

STATE OF COLORADO
Department of State
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Scott Gessler
Secretary of State

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Agenda and Meeting Notice

Uniform Voting System (UVS) Public Participation Panel

Posted September 6, 2013

Aspen Room, 3rd Floor
1700 Broadway, Denver, Colorado
September 11, 2013 9:00 a.m. to 12:00 noon

Note: Meeting will be streamed live via the Secretary of State Website
http://www.sos.state.co.us/pubs/info_center/audioBroadcasts.html (select Aspen Room)

1. Call to Order - Chair
2. Introduction of Members and Staff
3. Public Comment – In person and by telephone*
4. Status Update on Request for Proposal
5. Discussion of Report to Secretary
6. General Discussion
7. Meeting Schedule

**The Panel will accept public testimony by telephone. Those wishing to testify should call 1-877-820-7831 and when prompted enter Participant Code number 793969#. The Chair will manage the order and time for all testimony at her discretion. Generally testimony should be geared to not more than five minutes, however depending on number of persons wanting to testify, the Chair may alter the minutes allowed.*

This meeting will be recorded and an audio copy will be available at the Secretary of State's website
http://www.sos.state.co.us/pubs/info_center/audioBroadcasts.html (select Archived Recordings))

Main Number	(303) 894-2200	Web Site	www.sos.state.co.us
Fax	(303) 869-4861	E-mail	public.elections@sos.state.co.us
TDD/TTY	(303) 869-4867		

Uniform Voting System Public Participation Panel

September 11, 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
<i>Paul Geissler</i>			

Statement to the Uniform Voting System (UVS) Public Participation Panel, September 11, 2013

For audits, I suggest that it should be easy to match a paper ballot (either a mail ballot or a voter verified ballot) with the image of that ballot and with the electronic record of that cast vote, and to easily retrieve them. It would probably require a unique identifier on the paper ballot that would also be on the image and electronic record. It will be important that the identified cannot be traced back to the voter, and reveal his or her identity. This capability is implied in several places in the RFP, but I did not see it explicitly stated. I suggest that everything should be explicit in an RDP to avoid misunderstanding.

For each batch of ballots, it should be possible to locate the paper records and reconcile the vote with the report from that batch (A-42). I suggest that it will be important to be able to verify each individual ballot, because if a discrepancy is found it will not be possible to identify the problem or correct it without comparing individual ballots. A risk-limited audit would probably select a random sample of batches, and it would be necessary to locate the paper records and verify the electronic record of cast votes. In addition, comparing individual ballots will reduce audit costs for a specified level of precision.

Although important, I do not think the Logic and Accuracy Test alone is sufficient to test the system, because what works in a low volume test situation may not work during intense use. For example, the equipment could over-heat resulting in malfunction, there may be an accumulation of dust that would interfere with the scanning, or the system could be hacked.

Paul H. Geissler

Summary of Uniform Voting System Public Participation Panel meeting July 31, 2013 - Pueblo, Colorado

This meeting was held at the Colorado State University Campus Library in Pueblo.

Chair Clarissa Thomas called the meeting to order at 1:14 p.m.

Those attending in person or by phone included: Carol Tone, Chris Murray, Evelyn Tileston, Harvie Branscomb, Kim Ferguson, Micki Wadhams, Martha Tierney and Patrick Davis. Faith Gross attended as liaison from the Uniform Voting System Advisory Committee. Al Davidson, UVS Project Lead attended as Committee Staff.

The panel discussed the draft summary of the June 26, 2013 meeting, and accepted a number of revisions suggested by Member Branscomb. The Panel approved the summary with the recommended changes as discussed. (A revised version of the minutes is posted on the Secretary of State's website under voting systems/uniform voting systems.)

PUBLIC COMMENT

The Chair opened the meeting to public comment.

Douglas Towne, CEO of DRG Disability Relations Group, of Largo, Florida testified on the issue of accessibility for voters with disabilities.

- Towne said that Colorado has an opportunity to advance accessibility progress beyond what was made following the 2000 General Election.
- He questioned how Colorado intends to make the mail ballot accessible, now that all voters will be mailed their ballot. He said requiring disabled, particularly blind voters, to go to a Voter Service Polling Center, violates the Federal Help America Vote Act and Title II of the Americans with Disabilities Act, since no other voters are required to go to a center to vote a ballot without assistance.
- Towne said that Colorado is in a position to write standards for mail ballot accessibility and demand that vendors respond in the RFP process for a Uniform Voting System.
- Towne and Panel members held a lengthy discussion covering the history of accessibility for blind voters and a number of systems that have been tried over a period of time in an attempt to address this issue including telephone voting, internet voting and ballot marking devices available at voting sites.
- Towne advocated adopting a Uniform Voting System that is a "universal" system, meaning all voters vote on the same system and there are not just a few devices specified for use by voters with disabilities.
- Towne and Panel members discussed the potential for innovation in this area in the next several years.

No other members of the public appeared before the Panel.

REQUEST FOR PROPOSAL SCHEDULE CHANGE

Panel members discussed the authorization by Secretary of State Gessler, at the request of the Uniform Voting System Advisory Committee, to delay the issue date of the Request for Proposal from August 1 to October 1, 2013.

Some members expressed the view that the delay is not long enough and the reasons expressed by the UVSAC in requesting the delay were not valid.

Other members noted that the Secretary had previously taken a position of not approving any delay in the process.

Concern was expressed that the new issue date comes during an election period when election officials and vendors may be too involved to focus on the RFP.

COLORADO VOTER ACCESS AND MODERNIZED ELECTION COMMISSION (1303 COMMISSION)

The Chair reported that she and the Chair of the UVS Advisory Committee, Debra Johnson, Denver County Clerk and Recorder, were invited to join the Colorado Voter Access and Modernized Elections Commission at the Commission's weekly meeting to discuss the working relationships that may exist among the three groups.

The Commission wants to make use of the work already done by the UVS Advisory Committee and the UVS Public Participation Panel.

A discussion of the new election model required by HB 1303 ensued. Points made include:

- Knowing how Clerks conduct the 2013 election would be valuable in the UVS process, but the timeline does not fit well.
- Past practices still are relevant.
- Not all counties have conducted all mail ballot elections.
- Some counties are still using Windows 2000 as operating system. Member Branscomb stated this should not be a concern.
- There will be a bill from the special districts and municipalities to amend 1303.
- There are press reports that recall elections could be impacted by 1303 because people can vote in counties if they intend to move there. The point was made that this part of the election law has not changed and it is still illegal to falsify registration residency information and violators should be turned over to the District Attorney for prosecution.

PUBLIC PARTICIPATION IN THE UNIFORM VOTING SYSTEM PROCESS

The Committee discussed the lack of participation by members of the public at its meetings. Points included:

- The public is not aware of the Panel and its mission.
- We need a better effort to contact people who work on elections as citizens in the counties.
- Members of the Panel need to have personal contact with people to get them involved or get their perspectives.
- Collecting public input is the duty of each member both in and out of the Panel meetings.

PUBLIC COMMENT PROCESS FOR RFP SYSTEM REQUIREMENTS

The Committee discussed the public comment period for the system requirements portion of the Request for Proposal. Points made included:

- We need a better method of collecting and posting public comments submitted.
- This should be an interactive process so commenters can see other commenter's suggestions and comment on them.
- Member Branscomb will work with staff to develop a process that allows nearly real time posting of all comments and an intermediate posting of the system requirements that reflect public comments submitted.
- Staff will work with the Department of State IT Department to get all emails sent to the Public Participation Panel email address (publicparticipationpanel@sos.state.co.us) to automatically forward to all Panel members.

The Chair adjourned the meeting at 4:02 p.m. in response to a fire alarm in the building.

An audio recording of this meeting is available at:

http://www.sos.state.co.us/pubs/info_center/audioArchives.html

Approved at September 11, 2013 meeting

**Summary of Uniform Voting Systems Public Participation Panel Meeting
August 14, 2013
Mesa County Board of Commissioners Hearing Room
Grand Junction, Colorado**

Chair Clarissa Thomas called the meeting to order at 2:15 p.m.

Members in attendance in person or by phone included: Carole Tone, Chris Murray, Clarissa Thomas, Evelyn Tileston, Harvie Branscomb, Lauren Kingsbery, Patrick Davis and UVSAC Liaison George Leing. Al Davidson, UVS Project Lead staffed the meeting for the Secretary of State.

The Chair recognized and thanked the Mesa County staff for assistance in setting up the meeting in Grand Junction. Those recognized included Mesa County Clerk and Recorder Sheila Reiner, Elections Director Catherine Lenhart and Administrative Assistant Gina Schlagel. Also recognized were the technical staff from Mesa County who assisted in the recording of the meeting and the setup of the telephone access for members and the public.

Public Testimony

Grand Junction resident Bill Hugenberg presented testimony to the Panel (see attached written copy). Following delivery of his prepared remarks, Mr. Hugenberg joined the members of the panel in an informal discussion of the points made in his presentation. Mr. Hugenberg emphasized four main points which included: Certainty of a secret ballot, impartial election officials, transparency in elections processes and deterrence of voter fraud and intimidation while assuring appropriate access to voting processes. (The complete discussion is on an audio recording of the meeting at: http://www.sos.state.co.us/pubs/info_center/audioArchives.html)

Member Branscomb initiated a discussion about involving election experts from outside of Colorado in the discussion of the development of requirements for a Uniform Voting System. The Panel charged Branscomb to work with Secretary of State Staff and the Chair to establish an opportunity for the experts identified by Branscomb to communicate with the Panel in a telephone meeting. The target for such a meeting would be before the next regularly scheduled Panel meeting in September.

The Panel discussed accepting public testimony via telephone and determined that such testimony would be encouraged and allowed at future meetings.

The Panel cancelled its scheduled meeting in Fort Collins in September as a result of less than expected turnout of public members at previous meeting scheduled outside of the Denver area and in light of the decision to accept testimony by phone.

The Panel scheduled the next meeting for Denver, at the Department of State, for 9:00 a.m. on September 11, 2013.

Member Tileston expressed concern over previous implementations of uniform systems in Colorado and said she hoped that the implementation of the UVS would be guided by evaluation of issues raised in previous implementations.

The Panel members indicated that they would be interested in attending the product demonstrations when vendors responding to the RFP are invited to demonstrate their products.

Member Branscomb raised the issue of the survey of counties that he has previously proposed. Branscomb indicated that some of his survey questions appear to have been asked of counties by the survey contracted for by the Colorado Voter Access and Modernized Elections Commission; however he continues to believe that the Public Participation Panel should distribute a survey as well with additional questions. There was discussion of the number of surveys that had already been sent to the counties in the past several months and the potential lack of response as counties move into “election mode” in early September for the November 5, 2013 Coordinated Election.

The Chair adjourned the meeting at 4:20 p.m.

An audio recording of this meeting is available at:

http://www.sos.state.co.us/pubs/info_center/audioArchives.html

Approved at September 11, 2013 meeting