

Review
of the
November 6, 2001
Boulder County, Colorado
Mail Ballot Design

September 22, 2001

and

County Clerk's Response
September 25, 2001

Prepared by: CAMBER
Citizens for Accurate Mail Ballot Election Results
Al Kolwicz, Executive Director
2867 Tincup Circle
Boulder, CO 80305
303-494-1540
AlKolwicz@qwest.net
www.users.qwest.net/~alkolwicz

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TO: Nancy Jo Wurl
FROM: Al Kolwicz
DATE: September 22, 2001
SUBJ: 9/17/2001 - Draft Ballot Packet Samples

Nancy Jo,

On Monday your office provided me a copy of the work-in-process design drafts of the ballot packet materials. I recognize in advance that these materials are in a state of flux, and that you will likely catch all of these points before approving the materials, but just in case they are useful to you I am forwarding the following observations:

1. Ballot Delivery Envelope

- a. What is the layout of the Voter Address? (Are foreign addresses acceptable -- more than three lines? This is especially significant for recently deployed troop addresses.)
- b. Is the voter address applied by direct printing or a mailing label?
- c. Is there a log of which voter was mailed which specific Ballot Delivery Envelope? (To facilitate returns processing.)
- d. Is the barcode printed on this document? (For scan identification.)
- e. Is every Ballot Delivery Envelope uniquely identified with a serial number? (For security, auditing and tracking purposes.)

Items b, c, d, and e above are significant because one must consider the procedures needed for absentee ballots; re-issue ballots, and Inactive voter ballots. How are they printed, tracked, and audited?

- f. The "RETURN SERVICE REQUESTED" legend is different than the legend specified in the Boulder County draft plan dated September 5th, which says, "RETURN SERVICE REQUESTED" and also says, "DO NOT FORWARD. ADDRESS CORRECTION REQUESTED".
- g. When the Ballot Packet is delivered to the address indicated on the "label" but the voter no longer receives mail at the address, shouldn't the recipient be instructed to return the unopened Ballot Delivery Envelope to the County after checking a pre-printed "reason code"? (To prevent a well-intending recipient from forwarding the Ballot Delivery Envelope to the voter, or discarding the Ballot Delivery Envelope into the trash where it might be retrieved, or whatever ...)
- h. When the Ballot Packet is mis-delivered by the post office, what are the instructions to the incorrect recipient? May they discard the Ballot Packet? May they give it to someone? What if they know the intended voter, and do not want them to help them to vote? What if they know the intended voter, and their current address? Must they return it to the Post Office?

2. Official Mail Ballot Security Sheet

Under the legend “INSTRUCTIONS FOR VOTERS” there are 13 paragraphs, which I have numbered by hand on my copy.

- a. It is unclear how the security sheet will be manufactured, so there is not much that can be said about any potential problems with how it will be used. But it is important, and we’d like to know.
- b. Following paragraph 2, you might want to illustrate acceptable and unacceptable examples of marking of the oval. It is important that each voter know this rule since they must inspect their own work to determine if they wish to apply for a replacement ballot, and unless they know the rule for rejection, they can’t possibly know whether their ballot will be accepted.
- c. Paragraph 1 admonishes against “UNNECESSARY MARKS”. This is ambiguous and should read “ANY MARKS”, or else define what constitutes an acceptable mark. It is important that each voter know this rule since they must inspect their own work to determine if they wish to apply for a replacement ballot, and unless they know the rule for rejection, they can’t possibly know whether their ballot will be accepted.
- d. Paragraph 1 admonishes against “UNNECESSARY MARKS AND ERASURES”. Are any erasures acceptable? What defines an acceptable erasure? It is important that each voter know this rule since they must inspect their own work to determine if they wish to apply for a replacement ballot, and unless they know the rule for rejection, they can’t possibly know whether their ballot will be accepted.
- e. Paragraph 2 uses the word “DARK” which is imprecise. What exactly is acceptable, in terms that the voter can understand? (Color? Intensity? Is a marker-pen acceptable? What about marks that “bleed through” the Ballot? Is an erasable pencil acceptable? Etc.) Most business forms specify precisely what implements are required – i.e. “black or blue ball-point pen.”
- f. Paragraph 3 warns, “DO NOT ADD ANY ADDITIONAL FOLDS OR CREASES TO YOUR BALLOT” but does not state what will happen if such folds or creases are added. It is important that each voter know this rule since they must inspect their own work to determine if they wish to apply for a replacement ballot, and unless they know the rule for rejection, they can’t know whether their ballot will be accepted.
- g. Also, procedurally, it is necessary to precisely define what constitutes a fold or crease. The current draft plan contains no such definition. Is the county planning to reject ballots with extra folds or creases? What if the post office caused a fold or crease on: the Ballot Delivery Envelope going to the voter, or the Ballot Return Envelope going to the County? What happens if the fold or crease was caused by the post office delivery person jamming the ballot into a small apartment mailbox? What if it is caused

- by a voter stuffing the Ballot Return Envelope into a US Mailbox or County Return box? If the fold or crease is detected by the VoteRemote or AcuScan equipment, what happens to the Ballot? What happens to the Ballot if it is folded or creased by Election Officials or by the Voting Equipment? Is there a procedure for duplicating the ballot?
- h. Paragraph 3 second sentence includes the phrase, “AS IT IS”. What is the intended additional meaning of this phrase?
 - i. Paragraph 5 advises, DO NOT REMOVE THE BALLOT STUB”. What is the ballot stub? What is its exact content? Where is it imprinted on the Ballot? The County draft plan does not describe any process dealing with a “BALLOT STUB”.
 - j. Paragraph 7 instructs the voter, “Include your BIRTHDATE and SIGNATURE in the spaces provided” but makes no mention of the CURRENT DATE which appears to also be required. Or is it optional as far as authentication is considered? If it is not used for authentication, just for interest, for what will it be used?
 - k. Paragraph 9 instructs the voter to put 34 cents postage on the Ballot Return Envelope. The County draft plan does not specify what will happen to Ballot Return Envelopes if this is detected by the post office as insufficient postage. (Examples of this would be a family attempting to return multiple Ballots in the same Ballot Return Envelope to conserve postage, a disabled or homeless voter wishing to submit their vote in spite of the fact that they have no stamp available, returns posted from foreign countries, or the Voter places an additional comment page into the envelope.) Will the County accept these Ballot Return Envelopes and pay the difference? If so, the Ballot Return Envelope must be appropriately marked. Will the post office deliver them to the County or recycle them to the voter for additional postage? Is an additional legend on the Ballot Return Envelope required to cover these situations?
 - l. Paragraph 13 should begin “To Hand Deliver by 7:00 p.m.?” What is the rule if there is a long line of voters attempting to hand deliver their vote at 7:00 p.m.? It needs to be stated in the plan to insure consistent application in each of the three locations.
 - m. It would be helpful to add the names of the cross-streets to the addresses of the three County Hand Delivery locations.
 - n. The Ballot Delivery Envelope return address contains a suite number, but the addresses listed for Hand Delivery do not.
3. Ballot Return Envelope – postage side
- a. What is the precise information content of the barcode? (Voter-ID?, Precinct?, Ballot Return Envelope Unique Serial Number? Check Digit?) The County draft plan does not describe this. Its specification and how it is used is vital to understanding how the County plans to detect fraud and audit election materials and votes.
 - b. Do re-issued Ballots get assigned a different or the same barcode or neither?

- c. The Ballot Return Envelope says, “MAY REQUIRE EXTRA POSTAGE” but the Ballot Security Sheet says, “BE SURE TO PUT 34 CENTS POSTAGE ON YOUR RETURN ENVELOPE”. Which is it? This will confuse all voters, even local voters into wondering if they must weigh the envelope.
4. Ballot Return Envelope – affidavit side
 - a. The barcode should be printed on this side of the Ballot Return Envelope also. (This facilitates copying the document for research or challenge purposes, without having to copy both sides. The address side of the Ballot Return Envelope might also be copied if challenges occur as a result of mail delivery routing and postmark issues.)
 - b. The NOTICE says, “This voted ballot MUST be returned by 7:00 p.m., Election Day, November 6, 2001, to be counted.” The word “returned” is ambiguous, and does not mean the same as “received” as written on the Ballot Security Sheet and the postage side of the Ballot Return Envelope. “Returned” will be interpreted by some to mean “posted”. You must use the word “received” everywhere.
 - c. The IMPORTANT message says, “Failure to sign the oath and include your birth date below will invalidate your ballot.” Since the birth date is the solitary item used as a password to authenticate that the person voting the ballot is in fact the voter, it is necessary that the word “correct” be inserted between the words “your” and “birth date”. The message would say, “Failure to sign the oath and include your correct birth date ... will invalidate your ballot.”
 - d. On the IMPORTANT notice, the word “below” is surely the wrong word, and is confusing.
 - e. The WARNING words “voting twice” should be “voting more than once.”
 - f. Should there not be an additional WARNING that voting a ballot other than your own constitutes a crime?
 - g. Because some voters are assisted by a helper, a place should be provided for the helper to (1) print the helper’s name, (2) helper’s signature, and (3) correct birth date of helper.
 5. Ballot – side one
 - a. The WARNING, mandated by State Statute, uses an ambiguous word “UNDULY”. For example, is it permissible to ask members of a group, such as a church, a union, or a citizen action group to, “voluntarily bring your ballots to a meeting of the group in order to *vote together*”? Is it permissible for an aggressive family member to persuade other family members? Is it permissible for somebody to pay for the broadcast of a powerful message? Is it permissible for elected officials to use their incumbent position to support candidates or issues?

For violations to be detectable, enforceable and communicable, the Statute language in the Ballot Security Sheet must be augmented with additional

prose that makes clear to voters and officials how this rule is to be interpreted for this election.

- b. Is there any special consideration required for instructing the voter how to handle unregistered write-in candidates?
 - c. Mention earlier is made of a “Ballot Stub”. What is this? Where is it printed? What is its precise content? How is it removed?
 - d. The bottom of the draft Ballot contains an empty rectangle. What is to be printed in this rectangle? If the voter makes a mark in this rectangle, is the ballot rejected? Should the voter be warned about this?
 - e. The bottom of the draft Ballot contains what appears to be punch holes or scanable marks. What are these? What is the precise content?
 - f. Does the phrase, “vote both sides of the ballot” need to be included on the Ballot?
6. Ballot – side two
- a. The font used for Question 1C, “term limits”, is different than the font used for the other issues. This may “UNDULY” influence the voter – one way or the other. There should be no difference in fonts used between ballot items.

While reviewing the draft Ballot Packet materials, it became obvious that duplication board procedures must be carefully specified in the plan. The procedures that permit or prohibit the duplication board to act when ballots are folded or creased, unreadable, extraneously marked, rejected by equipment, etc. must be reviewed in the context of these Ballot Packet materials. How are duplicated ballot materials identified with respect to bar codes and controls?

TO: Al
FROM: Linda Flack
DATE: September 25, 2001
SUBJ: Response, 9/17/2001 - Draft Ballot Packet Samples

My responses are in bold.

7. Ballot Delivery Envelope

- a. What is the layout of the Voter Address? (Are foreign addresses acceptable -- more than three lines? This is especially significant for recently deployed troop addresses.) **The layout is our standard 3 lines, name, address or mail address, city, zip. Absentee and replacement ballots are the only ones with out-of-county addresses. These are all handled manually from our central office and will be whatever is required to get the ballot to the voter.**
- b. Is the voter address applied by direct printing or a mailing label? **Direct printing.**
- c. Is there a log of which voter was mailed which specific Ballot Delivery Envelope? (To facilitate returns processing.) **yes**
- d. Is the barcode printed on this document? (For scan identification.) **The barcode is not printed on the log. There is no need for the log to be scanned.**
- e. Is every Ballot Delivery Envelope uniquely identified with a serial number? (For security, auditing and tracking purposes.) **Each envelope going within the county to voters not getting absentee ballots, voters becoming active or replacement ballots will have a unique barcode/serial number. Those going to inactive voters who have become active, replacement ballots and those going outside the county will be handled manually exactly as absentee ballots have been handled in the past. The ballot going to these people will have a unique stub number and this will be part of our audit trail.**

Items b, c, d, and e above are significant because one must consider the procedures needed for absentee ballots; re-issue ballots, and Inactive voter ballots. How are they printed, tracked, and audited? **Printed, tracked and audited here by deputized staff similarly to the system we have successfully used in the past.**

- f. **Al, this section was blank. No question was asked.**
- g. The "RETURN SERVICE REQUESTED" legend is different than the legend specified in the Boulder County draft plan dated September 5th, which says, "RETURN SERVICE REQUESTED" and also says, "DO NOT FORWARD. ADDRESS CORRECTION REQUESTED". **CRS 1-7.5-107 (3) (a) states "or any similar statement that is in accordance with United States postal service regulations" so that the law doesn't**

have to be amended each time the postal service changes regulations. Every county in the state uses the statement required by the postal service at the time of the election.

- h. When the Ballot Packet is delivered to the address indicated on the “label” but the voter no longer receives mail at the address, shouldn’t the recipient be instructed to return the unopened Ballot Delivery Envelope to the County after checking a pre-printed “reason code”? (To prevent a well-intending recipient from forwarding the Ballot Delivery Envelope to the voter, or discarding the Ballot Delivery Envelope into the trash where it might be retrieved, or whatever ...) **This is beyond the scope of the law.**
- i. When the Ballot Packet is mis-delivered by the post office, what are the instructions to the incorrect recipient? May they discard the Ballot Packet? May they give it to someone? What if they know the intended voter, and do not want them to help them to vote? What if they know the intended voter, and their current address? Must they return it to the Post Office? **This is beyond the scope of the law.**

8. Official Mail Ballot Security Sheet

Under the legend “INSTRUCTIONS FOR VOTERS” there are 13 paragraphs, which I have numbered by hand on my copy.

- a. It is unclear how the security sheet will be manufactured, so there is not much that can be said about any potential problems with how it will be used. But it is important, and we’d like to know. **It is a folded 8 ½ x 11 sheet, standard in all Colorado Counties which are using Global Election System’s AccuVote.**
- b. Following paragraph 2, you might want to illustrate acceptable and unacceptable examples of marking of the oval. It is important that each voter know this rule since they must inspect their own work to determine if they wish to apply for a replacement ballot, and unless they know the rule for rejection, they can’t possibly know whether their ballot will be accepted. **There are instructions that accompany the ballot dealing with this information, just as has been done for absentee voters in past elections. As you know, mail ballot elections have been successfully conducted by many jurisdictions in the United States and in Colorado. We are using wording that has worked for them. We have been cautioned to use restraint in showing unacceptable examples as many people misread them as acceptable.**
- c. Paragraph 1 admonishes against “UNNECESSARY MARKS”. This is ambiguous and should read “ANY MARKS”, or else define what constitutes an acceptable mark. It is important that each voter know this rule since they must inspect their own work to determine if they wish to apply for a replacement ballot, and unless they know the rule for rejection, they can’t possibly know whether their ballot will be accepted. **Again, we**

are going with what has worked successfully for other jurisdictions and have been cautioned to keep instructions as brief and simple as possible. Voters are expected to use common sense.

- d. Paragraph 1 admonishes against “UNNECESSARY MARKS AND ERASURES”. Are any erasures acceptable? What defines an acceptable erasure? It is important that each voter know this rule since they must inspect their own work to determine if they wish to apply for a replacement ballot, and unless they know the rule for rejection, they can’t possibly know whether their ballot will be accepted. **See c above. We will be working with the vendor to be sure the scanning equipment tolerance is optimally set.**
- e. Paragraph 2 uses the word “DARK” which is imprecise. What exactly is acceptable, in terms that the voter can understand? (Color? Intensity? Is a marker-pen acceptable? What about marks that “bleed through” the Ballot? Is an erasable pencil acceptable? Etc.) Most business forms specify precisely what implements are required – i.e. “black or blue ball-point pen.” **See d above**
- f. Paragraph 3 warns, “DO NOT ADD ANY ADDITIONAL FOLDS OR CREASES TO YOUR BALLOT” but does not state what will happen if such folds or creases are added. It is important that each voter know this rule since they must inspect their own work to determine if they wish to apply for a replacement ballot, and unless they know the rule for rejection, they can’t know whether their ballot will be accepted. **Ballots with additional folds or creases will be smoothed out by deputized election judges so that they will read accurately through the scanners. This warning is simply to keep this additional step to a minimum.**
- g. Also, procedurally, it is necessary to precisely define what constitutes a fold or crease. The current draft plan contains no such definition. Is the county planning to reject ballots with extra folds or creases? **No** What if the post office caused a fold or crease on: the Ballot Delivery Envelope going to the voter, or the Ballot Return Envelope going to the County? What happens if the fold or crease was caused by the post office delivery person jamming the ballot into a small apartment mailbox? What if it is caused by a voter stuffing the Ballot Return Envelope into a US Mailbox or County Return box? If the fold or crease is detected by the VoteRemote or AcuScan equipment, what happens to the Ballot? What happens to the Ballot if it is folded or creased by Election Officials or by the Voting Equipment? Is there a procedure for duplicating the ballot? **See d & f above. Yes, there will be an inspection and duplication board, now being referred to as the Resolution Board, as required by law and as is done in all punch card, paper or optical scan ballot counting systems. CRS 1-7-508, Rule 11.4.8.**
- h. Paragraph 3 second sentence includes the phrase, “AS IT IS”. What is the intended additional meaning of this phrase? **See c above. It will fit easily inside the sheet without additional folding.**

- i. Paragraph 5 advises, DO NOT REMOVE THE BALLOT STUB”. What is the ballot stub? What is its exact content? Where is it imprinted on the Ballot? The County draft plan does not describe any process dealing with a “BALLOT STUB”. **See CRS 1-5-408 (4). Ballot stubs are required for all punch card, optical scan and paper ballot voting systems. For mail ballot optical scan ballots the name, jurisdiction and date of the election, the ballot style, precinct/split numbers and a unique serial number along with the admonition “VOTER DO NOT REMOVE BALLOT STUB). The ballot stub number is what is used to ascertain that the voter is returning the ballot issued to him or her. It must be removed by the deputized judge who will be verifying that this is the ballot mailed to that voter, before removing the ballot from the security sleeve. This is to ensure that the secrecy of the ballot be preserved.**
- j. Paragraph 7 instructs the voter, “Include your BIRTHDATE and SIGNATURE in the spaces provided” but makes no mention of the CURRENT DATE which appears to also be required. Or is it optional as far as authentication is considered? **Optional** If it is not used for authentication, just for interest, for what will it be used? **We have talked to a number of counties which have successfully conducted mail ballot elections. One of them told us they cut down significantly on the number of ballots rejected for missing birthdate by also asking for the current date. Before asking for this information, a number of voters wrote in the current date in the spot provided for birthdate and did not supply the birthdate information which is, of course, required. It sounds like a good idea to us.**
- k. Paragraph 9 instructs the voter to put 34 cents postage on the Ballot Return Envelope. The County draft plan does not specify what will happen to Ballot Return Envelopes if this is detected by the post office as insufficient postage. (Examples of this would be a family attempting to return multiple Ballots in the same Ballot Return Envelope to conserve postage, **law requires rejection 1-7.5-103 (7); 1-7.5-107 (3) (b.5); 1-8-114** a disabled or homeless voter wishing to submit their vote in spite of the fact that they have no stamp available, returns posted from foreign countries, or the Voter places an additional comment page into the envelope.) Will the County accept these Ballot Return Envelopes and pay the difference? **Yes except as noted above. At the time we began planning for this election, we were told by other jurisdictions which had conducted optical scan mail ballots and by our vendor that 34 cents would be adequate. We still assume it will be.** If so, the Ballot Return Envelope must be appropriately marked. **Not required by law and will encourage people to return ballots with no postage which is not the intent of the law, nor our intent in accepting and paying for those with insufficient postage from voters who simply lacked the knowledge that the envelope was heavier than we had been told it would be.** Will the post office deliver them to the County or recycle them

to the voter for additional postage? **Deliver to us.** Is an additional legend on the Ballot Return Envelope required to cover these situations? **No.**

- l. Paragraph 13 should begin “To Hand Deliver by 7:00 p.m.?” What is the rule if there is a long line of voters attempting to hand deliver their vote at 7:00 p.m.? It needs to be stated in the plan to insure consistent application in each of the three locations. **We will have deputized judges standing curbside at all three of our offices prior to 7 pm on Election night with locked ballot boxes into which last minute voters can to deposit their ballots. These judges will be joined by an additional judge a few minutes before 7 who will accompany the last car in line at 7 to the sealed ballot box. This is very similar to the procedure used at polling place elections. The law requires any voter in line at 7 to be able to vote. CRS 1-7-101 (1).**
 - m. It would be helpful to add the names of the cross-streets to the addresses of the three County Hand Delivery locations. **See c above.**
 - n. The Ballot Delivery Envelope return address contains a suite number, but the addresses listed for Hand Delivery do not. **Ballots may be returned to any of our three offices. Only the Boulder location has a suite number. We will have signs in the main lobby instructing voters where to go to deposit their ballots. See l above.**
9. Ballot Return Envelope – postage side
- a. What is the precise information content of the barcode? (Voter-ID?, Precinct?, Ballot Return Envelope Unique Serial Number? Check Digit?) The County draft plan does not describe this. Its specification and how it is used is vital to understanding how the County plans to detect fraud and audit election materials and votes. **As I understand it, it has all of the above. This is a reverse barcode the structure of which is internal to the software. An algorithm is used to decode this barcode and the result is used to retrieve all the voter information from the database that is necessary to verify the returned ballot for acceptance. It also includes a check digit.**
 - b. Do re-issued Ballots get assigned a different or the same barcode or neither? **Neither, as they will be handled manually from the Boulder location.**
 - c. The Ballot Return Envelope says, “MAY REQUIRE EXTRA POSTAGE” but the Ballot Security Sheet says, “BE SURE TO PUT 34 CENTS POSTAGE ON YOUR RETURN ENVELOPE”. Which is it? This will confuse all voters, even local voters into wondering if they must weigh the envelope. **The Ballot Return Envelope is designed for use in many kinds of elections and for absentee voting as well as mail ballot. Depending on the type of ballot counting equipment used, 34 cents might not always be adequate.**
10. Ballot Return Envelope – affidavit side

- a. The barcode should be printed on this side of the Ballot Return Envelope also. (This facilitates copying the document for research or challenge purposes, without having to copy both sides. The address side of the Ballot Return Envelope might also be copied if challenges occur as a result of mail delivery routing and postmark issues.) **The placement of the barcode is driven by the equipment used to print and to scan the envelopes.**
- b. The NOTICE says, “This voted ballot MUST be returned by 7:00 p.m., Election Day, November 6, 2001, to be counted.” The word “returned” is ambiguous, and does not mean the same as “received” as written on the Ballot Security Sheet and the postage side of the Ballot Return Envelope. “Returned” will be interpreted by some to mean “posted”. You must use the word “received” everywhere. **See 2 c above.**
- c. The IMPORTANT message says, “Failure to sign the oath and include your birth date below will invalidate your ballot.” Since the birth date is the solitary item used as a password to authenticate that the person voting the ballot is in fact the voter, it is necessary that the word “correct” be inserted between the words “your” and “birth date”. The message would say, “Failure to sign the oath and include your correct birth date ... will invalidate your ballot.” **In the past we were aware of voters who intentionally shaved one or more years off their birthdates when they registered to vote. This wording is designed to accommodate those voters. See 2 c above.**
- d. On the IMPORTANT notice, the word “below” is surely the wrong word, and is confusing. **The wording is correct. The information referred to is below the notice, albeit to the left and below. See 2 c above.**
- e. The WARNING words “voting twice” should be “voting more than once.” **This is a correct statement and is lifted from CRS 1-13-710. Voting twice – penalty. See 2 c above.**
- f. Should there not be an additional WARNING that voting a ballot other than your own constitutes a crime? **See affidavit on return envelope, CRS 1-7.5-107 (3) (b.5). See 1h above.**
- g. Because some voters are assisted by a helper, a place should be provided for the helper to (1) print the helper’s name, (2) helper’s signature, and (3) correct birth date of helper. **See 1h above.**

11. Ballot – side one

- a. The WARNING, mandated by State Statute, uses an ambiguous word “UNDULY”. For example, is it permissible to ask members of a group, such as a church, a union, or a citizen action group to, “voluntarily bring your ballots to a meeting of the group in order to *vote together*”? **Yes.** Is it permissible for an aggressive family member to persuade other family members? **No change from current absentee voting situation.** Is it permissible for somebody to pay for the broadcast of a powerful message? **Yes** Is it permissible for elected officials to use their incumbent position to support candidates or issues? **See CRS 1-45-117.**

For violations to be detectable, enforceable and communicable, the Statute language in the Ballot Security Sheet must be augmented with additional prose that makes clear to voters and officials how this rule is to be interpreted for this election.

- b. Is there any special consideration required for instructing the voter how to handle unregistered write-in candidates? **I assume you mean write-in candidates who have not filed an affidavit of intent within the legally proscribed time frame. There is no provision in the law for counting or acknowledging these write-ins.**
- c. Mention earlier is made of a “Ballot Stub”. What is this? Where is it printed? What is its precise content? How is it removed? **See 2i above.**
- d. The bottom of the draft Ballot contains an empty rectangle. What is to be printed in this rectangle? **The words “Vote Both Sides of the Ballot”** If the voter makes a mark in this rectangle, is the ballot rejected? **No.** Should the voter be warned about this? **Nothing to be warned about. A mark here will be disregarded.**
- e. The bottom of the draft Ballot contains what appears to be punch holes or scanable marks. What are these? **Similar to id punches in DataVote ballots, these scanable marks identify the ballot style and split.** What is the precise content? **Identification of the ballot style and split.**
- f. Does the phrase, “vote both sides of the ballot” need to be included on the Ballot? **See 5d above.**

12. Ballot – side two

- a. The font used for Question 1C, “term limits”, is different than the font used for the other issues. This may “UNDULY” influence the voter – one way or the other. There should be no difference in fonts used between ballot items. **Colorado Constitution, Article X, Section 20; CRS 1-5-407, Secretary of State Rule 10.**

While reviewing the draft Ballot Packet materials, it became obvious that duplication board procedures must be carefully specified in the plan. The procedures that permit or prohibit the duplication board to act when ballots are folded or creased, unreadable, extraneously marked, rejected by equipment, etc. must be reviewed in the context of these Ballot Packet materials. How are duplicated ballot materials identified with respect to bar codes and controls? **This will be handled under CRS CRS 1-7-508, and Secretary of State Rules 11.4.8, just as it is for all elections and utilizing logs and audit trails as we have done in the past.**