

April 8, 2021

Letter in Support of New Jersey S102
"Requires new voting machines purchased or leased for use in elections in this State to produce paper record of each vote cast."

On behalf of Verified Voting, I write in support of S102. Verified Voting is a nonpartisan nonprofit organization whose mission is to strengthen democracy for all voters by promoting the responsible use of technology in elections. We believe that the integrity and strength of our democracy rely on citizens' trust that each vote is counted as cast.

Experts agree that paper-based voting systems are fundamental to election security, and S102 would move New Jersey toward this key element of a resilient and reliable election infrastructure. In a joint statement issued in November 2020, members of the Election Infrastructure Government Coordinating Council (GCC) Executive Committee and Election Infrastructure Sector Coordinating Council (SCC) said, "When states have close elections, many will recount ballots. All of the states with close results in the 2020 presidential race have paper records of each vote, allowing the ability to go back and count each ballot if necessary. This is an added benefit for security and resilience. This process allows for the identification and correction of any mistakes or errors."¹

Why do we need voter-verifiable paper records in our high-tech world? Because they mitigate against the risks of hacks, malfunctions, and errors that might subvert the will of the voters. In essence, paper records provide a way to make sure, and to demonstrate to voters, that the computers counted votes correctly. Having voters inspect, verify, and have the opportunity to spoil their ballots and redo them, if necessary, provides trustworthy evidence for the public to have confidence in the election results. The ballots then can be used in routine audits, and in recounts, to confirm or establish the correct outcomes.

New Jersey law has long recognized the need for a "voter-verified paper record" to be used in audits and recounts. Regrettably, the requirement has been in abeyance for over a decade. In this time, the state has fallen behind in the national effort to protect elections. New Jersey is one of just six states that still use "paperless" voting systems for in-person voters in some or all counties. S102 addresses this shortfall. This bill would require newly-purchased or leased voting systems to produce a voter-verifiable paper record. New Jersey law already provides for routine post-election audits of paper ballots and records, and the state has been among the national leaders in piloting rigorous risk-limiting audits as recommended by security experts. With new

¹ "Joint Statement from Elections Infrastructure Government Coordinating Council & the Election Infrastructure Sector Coordinating Executive Committees," 2020. <https://www.cisa.gov/news/2020/11/12/joint-statement-elections-infrastructure-government-coordinating-council-election>.

voter-verifiable voting systems, the state would be far better positioned to weather both cyberattacks and efforts to undermine public confidence in elections.

Thank you for considering this bill and these comments. We look forward to future opportunities to work with New Jersey officials in implementing more evidence-based systems in our elections.

Sincerely,

Mark Lindeman
Acting Co-Director

