

## **Risk Limiting Audit Committee**

### **Pitkin County**

**Respectfully submitted: Janice Vos Caudill, County Clerk and Greg McPherson, Applications Specialist**

**February 27, 2017**

Like Arapahoe County, Pitkin County conducted a Pilot RLA, whereas Pitkin utilized the 2016 Primary Election. In reviewing Arapahoe County's Risk-Limiting Audit Procedures (Draft) documentation submitted to Jerome Lovato and RLA Committee in early February, Pitkin County's RLA pilot processes were very similar. Additional comments in reference to Arapahoe's RLA Procedures include the following. Please know that the individual who conducted the RLA Pilot last June is on FMLA leave and at this time Pitkin Count does not have all details from the audit:

- Pitkin County Mail Ballot Tracking Sheet/Statement of Ballots (SOB) is attached, which documents steps for processing batches of ballots. Pitkin County maintains batches of 25 ballots, and each SOB reflects between 200 – 300 ballots. It should be noted that in the opening stage, ballots are shuffled among multiple batches and recounted into batches of 25 to assure anonymity. Throughout the receiving, signature verification, opening, duplication and casting processes, ballots are tracked and retained in sealed canisters and chain of custody documentation is maintained. Strict ballot order of each batch of 25 ballots is enforced at central count to comply with RLA demands.
- Under "Extracting Cast Vote Record", No. 4, unlike Arapahoe County, Pitkin does not recall selecting a specific contest to audit. At that time, Pitkin did review all races on each Primary ballot selected for audit by the RLA software.
- Under "Retrieving Original Ballots", No. 3, Arapahoe County retrieved the paper ballot and compared it with the ballot image in RTR prior to comparing with CVR. Pitkin immediately reviewed the paper ballot with the CVR. Pitkin trusted that all ballots were in order, and they were. With this, Pitkin is researching the ability to imprint a unique number on each ballot to assist with maintaining ballot order within each batch. It should be noted that the imprint capability will create its own set of challenges when scanning, especially if a batch should be rejected.
- The RLA CVR spreadsheet (Excel) created and used to compare paper ballot, indicated ballot batch and ballot number per line on the excel spreadsheet. Did the RLA CVR also include the ballot style, and can it? (A RLA CVR spreadsheet cannot be available to the public as an open record, specifically because of ballot styles under the count of ten ballots. These ballots would need to be eliminated from the document prior to fulfilling an open record request)

Questions regarding audit parameters/counts – please clarify variables? (Please note, Pitkin County staff will review this week the articles written by Drs. Stark and Lindeman, which may answer many of the questions asked below.)

- After Piloting the RLA last June, when basically working with the RLA software tool, one calculation Pitkin County experienced required an audit review over 300++ ballots; these types of audit numbers will require two days or more to conduct an audit for the RLA/Canvass Board.

- Should/can the one race with the closest margin be selected for RLA (Statewide and/or Countywide and/or Special Districts), and would the one race satisfy a valid RLA? Or, must multiple races be audited? What is the minimum requirement of contest(s) on a ballot that should be audit to assure a RLA is valid and sufficient?
- If conducting a RLA for a statewide race, will all counties be included in RLA? If not, will a countywide only race be required
- If the focus is on contest(s) with the closest margin, is the tool sophisticated enough to select a specific style ballot/contest for audit, especially when speaking to small Special Districts within a county? Keep in mind that in an odd year elections, a county may not have a statewide race or countywide race, but may be coordinating several special districts.
- Will larger counties have a smaller number of ballots to audit versus smaller counties having a larger number of ballots to audit? Hypothetically, if a county counted 100,000 ballots and was to audit a race with a 3% margin, and the ballot style indicates only 10,000 ballots counted in the specific race/style, what would the number of ballots to audit be for a risk limit of 10%, 5%, and 1%. If a county counted 10,000 ballots and was to audit a race with a 3% margin, and the ballot style indicated only 1,000 ballots counted in the specific race/style, what would the number of ballots to audit be for a risk limit of 10%, 5% and 1%? Keep in mind that smaller counties are restricted by capacity issues, 50+ small and medium counties in Colorado. Do all counties benefit equally?
- If a counting error is determined, what would the procedure be to satisfy the error(s)? Document the error in the RLA and continue, finish it and request the SOS to conduct a second RLA, or start over? What is the threshold to escalate to recount, knowing that law dictates an automatic recount for races with margins of .05%.
- Keeping in mind the purpose of a RLA and energy on efficiency, effectiveness, costs and timeliness, what's the breaking point? Again, many small and medium counties have already hit their breaking points, and cannot add more time, money or manpower. Isn't the intent for a RLA to create efficiencies?

When discussing ballot batch size, where in the process does it become a challenge if ballot batch sizes are not consistent among all counties in the State? Pitkin maintained batches of 25, although many batches have various ballot counts; i.e., 7, 16, 19, etc. Please note that Pitkin's 2016 November ballots were 22" long, and some judges were challenged with keeping the ballots in order when scanning; although, with additional training, attention to process, reassigning judges, and slowing the processes down, the partisan judges were able to maintain ballot order. With shorter ballots, 8" – 18", and the ability to imprint a unique number on each ballot, Pitkin would be able to increase batch size. (Again, imprinting technology creates its own set of challenges.)

It should be stressed that each county balances their election, and this includes the SCORE "Voter Credit Count" and "counted ballots," in addition VSPC and Mail Ballot operations involve additional balancing processes. In Arapahoe and Pitkin Counties, the total of all "Mail Ballot Tracking Sheet/Statements of

Ballots/Ballot Process Tracking forms” and “Batch Sheet Tracking Count” forms provide additional cross references in balancing an election.

Lastly, when assessing operational demands and human resources capacity to assure RLA is accomplished this November, I am concerned with the amount of work that feasibly can be accomplished while assuring quality outcomes for this year’s RLA. Taking into consideration the design, development and testing of a RLA software tool; design, development and testing a central CVR database used to compare a paper ballot; developing RLA procedures and training counties on RLA procedures; and, developing and approving Rule for RLA, would it be realistic to look at a county-level RLA in 2017, then continue the discussions for a statewide-level RLA for the 2018 Primary, in preparation for the 2018 General at a statewide-level RLA, and keeping in mind Rule must address all levels of contests. The 2017 RLA will need to consider a county that does not have a statewide and countywide contest, but may only have several Special District races or contests.

While the past two meetings have been conceptual and theoretical, a pragmatic approach to addressing procedures and process should to take place soon in order to assure success in 2017, which may be a limited version of the ultimate goal at this time.