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Report Highlights

Louisiana Department of State *Election Integrity*

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Why We Conducted This Audit

We evaluated Louisiana's election processes and procedures to determine whether existing controls related to election integrity are sufficient. We conducted this audit, in part, in response to House Concurrent Resolution (HCR) 81 of the 2021 Regular Legislative Session, which directed the Louisiana Legislative Auditor to audit the Department of State's (DOS) policies, procedures, and practices regarding the integrity of elections in Louisiana to provide assurance as to whether the elections process in Louisiana is sufficient to provide for the integrity and security of all elections held within the state.

What We Found

Overall, we found DOS has procedures and practices to ensure election integrity, including using state and national data to ensure the accuracy of its voter registration list, implementing a cure process to ensure voters have an opportunity to fix incomplete absentee affidavits, implementing various Election Assistance Commission guidelines related to pre-election testing of voting machines, conducting post-election verification activities, and investigating complaints related to elections. However, we identified additional ways DOS could strengthen these activities, as well as revisions to the state Election Code that the legislature may wish to consider. Specifically, we found:

- **DOS conducts data matches as required by federal and state law and conducts additional activities to help ensure the accuracy of the voter registration list. DOS could further improve the accuracy of the voter registration list by annually conducting its data match that identifies registered Louisiana voters who registered to vote in another state or obtained a driver's license in another state.** In addition, Louisiana is one of 17 states that asks in-person voters to present photo identification to confirm their identity. If a voter does not present photo identification when voting in-person, the voter must sign an affidavit and provide additional identifying information, such as their date of birth, in order to vote.
- **DOS implemented a cure process in calendar year 2020 to assist voters in ensuring that information on their absentee affidavits is complete, which contributed to a reduction in the percentage of absentee ballots rejected. However, state law does not provide clear guidance regarding absentee affidavits with missing information, which has led to inconsistencies across the state.** For example, one parish we observed in the November 2021 election rejected all absentee ballots where the affidavit was missing the mother's maiden name, while the other two parishes we observed did not present absentee affidavits that were missing the mother's maiden name for a vote by the Parish Board of Election Supervisors (PBES).

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What We Found (Cont.)

Rejected Absentee Ballots as Percentage of Total Absentee Votes November 2016, 2018, and 2020 Elections			
Year*	Rejected	Total	Percentage Rejected
2016	2,201	59,676	3.69%
2018	2,596	43,959	5.91%
2020	2,364	163,656	1.44%
Total	7,161	267,291	2.68%

* We analyzed the 2016, 2018, and 2020 elections because the Election Administration and Voting Survey (EAVS) Comparison report is created only for each federal election cycle.
Source: Prepared by legislative auditor's staff using information from DOS and the EAVS Comparison Report.

- **While DOS has implemented some Election Assistance Commission guidelines related to pre-election testing of voting machines, it could improve its process by ensuring that DOS staff and/or election officials consistently verify test results, document the verification, and review the documentation.** While DOS procedures for testing voting machines state that the test results should be verified, we observed the test process in two parishes and saw that the test results were reviewed by election officials or members of the PBES in one parish but were not reviewed in the other parish. In addition, we found that 130 (55.3%) of 235 test vote reports for early and election day voting machines for the November 2021 election were not signed by election officials or the PBES, meaning it is unclear whether the test results were reviewed.
- **DOS conducts post-election verification activities to ensure that the number of votes cast does not exceed the number of eligible voters and matches actual voter turnout. However, Louisiana's current in-person voting systems do not produce a voter-verified paper record, which prevents DOS from conducting post-election tabulation audits. In addition, DOS does not currently conduct post-election tabulation audits on absentee ballots, which do produce a voter-verified paper record.** State law requires that any new voting system procured by DOS must have an auditable voter-verified paper record. Once this new system is implemented, DOS will be able to perform post-election tabulation audits for all voting methods.
- **DOS' Elections Compliance Unit received 501 election-related complaints during fiscal years 2017 through 2021, with the most common type of complaint related to campaign practices. DOS could improve its complaints process by consistently categorizing complaints, tracking the status of complaints, and making this information available to the public.** Best practices state that complaints should be categorized to identify areas that require further attention or action. For example, an increase in complaints against election commissioners may reveal a need to assess policies and procedures related to election duties or to provide additional training to commissioners.