

To: House Rules Committee
From: Kate Titus, Common Cause
Re: SB 944, Election Security
Date: June 5, 2019

Common Cause

Common Cause is a nonpartisan organization that works for open, honest, accountable government. We're more than one million Americans – including 25,000 Oregonians – working together to realize the unfinished promise of democracy.

Comments on SB 944

Common Cause commends Sen. Frederick, Sen. Knopp, and Rep. Hernandez for leadership to address the serious and increasingly urgent problem of election security. Thank you for leadership on this important issue.

Nationally, Common Cause supports the use of risk-limiting audits (RLAs) as a key tool to ensure the integrity of our election systems. In fact, there is growing consensus among experts working to ensure election integrity that risk-limiting audits are the most efficient method for detecting and correcting incorrect election outcomes. A recent (2018) report by the National Academies of Sciences, Engineering and Medicine recommended that RLAs be made mandatory, along with paper ballots.¹

SB 944 appears to require the essential elements for implementing RLAs: 1) a hand (not machine) examination of the ballots, 2) conducted prior to the certification of the election so that incorrect outcomes can be corrected, 3) and with responsibilities separated between those who conduct the audits and those who set the procedures. Overall, the bill seems in keeping with the *Principles and Best Practices for Post-Election Tabulation Audits* endorsed by Common Cause and others, which we will submit as separate testimony.²

The bill before you would allow clerks to choose between RLAs and traditional flat percentage audits. Ideally, all counties in Oregon would conduct RLAs, not less-efficient flat percentage audits. If the state is to move toward the use of RLAs for statewide and cross-jurisdiction contests, eventually all counties would need to conduct them. If we could suggest a friendly amendment, it would be to phase in regular use of risk limiting audits by all counties, by some future point, say 2022 or 2024.

¹ *Securing the Vote: Protecting American Democracy*, The National Academies of Sciences, Engineering, and Medicine, 2018, p. 5, <https://www.nap.edu/read/25120/chapter/1>.

² *Principles and Best Practices for Post-Election Tabulation Audits*. December 2018.

<https://electionaudits.org/files/Audit%20Principles%20and%20Best%20Practices%202018.pdf>