

Steven Ward

From: Harvie Branscomb [REDACTED]
Sent: Wednesday, September 23, 2015 11:28 AM
To: Dwight Shellman
Cc: Suzanne Staiert; Steven Ward; Matthew Crane; McReynolds, Amber Faye - Elections Division
Subject: DRAFT CORA request for voting machine pdfs of unvoted and later voted ballots to the 8 pilot counties.

Dwight please forward this to the PERC and post on the web as public comment, thanks.

To Pilot Election Review Committee from Harvie Branscomb 9/23/2015:

With this email I am attempting to alert you to my intention to externally audit the 8 elections conducted as pilots in the 2015 Coordinated Election. I will be using records produced by each pilot voting system that will become available under CORA upon certification or if applicable again after completion of a recount. If I am correct each of the pilot systems will produce both a ballot scan and an interpreted ballot pattern (CVR) for each ballot tabulated. These are the records I will request under provisions of C.R.S. 24-72-205.5. I am also requesting the pdfs used to create the ballots so that the most accurate audit such as a full independent re-tabulation can be most accurately performed.

Note that one of the biggest improvements coming with this group of voting systems is the opportunity for verification through audit at a single ballot level as well as the opportunity for the public to externally and independently verify the election by several means. One of the opportunities for the pilot is to demonstrate the means by which the public might responsibly return information about discrepancies in the election tabulation to officials. In this case, under the current form of C.R.S. 24-72-205.5 that information will come too late to adjust election results but it is not too late to enter into the decision about what voting system(s) the SOS might select. It is my intention to participate by demonstrating that potential for verification to the extent it exists for each voting system and to provide input to the Committee that may assist it in its decision.

I am providing an advance DRAFT copy of this records request for your information and advice. In particular I expect that counties may request advice from the SOS concerning how they should respond to this request. I would prefer that your committee ask the SOS to provide advice to me in advance and to the counties at the appropriate time so that my request can be improved such that it will succeed with a minimum of resistance and cost.

Thank you very much.

DRAFT addressed to:
Adams (CBG)
Denver (Dominion)
Douglas (Hart)
Garfield (Hart)
Gilpin (CBG)
Jefferson (ES&S)
Mesa (Dominion)
Teller (ES&S)

Dear Clerk and Recorder or other records custodian if applicable:

Your county is piloting a new voting system in the November 2015 Coordinated Election. This email serves as a Colorado Open Records Request for electronic copies of the original pdfs (or if not pdf, the applicable graphic source format) used to print unvoted paper ballots for your election. This request encompasses ballots for all precincts, styles, voting methods (in-person, by mail/drop-off, emergency, UOCAVA, provisional, replacement) and any others such as specially printed test ballots but only if they in any way have different content. I do not request duplicate sets of pdfs used for e.g. replacement and mail if they are identical. Note however that ballot on demand source files may be different and if so, I am including them in my request.

Note that this is not a request for a pdf created from a scan of the paper form of the ballot - this is for the source file used to create the ballots. Please advise me if the vendor requires a multipage pdf with a page for each instance of printed ballot or for any other reason the data capacity of my records request is too large for email fulfillment.

Although I am not required to explain my intention, I find it beneficial and good manners to do so. I will be using the pdfs of the unvoted ballots as part of a technical process to independently audit the election using scans produced by the voting system to be obtained under CORA after certification as referred to below. Please discuss with me any concerns you have over the possibility that these pdfs could be used to create ballots that would be returned in your election or any other similar concerns that would present obstacles to fulfillment. I am prepared to take create an assurance that unexpected ballots will not result including by delaying the fulfillment of the request until Nov. 4.

This email also serves as a presumably helpful advance notice of my intention to CORA request 1) electronic scans produced by the voting equipment used in the pilot election of all the tabulated ballots returned in the 2015 Coordinated election as soon as C.R.S. 24-72-205.5 allows. I will also be requesting 2) the "cast vote records" or other record of vote patterns recorded per ballot by the voting system. I will also be asking for 3) a newly created electronic color scan copy of each ballot that was duplicated prior to scanning for tabulation.

For requests 1) and 2) these files should be produced in the format and organization defined by the voting system. Only the fulfillment of request 3) will be the result of a scan not performed originally for tabulation. For all three requests I request no reformatting be done other than minimal redaction by adding a black area to an otherwise original graphic file to cover the privacy impinging mark. I also ask that each instance of redaction be logged in a note to accompany the records fulfillment. Note that with this advance notice I hope that you will find a way to most efficiently and inexpensively prepare electronic file copies of the ballots for fulfillment per C.R.S. 24-72-205.5.

That law does have a requirement for potential redaction of identifying marks. I am hoping you will make plans for accomplishing any research regarding identifying marks in the most efficient manner such as during election judge review of the incoming ballots and will discuss any associated costs with me as soon as possible. I am ready to discuss means to use tools in C.R.S. 24-72-205.5 to avoid privacy problems with styles that result in instances of less than 10 alike in the election.

If my request or any portion of it (including the prospective future request) will be denied or fulfilled only in part, please advise and cite the applicable law. If fulfillment will be delayed for any reason, please explain.

Thank you very much.

Harvie Branscomb

