May 22, 2017

Colorado Secretary of State
Election Division
1700 Broadway, Ste 200
Denver, CO 80290

To Whom it May Concern:

Please find below Mesa County's comments on the draft proposed rules released on May 15, 2017:

Rule 2.14.4 - We recommend a list of the excluded reports, or some clarification on the reports that are intended to be restricted.   Some reports are not run in their entirety; we run portions of the E-013 regularly, for example, to complete our normal daily processing. Are we allowed to run smaller subsections of some of these reports if this rule is kept?

Rule 2.15.1 - We think this is a very useful and reasonable addition.

Rule 7.5.10 - This change will have a serious negative impact on our ability to balance and find/fix anomalies in the tabulation process.   We are able to completely or almost completely balance for every election we run.   Without the use of these numbers, we will not be able to provide that same level of confidence to the voters of Mesa County.   If secrecy is the issue, perhaps the rule could state that the county "must create processes that protect the secrecy of a voter's ballot" or something similar.   There are a number of steps we undertake to ensure that voter secrecy is not at issue while still maintaining a link that will help us balance until after canvass.   We do not release either of the documents (tabulation log, batch headers) that show the direct link from the SCORE batch number to the tabulation batch number without redaction.   We also delete the RAB batch number from any reports we release publically.   Additionally, we batch by style to remove instances of individual voter's ballots being identifiable.

Rule 7.5.11 - This rule creates a process that will likely require an additional staff person to scan and transmit ballot envelopes within the given time frame.   Perhaps a lesser version of this rule to transmit images on Monday/Tuesday of election week?   Or just a list, instead of scanned images? Additionally, will the SOS be providing the method of "secure electronic transmission?"

Rule 7.2.10 / 7.5.13 - Mesa County prefers option 3.   Counties should be given the latitude to accomplish the end result within their business process and practices.

Rule 7.16 - The Runbeck Agilis only imports the cropped signature image from each envelope.   Runbeck and SCORE updates would be needed to comply with this rule.   We also request that some language be added that allows for only accepted ballot envelopes to be scanned and attached.

Rule 10.4 - We would like more clarification on the final sentence in this rule.   It appears to be saying we will adjust election results based on the outcome of the RLA.   Mesa County does not support that action without further clarification.

Rule 25.2.2(d) - We have a few issues with this rule, as written.   The first is that a county should not be required to manually create a ballot manifest if their voting system can export the information and their business processes make it possible to recover any ballot required by the RLA.   Manual documents are costly to create and prone to human error.   Additionally, we do not support having to seal and maintain chain-of-custody for ballot storage containers that are stored in a secure room monitored by video surveillance during the tabulation process.   We access the batches frequently in our balancing and quality control.   It is onerous to secure them further when they are still needed and completely secure in their storage location.

> **Rule 25.2.3(b)** - In a follow-up to the above comment, we would anticipate having to seal the containers after tabulation is complete and before they are moved to the audit/canvass location.

Rule 25.2.2(f) and (g) - This rule seems to prohibit the tabulation of provisional and property owner ballots until after the ninth day, regardless of their stage of readiness.   We would like to see language that allows the tabulation of these ballots before the ninth day, if they are ready for tabulation.   If we are allowed to tabulate them, we would also expect to see a verification of those numbers in the CRV.   This would have to allow to provisionals to be tabulated in with mail ballots if there are not enough of them to scan as their own group.

Rule 25.2.3(c) - Why are we 'auditing' the duplication of a ballot during the RLA?   The RLA should audit the tabulation of the ballots by the voting equipment.   If the intention is to audit duplicated ballots, it should be part of canvass.   We do not support adding this verification to either the RLA or canvass in fear that we will eventually end up verifying every duplicated ballot.

Rule 25.2.3(f)(5) - Are the canvass board and RLA board separate entities?   We don't believe they need to be.   Perhaps add "if different from the audit board" on pg 16 ln 16.   "…the canvass board members who observed the audit if different from the audit board…."

Cross-jurisdictional voting pilot - At this time, Mesa County does not support the proposed pilot with the information we have.   We would hope that a working group or committee would be considered to vet the idea further.