



# The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth  
Elections Division

## 2020 Post-Election Audit Report Narrative

November 23, 2020

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In accordance with the provisions of Section 109A of Chapter 54 of the General Laws, a post-election audit was conducted of the ballots cast in 3% of all precincts in Massachusetts following the November 3, 2020 State Election.

As required by law, a public, non-computerized, random drawing was held on November 5, 2020 to select the precincts to be audited. City and town election officials for the selected precincts were notified of the post-election audit by November 6, 2020. Those municipalities posted their audit times and locations in accordance with law and the public post-election audits were held November 8-10.

To conduct the post-election audit, local election officials oversaw a hand count of all ballots that had been counted through November 3, 2020. As required by law, the offices of Electors for President and Vice President, Senator in Congress, Representative in Congress, Senator in General Court, and Representative in General Court were counted in each precinct, if more than one candidate was printed on the ballot. A statewide ballot question, Question #1, also randomly selected during the drawing, was also counted.

The results of the post-election hand counts were reported by local election officials to the Secretary of the Commonwealth's Elections Division, along with the original tallies from Election Night for comparison.

An analysis of the post-election audit of the November 3, 2020 State Election is detailed below.

### **TOTAL BALLOTS CAST**

Among the 66 precincts audited, 100,349 cast ballots were counted on Election Night. Local election officials reported that they counted 100,422 ballots during the post-election audit, which resulted in 73 additional ballots being counted among all 66 precincts. The additional 73 ballots account for 0.07% of ballots audited.

Of the 66 precincts audited, 47 reported no changes in the number of ballots cast, while 14 precincts reported changes of fewer than 5 ballots, likely due to tabulator jams and poll worker error in reading the message on the tabulator indicating whether or not the jammed ballot had been counted.

The majority of additional ballots were identified in 4 audited precincts in which local election officials reported that the poll workers failed to tally a small number of ballots not read by the machine, which should have been hand-counted by the poll workers on Election Night.

In one precinct, a difference of 12 fewer ballots in the audit may be the result of poll workers incorrectly tallying votes for every office on ballots containing write-in votes, rather than counting only the write-in votes for the offices not already counted by the tabulator.

### **ELECTORS FOR PRESIDENT AND VICE PRESIDENT**

Among the 66 hand-counted precincts, the electors for BIDEN AND HARRIS received 59 additional votes as a result of the post-election audit, while electors for TRUMP AND PENCE received 29 fewer votes than counted on Election Night. Electors for HAWKINS AND WALKER received 1 fewer vote than counted on Election Night and electors for JORGENSEN AND COHEN received 14 more votes than counted on Election Night.

Among all audited precincts, there were 24 fewer blanks than reported on Election Night, suggesting that 24 ballots were marked by voters in a way that could not be read by the tabulator, but the intent of the voters was able to be interpreted by audit tellers. There were 26 overvotes identified, in which the voter marked more than one choice and therefore could not be counted for either candidate indicated.

A likely source of most additional votes is the 73 ballots counted during the audit that were not counted on Election Night. Overvotes may also be the source of candidates receiving fewer votes, if the tabulator originally read the ballot as a vote for only one candidate.

### **SENATOR IN CONGRESS**

Among all audited precincts, EDWARD J. MARKEY received an additional 81 votes as a result of the post-election audit, while KEVIN J. O'CONNOR received 28 votes fewer, and write-in candidate SHIVA AYYADURAI received 88 additional votes.

The number of votes reported on Election Night as "All Others" was reduced by 60 and the blank votes were reduced by 81. It is likely that write-in candidate SHIVA AYYADURAI gained additional votes during the audit that were on ballots not segregated by the tabulator because voters did not fill in the vote indicator next to the write-in space, and poll workers failed to categorize write-in votes for the candidate separately from "All Others."

### **REPRESENTATIVE IN CONGRESS**

Precincts in 7 of the Commonwealth's 9 congressional districts audited the results for Representative in Congress, with 2 districts uncontested and therefore not subject to the audit.

In 4 of the audited districts, candidate vote totals changed by fewer than 10 votes. In 1 district, a candidate's vote total changed by 11 votes, or 0.04% of all ballots cast in that race.

The remaining 2 audited districts saw larger differences in vote totals, due a difference in the number of ballots counted during the audit (see "Total Ballots Cast" above). In no district did the difference of votes received by a candidate exceed 38, or 0.4% of ballots cast in that district.

### **SENATOR IN GENERAL COURT**

In the 66 precincts audited, 7 State Senate districts were contested and therefore subject to the audit.

One district had no changes in overall vote totals for any candidate, while 3 districts had differences of 5 or fewer votes, and 1 district had changes of fewer than 10 votes. The remaining district had a difference of 21 votes for a candidate, or 0.17% of votes cast in that race, due to the change in the number of ballots counted (see "Total Ballots Cast" above).

### **REPRESENTATIVE IN GENERAL COURT**

In the 66 precincts audited, 11 State Representative districts were contested and therefore subject to the audit.

Two districts reported no changes in any vote totals. Six districts reported differences of fewer than 5 votes for all candidates. Three districts reported differences of fewer than 10 votes for all candidates.

### **QUESTION #1**

Among the precincts audited, there were 100,322 votes for Question #1 reported on Election Night and 100,422 reported after the audit. The source of the difference in vote totals is attributable primarily to the aforementioned uncounted ballots from Election Night (see "Total Ballots Cast" above.) A minor tallying error in one precinct on Election Night also contributed.

After the audit, there were 91 additional "Yes" votes, 5 additional "No," votes, and 79 fewer blanks. Twenty-two overvotes were also reported, suggesting that some voters did not mark their ballots according to instructions.

### **CONCLUSION**

Local election officials reported that many errors were attributed to ballots being marked contrary to instructions, ballots being incorrectly hand-tallied by poll workers, or ballots not being tallied on Election Night as they should have been.

Nonetheless, it appears that tabulators used in the November 3, 2020 election counted ballots accurately when voters marked ballots according to instructions, with some communities that

used tabulators reporting fewer changes than one of the communities that originally counted all ballots by hand on Election Night.

Based on these conclusions, local election officials are advised to ensure poll workers receive additional training on tallying ballots to ensure that the accuracy of votes tallied on Election Night is at its highest levels.