



Photo Credit: Caroline Yang

## Clerks cannot prevent Election Day miscounts, but they could detect and correct them.

Election Night results are preliminary. County election officials have up to two weeks after each election to correct any miscounts before they declare results final.

But they have to notice those miscounts before they can correct them—and that means routine audits.

In early 2018, the Center for American Progress reported in *Election Security in All 50 States* that Wisconsin’s “failure to carry out post-election audits that test the accuracy of election outcomes leaves the state open to undetected hacking and other Election Day problems.” They called this practice ‘unsatisfactory’ and gave Wisconsin election security a grade of C.

In late summer 2018, the Wisconsin Elections Commission did what it could to fix this. They voted to order municipal audits of 5% of the state’s voting machines immediately after the November election. However, WEC lacks authority to order the sort of outcome-confirming election audit recommended by national authorities.

Under current Wisconsin law, that’s up to county officials.

The inside pages contain more information about modern canvass practices, which Wisconsin county election officials should begin to use as soon as the November 2018 election and regularly after that.

- Every county canvass must include an audit that:**
- 1) Manually counts the votes marked on our paper ballots.
  - 2) Is done in time to allow miscounts to be corrected, if any are found.
  - 3) Is transparent, so that any observer can see it is honest and accurate.
  - 4) Is performed according to written procedures and standards, so that observers can see officials are not making them up as they go along.
  - 5) Is performed using records that are shown to be complete and true.
  - 6) Is followed by investigation into the causes of any problems, and leads to their correction.
- Wisconsin Election Integrity is a nonpartisan volunteer citizens group working to make sure our elections reflect the will of the people.

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# Protect Wisconsin Elections

## The 2016 recount found thousands of miscounted votes.

## Will officials catch the miscounts in the next election?



When the 2016 presidential recount forced Wisconsin county clerks to double-check their work, they changed more than 17,600 votes statewide—**votes they had already certified as correct.**

The 2016 miscounts were random and so didn’t change the outcome. But it would be wildly careless to assume that all future Election-Day miscounts will be random, too.

Every business day, managers at the bank, grocery store, and casino routinely check for computer errors. As a result, we trust their ATMs, scanners, and slot machines. **In contrast, election officials demand we trust their computers’ verdicts even though they don’t routinely check for Election-Day miscounts.**

This brochure explains the risks that currently threaten Wisconsin’s election results and why current safeguards are not good enough. Most importantly, it will describe modern election-management practices that we must demand Wisconsin county election officials put in place soon!

[Read on to learn more...](#)



## Obvious miscounts go unnoticed

On Election Night in November 2016, Racine County voting machines counted astonishingly high numbers of blank ballots, or 'undervotes.'

In some wards, the machines indicated that as many as 1 in every 12 ballots were blank.

A few voters in every election cast blank ballots, but these unbelievable tallies obviously indicated that the voting machines were missing many valid votes.

The scandal isn't that the machines miscounted. We expect computers to do that from time to time.

The scandal is that **no election officials caught and corrected the errors.**

Racine County officials even had a second chance to notice and correct the errors, when they recounted the Presidential election the next month.

Yet instead of noticing the errors and correcting them, they **again** disenfranchised more than 1,000 Racine County voters.

For more information, visit: <http://bit.ly/2x3jOaU>

## Hacking is a risk...

Election officials say that Wisconsin's voting systems are not connected to the Internet, but they cannot know. In 2011, Pennsylvania officials found the vendor's technicians had installed remote-access software without their knowledge. In 2018, cybersecurity experts found Chinese factories have been building malicious chips into computer components for years. Our election officials have no way to check for these chips.

## ...but not the only risk...

**Malfunctions.** In 2014, paper-lint dust bunnies cast shadows—and votes—in a City of Stoughton referendum.

**Mistakes.** The City of Medford's machines were misprogrammed to ignore straight-party votes, and discarded 30% of the votes in one November election.

In November 2016, more than one-quarter of the City of Marinette's absentee voters were disenfranchised because poll workers didn't know how to process ballots the machines couldn't read.

**Corrupt insiders.** Thousands of people have a hand in programming, updating, servicing, maintaining, and storing Wisconsin's voting machines. Malicious software could spread along with authorized updates before every election.

## ...and current safeguards don't fully protect results.

Federal and state certification cannot detect tampering or malfunctions after the machines are manufactured and the software copied.

Local pre-election tests cannot detect deliberate hacks that would operate only on Election Day, or malfunctions, which can occur any time.

Decentralization doesn't mean protection. One manufacturer counts over half of Wisconsin's votes. Hacking only one large county could decide a statewide race.

Recounts protect only races in which the victory margin is a microscopic 0.25% of the votes.

Biennial voting-machine audits protect only November elections, and current procedures do not require expansion of the audit to other machines if problems are found in one.

**Only routine outcome-confirming audits, performed before elections are declared final, can secure Wisconsin's official election results.**



## Does every vote count? 1 in 170 do not. Miscounted votes are a fact, not a risk.

Perfection isn't expected. Because a few oddly marked or mishandled ballots will always be counted incorrectly, Wisconsin law allows a recount at no cost to a candidate if the deciding margin is less than 0.25% of the votes. If a race was decided by a larger margin (up to 1%), the loser must pay full cost for a recount. Candidates cannot get recounts for races decided by a margin of more than 1%.

Voter confidence, therefore, requires that election officials achieve at least 99.75% accuracy. But the fact is that **Wisconsin's county canvasses have certified results containing error rates far exceeding 0.25%—without election officials even noticing.**

The 2016 Presidential recount provided a rare opportunity to observe the county canvasses' error rates. The recount revealed a disturbing truth. When election researchers at MIT, Harvard, and the UW-Madison studied before-and-after vote totals, they saw that county officials had changed certified vote totals by more than 17,600 votes, or more than 1 in every 170 votes.\* That's a 0.58% error rate, more than twice the 0.25% assumed in our recount law!

Recounters found many types of errors. Uncounted write-in votes and misprocessed absentee ballots accounted for many. **But most dangerously, the county officials had failed to notice large blocks of missing votes that were too large to be anything but signs of voting-machine miscounts.** Thousands of valid votes in many counties were missing—more than 25% in some wards. (See the box at left for details about one of these counties.)

The critical fact is that election officials **did not even notice the miscounts** until forced to do so by a recount—which is unlikely in future elections.

Anyone with an opportunity to tamper with the voting machines' software now knows they can simply delete or ignore a large chunk of the votes—and Wisconsin's election officials won't do anything about it.

\* S. Ansolabehere, et al, *Learning from Recounts*, MIT Political Science Department Research Paper, March 2017. Available at <http://bit.ly/2HWdGaC>

## National authorities and experts say: Use the paper ballots to verify the winners.

Perfection isn't necessary. Our county election officials don't need to conduct a full recount to verify every vote. All they need to do is make sure they are certifying the right winners. A statistically valid sample can do that.

Quick hand counts for just a few random voting machines are helpful. And in late 2018, the Wisconsin Elections Commission ordered hand-counted audits for 5% of the voting machines after the November election. But that doesn't protect other elections. And even in November, these voting-machine audits provide only a chance—not a guarantee—that election officials will detect and correct any outcome-altering miscounts. Unfortunately, under current state law, WEC does not have authority to mandate true election audits.

It's the county clerks and boards of canvass who could do more. In every election, county officials could take steps to monitor for miscounts, and correct any they find. Some county clerks have heeded national calls for better security, and are working to develop ways to incorporate useful election audits in their canvass procedures. All of them should be doing that.

Wisconsin county officials have the paper ballots.

Wisconsin county officials have the time. A well-planned audit, in one county, could be completed in a day. And Wisconsin county officials have as many or more days to review election results than their counterparts in other states who regularly verify election results.

Wisconsin county officials almost certainly have the funds. Setting aside even one-half of one-percent of a county's election budget would likely cover the cost of a well-planned audit and protect the other 99.5% of the budget from being wasted. Some clerks in other states report that audits have even reduced other costs, because audits reduce challenges and recounts.

But most importantly, the benefits of election audits are priceless: Voter confidence and a certainty that the will of the people is reflected in the official election results.

**If we tolerate miscounts until one changes an outcome, someday one will. Call your county elections officials today and say "Verify before declaring results final!"**