

## Andrea Gyger

---

**From:** Al Kolwicz [REDACTED]  
**Sent:** Sunday, February 17, 2013 7:07 PM  
**To:** Scott Gessler; SoS Rulemaking  
**Cc:** Colorado Voter Group [REDACTED]; George Leing  
**Subject:** PUBLIC COMMENT: Use of Serial Numbers on Ballots

February 17, 2013

Dear Secretary Gessler,

### **COMMENT: Use of Serial Numbers on Ballots**

The Colorado Department of State has an obligation to ensure that no ballots are marked in a way that anybody, including the voter themselves, can identify the voter of a cast ballot.

In recent times, equipment vendors, county clerks, and Department of State officials have worked to undermine this voter and election protection device. They have authorized the use of paper ballots that contain non-removable serial numbers, and required that ballots when cast retain these permanent identifiers.

Also, until recently, ballots included a removable stub on which a unique identifier was printed. The stub number was recorded in the pollbook alongside the identity of the voter. This provided a means for auditing the printed ballot inventory. Ballots were cast by the voter immediately after the stub was removed and securely retained (in the presence of both the voter and the election judge). This provided a means for auditing the contents of the cast ballot box. The statutes contain remnants of this requirement.

Colorado Voter Group and others have filed many complaints regarding the use of non-removable unique identifiers on ballots.

1. There is no proven need for anyone knowing who voted which cast ballot.
2. There is created an enormous opportunity for intimidation, vote selling, and fraud when even the possibility that a cast ballot can be associated with a particular voter exists.
3. There is an alternative. The convenience for officials to conduct research on cast ballots (when ballots contain a permanent unique identifier) can be achieved instead by (i) issuing ballots with a identified removable stub, (ii) casting ballots after the stub is removed, and (iii) printing an identifier on the stub-less, anonymous cast ballot after the number of ballots in the ballot box have been balanced and these anonymous ballots have been merged with other batches, shuffled and combined into counting batches.
4. The existence of permanently identified ballots has been used by county clerks to thwart open records laws and public inspection of cast ballots, scanned images of cast ballots, and critical data files and logs. Redaction of the records to remove the identifiers is enormously costly and destroys the integrity of the records.

It is vital that the protocol outlined above, or some other protocol, eliminate the possibility that a cast ballot can be associated with a particular voter.

As can be seen above, uniquely identified ballots have a place before a ballot is cast and after an anonymous cast ballot is merged, shuffled, and re-batched – but not in between. The voter must cast a ballot that does not contain a unique identifier or any mark that can be used to connect the voter and the cast ballot.

*Al Kolwicz*

**Colorado Voter Group**

<http://www.ColoradoVoterGroup.org>

