

## Andrea Gyger

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**From:** Najondine Placek <najondine.placek@costillacounty.net>  
**Sent:** Thursday, June 05, 2014 6:00 PM  
**To:** SoS Rulemaking  
**Cc:** Karen Garcia; alina.deluna@costillacounty.net  
**Subject:** FW: Secretary Gessler invites you to comment on proposed election rules concerning voting systems conditions for use - recommendations from Costilla

To whom it may concern:

Costilla County has discussed the proposed election rules concerning voting systems conditions for use with our vendor. Below is our recommendations. If you have any questions please feel free to contact us.

Recommended changes:

1)

This on p. 1

*Amendments to Rule 20.3.1(e), regarding physical locking mechanisms and seals for DREs and 12 ballot marking devices:* 13

~~(e) These same procedures also apply to the Judge's Booth Controller (JBC) 14 unit for the Hart InterCivic System. THE COUNTY MUST PROVIDE EACH DRE 15 VOTER A HEADSET WITH AN ADJUSTABLE VOLUME CONTROL. 16~~

Should be

*Amendments to Rule 20.3.1(e), regarding physical locking mechanisms and seals for DREs and 12 ballot marking devices:* 13

~~(e) These same procedures also apply to the Judge's Booth Controller (JBC) 14 unit for the Hart InterCivic System.~~  
THE COUNTY MUST PROVIDE EACH **ACCESSIBLE** DRE 15 VOTER A HEADSET WITH AN ADJUSTABLE VOLUME CONTROL. 16

2)

This is of huge fiscal impact. On p. 3

*Amendments to Rule 20.5.2, regarding internal controls for the Voting System:*

~~E) The voting system provider may not have an administrative or application 8 user/operator account, or administrative account access to the accounts. OR 9 USER ACCESS TO THE ELECTION MANAGEMENT SYSTEM OR ELECTION 10 DATABASE. IF A VENDOR PROGRAMS THE ELECTION, THE COUNTY MUST 11 CHANGE THE ADMINISTRATOR, USER, AND DEVICE-LEVEL PASSWORDS 12 BEFORE CONDUCTING THE LOGIC AND ACCURACY TEST.~~

This is the wording that is most problematic in the change document, and the one that would have a burdensome impact to all service customers (33 Hart customers in Colorado). As written, this would force you to purchase Hart's BOSS (and, perhaps, Ballot Now) software. There are other sections of the use procedures that protect you when the vendor is on-site. There is no reason to make this so fiscally burdensome for the smaller Colorado counties. The intent can be met with the three minor changes I have highlighted below (delete some of the new language and add one word), or leave the language as it was. By the way, the new language is NOT in line with the intent of the original language, at all. The original intent appears to be more about access to the election PCs and PC login rights. The new language is about that and the voting devices, which are adequately covered in other parts of the use conditions. The new language also, basically, punishes small counties that have vendors layout their election data (program their elections).

E) The voting system provider may not have an administrative or application 8 user/operator account, or administrative account access to the accounts. OR 9 USER ACCESS TO THE COUNTY'S ELECTION MANAGEMENT SYSTEM OR ELECTION 10 DATABASE. IF A VENDOR PROGRAMS THE ELECTION, THE COUNTY MUST 11 CHANGE THE ADMINISTRATOR, USER, AND DEVICE LEVEL PASSWORDS 12 BEFORE CONDUCTING THE LOGIC AND ACCURACY TEST.

3)

This is on p. 6

20.17.5 DREs. 9

(A) THE COUNTY'S ELECTION JUDGES MUST: 10

(1) INSTRUCT VOTERS WHO USE THE DRE AUDIO BALLOT FEATURE ON 11 HOW TO PAUSE, REPEAT, AND ADVANCE AUDIO PLAYBACK OF BALLOT 12 INSTRUCTIONS OR TEXT;

Should be changed to remove the word "pause" (which can be done by stopping moving the wheel with the Hart system, but it's not a true pause in the way users usually think of it).

20.17.5 DREs. 9

(A) THE COUNTY'S ELECTION JUDGES MUST: 10

(1) INSTRUCT VOTERS WHO USE THE DRE AUDIO BALLOT FEATURE ON 11 HOW TO PAUSE, REPEAT, AND ADVANCE AUDIO PLAYBACK OF BALLOT 12 INSTRUCTIONS OR TEXT;

Respectfully,

Costilla County Department of Elections

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