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**BILL INTRODUCED TO CHECK VOTE COUNTS  
SB595 and HB665 Would Require Audits Comparing Paper Ballots to Machine Counts**

Legislation filed on Friday by Senate Majority Leader Edward Kasemeyer (D, Baltimore and Howard Counties) and Ways and Means Chair Sheila Hixson (D, Montgomery County) would require spot-checks of the new vote-counting equipment Maryland will begin using in 2010. The paper ballots marked by voters would be counted by hand in randomly selected precincts and the tallies compared to the results calculated by the optical scanning machines that will be used in the polling place.

Studies and election day experiences have proven optical scanning equipment to be highly accurate in counting votes. In the recent Minnesota recount, for example, hand counts of the paper ballots showed that the optical scanners had an accuracy rate of 99.9%. But all computerized equipment is vulnerable to programming errors, equipment malfunctions, or misinterpretation of voter intent. A local race in Iowa in 2006, for example, showed a stunning defeat of an incumbent by a little-known opponent until a hand-count of the paper ballots revealed a computer error in which the optical scanners had not been programmed to account for the rotating order in which candidates' names appeared on the ballots.

“Our new voting system will allow voters to know how their votes were recorded,” said Robert Ferraro, Co-Director of SAVE our Votes, a grass-roots citizens’ organization working for Secure, Accessible, Verifiable Elections in Maryland. “But paper records do not mean much unless we use them to ensure that our votes are counted accurately, especially in close races.”

The bill would require audits of federal and statewide races using a method developed by statisticians to hand-count more votes in contests with a very narrow margin of victory than in those where the outcome is clearer. Many counties across the nation audit a flat percentage of ballots, but experts argue that this wastes time and resources counting races where the outcome is not in doubt while counting too few votes to be certain of correct results in a close race. Prominent organizations such as the League of Women Voters and the American Statistical Association endorse this type of approach.

“A national group of experts from around the country including prominent election officials, computer scientists, statisticians, and election reform advocates put their heads together to come up with the most practical and cost-effective way to ensure that election results are correct,” said SAVE our Votes Co-Director Shelley Fudge. “In looking back at Maryland’s last three general elections, the cost of auditing them this way would have been roughly \$20,000 in 2004 and 2006 and less than \$40,000 in 2008 because of the close race in Congressional District 1. That seems a small price to pay for the certainty that the right candidate takes office.”

The bill would also require greater transparency throughout the election process. “Casting of votes is a private act, but the counting of our votes should take place in full public view to ensure voter confidence in the results,” said Fudge.

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