RISK LIMITING AUDITS

I would like to speak briefly about the benefits of risk limiting audits and need for NY State to implement these state wide.

Risk Limiting Audits are a simple process developed by Professor Phillip Stark at the University of California Berkeley. The process allows you to take a small sample of ballots and based on that sampling, ascertain whether the computer tabulated those ballots accurately or not. This is particularly crucial at this time.

I have served as a poll closer in many local elections over the years. When we had lever machines, they were mechanical devices where the counters at the back of the machines were set to zero and then the machines were sealed with tape and initialed. The back of those machines was never touched until after the election was over. At that point poll watchers from both parties would witness the breaking of the seal and the opening of the machine. Then, we would write down the numbers that were registered.

The election equipment we currently utilize in New York and across the country are little more than electronic black boxes with minimal transparency or accountability. They are all manufactured by a handful of private vendors and rely on proprietary computer code. It is good that we utilized paper ballots as some states do not even do that. But the paper is rarely examined and those ballots rarely counted.

Instead, we rely on the machines to tabulate the results. As has been shown in the early years of electronic voting, it was not hard to hack a machine. In fact, each year, in Las Vegas, at a hackathon, participants as young as ten years old have hacked into these older electronic machines in minutes and lately, some of the newer machines.

I am not here to push conspiracy theories and I am not suggesting anything nefarious has ever happened in a New York election. But I am suggesting is that we need to instill greater confidence in our electoral process.

Many have long argued that since the 2000 election debacle in Florida, and passage of the Help America Vote Act that soon followed, we should have designed and developed election equipment that utilized open-source computer code and not privately owned, proprietary code that remains a mystery to all but those who build it, sell it and profit from it.

This does not build trust. As we see in the current climate, the extreme right wing has galvanized around claims, with no basis in reality, that China or Italy or whomever is rigging our elections. It is easy to see how these rumors can take root in a climate of unlimited dark money and a press that has been decimated by the changing economic landscape.

Currently, three states, Rhode Island, Virginia and Colorado have statues that require Risk Limiting Audits and several states are running pilot programs with the goal of adopting this process state wide.

Risk limiting audits are an incremental audit system: If the margin of an election is wide, very few ballots must be reviewed. If the margin is narrow, more will be reviewed up to the point that enough evidence is provided to confirm the declared election result.

Risk limiting audits can go a long way toward ensuring an election was fair and accurate. The cost of these audits is minimal but the advantages are many. I ask this committee to enact legislation that would require every county board of elections to ensure that they undertake risk limiting audits of all elections in our state and make it an integral part of the election process.

My concern is that we are currently under attack from a well-coordinated and well financed effort to undermine the integrity of our elections and the only way to combat this campaign of weaponized disinformation is to double down on our election integrity. Risk limited audits can and will go a long way to achieving that goal.

I am happy to supply this committee with additional information on the process and implementation of risk limiting audits.

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