MINNESOTA'S 2022 Post-election Review

Report and Recommendations

June 2023

Max Hailperin Mark Halvorson

Citizens for Election Integrity Minnesota 2720 East 22nd St. Minneapolis, MN 55406 612-724-1736

www.ceimn.org info@ceimn.org

Acknowledgements

Thanks to the League of Women Voters Minnesota (LWVMN) for partnering with Citizens for Election Integrity Minnesota (CEIMN) in organizing the post-election review observation and reporting its results.

We want to thank Sam Streukens and Michelle Witte of the LWVMN, and Dan Pederson and Kathy Bonnifield of CEIMN, for their participation in the post-election review observation and for their input on this report. In addition, no effort like this succeeds without the dedicated volunteers and supporters who participated. We are truly grateful for their commitment to verifiable, transparent, and accurate elections.

This report may be copied and distributed under Creative Commons license, Attribution-NonCommercial-NoDerivs 3.0 Unported (CC BY-NC-ND) <u>https://creativecommons.org/licenses/by-nc-nd/3.0/</u>

Table of Contents

I. Introduction	1
II. Scope of the review	1
A. Offices reviewed	
B. Number of precincts reviewed	2
C. Ballots reviewed	
D. Differences reviewed: unadjusted, explained, and adjusted	4
III. Consistency checks	4
IV. (Un)acceptable performance determinations	6
V. Unadjusted differences	7
VI. Review of extra offices	8
VII. Recommendations	9
A. Recommendations based on observer surveys	9
B. Recommendations based on PER report data1	0
VIII. Conclusions1	1
Appendix A1	2

Minnesota's 2022 Post-election Review

I. Introduction

Minnesota's post-election review (PER), also called a post-election audit, refers to election officials hand counting votes on randomly selected paper ballots and comparing the totals to the corresponding Election Day voting machine totals. This procedure is an important check on the accuracy of the machines. The review also provides information used to improve election processes, and it provides the public with an opportunity to observe the verification of our elections. Minnesota's PER was first implemented in 2006 and is conducted in general elections every two years in congressional and key statewide races.

Since 2006, Citizens for Election Integrity Minnesota (CEIMN) has organized eight non-partisan observations of Minnesota's PERs. In 2022 CEIMN partnered with the League of Women Voters Minnesota as we had done in 2006 and 2008, to organize 40 non-partisan volunteers to observe the review in 11 counties.

Our observers filled out a detailed questionnaire (Appendix A) during the 2022 review. That survey data indicated that the review was conducted in a transparent, efficient and professional manner. Observers expressed confidence in the accuracy and integrity of the PER.

II. Scope of the review

A. Offices reviewed

Given the offices that were up for election this year, subdivision 3 of the post-election audit statute¹ mandated that each of the 87 counties review votes cast for the offices of governor and U.S. representative. The same subdivision permitted each county to review votes cast for additional offices. According to the report to the Minnesota State Canvassing Board,² Anoka County reviewed the secretary of state race and Sherburne County reviewed the secretary of state and attorney general races. However,

Minnesota's 2022 Post-election Review

www.ceimn.org

¹ Minnesota Statutes 2022, section 206.89, subdivision 3,

https://www.revisor.mn.gov/statutes/2022/cite/206.89#stat.206.89.3.

² Minnesota State Canvassing Board, Presentation of the Report of the Post-Election Equipment Review, Tuesday, Nov. 29, 2022. Discussion of Anoka and Sherburne Counties at 15:25, <u>https://www.youtube.com/watch?v=b-V5hASunoc&t=927s</u>.

these extra races are not shown in the *Post-Election Review Results*³ (*PER Results*) generated using the Election Reporting System. Instead, we requested information about those extra races from the secretary of state's office and have summarized that information in Section VI.

B. Number of precincts reviewed

Subdivision 2 of the statute⁴ specifies the minimum number of precincts that must be reviewed in each county based on the number of registered voters and, for large counties, the number of precincts in the county. Swift County initially neglected to conduct the review but then did so on March 13, 2023. With this incorporated, all 87 counties were in compliance with the minimum as noted in the table below. Some counties exceeded the minimum as explained in the notes A–D that follow the table.

County	Number of precincts required for review by M.S. 206.89, subd. 2	Number of precincts actually reviewed	Notes
Benton	2	3	А
Roseau	2	3	A
Traverse	2	3	A
Wadena	2	3	A
Carver	3	3	
Scott	3	3	
Stearns	3	3	
Wright	3	3	
Crow Wing	2	4	В
Kanabec	2	4	С
Stevens	2	4	С
Sherburne	3	4	A
Olmsted	4	4	
Washington	4	4	

³ Office of the Minnesota Secretary of State, Post-Election Review Results, State General Election Tuesday, Nov. 8, 2022, printed 1:20 p.m. March 14, 2023.

https://www.sos.state.mn.us/media/5223/2022-post-election-review-results.pdf. ⁴ M.S. 206.89, subd. 2, https://www.revisor.mn.gov/statutes/2022/cite/206.89#stat.206.89.2.

Minnesota's 2022 Post-election Review

www.ceimn.org

Becker	2	5	D
Watonwan	2	5	D
Dakota	5	5	
Ramsey	5	5	
Anoka	4	6	С
St. Louis	6	6	
Hennepin	12	12	
Other 66 counties	2	2	

- A) Five counties selected one more precinct than the minimum. Some may have resulted from the instructions in the *Post-Election Review Guide*⁵ (*PER Guide*) on how to comply with the statutory requirement that "At least one precinct selected in each county must have had more than 150 votes cast at the general election." The *PER Guide* calls for selecting the minimum number of precincts without regard to this requirement, then if the requirement hasn't been met, selecting one more limited to the sufficiently large precincts. Whether via this extra selection or not, all 87 counties do indeed have at least one precinct with more than 150 votes cast.
- B) Crow Wing County selected two more precincts than the minimum. According to the report to the state canvassing board⁶ and press reports,⁷ this was by choice.
- C) Anoka, Kanabec, and Stevens counties likewise selected two more precincts than the minimum. Although not mentioned to the state canvassing board, they also might have made the same policy choice as Crow Wing.
- D) Becker and Watonwan counties selected three additional precincts beyond the initial minimum as the statutorily mandated escalation in the face of unacceptable results from the initial review. This is described in a subsequent section.

Thus, in total 224 precincts were reviewed.

The statute also contains one requirement that goes beyond individual counties, namely that at least four precincts are reviewed in each congressional district. All eight congressional districts conform with that requirement, with Congressional District 3 doing so most narrowly with five precincts.

⁶ State canvassing board, Presentation of the Report of the Post-Election Equipment Review, Tuesday, Nov. 29, 2022, Discussion of Crow Wing County at 14:56, https://www.youtube.com/watch?v=b-V5hASunoc&t=896s.

⁵ Secretary of state's office, *Minnesota Elections Post-Election Review Guide* (2022), <u>https://www.sos.state.mn.us/media/2701/post-election-review-guide.pdf</u>. The PER Guide includes detailed instructions for election officials on how to prepare and conduct the review, and report the results.

⁷ Deena Winter, *Minnesota Reformer*, Sept. 1, 2022, "Crow Wing County officials approve some of activists' demands for election changes,"

https://minnesotareformer.com/2022/09/01/crow-wing-county-officials-approve-some-of-activists-demands-for-el ection-changes/.

C. Ballots reviewed

Across the 224 precincts that were reviewed, a total of 130,587 ballots were hand counted, an average of about 583 ballots per precinct. The smallest number in a precinct was one and the largest was 3,107. Half of the precincts had 297 or fewer ballots hand counted and half had 299 or more. Aggregated across the state, the 130,587 ballots represented 5 percent of the total voters. Each of these 130,587 ballots was reviewed twice — once for the governor's race and once for the U.S. representative race.

D. Differences reviewed: unadjusted, explained, and adjusted

For each office reviewed in each precinct, the number of votes cast for each candidate was compared between the hand count and the original machine count.⁸ Similarly, the hand and machine counts were compared with regard to the number of ballots that were overvoted for each office and the number left blank (undervoted) for each office.

These differences between the hand and machine counts are referred to as "unadjusted" differences. Some of those differences are categorized as "explained" differences and the remainder are "adjusted" differences, which are used in assessing the acceptability of the voting system's performance.

Informally stated, the goal of allowing some differences to be "explained" and thus not count against the acceptable performance standard is to differentiate between differences that result from voter behavior and those that reflect problems with the voting system. The statute⁹ only mentions "valid votes that have been marked by the voter outside the vote targets or using a manual marking device that cannot be read by the voting system." In practice, this has been understood to also include situations like a voter filling in two targets but crossing one of them off.

III. Consistency checks

The secretary of state's office provided the counties with a new tool this year that checks for some common inconsistencies. Perhaps as a result, only a few inconsistencies remain in the reported results:

- All "explained" differences have textual explanations.
- There were four instances where a textual explanation appears despite the explained-difference count being zero. Of these, two are in Lac Qui Parle County's Riverside Township and relate to one more ballot being hand counted than was machine counted, a situation mentioned below. The other two, in Mower County's Brownsdale and Nicollet County's Granby Township, appear insignificant.

⁸ For simplicity, the original tabulations reviewed by the post-election review's hand counts are referred to as "machine" counts throughout this document, although in one precinct (St. Louis County's Colvin Township) the original count was also done by hand.

⁹ M.S. 206.89, subd. 4, <u>https://www.revisor.mn.gov/statutes/2022/cite/206.89#stat.206.89.4</u>.

- All precincts showed the same number of ballots hand counted for governor as for U.S. representative.
- All precincts showed the same number of ballots machine counted for governor as for U.S. representative.
- There were three precincts that had one more ballot hand counted than machine counted and two precincts that had one more ballot machine counted than hand counted. These precincts are listed below. No precincts differed by more than one ballot.
- All cases where the machine count of overvotes or undervotes was zero are genuine rather than arising from missed data entry. Either the same count of zero was obtained in the hand count or (in two instances) a suitable explanation is present.

The three precincts with one more ballot hand counted than machine counted were:

- Lac Qui Parle County's Riverside Township
- Ramsey County's Little Canada P-2
- Ramsey County's White Bear Township P-2

The two precincts with one more ballot machine counted than hand counted were:

- McLeod County's Acoma Township
- McLeod County's Hutchinson City P-1

In the case of Lac Qui Parle County's Riverside Township, the extra ballot was one of the six absentee ballots and the county offered the following explanation: "Overvote on ballot on school board race & 450 didn't count this race either." (The number 450 refers to the model of the central-count tabulator used in that county, an ES&S DS450.)

If the tabulator was configured to outstack ballots with overvotes on them, the goal was to manually review those ballots to catch situations such as fold lines through ballot targets falsely causing overvotes to be registered. Perhaps the tabulator operator mistakenly thought that since this overvote was genuine, no manual intervention was necessary, whereas in actuality, the outstacked ballot still needed to be tabulated for the other races.

Lac Qui Parle County did not treat this difference in each race as an "explained" difference. However, because it was the only difference, the performance was still acceptable.

Ramsey County's two precincts with extra ballots both arose from situations at polling places. In Little Canada P-2, the extra ballot was one that was secured in the auxiliary compartment of the ballot box, which is used when the tabulator is temporarily inoperable. The election judges did not run the ballot through the tabulator after returning it to operation. In White Bear Township P-2, the extra ballot was an unused blank ballot that was mistakenly included with the voted ballots. The county treated both extra ballots as "explained" differences that weren't counted toward the standard of acceptable

performance. They were treated as "explained" differences presumably because they reflected election judge mistakes rather than voting system malfunctions.

McLeod County provided no explanation of why, in both precincts reviewed, it hand counted one fewer ballot than was machine counted. In three of the four races reviewed, this was the only difference encountered. In Hutchinson City P-1's race for U.S. representative, there were six other differences, but those were all "explained," leaving the missing ballot as the only "adjusted" difference. Thus, all four reviewed races were deemed acceptable.

IV. (Un)acceptable performance determinations

Subdivision 4 of the statute¹⁰ specifies a standard of acceptable performance that voting systems are to achieve in the review, and subdivision 5¹¹ specifies additional review that counties must perform if the standard is not met.

The 2022 reviews were the first conducted since the legislature made the standard more exacting in 2021. And this also was the first time that any additional review was triggered. However, these two facts turn out to be unrelated: each of the specific reviews (of a particular race in a particular precinct) that exhibited unacceptable performance was so far off that it would also have failed under the old, more lenient standard.

Size Range (Ballots)	Precincts	Maximum Acceptable Adjusted Difference
< 1,200	190	2
1,200 – 1,599	12	3
1,600 – 1,999	11	4
≥ 2,000	11	5

The following table shows how the current standard applies to the precincts that were reviewed.

The unacceptable performance occurred in Becker County's Lake Park Township and Watonwan County's Nelson Township. In Lake Park Township, eight of the 257 ballots were machine tabulated as overvotes both for the governor's race and for the congressional race, but upon hand counting turned out to be voted for only one option in each race. In Nelson Township, an analogous pattern of errors occurred only in the congressional race, where 11 of the 135 ballots had been wrongly tabulated as overvotes.

 ¹⁰ M.S. 206.89, subd. 4, <u>https://www.revisor.mn.gov/statutes/2022/cite/206.89#stat.206.89.4</u>.
¹¹ M.S. 206.89, subd. 5, <u>https://www.revisor.mn.gov/statutes/2022/cite/206.89#stat.206.89.5</u>.

Each mistabulation counts as two errors — one in the number of overvotes and the other in the number of votes for a candidate. And none of these errors were treated as "explained" differences as detailed below. Thus, there were "adjusted" differences of 16 and 22. Given the size of these townships, even under the old acceptable performance standard, only two "adjusted" differences were allowed.

The reason why these overvotes were not treated as "explained" differences is that they did not result from voter behavior, such as voting for two candidates but crossing one off. Rather, they resulted from poorly placed fold lines on the ballot going through the target ovals used by voters to mark their ballots. Because this is a voting-system issue, it was not treated as "explained," even though an explanation was in fact known.

Notably, the problem with fold lines was discovered while the election was still in progress, and counties were given a process to avoid mistabulations. What the review successfully discovered was that at least in these two precincts, mistabulations nonetheless occurred.

Each of the affected counties reviewed three more precincts, as required by statute. Neither found unacceptable performance in any of those additional precincts. Perhaps that indicates that the problem with folding was adequately remediated during the election, other than in isolated exceptions. To determine whether that is the case would go beyond the scope of M.S. 206.89.

V. Unadjusted differences

As described previously, the judgments of acceptable performance are based on "adjusted" differences produced by subtracting "explained" differences where the explanation suggests a cause outside the scope of machine accuracy.

The published review data also includes the "unadjusted" differences, and it can be interesting to examine these to get a sense of the overall degree to which the initial tabulations proved incorrect.

For example, the magnitude of these "unadjusted" differences gives some indication as to how close an election would need to be before a recount would make sense. They also provide an upper limit on the value broader utilization of ballot marking devices could provide by eliminating non-machine-readable marks.

Of the 448 races reviewed across the 224 precincts, 371 had zero "unadjusted" differences and 417 had two or fewer. Keep in mind that each differently tabulated ballot typically contributes two differences to a particular race as one count is increased and another decreased. A complete tabulation of the differences per race follows:

Unadjusted Difference	Races
0	371
1	6
2	40
3	2
4	14
5	1
6	3
7	1
8	4
10	2
16	2
22	1
42	1

This totals 326 differences across the 261,174 ballot reviews, 0.125 percent.

At the upper end of the range, the two races with "unadjusted" differences of 16 and the one with an "unadjusted" difference of 22 have been described as the cases where performance was judged unacceptable. The race with an "unadjusted" difference of 42 was the governor's race in Scott County's New Prague P-2, where out of 2,112 ballots, there were 39 "explained" differences and three that remained after this adjustment. It isn't entirely clear why the number of "explained" differences is an odd number, but in any case, most if not all of them are explained based on voters marking their ballots in ways that could not be read by the machines.

VI. Review of extra offices

As mentioned earlier, Anoka County reviewed the secretary of state race and Sherburne County reviewed the secretary of state and attorney general races. Based on the data we received from the secretary of state's office, these two counties took different approaches. Anoka County reviewed the additional race in the same six precincts as it had selected for the two required races. Sherburne County, on the other hand, reviewed each of the two additional races in only a subset of the precincts, as shown below:

Precinct	U.S. Rep., Gov.	Sec. of State	Atty. General
Big Lake P-03	Х		Х
Clear Lake Twp.	Х	х	
Haven Twp.	Х	х	х
Elk River W3 P3B	X		х

No information was provided as to how these subsets were chosen. It isn't clear that reviewing additional races in a reduced number of precincts conforms with M.S. 206.89.¹²

Unlike the required two offices for which the *PER Results* show both "unadjusted" and "adjusted" differences, we received only a "changes report" for the extra races in Sherburne County. Presumably this documents the changes to be applied to the canvassed results and, as such, corresponds to the "unadjusted" differences. For Anoka County, our observers received complete worksheets at the PER.

In Sherburne County, all the changes are zero, suggesting that in these five additional reviews (two of secretary of state, three of attorney general), no differences were found from the original machine tabulations — not even differences explainable by non-machine-readable markings. Thus, the acceptable performance standard is clearly met. Based on the *PER Results*, the two precincts reviewed for secretary of state totaled 1,957 ballots, while the three reviewed for attorney general totaled 4,236 ballots.

In the Anoka County review of the secretary of state race, a total of three additional votes were identified for Kim Crockett and six were identified for Steve Simon — all coming at the expense of the undervote (blank for office) category. These 18 changes (nine additions and nine subtractions) are all "explained" differences in the worksheets and so the acceptable performance standard has been met for this additional race in these six precincts, totaling 7,646 ballots.

VII. Recommendations

A. Recommendations based on observer surveys

One county did not allow observers to see the summary statement from Election Day; however the *PER Guide* (page 9) states: "It is a good practice to have the original summary statements and results tapes/reports for the precincts (both polling place and absentee) available for public review."

CEIMN recommends that election officials adhere to the best practices outlined in the PER Guide.

¹² Subdivision 2 requires that "At the canvass of the state general election, the county canvassing boards must select the precincts to be reviewed by lot." Subdivision 3 allows that "The post-election review official may conduct post-election review of the votes cast for additional offices."

B. Recommendations based on PER report data

CEIMN is unaware of any occasion prior to 2022 in which a county failed to complete its review as scheduled. Now that this situation has arisen, it becomes clear that the secretary of state's office should have a routine process of monitoring PER completion to allow timelier follow-up. We recommend establishing a systematic monitoring mechanism if this has not already been done. Beyond outright failures, the secretary of state's office should ensure counties publish any alterations to the originally established review schedule.

The new "issues" tool that allows counties to check for inconsistencies before submitting their reports appears to be a success, judging by how few inconsistencies made it into this year's data. CEIMN recommends that counties continue to use this tool. We also recommend that the secretary of state's office add one more check: Flagging any case where the number of explained differences is odd rather than even.

One of the most significant findings of this year's PER concerned improperly folded ballots that had not previously been caught. CEIMN expects that counties will devote renewed attention to preventing and detecting this problem much earlier than the PER, ideally before ballots are issued to voters. However, this situation also leads to a recommendation for the PER.

We have previously discussed with the secretary of state's office the desirability of disaggregating the polling-place and absentee/mail-ballot data so that they can be judged separately for acceptable performance. Unacceptable performance in either category would escalate to a review of additional precincts in that same category. This year's problem with folded ballots adds new urgency to this recommendation. With the absentee or mail ballots judged separately from the polling-place ballots, any further issues specific to folded ballots are more likely to come to light.

On the other hand, treating the two categories separately comes with two downsides. First, problems in small precincts might be overlooked if they were now allowed two "adjusted" differences in each category, rather than only two in total. Second, releasing results from the individual categories might allow more voters' votes to be inferred, for example in a precinct with only a single absentee voter. Therefore, rather than definitively recommending separation of the categories, what we recommend is a careful but urgent reconsideration of this question by the secretary of state's office.

If the office decides to proceed with separating the two categories, that will require legislative action. However, because the two groups of ballots are already separately counted and entered into the Election Reporting System, we are hopeful that a change enacted in 2024 could be effective that same year.

Because the PER acts as a check on machine tabulation, making more data from that initial machine tabulation publicly available creates a clearer view of what is being checked. CEIMN recommends that

the number of overvotes and undervotes (blank for office) be routinely reported for each race in each precinct, just as the number of votes for each candidate currently is.

VIII. Conclusions

A key component of the post-election review is a transparent and public process. The counties provided transparency by opening their reviews to observers, including those from our group. The secretary of state's office provided transparency through a website that summarizes the governing law, as well as linking to its actual text, and that also provides the specific dates and locations of the counties' reviews, the precincts reviewed, and the results.¹³

The reviews correctly identified two counties that had not fully mitigated the problems caused by incorrectly folded ballots, as well as a modest number of situations in which voters marked their ballots in ways that optical scan tabulators are not designed to read.

Although two of the precincts were judged to have unacceptable voting system performance, the voting system component at fault was the folding of the blank ballots. In none of the 224 precincts reviewed was there any sign that the tabulators functioned improperly.

Notably, the overall rate of discrepancies uncovered, including those traceable to voter behavior, was only 0.125 percent. For context, if any of these elections had been decided by a margin even up to twice that, or 0.25 percent, it would have been eligible for a publicly funded recount.¹⁴ Thus, the PER provides good evidence that Minnesota has a substantial safety margin in assuring correct election outcomes.

 ¹³ Secretary of state's office, Post-Election Reviews, <u>https://www.sos.state.mn.us/elections-voting/how-elections-work/post-election-reviews</u>.
¹⁴ M.S. 204C.35, subd. 1, <u>https://www.revisor.mn.gov/statutes/2022/cite/204C.35#stat.204C.35.1</u>.

Minnesota's 2022 Post-election Review

www.ceimn.org

Appendix A

Citizens for Election Integrity Minnesota & League of Women Voters Minnesota

2022 Post-Election Audit Observation

I. IN-PERSON OBSERVERS

- A. Your information: Name, email and phone number
- B. Other members of your counting team:
 - 1. Name
 - 2. Name
 - 3. Name
 - 4. Name
- C. What time did you start your observation?
- D. What county and precincts did you observe?

II. GENERAL OBSERVATIONS REGARDING USE OF TECHNOLOGY

- A. Were there video recording devices (cameras)?
 - 1. Yes
 - 2. No

- B. If you answered "yes" to the previous question, please provide details. For example, were they provided by the election administrator, or was it a member of the public who brought in the camera? How many cameras were there? What did they focus on? The entire room, counting teams, ballots?
- C. If "no," explain if you were unable to observe or didn't observe and why.

III. NUMBER OF PEOPLE ON-SITE AND TRANSPARENCY

- A. People present
 - 1. At the maximum, how many people were on site? (Do not include people counting ballots or elections staff.)
 - Did the non-elections people present identify themselves? If so, please provide information. (For example, were they from the media? If so, which news outlet? Were they from political parties? If so, which ones? Were they representing other nonprofits or entities?)
- B. What three words would you use to describe the environment in the room within 15 minutes of arrival. (For example, was it calm, chaotic, tense, professional, friendly?)
- C. Were you allowed to be close enough to the ballot counting teams to see the marks on the ballots?
 - 1. Yes
 - 2. No
 - 3. Sometimes (Please explain.)
- D. Please provide additional information about people on-site or about the set-up of the room.

IV. START TIME, AUDIT PROCEDURES, AND CHAIN OF CUSTODY

- A. Start time of the meeting/procedures (This differs from the start time of the counting. The procedures might include transferring ballots and/or announcing the process/procedures.)
 - 1. Scheduled start time:
 - 2. Actual start time:
 - 3. Could you clearly hear an election administrator announce the start of the audit?
 - 4. Did the election administrator announce audit procedures? If so, what information did they provide? (For example, did they announce the number of counting teams so people observing virtually could better understand if they were if they were observing all counting teams or just some counting teams?)
- B. Transfer of ballots and ballot envelope container seals
 - 1. Did you observe the transfer of ballots?
 - a. Yes
 - b. No
 - 2. If yes, were the ballots delivered by at least two individuals?
 - a. Yes
 - b. No
 - 3. Were the seals intact on the ballot envelope/ containers when they were delivered?

- a. Yes
- b. No
- 4. Did the election administrator clearly announce they were reviewing the seals?
 - a. Yes
 - b. No
- 5. Please provide other information/ general observations about the start time and chain of custody.

V. SORTING, COUNTING, AND RECORDING OF RESULTS

- A. How many judges counted each precinct?
- B. Could you hear members of the counting team discuss what they were doing?
 - 1. Yes
 - 2. No
 - 3. Sometimes
- C. Please provide additional information about your ability to hear the counting teams, if applicable. (This question is open to anyone, but especially people who answered the previous question "sometimes".)

- D. Counting procedures
 - 1. Did you observe the ballot counters sorting ballots in groups of 25 and stacking them crosswise?
 - a. Yes
 - b. No
 - 2. Did the ballot counters check the accuracy of each other's work?
 - a. Yes
 - b. No
 - 3. Did the ballot counters follow a two-person protocol to sort ballots?
 - a. Yes
 - b. No
 - 4. Did the election judges counting ballots see a questionable, incomplete, or stray mark on the ballot that might have affected how the ballot counter read the ballot?
 - a. Yes
 - b. No
 - 5. If yes, did they inform the head election official of the issue? Did two election officials review the ballot and determine how it was likely read by the ballot counter?
 - a. Yes
 - b. No

- 6. Did the two election officials announce to the public what they were doing?
 - a. Yes
 - b. No
- 7. Were you able to directly see the ballot?
 - a. Yes, and I could see and understand the issue
 - b. Yes, but not closely enough to understand the issue
 - c. No
- 8. Did the head election official explain the ruling and reasoning behind it?
 - a. Yes
 - b. No
- 9. Did the two election officials document their determination?
 - a. Yes
 - b. No
- 10. Did the two election officials attach the document to the ballot?
 - a. Yes
 - b. No

Minnesota's 2022 Post-election Review www.ceimn.org

- 11. Were at least two team members present when the count totals were entered on the ballot summary sheet?
 - a. Yes
 - b. No
- 12. Could you observe what was entered on the ballot summary sheet?
 - a. Yes
 - b. No
- 13. Did election administrators announce to the public what was entered on the ballot summary sheet?
 - a. Yes
 - b. No
- 14. Did any issues arise that slowed down or delayed the counting of the ballots?
 - a. Yes (If yes, please describe.)
 - b. No

E: Blind counting

- 1. Were teams kept unaware of the official results before the audit?
 - a. Yes
 - b. No

Minnesota's 2022 Post-election Review www.ceimn.org

F: Please provide other information/general observations about the sorting, counting, and recording.

VI. POST-COUNTING PROCEDURES

- A. After the ballots were counted, were they returned to envelopes/ containers?
 - 1. Yes, and an election administrator announced they were doing it
 - 2. Yes, and an election administrator did not announce they were doing it
 - 3. No
- B. Were the ballot envelopes resealed?
 - 1. Yes, and an election administrator announced they were doing it
 - 2. Yes, and an election administrator did not announce they were doing it
 - 3. No
- C. Were you able to view the original polling place voting machine results tape from Election Day?
 - 1. Yes
 - 2. No
- D. Were you able to view the original absentee ballot results tapes or summary statements from Election Day?

- 1. Yes
- 2. No
- E. Please provide other information and general observations about the postcounting procedures.
- F. What three words would you use to describe the environment in the room at the end of the entire process? (For example, was it calm, chaotic, tense, professional, friendly?)

VII. AUDIT ESCALATION

- A. Did election administrators indicate a further audit was needed?
 - 1. Yes (If yes, please call CEIMN immediately.)
 - 2. Not yet determined (If so, please call CEIMN immediately.)
 - 3. No

V111. FINAL NOTES/ GENERAL OBSERVATIONS

A. If appropriate, please provide additional information.

Please submit comments or questions about this document to:

Citizens for Election Integrity-Minnesota 2720 East 22nd St. Minneapolis, MN 55406 612-724-1736 info@ceimn.org



Minnesota's 2022 Post-election Review www.ceimn.org