



HB 759: Election Law – Postelection Tabulation Audits – Risk–Limiting Audits

Ways & Means Committee

February 16, 2021

Position: FAVOR

Chair Kaiser, Vice Chair Washington, and Committee Members,

We whole-heartedly support this bill, which seeks to verify the accuracy of election results by conducting a special type of post-election audit called a Risk-Limiting Audit (RLA) before the election results are certified.

Maryland currently performs manual audits of 2% of precincts, and performs them too late to correct any errors the audit might detect. RLAs are a far more precise and statistically sound method that determines the quantity of ballots to be counted based upon the margin of victory in the contest. For example, a contest with a large margin between the winner and the loser would require a lot of ballots to have been counted inaccurately to change the outcome, so auditing a small number of ballots should detect some errors fairly quickly. But a contest that is very close would require a large number of ballots to be audited to detect the much smaller percentage of inaccurately counted ballots that would cause a different outcome in the race.

The 2020 Presidential Election in Georgia provides an excellent example. Because the margin of victory between the candidates was so small, most of the ballots statewide had to be manually audited to verify the outcome, so Georgia simply decided to audit all of them and accomplished it quickly and efficiently. The candidates did not have to request a recount, the RLA law required the audit to be performed automatically and immediately, before the election was certified. Especially in races that are close and hotly contested, manual audits provide impartial data-based evidence that election results are accurate.

At a time when public trust in government in general and in elections in particular is at an all-time low, increasing the transparency and verification of election processes and procedures will help to restore confidence in the very foundation upon which our democracy rests.

Sincerely,

Robert Ferraro and Rebecca Wilson, Co-Directors

SAVE our Votes: Secure, Accessible, Verifiable Elections for Maryland

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