

April 4, 2022

Senate Judiciary Subcommittee  
101 Gressette Senate Office Building  
Columbia, SC 29202  
*Via email*

Opposition to Audit Provision in H. 4919

Dear Members of the Subcommittee:

On behalf of Verified Voting, I write in opposition to the audit provision in H. 4919. 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. Since its founding by computer scientists in 2004, Verified Voting has promoted voter-verified paper ballots and routine, rigorous post-election audits – especially risk-limiting audits – to check the accuracy of computerized voting systems.

We write to express several concerns about the audit provision in this bill. The provision has the right intention: auditing election results before they are finalized is important to ensure confidence in the final returns. Unfortunately, South Carolina's current election calendar does not provide election officials sufficient time to audit properly or to address any discrepancies an audit might identify. County election officials have just three days to certify general election results. H. 4919 as it stands effectively would task officials with determining and auditing the election results at the same time. The requirement that each county audit 5% of their ballots exacerbates the problem because it precludes the use of more efficient audits, such as risk-limiting audits. Efficient audits can allow election officials to prioritize accuracy and public observation. Requiring too much work in too little time invites error, confusion, and frustration.

As South Carolina prepares to expand early voting, we note that auditing early-voted ballots poses distinct challenges. As in other states, South Carolina tends to manage its early-voted ballots in very large batches. It is crucial to audit these ballots – audits should include all validly cast ballots – but it will first take careful planning. A hastily designed audit could impose a heavy burden on election officials, requiring them to audit more ballots than is necessary or useful.

Post-election audits are an important tool for promoting public confidence in election results, but unfortunately, the audit provision in H. 4919 does not provide the path for rigorous audits in South Carolina.

Thank you for considering our comments. We would be pleased to provide any additional guidance as South Carolina considers election audit legislation.

Respectfully submitted,

Mark Lindeman, Ph.D.  
Director