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From: Margit Johansson [REDACTED]
Sent: Friday, May 15, 2015 8:31 AM
To: SoS Rulemaking
Subject: Comments on one proposed Rule on elections

Please see my suggestions for the Rule change related to 1-8.3-113(1).

RESPONSE TO REQUEST FOR COMMENTS ON ELECTION RULE:

RE the following:

(c) In accordance with section 1-8.3-113(1), C.R.S., an elector who chooses to receive his or her unvoted ballot by online ballot delivery ELECTRONIC TRANSMISSION may return his or her ballot by fax or email ONLY IF THE ELECTOR DETERMINES THAT A MORE SECURE METHOD, SUCH AS RETURNING THE BALLOT BY MAIL, IS NOT AVAILABLE OR FEASIBLE. "NOT FEASIBLE" MEANS CIRCUMSTANCES WHERE THE ELECTOR BELIEVES THE TIMELY RETURN OF HIS OR HE BALLOT BY MAIL IS NOT CERTAIN.

The definition of "not feasible" is problematic, in that it gives the voter too much leeway in deciding to return a voted ballot by email or fax, **given how very insecure these forms of Internet voting are. (These days faxes are often sent partially by email.)**

Especially since the 2009 MOVE Act provisions were instituted to increase successful voting among UOCAVA voters --- such as the requirement that blank ballots be sent out 45 days before an election --- there are many fewer situations where email/fax returns can be justified. Casual unnecessary use of email or fax not only jeopardizes legitimate votes, but also allows crooks to manufacture false votes more easily.

Since according to C.R.S. 1-1-107(5), it is the obligation of the SoS to ensure "the purity of elections", Secretary Williams should be doing everything possible to avoid email or fax returns of voted ballots. This means following the counsel of reputable scientists, and assiduously testing the claims of security by vendors.

One step in avoiding unnecessary use of email returns of voted ballots is to make sure that voters are instructed to return their ballots as soon as they receive them.

Voters should also be encouraged to use free expedited mail if they are in areas where they anticipate slow mails.

Finally, voters should be informed about the relative insecurity of email/fax return of voted ballots, so that 1) they realize that their vote is potentially more likely to be hacked (and from anywhere in the world) than with mails; and 2) that they are hurting not only their own chances of having their vote recorded correctly, but they are also risking the integrity of election results in general with their actions. Never, to my knowledge, have the full implications of voting by email/fax been pointed out to voters by Colorado's election officials. Such truth-telling would increase the "purity of elections".

Also, it would be worth finding out whether election officials could be notified by the United States Postal Service working with military postal services when there are situations where severe weather or civil unrest results in the temporary suspension of mail service. If election officials could obtain this information, they could inform affected voters and remind them of their mail alternatives.

Thank you for your attention to this very important matter.

Margit Johansson

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