

2020 ISSUE PAPER: ELECTION SECURITY

Position Statement

In order to ensure integrity and voter confidence in elections, the LWVUS supports the implementation of voting systems and procedures that are “secure, accurate, re-countable, accessible, and transparent.” The League supports only voting systems that are “designed so that they:

- employ a voter verifiable paper ballot or other paper record, said paper being the official record of the voter’s intent;
- the voter can verify, either by eye or with the aid of suitable devices for those who have impaired vision, that the paper ballot/record accurately reflects his or her intent; such verification takes place while the voter is still in the process of voting;
- the paper ballot/record is used for audits and recounts;
- the vote totals can be verified by an independent hand count of the paper ballot/record;
- routine audits of the paper ballot/record in randomly selected precincts can be conducted in every election, and the results published by the jurisdiction.”

Election security has become daily national news, but the issue of securing our elections is not new. Over the last decade, multiple state and national reports have recommended securing elections by ensuring there is a voter verified paper ballot or record for every vote, and that routine post-election audits use statistical methods to ensure high certainty in the election outcome. Although Washington State is in a better position with election security than many other states, there is room for improvement.

Summary of Issues for the 2020 Legislative Session

The League will work with legislators during the 2020 legislative session to improve election security by supporting:

- **Greater post-election audit result reporting:** County auditors are now required to perform at least one of four types of post-election audits including the option to perform a risk-limiting audit. A risk-limiting audit limits the risk of certifying an incorrect election outcome. The other audit methods require that if discrepancies are found, there must be procedures to escalate the audit. In February 2019, Snohomish County became the first county in Washington to pilot a risk-limiting audit. We anticipate working with election officials and the Secretary of State to advocate for further risk-limiting audit pilots during 2020.

Currently, in order to know which type of post-election audit was performed or to obtain the results of post-election audits statewide, each county must be contacted individually. The League supports HB 1821, which would require each county to submit their audit results to the Office of Secretary of State. The SOS would then create a summary report of the results. Clear and accessible post-election audit results would increase voter confidence in election outcomes, and would allow for continual quality improvement in post-election audit performance.

- **Ballot acceptance and rejection information reconciled by precinct:** Reconciling ballot acceptance and rejection numbers by precinct has several benefits. Ensuring that the number of ballots accepted matches the number of ballot processed across all precincts guards against software errors. In addition, reporting ballots rejected by precinct allows for tracking and understanding barriers voters may be experiencing when returning their ballot. Reasons for ballot rejection include signature mismatch and late postmark, which may

impact some communities and cultures more than others. Precinct level data allows for targeted outreach and education.

- **Improved tracking and procedures for chain of custody of voted ballots:** A large number of voted ballots aren't counted every election because they are post-marked after election day. Technology exists for voters to be notified via email or text message once the post-office has scanned their ballot envelope, notifying them that their ballot has been post-marked. Tracking of ballots returned through the postal service can improve rejection rates, ensure ballots are not lost prior to receipt by election officials, and improve communication with voters about the status of their voted ballot.

Once election officials receive voted ballots, robust chain of custody requirements ensure that ballots are not misplaced or modified. Advances in technology allow for how a ballot is interpreted by the tabulation system to be easily modified electronically. Procedures should require that all steps in ballot handling, both manual and electronic, be performed with at least 2 persons.

- **Public access to election records including ballot images and cast vote records when voter privacy and ballot anonymity can be maintained:** In order for the public to fully participate in post-election audits, there must be access to how the tabulation system interpreted the ballot. Many recent tabulation systems produce electronic images of the scanned ballot and a data file containing the 'cast vote records' (CVR). The CVR is a record of all votes produced by a single voter on their ballot. With this information, the public can reproduce the post-election audit on their own, allowing for increased confidence in the election results.

Additional Resources

- LWVUS Report on Election Auditing <https://www.lwv.org/league-management/elections-tools/report-election-audits-task-force>
- NASEM Securing the Vote—Protecting American Democracy <https://www.nap.edu/read/25120/chapter/1>
- King County Elections Could Further Reduce Risks and Barriers to Voting <https://kingcounty.gov/depts/auditor/auditor-reports/all-landing-pgs/2018/elections-2018.aspx>

Contact Information: Kirstin Mueller, 425-293-5046, kmueller@lwvwa.org