

FOR IMMEDIATE RELEASE

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Secretary of State Announces Two Towns Selected for Post-Election Audit

The intent of this audit is to test the process of using high speed scanners to be used in the General Election.

CONCORD, NH (9/13/2022): The Secretary of State has selected the AccuVote electronic ballot counting devices in Laconia, Ward 1 and Hopkinton for the post-election audit of the State Primary Election, in accordance with S.B. 366 (2022). The 2022 State Primary is the first election this procedure will be used for.

The moderators of Laconia, Ward 1 and Hopkinton were notified of the audit at 12:00 P.M. today. A public audit of the ballots processed by the AccuVote devices in these polling places will be conducted on Thursday, September 15th at 4:00 P.M. at the following location:

New Hampshire Archives and Records Management
9 Ratification Way
Concord, NH 03301

The intent of this audit is to test the process of using high speed scanners to be used in the General Election. The results of the audit will be released to the public no later than Friday, September 16th at 12:00 P.M.

The following individuals have been appointed by the Secretary of State to carry out the audit of ballots for the two selected AccuVote electronic ballot counting devices:

Attorney Orville Fitch
Senator James Gray
Attorney Christopher Regan
Patricia Lovejoy, Senior Deputy Secretary of State
Attorney Eric Forcier
Attorney Jennifer Coté
Ira Margulies, Clear Ballot
Orion Marchese, Clear Ballot

Each of the above-named individuals are appointed to handle the ballots from the selected audit locations and the audit machine equipment.

The following individuals have been appointed to provide technical assistance:

Dan Cloutier
John Penney

For additional information regarding the intent, process, and procedures of the audit, please see S.B. 366 (2022):

STATE OF NEW HAMPSHIRE
In the Year of Our Lord Two Thousand Twenty Two

AN ACT requiring an audit of ballots cast in the 2022 primary and general election.

Be it Enacted by the Senate and House of Representatives in General Court convened:

- 1. Audit Authorized. The secretary of state is hereby authorized to conduct an audit of the AccuVote electronic ballot counting devices used in the 2022 state primary and general elections.*
 - 2. Equipment and Technical Assistance. The secretary of state shall procure the equipment and arrange for any required technical assistance to support the audit process. The equipment selected shall be capable of:
 - I. Reading AccuVote ballots.*
 - II. Scanning approximately 2,000 ballots per hour.*
 - III. Capturing an image of both sides of the ballot.*
 - IV. Recording the voters' choices.*
 - V. Assigning a unique identifier to each record.*
 - VI. Displaying the ballot image and voter choice for randomly selected ballots by the unique identifier.**
- 3. Preliminary Audit; State Primary Election. The secretary of state shall conduct an audit of all AccuVote devices used in at least 2 voting districts in the 2022 state primary election. The devices need not be selected at random. The intent of this audit is to identify problems with process to be used in the state general election audit. If the secretary of state is unable to resolve problems detected during the audit of the primary election, he or she may elect to forego the general election audit. If the secretary of state decides to forego the general election audit, he or she shall communicate his or her decision to the senate president, the speaker of the house of representatives, the chairperson of the senate election law and municipal affairs committee, and the chairperson of the house election law committee within 10 days from the date of the primary election.*
- 4. State General Election Audit; 2022.
 - 1. The secretary of state shall randomly select not less than 4 voting districts that used AccuVote devices at the 2022 state general election to be audited. The secretary of state may divide districts into groups for the selection based on criteria such as the estimated number of election day ballots to be processed. The selection of districts to be audited shall be non-public**

and made at least 2 weeks prior to the general election, after the AccuVote memory cards have been programed.

II. The secretary of state shall not announce which districts have been selected to be audited until at least 12:00 p.m. on election day.

III. The audit team shall consist of at least 2 individuals appointed by the secretary of state. One such individual shall have been trained by the secretary of state in the audit process and the use of audit equipment. The other individual, if not trained by the secretary of state in the audit process and the use of audit equipment, shall be an elected election official. The audit team shall scan all of the ballots which were cast and processed by the AccuVote machines in the selected districts.

IV. The audit shall be open to the public but no one except audit team members shall be allowed to touch any ballot or any of the audit equipment.

V. Results from the scanning of the ballots shall be announced by the audit team at the conclusion of the district audit.

VI. A random sample of not less than 5 percent of the ballots scanned shall be selected and the images of the ballots selected shall be compared with the voters' choices recorded for the ballot. Any differences identified during the comparison shall be documented.

VII. The secretary of state shall make the results of the audits available prior to 12:00 p.m. on the Friday after the election. The secretary shall also report the results to the ballot law commission, and the chairs of the house of representatives and senate standing committees with jurisdiction over election law.

5. Effective Date. This act shall take effect 60 days after its passage.

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