

May 17, 2021

Committee on House and Government Affairs
Louisiana House of Representatives
900 N 3rd Street
Baton Rouge, LA 70802
Via email

RE: Verified Voting Comments on Senate Bill 221

Dear Committee Members,

On behalf of Verified Voting, I submit these comments on SB 221. 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. 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. In an interview, former Department of Homeland Security CISA Director Chris Krebs said, "Auditability is a key tenet of ensuring you can have a secure and resilient system. If you've got paper you've got receipts, and so you can build back up to what the accurate count is."²

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>.

² Patterson, Dan. "Paper Ballots Could Save the Election, DHS Cybersecurity Chief Says," August 26, 2020. <https://www.cnet.com/news/how-paper-ballots-could-save-the-election/>.

Louisiana is one of just six states that still use “paperless” voting systems for in-person voters in some or all counties. SB 221 has the potential to address this shortfall. Creating a Voting System Commission to evaluate voting systems and make recommendations as to what is best for Louisiana is a step in the right direction. However, it does not take a commission to determine that paper-based systems are the most secure voting systems available. **We recommend doing away with direct recording electronic (DRE) systems and instead implementing a hand-marked paper ballot voting system with voter-verifiable ballot marking devices (BMD) for accessible use.** Hand-marked paper ballots (HMPB) provide the easiest way for most voters to verify their votes, and they provide resilience against errors in or doubts about the vote count through routine post-election audits. Additionally, voter-verifiable BMDs can supplement HMPBs by providing assistive technology for voters who desire or need this method to mark their ballot. With a paper-based, voter-verifiable voting system, 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 Louisiana officials in implementing more evidence-based systems in our elections.

Respectfully submitted,

Mark Lindeman
Acting Co-Director

