

Shantiel Soeder, Election Administrator

Cuyahoga County Board of Elections

Senate Bill 256 Proponent Testimony

House Government Accountability and Oversight Committee

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Chairman Coley, Vice Chair Uecker, Ranking Minority Member Schiavoni, distinguished members of the Government Oversight and Reform Committee, thank you for the opportunity to provide proponent testimony this morning for Senate Bill 256. My name is Shantiel Soeder and I am the Elections Administrator in Cuyahoga County. Post-Election Audits are vital to the election process for many reasons. They ensure election results are accurate, dissuade fraud against electronic voting technology, expose voting system hardware and software errors, and present election boards with the opportunity to rectify current performance shortfalls. Most importantly, post-election audits provide constituents with greater confidence in the voting process.

Currently, the Secretary of State requires Election Boards to only conduct post-election audits in even year general elections and presidential primary elections. SB 256 will require post-election audits following each election, which the Cuyahoga County BOE has already been doing since 2009. This change will indicate the importance of every election held, not just the largest. Local races are often considered just as important to many constituents. Additionally, there can be statewide issues altering the Ohio Constitution that can appear during odd year general elections when there is currently no post-election audit mandated.

In addition to requiring post-election audits after every election, SB 256 requires board of elections to phase in a particular type: a risk-limiting audit. At present time, counties are given a choice of using a fixed rate or a risk-limiting auditing method. Almost all counties choose a fixed rate audit method. In this model, counties audit 5% of the total votes cast for a contest regardless of how many votes were cast or how close the margin of victory. While any auditing is beneficial, fixed rate audits frequently select more ballots than needed, and sometimes not enough, to provide evidence that the declared winner truly received the most votes.

In 2010 Risk Limiting audits were endorsed by the American Statistical Association – the world’s largest community of statisticians with over 19,000 members worldwide. They stated risk-limiting audits can “make better use of election officials’ time and taxpayers’ money”. According to The Verified Voting Organization, a well-respected non-partisan organization that promotes accuracy, transparency and verifiability of elections, “The risk-limiting audit is the gold standard of audits.”

Risk-limiting audits have a large, pre-determined chance of leading to a full recount whenever a full recount would show a different outcome. The number of ballots to be audited is statistically determined by a number of different factors including the number of votes in each precinct, the margin of victory in that precinct, and the margin of victory within the contest as a whole. The risk we are seeking to limit here is the chance of certifying the machine-count outcome of a contest when a full hand count would produce a different result of the race. This chance is expressed as a percentage and known as the “risk-limit”. The Cuyahoga County Board of Elections currently uses a 10% risk-limit, equating to a confidence level of 90% (i.e., there is at least a 90% probability of the audit leading to a full recount if the apparent outcome is incorrect).

Additionally, a risk-limiting audit can often confirm the outcome of the results after examining only a small fraction of the ballots cast. Since implementing risk-limiting audits in August 2011, the Cuyahoga County Board of Elections has been able to audit a combined total of 255,414 ballots less than if we had been using a fixed rate audit method.

While the thought of risk limiting audits may initially seem like a daunting task to others, once the risk limit thresholds have been prescribed and the statistical formulas established, it becomes as simple as entering the election results for each batch of ballots in the contest to be audited for each election moving forward.

In 2011, the Cuyahoga County Board of Elections was awarded a grant from The U.S. Election Assistance Commission (EAC) to develop and document processes and best practices for coordinating quality and cost-effective voting system pre-election logic and accuracy testing and post-election audits. During that time we reached out to the leaders in academic audit community, specifically Professor Philip B. Stark from the University of California, Berkley to assist us with the statistical methodology. Thanks to their aid we were able to create a template spreadsheet to use for all of our risk-limiting audits moving forward. This spreadsheet is posted on our post-election audit website and available for other election jurisdictions to utilize.

In conclusion, auditing after every election instills voter confidence in our electoral system while simultaneously allowing election administrators with the opportunity to enhance current election procedures. Specifically, risk-limiting audits are able to confirm the outcome of an election while also employing the “work smarter, not harder” mentality.

Thank you for the opportunity to testify this morning. We would be happy to answer any questions that you may have.