

Dwight Shellman

From: Andrea Gyger
Sent: Tuesday, October 08, 2013 3:35 PM
To: Dwight Shellman
Subject: Fwd: Additional Comments

Sent from my iPhone

Begin forwarded message:

From: Mark Halvorson [REDACTED]
Date: October 8, 2013 at 3:15:59 PM MDT
To: <Suzanne.Staiert@SOS.STATE.CO.US>, <Andrea.Gyger@SOS.STATE.CO.US>
Subject: Additional Comments

Dear Ms Staiert and Ms Gyger,

Some additional comments.

The definition of Voting Systems (1.1.33 1.1.37) should include all ballot marking devices, both those in the polling places and those in remote locations (including on-line ballot marking and/or delivery systems.)

The receipt and processing of mailed and provisional ballots must preserve the secrecy of the ballot and must prevent officials from seeing how a ballot is voted when determining whether to accept the ballot. When making a determination of whether or not to accept the ballot, traditionally an official examines that information prior to removing the ballot from a sealed envelope. The regulations are not clear regarding this issue, particularly regarding UOCAVA ballots which have been electronically transmitted to the voter. Is the returned ballot in a separate envelope so officials cannot see the voted ballot when examining the oath for determining whether to accept the ballot?

A post-card notification should be sent to both the voter's old and new address when a change of address (7.3.2) is processed in order to confirm that the voter initiated the change request.

On one hand, the regulations detail how ballots voted in the polling place must be accounted for, including the number of spoiled, damaged, and unvoted ballots (41.5.3 10.4.3). On the other hand, the procedures for accounting for ballots mailed and transmitted electronically are not clearly specified.

Recounts performed by retabulation should be audited to verify the process and the outcome. The regulation should specify how a significant random selection of retabulated ballots should be hand-counted and the outcome should be compared to the retabulation of those ballots. The regulation should specify what happens if there are significant differences between the hand-counted sample and the machine results. Does the audit expand? Who decides? On what basis?

The regulation should ensure that the post-election audit is only initiated after the preliminary totals for each machine and for each contest have been announced. The place and time of the audit should be publicly announced so that the public can observe. All types of ballots must be included in the post-election audit including those mailed, those delivered electronically, as well as provisional ones. What happens if the audit finds significant discrepancies? Does the audit expand? Who decides? On what basis?

Sincerely,
Mark Halvorson
Founder and Former Director, Citizens for Election Integrity Minnesota