



# Secretary of State

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## Auditing Ballots and Equipment

Clearinghouse Elections Notice

Issue #18-06

September 20, 2018

This Clearinghouse is reissued to reflect further clarification regarding audit of duplicated ballots required by ESHB 2406 and replaces Clearinghouse #18-04.

The Legislature passed ESHB 2406 this year, pertaining to election security practices, auditing and equipment. The bill requires an audit of duplicated ballots **and** an audit using one of the following methods: an electronic voting machine audit, random precinct or batch audit, or risk limiting audit.

The Office of the Secretary of State is required to follow up with a survey regarding procedures adopted by County Canvassing Boards. The bill is effective June 7, 2018.

### **Duplicated Ballot Audit**

Section 2 of the bill requires an audit of duplicated ballots as required by RCW 29A.60.125. This RCW requires duplication, "If inspection of the ballot reveals a physically damaged ballot or ballot that may be otherwise unreadable or uncountable by the tabulating system."

Ballot duplication is making a true copy of valid votes onto a paper or electronic blank ballot. To comply with this bill, **all** duplicated ballots must be audited. A team of two must duplicate the ballot and a **different** team of two should audit each duplicated ballot.

Ballot resolution is the process of making changes on a voted ballot image to ensure the ballot is tabulated according to the voter's intent. Because these ballots do not require making copy of the ballot, they are not subject to the audit requirement.

The County Canvassing Board must establish and adopt procedures for the auditing of duplicated ballots.

## **Tabulation Equipment Audits.**

A random check of tabulation equipment **must** be conducted and must include a process to expand the audit if a discrepancy is found. At a minimum one of the following methods must be used:

### Electronic Voting Machine Audit

An audit of any in-person ballot marking system **that retains an electronic voting record** of each vote cast or direct-recording electronic (DRE) voting machine that has more than 10 votes cast may be audited. This audit must be conducted by randomly selecting by lot up to four percent of the voting machines or one machine (whichever is greater) and comparing the results recorded electronically with results recorded on paper.

### Random Precinct or Batch Audit

Ballot results may be checked in the same manner as described in RCW 29A.60.170 (3). This RCW requires a comparison of a manual count to the machine count for one office in three precincts or six batches randomly selected. This audit must be completed with 48 hours after Election Day.

### Risk Limiting Audit

Once procedures are adopted by the Office of the Secretary of State, a risk limiting audit may be used to meet the audit requirement under RCW 29A.60.170. The Secretary of State will establish risk limiting audit procedures by January 1, 2019.

## **Audit Survey**

No later than November 1, 2018, the Office of the Secretary of State will survey each county as to the random check (duplicated ballot audit, electronic voting machine audit, random precinct or batch audit, risk-limiting audit) procedures adopted by the county canvassing board.