CCCA Colorado Election Update

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Election Integrity Reports

- Four reports released over last six months.

- Not a single one incident of fraud or misconduct has been proven in these reports.

- This flurry of reports is a deliberate strategy to create the impression that something is wrong with our election systems, spread fear, and create chaos to achieve different policy goals, which include reducing voting to only one day, potentially disenfranchising our military voters and voters with a disability, and hand-counting ballots. Ironically, their "solutions" to achieve greater election integrity will actually have the opposite effect. Their solutions will decrease voter access to the ballot and make our elections less secure and less accurate.

- The reports actually demonstrate how little the author(s) and contributor(s) know about election law, systems, and processes. Here is what is true:

Election Integrity Reports - Mesa

▸ Claim: 29,000 election records deleted and not retained

▸ Fact: Records required for retention under federal and state election law are not deleted as a part of the Trusted Build process.

▸ By design, the Trusted Build process installs the new files and removes files related to the old build. This is not a violation of federal or state election retention laws. The state retains a copy of the old Trusted Build and counties retain backups of their election projects from the voting system. These backups include access and activity logs for the voting system, in compliance with law. Furthermore, each county retains the voted paper ballots from each election for 25 months after each election as required by Colorado law. Those three components allow a county to recreate/reconstruct the election, recount ballots again if necessary, and audit the accuracy of the system in tabulating the ballots, which ensures compliance with federal and state law.

Election Integrity Reports - Mesa

▸ Claim: The Voting System Testing Lab (VSTL) used by Colorado was lost its federal accreditation

▸ Fact: Colorado uses a federally accredited VSTL.

▸ Any assertion that the federally accredited voting system testing lab (VSTL) used by Colorado lost its federal accreditation is absolutely not true. Election Assistance Commissioner Don Palmer presented at the 2022 CCCA Winter Conference and explained that PRO V &V never had its accreditation revoked. The VSTL never lost the ability under the law to test and certify voting systems for use.

Election Integrity Reports - Mesa

- Claim: Internet capability proves exploitation
- Fact: There is wireless technology present in voting systems components but is it disabled.

- Yes, there is wireless technology on many of our voting system components. Voting systems are tested and certified for use by the federal government and the state of Colorado with these wireless components included. The mere presence of these components does not violate federal or state law. However, the wireless ability is disabled in Colorado as a part of the Trusted Build process. Counties do have the ability to validate this. Validating that wireless functionality is disabled will be a part of the Public Logic and Accuracy Test conducted before every election in every county moving forward.

- New BMDs do not have wireless components

Election Integrity Reports - Mesa

▶ Claim: Unauthorized software on voting systems thus making system illegal to use.

▶ Fact: Additional software is known and approved.

▶ Microsoft SQL Server Management Studio (SSMS)
▶ LibreOffice

Election Integrity Reports - Mesa

▸ Third report just released

▸ Studying report

▸ Immediate red flags as to accuracy and reliability of report

▸ Anything author(s) don't understand is apparently fraud.

Figure 1. "Before" Screenshot of Databases on the Mesa EMS Server

	name
1	2020 Mesa County General-2020-09-05-00-10-20
2	AdjudicableBallotStore_2020_Mesa_County_General_2020-10-01_12:18:50
3	TabulationStore_2020_Mesa_County_General_2020-10-01_12:18:50

One Adjudication database and one Tabulation database were listed, with creation times before the counting in Mesa County began on October 19, 2020.

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Election Integrity Reports – USEIP Canvass

▸ Conclusions released with no data/affidavits in support

▸ Other questions:
  ▸ Who are the canvassers?
  ▸ How did the canvassers interact with the voters?
  ▸ Did the canvassers use a script? Was the script biased?
  ▸ What voters were surveyed?
  ▸ How did they overcome the bias of talking to only one person in a house with multiple voters?
  ▸ Are the neighborhoods surveyed representative of the county?
  ▸ Are the counties surveyed representative of the state? (Obviously Douglas, El Paso, Pueblo, and Weld are not representative of the entire state)
  ▸ Why were results from other counties not included in the report?

▸ Previous USEIP data regarding "deceased" voters grossly inaccurate (El Paso, 2021)

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Other Election Disinformation – ERIC

- Election Registration Information Center
- 31 states plus Washington, D.C.
- Colorado was one of seven states to participate in the formation of ERIC in 2012 (Sec. Gessler).
- Funded by member states
- The system is intended to help member states compare their voter registration lists to look for people registered in more than one state and compares state held data to other databases, including the Department of Motor Vehicles, the U.S. Postal Service National Change of Address, the Social Security Administration, and others.
- In the 2010 General Election, the undeliverable ballot rate in Colorado was approximately 9 percent. In the 2020 General Election, the undeliverable ballot rate was approximately 2.7 percent, an improvement attributable in large part to ERIC.
- The Heritage Election Integrity Scorecard gives states credit for being a member of ERIC, as they recognize the value ERIC provides in cleaning our voter registration lists.
- Purveyors of disinfo claim the old Kansas Cross-Check program was a better solution. As usual, they are wrong. A study conducted by Stanford, Harvard, Penn, and Microsoft found Crosscheck "would eliminate about 200 registrations used to cast a legitimate vote for every one registration used to cast a double vote." That is a 99.5 percent false positive rate.

SB – 153 Internal Election Security

- <u>CCCA supports with amendments</u>
- Expedited court scheduling process
- Certification Requirements
- Provisions to Remove DEO
- Expanded camera requirements
- Expanded Key Card requirements
- Makes it illegal to make a full image of a voting system without SOS approval.
  - This does NOT violate federal election record retention laws
- Voting System Requirements
- Stronger Penalties for Insider Threats
- Certification Clarifications

SB – 153 Internal Election Security

- Questions

SB 152 – Residence of Voter Whose Home is Destroyed

- CCCA supports
- Allows a person whose home has been destroyed or rendered uninhabitable by a natural disaster or by other means to maintain their residency for purposes of voting.

HB 1086 – Vote Without Fear

- CCCA monitoring
- Makes it unlawful to open carry a firearm within 100 feet of a polling place/vote center and/or a ballot drop box.
- Allows for armed security guards hired by the county.

CCCA Election Initiatives

The CCCA is committed to improving the transparency and integrity of our elections.

- Ballot Images and Cast Vote Records Available for Public Inspection at No Cost
  - Constitutional issues with ballot anonymity/cost of redaction
- Signature Verification Audit Process Enhancements
  - Consistent and robust signature verification audits
- Voter List Maintenance Review/Audit
  - Continued enhancements to ensure a cleaner list
- Ensure the Proper Funding of Elections
  - Elections are not properly funded in Colorado

Questions

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