

Good morning, Chairs and members of the committee. My Name is Denise Weeks and I am a resident of Glastonbury, CT. My testimony relates to bill 5888. My comments today are based on information culled from reports submitted by observers of the post February election audits.

In the hearings that the committee held around the state, registrars repeatedly testified that the opportunities for fraud or misconduct in our elections were constrained by an abundance of procedures, manuals and training that they and all voting officials received.

Procedural irregularities witnessed by volunteers demonstrate the opposite is true:

- Anomalies having to do with ballot security and chain of custody were observed in six towns.
- Discrepancies in counts were found in one town and not reported on the form.
- Seven Towns either held the audit in a different location or at a different time than publicized.
- In seven towns audit forms listed zeros in all but the machine count columns.
- There was confusion among teams in nine towns regarding what constitutes a questionable ballot and/or what to record in the Questionable ballot column on the report.

Let me share a few of the more serious procedural lapses:

Anomalies having to do with ballot security and chain of custody were observed in six towns:

- In Colchester our volunteer reported that
 - Two boxes of ballots were left on a table in the meeting room to be used for the audit. This was far down the hall from the Registrar's Office and they could not have seen anyone entering or exiting the room... I don't know how long the boxes were left like this. They were there when I arrived 20 minutes before the scheduled audit. When I arrived 20 minutes early I was told to wait in the meeting room. I was alone with the boxes for at least 5 minutes before they realized I should wait in the lobby and requested me to do so...
 - Ballots not sealed; "they were in a 'copy paper' cardboard box sealed with tape. Two cut seals were inside with the ballots
 - The republican registrar explained that the town clerk had "disposed" of the ballots because they don't have to be secured longer than 2 weeks". See attached report for complete details.
- In Bridgeport the seals were broken on some of the bags needed for the audit so sots ordered full recount. The ballots arrived packed in cardboard boxes with all type of ballots lumped in together making it impossible to reconstruct the election at the district level.
- In North Stonington the seal numbers initially did not match. They didn't call the SOTS when the seal numbers appeared not to match. They explained that the moderator had must have written the last number incorrectly. They later determined that they were looking at the wrong paperwork"
- Newtown officials didn't use ballot bags. They used large plastic boxes to store ballots. They thought the boxes worked better than the bags that we have seen at other audit locations (easier to stack and were waterproof.)
- In East Hampton the bags were not sealed; the registrar said she ran out of seals. The Registrar had to be reminded to reseal the ballots at the end of the audit.
- In Willington the 4 officials left me alone with the ballot bags and the open 'election on wheels' cabinet where the machines were stored while they went to the town clerk's office to be sworn in. At the end of the audit, they were going to seal the ballots in a cardboard box they found in the trash until I suggested that other towns were sealing them back in the ballot bags and recording a new seal number.
- East Hartford recorded the new seal number but not the old seal number.
- In Fairfield a ballot was left behind in the ballot box

Anomalies having to do with discrepancies were found in one town and not reported on the form.

- In Watertown, the team counting Democratic ballots noted a discrepancy of 1 in Obama and 2 in Clinton yet did not recount. Additionally, they did not note the difference on their report.

Seven Towns either held the audit in a different location or at a different time than publicized:

- In North Haven we were told that the audit would begin at 10:00 AM. Our observers arrived at 9:50 and the counting was complete. They were told that the time of the audit had been changed.

- In Enfield, the audit was moved to a different room that had a TV so they could watch their Sunday AM shows while they did the count. When 9:00 arrived we got suspicious and found them in another room.
- In East Hartford, the audit was scheduled for 1:00; observer arrived at 12:54 but ballots were all out and mostly sorted.
- In New Britain, the time of audit was changed because room needed to be used for a retirement party. Originally scheduled for 9AM but held at 8:30. Observer arrived at 8:50.
- In Fairfield the audit was underway when the volunteer arrived; seals were broken prior to the published 9AM start time.
- In Colchester the audit was scheduled for 4:30 but started as soon as all the counters were there; our observer had arrived.
- In Durham the audit was scheduled for 9AM but started at 8:45. Our volunteer was present at the start.

In seven towns incorrect forms were used or the audit forms were not correctly completed which reflects a lack of understanding of the audit procedures on the part of officials (Sample form attached):

- In Norwalk and Bristol the audit team recorded zeros for each candidate in the Undisputed Ballot count, the Questionable Ballot count and the Overall Hand Count Totals. Since ballots were counted by the machine in the audited districts so these counts should have been >0.
- In North Haven they recorded that 0 ballots were counted by hand on the audit report to the SOTS though 1001 ballots were machine counted on election night. The procedures say that 'the hand count vote totals for each candidate of the ballots that were machine counted' should be recorded. Unless no ballots were machine counted, this number should be greater than 0.
- In Greenwich Counters were dismissed before the counts were reconciled. The Registrar's opinion was that the tally never matches the count so they did not pursue the differences, which were small
- New Milford used the form from the November audit which raises the question of whether they received and/or read the revised audit procedures sent out by the Secretary of State.
- In New Britain registrars did not have current version of the audit report.
- East Hampton needed to be reminded to count only the machine counted ballots

There was confusion among teams in nine towns regarding what constitutes a questionable ballot and/or what to record in the Questionable ballot column on the report:

- In Southington ballots contained Xes and check marks but no questionable ballots were recorded. The supervisor stated in initial instructions "there will be not questionable ballots...the machine would not have taken them".
- In Enfield, One questionable ballot had three circles partially filled in. It was hard to determine voter intent but the machine appeared to have counted it for Dodd. So it was recorded as a questionable ballot for Dodd. Volunteers felt it should have been recorded as an over-vote
- In South Windsor "the Democratic registrar explained to me that they try to catch the questionable ballots during the voting day; any ballot rejected by the scanner is placed in the side pocket of machine and reviewed at the end of voting. This reduces the questionables during counting process for audit"
- In Colchester, our volunteer reported that "Counters had put a few ballots in a 'questionable' pile but when it became clear from the counts that the counts that the machine had counted then no disputed ballots were listed on the audit report"
- In Willington they were not sure what questionable ballots were and felt the field would always be zero because the machine had, by definition, counted (or not rejected) the ballots.
- In Scotland, they not sort for questionable ballots at first as the supervisor concluded that since the overall count of ballots matched the overall hand count of the ballots, the machine must have counted them all and so none were questionable. After our volunteer pointed out the examples of questionable ballots in the procedures he did record questionable ballots in the questionable ballot column for the candidates they seemed to be intended for.
- Norwalk, Bristol and North Haven entered zeros for questionable ballots and all columns on the report except the machine count totals

A centralized audit and the audit board proposed in this bill should strengthen chain-of custody for the ballots, correct the problems just described, and help ensure that procedures are followed consistently and accurately. Furthermore, the changes would allow the audits to be scheduled with ample public notice making it possible for the citizens to observe and provide needed transparency and additional incentive to adhere to procedures.

Thank you for the opportunity to comment.

Luther:

Very educational as always.

There were several breaches in ballot security that were not reported by the registrars.

1. Two boxes of ballots were left on a table in the meeting room to be used for the audit. This was far down the hall from the Registrar's Office and they could not have seen anyone entering or exiting the room. The boxes were cardboard boxes like those used for copy paper and appeared to be sealed with transparent packing tape. I don't know how long the boxes were left like this. They were there when I arrived 20 minutes before the scheduled audit time.
2. When I arrived 20 minutes early, I was told to wait in the meeting room. I was alone with the boxes of ballots for at least 5 minutes before they realized I should wait in the lobby and requested me to do so.
3. At the time the audit began, the Registrars determined that one box contained the absentee ballots, which were not part of the audit. When they opened the box containing the machine read ballots, the ballots were loose in the box. Contained in the box were two broken seals, apparently from the two ballot carrying cases. (Two machines were used on Election Day - one for the Dem ballots and one for the Rep ballots.) The Republican Registrar explained that the Town Clerk had "disposed" of the ballots because they don't have to be secured longer than 2 weeks.
4. The Registrars did not indicate in their Audit Report that the seals were not intact. When they determined that the Audit Report required the ballot carrying case seal number to be indicated, they looked in the moderators' materials to try to find the numbers of the seals used on Election Day. They could not find these in the moderators' materials, so they arbitrarily wrote one seal number on the Audit Report for the Democratic ballots and the other on the Audit Report for the Republican ballots.
5. As this point I asked why the seals had been removed. I was told that they had not been advised by the SOTS within 14 days after the election that they had been selected for audit. They said the selection should have been done within the 14 days. I told them that the drawing had been done on Feb. 15 (the election was Feb. 5), and I was told that some towns had not been notified until Monday, Feb. 18, which was the Presidents' Day holiday, but that everyone had definitely been notified by Tuesday, Feb. 19, which was within 14 days of Election Day. They referred to a calendar on the wall as I was indicating these dates, but they insisted they had not been notified, and that the Town Clerk "disposes" of the ballots "as soon as she can" because she has a small office and has no room.
6. I left after they gave me a copy of the Audit Reports. I don't know what they did with the ballots and broken seals after I left.

