

**STATE OF COLORADO  
Department of State**

1700 Broadway, Suite 270  
Denver, CO 80290



**Bernie Buescher**  
Secretary of State  
Judd Chaote  
Director, Elections

***Attn: Stephanie O'Malley***  
***County Clerk and Recorder***

**2009 Post Election Audit**

**COUNTY:**

**DENVER**

Instructions:

Pursuant to Section 1-7-514 C.R.S. and Election Rule 11, the attached documents provide guidance to completing the post election audit. Additional help is available on our web site, or you can contact Stephanie Cegielski at (303) 894-2200 ext. 6327 for additional information. The following information is to be used to resolve "special case" issues that arise from the selection of machines and races by the Secretary of State's office:

If a device was "AVAILABLE FOR USE" but DID NOT HAVE VOTES CAST (i.e. accessible machines for mail ballot counties) on it for this election, please indicate on the form the status as "NO VOTES" in the field for "machine count" and "hand count." This still requires canvass board member signatures for verification.

If a device was "NOT USED" (i.e. backup equipment) but was selected for the audit, please contact the Secretary of State's Office for selection of an alternative device.

If any NON CENTRAL COUNT device (scanner or DRE) has votes on it, but the "RACES SELECTED" for audit do not appear on the device; For Mail Ballot counties, the canvass board may randomly select an alternative race to count. For Polling Place and Vote Center counties, you must contact the Secretary of State's Office for selection of alternative races.

If a CENTRAL COUNT device has votes on it, but the races selected for audit do not appear in the BALLOTS CHOSEN by the canvass board, the canvass board shall continue to randomly select ballots until all races appear and can be audited.

Please complete the highlighted fields in the attached table and fax or e-mail the form back to the Secretary of State at: 303.869.4861 or stephanie.cegielski@sos.state.co.us. This form must be returned no later than: 5:00pm November 20, 2009.

*For Internal Use Only*

E-mailed by (name): \_\_\_\_\_

Email Date and Time: \_\_\_\_\_

Email Address: [stephanie.o'malley@ci.denver.co.us](mailto:stephanie.o'malley@ci.denver.co.us)

*(Attach copy of E-mail)*

Faxed by (name): \_\_\_\_\_

Faxed Date and Time: \_\_\_\_\_

Fax Number: 720-913-8600

*(Attach copy of fax confirmation)*

Phone Number: 720-865-8400

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The following table lists the EQUIPMENT that has been randomly selected for auditing:

<u>Make/Model</u>	<u>Type</u>	<u>Use:</u>	<u>Serial #</u>	<u>Place Name to Audit:</u>	<u>Machine Count:</u>	<u>Manual/Hand Count:</u>	<u>Canvass Board</u>	<u>Initials</u>
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Edge	DRE	Polling Location	47241	City and County of Denver - Initiated Ordinance 300	No	2	2	BLL (M)
Edge	DRE	Polling Location	47241	City and County of Denver - Initiated Ordinance 300	Yes	0	0	BLL (M)

400-C	Optical Scan	Central Count	200320	Denver Public Schools - Director At-Large	Scott	124	125	BLL (M)
400-C	Optical Scan	Central Count	200320	Denver Public Schools - Director At-Large	Seawell	321	322	BLL (M)

400-C	Optical Scan	Central Count	200320	Denver Public Schools - Director District 2	Merida	72	73	BLL (M)
400-C	Optical Scan	Central Count	200320	Denver Public Schools - Director District 2	Garcia	49	49	BLL (M)

400-C	Optical Scan	Central Count	200320	Denver Public Schools - Director District 3	Kaplan	88	88	BLL (M)
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400-C	Optical Scan	Central Count	200320	Denver Public Schools - Director District 4	Clark	2	2	BLL (M)
400-C	Optical Scan	Central Count	200320	Denver Public Schools - Director District 4	Shumway	1	1	BLL (M)

400-C	Optical Scan	Central Count	200320	Denver Public Schools - Director District 4	Easley	8	8	BLL (M)
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Make/Model	Type	Use	Serial #	Place Name to Audit:	Machine Count:	Manual/Hand Count:	Canvass Board Initials
400-C	Optical Scan	Central Count	200320	Denver Public Schools - Director District 4			
400-C	Optical Scan	Central Count	200320	Denver Public Schools - Director District 4	Mosby	13	13
					Jones, Jr.	11	11
** END OF AUDIT LIST **							
** END OF AUDIT LIST **							

**NOTE:** In addition to completing the post-election audit report, pursuant to C.R.S. Section 1-7-514(1)(c), the canvass board shall also report a description of the audit process used, including any initial, interim and final results of the completed audit. Please use the attached page to complete this process.

Please complete the highlighted fields in the attached table and fax, or e-mail the form back to the Secretary of State to either (303) 869-4861, or stephanie.cegielski@sos.state.co.us. This form must be returned no later than: 5:00pm November 20, 2008.

By our signatures below, we indicate the completion of the Post Election Audit with notes as indicated on this form:

Designated Election Official:  
Signature: [Signature]  
Date: 11/19/09

Canvass Board Members:  
Signature: [Signature]  
Date: 11/19/09

Signature: [Signature]  
Date: 11/09/09

Provide additional pages and names as necessary.

Written Name: Barry Sarver

Written Name: Carolyn Metzler

## Post-Election Audit

### 400-C Machine # 200320 ("Rapids") -- Ballot Counting Statistics

Date Counted	Machine Name	Batch #	Transfer Case #	# Ballots Counted	# Ballots sent to Duplication	Total Ballots Processed	
10/29/2009	Rapids	1	83	531	6	537	
10/29/2009	Rapids	2	114	385	4	389	
10/29/2009	Rapids	3	113	396	0	396	
10/29/2009	Rapids	4	95	462	3	465	
10/29/2009	Rapids	5	103	569	0	569	
10/29/2009	Rapids	6	116	369	2	371	
10/29/2009	Rapids	7	100	515	2	517*	*Selected for audit
10/29/2009	Rapids	8	111	451	3	454	
10/29/2009	Rapids	9	108	676	2	678	
10/29/2009	Rapids	10	128	571	3	574	
10/29/2009	Rapids	11	121	573	12	585	
10/29/2009	Rapids	12	122	552	3	555	
10/29/2009	Rapids	13	123	579	2	581	
10/29/2009	Rapids	14	127	535	27	562	
10/29/2009	Rapids	15	141	485	2	487	
10/29/2009	Rapids	16	124	617	5	622	
10/29/2009	Rapids	17	136	575	7	582	
10/29/2009	Rapids	18	131	518	1	519	
10/29/2009	Rapids	19	129	581	3	584	
11/2/2009	Rapids	20	196	578	6	584	
11/2/2009	Rapids	21	187	494	0	494	
11/2/2009	Rapids	22	182	570	5	575	
11/2/2009	Rapids	23	178	581	5	586	
11/2/2009	Rapids	24	179	164	25	189	
11/2/2009	Rapids	25	176	551	6	557	
11/2/2009	Rapids	26	175	584	9	593	
11/2/2009	Rapids	27	194	579	11	590	
11/2/2009	Rapids	28	208	569	11	580	
11/2/2009	Rapids	29	205	550	2	552	

## Post-Election Audit

### 400-C Machine # 200320 ("Rapids") -- Ballot Counting Statistics

Date Counted	Machine Name	Batch #	Transfer Case #	# Ballots Counted	# Ballots sent to Duplication	Total Ballots Processed
11/3/2009	Rapids	30	214	563	3	566
11/3/2009	Rapids	31	213	571	15	586
11/3/2009	Rapids	32	216	571	12	583
11/3/2009	Rapids	33	221	586	10	596
11/3/2009	Rapids	34	223	576	10	586
11/3/2009	Rapids	35	227	575	7	582
11/3/2009	Rapids	36	230	574	12	586
11/3/2009	Rapids	37	237	569	3	572
11/3/2009	Rapids	38	238	577	6	583
11/3/2009	Rapids	39	243	576	10	586
11/3/2009	Rapids	40	244	597	10	607
11/3/2009	Rapids	41	246	544	6	550
11/3/2009	Rapids	42	248	559	20	579
11/3/2009	Rapids	43	250	554	4	558
11/3/2009	Rapids	44	253	275	15	290
11/3/2009	Rapids	45	256	570	4	574
	Totals:			23997	314	23794

OFFICE OF THE CLERK AND RECORDER  
ELECTIONS DIVISION

Michael J. Scarpello, Director



Stephanie Y. O'Malley  
Clerk and Recorder  
Public Trustee

November 9, 2009

RE: Post-Election Audit Results for the Coordinated Election

For the post-election audit of the November 3, 2009 Coordinated Election, the canvass board selected a box containing 515 ballots to be hand tallied and run in the appropriate 400-C machine. The totals for the hand tally and the machine tally showed discrepancies in two separate races. The discrepancies included incongruent totals for three different candidates as well as the corresponding "undervotes" for those races.

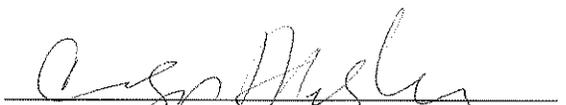
The discrepancies were present in the Director District At-Large race and in the Director District 2 race. In both of these races, individual votes for candidates were not recognized by the machine and instead was tabulated as an "undervote" for each race.

After careful consideration and evaluation of the audited ballots, we were able to identify the specific two ballots that caused the discrepancies in the vote totals. One ballot included the At-large race only, and the other ballot included the At-Large race and the Director District 2 race. On both ballots, the votes were marked in a way that caused the votes to be unrecognizable by the ballot scanner. For the ballot that included both the At-Large race and the Director District 2 race, those two races were marked using an ink pen that appeared to be running out of ink. For the ballot including only the At-Large race, a vote was marked using a pencil to draw a very thin and light line. In both cases, the lines connecting the arrow were very light and were therefore apparently undetectable to the scanner.

To substantiate this result, both ballots were re-run through the scanner in the "diagnostic" mode and the resulting image showed that the marks were not detected by the device. Both canvass board members agree that these undetectable marks contributed to the count discrepancy between the hand tally and the machine tally.

After accounting for the votes on the two identified ballots, the totals for the machine tally and the hand tally are completely reconciled.

  
Barry Sarver, Democratic board member

  
Carolyn Metzler, Republican board member

  
Michael Scarpello, designated election official

