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## **The Carter Center Congratulates the State of Georgia on a Successful Audit Process**

The Carter Center congratulates Georgia's 159 counties and office of the secretary of state on their successful completion of the audit of the Nov. 3 presidential election.<sup>1</sup> The conduct of the audit, which constituted the largest hand tally of an election race in U.S. history, was particularly impressive given that counties had less than 48 hours to prepare for the process, which was carried out in a highly politicized environment and in the midst of the COVID-19 pandemic. Even with rolling start times, decided at the county level, many of the counties finished counting and uploading their ballots ahead of the Wednesday deadline. All counties completed their work by the deadline of 11:59 p.m. Nov. 18.

The Carter Center, which has observed more than 110 elections in 39 countries, was the only nonpartisan organization monitoring the audit and was credentialed by the office of the secretary of state to provide an impartial assessment of the implementation of the audit process. It had the same access provided to the political party monitors who were present throughout the state.<sup>2</sup> Over five days, The Carter Center deployed 52 monitors to 25 counties.<sup>3</sup> The counties monitored by The Carter Center account for more than 60 percent of votes cast and audited. Completing forms specifically designed for the audit, Carter Center monitors systematically collected information on each step of the process, including the work of the two-person audit boards and the vote review panels, and the uploading of tally information into the open-source data collection system known as ARLO.<sup>4</sup> With the exception of a few instances where counties initially were not aware of the Carter Center's accreditation, the Center's personnel were welcomed by election officials and were able to conduct their monitoring activities without hindrance.

This is a preliminary statement of findings of the Carter Center's monitoring team – a more detailed final report will be made public in the coming weeks.

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<sup>1</sup> The results of the audit can be found at [https://sos.ga.gov/index.php/elections/historic\\_first\\_statewide\\_audit\\_of\\_paper\\_ballots\\_upholds\\_result\\_of\\_presidential\\_race](https://sos.ga.gov/index.php/elections/historic_first_statewide_audit_of_paper_ballots_upholds_result_of_presidential_race)

<sup>2</sup> Carter Center monitors abided by the Center's Code of Conduct for election observers and monitors.

<sup>3</sup> The counties selected represent a cross-section of Georgia counties. They were: Bibb, Chatham, Clarke, Clayton, Cobb, DeKalb, Dougherty, Douglas, Fannin, Fayette, Floyd, Forsyth, Fulton, Glynn, Gwinnett, Hall, Hancock, Lowndes, Muscogee, Paulding, Richmond, Rockdale, Spalding, Thomas, and Whitfield.

<sup>4</sup> ARLO was developed by Voting Works, a nonpartisan, nonprofit organization, with support from the U.S. Cybersecurity and Infrastructure Security Agency. Voting Works provided assistance to the office of the secretary of state in the implementation of the audit.

The audit took place in a hyper-partisan environment marked by divisive political rhetoric. In the days following Nov. 3, while election results were still uncertain, misinformation and disinformation about the electoral process was pervasive, particularly online and on social media. Although legacy media, like the Atlanta Journal-Constitution and affiliated regional papers, took steps to provide accurate information about the audit process to the public, misinformation and disinformation – much of it partisan in nature – was nonetheless rampant and served to undermine public confidence in the integrity of the electoral process.

There has long been some level of skepticism about Georgia’s electoral process. In the past, however, much of it has been focused on the electronic voting systems. In 2020, Georgia voters cast their ballots using a new voting system that includes ballot-marking devices that produce a printed paper ballot that can be checked by the voter.<sup>5</sup> This is an important step toward transparency and verifiability. However, critics voice concern that the system is not fully transparent because scanners read a QR code on the ballot which is not readable by humans when counting ballots. They also note that empirical studies have shown that many voters do not check their paper ballots before casting them. While it is critical that work continues to encourage ALL voters to review their ballot before scanning, the audit of the printed paper ballots provided an important means to verify the accuracy of the machine count in this presidential race.

**Risk-Limiting Audits:** Postelection audits have long been a fixture of American elections. They are designed to check the accuracy of the initially tabulated results and increase citizens’ confidence in the integrity of the voting process. Typically, some set percentage of *precincts* or *voting machines* is rechecked to validate the result.

A newer technique, developed over the past decade and now considered the gold standard for election auditing, is the “risk-limiting audit” (RLA), which looks at a statistically random sample of *paper ballots*. The number of ballots to be checked by hand depends on both the margin of victory and the chosen “risk limit” – the chance (say, 10 percent) that the projected winner did not in fact receive the most votes. The RLA is in use in about a dozen states, and Georgia law now requires that an RLA with a risk limit of 10 percent be conducted prior to certification of the vote.<sup>6</sup> Georgia is to be commended for being in the forefront of adopting this most technically accurate and efficient approach to postelection auditing.

An RLA is an “incremental audit,” with more and more ballots sampled until the risk limit is met. For Georgia’s Nov. 3 presidential election, however, the margin of victory was so small (less than half a percent) that incremental sampling would have led to a full hand recount. To be more efficient and meet the Nov. 20 certification deadline, the secretary of state’s office decided to move directly to a hand tally of all ballots.

The RLA is not to be confused with the Georgia “recount” process, which can occur only *after* certification, with ballots scanned again but not hand counted. Nor should it be confused with the processes for assessing the eligibility of voters *before* they cast a vote in person (early or on Election Day) or before their absentee or provisional ballot is counted. The RLA simply checks the accuracy of the tabulation of the legally cast ballots.

**Preliminary findings:** In general, Carter Center monitors reported that the audit was conducted according to procedures and without significant problems. County election officials and workers received training and instructional materials from Voting Works and the office of the secretary of state on Nov. 12 and were instructed to begin the audit on Nov. 13. With very little lead time for planning or training of staff, and in

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<sup>5</sup> The Dominion voting systems have been a source of controversy in the aftermath of the Nov. 3 election, with allegations made by political contestants about the veracity of the vote tallies produced by them. To date, no evidence has been brought in support of these claims.

<sup>6</sup> See OCGA § 21-2-498. The procedure for conducting the risk-limiting audit is stated in GA ADC 183-1-15-.04.

the midst of a pandemic, county election supervisors recruited sufficient personnel for the two-person audit boards and organized ballot storage, work space, and room for the public to observe.<sup>7</sup>

*Audit Boards.* Counting at the audit boards took place in an atmosphere described by Carter Center monitors as calm, professional, and organized – even cheerful – despite the long hours worked by many staff. Generally, the counting process could be characterized as efficient and smooth. Carter Center monitors noted minimal disruptions to the audit boards’ counting and the vote review panels’ work. For the most part, the process was well managed, and bottlenecks in the movement of ballots from storage to audit board to vote review and back to storage were quickly addressed, allowing a timely completion of the hand tally. Nevertheless, there was considerable variability among counties in the implementation of the audit process. Carter Center monitors noted the following inconsistencies in the implementation of the recount, none of which affected the outcome of the process (as determined by matches between tabulated and counted numbers of ballots):

- Some county vote review panels reviewed contested ballots as they arrived; other counties held the vote review until later in the day.
- Some counties did not allow audit boards breaks until all ballots were secured; other counties allowed ballots to be left out on tables – a potential security issue, although there did not appear to be any loss of ballots. Having multiple monitors – and at times law enforcement – present helped to ensure security.
- Ballots were not consistently secured as they were transferred from storage to audit board to review and back to storage, but there was no observed interference with the ballots, and totals were reconciled at the end of the day.
- Not all counties systematically employed sign-in/sign-out sheets documenting the chain of custody for the ballots, but again, there was no observed interference with ballots, and totals were reconciled at the end of the day.
- Some county audit boards used the recommended method of having both members of the team read the candidate name aloud. Others did not. But each county observed seemed internally consistent in the process they followed.
- In one county monitored, ballots were sorted by candidate and then machine counted on the first day of the audit. This was rectified by the second day, and the first day’s ballots subsequently recounted by hand.

Recognizing the unusual circumstances of this audit process, the Center nevertheless encourages additional and more consistent training for **all** audit workers based on state guidelines.

*Vote Review Panels.* In addition to monitoring the work of the audit boards, Carter Center monitors observed the work of the vote review panels, two-person committees that included one representative from each of the two major parties. When the two could not agree, the election superintendent was called in as a tiebreaker. These committees were tasked with reviewing irregular ballots – ballots with write-in candidates, ballots that had to be duplicated because the voter’s mark on the original ballot wasn’t clear, or ballots where there was a question about voter intent. Carter Center monitors were asked to check whether there appeared to be any clear pattern in the tiebreaking that favored either candidate, but found none.

*Transparency and Access for the Public and Monitors.* Carter Center monitors reported that they had adequate access to assess the process and found that in the counties visited, the audit process was conducted transparently. It was open to public observation (at a distance), and many counties livestreamed the proceedings. Sixty-five percent of the counties visited by Carter Center monitors had public observers

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<sup>7</sup> Fulton County, for example, staffed as many as 130 audit boards and Gwinnett County 159.

present. Carter Center monitors reported that there were relatively cramped conditions in some smaller counties. The Center recommends that future audits – those with more lead time for planning – be conducted in larger, more open spaces, both to increase transparency and, in the time of COVID-19, to ensure appropriate distancing.

The process was monitored not just by The Carter Center but also by monitors designated by the political parties. Of the counties observed, 92 percent had Republican and 90 percent Democrat monitors. In many locations monitored, the Republican monitors were present in greater numbers than their counterparts from the Democratic Party.

In the counties where the Center monitored, party monitors had meaningful access to the counting process. According to the guidelines set by the secretary of state, each party was allowed to have one monitor per 10 ten audit boards, with a minimum of two monitors per county location. Monitors had to provide a letter from their designated party, sign in and take an oath, and wear a name tag. Monitors were prohibited from interfering, touching ballots, or taking photos or recording the process. Monitors were expected to maintain a safe distance from audit board personnel and not to hover over tables or speak to the audit board members while they were counting. The same rules applied to Carter Center monitors.

Carter Center monitors noted that party monitors were able to walk around the ballot counting area to observe audit boards at work and were generally able to hear the votes as they were read out and sorted into the appropriate piles to be counted. They also were able to witness the counting of the stacks of ballots. While the limitations on numbers were a source of consternation for some party monitors, the limitations were reasonable given the space restrictions in some counting locations and the need to protect audit workers and the monitors themselves from COVID-19 exposure. The Center notes that there was variability in the enforcement of monitor guidelines by county officials, including social distancing and masking requirements, that may have resulted in increased risks of exposure in some counties.

While political party monitors were generally collegial, Carter Center monitors reported several instances where the behavior of Republican monitors was perceived as potentially intimidating to audit workers, or where it became more aggressive. In a small number of cases, this resulted in the monitor being escorted from the counting location. In only four counties observed were there disruptions that paused counting.

Carter Center monitors reported that none of the party monitors had checklists or observation forms to record data, although some note-taking was observed. In a few counties visited, the party monitors appeared poorly versed in aspects of the process. In general, it did not appear that the political parties had consistently trained their monitors on the recount process or on how to systematically collect information about the process. This is unfortunate, as it most likely resulted in the parties having only anecdotal information about how the process was conducted.

Late in the audit process, four counties discovered previously uncounted ballots. In Fayette, Walton, and Douglas counties, county officials discovered that information on memory cards from scanners had not been properly uploaded, affecting about 3,000 votes. As part of the audit, paper ballots for these votes were found and counted. All three counties re-counted the ballots, reconciled their counts against the number of voters that voted, and will recertify their county-level election results in advance of the state certification of results on Nov. 20. In Floyd County, a scanner used in one early-voting location jammed, and the memory card in the scanner was corrupted. The paper ballots were not rescanned prior to Election Day. Following the discovery of about 2,600 uncounted ballots during the audit, the secretary of state's office and Floyd County election officials decided to rescan all votes cast at that location (including the approximately 2,600 ballots in question). These results will be recertified by the county in advance of the state certification of results on Nov.20.

The audit was successful in isolating the problems in these four counties and helping to locate the ballots that could then be counted and rescanned. However, it should be noted that regular reconciliation of ballot numbers against the list of voters in the poll book should have enabled election officials to note and correct these discrepancies. The Center is glad to note that the secretary of state's office is taking steps to determine whether changes to the user interface of the data collection system could be made to serve as an additional safeguard to flag discrepancies. Extended early voting – which saw a greater number of voters than expected for this election – created new challenges for the management and security of data and equipment. The Carter Center encourages the office of the secretary of state to develop new protocols and training to support this expansion of early-voting options and urges counties to be rigorous in their reconciliation processes prior to certification.

Overall, The Carter Center found that the process can and should serve as the basis for increased confidence in the electoral system in Georgia. The office of the secretary of state and Georgia's counties successfully implemented the audit under challenging circumstances, and did so transparently through the provision of meaningful access to partisan and nonpartisan observers, and the interested public.

### **The Carter Center**

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