not have taken them". ▪ Only one set of eyes was on the ballot; need to have 2+ sets of eyes on ballots and hash marks; Participants were allowed to change process from what they were told at the start. ▪ Teams counting republican and democratic ballots did it differently ▪ Were allowed to observe freely
<ul style="list-style-type: none"> ▪ Ballot was left behind in the ballot box. ▪ Audit was underway when the volunteer arrived early.
<ul style="list-style-type: none"> ▪ Assumed left in the ballot box ▪ Seals broken a little before 9 AM
<ul style="list-style-type: none"> ▪ Time of Audit was changed because room needed to be used for a retirement party. Originally scheduled for 9AM but held at 8:30. Observer arrived at 8:50.
<ul style="list-style-type: none"> ▪ Audit scheduled at 1:00; observer arrived at 12:54 but ballots were all out and mostly sorted ▪ Recounted 2 times; First count off by 45; second count off by 1 ▪ One team used piles; one team used hash marks; let teams decide whether to use piles or hash counts ▪ Didn't let teams know the count they were trying to match to – a good thing. ▪ Recorded new seal not the old seal

<ul style="list-style-type: none"> ▪ A vote appeared to be switched between Romney and McCain possibly due to questionable ballot. ▪ Observers were allowed to observe freely but could only see one either Republican or Democratic ballot counting ▪ Piles used by Republicans ▪ Scheduled at 9AM but started at 8:45. Our volunteer was present.
<ul style="list-style-type: none"> ▪ Observers were allowed to observe freely but could only see one either Republican or Democratic ballot counting ▪ Hash marks were used by democrats; ▪ Scheduled at 9AM but started at 8:45. Our volunteer was present
<ul style="list-style-type: none"> ▪ Obama off by one but error found on second count ▪ Observer could not get close enough to observe
<ul style="list-style-type: none"> ▪ Discrepancy of 1 vote for Romney and Huckabee: Romney's hand count was 1 higher than the machine tape and Huckabee's was 1 less than the machine tape.
<ul style="list-style-type: none"> ▪ Started with the wrong ballots at first (November ballots) and had to restart the audit after 5 minutes. ▪ The room was not secure. Public elevator opened onto room and people had to walk through to get to other offices but registrars kept a tight hold on situation.
<ul style="list-style-type: none"> ▪ Pens bled through on many ballots
<ul style="list-style-type: none"> ▪ Not all teams proceeded in the same manner but all made piles; all did hash marks eventually. ▪ Were allowed to observe freely ▪ Room had poor acoustics and was situated next to a child care center and across from a swimming pool which made it difficult to hear. ▪ Better pre-audit training could make the process more efficient.

Note discrepancies of 304 missing ballots and that the vote totals accumulate to 5770 less than the 12,335 ballots counted.

Ballot Carrying Case Seal Number: _____ Audit Date: _____

Total ballots counted by hand: Primary Night 12,639

Totals ballots counted by tabulator as shown on public counter (see election night tape): 12,639

A	B	C	D	E	F
Office	Candidate	Machine Totals (Tape) Audit Town wide	Undisputed Ballot Totals	Ballots with Questionable Vote Totals	Overall Hand Count Totals (D + E)
Pres	Giuliani	21			21
	Thompson	4			4
	Romney	225			225
	McCain	534			534
	Hunter	1			1
	Paul	38			38
	Huckabee	84			84
	Keyes	6			6
	Uncommitted	34			34
	Obama	642			642
	Kucinich	26			26
	Gravel	15			15
	Richardson	13			13
	EDWARDS	51			51
	Dodd	17			17
	Biden	14			14
	Clinton	4787			4787
	uncommitted	53			53

Explanation of Differences: ON election night total number of votes submitted to office 12,639 including AB's. Audit review totals 12,335 ballots NOT including AB's. There were an additional 81 blanks bringing the ballot total to 12,416. Total AB count on election night 215.

Later the report was corrected with 6412 replacing 642 votes accounting for the 5770 votes. The revised report contained several other errors on the form, leaving 304 missing ballots. Leaving 11 of the counts not matching the totals listed on the Secretary of the State's web results for the municipality and no explanation:

Total ballots counted by hand: 12,335

Totals ballots counted by tabulator as shown on public counter (see election night tape): - 0 -

A	B	C	D	E	F
Office	Candidate	Machine Totals (Tape)	Undisputed Ballot Totals	Ballots with Questionable Vote Totals	Overall Hand Count Totals (D + E)
Pres.	Rudy Giuliani	- 0 -	- 0 -	- 0 -	21
	Fred Thompson	- 0 -	- 0 -	- 0 -	4
	Mitt Romney	- 0 -	- 0 -	- 0 -	225
	John McCain	- 0 -	- 0 -	- 0 -	534
	Duncan Hunter	- 0 -	- 0 -	- 0 -	1
	Ron Paul	- 0 -	- 0 -	- 0 -	38
	Mike Huckabee	- 0 -	- 0 -	- 0 -	84
	Alan Keyes	- 0 -	- 0 -	- 0 -	6
	Uncommitted	- 0 -	- 0 -	- 0 -	34
	Barack Obama	- 0 -	- 0 -	- 0 -	6412
	Dennis Kucinich	- 0 -	- 0 -	- 0 -	26
	Mike Gravel	- 0 -	- 0 -	- 0 -	15
	Bill Richardson	- 0 -	- 0 -	- 0 -	13
	John Edwards	- 0 -	- 0 -	- 0 -	51
	Chris Dodd	- 0 -	- 0 -	- 0 -	17
	Joe Biden	- 0 -	- 0 -	- 0 -	14
	Hillary Clinton	- 0 -	- 0 -	- 0 -	4787
	Uncommitted	- 0 -	- 0 -	- 0 -	53

Explanation of Differences:
 Over Vote - 3
 Blanks - 81
 Spoiled Ballots - 27

Appendix C– Audit Observer Report Forms

VOLUNTEER OBSERVER TEAM REPORT (Page 1)

Post-Election Audit Town/City:	Date:
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Instructions:

1. Refer all media inquiries to (860)-918-2115. 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. Better still, ask for a copy of the report. (Note: Official procedures are provided for background information purposes only)
4. Have everyone read and sign the Team Report
5. Verbally report results immediately after the audit to: (860)-918-2115
6. Mail both Team Report and CT Audit Report Form to:
Audit Coalition c/o L. Weeks, 334 Hollister Way West, Glastonbury, CT 06033

Note: If some or all of the observers must leave, complete as much information as possible.

Observer Team Member Names:		
Person Mailing Report:	Phone of Person Mailing Report:	Races Audited:
Which Districts Were Audited?		
Name and Title of On Site Audit Supervisor(s):		Time Audit Scheduled to Begin:
Time 1st Observer Arrived?	Time Audit Started? (if started early, please explain)	
Number of Non-Coalition Observers:	If known, who did the other observers represent? (Party? Or Candidate?)	
Were the ballots delivered in unopened cases, seals intact? (if no, please explain)		
# Election Officials performing the audit?	# of officials counting?	# on each counting team:
Were you able to see the marks on the ballots as they were being counted? (if no, please explain) (state law does not require this)		
Were you able to see the hash marks as they were being made? (if no, please explain) (state law does not require this)		
Were the ballots under the supervision of at least two election officials at all times? (if no, please explain)		
Were you able to see hash mark sheets and verify the totals on the sheets matched the hash marks? (if no, please explain) (state law does not require this)		
Were you able to see that totals from each team of counters, and verify that they were added correctly to form the reported result? (if no, please explain) (state law does not require this)		

We agree on all items reported 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 _____

VOLUNTEER OBSERVER TEAM REPORT (Page 2)

Post-Election Audit Town/City:	Date:
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Did the election officials count some or all of the ballot a second or third time because the counts did not match the optical scan results the first time? (if yes, please explain)

Describe the method of counting: (e.g. Separating into piles and counting the piles, or making hash marks etc.)
--

Describe or draw a rough diagram of the room: (where the counters sat, where you could observe, etc.)
--

Do you have suggestions to improve the post-election audit process or procedures?
--

Do you have any suggestions which would increase your confidence in the process, that would increase certainty that the votes were counted accurately in the audit?
--

Any other additional comments?

We agree on all items reported 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 _____

Appendix D – Observers Evaluation Of The Coalition Process

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. (Note: This refers to the Observer Team Report)	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 E – 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>28 Responses</p>	<p>A B C D E</p> <p>Average 4.57 (A=5, B=4, ...)</p>
<p>2. I believe that this program was effective in explaining what was required of me and other observers.</p> <p>28 Responses</p>	<p>A B C D E</p> <p>Average 4.3</p>
<p>3. The forms were easy to understand and complete. (Note: This refers to the Observer Team Report)</p> <p>28 Responses</p>	<p>A B C D E</p> <p>Average 4.64</p>

<p>4. The best thing about this program is...</p> <p>It brings the public into the process more and offers also to bring more transparency to the entire voting process, so we can have confidence our votes are being counted as they are being cast by the voter. That officials and counters make special efforts to do audit correctly since they are being observed. Working in teams to two observers like _____ and I did. One person alone can't possibly ensure that the ballots are being properly called and hash marks made properly. If we were not there, no one would know of the failure to follow procedures, failure to note problems/issues. That it exists and will make consider future actions regarding suggestions which will improve both the election process and any future audits. It forces the town to perform the audit according to the rules. Getting a chance to see how an audit actually works. I do feel more confident in the process now. Efficiency. Seeing town try hard. Meeting the fine individuals at each polling station. Having more constituents involved and getting more understanding of the process. The opportunity to learn more about the process and to participate. It makes for more accurate auditing. It helps to maintain the integrity of the voting process. Watching the officials' sighs of relief when everything agrees. It educates people about the process and has the potential to improve it. We were watching the process and they know it. The checks and balances. More knowledge form the Secretary of the State where stored votes and tapes are kept. Where does the tape come from? Is process flawed from the beginning? Probably education and inspiration of participants – but that's my fantasy-driven ego speaking. The openness of the audit – we were not hindered in observing. What you get to see about how the process works (and doesn't work) and the opportunity to hopefully make improvements.</p>
--

I was able to participate and gain confidence in the process.
We were treated very well, as though we were important parts of the process. Without the Coalition, this may not have happened. Great experience.
I feel that I am playing an important role in our election process.
Citizens observing and learning more about the election process.

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

Change audit to a sort and stack method, eliminating Questionable ballots as a sort pile. Allow the observers, whether from the Coalition or representing candidates, some method of calling mistakes to the attention of the counting teams. The only mistake we observed is the standard for Questionable Ballots, but we had to remain quiet. Mistakes might otherwise be able to be corrected, provided the observers make their observations known in a diplomatic and gracious manner and the counting teams are receptive.

Having two at each audit.

Perhaps the organizers could also give information as to how one could participate as an auditor in the future instead of just an observer.

It would be helpful to have at [least] two people observing each time as there is a lot going on and it is hard for one observer to keep their eyes on all that is going on.

Auditing all or most voting districts.

Having observers in touch with one another beforehand, to plan our approach together.

Better communication with the registrars that this is not shining a light on them, but on the process, that affects all of us, including them.

Recruit more volunteers so we have 2 observers at each audit.

To have yearly confirmation of exact location of audit confirmed. In this case, we were told town hall was _____ but it was 1.5 miles from that location.

This election was fairly simple since only one race was audited. For more complex races, it might help to have information ahead of time (if possible) about the races being audited to make it easier to follow the process.

Keep it going.

Find enough vols to sustain and steadily expand, via more aggressive publicity if necessary.

If the observers could have conversation w/registrars ahead of time to get their expectations of the process and review the procedures.

Appendix F – Official Audit Procedures

Office of the Secretary of the State
Post-Election Audit Procedures
Optical Scan Voting Equipment
(For use in audits following February 5, 2008 Primary)

PURPOSE

Pursuant to Public Act 07-194, mandatory post-election hand count audits are to be conducted by Registrars of Voters in ten percent (10%) of the voting districts randomly selected to participate. These audits shall be open to public inspection. This document outlines the procedures to be employed in conducting any such audits. For audits related to the February Presidential Primary, both Democratic and Republican races will be audited.

The primary purpose of the hand count audit is to assess how well the optical scan voting machines functioned in an actual election and to ensure that votes cast using these machines are counted properly and accurately.

Please note: This is not a recount where the focus is reviewing each ballot to determine voter intent in rendering a final vote count. Rather, the audit tests whether the machines accurately counted ballots that were properly marked. Therefore, a critical part of the audit process is to separate ballots into groups: (1) ballots that are properly marked by voters (i.e., marked in such a way that one would expect the optical scan machine to be able to scan and read such ballots); and (2) ballots that one expects would not be read by the machine (e.g., voter circles a candidate's name, places a check mark next to a candidate's name).

GETTING READY FOR THE AUDIT

1. SELECTION OF AUDIT TIME AND PLACE

Each municipality may set its audit date individually. Audits may be conducted on or after February 20, 2008 and must be completed no later than March 7, 2008. **Please notify the Office of the Secretary of the State of the audit date and location(s) at least three business days in advance of the audit.** The selected date must also be made publicly available. Any number of means may be used (posting notice in Town Hall and outside the Registrars' office, posting notice on the municipality's website or newspaper advertisement)

2. SELECTION OF AUDIT PERSONNEL

The Registrars of Voters have the responsibility for identifying appropriate workers to conduct the hand count audit. These individuals do not have to be the same individuals who worked at the polls on Election or Primary Day, but should be familiar with the procedures for counting paper ballots. Assistance for the audit may be solicited from municipalities not involved in an audit. If possible, poll workers from the Republican and Democratic Parties (in an election) or from opposing slates (in a primary) should be equally represented. If this is not possible, other appropriate poll workers may be used. The individuals selected are required to take an oath before performing their required duties.

3. DELIVERY OF THE AUDIT MATERIALS

NOTE: Only those ballots that were counted by the optical scan voting machine in the district will be included in the audit. Absentee ballots counted centrally or by hand are not included in the audit.

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. Optical scanners are not part of the audit and should not be brought to the audit location.

All audit procedures shall be open to public inspection and administered by the Registrars of Voters. **Ballots should remain sealed and secure and no activities related to the audit should begin until the announced time of the audit.**

CONDUCTING THE AUDIT

Step 1: Confirm Security of the Ballots

When the audit begins, audit workers shall first examine the seal or protective tape on each of the ballot depository containers. **This seal number should be checked by two individuals, written down on the attached forms, announced publicly, and then compared to the number recorded on the moderator's report.**

If any of 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 Elections Division of Office of the Secretary of the State.

Step 2: Determine which ballots are to be included in the Audit

Once the balloting materials have been removed from their respective containers, 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.

NOTE: Only those ballots that were counted by the optical scan voting machine in the district will be included in the audit. That includes: all ballots taken from the machine-read main section of the ballot bin; and all write-in ballots taken from the machine-read, write-in section of the ballot bin.

Any ballots counted by hand on Election or Primary Day are not included in the audit. Absentee ballots counted centrally are not included in the audit. These ballots should be secured and put aside to ensure that they are not included in the audit.

Step 3: Count Total Number of Ballots and Separate Democratic and Republican Ballots

Count Total Number of Ballots: The total number of paper ballots read by the optical scan machines should be recorded and used as a check to assure that all ballots counted by the machine are included in the audit. This number can be determined by a separate count of the number of ballots before counting the votes, perhaps while carefully separating the ballots into batches to be counted by teams. This number should be the same as the public counter.

For the Presidential Primary, ballots read by the optical scanner must be separated by color between the Democratic and Republican Primary, and then Steps 4 and 5 below should be followed for each race/party. The separation can be accomplished as part of counting the total number of ballots by counting the number of ballots in each party's primary and then totaling those numbers.

Step 4: Sorting the Ballots

Each ballot shall be examined by two individuals from opposite political parties (in an election) or slates (in a primary). In case of a disagreement, the Registrars of Voters shall make the final decision on categorizing ballots.

The ballots should be assigned to one of the following two categories:

“Undisputed Ballots” - The first category of ballots includes those ballots that both individuals agree should have been read by the optical scan voting machine. In other words, a review of the ballot in question reveals that each oval is completely filled in, there are no apparent problems, voter errors, unusual markings or noticeable stray marks in or **around any of the races to be audited**. This shall include any write-in ballots and over-voted ballots.

“Ballots with Questionable Votes”—Ballots that contain problems, voter errors (e.g., circling a candidate's name), stray or unusual markings **in any of the races being audited** should be placed in this category because such problems, errors or markings may have interfered with the optical scan machine's count. Here, audit workers agree that the ballots may not have been read by the optical scan voting machine.

Step 5: Counting the Ballots

Count the Total for Each Candidate: Once the ballots are separated, the audit workers shall count the votes for each candidate in each of the audited races on each ballot—first, from the Undisputed Ballots, i.e., ballots with no questionable markings; next, from the Ballots with Questionable Votes, i.e., **where questionable markings appear for the particular race and candidate**. The audit workers will keep separate vote totals for each candidate from both categories of ballots.

Note: In order to minimize tallying errors, it is recommended that audit workers sub-divide ballots into “batches” for ease of counting and for detecting human tallying errors. Batch size may vary, but experience shows that batches of no more than 50 ballots are easiest to manage and track. It may also be useful to assign two workers, from different parties if possible, to tally--make "hash marks" for -- each batch and to reconcile their subtotals after completing each batch of ballots. Each batch of ballots should be numbered and separate tally sheets prepared for each batch. The batches and their respective tally sheets should remain separate in order to make reconciliation, if necessary, easier for audit workers.

REPORTING BALLOT TOTALS

The results of this manual audit shall be recorded on the attached form. Do not leave any space empty. Incomplete forms will not be accepted. For each candidate in each office being audited, the total hand count of “undisputed ballots” should be recorded in Column D on the attached form and the total hand count of “Questionable Votes” should be recorded in Column E.

HANDLING DISCREPANCIES

If Column C (the machine total) is different from Column F (the overall hand count total), then every effort should be made to investigate and explain why such is the case, including conducting a second hand count, if necessary. Any difference should be reported to the Secretary of the State.

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

CLOSING THE AUDIT

At the completion of the audit, all ballot materials shall be resealed and returned to a secure location and the optical scanners shall remain sealed 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.

CONTINUATION OF THE AUDIT AT ANOTHER TIME

If the audit is to be continued in another session, the following steps should be taken to ensure the security of the ballot:

- (1) The ballots should be resealed in the bag and opened again at the start of the subsequent session;
- (2) New seal numbers must be recorded at the end of one session and the start of the next;
- (3) Observers present and the Secretary of the State’s office should be notified at the end of the session of the date, time and location of the continuation of the audit; and
- (4) All audit materials should be delivered by the Registrars of Voters to a secure location during the interim period between audit sessions.

ROLE OF OBSERVERS

The State of Connecticut is committed to an open, public, transparent process. Public Act 07-194 specifically provides that the audit “shall be open to public inspection.” This means that observers should be allowed to view every aspect of the proceedings, including being close enough: (1) to actually see ballots as they are being counted; (2) to see tally sheets as they are being marked and when they are complete; (3) to see report forms to be sent to the Office of the Secretary of the State; (4) to be able to verify that the counts from tally sheets are properly added and conform to the totals on the report forms; and (5) to view any other documents created in the process and to ask questions of Registrars regarding the process. Observers should be allowed freedom of movement sufficient to enable them to view the items described above.

However, it lies within the discretion of the Registrars of Voters to ensure that no observer disrupts the integrity or the orderliness of the process.

FORMS AND EXAMPLES

EXAMPLES:

(A) UNDISPUTED BALLOTS

1. Voter properly marks ballot...

OFFICE → PARTY ↓	1 FIRST SELECTMAN	2 SELECTMAN
REPUBLICAN	ABRAHAM LINCOLN <input type="radio"/> 1A	DWIGHT EISENHOWER <input checked="" type="radio"/> 2A
DEMOCRATIC	GEORGE WASHINGTON <input checked="" type="radio"/> 1B	U. S. GRANT <input type="radio"/> 2B

In this example the tabulator should have properly recorded votes for Washington and Eisenhower. Therefore, the Audit Report should reflect vote totals as follows....

A	B	C	D	E	F
Office	Candidate	Machine Totals (Tape)	Undisputed Ballot Totals	Ballots with Questionable Votes Totals	Overall Hand Count Totals (D + E)
First Selectman	Washington	1*	1	0	1
Selectman	Eisenhower	1*	1	0	1

*Machine totals would be whatever the optical scanner indicates on the final tape, total here is for example only.

(B) BALLOT WITH QUESTIONABLE VOTES

1. Slash marks through the ovals.....

OFFICE →	1 FIRST SELECTMAN	2 SELECTMAN
PARTY ↓	ABRAHAM LINCOLN	DWIGHT EISENHOWER
REPUBLICAN	/ ○ 1A	✓ ○ 2A
DEMOCRATIC	○ 1B	○ 2B

In this example a voter cast two questionable votes that the tabulator may not have properly recorded for Lincoln and Eisenhower. Therefore, the Audit Report should reflect vote totals as follows....

A	B	C	D	E	F
Office	Candidate	Machine Totals (Tape)	Undisputed Ballot Totals	Ballots with Questionable Votes Totals	Overall Hand Count Totals (D + E)
First Selectman	Lincoln	1*	0	1	1
Selectman	Eisenhower	1*	0	1	1

* Machine totals would be whatever the optical scanner indicates on the final tape, total here is for example only.

2. Voter makes an invalid correction on the ballot...

OFFICE →	1 FIRST SELECTMAN	2 SELECTMAN
PARTY ↓	ABRAHAM LINCOLN X 0 1A	DWIGHT EISENHOWER 0 2A
REPUBLICAN	GEORGE WASHINGTON 0 1B	U. S. GRANT 0 2B
DEMOCRATIC		

In this example a voter cast a questionable vote that the tabulator may not have properly recorded for Lincoln and attempted to retract a vote for Eisenhower . Therefore, the Audit Report should reflect vote totals as follows....

A	B	C	D	E	F
Office	Candidate	Machine Totals (Tape)	Undisputed Ballot Totals	Ballots with Questionable Votes Totals	Overall Hand Count Totals (D + E)
First Selectman	Lincoln	1*	0	1	1
Selectman	Eisenhower	1*	0	0	0

You should be sure to explain this and other discrepancies in the location provided on the Audit Report.....

Explanation of Differences: Candidate Eisenhower received less votes than originally reported by the tabulator because a voter who completely filled in the oval for the candidate retracted the vote by placing an “X” mark through the candidate’s box.

*Machine totals would be whatever the optical scanner indicates on the final tape, total here is for example only.

3. Voter makes invalid and written correction on ballot...

OFFICE →	1 FIRST SELECTMAN	2 SELECTMAN
PARTY ↓	ABRAHAM LINCOLN  1A <i>NO - WRONG</i>	DWIGHT EISENHOWER  2A
REPUBLICAN	GEORGE WASHINGTON ○ 1B	U. S. GRANT ○ 2B
DEMOCRATIC		

In this example a voter cast a questionable vote that the tabulator may not have properly recorded for Eisenhower and attempted to retract a vote for Lincoln. Therefore, the Audit Report should reflect vote totals as follows....

A	B	C	D	E	F
Office	Candidate	Machine Totals (Tape)	Undisputed Ballot Totals	Ballots with Questionable Votes Totals	Overall Hand Count Totals (D + E)
First Selectman	Lincoln	1*	0	1	0
Selectman	Eisenhower	1*	0	1	1

You should be sure to explain this and any other discrepancies in the location provided on the Audit Report.....

Explanation of Differences: Candidate Lincoln received less votes than originally reported by the tabulator because a voter who completely filled in the oval for the candidate retracted the vote by placing a mark through the candidate's oval and wrote "No-Wrong".

*Machine totals would be whatever the optical scanner indicates on the final tape, total here is for example only.

