Dear SOS Gessler, Deputy Staier, COVAMEC Members, and PPP Members

It seems to us that the “Assessment of Voting System Technology Report” is dangerously incorrect and incomplete. The report could be misused to deceive policy makers, system planners, and the public.

1. The report incorrectly asserts, “The State of Colorado currently has five systems that have been tested against the 2002 VSS and are certified for use in Colorado.” It is our understanding that the voting systems are not certified for use in Colorado.

   - **Current Conditions For Use**
     [http://www.sos.state.co.us/pubs/elections/VotingSystems/CondsForUse.html](http://www.sos.state.co.us/pubs/elections/VotingSystems/CondsForUse.html)

   - **Voting System State Certification Program**

2. The report fails to disclose that the conditions for use are not actually complied with or enforced. For example, the report does not disclose failures of the Trusted Build procedure, such as during the November 2008 election.

   Dear Mr. Buescher,
   
   Boulder County has reported that there was a major failure of the Trusted Build procedure during the November 2008 election.
   
   We attempted to discover the details of what happened by asking Boulder County Clerk Hillary Hall for, “A copy of the trusted build procedure and report of results (if any).”
   
   Ms. Hall responded, “As for the Trusted Build procedures, please contact Secretary of State’s office as they are in charge of that process. We have added a confirmation step to insure that the software loaded matches what should be on our system.”

3. The report makes the outrageously false assertion that, “…no problems have so far been encountered with these systems in past elections in Colorado.” In fact there have been an unacceptable number of defects and deficiencies reported against Colorado’s voting system. For example:

   - **Numerous lawsuits including vote anonymity.**
     [http://www.alkolwicz.net/Pages/default.aspx](http://www.alkolwicz.net/Pages/default.aspx)

   - **Secretary of State’s Office accepts Boulder County election results [despite the post-election refusal by a majority of Boulder County Canvass Board members to certify those results] - By John Fryar Longmont Times-Call**
In addition to the false statements described above, the report lacks professional credibility because:

1. The report fails to compare systems against a documented standard, for example documented functional, performance, and security requirements.

2. The report fails to project and analyze the impact of potential changes in requirements and the environment – for example: intensified IDENTITY and PRIVACY requirements, new voter-intimidation and electioneering protections, reduced reliance on off-premise voting due to changes in USPS, reduction of coverage and reliability of the USPS, statutory changes by the Colorado legislature, and potential Federal interference with State Election Administration (as is currently under study by the executive branch of the Federal Government).

3. The report has not been subjected to intensive peer review.

We strongly recommend that you do not use the “Assessment of Voting System Technology Report” for policymaking analysis or decision-making.

Al Kolwicz
Colorado Voter Group