

To: Members of the Minnesota House Elections Subcommittee
Re: HF 1603 (elections omnibus) A10 amendment
From: Max Hailperin, Citizens for Election Integrity Minnesota <max.hailperin@gmail.com>
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I offer this written testimony on behalf of Citizens for Election Integrity Minnesota (CEIMN), a nonprofit, nonpartisan organization that advocates for verifiable, transparent, and accurate elections in Minnesota and across the country.

The portion of the omnibus derived from HF 1098 allows for a new kind of voting system that marks the voter's choices onto blank paper. The A10 amendment would clarify that the ordinary pre-printed form of optical-scan ballot must still be available as an option. Our organization supports this amendment for the two reasons explained below.

First, retaining ordinary optical-scan ballots will ensure that voting can continue even if the electronic systems fail, whether due to cyberattack or more mundane reasons. This fits into a long tradition in which device failures don't cause elections to grind to a halt, although the voting experience may be degraded. If a precinct optical scanner fails, ballots can continue to be cast using the auxiliary compartment slot, albeit without the usual check for overvotes and cross-party votes in primaries. Likewise, if a conventional ballot marking device fails, ballots can continue to be marked by pen, albeit with reduced independence for voters with disabilities, who may need to choose between human assistance and coming back at a later time. The same will remain possible with the new devices, provided jurisdictions don't rely exclusively on the blank paper used by those devices. The fact that the new machines would have backup battery power is not an adequate substitute for hand-markable ballots because failures can occur for many reasons aside from loss of power.

Second, some voters may be more confident that their votes are correctly recorded if they continue to have the option to mark those votes by hand. Accuracy comes from engagement. Humans are much better at actively selecting an item than at passively checking a selection. Even voters who look at the printed summary produced by the new devices might overlook some difference between it and their intentions. Proofreading is hard.

For these reasons, we hope your subcommittee will adopt the A10 amendment to require that pre-printed optical-scan ballots remain an option.

Thank you.