Post-Election Audits: The State of the States



Dylan Lynch National Conference of State Legislatures



What Does NCSL Do?

- Serves 7,383 legislators and 25,000 legislative staff
- □ Provides non-partisan research & analysis
- Links legislators with each other and experts
- Speaks on behalf of legislatures in D.C.

NCSL Post-Election Audit Categories

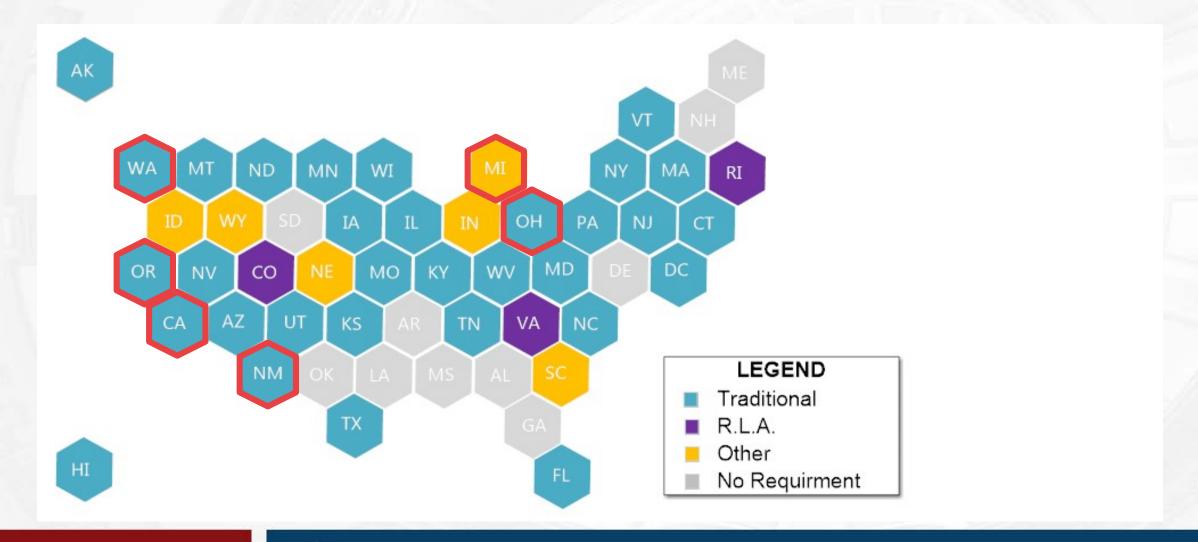
Traditional - Look at a fixed percentage of voting districts or voting machines

 Risk Limiting Audits (RLAs) - Statistically based audit techniques

Other – Do not fit above categories



Current State of Post-Election Audits



States of Interest

- New Mexico & OregonTiered System
- CaliforniaRLA phase-in

Ohio & Washington"Optional" RLAs

- Michigan
 - RLA Pilot Program
 - Proposal 18-3 "The right to have the results of statewide elections audited, in such manner as prescribed by law, to ensure the accuracy and integrity of elections."

Post-Election Audit Legislation

| Year | States | Total Bills | Enacted |
|-------|--------|-------------|---------|
| 2011 | 10 | 16 | 2 |
| 2012 | 9 | 14 | 2 |
| 2013 | 10 | 14 | 0 |
| 2014 | 11 | 21 | 4 |
| 2015 | 10 | 18 | 0 |
| 2016 | 10 | 22 | 2 |
| 2017 | 16 | 23 | 4 |
| 2018 | 21 | 48 | 10 |
| Total | | 176 | 24 |

Cybersecurity= 433 59 Voter ID = 973 131

RLAs: The Good, the Bad, & the Ugly?

- □ The Good?
 - Implementable
 - Integrity, Security& Confidence
 - Cost & Time Savings

- □ The Bad?
 - Not Everyone is Ready
 - Technology
 - Initial Costs & Time?

- □ The Ugly?
 - Legislation for the sake of legislation
 - "Magic"

Last Comments & Resources

Treat Legislators as "new" to the topic

"" "Muddling Through"

■ Neutral Language

- □ NCSL
 - Post-Election Audits
- NCSL Canvass
 - Post-Election Audits:
 What's Next? (March 2018)
 - Post Election Audits:
 The FAQs (Sept.
 2012)



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