



Scott Gessler
Secretary of State

Public Testimony Received at June 26, 2013 Meeting of the Uniform Voting System Public Participation Panel

Attached are documents provided by those who addressed the Public Participation Panel during the Public Comment period.

Also attached are emails submitted by those who could not appear in person.

In Person Testimony

- Sign in Sheet
- Supporting documents provided by Jim August (pages)
- Supporting email and documents provided by Al Kolwicz (14 pages)

Email Submissions

Suzanne Core, June 24, 2013

Mary Eberle, June 25, 2013

John Howe, June 26, 2013

Russ Boehm, June 26, 2013

Uniform Voting System Public Participation Panel

June 26, 2013

Public Comment Sign-in Sheet

If you wish to address the Panel during the public comment portion of the meeting, please sign in below.

PLEASE PRINT

NAME	ADDRESS	PHONE	EMAIL
✓ Jim August	1605 DENISON CIR LORDSBURG	303-776-4514	Jim@JFAugust.us
FRAN August (with you)	1405 DENISON CIR LORDSBURG	303-776-4514	FRAN@JFAugust.us
AL Kolwicz (CO voters group election matters)	2867 TRINITY CIR BIDA	303 999 9527	AL@ALKolwicz.NET
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Jim August

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303-776-4514
jim@jfaugust.us

1. I am Jim August from Boulder County. I was a watcher at the Boulder County Ballot Processing facility for the 2012 General election. I am a retired engineer from Ball Aerospace.
2. What I saw as a watcher made me sick. The Bell & Howell system used for processing the Mail Ballot envelopes malfunctioned many times each day in many different ways.
3. Through CORA I have obtained some records and found that many records like test records apparently don't even exist because no formal testing was done.
4. See the attached ^{over} ~~two~~ reports for many more detail
5. A couple of significant highlights.
 - a. Both automatic and manual signature verification were used. The ASV system from Bell & Howell rejected over 50% for signature problems.
 - b. This was followed up by complete manual verification and after 6 months I have not been able to obtain complete records through CORA yet for manual results.

c. Then 56% of those envelopes that operators flagged for signature problems were apparently opened and the ballots counted anyway.

6. A few key points.

- a. Boulder County did not prepare a requirements document like it appears is being done for the UVS. But don't rush it and do it right
- b. Boulder County did not submit any request for Proposals like it appears is being done for the UVS. But don't rush it and do it right
- c. It appears the current focus is to get EVERYBODY to vote
- d. That there seems to be ZERO focus on accurate processing
- e. That the HAVA required maximum error rate is 1 error per 500,000. And that includes determining whose entire ballot to count and whose not to count in processing mail ballot envelopes.
- f. Make sure any Automatic Signature Verification system is tested and certified by a qualified independent 3rd party to meet the HAVA requirement.

A well-known person to my generation stated, "It is enough for the people to know there was an election. Those that vote decide nothing. Those that count the votes determine everything." Joseph Stalin.

Let's remember that Boulder County Election results have not yet been certified and the primary reason is the many problems with the defective Bell & Howell Vote by Mail system. Boulder County serves as a prime example how NOT to process Mail ballots.

Interim Description of Bitsy Operation

By Jim August, a very concerned Boulder County Mail in Ballot Voter, 6-4-13

Preface

1. This is an in-process report on what has been discovered so far about the Bell & Howell (B&H) "Vote By Mail" (VBM) system used to process most (why not all?) Mail Ballot Envelopes (MBE) returned by USPS or via "Drop Boxes" for the 2012 General Election.
2. There are other issues with Boulder County Elections but this report only focuses on the many problems related to a specific Bell & Howell VBM system.
3. "Bitsy" is the nickname given by the Boulder County staff to the "Bell & Howell Criterion Elevate" system used by Boulder County to process MBEs. This nickname may be based on the perception that this B&H system had a smaller foot print than its competitors. The Bitsy name will be used throughout this report for reasons of brevity. Note that *MBEs contain live ballots* during the multiple stages of Bitsy MBE processing.
4. This small size appeared to be a major requirement for the Clerk's office when procuring this system. In my investigation I have not found one single meaningful requirement stated except that the system should have a small footprint. I would expect at least *some* form of explicit performance requirements.
5. In general the quality of Bitsy-related information provided by Boulder County was way below what I would expect for election accounting.
6. This report is based in a large part on the copies of the Bitsy Batch Reports generated by Bitsy. See Appendix information at the end of this report.
7. I requested copies of specifications and detailed process descriptions, and was told by County staff that they did not exist.
8. This model and analysis were developed based on my personal observations and limited information obtained from Boulder County with CORA requests. There are still a lot of unknowns and questions that need to be answered.

Tabulation of Batch Reports

1. As a result of 3 major CORA requests I received the following 3 sets of documents.
 - a. The first document was a 21 page "VBM Batch Tracking" manually maintained log
 - i. This log is very sloppy and incomplete and almost impossible to follow if it is all you have. See a sample copy included in the appendix.
 - ii. The basis for knowing that this document existed was that I personally observed entries being made in this log when I was a watcher. There was no information openly provided by the County that even suggested this log existed. It took two CORA requests to get a complete copy.
 - iii. See Internet links 1 & 2 near the end of this report.
 - b. The second set of documents were copies of Volume 1 of the Bitsy generated batch reports for the first part of entries in the VBM log mentioned above.
 - i. I observed this volume being used by staff in the security video for 10-26-2012. Again there was no information openly provided by the County that even suggested these reports existed.

Interim Description of Bitsy Operation

By Jim August, a very concerned Boulder County Mail in Ballot Voter. 6-4-13

- ii. This volume covered from batch 1 on 10-18-2012 through batch 204 on 10-31-2012
 - iii. See this Internet link for complete, downloadable documentation of my efforts: <http://tinyurl.com/14q4hbd>
 - c. The third set of documents were copies of Volume 2 of the Bitsy generated batch reports for the last part of entries in the VBM log mentioned above.
 - i. This was the result of an addition CORA request when I found that Volume 1 was incomplete.
 - ii. This covered from batch 205 on 11-1-2012 through batch 364 on 11-7-2012.
 - iii. See Internet link above.
2. I then created a spreadsheet that contains selected information on all 340 batches.
 - a. Sheet 1 of the spreadsheet summarizes key information about the "First Pass" reports.
 - b. Sheet 2 of the spreadsheet summarizes key information about the "RePass" (second pass) reports.
 - c. I did not enter any data for the 3rd pass, which is titled "Fine Sort" other than identify which batches were "FS"
 - d. See Internet link above.

Outline of Bitsy Mail Ballot Envelope Processing

1. **The general steps of processing Vote By Mail (VBM) envelopes is as follows**
 - a. Receive and prepare envelopes for Bitsy
 - b. Daily, down load voter information from Colorado SCORE database.
 - c. Perform Bitsy "First Pass" on VBMs, *containing live ballots*.
 - d. Perform manual "Signature Verification"
 - e. Perform Bitsy "Second Pass on envelopes
 - f. Perform Bitsy "Fine Sort" on envelopes
 - g. Daily, upload new ballot status information to SCORE
 - h. Manually and automatically process "Exception" envelopes
 - i. Open envelopes
 - j. Remove Ballots
 - k. Scan ballots with Hart system
 - l. Resolve Voter intent on questionable ballots
 - m. Count votes with Hart system
 - n. Tally all votes.
2. **More detailed steps of processing**
 - a. Receive and prepare envelopes for Bitsy
 - i. Receive by USPS or from drop boxes
 - ii. Manually remove tabs over signature
 - iii. Manually remove junk mail
 - iv. Manually remove "Undeliverable" envelopes

Interim Description of Bitsy Operation

By Jim August, a very concerned Boulder County Mail in Ballot Voter, 6-4-13

- v. Manually arrange with all envelopes facing same direction and stack in groups of about 400 per mail tray.
- b. Daily, down load voter information from SCORE
- c. Perform Bitsy "First Pass" on envelopes
 - i. Envelopes are feed into Bitsy in groups of about 800 or less
 - ii. Bitsy checks for feed of multiple envelopes. **Not sure how these are processed.**
 - iii. Bitsy checks envelope thickness for 0 or multiple ballots. **Not sure how these are processed.**
 - iv. Bitsy scans image of envelope.
 - v. Bitsy extracts bar code from image. It is assumed that barcode is for Voter ID
 - vi. Identifies voter from barcode
 - vii. Looks up voter in downloaded SCORE database
 - viii. Bitsy extracts signature image
 - ix. Performs Automatic Signature Verification (ASV)
 - x. Bitsy prints processed date on envelope
 - xi. Bitsy sorts and counts envelopes on First pass as follows
 - a) Bin 1, rejects, may be those that barcode could not be read correctly
 - b) Bin 2, appears not to be used
 - c) Bin 3, accumulates those in the following categories
 - 1. Administrative action
 - 2. ID required
 - 3. ID Flagged
 - 4. No Signature
 - 5. No Affidavit Signature
 - d) Bin 4, **VIP. Not sure what this means but there were 190 of them.** Are these "Confidential Voters"?
 - e) Bin 5, No Signature Match by ASV system (**about 60% go here**)
 - f) Bin 6, ASV pass for Districts 1 – 12. Called group 6
 - g) Bin 7, ASV pass for Districts 13 – 24 Called group 7
 - h) Bin 8, ASV pass for Districts 25 - 35 Called group 8
 - i) Bin 9, ASV pass for Districts 36 – 46 Called group 9
 - j) "Oops bin", for "Out of Scheme". Not sure what these are
 - k) Bins 10-16 not used on first pass?
- d. Perform manual "Signature Verification" using Bell & Howell software
 - a. Perform manual "Signature Verification" by team of two judges using Bell & Howell's "Side by Side" (SBS) system with signature pairs for 4 voters on screen at a time. All envelopes from First Pass are checked except the "Rejected" and "Out of Scope"
 - b. Manually verify by a team of two higher-level (?) judges those signatures that were flagged in previous step.
- e. Perform Bitsy "Second Pass" on envelopes

Interim Description of Bitsy Operation

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- i. Basically same as First Pass except the ASV seems to be turned off and those signatures that were manually rejected should now be sorted to bin 5. (About 4% go here)
 - ii. **Only about 44% of first pass envelopes are reported as being fed into second pass.**
 - iii. Letters are generated and sent to all voters that had envelopes that were not successfully sorted into bins 6-9
- f. Perform Bitsy "Fine Sort" on envelopes
- i. Sorts each group from second pass into 16 districts.
 - ii. No report of any that are rejected or sent to Oops bin
- g. Daily, upload new ballot status information to SCORE
- h. Manually and automatically process "Exception" envelopes
- i. The steps performed here are varied based on reason for exception
- i. Open envelopes
- i. A machine is used to slit open the bottom of each envelope
- j. Remove Ballots
- i. Manually performed by 2 people.
 - ii. Set aside those that are wrong ballot style or have different ballot style on envelope and ballot
- k. Scan ballots with Hart system
- l. Interpret votes with Hart system
- m. Resolve vote intent as needed with Hart system
- n. Tally all votes.

Questions

1. When Bitsy scans envelope, does it scan only one or both sides?
2. What are the processing steps for the "Rejected" envelopes?
3. What are the processing steps for the "Out of Scheme" envelopes?
4. What are the processing steps for the questionable and other flagged envelopes?
5. How is threshold or sensitivity set for Automatic Signature Verification?
6. How is ASV flag overridden for SBS manual Signature Verification?
7. In "Fine Sort" pass, what goes into bins 1-5 and where is that reported?
8. How are the cured envelopes processed? Do they get mixed back in with new envelopes or are they processed as a separate batch or manually?

Interim Description of Bitsy Operation

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9. Are there daily Bitsy tracking logs?

Points of interest

1. There doesn't seem to be any accountability of mail ballot envelopes throughout the system.
 - a. How many were received each day from USPS. Did USPS have a count?
 - b. How many were in each drop box?
 - c. Was the correct number of drop box processed?
 - d. What was the chain of custody?
 - e. Was there any daily or activity log?
 - f. Did Bitsy make the first count of those received? But Bitsy has been proven not able to provide an accurate count? *This is the first thing I observed as a watcher that got me started in this investigation.*
2. There were 364 batches processed by Bitsy per the logs
 - a. **44 (12%) Batches were VOID.** Most without any report or reason given. I tried to get copies of some of the void reports and was told "No such document exists" (I think the information should still be in Bitsy's database). **Or have election records been destroyed which I believe is against the law?**
 - b. 194 of the batches were First Pass
 - c. 84 of the batches were Repass (the second pass) but 22 (26%) had no reports or data.
 - d. 38 batches were Fine Sort
 - e. 4 Batches were other types or unknown
3. Of those that were able to be read on first pass, **over 64% were flagged as "No Signature Match" by the ASV software.** If ASV was inactive I would expect either 0% or 100% to have been flagged. **This is proof that the ASV was active during the First Pass. This is contrary to what we were told by the Clerk.**
4. In the Repass phase the manual signature reject rate was about 4.3%. But in the "Real Time Ballot Return Report", Report #BP-009, has a total Signature Discrepancy reject rate of 0.26% (344 total rejected out of 130,094) for all returned by mail ballots.
5. **So is the signature discrepancy reject rate 64%, or 4.3%, or 0.26%?**
6. The BP-009 report states that **130,094 ballots were returned but 131,559 were fed into Bitsy in the First Pass". Why were more processed by Bitsy than were received? Or is that just more Bitsy counting errors?**
7. The First Pass reports have the following forms of rejects
 - a. 2,353 "Rejects" that the bar code could not be read or some other reason of not locating the voter in SCORE.
 - b. 167 envelopes with no signatures
 - c. 1,550 ballots that needed ID to be provided

Interim Description of Bitsy Operation

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- d. 190 VIP flagged envelopes. **What are VIP envelopes anyway?**
 - e. 685 envelopes that were out of scheme such as "Primary" ballots being return for the General Election and who knows what else.
 - f. That's a total of 4,945 rejected for one reason or another in the First Pass alone.
 - g. **Yet the bottom line was that only 875 out of 130,094 were rejected for the entire election**
8. Of the 131,559 submitted to first pass 128,521 were passed onto "Side by Side" manual signature verification using Bitsy software. Only those "rejected" or "Out of Scheme" were not passed on to manual signature verification.
9. The RePass (Second Pass) reports have the following forms of rejects
- a. **Remember that 44% of the envelopes bypassed this pass.**
 - b. 413 "Rejects" that the bar code could not be read or some other reason of not locating the voter in SCORE. **Why were there any that were not caught in first pass?**
 - c. 158 envelopes with no signatures. **Were these the uncured ones?**
 - d. 302 ballots that needed ID to be provided. **Were these the uncured ones?**
 - e. 14 VIP flagged envelopes. **Why were there any that were not caught in first pass?**
 - f. 16 envelopes that were out of scheme such as "Primary" ballots being return for the General Election. **Why were there any that were not caught in first pass?**
 - g. 2,515 were rejected in the Repass that had a manual signature rejection. **That's about 4% of those processed, which sounds about right.**
 - h. That's a total of 3,418 rejected for one reason or another in the RePass.
 - i. Yet the bottom line was that only 875 out of 130,094 were reported by the Clerk rejected for the entire election
10. The Fine Sort pass (third pass) generates a report
- a. This report only has the batch ID number, the report time and the accumulated totals for each district. However checking the accumulated number by district can not be verified at this time since there is: (1) No report of how many were fed into the Fine Sort pass, nor (2) How many were rejected at this pass. **This report is grossly incomplete.**
11. Comparison of data from other reports
- a. Report "BP-009" titled "Real Time Ballot Return Report" dated 11/20/2012 at 07:22 PM
 - i. Shows 130,094 were returned with 129,219 accepted, 875 were rejected and 3,275 were undeliverable. **This is significantly different from Bitsy reports.**
 - b. Report "BP-012B" titled "Ballot Reconciliation Report" dated 11/20/2013 @ 07:24 PM" reported 876 rejected for the following reasons for "Absentee / Mail Ballots"
 - i. 6 - Rejected-Voted more than one ballot

Interim Description of Bitsy Operation

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- ii. 1 - Rejected-Voided / Not Voted
 - iii. 1 - Rejected-Other
 - iv. 3 - Rejected-Empty Envelope
 - v. 3 - Rejected-Administrative Action
 - vi. 70 - Rejected-No Signature
 - vii. 73 - Rejected-Verification Affidavit not complete
 - viii. 344 - Rejected-Signature Discrepancy
 - ix. 349 - Rejected-ID required - Not provided
12. There seems to be an outstanding cure rate for the various rejects throughout the process.
- a. In the first pass there were 4,945 rejects not counting the 65 % flagged by automatic signature discrepancy. However it appears that 2,007 of these rejects were fed to manual signature verification followed by Bitsy second pass. **Why?**
 - b. In the second pass (RePass) there were 3,418 rejects which now includes those manually flagged for signature discrepancies. **Yet 44% did not go through the second pass**
 - c. It appears that 6,356 rejects were pulled out on first and second pass with problems that needed to be cured.
 - d. However the final total rejected was 875 or 876 depending on which report is used. That means that over 86% were cured but I have been told in the past that only about half were cured. So was this much higher cure rate reliable?

Suggestions:

- 1. There should be a 100% audit of the entire "cure" process.
- 2. There should be an in depth audit of the Mail Ballot Envelope processing.
- 3. There should be a great improvement in the creditability of all reports
- 4. Accurate data should be collected and reports should be generated for every step in the process
- 5. The Automatic Signature Verification (ASV) system should NOT be used until it can be certified by an independent agency to have an error rate of less than 1 per 500,000 as required by HAVA.
- 6. There should be detailed procedures for each step in the processing
- 7. All procedures should be available to be review by the public.
- 8. A detailed flow diagram should be developed and provided to the public. For example diagram provide by the Clerk for mail in ballot processing only had the following blocks.
 - i. Receive, track and Stage
 - ii. Sort (**Bitsy involved**)
 - iii. Verify Signatures (**Bitsy involved**)
 - iv. Open and Separate
 - v. Scan
 - vi. Resolve for Voter Intent
 - vii. Record CVR

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Summary

There were about 130,000 mail ballot envelopes received by the County during the 2012 General Election and then processed with Bitsy.

Based on the findings in my investigation about 70,000 Ballot envelopes were not searched and removed for signature discrepancies. **If the real signature reject rate is about 4% then does it mean that about 2,800 envelopes were falsely accepted by not being sorted out in the second pass? That is Fraud!**

There are a lot of holes and major discrepancies in the accounting of envelopes as they move through the process. These gaps and discrepancies leave open to question the integrity of the entire Election. It is believed that it may be next to impossible to provide traceability of all envelopes through the entire Bitsy process.

There is no visible evidence that the Boulder County Clerk's office has made any effort to correct any of these problems even after multiple formal complaints. The only apparent action has been various official statements given over the last 6 months *'that they were investigating the performance.'* So what can we expect for our next election?

The following is based on my analysis using various reports provided by the Clerk's office.

131,517 entered the First Pass

128,493 entered Manual Signature Verification

58,226 entered the Second Pass, **Why so few here?**

54,778 came out Second Pass,

Yet 125,106 came out of Fine Sort to be opened. **Where did 70,328 MBEs reappear from?**

But 130,252 were counted. **Why were 5,146 more counted than came out of "Fine Sort"?**

Is it really "Election Fraud" or is it just "Incompetency" or was it the defective Bitsy? If it is all blamed on Bitsy problems, then it would be Fraud to ever use that system again.

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Links to various data and other documents

Links to the complete, *downloadable documentation* of Bitsy Report and Appendix files mentioned in the pages above are at: <http://tinyurl.com/l4q4hbd>

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See separate PDF file for the following Appendices

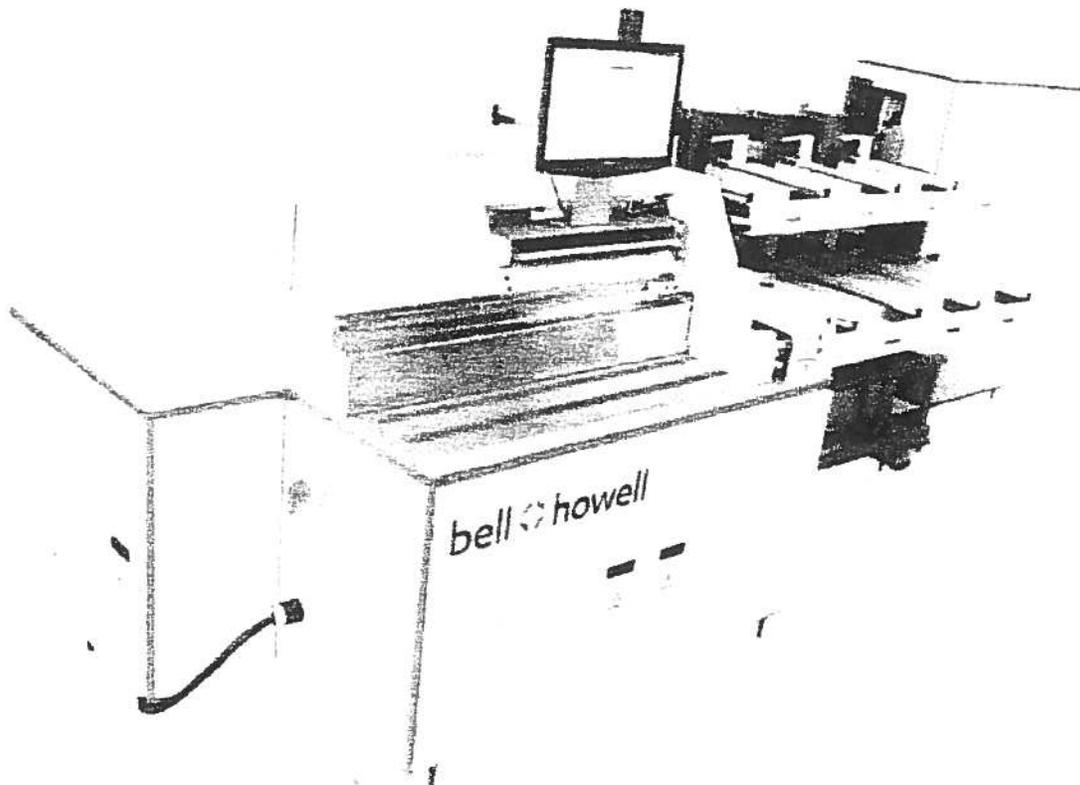
1. Top View diagram of envelope flow through Bitsy.
2. Flow diagram of mail ballot envelope processing using Bitsy
3. Sample page of Vote By Mail manual Log
4. Sample "First Pass" report
5. Sample of "Repass" report
6. Copy of final "Fine Sort" report
7. Copy of page 1 of "Cumulative Report"
8. Report BP-009, Real Time Ballot Return Report
9. Report BP-012B, Ballot Reconciliation Report

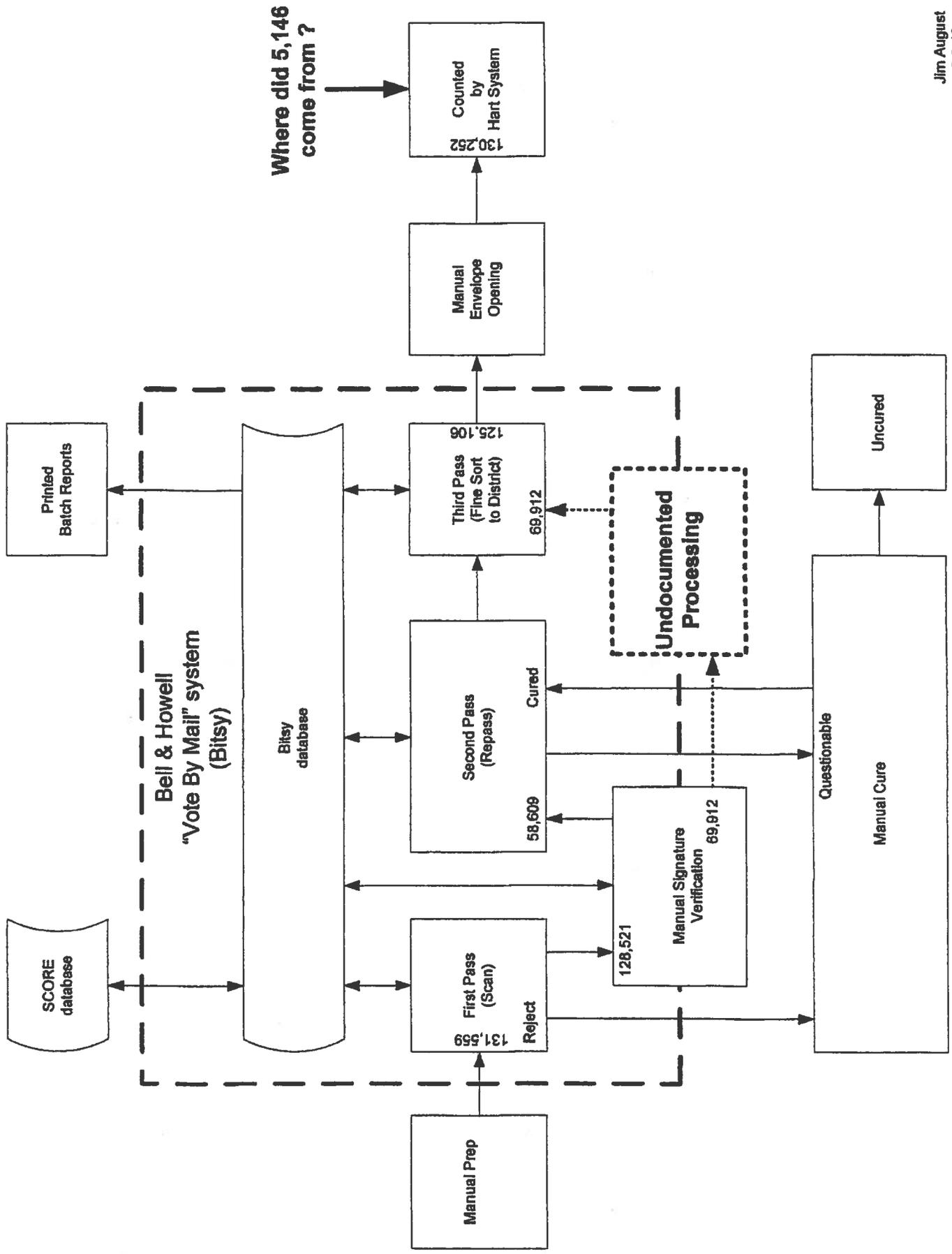
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BELL & HOWELL "BITSY"

Bitsy Picture for those that may not have seen the beast:





Where did 5,146 come from ?

(REPASS)

Incoming First Pass Count Per Bin and Code Report

Boulder County
Elections Division
1750 33rd Street Suite 200
Boulder, CO 80301

Printed On: Saturday, November 03, 2012 @ 9:10:13 PM
Processing Date: Saturday, November 03, 2012
Batch: 279
Mailing: 2012_BoCo_General
Job Name: VBM_2_RP

Bin(s)	Code	Code Text	Total Documents
1		Reject	0
5		No Sig Match	70
8		DS-25	87
		DS-26	389
		DS-28	147
		DS-29	7
		DS-30	643
		DS-32	5
		DS-33	12
		DS-35	5

Total Fed: 1,365
 Total Read: 1,365
 Total Rejects: 0
 Total Out of Scheme: 0

Total Good:

Reject	0
DS-32	5
DS-35	5
DS-29	7
DS-33	12
No Sig Match	70
DS-25	87
DS-28	147
DS-26	389
DS-30	643
Total Challenged:	1,365

271-278 void

Incoming First Pass Count Per Bin and Code Report

Boulder County
 Elections Division
 1750 33rd Street Suite 200
 Boulder, CO 80301

Printed On: Saturday, November 03, 2012 @ 10:58:48 AM
 Processing Date: Saturday, November 03, 2012
 Batch: 252
 Mailing: 2012_BoCo_General
 Job Name: VBM_1_FP

Bin(s)	Code	Code Text	Total Documents
1		Reject	13
3		ID Req'd Flag	3
4		VIP	1
5		No Sig Match	568
6		DS-01	3
		DS-03	6
		DS-06	1
		DS-08	5
		DS-12	3
7		DS-16	1
		DS-19	1
		DS-21	20
		DS-22	136
		DS-24	2
8		DS-25	10
		DS-26	1
		DS-28	1
		DS-32	1
		DS-34	1
9		DS-36	1
		DS-37	92
		DS-39	12
		DS-40	1
		DS-41	1
		DS-42	3
		DS-43	3

Total Fed: 905
 Total Read: 892

Total Good:

877

Incoming Fine Sort Group Report

**Boulder County
Elections Division
1750 33rd Street Suite 200
Boulder, CO 80301**

Printed On: Wednesday, November 07, 2012 @ 2:35:25 A

Processing Date

Mailing: 2012_BoCo_General

Job Name: VBM_3_FS

**Minimum Pieces: 1
Number of Bins: 16**

Optimize Level: Low

Group: 6 First Pass bin: 6

Bin	Code or Group#	Count									
6	DS-01	4370	7	DS-03	6005	8	DS-04	10	9	DS-05	5
10	DS-06	3427	11	DS-08	10585	12	DS-09	334	13	DS-11	295
14	DS-12	2175									

Group: 7 First Pass bin: 7

Bin	Code or Group#	Count									
6	DS-13	219	7	DS-15	310	8	DS-16	159	9	DS-17	206
10	DS-18	311	11	DS-19	2231	12	DS-20	1499	13	DS-21	5830
14	DS-22	24397	15	DS-23	180	16	DS-24	608			

Group: 8 First Pass bin: 8

Bin	Code or Group#	Count									
6	DS-25	6121	7	DS-26	9895	8	DS-27	45	9	DS-28	5424
10	DS-29	133	11	DS-30	17055	12	DS-31	36	13	DS-32	492
14	DS-33	458	15	DS-34	65	16	DS-35	418			

Group: 9 First Pass bin: 9

Bin	Code or Group#	Count									
6	DS-36	131	7	DS-37	15699	8	DS-38	423	9	DS-39	3434
10	DS-40	320	11	DS-41	535	12	DS-42	564	13	DS-43	677
14	DS-45	83	15	DS-46	42						

Cumulative Report — Official
Boulder County, Colorado — 2012 Boulder County General Election — November 06, 2012
 Page 1 of 16

11/26/2012 07:18 PM
 Precincts Reporting 234 of 235 = 99.57%

Total Number of Voters : 180,826 of 248,953 = 72.63%

Party	Candidate	Absentee	Early	Election	Total				
PRESIDENTIAL ELECTORS, Vote For 1									
	Virgil H. Goode Jr. / Jim Clymer American Constitution	191	0.15%	14	0.08%	57	0.18%	262	0.15%
	Barack Obama / Joe Biden Democratic	90,909	70.24%	13,118	74.31%	21,064	64.98%	125,091	69.69%
	Mitt Romney / Paul Ryan Republican	35,738	27.61%	4,165	23.58%	10,078	31.09%	49,981	27.84%
	Gary Johnson / James P. Gray Libertarian	1,677	1.30%	247	1.40%	870	2.68%	2,794	1.56%
	Jill Stein / Cheri Honkala Green	574	0.44%	70	0.40%	226	0.70%	870	0.48%
	Stewart Alexander / Alex Mendoza Socialist, USA	8	0.01%	2	0.01%	6	0.02%	16	0.01%
	Ross C. "Rocky" Anderson / Luis J. Rodriguez Justice	67	0.05%	12	0.07%	20	0.06%	99	0.06%
	Roseanne Barr / Cindy Lee Sheehan Peace and Freedom	138	0.11%	10	0.06%	54	0.17%	202	0.11%
	James Harris / Alyson Kennedy Socialist Workers	4	0.00%	0	0.00%	1	0.00%	5	0.00%
	Tom Hoefling / Jonathan D. Ellis America's	10	0.01%	1	0.01%	8	0.02%	19	0.01%
	Gloria La Riva / Filberto Ramirez Jr. Socialism and Liberation	6	0.00%	1	0.01%	2	0.01%	9	0.01%
	Merlin Miller / Harry V. Bertram American Third Position	12	0.01%	2	0.01%	2	0.01%	16	0.01%
	Jill Reed / Tom Cary Unaffiliated	64	0.05%	6	0.03%	17	0.05%	87	0.05%
	Thomas Robert Stevens / Aiden Link Objectivist	10	0.01%	1	0.01%	3	0.01%	14	0.01%
	Shells "Samm" Tittle / Matthew A. Turner We the People	15	0.01%	3	0.02%	4	0.01%	22	0.01%
	Jerry White / Phyllis Scherrer Socialist Equality	5	0.00%	1	0.01%	6	0.02%	12	0.01%
	Randall Terry / Missy Reilly Smith Independent / Republican (W)	0	0.00%	0	0.00%	0	0.00%	0	0.00%

Cast Votes:	128,428	99.37%	17,653	99.45%	32,418	99.11%	178,499	99.33%
Over Votes:	76	0.06%	21	0.12%	38	0.12%	135	0.07%
Under Votes:	748	0.57%	76	0.43%	254	0.78%	1,078	0.60%

Precincts		Voters	
Counted	Total	Ballots	Registered
234	234	180,712	248,953
		100.00%	72.59%

130,252

County: Boulder
User Name : hillary hall

Real Time Ballot Return Report

Date : 11/20/2012 07:22 PM
Report No. : BP-009

Precinct : All Election : 11/06/2012 - 2012 Boulder County General Election Ballot Styles : All

Date Received	Returned	Accepted	Rejected	Undeliverable
09/25/2012	961	960	1	0
09/27/2012	0	0	0	11
10/18/2012	123	122	1	0
10/19/2012	8480	8473	7	528
10/22/2012	7547	7537	10	1431
10/23/2012	11946	11792	154	438
10/24/2012	4559	4547	12	0
10/25/2012	6761	6747	14	121
10/26/2012	6023	6011	12	163
10/27/2012	4938	4923	15	0
10/29/2012	6229	6206	23	210
10/30/2012	12874	12835	39	0
10/31/2012	8372	8292	80	216
11/01/2012	8811	8755	56	0
11/02/2012	8366	8329	37	0
11/03/2012	9823	9749	74	0
11/05/2012	11401	11305	96	157
11/06/2012	12862	12636	226	0
11/07/2012	18	0	18	0
Total	130094	129219	875	3275

County: Boulder
User Name : hillary hall

Ballot Reconciliation Report

Date : 11/20/2012 07:24 PM
Report No. : BP-012B

Election : 11/06/2012 - 2012 Boulder County General Election

Absentee / Mail Ballot

	Active	Void	Total
Prepared	0	879	879
Sent and not Received	6673	6697	13370
Processed			
Accepted	129219	0	129219
	<u>129219</u>	<u>0</u>	<u>129219</u>
Rejected-Voted more than one ballot	0	6	6
Rejected-Void / Not Voted	0	1	1
Rejected-Other	0	1	1
Rejected-Empty Envelope	3	0	3
Rejected-Administrative Action	3	22	25
Rejected-No signature	70	0	70
Rejected-Verification Affidavit not complete	73	0	73
Rejected-Signature Discrepancy	344	4	348
Rejected-ID Required - Not Provided	349	0	349
	<u>842</u>	<u>34</u>	<u>876</u>
Undeliverable	1571	1706	3277
Total	<u>138305</u>	<u>9316</u>	<u>147621</u>

Al Davidson (Temporary)

From: Al Kolwicz <Al@alkolwicz.net>
Sent: Wednesday, June 26, 2013 9:10 AM
To: Public UVS Panel
Cc: Colorado Voter Group (ColoradoVoter@googlegroups.com); Dr. Charles E. Corry; Suzanne Staiert
Subject: PPP Input.
Attachments: ConceptualElectionSystem.pdf

I look forward to speaking with you at today's PPP meeting, and discussing some of the requirements of Colorado's Election System.

1. Note that I use the term "Election System" and not "Voting System". Please see attached chart.
2. I can offer you substantial data from my personal election system experience as canvass board member, watcher, researcher, expert witness, plaintiff, and quality advocate. My professional background is large systems design and test.
3. I hope that you will ask revealing questions.
4. Since HB-1303 has committed Colorado to a mail ballot system, I recommend that, for background, you scan the report at <http://eifi.org/News/Voting-February-24-2013.htm>

Based on what we have been able to glean from the UVS and 1303 documentation on the website, I strongly advise you to press the RESET button and establish a more realistic schedule, and a more formal process. Today, the public is particularly concerned over government abuse and competence. It will not be wise to shove a half-baked loaf down the public's throat.

I will be representing the Colorado Voter Group www.ColoradoVoterGroup.org

Al Kolwicz

Colorado Voter Group

<http://www.ColoradoVoterGroup.org>

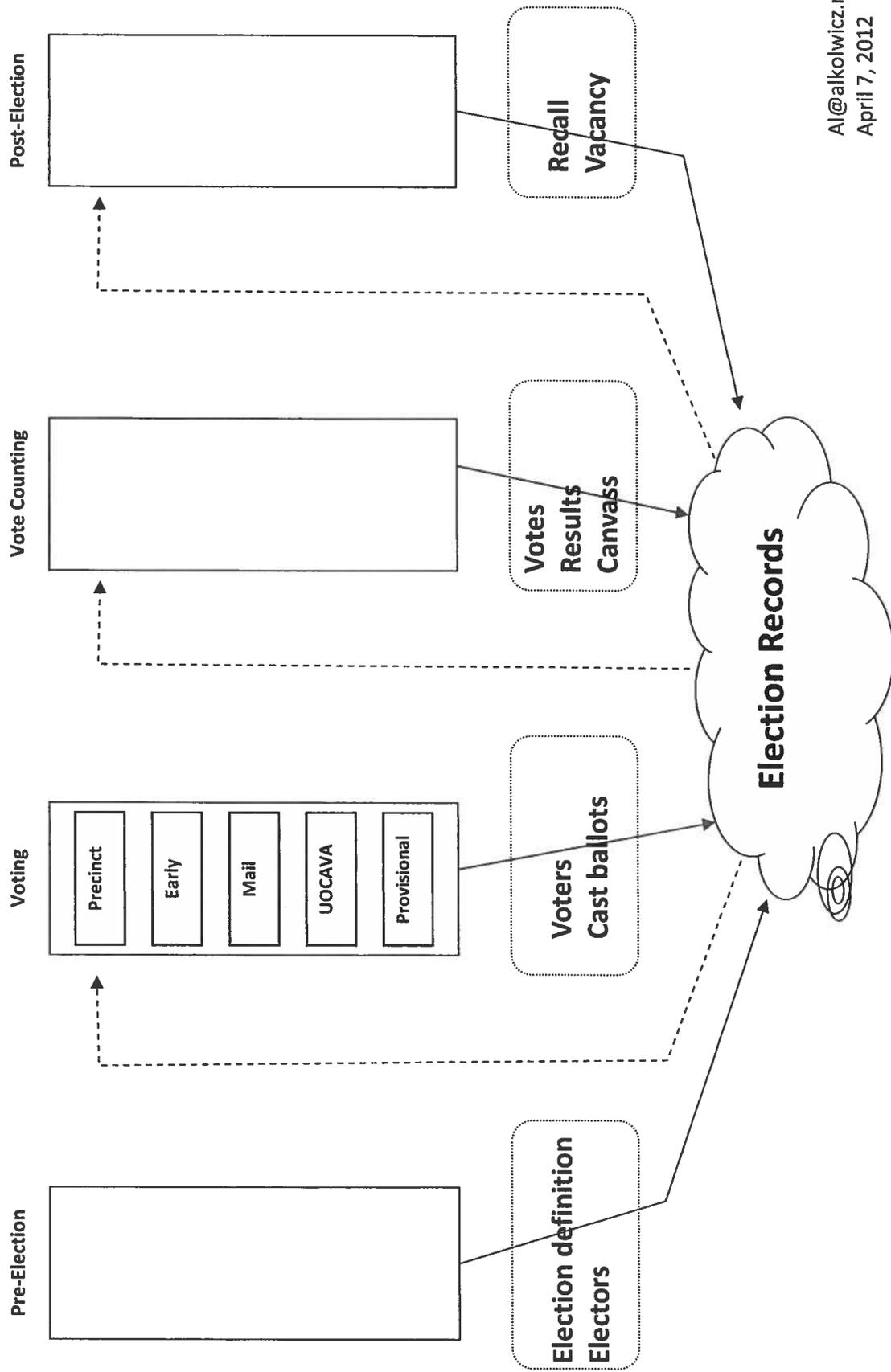
2867 Tincup Circle

Boulder, CO 80305

303-499-9527

Al@alkolwicz.net

Election System—Conceptual Design



EJF Newsletter: Mail Ballots And Elections — What We Have Lost

No better method having been developed, in democratic republics like the United States elections are used to determine the distribution of immense power and the control of the disposal of huge funds. Fraud has thus been an ever-present companion. Tracy Campbell provides one of the best summaries of that problem in his book [Deliver The Vote: A History Of Election Fraud, An American Political Tradition — 1742-2004](#). Prof. Doug Jones [Brief Illustrated History of Voting](#) is also recommended.

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Introduction

February 24, 2013

Once upon a time, say around 1970, after a couple of centuries, some might say millennia, of experimenting methods had been developed to make election fraud quite difficult. Counties were divided into precincts, parishes, or townships with usually 1,000-2,000 registered voters in each precinct. Sometime after becoming eligible to vote in the precinct, potential electors went to the county clerk's office and provided proof that they were citizens and had physically resided in the precinct for the requisite period of time.

On the day of an election they then went to their polling place that was run by citizen election judges from both major parties and usually residents of that precinct. Upon identifying themselves they were required to sign the poll book compiled from all voters who were registered in that precinct. Since many of the voters and judges knew one another there was a substantial risk that an interloper would be recognized and challenged. And additional volunteer poll watchers were frequently present to further ensure honesty.

If a voter was physically unable to go to their polling place on Election Day they could request an absentee ballot from the county clerk. But the reasons a voter might use to obtain an absentee ballot were limited and usually the voter had to request the absentee ballot as well as deliver it to the clerk in person for deposit into a ballot box. Thus, very few absentee ballots were issued or cast.

Once the elector signed the poll book they were given a paper ballot and provided a private booth in which they could mark the ballot by hand as they chose without fear of reprisal or intimidation. No campaigning or electioneering was allowed in or around the polling place. Once they had marked the ballot as they freely chose any identifying marks or stubs used for ballot inventory were removed and the ballot was deposited in a sealed box that the election judges had verified was empty before the polls opened. The voter was not allowed to leave the polling place with their ballot in hand or to take pictures of it in order to forestall vote buying and selling.

Experience showed that strange things happened to ballots and ballot boxes once they left the polling place. So when the polls closed the election judges opened the ballot box and jointly hand counted the results, a process also open to citizen observers. Once the ballots were tallied a public notice of the results was prominently posted at the polling place. The ballots were returned to the ballot box and sealed. The sealed ballot box and the precinct results were then transported to the county clerk either by sworn peace officers or by at least two election judges, one from each major party. The county clerk then compiled the results from each precinct and published the election results.

Now people are clever, and the rewards for election fraud can be huge, so even these precautions didn't entirely eliminate rigged elections. But they did make it as difficult as practically possible.

Enter the computer age

[Top](#)

Since their invention the adage has existed that if you really want to screw things up, use a computer, and that has repeatedly been proven true in elections.

In the main, elections are run by county clerks who don't know an electron from a proton, and snake oil salesmen and women found a new calling selling electronic voting machines to these clerks in the 1990's. There were, and are no limits to the promises made by vendors of these voting machines. And few county clerks and other election officials were, or are willing to admit mistakes, malfeasance, fraud, incompetence, and vendors often willingly lie to cover up the numerous problems, i.e., "*glitches*" in their vernacular, with their equipment. And county clerks and election officials frequently step into well-paid positions with these election companies when they leave public service after spending millions of taxpayer dollars on the vendor's voting machines.

After the disastrous presidential election in 2000, when the U.S. Supreme Court decided it somehow had the authority to tell states when to stop counting votes and thereby determine who became president, the next obvious step was for Congress to get into the act.

Diebold, headquartered in Ohio, had decided that voting machines were going to be profitable and together with their pet congressman, Bob Ney (R-Ohio), and lobbyist Jack Abramoff, pushed through what is known as the Help America Vote Act (HAVA). Ney and Abramoff were later convicted and jailed for a variety of nefarious acts but HAVA provided some \$4 billion to "*modernize*" elections with electronic voting machines from vendors like Diebold, ES&S, Hart Intercivic, Sequoia, etc.

The **Equal Justice Foundation**, among many others, has extensively, but not exhaustively documented the disasters resulting from the widespread adoption of electronic voting machines.

Because county voter rolls were commonly disasters, often with more registered voters than residents, HAVA also mandated statewide voter registration databases. That, in turn, led to even more problems. At one point after implementing a statewide voter database, years late and way over budget, Colorado had about 5.4 million "*registered voters*" but only roughly 3.5 million residents eligible to vote.

HAVA also mandated at least one voting machine per precinct that allowed the disabled to vote without assistance. Since there are 185,000-190,000 precincts in the United States, and each such machine costs \$4,000-\$5,000, \$4 billion was hardly sufficient and the states and counties were to pay the remainder. These **direct recording electronic (DRE)** voting machines proved to be a disaster in practice with breakdowns, long lines, lost votes, and on and on. However, voting machine vendors offered an alternative optical scanner that, optimistically (pun intended), reads the ballot and reports how the elector voted. As Arthur C. Clarke famously stated "*Any technology sufficiently advanced is indistinguishable from magic.*" And to county clerks these magical machines seemed to work wonderfully. They also had the advantage that voters had no access to the inner workings which were all-too-often readily apparent with DREs. Optical scanners could also "*read*" thousands of ballots very quickly and very few were needed compared to DREs.

Mail ballots — A solution to the "solution"?

[Top](#)

Not long after HAVA was passed county clerks began pushing the idea of using mail ballots, or "*no excuse*" absentee voting in order to conduct elections. **By 2006** it was obvious that:

You can have an honest election, or you can have a mail in/absentee ballot election, but you can't have both at the same time.

But once started modernizing elections, and with billions in public funding, why not try some other ways to screw up elections using computers? Space doesn't allow a complete tabulation and readers are referred to groups like Bev Harris' **Black Box Voting**, **VotersUnite.org**, and many, many others for details on the disastrous state of elections in general. Here I want to look at just a few of the problems the widespread switch to "*no excuse*," or total mail-ballot elections has cost citizens in further loss of election integrity.

The move to mail ballots dominates the west (**see map**) and Florida, of course. Oregon and Washington have now switched to all mail elections all the time. Other states, like Colorado, use all mail elections in municipal, local, and off-year elections. But even in federal elections many states now permit, nay, encourage the use of "*no*

excuse" absentee, i.e., mail ballots.

Bear in mind that the following tabulation is a bare and incomplete outline of just a few of the known problems with absentee/mail ballots and why they were not used or allowed in the prior millennium.

Secret ballot

[Top](#)

Most state constitutions now guarantee the right of a voter to cast a ballot that has no identifying marks that would allow anyone to trace the ballot back to the individual who cast it. The conundrum of positively identifying a voter and yet ensuring their ballot and how they voted is secret is easily solved at a polling place but impossible with mail ballots.

In many places the voter is sent a ballot with a detachable stub at the top that identifies the ballot either with a number or bar code so the clerk can verify the ballot sent out to a voter is the same ballot that was returned. The voter is also instructed to sign the envelope before returning it and election officials now typically use machines to compare the signature on the envelope with the voter's signature on the registration form. All this flim-flam makes it look like the clerk is concerned with security but, in fact, simply insures that any insider, post office worker, or anyone else who handles the ballots can determine how an individual voted. And that has been demonstrated in several Colorado counties.

In other cases ballots to one group have been placed in different colored or sized envelopes, or the voter's party affiliation stamped on the outside of the envelope. Bar codes are common as well and there are many apps available to read these codes.

Even worse, some systems like Hart Intercivic place identifying marks, either bar codes or numbers, that tie the ballot directly to the voter even after the stub at the top of the ballot is removed. Of course that is true with these machines whether or not the ballot is mailed or voted in a polling place.

Obviously the concept of a secret ballot has gone out the window with computer voting and mail ballot elections. But who pays attention to the Constitution today anyway?

Poll books

[Top](#)

Detecting election fraud or simple incompetence has always depended heavily on reference to signed poll books to establish that the voter is corporeal (not only the dead vote by mail but ghosts as well), still lives in the precinct (hard to vote in multiple states or from a foreign country at a precinct), and that the voter only votes once (many cases of voters receiving multiple mail ballots from multiple locations have been documented).

Since the move to statewide voter registration it is also common, if not the rule, to register to vote by mail. So it is easy enough for an enterprising individual or group to fill out multiple voter registration forms and mail them in. A classic case of this occurred in [South Dakota in 2002](#). If one is a bit more intelligent than that individual and puts the registration forms in separate envelopes with different return addresses and mails them on different days, detection is unlikely. Once registered they can then vote all those ghosts by mail in every election. And at least in Colorado a registered voter can list up to three addresses for a mail ballot, and there is no reason the address to send the ballot to can't be a mail forwarding agency.

And a poll book today is little more than a check in a database stating a ballot was returned from such and such an entity, corporeal or not, resident of the precinct, county, state, or even country or not.

Note that prior to the eternal wars that resulted from the 2000 election, ballots for military personnel were not much of a problem.

Electioneering

[Top](#)

Long experience taught that no candidate or proponent for an issue should be allowed any contact with the voter while they have their ballot in hand. Even today polling places put out signs around the area stating **No Electioneering** within a specified number of feet. Nor is anyone allowed to wear or bring campaign material into the polling place, or talk politics. Generally, even campaign buttons, T-shirts, or other such paraphernalia are not allowed.

Forget that antiquated practice with mail ballots. Usually, and by law, county clerks make available voter lists indicating who receives a mail ballot. Everyone, of course, in an all-mail election just to take any guess work out.

The date ballots are mailed is public information and three days later the electioneering begins in earnest with innumerable phone calls, emails, personal visits, rallies, labor union or employee meetings at companies, party hacks, relations, etc., all pressuring electors to vote the party line, their conscience and good sense be damned.

Vote buying and selling

[Top](#)

Vote buying and selling has always been a popular way to rig American elections. To be successful the person who buys or sells a vote has to prove the ballot was voted the way the purchaser wants it to be. At a polling place considerable precautions are taken to insure that no one sees how an elector votes, that a ballot is not given to a voter until they have signed the poll book, that no copy of the elector's voted ballot is made, and that the ballot never leaves the polling place.

While clever scammers had various methods of getting around these precautions it was tedious, difficult, and thereby limited to do so.

All those precautions go out the window with mail ballots. The ballot is uncontrolled in the hands of voters for days or weeks, giving them plenty of time to arrange to buy or sell their vote. The buyer can easily check the ballot was voted they want, and after the ballot is signed and sealed, drop it in a mail box anonymously to be sure the seller doesn't simply back out of the deal.

Ballot inventory

[Top](#)

One of the basic problems with committing vote fraud is obtaining a ballot. As a result election officials traditionally were very careful to keep a close inventory of all ballots, from the number printed, to ballots issued to voters, spoiled ballots, and unused ballots remaining at the end of the election. Obviously the number of voted, spoiled, and remaining should add up to the number of ballots printed.

However, maintaining even a semblance of a ballot inventory becomes impossible with mail ballots. Depending on the election somewhere between 10% and 90% of the ballots mailed out will not be returned and commonly there are thousands of ballots floating around. So there is no problem obtaining a ballot. Clerks go to considerable effort to ensure the ballot returned is the ballot sent to the individual voter. But even that is futile in many cases. And there is no way at all to account for the fate of a ballot that is mailed out but not returned.

Voter identification

[Top](#)

It is easy enough to verify a voter's identity at a polling place as the election judge has a living, breathing person in front of them. There is also a good chance others will recognize the voter as a neighbor or friend.

But there is no way to verify the entity who fills out a mail ballot. That can even be done by machine (election officials are not the only ones with computers and scanners). Once registered the only check on the identity of a ballot returned by mail is a signature, which is often "verified" solely by a machine sold by the same vendor providing the electronic voting machine. Apparently no election official thinks anyone else might have a signature writing machine or scanners. Just have to be careful the signature on the envelope matches the one used when the voter registration form was mailed in. But computers are really good at tasks like that...

Voter eligibility

[Top](#)

Legally you must physically live in the precinct where you vote and provide a physical residential address which you declare is your primary residence during the year. But because the post office does not deliver mail to all addresses, voters may also list a mailing address, e.g., a post office box, where they have their mail sent. And anyone who has walked a precinct for a candidate or issue knows that some of the addresses given by voters simply don't exist, or are businesses or warehouses.

In Colorado, and probably elsewhere, voters can list a third address where they want their mail ballot sent. That, of course, can be one of the common mail forwarding agencies.

While the percentage of citizens who moved in 2010 is down to about 12% from previous records, that is still millions of voters who have moved out of their precinct. A very tiny fraction of these individuals notify the county clerk they moved. If they move somewhere else in the same state, and register to vote at their new address, a

voter registration database with well-designed, intact referential integrity will catch that and enforce the change. But in my years as a database architect and modeler I rarely saw a database with intact referential integrity and "security by obscurity" prevents any such detailed examination of a state's voter registration database. Also, if the voter moves to another state it is virtually certain the two states won't be comparing voter registrations. Thus, thousands have been verified as voting in New York and Florida in the same election.

Of course, with mail forwarding the voter may now be, or was always living in China, and voting as though they lived in the apartment next to you.

But why bother with such a laborious process?

Hacking an election

[Top](#)

Mail ballots are certainly not publicly counted by citizen election judges. The usual procedure today is to use optical scanners located in the proverbial "back room" that are connected to a central server (computer). Since that server controls the votes cast for all candidates and issues in the county why not simply hack that computer and have the vote tally come out the way you want it to? That way you control the votes of everyone in the county rather than exerting the effort and risk of dealing with a few hundred physical ballots.

Recall that elections are run by clerks, who have taken the word of the voting machine vendor that their systems are accurate, calibrated, certified, and have never been known to fail or produce spurious and inaccurate results. Further, because the clerk usually lacks in-house expertise they have a maintenance agreement with the vendor to maintain and operate the voting machines. **Anyone else see some potential problems here?**

Lets start with the fact that oftentimes during an election the vendors simply hire technicians off the street and give them enough training on the equipment that they look like experts next to the computer-challenged clerks. Rarely are background checks run on these technicians. Why should they be when companies like Diebold (of the many names), ES&S, etc., are known to have convicted felons working as executives.

Threat vectors

[Top](#)

There are basically four threat vectors to a computer system.

- (1) **A remote threat from a network.** With a central statewide voter registration poll book the county server must be connected permanently or at least at some point to a network.

Mail ballots add to the risk of network hacking as the hacker receives a copy of the target ballot weeks in advance of the election. So they know well in advance what candidates and issues will appear on the official ballot as well as their positions on the ballot.

- (2) **A proximate threat.** Many computers use wireless keyboards, a mouse, or some other WiFi connections. Anyone within range, sometimes up to several hundred yards, can hack into the system via the wireless connections. In fact, early versions of the Diebold AccuVote system had an IR port so that technicians could communicate with the scanner via their cell phone. Such "back doors" probably, almost certainly still exist.

Any communication by any means, wireless, wired, network, CD, DVD, flash drive, etc. between an infected computer and the server used to count mail ballots will probably result in the infection of the proximate computer.

- (3) **An insider threat.** Most cases where election fraud has been proven and convictions resulted have involved insiders, often the county clerk. I've **documented** a number of such cases but very frequently it is impossible to distinguish between deliberate fraud and simple incompetence. And obviously the county clerk points the finger at the voting system vendor and vice versa.

Clearly it is easier to arrest and convict local officials than a hacker sitting in China, so there is a statistical bias when reviewing who is actually doing the hacking. But anyone who has access to the voting machines at any time, for any reason, has the potential to corrupt or infect the server. And with mail ballots it isn't necessary to infect the hundreds of machines used in polling place elections. Mail ballots are inevitably counted on one, or at most a few servers at a central location. So anyone with a flash drive and a few minutes of access to the server can hack it.

Nor does insider hacking need to be deliberate. All servers/computers need to be upgraded, repaired,

have software installed, be connected to new hardware devices, tested, reprogrammed, and on and on. During any of these operations the technician may inadvertently insert malware that can later be used to control or hack the election. Once the server is infected, and the hacker receives a mail ballot so they know what the target looks like, controlling the election is well within the capability of many teenage hackers today.

- (4) **Compromised hardware or software.** Virtually all of the motherboards for voting machines are Made in China. While the home offices may be in Taiwan or Hong Kong almost all the factory work is done in mainland China. That is also true of the computer "chips," i.e. large scale integrated circuits (LSI), that go on to the motherboards. And typically the LSI's are pre-programmed with firmware programs.

So China is both manufacturing and doing the basic programming of all our electronic voting machines. And testing for embedded malware is expensive and, even if recognized, difficult to remove and reprogram the firmware without which the chip typically won't function. I suggest it is safe to assume the hardware in these machines is compromised.

Then there is the problem of software. Most computer voting machines use some version of Windows CE operating system (OS), which is often installed in firmware in read-only memory (ROM) on the motherboard. It shouldn't be necessary to elaborate on all the viruses, rootkits, and the multitude of other malware associated with computers running Windows OS, and the vulnerability of any computer running Windows.

Bev Harris, Avi Rubin, and many others have examined the multitude of problems associated with the software used in electronic voting machines. Probably the best current review is the book Broken Ballots by Doug Jones and Barbara Simons. Suffice it to say that all experts who have had experience with this software have been, shall we say, appalled at the basic lack of security in these systems.

There is also a giant loophole that no standards or testing have been required of what is referred to as COTS, which is hardware or software commercially available "off the shelf."

Hacking summary

[Top](#)

The above threats, of course, apply to all computers but mail ballots dramatically increase the ease of hacking the server used to count these ballots. Only **one**, or at most a few servers need to be hacked rather than hundreds or thousands as with, say, DREs. **Two**, the hacker will have the target ballot in their possession long before the election. **Three**, there is enormous incentive to hack these machines in order to control an election outcome. **Four**, since counting of mail ballots begins days and sometimes weeks before Election Day hacking can provide valuable data on what the early voting is showing.

In brief, given the incentives it should be assumed that the server being used in a mail ballot election has been hacked. Nor can it be safely assumed that available methods of detecting intrusions and malware are adequate to protect the server.

Poll watchers

[Top](#)

For all intents and purposes mail ballot elections eliminate party and public poll watchers. At best an observer can stand and watch ballots be fed into the scanner, but often today such watchers are placed behind a window and cannot actually enter the computer room.

In some cases watchers are allowed to see how ballots rejected by the scanner are copied on to new ballots. But it is extremely rare that poll watchers can directly observe how mail ballots are opened, the signature verified, batches of ballots assembled and controlled, counted, etc.

Then there is the simple issue that mail ballots are counted over days and weeks and very few people have the time or stamina to simply stand and watch ballots being fed into a machine for such an extended period.

Public counting of ballots

[Top](#)

Obviously with mail ballots they cannot, or at least are not counted in public at the precinct. Nor are they stored in the same ballot box as ballots cast at the precinct. That is an open invitation to errors and fraud.

In most cases mail ballots are counted in the proverbial "back room" where the public is not allowed for "security" reasons. Worse, in many cases, e.g., Denver, we have found the ballots being "counted" solely by election officials or the vendor's representative. Of course the counting is being done on the vendor's equipment and both their representative and the county clerk have great incentives to cover up any mistakes or errors that occur.

Canvass boards

[Top](#)

As a last ditch check on the validity and accuracy of an election, most jurisdictions have a canvass board composed of the county clerk or their representative(s), one or two representatives from each major party, and perhaps another member or two.

The basic responsibility of the board is to ensure there were not more votes counted for any candidate or issue than voters who signed the poll book for each precinct in the election district.

With mail ballot elections, or even mixed elections where all ballots are counted on electronic voting machines at polling places and an electronic poll book is used, a canvass board is reduced to looking at the numbers generated by the computers and simply putting their imprimatur on the computer printout of the poll book and election results.

Some audits, including hand counts of ballots from some races in some precincts are mandated in some areas. But current audit practices have been proven to be statistically meaningless. Further, county clerks have often cherry picked the precincts to audit.

Email and Internet voting

[Top](#)

The multitude of additional problems introduced by [UOCAVA](#), such as sending ballots by email, are beyond the scope of this essay.

Even more frightening are the continued attempts to introduce Internet voting into public elections. An introduction to these problems are presented in an [article](#) by Jefferson, Rubin, Simons, and Wagner.

Summary

[Top](#)

Even this rather superficial review of the problems of mail ballot elections makes it clear that virtually every protection developed over centuries to ensure and enforce honest elections has been compromised.

In addition to the push provided by the move to electronic voting machines, election officials and others used arguments of cost savings, voter turnout, and convenience to justify moving to "no excuse" mail ballots and eventually mail ballot elections.

Cost savings were generally based on the fact that ballots were only mailed to "active" voters, typically around 50-60% of the registered voters. However, with the move to mail ballot elections ballots are mailed to all registered voters which has greatly increased postal expenses as the clerks must now pay return postage as well on all returned ballots, which cannot be forwarded. From available information 10-15% of mailed ballots are usually returned by the post office. Also, election officials have been forced to provide ballot boxes where citizens can directly deposit their ballots when they don't trust the postal service. All in all the costs between a polling place election and a mail ballot election may be small.

Many jurisdictions have moved to mixed elections where there is in person early voting for a week or more before Election Day, polling places on Election Day, as well as mailing ballots to a substantial fraction of registered voters. Such mixed elections are definitely more expensive than either a polling place or mail ballot election. So with cost comparisons it is important to ensure one is comparing apples with apples, a rare event with bureaucracies.

Computer voting was also promoted as being able to provide virtually instantaneous election results for a news hungry press. With mail ballots most of the ballots would supposedly be counted prior to election day. That promise has not been upheld either, what with numerous machine breakdowns, too few DREs in many precincts, delays in the mail, hurricanes, and the general operation of Murphy's Law.

Voter turnout is generally acknowledged to have initially increased with mail ballots. But with time turnout appears to sink back to previous levels. So there is apparently no consistent voter turnout advantage with mail ballot elections.

- Voter convenience, however, is definitely a popular result with mail ballots.
- But should we trade the integrity of our elections for simply voter convenience?

I say not!

Charles E. Corry, Ph.D., F.G.S.A.
President, Equal Justice Foundation

[Top](#)

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Al Davidson (Temporary)

From: Suzanne Core <suzcster@gmail.com>
Sent: Monday, June 24, 2013 8:54 AM
To: Public UVS Panel
Subject: voting system

I can only assume that, since you could not push through measures to make it harder for certain people to vote, you have decided to burden all counties with new voting machines?

Who makes them?
What do they cost?
Are you paying for them from your own pocket?
Did anyone tell you we are in a recession?
What is the paper trail?

This is appalling! And yes, I do want answers to my questions. Thank you.

--

"The best index to a person's character is how he treats people who can't do him any good, and how he treats people who can't fight back." --
Abigail Van Buren

Al Davidson (Temporary)

From: Mary Eberle <m.eberle@wordrite.com>
Sent: Tuesday, June 25, 2013 9:07 PM
To: Al Davidson (Temporary)
Cc: Harvie Branscomb; Margit Johansson
Subject: Public participation in the "uniform voting system"

Dear Mr. Davidson,

I have read some of what Harvie Branscomb has written to you and to the PPP group in the past week. I am in complete agreement with Harvie, and thus I urge you to distribute his letters to the full PPP membership and ask that they be thoughtfully read and acted on.

We have paid dearly in this state for hasty decisions made to buy new equipment with HAVA moneys. To this day, Jeffco voters who must use a DRE because of disability or need to vote early do not have a paper trail to check that the machine has accurately recorded their votes.

That is just one example of the cost haste makes to election integrity.

Slowing down the process and involving more citizen experts will result in a system that Colorado can use reliably and with integrity. Speed and decisions solely by insiders have historically had the opposite effect.

Thank you for your work on these issues.

Sincerely,
Mary

Mary C. Eberle, 2012 Watcher and Canvass Board Member
1520 Cress Court
Boulder, CO 80304
303 442-2164

Al Davidson (Temporary)

From: Russ <rwboehm@comcast.net>
Sent: Wednesday, June 26, 2013 11:22 AM
To: debgardner@bouldercounty.org; Al Davidson (Temporary)
Subject: FW: Uniform Voting System - Citizen Participation in RFP Process

My apologies for the email dropping part or all of your address.
RW Boehm

From: Russ [mailto:rwboehm@comcast.net]
Sent: Wednesday, June 26, 2013 11:10 AM
To: 'Deb '; 'Al Davidson (Temporary) '
Cc: Scott Gessler; Suzanne.Staiert@SOS.STATE.CO.US; Hilary.Rudy@SOS.STATE.CO.US
Subject: Uniform Voting System - Citizen Participation in RFP Process

Commissioner Gardner & UVS Project Lead Al Davidson

Here, from the web site you provided me are several sections concerning the participants in the requirements generation process and their activities.

From:

MEMORANDUM May 20, 2013 from Al Davidson

“A team of technical volunteers, who are voting system specialists in various Colorado counties, are developing draft functional system requirements for inclusion in the RFP. “

Calling your attention to the additional high-lighted sections pasted below I will again ask why the members of the various county LAT and Canvass Board teams have not been asked to participate in the requirements generation process? It appears as though the only interest is in county employees working for, and therefore subject to, the County Clerks, all of whom are elected officials as a result of the process they are designing. This is the definition of a conflict of interest. Any technician recommending requirements that are not in accordance with the Clerk's wishes could be in jeopardy of retaliation.

In Boulder County alone we have a Oracle database manager an IBM computer integrated process engineer and an IBM systems engineer with intimate knowledge of the counties election process. They have all served on the LAT and Canvass Board and have provided detailed input regarding problems with the current equipment and process. But, you have not even considered their input or their participation in the requirements generation process. I'm certain other counties have some similar skilled resources that could be utilized.

To assume that technical staff working for the clerks are the only source, or the best source of requirements or solutions is to deny the lessons learned in other states, e.g., Humboldt County, California. There, citizens identified a problem in a HART system environment also found in Boulder County, Colorado, Unlike the cumbersome, expensive, unreliable Boulder process that was cloaked in secrecy and challenged in court, the Humboldt County citizen generated solution was deemed satisfactory by the citizen oversight committee, the County

I respectfully request that this process be stopped and that party chairs that have appointed members to the LAT and Canvass Boards of Colorado counties be given the opportunity to submit the names of additional citizen candidates to the Technical Team based on their technical qualifications and availability. These additional technical resources will then be included on the Technical Team in the requirements generation process and the development of the RFP. Nothing the Legislature has included in the revisions of the law prevents this participation and I think it is the best way for the Secretary and the Clerks to establish the necessary trust and confidence of all the voters to make implementation of a uniform voting system a welcome addition and not one to be untrusted.

I will look forward to your response and remain respectfully yours,

RW Boehm
Longmont, Colorado