



**Office of the Auditor General**

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**Doug A. Ringler, CPA, CIA**  
Auditor General

March 4, 2022

The Honorable Julie Alexander  
House of Representatives  
House Office Building, Room 998  
Lansing, Michigan

Dear Representative Alexander:

Enclosed are answers to the questions you posed in your March 3, 2021, letter to our office regarding various election processes to ensure the security and accuracy of elections at the national, state, and local levels. Where applicable, we provided you with reference to information presented in our performance audit of the Bureau of Elections, Department of State, (231-0235-21) publicly released on March 4, 2022.

We conducted the following as part of our performance audit which also helped to address many of your questions:

- Visited 26 local clerk offices from September 22, 2021, through October 28, 2021, to discuss various election activities and processes and to inspect election records related to the post-election audits of select precincts performed by county clerks or BOE after the November 2019 or November 2020 elections.
- Surveyed all 1,595 active clerks as of July 9, 2021, regarding training, experiences with the Qualified Voter File (QVF) application, voting equipment, risk-limiting audits, absent voter ballots, drop boxes, and privately funded grants.

See Exhibit 6 (report pages 45 through 52) - *Survey of County, City, and Township Clerks*.

- Reviewed voting system vendor contracts and voting equipment preventative maintenance records.
- Performed various tests to ensure BOE was maintaining QVF integrity.
- Reviewed clerk and other election official training records in BOE's eLearning Center application.

We appreciate the opportunity to assist you in answering questions regarding this topic. If you have further questions, please do not hesitate to contact our office.

Sincerely,

Doug Ringler  
Auditor General

Enclosure

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**Questions and Answers**

**Q1: Were both major political party officials allowed adequate opportunity to view absent voter ballot handling, duplication, and adjudication of ballots?**

A: Of the 26 precincts applicable to our local clerk office visits, 11 included an Absent Voter Counting Board (AVCB) during the November 2020 general election. We reviewed the AVCB pollbook for each and verified election inspectors from both political parties were present at all 11 precincts. We also reviewed a summary of the post-election procedural audit results related to the November 2020 general election provided by county clerks for all 137 precincts that included an AVCB. The audits disclosed that all 137 AVCB's included at least one representative from each major political party.

**Q2: What steps did local clerks and BOE take to ensure an appropriate chain of custody and overall integrity of absent voter ballots during AVCB processing?**

A: Since a general election did not occur during our audit period, we were unable to directly observe an AVCB processing absent voter ballots to ensure an appropriate chain of custody. However, during our 26 local clerk office visits, we asked the clerks to describe in detail their absent voter ballot processing activities before and on election day. Our inquiry included the following:

- Did the precinct process absent voter ballots and in-person voter ballots or did the precinct include a separate AVCB?
- Explain how absent voter ballots are received and securely retained until election day.
- Explain the processing activities of absent voter ballots on election day.

Our inquiry disclosed:

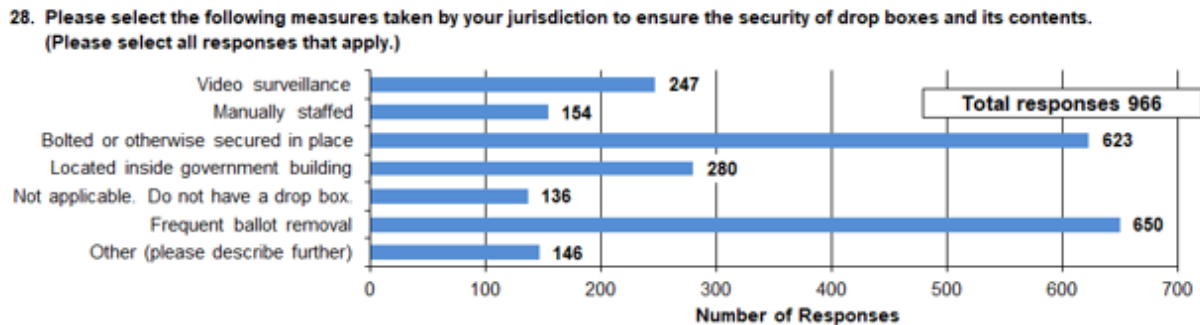
- Multiple election workers process absent voter ballots to ensure voter anonymity.
- Local clerks verified voter signatures on absent voter applications to QVF prior to entering application information in QVF and mailing absent voter ballots to voters (Section 168.761 of the *Michigan Compiled Laws*).

- Local clerks verified voter signatures on the absent voter ballot envelope to QVF prior to entering absent voter ballot information in QVF and batching/storing ballots until election day (Sections 168.766(2) and 168.795a(6) of the *Michigan Compiled Laws*).
- Local clerks advised election workers to verify the local clerk initialed the absent voter ballot envelope indicating the clerk verified the voter signature in QVF (Section 168.766(1) of the *Michigan Compiled Laws*).
- Absent voter ballots were generally stored in a secure/locked area until election day (Section 168.765(1) of the *Michigan Compiled Laws*).

See Observation 3 (report pages 28 through 33) – *Observations from clerk site visits and survey results could help improve Michigan’s elections process.*

**Q3: What steps did local clerks and BOE take to ensure an appropriate chain of custody and overall integrity of absent voter ballots at drop box locations?**

A: Similar to our response to Q2, a general election did not occur during our audit period, so we were unable to directly observe drop box controls to ensure an appropriate chain of custody. However, our clerk survey included the following question (and responses):



“Other” responses included:

- Strategic drop box locations.
- Limited number of individuals with keys to remove ballots from drop box.
- Usage of a drive-thru drop box.

See Exhibit 6 (report page 50) – *Survey of County, City, and Township Clerks.*

**Q4: How did BOE implement, including guidance and training to local election officials, Michigan Election Law requirements that election officials compare absent voter ballot (envelope) signatures with the absent voter ballot application signature or most recent digitized signature from QVF?**

A: See our response to Q2. In addition, BOE provided required absent voter ballot processing training in its eLearning Center application prior to the November 2020 general election.

**Q5: Were any non-State or federal funds used to fund elections in Michigan? If so, where did those funds come from and were the funds used in a fair and equal way and not allocated in a manner giving greater access to certain regions and/or demographics than others?**

A: For the November 2020 general election, local clerks could apply for privately funded grants offered by the Center for Tech and Civic Life (CTCL). Our clerk survey included a series of questions regarding the receipt and use of CTCL awarded grants. Of the 333 clerks indicating they applied for grants, 324 (97.3%) were awarded funds. This is consistent with CTCL’s website which indicates all eligible jurisdictions submitting an acceptable grant application are awarded grants. CTCL’s website also indicates that grant award amounts are generally based on the jurisdiction’s population. Our analysis of applicable clerk survey responses indicates how funds were allocated, as follows:

Jurisdiction Population	Grant Amounts			
	\$5,000	Between \$5,001 and \$19,999	Between \$20,000 and \$99,999	Between \$100,000 and \$1,000,000
Less than or equal to 4,999	175	4	0	1
Between 5,000 and 24,999	58	27	7	1
Between 25,000 and 49,999	1	10	9	4
Between 50,000 and 99,999	1	4	10	5
Greater than or equal to 100,000	1	0	2	2
Total	236	45	28	13

We also reviewed the Michigan Election Law, National Voter Registration Act, and Help America Vote Act (HAVA) to determine if BOE had any oversight responsibilities related to these grant awards and determined it did not.

See Observation 3 (report pages 28 through 33) - *Observations from clerk site visits and survey results could help improve Michigan’s elections process.*

**Q6: What are the standards regarding election system software and machines and how do local clerks and BOE implement and follow these requirements?**

A: Election system software testing, including the public logic and accuracy test and test deck creation/testing, is reviewed as part of a post-election

procedural audit. We did not identify any reportable deficiencies from our review of the 26 sampled procedural audits during our site visits. In addition, our review of all submitted November 2019 and November 2020 post-election procedural audit results reported by county clerks and summarized by BOE disclosed very few deficiencies in election system software testing.

In addition, voting equipment vendor contracts require the vendor (or subcontractor) to conduct preventative maintenance on equipment every 2 years. We reviewed the voting equipment preventative maintenance records for the 26 local clerk offices we visited and determined all required preventative maintenance was performed during our audit period.

**Q7: What steps have local clerks and BOE taken to ensure standards, procedures, and accessibility practices to maintain QVF integrity?**

A: Our audit included the following Objective 1:

*To assess the sufficiency of BOE's efforts to maintain the integrity of QVF.*

In our audit report, see Objective 1 methodology (report pages 55 and 56) for the various reviews we performed to accomplish this objective. We ultimately concluded that BOE's efforts were sufficient, with exceptions. We identified one reportable condition related to periodic reconciliations between the Secretary of State's driver's license file and QVF.

See Finding 1 (report pages 10 through 11) - *Full reconciliation between DLF and QVF needed.*

**Q8: What steps have local clerks and BOE taken to ensure voting equipment's proper performance is maintained, access is documented and controlled, and accuracy can be assured?**

A: Election equipment preventative maintenance requirements help ensure proper performance is maintained. See Q6 response regarding our testing of voting equipment preventative maintenance. To ensure tabulators are appropriately counting votes, hand counts of select races are performed during each post-election procedural audit by county clerks or BOE at randomly and judgmentally selected precincts. During our local clerk site visits, we validated information reported by local election officials to BOE for over 25,000 ballots for the November 2020 U.S. Senate race and concluded tabulators appropriately counted the votes.

**Q9: Has BOE made improvements to its election official training process since the prior OAG performance audit of BOE issued in December 2019?**

A: Our audit included the following Objective 4:

*To assess the sufficiency of BOE's efforts to establish and provide training to county, city, and township officials who are responsible for conducting elections.*

We identified significant improvements in the overall training program since the audit issued in December 2019 that identified 541 (33.7%) of 1,603 clerks who did not achieve full accreditation. As of April 22, 2021, we identified 129 (8.0%) clerks who were not fully accredited. Of those 129 clerks, 49 (38.0%) completed required training and became fully accredited as of November 1, 2021.

See Exhibit 5 (report page 44) – *Map of Counties, Cities, and Townships in Michigan Without a Fully Accredited Clerk.*

**Q10: What processes are in place after the election to determine if the training was adequate and/or if there were deficiencies found during the election process?**

A: BOE’s post-election procedural audit process is designed to determine if training was adequate and/or if there were deficiencies found during the election process. Within the scope of our election official training audit objective mentioned in our Q9 response, we determined that BOE could improve its post-election audit training program by:

- Requiring county clerks and other county election officials to complete post-election audit training.
- Establishing a certification program for county clerks and other election officials who conduct post-election audits.
- Assigning training to city and township clerks resulting from known deficiencies identified during a post-election audit.

See Finding 4 (report pages 36 through 38) - *Post-election audit training and certification programs need improvement.*

**Q11: What steps did local clerks and BOE take to train election officials on absent voter counting boards and any consolidated absent voter counting boards?**

A: As disclosed in our report and Q4 above, BOE provided required absent voter ballot processing training in its eLearning Center application prior to the November 2020 general election.

**Q12: What was the process involved for the Statewide risk-limiting audit (RLA) BOE conducted after the November 2020 general election?**

A: To obtain an understanding of the RLA process, we:

- Sought clerks’ opinions of the process in our clerk survey and during our 26 clerk site visits.
- Discussed the RLA process with BOE.

- Reviewed research conducted by the National Conference of State Legislatures.

We learned that the RLA process is still fairly new and continues to evolve. We included the following description of the RLA process in our audit report:

“BOE incorporated these audits into its post-election audit process after approval of Proposal 3 of 2018. The goal of an RLA is to limit the risk of certifying an incorrect election outcome by manually reviewing a sample of ballots and comparing them with voting machine tabulated results. RLA’s employ sampling techniques that provide a statistically based conclusion and help improve audit efficiency by not conducting a full hand recount. The number of ballots selected for audit is determined by the details of the contest being audited, such as margin of victory, and the predetermined risk limit. For example, a risk limit of 5% would identify a wrong outcome if one exists at least 95% of the time. BOE utilizes a vendor’s RLA software to select a sample. Prior to sample selection, clerks must create a ballot manifest that includes all ballot containers for each precinct and the number of ballots within each container. Clerks enter this information in the RLA software, and it selects a ballot sample. Then the RLA software calculates if the selected risk limit was met after all clerks have entered their testing results.”

See Observation 3 (report pages 28 through 33) - *Observations from clerk site visits and survey results could help improve Michigan’s elections process*. This observation includes suggested improvements to the RLA process.