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Board of County Commissioners
Sedgwick County, Kansas

Proponent Testimony

HB2333 – Election Audit

01/24/2018

Honorable Madam Chair Bowers and members of the Ethics, Elections and Local Government committee:

The 2018 Sedgwick County Legislative Platform states: “Post-election audit. [Sedgwick County] Support(s) legislation that permits, under certain circumstances, the audits of election results.”

As a County Commissioner, my colleagues and I have the privilege and responsibility to canvass (certify) election results. This is a great honor and experience. For the record, I have the greatest respect for our bipartisan election workers as well as the equipment used to conduct the elections. Nevertheless, the data analysis of election results by third parties raises curious trends that must be addressed. To provide assurance to the public that the election equipment operates dependably and accurately, some audit process should be implemented.

I have intentionally and personally scrutinized the election processes used in our county. We commissioners also appropriate the necessary funding to purchase and maintain the county’s election equipment. Consequently, because of my canvassing and election process experience, I have full faith and confidence in our elections now more than ever. But unless we have the opportunity to actually conduct a verification of paper to the electronic voting machine’s tally, the public’s natural distrust of the electronic voting system will continue. That is simply why we should routinely audit our voting equipment. Only then can the public have full faith and confidence in the results of an election. They can know assuredly that their vote will count. A system of checks and balances is clearly needed.

I strongly support the random selection of precincts and races that should be audited. If one percent of a random cross check matches exactly, then it stands to reason that the machines are counting correctly. Over time, with subsequent random checks,

confidence in the equipment and processes will continue to build. One percent is not too burdensome and is similar to manufacturing quality control checks. Spot checks are routinely used in quality inspections. We just need legislation to allow audits to happen.

I am aware of the ongoing allegation that electronic machines switch votes or that the electronic machines may not count the ballots accurately. For example, the iVotronic electronic machines used in Sedgwick County were state-of-the-art when they were first used (just a decade ago) but that technology is antiquated now. The touch-screen's accuracy had to be constantly calibrated and even then, was not dependable. Nevertheless, the voter had an opportunity to review their choices and edit them before casting their ballot. Furthermore, the machine printed a paper roll that recorded every selection for the voter to see their vote.

Despite those assurances, it has been legally opined that we could not audit the machines. We would not be allowed to cross check the paper roll against the machine's tally. That's because the paper roll also records a machine number and date/time which could be used to identify a voter and potentially expose their choices. The great news is, our new equipment is designed to be audited. Our new voting machines merely print a paper ballot with the voter's selections for the voter to review and then the voter feeds their paper ballot into a tabulator. The paper ballot has no identifying information such as a machine number or date/time and therefore cannot be traced to any particular voter. To audit the poll site, all that needs to be done is manually tally the printed paper ballots and confirm that the manual tally matches the tabulator's totals exactly.

For the sake of public trust, please allow us to begin reasonable election audits. The secrecy of the voter's ballot selections cannot be traced back to the voter. The legislature should certainly allow and even mandate reasonable routine auditing of our election equipment which will instill the public's confidence in our election processes. I urge you to please pass HB2333.