

Branscomb agenda points for 8/14/2013 PPP meeting and comments for 1303 Commission, FYI

1) Questions for elections officials from the PPP –

- a) Goals of election system and prioritization
 - Posting of same question for public to answer (also suggested by UVSAC)

- b) Question about top problems of design of existing systems
 - SLI systems is asking a similar question
 - Have you found technical difficulties with your current voting system, in implementing any voting model?
 - What features, if any, would you like to (or must) have in your next system, based on shortcomings of your current system?
 - Do you have any concerns or have you experienced any difficulties with your ballot on demand systems? Any features you would like to see added?

 - Election officials may not want to answer this question in public but the public might

- c) Many technical y/n questions about procedural use of voting system in counties
 - These questions submitted to 1303 Commission two weeks ago but misunderstood
 - SLI has asked two related questions, but probably insufficient:
 - Will you be issuing paper ballots to voters that want to vote in person at the VSPC or will they be required to vote on a DRE? Will you be preprinting or printing on demand replacement ballots?
 - If you are issuing paper ballots for in-person voters at your VSPC, will you be using ballot on demand in your VSPC? If so what % of your ballots will be printed on demand at the time a voter requests a replacement or wants to vote in person?
 - Are you using a hybrid (combination of pre-printed and on demand ballots) approach to issuing ballots? If so, please describe
 - Have you used ballot on demand at a vote center or service center in any of your past elections? If so how many elections have you used BOD? Did you also preprint ballots?

 - Question about names/contacts (if available) for canvass boards, LAT, watchers

2) Request telephone meeting prior to the RFP release (possibly 8/21) primarily for telephone input from experts out of state-

3) Consider argument for further delay of RFP and appropriate request to SOS

4) Consider how public can get access to facts about existing and proposed voting systems

Comments (slightly edited 8/14/2013 by Harvie Branscomb – for the 8/12/2013 COVAMEC meeting at 1700 Broadway Denver

The COVAMEC ought to be concerned about what information we need to know to create good public policy around elections during this instance of major change:

- to remedy the side effects of elimination of a hundreds of years old well understood voting method and its infrastructure
- to know the side effects on accuracy, chain of custody, verifiability, accessibility and privacy of the loss of precinct polling and paper pollbooks
- we do not know the county differences in how our existing equipment was used in either polling place or mail ballot elections – we should find out
- we do not know what different policies each county will want to pursue in attempting to follow the 1303 changes
- major public policy decisions are being made in a non-public process by a quietly resurrected insider advisory group as a sub-committee of COVAMEC
- the business practices subcommittee is willing to allow public access but not committed to it
- it is a subcommittee of unlisted election officials without sufficient representation of the client perspective i.e. the public

What are some of the major public policy decisions about to be made that ought to be made in a fully public forum taking enough time to tease out all the detriments and benefits? Here are a few:

- will stubs be eliminated from ballots using BOD as an excuse or will they be used for important received-ballot-to-voter accounting?
- will flat paper ballots be available at every VSPC?
- will voters see their flat ballot irrevocably counted in front of their eyes as in most precinct polling places?
- can voters simply cast the folded mail-in ballot received at home at a VSPC without the need for signature checking via the mail process?
- is SCORE the replacement for the paper pollbook? Can it provide the same public verifiability?

- will we balance out the number of vote counts plus under and over votes to the number of ballots received as eligible to be counted?

- how will watchers have practical access to every step in the process of conducting elections as required by statute?

- will election officials have more access to identifiable information on a ballot than the public will? If so, how much more and why?

- will election judges be for practical purposes under the control of the partisan elected designated election official?

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I expect issues like these to be deliberately decided only after sufficient airing of the plusses and minuses in a fully public process and not by the COVAMEC business practices subcommittee.

Here are some weaknesses of the COVAMEC process and to some degree the UVS process that merit your attention:

1) difficulties accessing deliberations of the COVAMEC and its Sub Committee on Business Practices and UVS committees:

- public testimony requires physical presence at particular place and particular time - not allowed over the phone.
- notice of meetings often given at 24 hours advance notice and sometimes less
- the stored recording on the internet is apparently not downloadable
- the audio stream often not possible to play
- it is impossible to verify the audio stream is working before it starts, including after midstream meeting interruptions

All of these are obstacles to public involvement in a crucially important public policy change.

2) no way to make corrections of errors or supplement faulty information or understanding in timely fashion- Examples:

- treatment of my list of questions on July 29 - a misunderstanding of the PPP questions; which ones were rejected and why
- Windows2KPro is widely presented without argument as an impetus for rapid replacement - it is not broken or causing failures

An interactive process is needed to make correct decisions. Once a week meetings is helpful but access to the meeting is still difficult and the process is moving too fast. The UVS RFP development is now an interactive process in its final weeks, but only because UVSAC asked for and received a delay and I on the PPP asked for a series of releases of the RFP. But we are not

seeing enough of a delay to permit a process that makes decisions based on agreed upon principles such as Los Angeles county is doing in its multi-year process.

3) There exists an apparently widely held consensus that it is OK to make decisions at a very high speed - too fast for complete deliberation

- Paul Craft warned that he is assuming that the legislature knew what it was doing by making the deadlines too short

- Secretary Gessler is also apparently rushing the process to create his RFP even when there is no evidence of pressure to replace other than pressure that is always present- the desire to get away from existing design flaws that are not being aired in public.

- no counties need to buy equipment before 2014; also no counties are planning to purchase all new equipment in next 5 years?

- The UVSAC has argued that the RFP process must obtain responses from vendors in time for legislation to be written for the 2014 legislative session. Why? Is that the correct order of business- is the legislature intended to perform clean-up after the SOS sees the result of his RFP?

-Does that mean that our statutory certification system ought to be decided after our system is chosen - and subject to prior decisions of the Department of State?

That argument seems to be the only one that requires a UVS RFP to be issued on October 1.

I am informed that the Secretary will not listen to further requests for delay. Why not? It is crucial to experience one or better yet at least two 1303 based elections before a RFP is decided upon and issued for any future uniform purchasing of equipment for Colorado. I hope the COVAMEC will agree and make an effective argument to the Secretary.

Harvie Branscomb

Member listed as "advocate" of the CO Secretary of State Uniform Voting System Public Participation Panel

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(I release my phone number and email for inclusion in the public record)