

Six (6) Reviews
Of the
November 6, 2001
Boulder County, Colorado
Mail Ballot Plan

September 17, 2001

and

Suggested Plan for its Repair
September 21, 2001

Prepared by: CAMBER Plan Review Team: Bob Greenlee, Sheila Horton, Barbara Chalmers,
Steve Hatfield, Susan Kolwicz, Al Kolwicz
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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2867 Tincup Circle
Boulder, CO 80305
303-494-1540
AlKolwicz@qwest.net

Donetta Davidson
Colorado Secretary of State
1560 Broadway, Suite 200
Denver, CO 80202

September 17, 2001

RE: Public comments. Charlotte Houston to Donetta Davidson 8/28/2001

We thank you for making available to us, on Friday September 14, 2001, a copy of Boulder County's draft "Plan for the Conduct of a Mail Ballot Election – 9/5/2001."

Attached are our initial responses to the plan. In order to meet your requirement that our responses be provided to you on Monday, September 17, 2001, we have worked very rapidly.

Because of the rush, I expect that we have missed important defects in the plan. Items are not ranked in priority sequence, so the most important items may occur near the end of our list. You will find a small number of duplicate reports of the same defect. In order to meet your time requirement, we did not attempt to consolidate data from the individual reports.

We consider that every one of the points raised is important and requires a revision to the plan. We expect to see a revision to the plan that cures all of the problems raised by our reviewers. We expect that each point raised by our reviewers that does not result in a plan revision will be responded to in a letter from you, authorizing the non-response. We expect you to establish a process to insure the timely and satisfactory (to we citizens) resolution of each and every defect.

There is added justification, as though any were required, for expending the effort to make sure that the procedures will result in a zero-defect election result. The State of Colorado is considering conversion to a Mail Ballot Only Election system. This Boulder County Election will serve as a model for future Mail Ballot Election in Colorado.

Unless the plan is satisfactorily repaired, we are deeply concerned that Boulder County will be unable to conduct a fair and accurate Mail Ballot Election on November 6, 2001. We are relying on you, as Secretary of State, to protect the rights of Boulder County voters and residents.

How can we help?

Sincerely,
Al Kolwicz

Attachments: Boulder County Elections Review from:

Bob Greenlee, 9/15/2001

Barbara Chalmers, 9/16/2001

Susan Kolwicz, 9/17/2001

Sheila Horton, 9/16/2001

Steve Hatfield, 9/17/2001

Al Kolwicz, 9/17/2001

TO Al Kolwicz
FROM Bob Greenlee
DATE SEP 15, 2001

I have a few this and that's, in no particular order. If I had more time I would have made this prettier:

1. Item 11 of the plan says ballot packets will go out imprinted with 'DO NOT FORWARD. ADDRESS CORRECTION REQUESTED. Under item 12, procedures, 3rd bullet, it only says the ballot packet will only say DO NOT FORWARD. Which is it?
2. Will returned ballot packets be re-sent if the post office provides a forwarding address?
3. Will members of the public be able to see whose ballot packets come back? (If so, this might allow certain people to call these voters and encourage them to vote in person or request an "replacement" ballot particularly if certain people are known to be "liberal" or "conservative" voters.
4. Who, besides the clerk's office will be able to audit the number of ballots printed, delivered, sent, received, and counted?
5. Under 12, procedures, ballot preparation, first bullet, it refers to an "elections officer". Who is an elections officer?
6. The county is given a 10 day window in which to mail out the ballots (October 12 to October 22) should we insist we know in advance when they are actually going to go out?
7. The 6th bullet item under the same section talks about Linda Flack "interacting" with the vendor ballot printer. Again, how can one obtain independent and auditable information?
8. The 10th bullet in this section talks about "logic testing". I don't know what that means but what is the audit trail which will be established?
9. Under item 12 c, what if someone does return their ballot in a regular envelope instead of the official one. Will it be counted? If not, will the clerk or a member of the public be able to notify the voter that their ballot will not count?
10. In sending back a ballot, in various sections of the plan, the voter will be required to sign the return envelope and provide a birthdate. It also says (Under section 12, o, under ballot preparation, second bullet, it also says the voter must put in the current date. If a ballot is returned without all three items, signature, birthdate, current date, will it be counted?
11. What if someone puts the current date in the birth date?
12. What if someone only signs the thing?
13. Will the clerk's office, or can a member of the public review the daily tally and contact a voter to have them come in and "re-vote" or request replacement?

14. By the way, in attempting to follow the various provisions it is hard to track the document. For example, can you find what happened to provisions f, g, h, i under 12? It jumps e to j.
15. If a ballot packet is returned without postage, will the county clerk pay for it? Will it be counted?
16. If the amount of the postage is incorrect, will the county pay the difference? Will these ballots be counted or not?
17. Can a member of the public pay for the shortage?
18. Who will pick up the ballots from the post office? Will this person be monitored? If so, by whom?
19. A daily log is to be prepared which gives a variety of information include who has returned a ballot. Who has access to this information? Will members of the public, or reps of candidates or issues be allowed to see who voted or didn't vote?
20. Under section 12, e, 4th bullet, is refers to "the judge". What judge?
21. Item 12 m says in describing procedures to be used for signature verification that "each returned vote ballot shall be visually scanned to determine that the signature of the voter is evident"...not that it is accurate. It says nothing about verifying the date of birth. Or checking to see that the current date is included. What is it that counts?
22. Various sections of this plan are not consistent with other parts of the plan. I have pointed out some, there may be others, but someone else needs to review this document because there are lots of inconsistencies.
23. In 12, section o, the section which starts returned ballot check-in procedures and Secrecy of the vote during processing, it talks about one or more election judges. Two bullets later it refers to election judge. Is it judge or judges?
24. In the same section where it makes this reference, it talks about what is on the self-affirmation label but there is no mention of the current date which it earlier says must be included.
25. In the next bullet it seems to suggest that a rejected ballot is one which does not contain a require signature and birth date. What about the current date required in earlier provisions? Will there be an overall tally of rejected ballots? Will members of the public be allowed to review the names of those rejected balloters?
26. We should know if using a red pen rather than blue or black will read. Will a pencil mark be read. How large does the mark need to be? Running a known quantity to material through the process is a way to determine is the system is 100% reliable.

Sorry to have gone on so long...and sorry this isn't a bit more thoughtful but in the interest of time I thought I would get this out to you. Pass along my comments to anyone else if you want.

TO: Al Kolwicz
FROM: Sheila Horton
DATE: September 16, 2001

Quick summary:

- 1) doesn't say how signatures and date of birth are to be validated.- and does not cover how multiple signatures for same person will be handled.
 - 2) What if the date is missing on outside of envelope, but signature and birthdate are there ---- I don't recall any previous mention of date being required.
 - 3) What happens with mail that is postmarked several days prior to election but does not arrive until after election.???
 - 4) With potential war - we could have large number of absentee ballots sent far away -- how is that handled in terms of getting ballots to soldiers and back here prior to election?
 - 5) I'm not sure how the bar code check in for received ballots works and also if that bar code is also on the ballot itself.
 - 6) What happens if ballots between people are mixed up in same envelope.
 - 7) What happens to ballots received without postage or with insufficient postage?
 - 8) Seems strange to me that vote counting will begin on Oct 27 which happens to be a Saturday.
 - 9) What is possible explanation as to why votes can be counted beginning 10 days before election with an all mail ballot system. Seems like the rationale given before about the extra prep time etc doesn't hold water now.
 - 10)What is percentage of acceptable error
- NOTE:*****11) What is protocol prior to election and during all vote counts including election to insure validity of computer vote count program.
- 12) Is there going to be any effort to do citizen education prior to election about how this new ballot system works or protocol for people to follow etc. I heard talk of a video to be shown often prior to election -- is this still the plan. If not, is there a number on the directions enclosed with ballots as to how people with questions can get answers.
 - 13) Is any cross-checking being done to eliminate felons and or illegal aliens from registering and voting?
 - 14) Is any cross checking being done between Colorado Counties and any other states?

All for now. Sheila

TO: Al Kolwicz
FROM: Barbara Chalmers
SUBJ: Boulder County Draft Election Procedures dated August 28, 2001
DATE: September 16, 2001

To facilitate comment, I have hand-written page numbers on the Boulder County Plan pages beginning with the cover sheet.

1. P20, State Procedures -- There is nothing in the Boulder County Plan to comply with Electronic Tabulating requirements as specified in State P20, Section 9.
2. P21, State Procedures – 9.3.1 requires that “the county clerk and recorder shall not program or operate electronic vote counting equipment.”
3. P21, State Procedures – 9.3.2 prescribes security procedures for all program materials.
4. P21, State Procedures – 9.3.3 requires that all persons who interact with the ballot program systems and/or election program must be deputized and sworn.
5. P21, State Procedures – 9.3.5 requires for certain county employees a written clearance document from the Colorado Bureau of Investigation be filed with the Secretary of State.
6. P21, State Procedures – 9.3.6 requires contractors and vendors dealing with the counting center shall post a performance bond with the Secretary of State, and individuals must be deputized for that purpose and for one time only.
7. P22, State Procedures – 9.3.7 requires that vendors of the vote counting equipment shall post a performance bond with the Secretary of State.
8. P22, State Procedures – 9.3.8 requires that “no employee of any vendor shall operate any counting equipment unless deputized and sworn by the county clerk and recorder and unless a clearance document from the Federal Bureau of Investigation is on file with the secretary of state.”
9. P23, State Procedures – 9.4.4 requires that a set of schematics and drawings on electronic vote counting machines be on file with the county clerk.
10. P23, State Procedures – 9.4.5 (a) through (d) requires compliance with a test procedure.
11. P25, State Procedures – 9.6.1 (a) and (b) requires that the clerk file a comprehensive contingency plan in the event of fire, civil commotion, or bomb threat, and also in response to a failure in the equipment and systems.
12. P6 Action Calendar – Date of 5/3/01 conflicts with the date of June 3, 2001, shown on P3, #12.
13. P6 Action Calendar – Date of 7/30.01 (Political Subdivisions shall notify ...) conflicts with State requirement at 5.2.2, P8, stating “110 days prior to the election.”

14. P6 Action Calendar – Date of 9/12/01 (Mail Ballot plan must be submitted ...) conflicts with State requirement at 10.302, P28, stating “no later than 75 days prior to an election.”
15. P6 Action Calendar – There is no date for the submission of PRO/CON arguments as required by State P12, 5.4.4.5.
16. P6 Action Calendar – There is no date specified for the “Notice of Election” to the County Assessor, as required by State P29, 10.3.3.2 (g).
17. P1 Boulder County Plan – “VoteRemote will be used in processing” and “results will be tabulated using AcuVote” conflicts with P3 “AcuVote optical scan” and “VoteRemote tabulation system.” (The “scanning system” and the “tabulating system” have been reversed.)
18. P2, #10 Boulder County Plan– does not provide for a “Watcher” when as required by the State at P17 6a.1 and 6a.2. For example, when transporting ballots to the Election Office from the Post Office.
19. P3, #12 Boulder County Plan – No “watcher” provisions as required by the State at P17 6a.1 and 6a.2. For example, when transporting ballots to the Central Election Office from the other Election Offices.
20. P3, #12 Boulder County Plan – Is each city’s school district participating in coordinated election? Is each school district’s City participating as required by State at 5.1.4, P7?
21. P4, #12 as continued from P3 Boulder County Plan – Statement that the “vendor shall print the ballots” conflicts with P1 saying “Spectrum is printing ... ballots.”
22. P4, #12 (a) as continued from P3 Boulder County Plan – the in-house programmer could tamper with scanning and tabulating programs.
23. P5, #12 (b) Boulder County Plan – No provision for “watcher” when transporting voted ballots from branch offices to Central Office as required by State P17, 6a.1 and 6a.2.
24. P5, #12 (e) Boulder County Plan – No provisions for “watcher” when picking up voted and other ballots from the Post Office.
25. P6, #12 (e) continued Boulder County Plan – The return envelope with the voter’s signature can be compared to the registration lists to determine the probability of the voter being in agreement with the person doing the checking, and unwanted votes can be discarded as though they were never mailed. This is a big fraud opportunity. What is being done to prevent and detect such intentional destruction of ballots?

From Steve Hatfield

Dear Al,

I reviewed the fax you sent regarding the proposed mail ballot election plan submitted to Donetta Davidson, Secretary of State, from Charlotte Houston, Boulder County Clerk and Recorder and here are my findings from a systems and procedures point of view.

It should be noted from the onset that my copy appeared to be missing one or more pages, as the section titled "Procedures" seemed to be missing paragraphs f, g, h and i. Therefore, the procedural defects in this plan may be a direct result of the apparent missing paragraphs.

Procedural Defects in Mail Ballot Election Plan

paragraph b., first bullet states that ballots returned to Longmont and Louisville will be deposited into locked, per date ballot boxes, but does not provide details as to how and by whom the actual ballots will be deposited into said boxes. Is it by an employee of the clerk's office or by the elector?

paragraph b., second bullet states that unvoted ballots returned to the Election's Division by the Post Office shall be checked in and a record....

defect: this statement is in direct contradiction to the statement made in paragraph e., below regarding how these ballots are received.

paragraph e., first bullet states: "The returned voted ballots and any ballots that could not be delivered by the Postal Service will be picked up daily from the Post Office."

defect: the section does not clearly state by whom the ballots are to be "picked up." Is the pick up to be witnessed? Is the person making the pick up bonded or otherwise authorized to pick up the ballots? Is there a process to verify the ballot transfers?

From a quality control standpoint this could be worrisome because of the contradictory statements about how unvoted ballots are received. It is not clear if they are delivered in some way or picked up.

Also: What is the method of transportation? By private motor vehicle?

This paragraph begs the question of why are the "voted" ballots being picked up at the Post Office and not delivered directly to the County Clerk's office by a postal employee?

paragraph e., second bullet states that "voted ballots will also be accepted at the Boulder County Clerk's three offices" and then goes on to identify the location of the offices.

defect: the procedure is not clear about how the ballots will be deposited (see paragraph b. defect above). During normal business hours will there be a locked box with a security seal sitting in an unsecured area for deposit? Will the voter hand the ballot to an employee of the Clerk's office for deposit into a locked box? Will the voter (elector) deposit the ballot into the box themselves. It is not clear from the statement how the transfer will take place.

paragraph e., third bullet states merely that both voted and returned as undeliverable ballots will be recorded using Global Elections System's Vote Remote equipment. I was unable to find any specifications on this equipment over the Internet, but only that these systems are used in Florida and that the company was recently acquired by Diebold (press release 9/10/2001). I would need some information about "how" the recording takes

place and what the failure rates and what quality control systems are in place. In an election where there only 175,000 voters, even one defect would mean the system is only 3 to 4 sigma for quality.

paragraph e., fourth bullet: How will the judge or judges validate and verify that the return envelope contains the true signature of the voter? Is there a process in place to match *this* signature against signatures made in previous elections?

paragraph e., fifth bullet: How are rejected ballots "set aside?" Why are they not secured? Are they ever left unattended before being "secured in the locked area"? What are the quality control measures? Is this locked area *separate* from the secured area for valid voted and verified envelopes or are the co-mingled in any way?

defect: the paragraph is unclear and fails to state what preventative measures will be in place to prevent REJECTED envelopes from being intermixed with valid entries.

paragraph m., is a reiteration of the same problem in paragraph e., fourth bullet: How will the signatures be verified? Through handwriting analysis, or merely by the appearance of a signature, any signature (ink on paper)? Is a signature made in pencil valid?

defect: "Visually scanned" hardly describes the procedure adequately from an quality point of view.

paragraph n., is a description of how the secrecy of the voted ballot will be maintained.

defect: How are the instructions worded? Are they ambiguous in any way? Who makes that determination?

paragraph o., description of procedures to be used to reconcile ballot inventory. There are a lot of assumptions made here about the quality control features and measures of the vendor.

paragraph o., second bullet under **Ballot preparation** states that the return envelope will be "pre-addressed" to the "County Clerk and Recorder", which contradicts the statement in paragraph e. above.

defect: This section is sketchy at best. Will ballots be picked-up at the Post Office or will they be delivered to the County Clerk and Recorder's physical address.

paragraph o., third bullet under **Ballot Security** states "A duly sworn employee of the Clerk's office will transport the ballots from the branch offices to the main office each business day."

defect: It is not clear about "security" at all. If this bullet is to be taken literally, the ballots will be in locked ballot boxes, in an unsecured area, i.e. a presumed private automobile and under the control of only one person. Also, there is no mention of time stamps or other recording of when the boxes are picked up and delivered. Will "drive-time" anomalies be questioned?

Summary of Defects:

1. The descriptions of the procedures to be used to ensure ballot security at all stages of the process is lacking.
2. The descriptions of the procedures to be used for signature verification is inadequate.

Personal Observation:

Al, this process and procedure was very tiresome to read. It is not like any documented system and procedures I've ever encountered. It contradicts itself in several places and, in all fairness, the missing sections (f through i) may have cleared up the problem areas. But, without them a clear evaluation was impossible. I'd also like to

comment on the fact that this is the first time I recall an election being proposed where the voter is asked to "pay" to vote. Certainly, postage is not that expensive, but it is the principle of the thing. And it would be even more expensive to drive to one of the three voting locations. At least in a general election, the polling places are in a precinct usually only a block or two from one's home. Just out of principle, I probably wouldn't mail mine in anyway and insist that I be the one to place the ballot into the locked box at the Clerk and Recorder's office.

Regards,

Steve Hatfield
Managing Principal
Hatfield Management Group
1735 Oak Avenue
Boulder, CO 80304-1250
Office: (720) 565-3890
Toll Free: 1-866-575-4541
FAX: (720) 565-3891

Company Site - <http://www.hatfieldmanagement.com>
Brand Name Site - <http://www.chexpedite.net>
Web Services Site - <http://www.chexsite.com>

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Susan Kolwicz
2867 Tincup Circle
Boulder, CO 80305
303-499-9527
SusanKolwicz@qwest.net

DATE: September 17, 2001

RE: Boulder County Mail Ballot Election Plan – 9/5/2001

To aid in referencing the document, I have numbered the nine plan pages by hand.

I served as an election judge for the City of Boulder Mail Ballot Special District Election in November 2000. I participated in all phases of the process beginning with training, and continuing with the portion of the election process which began at 6:00 AM on Election Day, and continued through the day following Election Day. This included security, Election Day voting, reissuing of ballots, Ballot Return Envelope processing and judging, final decision making for all questionable envelopes and ballots, opening of envelopes ballot counting, and final certification document preparation.

I personally witnessed many problems which occur with Mail Ballot Elections and their subsequent judging. Upon reviewing the September 5th Charlotte Houston Boulder County Plan for the November 2001 Mail Ballot Election, I see that rules and procedures which would solve these problems are not specified. I believe this document to be dangerously lacking and imprecise, based on what I know will actually occur with the upcoming ballots and their judging. The procedures must be amended to ensure an accurate and honest election, and to provide consistent and objective election judging – a requirement for repeatable results.

Additionally, the amount of effort required to process the Mail Ballots was shocking. We were eight judges and no fewer than three staff and the City Attorney. As I recall the team worked in the City Council Chambers from 6:00 AM on Election Day until 3:00 AM (21 hours elapsed) the day following the election, and we resumed work at 1:00 PM and continued until at least 7 or 8:00 PM (6 elapsed hours). This phase alone represented almost 300 person hours. There were 2,674 ballots accepted and counted, and many rejected. This yields a very small number of ballots per person hour. The County's Mail Ballot plan must forecast workloads and productivity by process.

Some of the specific problems we encountered were as follows:

1. Ballot Return Envelope security – During the City of Boulder Mail Ballot Election there were cases of handwritten notes about the contents of the Ballot Return Envelopes being reviewed by interest groups, and voters being called by the group to go to the City to repair problems with their Ballot Return Envelope. This should not be permitted, and the plan must document the security procedures that will prevent this.

2. Ballot Return Envelope judging – page 8 (o), page 4 (c), page 6 (m).
 - a. Valid birthdate – Precise rules are required for what constitutes a “correct birthdate”. Myriad permutations can be anticipated, and judging must be consistent across time and people. We saw the current date instead of the birthday, the birthdate in the current date spot, DD/MM/YY, correct month with incorrect day, correct day with incorrect month, year incorrect, etc. In at least one case it was thought that the registration file was inaccurate. In one case, a Judge wanted to use personal knowledge of the voter’s birthdate. Judges tend to be subjective in their tolerance and lenience, so rigid rules are required.
 - b. Valid signature – This is also unspecified in the plan, and the variability of what is received is almost infinite. The judging rules must be specific, and rigid. Often, signatures are illegible, use a nickname or initials instead of the registered name, or some different name that is not relatable to the real name, or exclude (include) middle initials, or include (exclude) a suffix, such as Jr. The judge has no way to know that the signature is actually that of the voter. Often someone other than the voter signs the voter’s affidavit – for example when Ballot Return Envelopes are accidentally swapped by family members or roommates. A son might vote his father’s ballot.
 - c. Are “rejected” envelopes going to be re-judged later by a single panel of judges, or are they permanently rejected? Are they kept secure?
3. Judging rules -- Rules must be specific, rigid, and not left to any interpretation. This is especially true since half of the City of Boulder’s property is rental. There is a large renter population. Rental properties will be mailed many extra ballots, tempting people to illegally vote, or to give away or sell “extra” ballots. Judging rules must be laid out in detail, and judges trained to be consistent. “Verified as Correct” is not an empty phrase. The Authentication process must produce results that are repeatable by independent teams. Even with very high quality judges and City staff, it was very difficult to achieve consistency.
4. Reissuing ballots –
 - a. What are the rules under which a ballot may be reissued? What are the rules for receiving reissued ballots? These are not specified in the plan. Will the County reissue a ballot if the original ballot has been accepted by the VoteRemote system? How is the original ballot located and removed? What is the process for tracking and securing these removed ballots?
 - b. What is the reissue procedure if the original Ballot Return Envelope has been separated from its Ballot Security Shield? Since the plan says that counting may proceed on October 27th, it follows that the plan envisions that ballots will be separated from the Ballot Security Shield on or before October 27th. This should not be permitted.
 - c. What is the reissue procedure if the original ballot’s votes have been counted? The plan says that counting may proceed on October 27th, before the polls are closed. This should

not be permitted.

5. Early counting of votes – The early counting of votes will lead to the disenfranchisement of many voters. How many instances of disenfranchisement will be tolerated before the election is declared null and void? Early counting should be prohibited. It is much more important to protect the vote than it is to report election results on Election Day. In the City of Boulder Mail Ballot election, it was not possible to report election results on Election Day.
 - a. When an original ballot is received and separated from the Ballot Return Envelope, I assume that it is impossible to identify the voter who submitted the ballot. (To protect the secret ballot.) Since it is unidentifiable, it is irretrievable and irreversible.
 - b. If the original ballot was submitted by someone other than the voter, once the original ballot is made unidentifiable, the real voter is now disenfranchised and the fraudulent voter's vote is counted. The voter cannot be reissued a ballot.
 - c. If the original ballot was submitted by the voter, once the original ballot is made unidentifiable, the real voter may not be reissued a ballot, or the voter will be permitted to vote more than once.
 - d. For what reasons may a voter request a reissue? May the voter request a reissue because the voter changed their mind about their vote?
6. Ballots separated from their Ballot Return Envelope but not yet counted --
 - a. These documents must be unalterable by anybody, including the voter and election officials, and protected with the highest security. Remember Florida 2000? There must be no subjective interpretation of the voter's intent. Let the machines count as they may.
 - b. The contents of these documents must not be revealed to anyone.
7. Judging must never be done by a single person, even if an employee. All decisions and processing must be done in groups of two or more.
8. Page 3 -- Is there any testing of the programming used by the mailing vendor to insure that the vendor's software and operating procedures make one and only one Ballot Packet per Active voter?
9. Page 3 -- What are the procedures for issuing a ballot to an Inactive voter?
10. Page 4 – Does VoteRemote scan the entire image of the Ballot Return and Ballot Delivery Envelopes, or just the barcode, or what? This is not specified.
11. Page 4 (b) – Is there a control sheet inside of each ballot box, and is it re-checked whenever the box is opened and closed?
12. Everywhere, the use of phrases like “scan”, “checked in”, and “is correct”, are meaningless and vague. The plan must be made precise enough to guarantee a valid and repeatable election.

From Al Kolwicz

It appears from this plan that Boulder County does not take seriously the value of each individual voter's rights.

1. There is no specification for error tolerance. What are the types of errors that are anticipated? How many errors of each type are acceptable? How many errors in total are acceptable?
2. Under what circumstances would the Secretary of State declare the election void?
3. Because many laws covering traditional election rules and procedures are not relevant in the case of a Mail Ballot election, and because the law covering Mail Ballot election is incomplete as a standalone section and incorrectly assumes that other sections of the law cover the missing material, it is necessary that a complete recitation of each applicable section and paragraph be enumerated in the Mail Ballot Plan.
4. State Election Procedure 10.3.2 requires that the County's Mail Ballot Plan be submitted "no later than 75 days prior to an election." This would have been August 23, 2001. The Boulder County Plan failed to comply. The cover letter was dated August 28, 2001, and received by the Secretary of State on September 5, 2001. Notwithstanding, section 1.7.105(1) stipulates a 55 day requirement.
5. Every page of the plan should be identified, dated, and page numbered, to facilitate reference. For example, it is not clear whether a page is missing, or if the paragraphs are incorrectly identified between 12(e) and 12(j).
6. There is no plan for the handling of Confidential Voters.
7. There is no plan for handling tens of thousands of qualified, Inactive voters. How will they be notified of the election and their method of obtaining a ballot? How will their ballots be gotten to them? How will their returned ballots be processed?
8. In order to forecast workload, it is necessary to know the estimated number of Inactive voters that will cast a ballot.
9. There is no plan for Active, Inactive, and New voters to apply for absentee ballots. How will their automatic ballot packet be handled? What happens if the request for Absentee ballot arrives after the automatic Ballot Packet has already been mailed? What if both Absentee and automatic Ballot Packets are returned? This is particularly important, since it is likely that many voters will be called to active duty armed service.
10. There is no plan for "walk-in" ballots.
11. What is the plan if the Post Office is temporarily unable to deliver mail? This is important since some ballots may be returned by voters who are out of the Country or out of the County and must rely on mail.
12. Nomenclature used in the document is inconsistent. A glossary of terms would help, and a consistent use of terms is mandatory.
13. The imprecise use of terminology makes it impossible to understand what the plan is referring to. For example, the plan states that "VoteRemote will also scan unvoted ballots ..." In fact VoteRemote will scan Ballot Delivery Envelopes and Ballot Return Envelopes. The system has no way of knowing whether ballots were voted or not.

14. The plan needs to include a sample of each item including, but not limited to:
 - a. Notices
 - b. Notice Delivery Envelope/Notice Mailing Label
 - c. Ballot Delivery Envelop
 - d. Ballot Return Envelope
 - e. Ballot Security Shield
 - f. Voter Instruction Sheet
 - g. Self-affirmation Label
 - h. Ballot
 - i. All administrative/control logs
 - j. All administrative reports including workload and backlog
 - k. All computer reports including interim work-in-process reports
 - l. All published reports
15. Does the Voter Instruction Sheet inform the voter of what to do if a ballot is spoiled?
16. What is the procedure for handling exceptional returned ballot materials:
 - a. Damage to outside of Ballot Return Envelop
 - b. Ballot Security Shield not returned, not used to encase ballots
 - c. Crumpled Ballot
 - d. Ballot voted with incorrect implement
 - e. Marks on ballot that are not necessarily votes
 - f. Marks on ballot that are votes, but not read by equipment as votes
 - g. Ballot returned is not the same ballot that was sent
 - h. More ballots returned than sent to voter
 - i. Fewer ballots returned than sent to voter
 - j. Multiple voter's return ballots in the same envelope (not necessarily the Ballot Return Envelop).
17. Under what circumstances will the voter's Ballot Return Envelope be REJECTED?
 - a. Signature content, form and style not identical to signature on file
 - b. Birthdate written in European form
 - c. Birthdate not identical to date on file (what if on-file date is incorrect?)
 - d. Correct month and day, but incorrect year
 - e. Damaged
18. How will the address information be applied to each Ballot Delivery Envelope for each type of process -- automatic initial batch by the printer, follow on batches from the printer, Absentee fulfillment, and last minute and exception items?
19. How will Ballot Delivery Envelops be batched?
20. When and where will each Ballot Delivery Envelope batch be released?
21. What is the plan to verify that the number of Ballot Delivery Envelops in a batch exactly matches the number of pieces counted by the USPS?
22. What is the plan for detecting and resending Ballot Packets that are accidentally destroyed by USPS?
23. What data are recorded on the Ballot Return Envelope by the Vote Remote system?
24. Is there a notice printed on the Ballot Delivery Envelope that instructs anybody that receives a Ballot Return Envelope intended for a voter who does not receive mail at the address to return the ballot packet to the County?
25. Is there a notice on the Ballot Return Envelope instructing the voter who intends to not vote their ballots to return the ballot packet to the County?

26. What is the precise format of the affidavit portion of the Ballot Return Envelope? Are dates formatted as:
“(month, 1 through 12) _____ (day) _____ (year, YYYY) _____ “
27. What is the precise content of the Bar Code? What are the controls to insure accuracy of the code when exceptions happen? Is there a linkage between an individual voter and the information coded in the barcode? If so, how is this association information recorded and protected? How is it made sure and auditable that barcodes are unique, and associated with the correct voter?
28. Is each physical ballot uniquely identified? If so, how are they identified, and is there a log of which unique ballots were sent/given to each voter?
29. What if the voter returns different ballots than were sent/given? More ballots than given? Fewer ballots than given?
30. What if the error was caused by the County or its vendors recording the incorrect identifier? This can happen if a Ballot Delivery Envelope is filled with the incorrect ballots.
31. What is the procedure for detecting and handling a case where a voter returns ballots that were not given to the voter?
32. What if ballots are mixed within a household? What if ballots are mixed within a household of unlike surnames? What if ballots are mixed across households?
33. What is the procedure for synchronizing the clocks used to log documents? How do it proven that they are always accurate, and secure?
34. What is the plan for handling write-in votes?
35. What is the precise method for instructing the vendor which Ballot Packet is to be delivered to each voter?
36. Item 9 should include worldwide Postal Service collection boxes, Post Office Stations, non-Postal-Service in-building mail depositories, home mail boxes, etc.
37. It appears that the voter mailing addresses to be used have not been validated by performing a standard address verification using a USPS Address Match Service. This must be completed before using the addresses. It will help to identify mis-entered addresses in the registration file, and will detect mailing address changes that have occurred since the last update to the voter registration file. Not all voters maintain their mailing address records as rigorously as their residence address records.
38. The Official Notice to Active voters mailed by Boulder County in August did not distinguish between residence and mailing address in the language of the Notice. Since no ballot item has ever dealt with “mailing address” as a jurisdiction, voters that did not change residence address, but did change mailing address, may have ignored this Notice. What has been done to prevent qualified Active voters from being disqualified?
39. To be used in challenge activity, all of the records and documents relating to the August mailing, and the prior February mailing must be retained until at least November 6, 2002.
40. How will returned Ballot Packets with an incorrect mailing address be handled? Will the county attempt to locate the voter at the registered Residence Address? Will the voter registration file be updated to reflect this new information?
41. What is being done to identify and retrieve Ballot Packets that are delivered to the mailing addresses of the intended Active voter, but where the intended Active voter does not actually get the Ballot Packet? Example; Ballot Packet removed from mailbox by another person.
42. What is being done to identify and retrieve Ballot Packets that are erroneously delivered by USPS to an out-of-date mailing address of the intended Active voter? Examples of this are: group living facilities, residences where the Active voter has become disqualified.

43. Is it permissible to deliver Ballot Packets to out-of-State addresses, business addresses, post boxes, private mailing stations, etc? How are they retrieved if mis-delivered?
44. How will errors in the Voter File be handled, for example an incorrect or non-existent ZIP code?
45. Where does the program obtain the City-name needed for the voter's mailing address? (Consider previous question regarding ZIP.)
46. How will Ballot Return Envelopes with insufficient postage be handled?
47. What is the projected workload by day for each of the processing steps?
48. What are the projected production rates, in units per person hour and units per station, for each of the processing steps?
49. Where the specific physical locations and what are the specific times of operation for each of the processing steps? It is necessary to identify specific work teams and specific work areas in order to determine the number of watchers needed.
50. What is the contingency plan if the processing work flow is not what was planned? For example a large number of last minute returns, or a discovery that it takes longer to process at a certain step than planned.
51. The list of potential participants includes State of Colorado and several Special District Elections. Can Boulder County mandate a Mail Ballot Only for a State of Colorado Election?
52. In the City of Boulder Special District Election in November 2000, it was discovered that the Boulder County Assessor Records were inadequate to support the needs of a Special District Election. What is the process for auditing the Assessor records to insure that that they do in fact meet the needs of the Special District elections? Examples, mailing addresses on the Assessor Records do not exactly match those on the Registration File.
53. The County plans to use new equipment for vote reception and vote counting. The plan should describe the manufacturer's specified quality metrics and error rates by error type. The plan should describe how the County will measure error rates, and how each production error will be tracked and handled.
54. What are the security measures for all computer software and all files and databases used during the election?
55. What are the physical security measures? Are ballot boxes protected with a unique serialized one-time-use locking system with dual control log? How is access to work and storage areas controlled?
56. What are the contingency plans for emergency evacuation at any time from now until all steps are completed??
57. The plan must specify a comprehensive set of test Ballot Return Envelopes with technically designed combinations of included materials. These BRE's must be put through the production system, from reception through final reporting, to insure that all aspects of the system do in fact work accurately. This includes people, machines, and security elements.
58. The plan must require preparation of one or more sets of test Ballot Delivery Envelopes and Ballot Return Envelopes with enclosed materials. Also, the plan should require for each test-set, a detailed specification of expected test results from each processing station including all reports. Included must be a specification of who may, and who must supply test-sets. Tests must be performed using actual production workers and watchers.
59. What are the specifications of the database created/maintained by the Vote Remote application? Does the database get updated when a downstream process causes the data about a particular Voter to be invalidated? How and when is this affected?

60. When a voter places a set of ballots, enclosed in a security envelop, into the precinct voting box, the voter knows for sure that (1) their vote is accepted for counting, and (2) how they voted is forevermore secret. How does a voter who mailed or hand carried a Ballot Return Envelope know (in time to do something about it) if their ballot was accepted for counting? What is the procedure for permitting the voter, or anybody else, to learn this fact? What is the procedure for the voter to repair a ballot set that was not accepted for counting? How are the previous processing steps statistics and databases corrected to match this new result?
61. Who will have access to the Vote Remote database and reports that indicate the status of each Ballot Return Envelope and each Ballot Delivery Envelope? Received, returned, accepted, rejected, challenged?
62. What is the plan for filing a challenge to a Ballot Return Envelope?
63. What is the plan for resolution of challenged BRE's?
64. What is the status of challenged BRE's in the Vote Return database and reports?
65. The plan must detail precisely the interface between the County and the Vendor who performs the mailing. What fields are included on the dataset sent to the vendor? For what period? Does this include confidential voters?
66. What is the plan if voters report that they have not received their ballot? One part deals with getting a ballot packet to them. A second part deals with whether an entire batch of ballot packets has gotten lost. A third part deals with finding out exactly what happened to the missing ballot. (Ballots should be treated as though they were \$100.00 bills. Voted ballots should be treated as though they were \$1,000.00 bills.)
67. How many ballots of each type will be printed? How many ballots will be used from each unique ballot document for: initial mailing, last minute Active voter mailing, absentee request service, Inactive voter request service, spoiled ballots, test ballots, spares, etc.?
68. What are the procedures for the control and accounting of the distribution, destruction, and retention of all ballot materials?
69. Item 12(l) does not provide a description of procedures to be used to ensure ballot security at all stages of the process.
70. Item 12(m) specifies that signatures will NOT be verified. This is totally unacceptable.
71. The plan does not describe how voter birthdates will be verified.
72. The entire VOTER AUTHENTICATION procedure is fatally flawed, and is TOALLY inadequate to protect each vote, each voter, and the public. To begin with, nobody, anywhere, requires that supposedly secret authentication information (password) be placed on the outside of an envelope that is to be placed into public mail system. A voter's birthdate is laughable as a password because it is an easy item to discover from various public records, and it is the first guess when hackers attempt to crack a password.
73. What is the purpose of the "today's date" field in the Authentication information? Is it checked to make sure that it is later than the date that the Ballot Packet was sent and earlier than or equal to the date that the Ballot Return Envelope is received?
74. Item 12(n) does not address how the secrecy of the voter's ballot will be insured. It establishes a method based on good faith that could result in a secret ballot, if nobody cheated, but is totally inadequate to protect the voter's guarantee of a SECRET BALLOT. This procedure must be designed to detect and prevent such cheating, not to rely on good faith. What will be the method for insuring that nobody or processing team cheats and peeks?
75. How does the County insure that the voter was not intimidated to vote in a certain way?
76. How does the County insure that the voter, and not a surrogate, actually voted the ballot? If it can be proven that the voter did not vote the ballot, what is the process for resolution?

77. If the voter does not object to somebody else voting their ballot, is it valid? If the voter completes the affidavit and gives the un-voted packet of ballots to somebody else, is this legal? What is the resolution mechanism if this can be proven? Is the voter, or the surrogate, violating any laws and is there a process and punishment established?
78. If ballots are uniquely identified, what is the plan to separate the vote from the identification? If they are not identified, what are the audits and controls to guard against counterfeit ballots? How about stolen ballots being stuffed into the box, etc.?
79. The ballot reconciliation procedure covers only one part of the inventory. Ballots are distributed by the County for Inactive voters, replacement ballots, spares, and unused, etc. What is the reconciliation procedure and form of the reports?
80. How is it certified that every voter on the Active voter list was actually mailed a ballot? The correct ballot?
81. How is it certified that every ballot mailed was actually received by the addressed voter?
82. What will be done to determine what happened to valuable unaccounted-for ballots that were neither voted, nor returned un-voted, nor still in hand in the inventory?
83. Does the Global Vote Remote System print an incoming timestamp and serial number on each Ballot Return Envelope?
84. Does the Vote Remote system create a file of scanned images of each Ballot Return Envelope?
85. How is the VoteRemote scan file indexed? From what stations is the scan file viewable?
86. What are the security procedures for the Vote Remote files?
87. What are the types of errors and expected error rates? What are the error recovery procedures?
88. Does the AcuVote system create a file of scanned images of each Ballot? How is the scan file indexed?
89. From what stations is the AcuVote scan file viewable?
90. What are the security procedures for the AcuVote files?
91. What are the types of errors and expected error rates? What are the error recovery procedures?
92. What are the categories of replacement ballots?
93. The plan's schedule does not state what time and date that registration is closed, and what specific transaction types will be processed or not processed after the actual date of closure.
94. The plan states, under "Ballot Preparation" that the County will provide an electronic file of the names, mailing addresses and ballot style for each Active voter on the voter file as of September 27, 2001. What time of day is the registration file closed on September 27th?
95. What happens to voters on the address list that are subsequently disqualified as a result of a transaction that is posted on or before October 9, 2001?
96. What happens to voters on the address list that are subsequently disqualified as a result of a transaction that is posted after October 9th, but before November 6th?
97. What happens to Ballot Return Envelopes of persons who were found to have died after September 27th, but before their Ballot Return Envelope was returned?
98. The plan states that the voter file contains the most recent mailing address. Since the County does not validate mailing address information contained on the voter registration file with more accurate information available from the Post Office Change of Address file, it is not accurate make this statement.
99. What is done to insure legitimacy should large numbers of ballots be requested to be mailed to the same address?
100. What is the plan for the September 27th file of property owners? All of the questions raised about the registration and voter files, pertain as well to the property file.
101. Where is the list of ballot styles?

102. Which specific ballot styles will require use of the property owner file?
103. What is the plan for checking the accuracy of the customized ballot packets being assembled by the vendor?
104. What is the plan for watchers at the vendor's site?
105. What does the following language mean? "Each ballot packet will contain ... Instructions on how to vote the ballot; how to fold the ballot to ensure the secrecy of the electors vote or to place the voted ballot into the enclosed secrecy sheet; and to place the ballot into the pre addressed (to the County Clerk) return envelope."
106. The plan envisions several places where a single judge might perform a process step. This must never be permitted unless one or more watchers are also present.
107. All process steps should include, for each batch processed, the time and date of the processing, and the names and signatures of all of the individuals that were present during the processing of the batch. When an individual temporarily leaves in the middle of a process, work should stop.
108. Each rejected item should be identified with a reason code, and kept in a separate reject batch that corresponds with the batch from which it originated.
109. Are Reject items held in a secure locked box?
110. What is the process for incoming mail and inter-office delivery of election materials? Are incoming Ballot Return Envelopes and Ballot Delivery Envelopes sorted or batched in any fashion, and if so what order? What is the form of the control sheet?
111. Where, and under what security procedures, are Ballot Return Envelopes and Ballot Delivery Envelopes held before processing by the VoteRemote system?
112. How are Ballot Return Envelopes and Ballot Delivery Envelopes batched following processing by the VoteRemote system?
113. The plan states that the "voter's designee" may submit the Ballot Return Envelope. How is it authenticated that the person claiming to be the voter's designee is actually the designee? How does the voter know that the designee actually delivered the Ballot Return Envelope?
114. What is the detailed process for the "judge shall verify that the return envelope in each batch contains the signature of the voter to which the ballot was issued and the voter's correct birth date appears on the self-affirmation label"? Is every Ballot Return Envelope verified? What is the significance of the difference of the procedure described here and the procedure described in 12 (m)?
115. What is the source of signatures used to compare against? What is the source of the birth dates used to compare against? What training is given to qualify/certify a judge to perform the signature verification process?
116. The plan does not state whether the barcode on the Ballot Return Envelope is verified to insure that the ballot return envelope is the same as the ballot return envelope that was sent to the voter.
117. What controls are established to check the accuracy and quality of the authentication process?
118. Authentication by a single un-watched judge must be prohibited.
119. How is the VoteRemote log updated to reflect whether enrolled Ballot Return Envelopes and Ballot Delivery Envelopes were subsequently accepted or rejected?
120. Does the ballot box contain "Ballot Return Envelopes" or "Ballots in Security Shields"?
121. Are undeliverable Ballot Delivery Envelopes scanned, time stamped, and kept in day batches? They should be, because they contain valuable post-office and resident-rejection notes. They should be secured with the same care as other ballots, since they could be stolen and voted.
122. Is the voter registration file updated to reflect undeliverable Ballot Delivery Envelopes, and what process is used?

123. Who has access to the information regarding numbers of items by type by day? Are election officials and watchers prohibited from relaying facts about the numbers before the election is deemed complete?
124. Since “pre issued ballots” are stored only at 1750 33rd St., does this mean that Inactive voters, and voters requiring Replacement ballots who live in Longmont and other Cities must come to 33rd Street to get a ballot? It is probably a discouragement to Longmont voters to have to come to Boulder.
125. What are the specific security procedures for storage of Ballot Boxes at all locations? What room? Method of access? Disaster considerations?
126. What are the security procedures for transporting the Ballot Boxes from locations outside of 33rd St.? Who is authorized to transport, and must they be accompanied? What are the plans in the event of an accident during transportation?
127. Are Ballot Return Envelopes and undeliverable Ballot Delivery Envelopes from all locations mixed together, or kept into separate batches when they are processed at 33rd St.? Are they sorted by Ballot Type? This might make it easier to deal with a recount or a challenge, and for watchers to stay associated with the elections in which they are interested.
128. What is the plan for document access in the event of a recount?
129. What is the recount procedure? At what stage in the process does the recount begin? To conduct a meaningful recount requires a complete audit beginning at the address list generation and vendor stuffing. The computer counting process is generally the least likely to introduce errors.
130. Where is the complete list of process steps? How are they related? What are the criteria for entry into each process? What are the criteria for exit from each process?
131. How is certification of the VoteRemote hardware and software to be performed, before, during, and after its use?
132. How is certification of the AcuVote hardware and software to be performed, before, during, and after its use?
133. What is the security system for the Network?
134. For all equipment to be used in the election, what is the plan for handling input errors?
135. What are the specifications for and measurements of recount accuracy?
136. What is the latest-revision-date for all software to be used?
137. Where is the Vital Records Storage plan?
138. What is the plan for a power failure? Does all equipment meet the State procedure 9.1.2 which requires “at least 16 hours worth of built in standby power so as to maintain all voting functions in the event of a power failure”?
139. What is the plan to guarantee the accuracy of the voter registration file and property owner file? When a postcard is sent to a mailing address for voter verification, are recipients instructed to return the postcard to the County if the person no longer lives or receives mail at the address? Are mailing addresses checked against the Post Office list? Are parents instructed that children that are registered to vote in other jurisdictions or that no longer live at the residence are not permitted to vote in the County Election?
140. The State procedure 1.4 permits a registrant to claim any address as their residence address. Does Boulder County follow this procedure? How does this affect Special District Elections?
141. What is the detailed plan for identifying, qualifying, selecting, training, and using judges? What are their obligations and authority?

142. What is the detailed plan for identifying, qualifying, selecting, training, and using watchers? What are their obligations and authority? How do watchers register objections, and what is the process for handling objections from watchers?
143. Does the plan follow all portions of the State Election Procedures, including 6.a.2? How are these procedures to be implemented?
144. When an assistant helps prepare and/or vote a ballot for a voter, the plan should require that the assistant identify themselves on the Ballot Return Envelope.
145. What is the plan for educating the Boulder County Voter to use the new voting system?
146. How does the County comply with each paragraph of Section 9 – Electronic Voting – in the State Procedures?
147. Does the County consider that Section 9.3 applies to the equipment planned to be used for the November election?
148. What is the procedure if the Ballot Return Envelope (with the barcode) is lost or destroyed by the voter?
149. There is no description of when, how, and where the Ballot Return Envelopes are actually opened. This process should have its own set of procedures and exception handling procedures. To improve ballot secrecy, the Security Shield should not be removed by the same team of people that take the shield from the Ballot Return Envelope, since the Ballot Return Envelope contains the name of the voter.
150. Do all ballots contain the warning prescribed by C.R.S. 7.5.107 (3) (b)?
151. What is the plan to detect violations of this statute?
152. What is the plan for citizens to report violations of this statute?
153. What is the plan for resolving each violation type?
154. What are the possible remedies if it is proven that the violation may have changed the election result?
155. How are name changes handled, such as an un-recorded name change due to marriage or divorce?
156. What is the precise procedure for terminating the collection of Ballot Return Envelopes from each ballot source? What time? Who? How?
157. What is the estimated elapsed number of hours for the equipment to count all of the returned ballots? What is the justification for counting before Election Day?
158. What is the procedure to guarantee that no information about the vote count escapes from the process before the end of the collection of ballots?
159. What is the procedure for handling late Ballot Return Envelopes? They should be logged. Since a vote may be included, security is urgent to protect the secret ballot.
160. What is the procedure for the handling of late Ballot Delivery Envelopes? They should be logged.
161. The plan should provide for a voter help desk that is available by phone, internet, and walk-in. All questions including questions such as; “I did not receive ..., how do I ..., did you get my ballot ... , and was my ballot Authenticated ...” should be covered. The plan should describe the number and types of personnel that will service the help desk, the training given to each service representative, and the quality control and workload metrics.
162. The plan should describe a precise process for selection and validation of records from the registration and assessor files. Which records will be selected? How will they be transmitted to the vendor? What is the security procedure for these records? How will error records be handled and accounted for?

163. How and when will the vote history file be updated? Will Rejected Ballots be counted as a vote for the purpose of determining a voter's Active Status?
164. Has participation in the City of Boulder November 2000 Mail Ballot Election been used to determine a voter's Active Status?
165. What is the plan for public participation in the development of the Mail Ballot Election Plan?
166. What is the process for handling ballots that are not readable by the machine?
167. Is there such a thing as a Duplication Board, and if so what are the duties and detailed procedures?
168. Is there to be a Canvass board? If so, what is its membership? What are the procedures? Since the exposure to defects is greatest in the non-counting phases of the process, it is vital that the Canvas Board inspect all phases of the voting process, not only the final counting portion of the process.
169. What discussions have there been, and what plans have been formulated to detect and prevent election-terrorism?

TO: Donetta Davidson
CC: Charlotte Houston, Larry Hoyt, Maurice Knaizer,
FROM: Al Kolwicz and Bob Greenlee
DATE: September 21, 2001
SUBJECT: Boulder County Mail Ballot Election Plan
RE: Kolwicz to Davidson, September 17, 2001

Donetta,

Several people have asked us to suggest a positive plan for addressing the issues raised in the September 17th letter and attachments. Perhaps it would expedite closure if you were to send a letter to Boulder County requiring them to do the following:

1. Create a table with the following columns:
 - a. Sequential line-number of each item in this table
 - b. The text description of each individual item and sub-item from the September 17th report
 - c. Boulder County's assessment (YES or NO) as to whether each item and sub-item violates any Colorado statute or Legislative intent
 - d. The specific statute number(s) violated, if any
 - e. Boulder County's recommendation (YES or NO) as to whether each item and sub-item not included in the statutes needs to be included in future statutes in order to secure fair, accurate, and repeatable election results
2. Review the table with the Secretary of State, State Attorney General, the Boulder County Attorney, and with us and any other interested parties to obtain concurrence with the Boulder County decisions.
3. For items or sub-items that do not comply with existing statutes or Legislative intent, The Secretary of State should require Boulder County to repair their plan immediately.
4. For items or sub-items that the Secretary of State believes should be included in future statutes, the Secretary of state should establish a schedule and process to correct them later.

We hope that this recommendation will help you to take timely action that will insure that Boulder County's first Mail Ballot Election is as good as it can be, and that voters will have confidence in the election results.

We are available to discuss any of the items and work with Boulder County and the secretary of State to prevent another Florida 2000 election result.

WRITTEN PLAN
For the Conduct of a Mail Ballot Election
 (Rules & Regulations Governing Mail Ballot Elections – 12.3.2)

Name of Person Submitting Plan: Linda Flack, Chief Deputy
Nancy Wurl, Elections Manager

1. Date of election: **November 6, 2001**
2. Legal name of Jurisdiction: **Boulder County**
3. Typed of Jurisdiction: **County Government**
4. Description of type of election to be held: **Coordinated Mail Ballot Election**
5. Statute or Home Rule Charter which authorizes your ability to hold this election:
Colorado Election Laws, Articles 1-13 or Title 1 and as provided in Title 32.
6. Estimated number of eligible electors: **175, 000 (Active)**
7. Name of designated election official that will be responsible for all aspects of the election:
Charlotte Houston, Boulder County Clerk and Recorder
8. What assistance will be County Clerk and Recorder provide for this election?
 Provide lists of registered electors
 X **Be responsible for the Election**
9. Number of places to deposit (hand deliver) voted ballots: **3**
Boulder County Clerk and Recorder's three offices:
1750 33rd Street, Suite 200, Boulder County
529 Coffman Street, Longmont
722 Main Street, Louisville
10. Walk-in voting site: Boulder County Clerk and Recorder's main office at:
1750 33rd Street, Suite 200, Boulder County

Mail Ballot Election:

Administration:

The Boulder County Clerk and Recorder's Elections Division will conduct the November 6, 2001 Coordinated Election as a mail ballot election. The election will be conducted under the direction of County Clerk, Charlotte Houston; Chief Deputy, Linda Flack; Elections Manager, Nancy Wurl; and Administrative Supervisor, Mary Bukszar. The primary administrative duties will be performed at the County Clerk's main office at 1750 33rd Street, Boulder. Auxiliary ballot drop off sites will be at the Clerk's two branch offices located at: 529 Coffman Street, Longmont and 722 Main Street, Louisville. Branch office managers, Rose Bustamante and Alice Castillo, under the direction of Mary Bukszar, will administer the receiving of voted ballots from the public and the transporting of voted ballots from their offices to the central office.

June 3, 2001 the Boulder County Board of County Commissioners approved conducting the November 6, 2001 Coordinated Election as a mail ballot election.

Participants in November 6, 2001 Coordinated Election:

Per 1-7-116(5) as of July 30, 2001 the following jurisdictions had notified the County Clerk of intent to participate in the November 6, 2001 coordinated mail ballot election:

Regular Biennial Election of:

City of Boulder
 City of Broomfield
 City of Lafayette
 City of Louisville
 Boulder Valley School District RE2
 Park School District R-3
 St. Vrain Valley School District RE-1J
 Thompson School District RE-2J

Special Elections for:

State of Colorado
 Boulder County
 Berthoud Fire Protection District.
 Boulder Rural Fire Protection
 Estes Valley Recreation & Park District
 Town of Jamestown
 Lefthand Fire Protection District
 Lyons Fire Protection District
 Nederland Fire Protection District
 Town of Superior

Voting System to be used:

- **Global Elections System’s AccuVote optical scan ballot style and tabulation system**
- **Ballot printed by Spectrum**

Procedures:

Ballot preparation:

- **Upon certification of the ballots on September 12, 2001 the County Clerk shall instruct Global Elections Systems (with whom the Clerk has contracted to prepare and mail the ballots), to lay out the ballots by ballot style and to submit the ballot styles and text of the ballots to the Clerk for review by the Elections Officer of each jurisdiction for proofing of their individual portions of the ballot. Upon proof approval of the jurisdictions and the Clerk, the vendor shall print the ballots.**
- **The vendor shall prepare a customized ballot packet for each Active voter in the county. The customized ballot packet will contain the ballots for each jurisdiction in which the individual voter is entitled to vote. At a minimum, each voter’s ballot will contain the content of the state, county, and their school district ballot. If the voter resides within a municipality or special district that is participating in the coordinated mail ballot election, they will receive the ballot content of that/those jurisdictions.**
- **A heavy-duty envelope containing the official elections postal service logo (to ensure priority handling by the post office), the County Clerk’s return address; the current mail address of the Active voter, and ultimately, the amount of postage appropriate for the ballot being mailed. “Do Not Forward” indicia will be imprinted on the envelope.**
- **The ballot packets will be mailed not earlier than October 12 and not later than October 22 (except that with prior approval by the secretary of state, the packets shall be sent no later than ten days before election day). 1-7.5-107(3)(a)**

Ballots:

- a. **Indication of how postage will be handled for ballot packets returned as undeliverable (e.g. “Return Postage Guaranteed”): A “Return Postage Guaranteed” account will be established at**

the Post Office however, the envelope will be imprinted with: “DO NOT FORWARD. ADDRESS CORRECTION REQUESTED”

- Indication of procedures to be followed to ensure compliance with statutes and rules including persons responsible for each stage: Programming in-house and interaction with vendor programmers: **Tim Hansford**
 - Ballot lay out; establishment of the number of ballots to be printed per ballot style; and interaction with the vendor ballot printer: **Linda Flack**
 - Tabor Notice lay out, proofing, printing, and mailing procedures: **Nancy Wurl**
 - Responsibility for all aspects of the ballot preparation, receiving and related procedures including the supervision of the vendor and workers in the handling, processing, and accounting for the categories of outgoing and returning ballots and the security of the ballots. **Mary Bukszar**
 - Programming and interaction with vendor tabulation programmer(s): **Tim Hansford**
 - Ballot tabulation Accuracy and Logic testing: **Linda Flack and Tim Hansford**
 - Ballot tabulation:
 - Over all supervisor: **Linda Flack**
 - Operations supervisor: **Tim Hansford**
 - Canvass Board and final certification of result to Secretary of State: **Mary Bukszar**
- b. Description of procedures to be used to ensure ballot security at all stages of the process:
- **Ballots not yet issued (ballots for INACTIVE voters and REPLACEMENT ballots) will be secured in the limited access ballot room at 1750 33rd Street, Boulder.**
 - **Global will machine sort and tray the returned voted ballots in a predetermined sort order. The trays of ballots will clearly marked with the date the ballots were returned and stored in the limited access ballot room(s) on the first floor of the County Clerk and Recorder’s Building at 1750 33rd Street, Boulder.**
 - **Ballots returned to our Longmont or Louisville Branch offices will be logged in and secured in locked, per date ballot boxes and locked in their vault and returned to the County Clerk’s main office the next business day. An oath-bound employee of the Clerk’s office will transport the voted ballots from the branch offices to the central office.**
 - **Unvoted ballots, returned to the Election’s Division by the Post Office shall be logged in and placed in alphabetical order for distribution to the individual voter, should that voter still reside at the same address, and seek to vote in the election. These ballots will also be secured in the limited access ballot room(s).**
- c. Description of procedures to be used for signature verification:
A ballot will be counted only if it is returned in the return-verification envelope and the following verification points are in evidence: the Affidavit of Voter is signed by the eligible elector to whom the ballot was issued; the birth date of the voter appears on the envelope; and the information on the envelope is verified as correct.
- d. Description of procedures to ensure privacy by folding the ballot or use of secrecy envelopes so receiving judges cannot tell how the elector voted:

The Instruction sheet provided in the ballot packet will instruct the voter on how to vote the ballot; how to fold the ballot to ensure the secrecy of the electors vote; to encase the ballot in the instruction sheet/secrecy sheet so that the judges cannot see how the elector voted; and to place the ballot into the pre addressed (to the County Clerk) return verification envelope. The instruction sheet shall also clearly state that the voter must affix the appropriate amount of postage before placing it in the mail.

- e. Description of procedures to be used to reconcile ballots issued, ballots received, defective ballots and replacement/substitute ballots.
 - **The returned voted ballots and any ballots that could not be delivered by the Postal Service will be picked up daily from the Post Office.**
 - **During regular business hours, voted ballots will also be accepted at the Boulder County Clerk’s three offices. The offices are located at 1750 33rd Street, Boulder; 529 Coffman Street, Longmont; and 722 Main Street, Louisville. One or more election judges shall be assigned to process the returning voted ballots. The judges will separate returned voted ballots away from ballots that have been returned by the postal service as undeliverable.**
 - **The return of the ballots will be recorded using Global Elections System’s Vote Remote equipment. Vote Remote will, by category, create an electronic file of the ballots that will code the individual voter’s file that their voted ballot was received or the ballot mailed to the voter was returned unvoted. The daily file will be run against the voter file each night to update the ballot status of voters.**
 - **After electronically logging in the voted ballots, the judge shall verify that the return envelope contains the signature of the voter to which the ballot was issued and the voter’s birth date on the self-affirmation label. If the affirmation has been properly completed, the ballot shall be included with other accepted ballot for that day. At the close of the day, the number of accepted ballots shall be hand tallied and deposited into the ballot box assigned for that date.**
 - **Voted ballots that do NOT contain the required signature and birth date shall be stamped REJECTED and set aside to be hand tallied at the close of the day before being secured in the locked area.**

Date	Action	Citation/Rule&Reg.
5/3/01	Boulder County Commissioners approved Mail ballot Election	Colorado Election Law, Title 1, Articles 1-13
7/30/01	Political Subdivisions shall notify Clerk of intent to be a part of the 11/6/01 Coordinated Election	1-7-116(5)
9/7/01	Last day to sign Intergovernmental Agreements for 11/6/01 Coordinated Election	1-7-116(2)

Date	Action	Citation/Rule&Reg.
9/12/01	Political Subdivisions Certify ballot to Clerk	1-5-203(3)
9/12/01	Mail ballot plan must be submitted to Secretary of State	1-7.5-105(1)
9/27/01	Last day to order voter reg. and Assessor property owners records for special district elections	1-5-304
9/27/01	The secretary of State shall approve or disapprove the written plan.	1-7.5-105(2)
10/05/01	TABOR Notice booklets shall be mailed to all ACTIVE voter households	Article X, Section 20
10/12/01 - 10/22/01	Ballot shall be mailed to all ACTIVE voters	1-7.5-107(3)(a)
10/17/01	Last date legal notices shall be published	1-7.5-107(2.5)(a)
10/27/01	Count of voted ballots may commence	1-7.5-107.5
11/02/01	Last day to accept Absentee Ballot applications	12.6.2
11/06/01	Election Day	
11/07/01	Canvass of election results	
11/13/01	Last date to submit Abstract to Secretary of State	1-10-103(1)

- j. Indication of how postage will be handled for ballot packets returned as undeliverable (e.g. Areturn postage guaranteed \cong); **Ballots will be mailed with RETURN SERVICE REQUESTED (County will pay returned costs).**
- k. Indication of procedures to be followed to ensure compliance with statutes and rules, including persons responsible for each stage: **Mary Bukszar will be responsible for procedures l) through o).**
- l. Description of procedures to be used to ensure ballot security at all stages of the process; **When ballots are not actively being processed, they will be secured in the limited access ballot room(s) of the County Clerk and Recorder’s main office.**

- m. Description of procedures to be used for signature verification: **Each returned vote ballot will be visually scanned to determine that the signature of the voter is evident on the outside (return) envelope.**
- n. Each ballot packet will contain instructions on how to fold the ballot to insure the vote is not viewed during the ballot processing procedures.
- o. Description of procedures to be used to reconcile ballot inventory:

Ballots issued:

- The vendor will create a listing (both electronically and hard copy) of the names and addresses of the Active voters that were issued a ballot. The file will indicate the date the ballot was issued.

Ballots received:

- The bar code on the return envelope of each returned voted ballots will be scanned by the Global VoteRemote. VoteRemote will generate a listing of returned ballots and each voter's record will be electronically marked to indicate the return of the voted ballot.
- VoteRemote will also scan unvoted ballots that have been returned by the Postal Service and a listing of the returned unvoted ballots will be generated.
- Replacement ballots for lost, spoiled, or defective ballots will prepared and the numbers logged by category.

Ballot preparation:

- The vendor, with whom the County Clerk has contracted to prepare, print, address and mail the ballots shall, upon certification of the ballot content **on September 12, 2001**, lay out the various ballot styles and generate galley proofs. Each jurisdiction will proof their portion of the ballot. After all ballot styles have been proofed and approved, the ballots shall be printed.
- After the ballots have been printed, the vendor shall compile the appropriate number of ballots within each ballot style and prepare ballot packets for mailing to each ACTIVE voter in that ballot style. The ballot packet shall include:
 - Ballot Instructions; a secrecy envelope (if appropriate); a return envelope pre-addressed to the County Clerk and Recorder, with lines for the voter's signature, date of birth, and the current date; and the outer envelope in which the packet shall be mailed to the voter, the appropriate postage, the RETURN SERVICE REQUESTED indicia, and the mailing address of the ACTIVE voter.
- The County Clerk shall provide an electronic file listing, by ballot style, of the names and mailing addresses of all ACTIVE registered voters on the voter file as of September 27, 2001, the fortieth day before the election. The voter file shall contain the addresses of the voters' most recent mailing address or the address indicated on a Absentee ballot request.
- The Assessor shall provide a file of property owners within each of the Special Districts participating in the Coordinated Election.

- The ballots shall be mailed **starting October 12, 2001 through October 22, 2001**
1-7.5-107(3)

- The vendor, under the direction of the Clerk, shall prepare a customized ballot packet for each Active voter in the county. The customized ballot will contain the ballot content for each jurisdiction in which the individual voter is entitled to vote. Each voter shall receive, at a minimum, the ballot content for the state, county, and the voter's school district. Voters will also receive any municipal or special district ballot text in which they are qualified to vote. Each ballot packet will contain:

A heavy-duty envelope containing the Official Election Mail postal logo (to ensure priority handling by the post office), the County Clerk's return address; the current mail address of the Active voter, and ultimately, the amount of postage appropriate for the ballot being mailed.

Instructions on how to vote the ballot; how to fold the ballot to ensure the secrecy of the electors vote or to place the voted ballot into the enclosed secrecy envelope (if the format of the ballot requires a secrecy envelope to protect the privacy of the vote); and to place the ballot into the pre addressed (to the County Clerk) return envelope. The instructions shall clearly state that the voter must affix the appropriate amount of postage before placing it in the mail.

The return envelope will instruct the voter that, for the ballot to be accepted and counted, the voter must have signed the envelope and written his/her birth date and the current date under the Affidavit of Voter.

Returned ballot check-in procedures and Secrecy of the vote during processing:

- One or more election judges shall be assigned to process the returning voted ballots and shall time/date stamp the ballot received either from the post office or hand delivered by the voter or voter=s designee.
- After being time/dated in, the judges shall electronically log in the returned voted ballots; at the end of each day, they shall hand tally the number of voted ballots received that day.
- After electronically logging in the voted ballots, the judge shall verify that the return envelope contains the signature of the voter to which the ballot was issued and the voter=s birth date and/or social security number of the self-affirmation label. If the affirmation has been properly completed, the ballot shall be included with other accepted ballot for that day. At the close of the day, the number of accepted ballots shall be hand tallied and deposited into the ballot box assigned for that date.
- Voted ballots that do NOT contain the required signature and birth date shall be stamped REJECTED and set aside to be hand tallied at the close of the day before being secured in the locked area.
- Tally the number of voted ballots received that day and deposit them in the locked ballot box assigned for that date. At the end of each day a report shall be run, by the supervisor, to affirm the number of voted ballots returned that day. The ballot box shall be locked in the secure area designated to store the returned voted ballots until counted.
- The judges shall also process the unvoted ballots returned as ≅undeliverable≅ by the post office and verify the number received each day.

Ballot Security:

- Pre issued ballots (ballots for INACTIVE voters and REPLACEMENT ballots) will be secured in the Absentee Ballot room in the Elections Division at 1750 33rd Street, Boulder.
- Returned voted ballots will be checked in and secured in locked, per date ballot boxes and stored in the public meeting room and in the Early Vote ballot room adjacent to the public meeting room on the first floor of the County Clerk and Recorder=s Building at 1750 33rd Street, Boulder. The hearing room will be locked at all times.
- Ballots returned to our Longmont or Louisville Branch offices will be logged in and secured in locked, per date ballot boxes and locked in their vault and returned to the County Clerk=s main office the next business day. An oath-bound employee of the Clerk=s office will transport the ballots.
- Unvoted ballots, returned to the Election=s Division by the Post Office shall be logged in and placed in alphabetical order for distribution to the individual voter, should that voter still reside at the same address, and seek to vote in the election.
- The number of returned, unvoted ballots will also tallied and the ballots shall be secured in the locked, limited access ballot room.

To further insure the security and control of the ballots, ballots will ONLY be issued from the County Clerk=s main office located at 1750 33rd Street, Boulder.