

## EXHIBIT H

# Ballot Hand Counts Lead to Inaccuracy

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Today's election administrators face unprecedented scrutiny when it comes to delivering accurate, fast election results. In recent years, partisan actors have weaponized delays in election results in tight races to promulgate election disinformation and sow distrust in the democratic process. Now these same actors are proposing an extreme new policy rooted in disinformation that would make longer delays and less accurate results inevitable: hand counting ballots.

Nearly every state uses secure computer-supported tabulation machines to swiftly count paper ballots and track vote totals every election, with no significant errors resulting. These electronic tabulation machines operate under federal guidelines and standards in order to protect election accuracy and security. In addition, in **most states**, post-election audits conducted by professional local and state election officials are used to check these totals and ensure accurate results.

Hand counting is the process of a human, rather than an electronic tabulation machine, reviewing and determining the voter's intent on every marked ballot and manually tallying the vote total. Hand counting is used as a part of the audit process in many states, but currently no state hand counts every ballot as an initial means of reporting results.

Mandating that election officials hand count every ballot is an extreme proposal that would be far more expensive, result in significant delays, and, **most concerningly, lead to higher error rates in vote counts and heighten voter concern over corruption. The secure tabulation equipment currently used by states provides a quicker and more accurate result than hand counts.** Yet, this dangerous policy has already passed in **Arizona** – and would be the law if the governor had not vetoed it.

**In this month's Hot Policy Take, we take a look at the growing push among lawmakers in some states to ban electronic tabulation machines and force hand counting of ballots.**

**Hand counting ballots has a higher error rate – and voters are concerned it can open the door to corruption**

A standard Election Day often requires election officials to work 14 hours or more at the polls, counting ballots only once the polls have closed. Having election officials hand count ballots after a 14-hour work day naturally holds a high probability for human error.

A high profile recent hand count confirms concerns about the accuracy of hand counts. In Nye County, **Nevada**, election officials hand counted all ballots in the 2022 election – resulting in an **error rate as high as 25%**.

Studies also reveal serious concerns about hand count accuracy. Rice University conducted a **study** in which participants hand counted just two races on 120 ballots. The participants accurately counted the results of the two races only 58% of the time. An MIT **study** in **New Hampshire** found that poll workers who counted ballots by hand were off by 8%. The error rate for machine counting was about 0.5%.

Adding to the concern is the fact that hand counts cannot be checked for accuracy, as there is no alternative method to verify an accurate count. In contrast, electronic tabulation systems can be tested for accuracy before the election through a process known as **logic and accuracy testing**, and after the election through post-election audits.

**Voters have expressed concern** that having humans – rather than secure tabulation machines – determine the intent of each voter also opens the door to a few bad apples corrupting the results of the election.

## **Hand counting ballots is tremendously time-consuming and certain to lead to delays in reporting results**

Even for experienced vote counters, hand counting ballots takes significant time. Most ballots contain more than one race (with many jurisdictions having dozens of races), increasing the time election officials must spend on each ballot to determine voter intent for multiple races. Conversely, electronic tabulation systems are capable of analyzing large volumes of data and quickly providing results.

The most well-known hand count in recent years was the statewide recount of the 2020 presidential race in **Georgia**, which took nearly **eight days** to complete.

Following the decision to hand count all mail ballots in Nye County, Nevada in 2022, a **report** found that two groups of **five talliers** each spent about three hours counting 50 ballots. That's 30 hours of election worker labor to count 50 ballots. To understand what this would look like in a state like Arizona, where a **bill** last year effectively prohibiting electronic tabulators was vetoed by Governor Katie Hobbs – 3.4 million ballots were cast in 2020. That would amount to over 2 million hours of election worker labor to hand count every ballot.

Last year, the County Board of Supervisors in Shasta County, **California** voted to move to a full hand count beginning with their November 2023 election – but after developing a detailed hand counting plan and conducting two mock elections, the county clerk determined voters should not expect results “until days after the election, at the earliest.”

The change – which the Board of Supervisors decided not to implement – would have **required** election officials to count an estimated 53,000 ballots by hand, including at least 17 races and ballot propositions and 125 possible selections. The mock election found that hand counting ballots would cost \$658,925 for the presidential primary alone, and possibly twice that for the general election. The process would require hiring 375 additional staff to assist Shasta County staff counting boards for the presidential primary alone.



# Requiring hand counts is gaining steam in state legislatures

Despite the ongoing evidence proving the serious threat to election integrity and security that comes with hand counting ballots, bills banning the use of electronic tabulators and forcing hand counts of all ballots have cropped up in state legislatures around the country in recent years – and the idea is gaining momentum.

Prior to 2022, no legislatures were considering this extreme proposal. In 2022, six states introduced legislation that would ban electronic tabulators, and the number increased to nine states in 2023. Perhaps most concerning, one of these states – Arizona – actually passed legislation that would have effectively banned electronic tabulators and mandated hand counts if it hadn't been vetoed by the governor.

Now, less than two months into 2024, legislation that would ban electronic tabulators is already pending in nine states.

## Conclusion

Banning electronic tabulators and forcing election officials to hand count every ballot is an extreme measure that threatens the accuracy, security, and integrity of our elections.

Electronic tabulation is secure, effective, and accurate. States already have the checks and balances in place – such as post-election audits – to ensure timely, correct election results. Instead of rushing to fundamentally change how ballots are counted based on disinformation, states should continue to use tried and true technology to ensure accurate and timely election results.

## Election Policy Tracker

You can monitor legislation related to the hand counting of ballots in our Election Policy Tracker. Log in and set up alerts to be notified when any of these problematic bills move in the 2024 session.

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