

# New York's 3% Post-Election Audit Will Not Provide Confidence In Election Outcomes Reported By Optical Scan Voting Systems

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The graphs below show recent NY Federal and State election contests that would have required audits greater than 3% of Election Districts to provide strong confidence in electoral outcomes.

The “Confidence” percentage for each contest is the chance of finding at least one Election District containing miscounted votes if the winner of the contest were incorrectly reported by an optical scan or other computerized e-voting system.<sup>1</sup> Although the confidence levels shown for close races are very low, they would be even lower with audits of 3% of scanners as required by NY Election Law § 9-211, instead of audits of 3% of Election Districts.

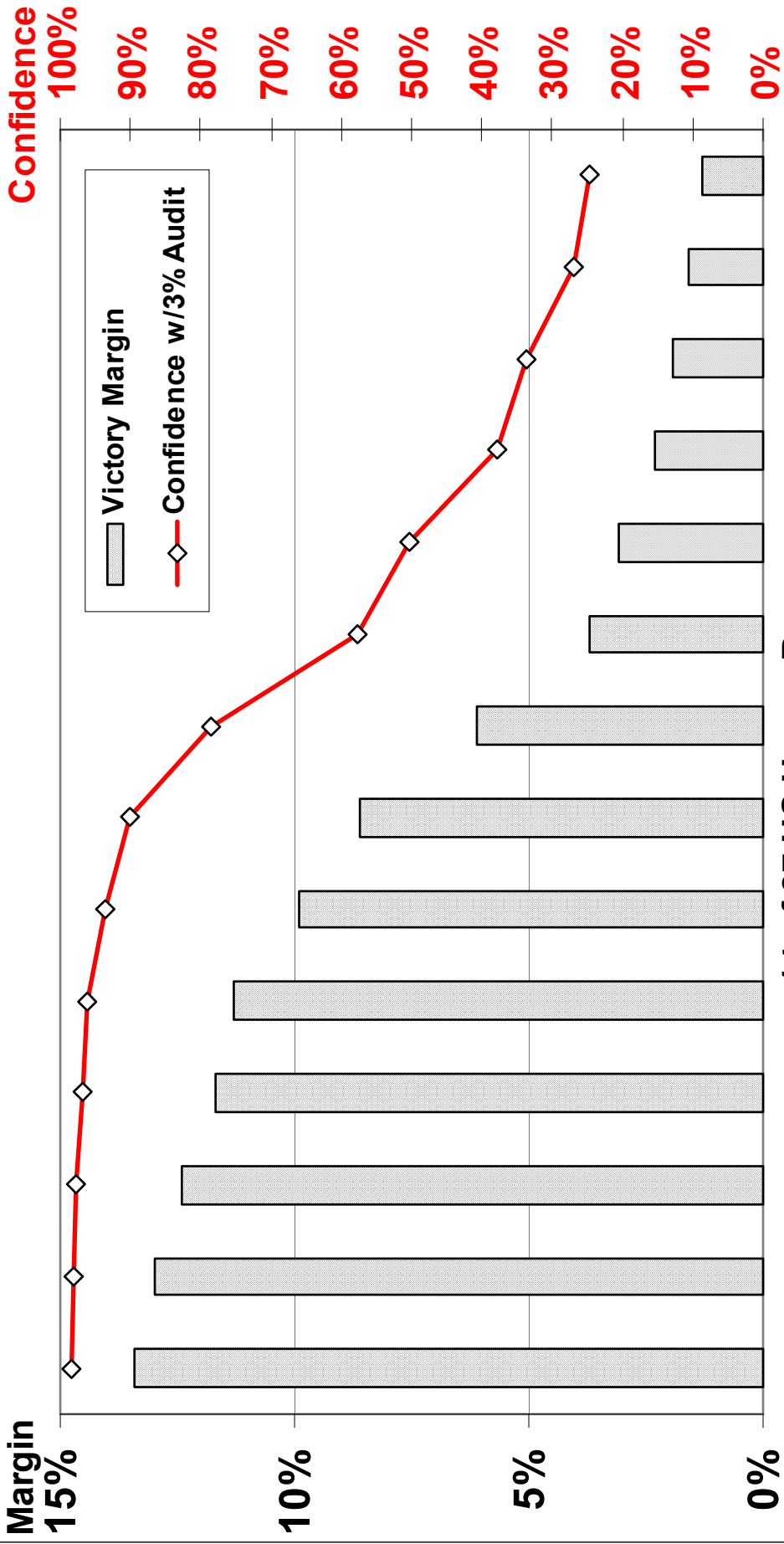
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<sup>1</sup> Our confidence calculations use the method published in the following three papers:

- a. “NY Election Audits: Is Three Percent Enough?”  
<http://sites.google.com/site/evoterproject/files/NYAuditGraphs.pdf>,
- b. “Percentage-Based versus Statistical-Power-Based Vote Tabulation Audits”  
[http://verifiedvoting.org/downloads/TAS\\_paper.pdf](http://verifiedvoting.org/downloads/TAS_paper.pdf) and
- c. “Percentage-based vs. SAFE Vote Tabulation Auditing: A Graphic Comparison”  
<http://verifiedvoting.org/downloads/SAFE-Auditing-Nov-2-Final4.pdf>.

More rigorous methods such as those published in “Conservative Statistical Post-Election Audits” will result in calculated confidence levels that are lower than those shown in the graphs below.  
<http://statistics.berkeley.edu/~stark/Preprints/conservativeElectionAudits07.pdf>

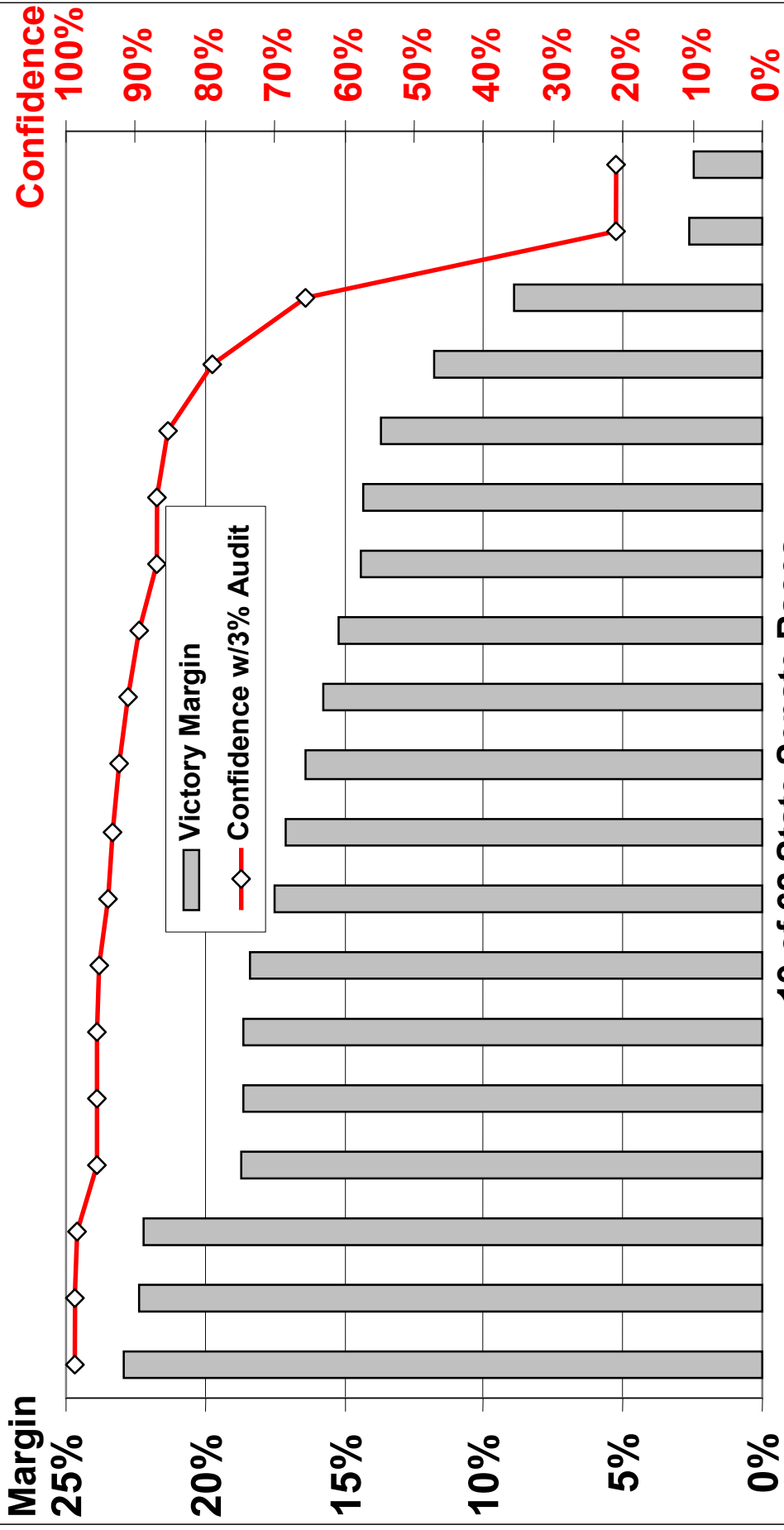
# 2002-2006 NY Federal Elections Requiring >3% Audits\*



**14 of 87 US House Races**

\* Assumes audits of Election Districts.  
Audits of scanners per EL § 9-211 would result in lower confidence.

# 2006 NY State Senate Elections Requiring >3% Audits\*

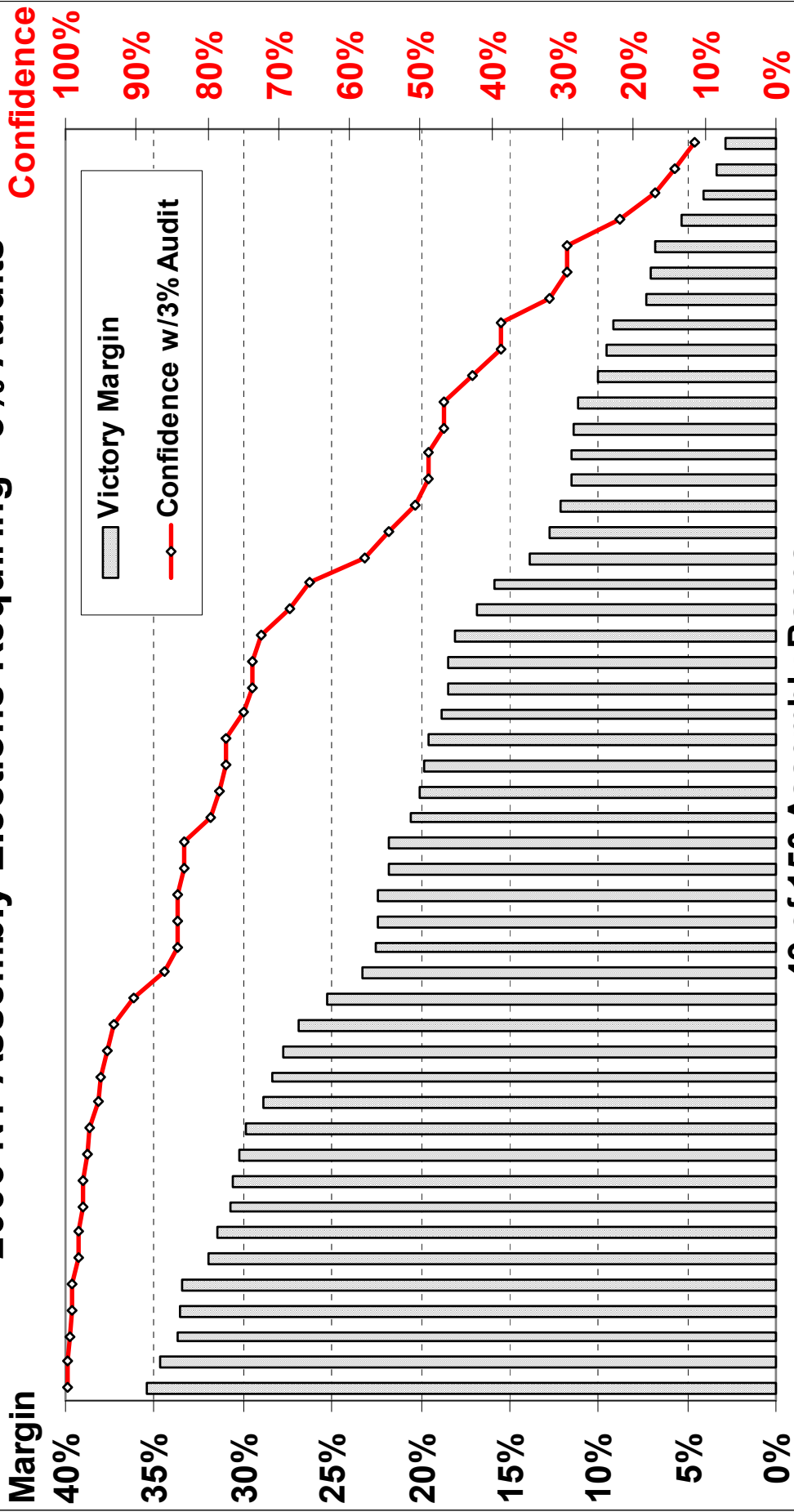


**19 of 62 State Senate Races**

\* Assumes audits of Election Districts.

Audits of scanners per EL § 9-211 would result in lower confidence.

# 2006 NY Assembly Elections Requiring >3% Audits\*



**49 of 150 Assembly Races**

\* Assumes audits of Election Districts.  
 Audits of scanners per EL § 9-211 would result in lower confidence.