

Andrea Gyger

From: Harvie Branscomb [REDACTED]
Sent: Tuesday, February 21, 2012 4:55 PM
To: Andrea Gyger
Cc: Mary Eberle
Subject: Re: Election Rules: Post Rulemaking Hearing Update

Categories: Rules

Andrea

I would like to echo the attached comments of Mary Eberle regarding the importance of discretion on the part of the designated election official in deciding how physical handling of voted ballots by CORA might be made available to CORA requesters and watchers. Both groups are likely to increase accuracy of election counting and very unlikely to cause a problem with integrity of ballots if properly supervised and acting under oath.

Likewise I feel that the alternate hand counting opportunity is important and I hope this remains in the rule. Like Mary I also feel that conditions for use should be subject to rulemaking hearings.

I also support the comments submitted by Verified Voting.

Harvie Branscomb
Eagle County Colorado
Election quality advocate

On 2/20/2012 11:17 PM, Mary Eberle wrote:
Dear Andrea,

I would like to make the following comments concerning the proposed Election Rule 43.

Line 35, p. 26: 43.2.1 General Requirements:

(c) Only deputized clerks, election judges, or canvass board members sworn under oath are allowed to handle ballots, which include V-VPAT records.

I think that this restriction should include watchers and citizens acting on a CORA request of ballots. Of course an oath should be administered to these people. Clerks should have the discretion to allow more handling of ballots for convenience and better logistics, if election judges and cameras monitor the situation. Excessive control by the Secretary's rules will stifle efficiency in reviews of ballots and informal recounts as allowed under CORA.

Line 21, p. 2: Rule 27.8 REPEALED. Written Plan for Alternative Counting Method.

Hand counting, particularly the sort and stack method, is quick and accurate if done with four people. The traditional mark and tally method, if no one is paired with the "caller" to check that person's work, is not only less efficient, it is not a verified method of counting. The sort and stack method should be approved for use in Colorado.

Finally, I support the need to hold a public hearing on the Conditions for Use of election equipment if changes

are contemplated. And I support the concept of "First do no harm," so I am asking the Secretary's office to please aim at constantly improving our elections' transparency and verifiability when changes are contemplated. Along that line, I see that the rules are still inviting the thieves to come in the night to tamper with equipment and possibly ballots by not requiring light where video surveillance is ongoing and by not forcing that surveillance to be continuous. (See Saguache County, 2010.) I hope the Secretary and staff will reconsider.

Thank you for your kind assistance.

Sincerely,
Mary

Mary C. Eberle

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