

IS DENVER'S ELECTION LEGITIMATE?

Mary Ann Thompson

The 2020 election results were followed by widespread claims, without evidence, of fraud. FUSD's Mary Ann Thompson believes anyone who took the time to watch how voting occurs in Denver would see the following process play out and have the opportunity to be reassured. Since legitimacy of the vote is such a crucial aspect of our democracy, and we have within our congregation someone who has participated in that count since 2006, we record Mary Ann's description of the process here as a confidence building exercise for contemporaries and posterity:

Voters who mark paper ballots detach a perforated strip with a unique ballot identifier number so they can track online as their ballot is processed to confirm when it has been received, cleared signature, and had their vote recorded at the Election Commission. The voter then inserts the ballot into a distinctive oversized envelope which they sign and seal. Nothing on the outside envelope indicates how the person is registered or voted. Some people vote by mail. Others drop their ballots in drop boxes. Every polling place has sealed steel boxes where people can drop off paper ballots. Every drop box or polling place is covered by cameras. When people vote electronically on voting machines at a polling booth, votes are recorded on the machine and a picture of each ballot is transferred onto a memory stick. (No votes are transmitted online, to absolutely prevent hacking.)

The central post office on Quebec receives all the mail for the City, and postal workers pick out the distinctive ballot envelopes from the regular mail and collect them for pickup by the Election Division. On Election Day, this post office stays open until 7 p.m. and postal workers pick out as many ballot envelopes as possible before the 7:00 election deadline.

Most voters are Unaffiliated, Democrat or Republican; Colorado also has several smaller political parties on the ballot. All these groups can participate in election processing. Authorized Representatives from two different of these groups travel around the city in teams to collect voted ballots from each drop box or polling place. The bipartisan team opens the boxes or machines; collects, counts, and records the number of votes; transfers the votes and the count to a small collection box and seals it with a tamper-proof seal. Each seal has a unique number attached and recorded in at least two places. The team replaces the boxes with new sealed boxes. The team brings sealed ballots and voting machine records back to the Election Division periodically during the voting period and at the close of each polling place on election night. Everything is unsealed at the Election Division under observation of the bipartisan teams. Each box is opened, and the contents are counted to assure the same number of votes recorded at the site arrives at the division office.

A machine at the Election Division transfers each ballot photo from each memory stick to a paper ballot. Bipartisan teams again check to assure the machine voted in accordance with the photo.

Each ballot goes through a machine to recognize perfect signature matches. (The State of Colorado has at least three signature samples for each voter for comparison.) If there is any variation, the ballot diverts to a human to see if it appears to be valid. If that reviewer finds the signature questionable more than three days before the election deadline, the ballot is diverted, and an attempt is made to reach the voter and invite them to come down to cure the problem. (Closer than 3 days, there is likely not time to cure the problem and the ballot is invalidated.) Once a signature is approved, while the ballot is still sealed inside the envelope, it is reintroduced into the count.

Another machine slices open the top of the envelope. Two people from different parties sit side-by-side as one takes the ballot out of the envelope while the other person watches. (It isn't possible to keep reviewers six feet apart per COVID distancing recommendations at this step.) The ballot is now for the first time detached from the name of the voter. The ballot-handling team member straightens the ballot to go through a machine, and recounts the ballots again to be sure nothing got snuck in or lost during ballot prep. The number of ballots must match the number of envelopes.

The stack of ballots then goes to counting room. There, for later auditing purposes, another machine assigns each ballot a unique identifying number and marks the number on the ballot. The stack is then recounted to make sure the stack count remains consistent throughout.

A counting machine has been run through tests four times in preparation for an actual count and reset for going live. Each ballot goes through the counting machine, which also takes a picture of each ballot it counts. The possibilities for the machine to record on each ballot question are: yes, no, an overvote, indiscernible, or blank. Very rarely a ballot reads as blank because the voter used red ink which the machine cannot detect. Blank ballots, overvotes or indiscernible marks are referred to a two-person reconciliation team (again, with at least two parties represented). In the case of red ink, the two-person reconciliation team will tell the machine what the person indicated. Perhaps in as many as six times out of a couple of million ballots, the team won't be able to tell from the camera image what the voter intended. In those instances, they go back to the box and pull out the specific ballot using the unique identifier number to see if they can tell what the voter meant to do. Whenever that happens, vote validation becomes a 3-4 person job.

The machines are all connected to a compiler program that is totally in-house, not reachable through the Internet. The compiler is set up to run tabulations on all votes that have completed the process to date as of 6:55 p.m. on Election Day, so the media can start reporting preliminary results for each race. But since the deadline for casting ballots

at polling places or drop boxes has the same 7:00 deadline, not all ballots will have gone through ballot prep and the counting process by that time. Overseas ballots, by law, can continue to arrive for 3 days past Election Day and will be counted as they arrive at the Election Commission. Results can swing wildly between initial tabulations and later ones as more results from across the city are received. Results are only preliminary until all ballots that were cast by the legal deadline are received and processed, which can sometimes take a few days or weeks.

In Colorado, the League of Women Voters, Common Cause, and the American Civil Liberties Union all went to great lengths to make sure our voting was free and fair. International observers proclaimed the same. Colorado gets representatives from other states and countries who observe our system of casting and counting votes and consult about improving their own processes.

The 2020 election saw an extraordinary number of poll watchers throughout the vote counting process. It is possible for observers to watch the whole process through big plate glass windows. One Republican poll watcher spent six or seven full days watching everything going on with the vote count. When he walked out the door, he said, "I'm so impressed with how you all go out of your way to assure a fair and accurate count." Still, Kristi Burton Brown, the chairperson of the Colorado Republican Party, continues to sow doubt about the fairness and legitimacy of the election despite all evidence to the contrary.

Post-election audits are routinely conducted on the vote counts. These audits are randomly generated and require staff to pull the 15th ballot in box #X to check whether the paper copy of that unique ballot matches what the machine recorded as the vote for that ballot number.