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House Committee on Elections
Testimony on HB 2251
Jamie Shew, Douglas County Clerk

Chairman Esau and Members of the Committee:

Thank you for the opportunity to provide written testimony in support of House Bill 2251 and provide support for post-election audits in Kansas elections.

The use of post-election audits is considered an important best practice in administering elections which has been fully adopted by 29 states; 4 additional states provide for audits in circumstantial situations. A properly implemented post-election audit is not only a useful tool for election administrators, but provides confidence in the processes utilized in accumulating votes cast and counted. The Presidential Commission on Election Administration (PCEA) included post-election audits as a recommended practice for all jurisdictions in the United States.

The 33 states with post-election audits vary in methodology and implementation, the National Council of State Legislatures has a report outlining the processes in each state. Research on post-election audits recommends to be effective the audit must be comprehensive, including representative races, questions, and jurisdictions. The majority of states require an average of 3-5% precincts and comprehensive number of races to be included in the audit. As a state which requires 1% post-election audit, Utah requires at least one precinct in every Utah House of Representative District be included in the audit schedule. States which do not require a full ballot audit usually have a range of offices required, like Ohio, which requires auditing the race at the top of the ticket, one additional statewide race and one non-statewide race.

Recently, states have moved to a type of post-election audit which reduces the number of ballots to be reviewed but still provides a statistically significant review of ballots cast, these are considered risk-limiting audits. The number of precincts to be audited is determined by the margin of votes, for example, in New Mexico races which the margin is over 15% or for races with no opponent, no audit is required. In Oregon, a margin of less than 1% requires an audit of 10% of precincts, a margin of 1-2% requires 5% of precincts, and any margin over 2% requires 3% of precincts. This type of post-election audit reduces resources but still provides for a comprehensive review of all races on the ballot.

Because of the common use of post-election audits, there are a wide range of resources available to election administrators for implementation. While, this bill will increase the requirements of our offices, it will be a useful and necessary tool in administering elections in Kansas.

Thank you for your consideration, respectfully request you support HB 2251.

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