

New Jersey Election Audit Procedure

As required by law, New Jersey will perform a traditional, fixed percentage audit. The current law requires county election officials to audit a random sample of at least 2% of the election districts in which each audited election contest appears on the ballot. Election officials will conduct a hand-to-eye manual count of the voter-verifiable paper records and compare those results to the results produced by the voting machine.

In an effort to exceed certain minimum requirements of the law, county election officials will audit all eligible contests on every ballot, from each of the election districts selected for audit.

If a discrepancy is discovered beyond the number set by law, the audit will be expanded to include additional election districts as necessary.

Selection of the election contests to be audited.

- The current law requires all legislative contests to be included in the audit as well as county and municipal offices selected by the Secretary of State.
- All county and municipal contests that appear on the ballot in the election districts selected for the legislative audits will be included in the audit.
- School board elections, fire district elections, and public questions are excluded from the auditing requirements.

Random selection of the election districts to be audited.

- Prior to the audit, county election officials will place an individual piece of paper containing the name of each election district into a container suitable for the purpose of mixing and selecting individual election districts at random.
- Vote by mail ballots and provisional ballots (if counted electronically) will be divided into single municipal batches unless the municipality contains wards. When a municipality contains wards the ballots shall be divided into batches based on the wards. These batches will be uniquely identified and placed in the container with the corresponding election districts for random selection.
- Each container will represent a legislative district within the county and only contain those election districts that are part of that legislative district.
- All those present at the audit who wish to participate in the random selection of election districts to be audited will put their names into a container suitable for the purpose of mixing and selecting names.

- A volunteer chosen at the audit will select the first name out of the container to begin the selection process.
- The individual chosen will select one election district out of the container in which the individual election districts are contained.
- The election district chosen will be recorded and will be available for public inspection.
- After the election district has been recorded, the individual who made the selection will choose the name of the next participant to select an election district.
- This process will continue until the required number of election districts have been selected.
- If there are not enough individual participants, once all names have been selected, all of the names will be placed back into the container and the process will continue until all election districts have been selected.
- In accordance with N.J.S.A. 19:61-9c(10), “If the voter-verifiable paper records in any machine are found to be unusable for an audit for any reason whatsoever, another machine used in the same election shall be selected at random by the audit team to replace the original machine in the audit sample.” The procedure for choosing the replacement district shall be the same process used for the selection of the original election district.

Hand-to-eye counting of the ballots.

- Each county Board of Elections shall assemble count teams of four members consisting of Democrats, Republicans, and Unaffiliated voters.
- Two members of the count team shall read out loud the selections made on each ballot being audited. One member shall read the selections made while the other member observes and verifies the selections being read out loud are correct. The two members shall consist of one Democrat and one Republican, except that if the county board is unable to fill the positions from among qualified members of those two political parties, the county board shall appoint to any such unfilled position an otherwise qualified person who is unaffiliated with any political party.
- Two members of the count team, made up of one Democrat and one Republican, shall separately record the selections being read out loud for each ballot being audited. The two members shall consist of one Democrat and one Republican, except that if the county board is unable to fill the positions from among qualified members of those two political parties, the county

board shall appoint to any such unfilled position an otherwise qualified person who is unaffiliated with any political party.

- The selections shall be recorded on a form approved by the audit team.
- When more than one voting machine is used in an election district, each voting machine will be audited individually and compared to the results report produced from that voting machine.
- In increments of five votes cast for each candidate, the count team shall confirm they are in agreement with the count and proceed. If the two count team members are not in agreement, the count will stop to determine the discrepancy. If the discrepancy cannot be verified and corrected, the hand-to-eye count for that voting machine shall start over.
- Upon completion of the counting, the results from the hand-to-eye count will be compared to the results report produced by each individual voting machine within an audited district as well as the results report produced for the election district.

Post audit reporting.

- In accordance with N.J.S.A. 19:61-9c(7) after the completion of audit, the results will be announced publicly and posted on the website of the Secretary of State.