

SIMONTON CONSULTING

Business Practice and Process Analysis
For
Mesa County, Colorado Clerk and Recorder's Office
Election Division

Related to Conduct of the Statewide Primary Election
For the period from June 3 to July 14, 2020

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Preface

I was hired by the Colorado Department of State to support, supervise and oversee the Clerk and Recorder's preparations for and conduct of the June 30, 2020 election with authority to direct the Clerk and Recorder, her staff, election judges or vendors to perform, cease or modify any business practices and processes reasonably related to the preparation for and conduct of the June 30th Primary Election.

As an election administrator with 14 years of experience I came to this task of observation and analysis with significant understanding of state and federal laws, Secretary of State rules and guidelines and also strong understanding of applied best practices related to election security, transparency and voter service. I understand that election administration is a challenging business, and I approached my task with an open mind and pragmatic approach, with an emphasis on trying to help Mesa County's operation.

Elections are complex operations. Although mid-course corrections when problems occur are possible, it's always best to plan thoroughly and anticipate any possible bottle necks in advance. With intense public scrutiny and significant ramifications given voter's desires for representation and governing approaches, the best run election departments in any county are always reviewing laws and regulations, related compliance, and enhancing and adapting their procedures. It is important to consider any areas of operation for which there could be scrutiny by the voting public, the candidates, political parties or the press, and not only apply the required laws and rules, but also best practice methodologies.

My involvement began on June 2, 2020 with the Logic and Accuracy testing and finished with the final Canvass Board certification of the election on July 14, 2020. In addition to providing guidance and making recommendations to processes, to date, I have also provided the following written feedback and documents to the county:

- Thorough review of and additions / clarifications to the Election Judge training documentation
- Analysis of statutes and rules related to ballot and ballot box security
- Summary and suggestions for VSPC operation
- Ballot retrieval guide outline
- Ballot processing guide outline
- Sample ballot retrieval tracking sheet

Initial interactions

Staffing: Mesa County Clerk and Recorder Tina Peters was elected in 2018 with no prior election administration experience. Brandi Bantz, Director of Elections held a middle management position in El Paso County elections prior to joining Mesa County, but not as the Director. Stephanie Wenzholz held a position in Arapahoe County as a lead or manager perhaps related to SCORE, Colorado's voter registration system.

Mesa County was asked to provide an organizational chart for the Election Division to include names of staff, their position titles, tenure in the department and election experience, but this document was not provided. I was given the names and titles of the staff who were primarily involved in election tasks, but was not provided other details. I became aware that many if not all of these individuals have been in the Mesa County Election Division for less than 6 months, and some were not there as recently as the Presidential Primary Election in February.

The Secretary of State requested that a detailed Memorandum of Understanding be agreed to between me as consultant and Mesa County Clerk and Recorder Tina Peters. Ms. Peters was initially willing to execute and engage in this agreement, but despite numerous adjustments to the document at her request, and multiple requests for execution of the agreement, she would not sign the document. Ms. Peters repeatedly asserted that any election oversight was unneeded, unwanted and a burden on her already stressed staff. Despite my best efforts to convince her of my intention to help, she was distrusting, frequently rude and antagonistic. As such, her interactions with me were at times terse and uncomfortable.

With many processes occurring simultaneously with various staff it was important for me to be able to ask timely questions, engage one on one with her staff and in several cases, suggest immediate remediation of issues related to ballot security. Ms. Peters and Ms. Knisley insisted that I refrain from speaking to any team member without one of them being present, which was not consistent with an effective approach, as it could have impeded staff's willingness to speak freely and my ability to get timely answers related to currently occurring processes and to be able to assess related strengths and weaknesses. I elected instead to speak freely to all staff throughout my engagement.

I found the staff to be organized, hard-working and committed to the integrity of their tasks. They accommodated my questions and were friendly and approachable. The Director understands the value and need for teamwork and cross-training in critical processes and will continue this approach for future elections. It was clear that this team wishes to administer great elections and with strong leadership by the director, I hope they will be empowered to do so.

The following sections regarding specific election events and ongoing processes include my observations along with analysis of effective and correct approaches, areas in which corrections were needed and recommendations for future enhancements as applicable.

Methodology

- In person observation of election administration practices at the Clerk and Recorder's office and Voter Service and Polling Centers for the following events:
 - Logic and Accuracy testing of election tabulation equipment
 - Onsite training by representatives from Dominion Voting systems
 - Mail ballot processing using the Agilis ballot processing system
 - Ballot scanning and adjudication
 - Voter Service and Polling Center operations
 - Election Day
 - Risk Limiting Audit
 - Canvass board review and certification
- Evaluation of procedures including compliance with applicable laws, regulations and best practices
- In person discussions and email communication with election staff, Clerk and Recorder and Chief Deputy
- Consultation with Secretary of State representatives, peer Clerk and Recorders and Executive Director of the Colorado County Clerk's Association

Election Team

Tina Peters; Clerk and Recorder

Belinda Knisley; Chief Deputy Clerk and Recorder

Brandi Bantz; Director of Elections

Sandra Brown; Elections and Recording Floater

Stephanie Wenholz; Election Manager, Front Office

Rebecca White; Elections Coordinator

Deydra Bassett; VSPC Coordinator and Voter Outreach

Report Format

- Observation Details
 - Compliance and best practices employed
 - Issues requiring modification and actions taken
 - Best practice recommendations
- Summary of required and recommended adjustments to processes
- Evaluation of readiness and capability of team to prepare for and conduct the November 3, 2020 General Election without additional onsite supervision and / or oversight

Logic and Accuracy Testing (LAT)

June 2, 2020

Observation Details:

The requirements for bi-partisan participation in the testing process were satisfied. Each party representative was provided with 25 ballots to mark as they chose, and a tabulation form to complete with their subsequent tallied results for each race. The county test deck had been created by Dominion Voting Systems in advance and results had been tallied. I witnessed the appropriate testing steps completed for the ballot scanners and ballot marking devices as required by rule, with the exception that the testing board was not involved in selecting the specific ballot scanner to be used in the test.

- **Compliance and best practices employed**
 - Staff was adequately prepared and organized prior to testing board arrival.
 - Devices were tested appropriately with the exception of the scanner being selected by the testing board.
 - Processes for marking and tallying test decks were handled well.
 - The board did randomly choose the ICX to test.
- **Issues requiring modification**
 - The test deck did not include the required under votes and over votes for each contest, so election staff created additional ballots to include in the test to satisfy this requirement.
 - It was not made known whether any ballot on demand ballots were included in the ballots tested.
 - Testing board members compared their manual tallies to the results tabulation system individually, with no dual review process employed.
 - There was limited to no social distancing, and only some were wearing masks required by election rule related to COVID19.
 - Mesa County's testing certification form did not include details of devices tested including the written statement required attesting to the qualification of each specific device tested, or the number of the seal attached to the voting device.
 - Testing board members were not shown the backup of the election project with test results and were told that the results were being cleared. They were shown the subsequent zero total report.
 - Staff, Director of Elections and Elections and Recording Floater specifically, were very receptive to immediately required modifications, such as the under vote and over vote requirements, and adding the device serial numbers and seals placed and verified for each device.
- **Best practice recommendations**
 - Provide test decks to the parties in advance of the LAT test, allowing them time to mark and tally prior to arrival. This saves time during testing and eliminates the need for election staff to wait while ballots are marked and tallied– sometimes a slow process.
 - Election staff should be sure to verbally explain all steps occurring at the Results Tabulation computers to configure and produce reports.
 - Two people, including at least one testing board member, should compare results from the tabulation system to the hand tallied results and sign off on accuracy.

- Election Rule 11.3.2 (e) “Completing the test” lists six requirements that must be performed prior to the LAT conclusion. Although this rule does not specifically state that the testing board observe all six steps, the goal of having a bi-partisan testing board involved is to verify that the voting, scanning and uploading of results functions are all working properly and that each piece of equipment tested is subsequently reset and sealed. Ensuring the board’s ability to witness all steps related to exporting of test results, preservation of this data, and the subsequent uploading of test results files to the election night reporting (ENR) system test is certainly a best practice to accomplish this goal. Similarly, they were not shown the export of the Cast Vote Record file or creation of the ballot manifest intended to be used for later practice with the risk limiting audit software.
- Adequate time should be allocated to the Logic and Accuracy Testing schedule to allow sufficient time for the testing board to be able to complete all required steps in the process and witness every phase of testing, tabulation, upload, backup, document creation, re-setting and verification of the zero totals report prior to the conclusion of their involvement.
- More detailed and comprehensive forms should be used that would allow for the hand tally expected results, machine results, whether they balance or not, explanations of any variances discovered, and final signature after the tests are complete for each such form by the testing board.
- Election team should reach out to their peer counties for LAT documentation, forms and best practices.

Scanning and Tabulation Training Session

June 12, 2020

Observation Details:

Dominion Voting Systems representative David Stahl was onsite to provide additional scanning, tabulation and adjudication training to staff. The hope was that some cross training would be possible for additional key election staff band width for these important processes. Due to other pressures and the timing of the training, this was largely not possible, however two employees from other internal departments; Motor Vehicle and Recording, were able to receive some of the training.

At the end of the group training time, David was able to give Sandra Brown, the employee primarily involved with these processes, additional time and tips for generating useful and appropriate results reports. He was also able to provide training related to rejecting, resetting and deleting batches in RTR, Election Summary Reports and associated filters and the process of updating passwords on the clients and server.

- **Best practice recommendations**
 - Review written documentation provided by DVS (Dominion Voting Systems) related to administrative functions for Results Tabulation Reporting modules.
 - Document challenges, report formats desired and not found, and functionality that is unclear and request clarification from DVS prior to live election period related to the November 3, 2020 General Election.

Mail Ballot Processing and Agilis

Observation Details:

There were several occasions during which I observed the collection, security protocols, reception and processing of return envelopes containing voted mail ballots, followed by processing by the Agilis machine. Ballot collection by bi-partisan election judge teams began soon after ballots were mailed to voters and continued as required by Secretary of State Rules through close of the election at 7 p.m. on June 30, 2020.

- Compliance and best practices employed
 - Bi-partisan teams of judges travelled to ballot box locations other than main election office and retrieved ballots.
 - These judges sealed the voted ballots in secure and sealed transfer cases for transport.
 - Bi-partisan election judges were always present in the secure election area when these sealed transfer cases were delivered.
 - The secure election room was under video surveillance and accessible only by election officials with either credentials or authorized as election judges.
 - The Agilis machine scanned, sorted, signature verified for tier one, recorded voter record update and counted the ballot envelopes fed through the machine.
 - Bi-partisan judges removed the batches of returned envelopes from the sorting tray along with identifying documentation and placed them on the metal rolling cart to be taken to the opening and extracting room.
 - Tri-partisan (two from one party and one from another or an unaffiliated judge) handled the removal, party identification and recording in a confidential manner of the unaffiliated ballot packets.
 - Secondary signature verification judges did a thorough job when reviewing signatures identified after Agilis scanning as uncertain.
 - Unaffiliated ballot packets were carefully handled to ensure voter confidentiality, while determining party ballot choice, by teams of three bi-partisan groups of judges.
 - The signature verifying judges observed rejected and accepted signatures according to best practices for this type of secondary review.
 - Bi-partisan teams of judges performed the minimum comparison of 1 out of each 50 ballots accepted as verified signatures from the Agilis machine and documented their review.
- Issues requiring modification and actions taken
 - Initially, return envelopes containing voted ballots were emptied from the secure cases in a location which election judges were not able to see, awaiting the operator of the Agilis machine, and in a loosely secure manner. At this point the quantity of these ballots was not known, and with them out of secure containers, out of view of judges and unattended by staff it raised my concern.
 - When ballots were delivered by the courier judges, a change was made to ensure that there were always two bi-partisan judges able to view these ballots until they were scanned into the Agilis process. If the Agilis machine operation was complete for the day, these ballots would remain in their sealed cases overnight and would be opened the following morning with bi-partisan judges present.

- At the end of the day, front office election staff would bring the interior ballot box to the same area, break the seal and verify the same, then leave the live, unprocessed return envelopes on the table overnight until the Agilis machine was utilized the following morning to process the envelopes and determine the count.
 - At no point prior to the Agilis machine being utilized did I witness any pre-counting or documentation of received location for any of these returned ballots.
 - Mesa County did not track the number of ballots printed from or spoiled on the Sentio ballot-on-demand printer, or reconcile on a daily or other basis BOD-ballots with the number of original and replacement ballots processed each day.
 - Rule 7.8.11 requires that any automated Signature Verification Device be tested prior to use in any election, and that a team of bipartisan election officials must manually review the signatures identified on the Automated Signature Recognition report following the testing procedures. This testing occurred prior to my appointment as observer, and as such I do not know whether their process complied with this rule.
- **Best practice recommendations**
 - Always have voted live, unsecured ballots in view or custody of two bi-partisan election officials (staff or judges).
 - When unsecured ballots are not processed by the end of any given day during the election period, enclose them in numbered and sealed containers with seal logs completed by bi-partisan teams.
 - Utilize clear plastic bags for opened and flattened ballots, placing the seal log on top so it can be viewed and used to reconcile as needed when sealing is required (overnight or preceding scanning sessions)
 - Reconcile ballots received in SCORE daily to various stages in processing; okay, rejected for various reasons or other categories.
 - Scan and securely store undeliverable ballots.
 - Utilize Ballot on Demand reports to prove and verify nightly that all printed ballots were assigned and mailed to voters in SCORE, with two staff members – preferably of different parties for partisan elections, verifying this reconciliation.
 - Utilize a one sheet (multiple numbered pages) tracking log for ballot retrieval; including date, location, courier judge names, and their initials along with staff receiving initials for every expected delivery of ballots.
 - Tighten ballot security once received in secure election rooms prior to Agilis scanning, after Agilis scanning but before opening, after opening and before scanning and overnight.
 - Create a manual print log to include ballots printed by style, miss-prints and over-prints, which includes the name of the staff member printing the ballots, time and date they were printed.
 - Compare the manual log, available logs from the BOD system and SCORE to ensure all ballot inventories from this system is accounted for properly.
 - Ensure that a team of bi-partisan election officials manually review the signatures identified on the Automated Signature Recognition report following pre-election testing of this Agilis device.

Ballot Scanning and Adjudication

Observation Details:

Prior to live scanning and adjudication, the Elections and Recording Floater provided a training session to both the scanning/duplicating and adjudication judges. All of the judges involved had served during the Presidential Primary Election and as such the training included only coverage of new processes and the reminder that careful documentation was integral to making sure the Risk Limiting Audit would be possible.

There were two judges, of different party affiliations, assigned to the duties of scanning ballots, documenting each scanned batch and securely placing these batches into storage boxes according to the previously determined numbering protocol in use. Each box contained multiple batches, and these were detailed on the exterior of each of the subsequently sealed boxes. The Elections and Recording Floater maintained the ballot manifest as required for the post-election Risk Limiting Audit. These judges were also responsible for remarking damaged ballots, and the process used was dual entry onto the ICX machines.

There were two separate judges, of different party affiliations, assigned to handle the adjudication process for ambiguous marks.

- **Compliance and best practices employed**
 - Forms used for identifying scanned batches and numbering them were very clear and effective.
 - The delineation of duties between the four judges primarily worked well.
 - The process for handling damaged ballots requiring re-marking using the ICX units was efficient.
 - The scanned batches were stored in boxes according to tabulator, and at no time would batches from different tabulators be stored in the same box.
- **Issues requiring modification and actions taken**
 - It was discovered that some of the ballots sent from the printer to voters, were folded too aggressively, causing the bottom portion of some of the ballots to separate prior to insertion in the return envelope. It was curious at first as to why people were only returning a part of their ballots, but these ballots were remarked using the ICX machines. On the specific ballots I observed that had this issue, there was no impact to the voting positions or choices.
- **Best practice recommendations**
 - Someone on the Election Team should be reviewing the boxes prior to storage, awaiting RLA, to ensure that the documentation is accurate and re-label boxes if errors are made.
 - During larger elections, for example the November 3, 2020 General Election, it will be very important to physically separate the scanning operations when more than one scanner is being used at the same time. Each scanning operation and the judges assigned to each scanner should have separate work tables and if possible a physical separation to avoid any batch mistakenly being scanned twice, and / or ballot batches ending up in storage boxes associated with a different scanner.

Voter Service and Polling Center operations:

Observation Details:

There were two Voter Service Polling Centers in Mesa County; in Fruita and Clifton. Each location had the requisite bi-partisan mix of judges. These locations were open from Monday, June 22 through Election Day, Tuesday, June 30.

- Compliance and best practices employed
 - All judges wore name tags
 - The initial setup of equipment was appropriate
 - Locations had good operation documentation and forms
 - Locations were opened on time
 - Locations were posted appropriately

- Issues requiring modification and actions taken
 - The Fruita SCORE judges struggled to login to the WebSCORE system requiring calls to and subsequent in-person assistance from an Information Technology (IT) technician.
 - Judge training program did not include requirement for a bi-partisan team of judges to empty the ballot boxes at the end of each day, complete the seal log and place the seal on the transfer container. The judges checked the boxes at the beginning of each day to ensure they were empty, and then sealed and completed the seal logs.
 - The disabled access booth in Fruita was not in compliance initially, as the judges had decided it would improve flow to move it so that it was in line with other booths, but this eliminated the required 60" clearance. They moved it back when I clarified the necessity of this ADA requirement.
 - Sample ballots were not provided nor posted at each location, but once the VSPC Coordinator was alerted, these ballots were delivered quickly and posted.
 - Opening the location was slow (everything was ready by 8:45 a.m.) and confusing for the judges due to the nature of certain seals being very difficult to read on the ICX machines, insufficient direction about specific locations of chain of custody logs, difficulty logging in, and disorganization on the part of the supervisor judge. She did not follow the opening checklist.
 - Signage identifying the location in Fruita was very minimal; the required posting of the building was hidden from view due to the low placement and deck railing which blocked the sign significantly. Street signage was one 20" x 30" plastic sign, which was originally placed parallel to the road, making it impossible to see by those driving by. The sign was turned to be perpendicular soon after opening.
 - Signage in Clifton was similarly minimal, and the tent sign at the main road turn-off was hidden behind a telephone pole initially (it was moved afterwards), and location signage was limited to the campaign style plastic film signs which were small; 20" x 30".
 - Judges in Fruita did not know how to answer the first voter's question about changing their registration, and I was able to give them instruction and help the voter fill out a voter registration form that simply had to be deferred by the election office.
 - The ballot boxes in Fruita were not sealed on the first morning until 8:20 a.m.

- In Fruita, many of the judges were not wearing masks, and I was told that the VSPC Coordinator had told them they were not required to do so unless voters were present
- **Best practice recommendations**
 - On the first day of VSPC operation, a capable staff member should be present at each location, or alternatively, should visit each location as soon as possible to ensure that all required steps have been completed and the judges are comfortable to operate their duties.
 - Anticipate some inefficiency initially and provide additional time prior to required opening for judges to get everything properly opened and setup; at least one hour before opening on the first day of operations.
 - Testing of WebSCORE accessibility should happen at each location before the first morning of VSPC operations.
 - Develop a procedural document to be used by main office election support staff to address possible WebSCORE lockout issues that might occur when the VSPCs are initially opened.
 - Supervisor judges should be reminded the weekend before opening about the importance of using the provided opening and closing checklists.
 - Signage should be improved and increased. Attention to strategic signage locations, clear and easily readable sign formats and sizes and evaluation of sufficiency before and during operations could improve the voter's ability to easily find these locations.
 - If possible, the use of digital signage in strategic locations before and during these locations being open would be very effective.
 - As discerned through discussion with the judges at both locations, much more hands on training is needed for WebSCORE and ICX operations, including practice with logging in, setting up voter's access and to include realistic normal and problem scenarios.
 - Simplification and / or consolidation of the various chain of custody seal logs would be helpful and many counties can provide examples of such custom logs for reference. Clear labelling of each chain of custody log with the specific piece of equipment or box in the title; "BLUE BALLOT BOX", etc. would be helpful.
 - During judge training, provide copies of the PowerPoint to allow judges to take notes and add clarification in specific task areas.
 - Involve some of the tenured and effective judges in creation of the judge training program
 - Require judges to follow all applicable rules and laws, including emergency rules; for example, the requirement that all election officials wear masks per rule 27.4.4.

Election Day; June 30, 2020:

Observation Details:

Ballot retrieval, Agilis processing, opening and extracting, unaffiliated ballot handling, signature verification, scanning, storage, voter services and operation of services at Voter Service and Polling Centers proceeded as previously detailed.

- **Compliance and best practices employed**
 - The polls were opened and closed on time

- At the main office, which I observed at close of polls at 7:00 p.m., the last car in line to deposit ballots in the 24-hour box was clearly identified, and bi-partisan teams of election officials emptied this box immediately after 7:00 p.m.
 - Voter services were provided at the main location from 7:00 a.m. to 7:00 p.m. and discussions with the VSPC judges during the day indicated these would be the same hours at the VSPC locations.
 - There were adequate staff and judges in all locations and for all processes to handle the increased volume of returned ballots on Election Day.
 - Results for ballots scanned by 7:00 p.m. on Election Day were uploaded to the Election Night Reporting system immediately after the polls closed at 7:00 p.m.
- Issues requiring modification and actions taken
 - There were no additional issues identified on Election Day at any location other than those listed in previous sections.
 - Best practice recommendations
 - There are no specific Election Day recommendations other than those listed in previous sections.

Risk Limiting Audit

July 13, 2020

Observation Details:

The required exports, formatting, hashing, comparisons and uploading steps were completed. The county's list of ballots was downloaded as required prior to arrival of the audit board. Staff had located and organized the boxes in which each of the required ballots to be audited should have been located. There was one audit board member from the Democratic Party and one member from the Republican. Duties of the audit board were assigned as follows:

Director of Elections:

- Locating box in which each ballot was stored
- Cutting the seal and verifying the number on the seal log
- Finding and removing each ballot required
- Delivering these individual ballots to the processing table

VSPC Coordinator and Elections Coordinator:

- Fill out the place card to replace the ballot in the storage box
- Fill out a second card to accompany the ballot to the audit board

Audit Board:

- Enter each ballots' votes on the RLA software system

- Compliance and best practices employed
 - County was organized and prepared for the process

- Boxes were pulled and lined up according to the expected location of each selected ballot to be audited
 - Ballots pulled were held until the processing table had finished with their current ballot documentation
- Issues requiring modification and actions taken
 - The audit board was not able to verify the seals on each box of voted ballots prior to these seals being cut by the Director of Elections. No change was made when I brought this to the Director's attention. I was told that the board would review the seals at the end of the process, however, this was not possible as subsequent seals were placed over the originals, covering the original numbers, on more than 2/3 of the boxes (approximately 20 of 30) that had been opened. The Director indicated that the audit board had condoned this approach, but they had not done so.
 - The audit board was not involved in retrieval of the individual ballots, and due to the configuration of the tables, were not able to view the list of ballots being pulled, the ballot manifest that identified the box in which they were located, or the batches or ballots within.
 - Several of the boxes were miss marked by the scanning team, and as such the specific ballots needed for the audit were not enclosed, requiring some interpretation of the mistaken labelling by the election staff and identification of the expected correct boxes containing the needed ballots.
 - Best practice recommendations
 - Strict adherence to chain of custody procedures related to voted and scanned ballots. Must have audit board witnessing cutting of seals and verifying that these numbers match the chain of custody logs.
 - Show the audit board the list of ballots needing to be located and audited and the boxes in which they are stored, before and after retrieving each ballot and delivering to the processing table.
 - Instruct staff to never place a new seal over an old seal, which prevents the ability to review previously placed seals on the chain of custody logs.
 - Use different colored batch sheets and box labels if possible to easily distinguish between multiple scanned batch storage boxes.
 - Plan for adequate time and let audit board know the process will take time to complete properly.

Canvass

July 14, 2020

Observation Details:

The Canvass board included one member of the Democratic Party, one member of the Republican Party and the Clerk and Recorder. The Elections Manager for the Front Office presented the balancing forms. Other members of the Election team were present including the Director. The process was scheduled from 10:00 a.m. to 5:00 p.m.

- Compliance and best practices employed

- Election Summary reports were compared to the various SCORE reports available to prove that all ballots that should have been counted were counted. The Election was balanced and the Risk Limiting Audit had been passed.
 - Attempts were made to reconcile the unaffiliated ballots cast after one member of the Canvass Board requested a reconciliation of the total Democratic and Republican ballots counted compared to the SCORE party choices selected by the judges.
 - Canvass was conducted after passing the RLA and approval to proceed was given by the Secretary of State.
- Issues requiring modification and actions taken
 - The Democratic Canvass Board member asked for information that was not presented initially and the election team was reluctant to provide it. Based on my clarification of what would be deemed a reasonable request, the additional information was provided.
 - The Democratic Canvass Board member wished for a deeper level of reconciliation based on unaffiliated ballot packets and after consultation about how this information could be determined with the Secretary of State, this data was provided. It was not possible to balance exactly but the outcome was reasonably close to results to satisfy her concern with this level of balancing.
 - The Democratic Canvass Board member asked to be allowed to include a minority report with the Canvass certification provided to the state, and after consultation and confirmation from the Secretary of State's office, Mesa County election team agreed to accommodate this request.
 - There was a thorough review of the Democratic Canvass Board members concerns, and although the Clerk and Director provided additional information related to each point, some concerns remained.
- Best practice recommendations
 - Convene the Canvass Board a few days before the official Canvass Board certification meeting, following successful completion of the RLA, to understand their expectations for reconciliation, information expected and to allow time for staff to prepare to respond on the day of the Canvass without delay.
 - The date and time of the Canvass Board certification should be mutually agreed upon based on everyone's schedule and not be unilaterally decided upon.
 - Notifying Canvass Board members of the requirement for them to attend with less than 24 hours' notice is not reasonable and the coordination of the event should not be handled this way.
 - Inform the board and staff to expect the process to take as long as needed to satisfy any concerns, present the election processes and balancing forms and resolve any discrepancies. Plan for a reasonable cushion of time so that all can plan accordingly.
 - Make sure the county party chairs understand that canvass proceedings are detailed and can be time-consuming before they designate their party's canvass board member. It is not reasonable for the board to complain that it is taking too much time or that they are being inconvenienced due to their work schedule. If they can't commit to the requisite amount of time needed to do the job right, the party chair should appoint another canvass board member.

Summary and Conclusions

The Mesa County elections team is a strong group of individuals, some of whom bring strong experience in specific areas of election administration to help them in their current roles. That said, they are still becoming comfortable with all aspects of the Mesa County flow due to the fact that none have been in these roles for more than a few months. As elucidated in the report, Mesa County's election processes substantially comply with statutory and regulatory requirements, but there are also some accompanying best practices that could and should, in my opinion, be employed to minimize risks, strengthen consistency and enhance the perception to the public of election security.

There are numerous laws and rules related to all election processes, but the best election administrators do not view these as binary choices, but rather as the basis for the establishment of best practices, which may be unique to a given place and environment. One example of this is the security of the 24-hour drop boxes. Election rules require that Election Officials seal all ballot boxes containing voted ballots so that no one can access these ballots without breaking a seal. Another rule states that a bipartisan team of election judges and / or staff must seal all ballot boxes that contain voted ballots, so that no person can access the ballots without breaking a seal. Yet another rule states that a bipartisan team of election judges and / or staff must accompany all ballot boxes that contain voted ballots at all times, except when the ballot box is located in a vault or secure physical location.

The fact that the 24-hour drop boxes are not explicitly identified for the application of seal requirements does not change the fact that this level of security is required by statute and rules for other ballot boxes. In Mesa County, these boxes are not in a secure internal area, and it would not be difficult for any election employee with access to the keys to open the ballot box during off hours and edit the contents. Relying solely on the video surveillance is, in my opinion, wholly insufficient, as it is the election officials themselves who are in control of this video footage. It is unreasonable to think that any member of the public would request copies of and watch hundreds of hours of coverage to ensure nothing of this sort is occurring. As unlikely as unauthorized access to these boxes may seem, it is possible and preventable. Seal requirement protocols should be added to the 24-hour drop boxes or to the box within which these ballot box keys are stored.

The security of live ballots and associated chain of custody logs are imperative to the integrity of the election. Ensuring no one person can access voted ballots in any stage of the processes, and ensuring that the voting equipment has not been tampered with after testing, during non-operating hours, is imperative. Mesa County could benefit from more diligence in their chain of custody procedures, which at times were not as tight and precise as they should have been. For example, following Logic and Accuracy testing the bi-partisan testing board was not initially expected to verify and sign off on seals placed on the equipment reset and ready for election. Additionally, during the Risk Limiting Audit (RLA), the Director of Elections cut the security seals out of line of sight by the Audit Board, inconsistently verified the seals being cut to the seal logs. At no time during this process, as stated in the RLA section, did the Director show the audit board the seals prior to cutting. The seals could easily have been cut prior to the event as the board could not fully see the intact seals up to the point they were cut.

There are areas of process expertise within the staff; operating the Agilis machine, the voter registration process through the statewide voter registration system, the coordination of the opening, extracting and signature verifying room activities and the setup and supplies related to the VSPC locations. As noted earlier, most of the employees were new to their role in Mesa County. Focusing on team approaches and cross-training in the critical function areas will be helpful and improve the distribution of labor-intensive processes in the future. The Director of Elections was doing a very good job mentoring the Elections Coordinator in all aspects of operating the Agilis machine, which will be extremely beneficial for the General Election so that the Director can be more involved in

oversight of many other critical processes. The Director and Coordinator included some employees from other internal departments in many of the processes, and this should be enhanced and expanded to the degree possible. The General Election will be double or more the volume of this past Primary, and more available employees or capable election judges will be needed to stay on top of the volume and handle the processes carefully and with precision to all requirements.

Election administration is a precise and high-stress business, requiring careful planning, coordination, anticipation of issues, contingency planning, significant attention to security for all stages of the process, transparency for the voting public and stakeholders, and long hours. The best election administrators in any jurisdiction follow the laws, adhere to the rules as the strong foundation for election administration, and consider how they can offer the very best voter service possible for their constituents in a consistent and transparent manner. Processes are enhanced because they should be, and not only because they are mandated by higher authorities. Instilling a culture that emphasizes continual improvement and implementation of innovative best practices will ultimately create a track record and reputation for excellence, responsibility and fairness; all of which are key aspects for the public's confidence in the voting process.

It is my observation that the Mesa County Election Department has all of the skills and tools in their collective experience to successfully conduct the November 3, 2020 General Election. With the support of the Clerk and Recorder, the Director of Elections must provide strong leadership to the department, a role she should find increasingly comfortable as she gains election experience. With the existing election staff, the department must get creative with their human resources to handle the additional pressures of a General. Engaging the services of tenured and competent election judges for substantial periods leading up to and through Election Day is a feasible solution. Finally, adopting most or all of the recommended best practices listed by this report will favorably enhance the integrity, transparency and efficiency of their election administration going forward.

