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Hillary Hall
Boulder County Clerk and Recorder
1750 33rd St.
Boulder, CO 80301

Requests

I, James August a registered voter in Boulder County, am requesting that the “ Bell and Howell” scanner and envelope sorting system currently being used in Boulder County Clerk’s facility on 33rd St. in Boulder be pulled from service immediately since I have personally observed malfunctioning operations of various parts of this system for both hardware and software. This component of the election system should remain out of service until proper operation and performance defined by applicable specifications can be established.

Also, I request that all opening of mail-in-ballot envelopes be stopped immediately and remained stopped until the Bell and Howell system problems are solved and corrected or an acceptable alternative process be developed and approved.

My background

I am an engineer that retired from Ball Aerospace in 2004. I have been a registered voter in Boulder County since about 1965 when I moved here after leaving the US Air Force. This year I volunteered as a Precinct Committee Person for Precinct 636 located in Longmont. I was then asked to serve as a “Poll Watcher” volunteer for the Republican Party for the 2012 election.

I accepted and was assigned to observe the operations in the ballot processing facility in the County Clerk’s building on 33rd St in Boulder. I was not briefed nor provided any information about the process before I was escorted into the facility. My knowledge about the ballot process was based totally on my experience over the years of casting my ballot in my local precinct.

Basis for my request.

On several occasions I observed apparent malfunctions and improper operations of the Bell and Howell system including the signature verification process. Please keep in mind that I was provided very little information by my escorts, which included Sidney, Kim and Mary Beth. I had to try and figure out what was going on by simple observation so if I am mistaken in my understanding I would appreciate an opportunity to review any documentation that may be available.

My simplified understanding of expected operation of the B&H system

1. After the cover over the signature space on each ballot envelope had been removed, the envelopes were scanned by the B& H scanner.
2. The B&H scanner obtained the voter identification from the envelope including the bar code, and also captured an image of the voter's signature.
3. The computer part of the B&H system had what appeared to be 12 workstations, which are used by individual operators to visually verify the voter's signature on the ballot envelope is correct.
4. The operator at each Signature Verification station could accept or reject any signature then move on to the next set of signatures.
5. The rejected signatures were then brought back up on the screen for reverification by a bipartisan team, which could then accept or reject.
6. Then the ballot envelopes would be rescanned by the B&H scanner to pull out the envelopes with "rejected" signature for additional manual processing.
7. I would expect that a computer log of all transactions including software and hardware malfunctions be maintained.

Summary of problems with B&H System

1. There are several significant problems with the very subjective Signature Verification process by the operators, which I believe could be corrected by a relative simple change in procedures only. But that is a different subject and the focus here is in the malfunction the B& H hardware and associated software.
2. On Friday the 19th there was mass confusion around the B&H scanner which included a B&H representative. It took several hours to start scanning. (See Notes for 10-19-12, note 8)
3. On Monday the 22nd while observing Signature Verification operators on two adjacent stations each had the same set of 4 signatures on their screens at the same time. It is not known how long this had been going on. B& H technicians were called in (there were two on duty Monday). (See Notes for 10-22-12, note11 for details)
4. On Monday the 22nd while observing Signature Verification operators a "SCORE ERROR" popped up on two workstations. (See Notes for 10-22-12, note13 for details)
5. Monday the 22nd about 4:15 the envelope scanner jammed AGAIN. (See Notes for 10-22-12, note14 for details)
6. All day Monday there was confusion around the B&H scanner. (See Notes for 10-22-12, note15 for details)
7. On Monday the 22nd the B&H system was miscounting, (See Notes for 10-22-12, note17 for details)
8. On Monday the 22nd about 7:28 PM B&H techs where still working on counting problem. (See Notes for 10-22-12, note 21 for details)
9. On Wednesday the 24th about 1:23 with only one operator verifying signatures the operated called for staff. The system had locked up. After several restarts of the system it locked up again. Staff moved to a different workstation and restarted the software. (See Notes for 10-24-12, note 6 for details)
10. On Wednesday the 24th the system continued to lock up. (See Notes for 10-22-12, notes 7&8 for details)

11. I have been told that the B&H system has not successfully passed testing to requirement and performance specifications and therefore has not been certified. I hope this is not true.

Suggested alternative to the use of the B& H System

It has been suggested that we could manually laser scan each envelope and have the SCORE (?) system bring up the signature on file for that voter using the voter identification barcode. A bipartisan team then views the signature and makes the decision together. If it is rejected the envelope is set aside for additional or exception processing. There is no need for the envelopes to be sent through a scanner looking for the rejected envelope. It is my understanding that this is the process used in Pitkin County and it works just fine. This process would help solve some of the other signature verification problems such as extremely short view time, which in some cases was zero. (See my previous reports.)

Some potential problems if use of the B&H system continues to be used.

1. Incorrect voters could be credited for voting, and possible even incorrect number of voters. This could impact the Canvass, and future voter eligibility for permanent-mail-ballot status.
2. Ballots could continue to be falsely accepted or rejected and counted without any method of recovery.
3. Count of ballot return envelopes by precinct style could be incorrect, casing doubt on entire accountability of ballots
4. Due to the hardware and software malfunctions we have no way of knowing if each and every signature is being verified correctly.
5. With software malfunctions there could be contamination of data to other computer systems connected to the B&H system.

I would appreciate a response to this request by 4:00 pm tomorrow, Friday October 26 since this a very time critical issue relating to the current ballot processing.

Thank you for your help in this matter.

James August
Poll Watcher

cc : Jim Fletcher

Attached :

Jim August's notes from poll watching 10-19-12
Jim August's notes from poll watching 10-22-12
Jim August's notes from poll watching 10-24-12