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From: Herod, Linda <LHerod@hartic.com>
Sent: Monday, February 18, 2013 4:06 PM
To: SoS Rulemaking
Subject: Comments: Use of Serial Numbers on Ballots

Secretary Gessler,
Hart InterCivic, Inc. would like to thank you for this opportunity to respond to your request for comments on proposed rule **10.8 Use of Serial Numbers on Ballots**.

In 2012 Hart celebrated its 100th year of serving state and local governments and election professionals in particular. Our commitment to supporting secure, transparent, accurate, accessible and cost effective elections is a charge we take very seriously. For those reasons the Hart Voting System (HVS) was designed and built to specifically meet the many and diverse state requirements with thoughtful consideration and care. There are currently more than 650 users of the Hart Voting System and, outside of Colorado, all except six use serial numbering on paper ballots as required by statute or rule.

While determining how the State's new election rules on this topic should be crafted, please consider the substantial contributions that many HVS users recognize serial numbers make to achieving those all-important election attributes of security, transparency, accuracy and efficiency.

- Serial numbers provide ballot supply security and auditability by identifying each individual ballot printed from the first ballot produced to the last ballot created for the election.
- With serial numbers, duplicate ballots are accurately identified and rejected to prevent a ballot from being scanned more than once on the same voting device thereby preventing erroneous results.
- Efficiencies are introduced in the scanning process by enabling the voting device to identify a rejected ballot in both the audit log and scan batch report.
- For multi-sheet ballots the voting device is able to keep ballot sheets together electronically as well as being able to identify orphan and incomplete ballots.
- Efficiencies are introduced for both audits and recounts by tracking scan processes in the audit log and by providing a clear description of any electronic adjudication action taken for each individual ballot. Although these actions are captured in the audit log for all ballots both with and without serial numbers, matching the original ballot to the action described without serial numbers is more difficult.
- The system offers the user the opportunity to set the serial number range for printing a batch of ballots. The ballots within the batch can then be, as described in one state's statute, "disarranged" so they are in random numerical order and available for distribution to the mail ballot processing team or delivery to a polling place. A third-party print vendor can also be directed to disarrange the ballot supply within a precinct.
- To ensure voter privacy, those jurisdictions that require the use of serially numbered ballots also typically prohibit keeping record of the ballot serial number anywhere except on the ballot production manifest (report of the number of ballots printed for the election).
- The system offers the opportunity to take advantage of the full functionality described above with a feature allowing the ballot production operator to remove human-readable serial numbers while still embedding in a machine-readable barcode as the means to identify each ballot for administrative processing.

While the special capabilities enabled with ballot serial numbering do not have to be active for the HVS to operate properly, the following best practices are recommended for operations in which ballots are managed without human-readable serial numbers:

- Use secure and watermarked Hart Official Ballot paper so unauthorized ballot duplication cannot occur without detection.

- Use a Hart certified printer who can randomize the ballot supply within each precinct or ballot style to ensure the barcodes are not in sequential order, particularly if ballot stubs are used.
- Closely control and document ballot chain of custody.
- Verify the number of ballots printed against the number received at each/every point in the ballot chain of custody.
- Reconcile the ballots cast at a polling place against the number of voters signed in.
- Reconcile the number of used (voted, spoiled, damaged) and unused ballots against the number of ballots delivered to the polling place and logged on the chain of custody document.
- Keep central scan batches small (e.g., 50-100 ballots).
- Reconcile the number of ballots scanned against the expected number for each central scan batch.
- Retain ballots in each batch in the order they were scanned.
- Use the sequence of ballots in the central count scan batch to find rejected ballots and to identify specific ballots of special interest during audits and recounts.

Another important item to address relates to efficient ballot mailing procedures. The only ballot data element needed to ensure the correct ballot is mailed to or received from a voter is the precinct number. The envelope or label on the envelope identifies the voter's precinct, and as long as this information is clearly visible from one of these sources, then no additional information is needed to verify the correct ballot has been provided to the voter. A ballot serial number is not a valid data element for this purpose and should never be associated with a voter or voter's name, even in an obfuscated form.

Once again, thank you for this opportunity, and if there are any additional questions please feel free to contact me at any time.

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