

Uniform Voting System Public Participation Panel

DRAFT Summary of January 27, 2014 Meeting

The Panel meeting, held in the Aspen Conference Room at 1700 Broadway St., Denver, Colorado for 10:00 a.m., was called to order at 10:32 a.m. by Chair Clarissa Thomas.

UVS Program Manager Al Davidson apologized for the delayed start and explained that there had been technical difficulties with the conference call system in the Aspen Room.

Committee members attending were:

Chair: Clarissa Thomas
Members: Carol Tone
Evelyn Tileston
Harvie Branscomb
Lauren Kingsbery
Micki Wadhams
Patrick Davis
Rick Kron

The Chair opened discussion on a potential recommendation from the Panel to the Secretary of State regarding the Uniform Voting System.

After much discussion the members agreed to a recommendation (see attached), and agreed that Member Branscomb could submit additional process information to be included with the recommendation.

The meeting was adjourned at 12:05 p.m.

Attachments:

Committee Recommendation memo to Secretary Gessler
Email from Harvie Branscomb regarding recommendation

STATE OF COLORADO
Department of State

1700 Broadway
Suite 200
Denver, CO 80290



Scott Gessler
Secretary of State

Judd Choate
Director, Elections Division

MEMORANDUM

February 3, 2014

To: The Honorable Scott Gessler, Colorado Secretary of State

Re: Recommendations of the Uniform Voting System Public Participation Panel on Proceeding with the Uniform Voting System Process

After reviewing the UVS proposals submitted by each vendor, the Uniform Voting System Public Participation Panel offers the following recommendations:

The Public Participation Panel generally concurs with the UVS Advisory Committee that the Department of State should coordinate a Pilot Election in the November 2015 Coordinated Election. That Pilot should include each of the vendors proposing voting systems, and perhaps a combination of offered products from multiple vendors in one or more counties, and that the Pilot Election be open to all vendors who submitted proposals, whose voting systems, by June 30, 2015 meet the Federal and State standards referenced in Colorado law.

The Panel further recommends that special attention be paid to the systems piloted by Everyone Counts and Clear Ballot and solutions that work with existing and future equipment.

The Panel also recommends that the involvement of the public be maintained by the continuation of a Public Participation Panel through the piloting, evaluation and implementation phases of the Uniform Voting System.

We have attached additional comments that reflect some issues that we believe need to be considered as the Pilot Elections are planned and conducted.

We come to these recommendation based on our determination that no single vendor fully meets the needs of Colorado elections with the product packages proposed. But we feel the software oriented vendors may represent the flexibility needed in the future of voting in Colorado. The recommended Pilot Election will give us an opportunity to determine how well each vendor meets Colorado's needs, and what components or combination of components of each system may offer the best approach for Colorado.

We did not vote as a Panel on recommendations relating to envelope sorting and automated signature verification, nor on Ballot Tracking and Alternate Format Ballot proposals.

We have appreciated the opportunity to serve the citizens of Colorado in working through the process for selection of a UVS to this stage, and we thank you for creating the Panel. We feel the need for an ongoing means for public involvement in these important decisions is extremely important for Colorado's citizens, and we recommend continuation of a Public Participation Panel.

Cordially,

A handwritten signature in black ink, appearing to read "Clarissa Thomas".

Clarissa Thomas, Chair, Uniform Voting System Public Participation Panel

**Additional Items Submitted by the UVS Public Participation Panel
for Consideration by the Secretary of State**

- 1) No single vendor's proposed system is ideal for Colorado's current elections environment.
- 2) Pilot Elections, in real elections, should proceed and be analyzed before a decision is made.
- 3) The Pilot Election Plan should be for vendor-focused pilots from among the 5 already identified who also have completed testing to federal standards and Colorado standards as of June 30, 2015. These vendors should conduct the Pilot Election using their proposed certified offerings to the extent available, supplemented by other components if necessary.
- 4) Separate integration-focused pilots should be conducted to test desirable combinations of vendors' components. The components should be chosen by public process in conjunction with vendors. Perhaps there could be 2 or 3 such pilots.
- 5) Pilots should test small county solutions in small counties, not depend on side by side testing with large scale solutions in large counties. Perhaps more than one pilot per vendor is needed but county cooperation is essential.
- 6) A public process should be used to help decide what data to collect from the Pilots, selecting methods to make sure voter privacy is protected.
- 7) A public process should continue to clarify recommended criteria for selection of the eventual components or system based on existing UVSAC and PPP work.

Email from Harvie Branscomb to Al Davidson 1-28-14

Al

Please work with these points as a basis for a recommendation to the SOS for the PPP to consider:

Proposed elements for report to SOS (in addition to the resolution adopted at the meeting)

- 1) existing systems from any one manufacturer are not ideal for CO in current form- agree with UVSAC
- 2) pilots in real elections should proceed and be analyzed before decision is made - agree with UVSAC
- 3) plan for vendor-focused pilots from among the 5 already identified who also have completed testing to federal standards as of end July 2015, using their own proposed certified offerings to the extent available, supplemented by other components if necessary- agree with UVSAC
- 4) separate integration-focused pilots to test desirable combinations of vendors components- components chosen by public process in conjunction with vendors- maybe 2-3 such pilots- (only one such pilot proposed by UVSAC)
- 5) pilots should test small county solutions in small counties- not depend on side by side testing with large scale solutions in large counties- (possible disagreement with UVSAC)- Perhaps more than one pilot per vendor is needed- but county cooperation is essential.
- 6) preferably pilots will be spread over time (multiple elections or different days during November elections) to allow as much observation by same people for comparison purposes- and additional official observer roles should be created
- 7) pilots probably require special watcher/official observer rules for video and data recording of throughput, anonymity, accuracy, accessibility etc. plus recorded interviews with voters, election judges etc. These records can then be used to compare systems by those who could not be present - recording to be done by state as well as allowed by observers
- 8) a public process should be used to help decide what data to collect from pilots, selecting methods to make sure voter privacy is protected
- 9) a public process should continue to clarify recommended criteria for selection of the eventual components or system based on existing UVSAC and PPP work
- 10) concerning certification- revise the statutory application of federal standards for CO adding any desired Colorado requirements via a public process:
 - any related bill proposals should be made public immediately-
 - a PPP will help engage public in the discussion of certification
 - target- adoption by 2014 General Assembly to establish updated minimum baseline standards for an acceptable system

testing to 2005 federal standards or as an option future standards as they are adopted
uniformity and anonymity of physical paper ballots
auditability by individual ballot
facility for providing efficient publication of ballots by request

expect potential revision by 2015 General Assembly (adding longer term goals as optional targets for future development- (this list provides only examples)
in person verifiability of full cast vote record during in-person voting
regional or statewide mail sorting and ballot counting
etc.

11) vendors and counties should be encouraged to cooperate during 2014/2015 elections with live demonstrations. If equipment requires certification that is not yet completed then a process parallel to the official election process must be used; e.g:

demo of in person voting experience adjacent to but clearly separated from actual voting
separate rescanning of central count ballots - potentially on a different day or days than actual tabulation takes place to avoid interference

this does not mean use of different vendor equipment in several portions of a county election for generating official results- consistency should be maintained

12) a public process should plan for extension and refinement of the pilot process for 2016 if deemed necessary prior to making a decision

13) a public process should plan for decision-making after pilots conclude
plan developed prior to 2015 pilots-
clear means for public outreach and input,
documentation of reasons for decision, etc.
target for final decision by 2017.

14) Mail ballot tracking and alternative format ballot and mail packet sorting may be considered beneficial by counties but uniformity by making a state decision is not desirable at this time.

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Harvie Branscomb