

Written Testimony for the  
**Senate State and Local Government**  
January 26, 2023  
Erika White, Burleigh County Election Manager



**RE: OPPOSITION for SB 2316**

Greetings, Chair Roers, and members of the Committee. My name is Erika White and I am the Election Manager in the Burleigh County Auditor/Treasurer's office. I'm submitting testimony in opposition of SB 2316.

This bill relates to the decertification of election equipment and manual ballot recounts. Each of these topics is addressed thoroughly in state law and are conducted with integrity. This bill looks to undermine the hard work each auditor and election board complete every election.

Prior to each election, the auditor's office conducts logic & accuracy testing on every piece of equipment used for the upcoming election. This testing includes scanning test ballots into the tabulators to ensure they are counting ballots and tabulating votes with 100% accuracy. There is no room for error during the testing period – ALL equipment must pass ALL aspects of testing.

SB 2316 states that if an election official determines that any voting system is not in sufficient compliance, then the Secretary of State shall decertify the equipment. Please be aware that an election official includes election workers. Election workers that volunteer every other year, receive approximately 3 hours of training regarding all election procedures, and call the auditor's office if they encounter anything out of the norm at the polling location. It is far beyond their scope to determine if a voting system is not in sufficient compliance with the law.

This bill also states that ballots are to be counted manually at the close of polls. We understand the intent is to ensure tabulators are counting ballots properly. This is why the auditors spend countless hours testing equipment prior to the election to guarantee the tabulators are 100% accurate prior to equipment deployment. Polling location closing procedures also include the election workers balancing the number of ballots cast on the tabulators to the number of voters checked-in at the polling location. Additionally, they must balance the number of ballots deployed, used, and tabulated at the closing of polls. There are numerous checks and balances used when verifying election totals. It is not a task that auditors or election workers take lightly. Additionally, post-election testing is completed following the election to also ensure accurate tabulation of election results.

There is also a section in this bill that states the ballots must not be moved to another location until the canvass report and abstract are prepared. While the canvass report, or results report, is prepared on election night, the abstract is created days after the election, prior to the

canvass board meeting. It is not something that is generated on election night because it takes multiple hours to complete.

Manual counting of ballots and creating abstracts on election night will only delay election results. I estimate that we could see delays of election results on election night by hours, if not days. Please keep in mind that election workers report to the polling location at 6:00am on election day and typically complete a 14 hour day with limited breaks. Adding these cumbersome and unnecessary tasks will come with inaccuracy due to the long days and will, without a doubt, hurt the efforts to recruit election workers.

I would also like to take some time to outline recount procedures. During a recount, the recount employees take a random sampling of 50 ballots that were cast at the election. That random sampling is hand counted and results recorded. Those 50 ballots are then tabulated on the equipment to verify the results from the hand count match the results from the tabulator. The remaining ballots are then reviewed with the recount employees looking for election official initials on each ballot, determining voter intent, looking for crossovers, and many other items, dependent on the nature of the recount. The remaining, accepted, ballots are then tabulated, and the results of the recount are known.

SB 2316 seeks to have the entirety of the recount process completed manually, without tabulators, while utilizing high-definition digital imaging to verify the authenticity of physical election records. I am unsure why digital imaging is needed to inspect original physical records as digital imaging is a process that digitizes physical records. It feels counterintuitive to utilize digital imaging for original paper copies of election documents.

Auditors have the one goal for all election results, including recounts, which is that the results are 100% accurate. The best way to guarantee accuracy and integrity of election results is to utilize the tabulators that are tested thoroughly and have proven to be secure.

Thank you for your time and I urge a DO NOT PASS on SB 2316.