

Maryland House Ways and Means Committee
Room 131
House Office Building
Annapolis, MD 21401
via electronic submission

February 18, 2022

Verified Voting Testimony: HB 745 (Favorable) Postelection Tabulation Audits—Risk-Limiting Audits

Dear Chair Atterbeary and Members of the Committee:

My name is Mark Lindeman, a director of Verified Voting. Verified Voting's mission is to strengthen democracy for all voters by promoting the responsible use of technology in elections. Since our founding in 2004 by computer scientists, we have acted on the belief that the integrity and strength of our democracy rely on citizens' trust that each vote is counted as cast. As such, we welcome and support HB 745, which would replace Maryland's current manual audits with risk-limiting audits in statewide elections. The legislation would place Maryland on a path to efficient and convincing verification of its vote counts.

As you know, the United States confronts unprecedented security threats to election systems—and to public confidence in election outcomes. Tabulation audits, which manually check election results against a sample of voters' actual ballots, address both kinds of threats. Risk-limiting audits (RLAs) are purpose-built tabulation audits. They are designed to efficiently confirm that one or more election outcomes match what a full hand count of those ballots would reveal, *before results are certified*. By design, RLAs end in one of two ways: either they provide strong evidence that the ballots confirm the reported election outcomes, or if necessary, they lead to a full hand count to determine the correct outcome. Compared to audits of a fixed percentage of ballots—such as Maryland's current manual audit, which can occur months after an election—RLAs often require far less work, depending in part on how close the audited contest(s) are. RLAs provide timely assurance with minimal burden to election officials.

Risk-limiting audits have been widely endorsed by security specialists and election officials. In fact, risk-limiting audits and other robust post-election audits have been recommended by the American Statistical Association, U.S. Department of Homeland Security, the U.S. Senate Select Intelligence Committee, the U.S. Election Assistance

Commission, and many other experts as one element of a strong and resilient election infrastructure. Election officials across the country have taken the lead in piloting and implementing RLAs as an election security measure. Both chambers of the Virginia General Assembly have passed a bill requiring risk-limiting audits.

HB 745 takes a wise approach to enacting risk-limiting audits in Maryland. It establishes broad requirements for RLAs, including a requirement to audit at least one statewide contest as well as at least one local contest in each county. It requires RLAs to be conducted by hand, to be observable by the public, to follow regulations to be promulgated by the State Board, and to be completed before results are certified, and for the audit results to be promptly reported. All these requirements will promote public confidence in Maryland elections. Importantly, HB 745 does not overprescribe specifics such as the audit method to be used. Risk-limiting audits can be conducted using various methods and statistical protocols. New approaches are continually being developed to fit the needs and circumstances of election officials around the country. HB 745 appropriately provides that the audit method should be specified in regulation, not in law.

We applaud you for considering this bill and thank you for hearing and considering our testimony. We look forward to future opportunities to work with Maryland officials to implement risk-limiting audits.

Respectfully,



Mark Lindeman
Director, Verified Voting