

# Help protect election integrity. Observe a hand-counted voting machine audit in your county.

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**Note: You will support election security if all you do is show up, sit down, and watch deputy clerks count votes for an hour.**

If you're in a hurry, you can stop reading now. Just show up, and you'll be doing your good deed. If you're nervous that you won't remember the following instructions, don't worry. You don't even have to read them. Just show up, follow the clerk's instructions, and watch, and you will be providing a valuable service. Elections cannot be trustworthy without transparency, and our election officials cannot make transparency happen all by themselves. If voters want transparency, we need to be there. ***Just be there.***

## Find out when and where:

- Find a municipality (city, village, or town) near you that was selected for an audit. [This list is in alphabetical order of municipality](#). If you want to look them up by county, use [this list from the Wisconsin Elections Commission](#).
- Find the phone number for that municipal clerk from [this list](#) or [this list](#).
- Call the municipal clerk. Ask when and where the voting-machine audit will take place. If you're interested and able, ask the clerk whether and how you could participate as one of the vote-counters. Some of the municipal clerks understand the value of public participation and like to get volunteers. Don't be insulted, though, if the clerk already has the audit staffed. Mostly, they will rely on experienced poll workers.
- If you cannot set aside an entire day, consider observing only in the afternoon, so that you can be there when the results are compared.

## The important role of OBSERVER...

Election audits must have transparency to be credible--but election officials cannot demonstrate anything to the public if the public isn't present.

The presence of observers also helps to ensure officials perform the tasks thoroughly and in accordance with instructions, and to ensure that any problems discovered in the audit are not dismissed or ignored.

Observers, too, get something out of observing. Only by being there can we get to know our local election officials, and audits are good opportunities to do that. Election Day is often tense and busy, while recounts are often hurried, complicated, and contentious. In contrast, because audits are administrative tasks that can be relatively relaxed, unhurried occasions. Observers can ask questions and learn more about how elections are managed and secured.



## What happens at an audit?

1. On the morning of the audit, sealed bags containing ballots and election records will be brought to the audit site and opened. Clerks will inspect the material for any signs of tampering and will review the chain of custody.
2. The auditors--the people who will be counting the votes--will probably be some of the more experienced poll workers, selected by the municipal clerk. They will begin by counting the ballots into stacks of 20, and the stacks of 20 ballots are arranged in batches of 100.
3. The auditors will pair up, and each pair will take two batches of 100 ballots. Each auditor will then count the votes from one batch and trade batches with his/her partner, by making hash marks on a tally sheet. They will then trade their stacks of ballots and count the batch the other just finished.
4. When both have counted both batches, they will compare their tally sheets. If their totals match, the two batches will be set aside, and they will move on to the next two batches. If the two auditors' totals for any batch do not agree, they will jointly review the ballots and try to find the ones that they counted differently. Experienced auditors will flag those ballots in some way, so that they can be located again in the final reconciliation process. When the two auditors agree on the vote totals in each batch, one will change his or her tally sheet, and they will move on to the next.
5. When all the ballots in the precinct have been hand-counted, the subtotals from all the tally sheets will be added together and compared against the totals on the voting-machine tape that was printed out on Election Night.
6. If the hand-counted totals in each race agree with the machine-tabulated totals, the audit is done, and the official in charge completes a report for the Wisconsin Elections Commission. If any totals disagree, the auditors need to try to figure out why. They will need to check their addition, and then most likely, will engage in something of a guessing game trying to figure out how the voting machine might have read ambiguously marked ballots when auditing an optical-scan machine, or questioning their own counts. When the auditors have decided how to explain any discrepancies, the audit is complete and the official in charge completes a report for the GAB.
7. Chances are, you will see some variation from WEC instructions for the auditors, and you might see the auditors struggling to figure stuff out. They don't do this often, so cut them some reasonable slack. Most probably, you won't see any problems more serious than inefficiency and some trial-and-error. If you do see any more serious problems, they are likely to be one of the following:
  - **Ignoring certain types of miscounts.** The WEC has instructed clerks and auditors have been instructed to dismiss errors that are the result of human rather than machine error. Observers can make sure any such problems are noticed and followed up, after the audit, by the municipal clerk as part of his or her basic responsibility to certify only accurate election results.
  - **Unnecessary secrecy.** Excessive secrecy is a problem for election security and voter confidence *even if no votes are miscounted*, because it creates situations that would hide fraud or errors if they occurred. As a result, observers need to be on the lookout for any practices or constraints that prevent them from verifying, with their own eyes, that the clerks and staff are conducting the audit honestly and accurately, particularly if the constraint has no benefit to the audit.
  - **Poor handling of election records.** Like unnecessary secrecy, poor handling of election records puts elections at risk of undetected problems even if no problems affected the election being audited. Observers might notice departures from what is known as "chain of custody" practices.

## Step by step: How to observe a voting-machine audit

### Before the audit, as soon as you can:

1. Find out when and where the audit will take place. (See information under the red heading, above.)
2. If you can attend, please email your name and which municipality you intend to observe to us at [wiscelectionintegrity@gmail.com](mailto:wiscelectionintegrity@gmail.com). We are trying to get as many observers to as many audits as we can, so we'd like to know which municipalities are covered.
3. Browse through the [instructions provided by the WEC to the municipal clerks](#), so that you know what they are supposed to be doing. You can watch the whole 28-minute training video provided to the municipal clerks—but if you just want a preview of what will happen during the audit you observe, watch the six-minute segment from 13:00 – 19:00.
4. Print out the [clerk's instructions to take with you](#) for reference, or save the location on your portable device so that you can access it if needed.
5. Print out this reporting form, so you can take notes and let us know how it went.
6. Plan how long you will spend observing. Auditing a single precinct can take all day, depending on the number of people counting votes, so you may want to plan to be there only at the beginning and at the time they reconcile the completed hand count with the machine tape. They will be unable to predict exactly when they will finish the hand count, but you might be able to estimate that after watching them count the first few batches.
7. Know the rules of observing:  
The basic rule is just common sense--Do nothing to interfere with or obstruct the auditors' work. It's in their interest and ours that they are able efficiently and accurately to complete the audit. You will not be permitted to touch any election materials.  
But observers can observe. You should be permitted to look at any document you want to see, and to photograph some documents or the process. If you plan to photograph, it would be polite (not required) to let the municipal clerk know this ahead of time, so that he or she can make sure the auditors are not surprised or upset at being photographed. The clerk may impose reasonable restrictions about thing like talking, asking questions, bring food or drink into the audit room.

### On the day of the audit:

- Take a camera with you, in case problems arise that need to be documented.
- Take a red pen for taking notes. Red pens are typically the only ones allowed in a room when ballots are being handled, to avoid any chance that the election records could be altered or damaged with detection.
- Arrive a little early to allow time for cordial introductions, and to discuss with the clerk ***clear expectations of how and what you want to, and will be able to, observe and when and of whom you will be permitted to ask questions.*** Explain to the official in charge that the point of public observation is to support public confidence in elections. To do that, you would like to be able to see enough that you can verify that the votes are being counted correctly. Let the clerk understand that you would like to be able see the ballots as the auditors are counting the votes, in a way that will not disrupt their work. Some municipal clerks allow observers to stand behind the seated auditors; others have allowed observers to sit beside the auditors. At a minimum, the municipal clerk should allow you to view any ballots that the auditors discuss. It may be that the clerk will find no way to accommodate this. Please report that to us on the reporting form.

- The audit should begin with an inspection of the election records, including the ballot bags, to make sure all necessary records are on hand and are in order, much as the clerk would do for a recount. Observers should be able to inspect--not touch--the material closely enough that they can verify that the marked *ballots or machine-printed paper trail* are sealed in bags or containers in such a way that no ballots could have been inserted or removed without breaking the seal, and that the records show no signs of tampering; the *inspector's statement* should be on hand and in order, containing the seal numbers that match those on the ballot bags, among other information; and the machine-printed *results tape* should be on hand.

Before the auditors open the ballot bags, they will compare the number on the bag's seal to a number recorded on another record when the bag was sealed on Election Night. Ask to observe, for yourself, that the numbers match. If they do not, take a photo to document the problem. Note the problem and what the auditors did, if anything, to determine why the seal numbers did not match and whether the ballots has been tampered with.

- As the audit tasks proceed, ask questions throughout, as long as your questions don't interfere with the purpose of the audit or slow it down more than the officials are willing to accommodate.

### **Issues to watch for (if you are observing a hand-count of voter-marked paper ballots)**

**Ambiguously marked ballots** A certain proportion of votes can be expected to be ambiguously or sloppily marked, so that the hand-counters will disagree on the voter's intent.

Watch to see about how often the auditors disagree, and how they resolve their differences. Ask to see the ballots that seem to them to be ambiguously marked, so that you can develop your own sense of how well the voters marked their ballots. A very large proportion of ambiguously marked ballots—more than an average of one in every 100 ballots—may indicate a problem you could discuss with your municipal or county clerk: How could the voters be instructed more effectively in the next election?

**Votes not read or noticed by the voting machine** The type of miscount that is most likely to be noticed is something called an "undervote." The human auditors will be able to count more votes on the ballots that the machines counted on Election Night.

There two most common reasons why voting machines ignore some votes are:

1. Voters marked their votes in odd ways, such as circling a candidate's name on the ballot rather than filling in the target dot beside the candidate's name, making a very faint mark, or using a type of ink the machine could not detect. These are legally valid votes if a human can see the voters' intent, even if the machine cannot.
2. The voter cast a write-in vote but did not mark the oval beside the write-in line on the ballot. A human can easily read that write-in vote; the machine looks only at the ovals and sees nothing.

Other possible causes are, of course, more concerning. Programming errors in the past have caused voting machines to ignore some votes; machines can lose calibration and simply malfunction; and (worst case) malicious code could have been inserted to tell the machine to ignore 5% of the votes for a certain candidate.

In a well-run election, there should not be a large number of these ballots—no more than one in every 200 votes or about 0.5% in the top race on the ballot. (In other words, 99.5% of the voters typically vote in the main race on the ballot--in this case, governor or US Senate.)

Here's where the audits you will observe get harder to understand--but the problem isn't you. The auditors

have been instructed to *count the votes as the machines would have counted them*, without regard to voter intent. That's because WEC believes that in order to satisfy federal law, they must assess the performance of the machines apart from any human error or interference. Their reasoning (I'm not making this up) is that if the voting machine was programmed to ignore one-third of the votes (an actual incident in Taylor County in 2004), and the voting machine did, in fact, ignore those votes, the machine was working just as it was supposed to and there is no problem.

Voters, of course, see a problem whenever votes are miscounted, for any reason.

In many municipalities, auditors won't follow the WEC's instructions to ignore voter intent and read the votes as the machine would have read them. The auditors are not machines; they're humans and they can see voter intent. But still, observers should be alert that a serious miscount might be dismissed by the auditors on the grounds that it wasn't the machine's fault.

When all the votes are hand-counted, ask to see the total number of votes for all the candidates in the Governor's race, including the write-ins. Add all the candidates' votes together, and divide that number by the total number of ballots. For example, the auditors might hand-count 599 votes for governor, out of 600 ballots (That is, they found votes on 99.8 percent of the ballots.) That means the actual undervote rate was 0.2%--normal.

Now, compare the total number of votes counted by the machine on Election Day to the total number of ballots. The machine might have counted the same number of votes as the human counters--and everything is fine.

But the machine might have counted only 595 votes for governor--that is, it saw a vote on only 99.2 percent of the ballots. That's an undervote rate of 0.8%--above what experience shows is a normal undervote rate. That could indicate a problem. Ask the auditors if they can find the four votes that account for the difference. If they find four ballots with write-in votes recorded, without the ovals being checked, there's the answer.

But if they cannot find the explanation, or if their explanation is a guess, ask them to note that on their report to the WEC, and please report it to us at [wiscelectionintegrity@gmail.com](mailto:wiscelectionintegrity@gmail.com). Small errors in one voting machine can add up to a big difference in a statewide election, and should not be ignored.

### **Issues to watch for (if you are observing a hand-count of a paper trail printed by a touchscreen voting machine)**

**Unusable voter-verifiable paper audit trail** - Wisconsin law wisely requires touch-screen machines to create a voter-verifiable paper audit trail (VVPAT) – a paper print-out of each ballot cast by each voter. If the auditors finds that the paper trail cannot be read, they will likely go ahead and do what they can, or ask the vendor to reprint the tape from the computers' memory.

But in reality, an audit is impossible, because there is no voter-verified record to audit. Ask the municipal clerk to note that on his or her report to the WEC, and please report it to us at [wiscelectionintegrity@gmail.com](mailto:wiscelectionintegrity@gmail.com).

**Cancelled votes** - Touchscreen voting machines give each voter a chance to reject a ballot after it has been printed on the paper trail. If the voter rejects the printed ballot, a message is printed on the tape and the voter can start over to create a correct ballot. Experts on election fraud have determined that, if a malicious programmer manages to manipulate a touch-screen voting machine, the fraud might leave evidence in the form of a larger-than-expected number of cancelled ballots.

Local election officials in Wisconsin tend to be dismissive and unconcerned about this possibility, but it is a possibility and certainly something an audit should notice. But the municipal clerk will not likely be alert for cancelled votes--except to exclude them from the audit. Observers, however, can watch out for it.

If you see the auditors encountering more than two cancelled votes on one voting machine, ask the municipal clerk to not the number of cancelled ballots in his or her report to WEC and please report that observation to us at [wiscelectionintegrity@gmail.com](mailto:wiscelectionintegrity@gmail.com).

### **When the hand count is complete**

When the hand-count is complete, the results are compared to the machine-tabulated results. If the two totals match, the machine tabulations are confirmed accurate and the audit is done. The clerk will complete a report to WEC indicating an ‘error rate’ of zero.

If the two totals do not agree, the clerk will need to figure out why they differ before he or she can calculate an error rate, per WEC instructions. Common human-error mistakes include addition errors and forgetting to exclude hand-counted provisional ballots. (The machine couldn't have possibly counted these votes in the Election-night machine tape).

As noted above, if the hand-counters found more votes than the voting machine counted on Election Day, there could be a problem. Watch how the municipal clerk and auditors handle that. If they follow WEC instructions, they are supposed to try to figure out why the two counts differed. If the reason is obvious (such as several write-in votes for which the voters did not mark ovals), the auditors might be able to solve the mystery.

But other problems simply cannot be diagnosed by a municipal clerk and handful of auditors, without more time and resources. Be on the lookout for auditors guessing at explanations for miscounts, without really having enough information to be sure. Ask the municipal clerk to note the auditors' uncertainty on his or her report to WEC, and please report it to us at [wiscelectionintegrity@gmail.com](mailto:wiscelectionintegrity@gmail.com).

### **What to do if you see problems**

If you see any practices that don't match your expectations of a transparent, fair and accurate hand count, or that don't follow the WEC's instructions, ask the clerk to explain. There may be some necessary, harmless variations the clerk is doing for a sensible reason. As long as the main purpose of the test is fulfilled—to verify the accuracy of the machine-tabulated total by comparing it to the results of an objective hand count—there's no need for observers to be sticklers.

If the clerk cannot give you a good explanation why he or she is departing from the instructions, and you think the variation prevents the audit from verifying the results' accuracy, encourage the clerk to contact WEC.

You can call WEC at (608) 266-8005 to report an immediate problem, such as observers being locked out of the audit room (it has happened), or other serious violation of the audit requirements. If the issue is not resolved, ask WEC about the procedure for filing a formal complaint.

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Whether your observing experience is good or bad or a mix,  
we'd love to hear what you noticed and how it went.

Please write to us, after observing an audit, to let us know: [wiscelectionintegrity@gmail.com](mailto:wiscelectionintegrity@gmail.com).

These instructions can be improved by your feedback.  
Please email your suggestions to us at [wiscelectionintegrity@gmail.com](mailto:wiscelectionintegrity@gmail.com).