Citizens' Oversight Projects (COPs)

CitizensOversight.org

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CITIZENS' OVERSIGHT PROJECTS
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September 1, 2009

Deborah Seiler
San Diego County Registrar of Voters
P.O. Box 85656
San Diego, CA. 92186-5656
(858) 565-5800   REF: C00022

CC: CAO Walter Ekard, Sup. Dianne Jacob, Secretary of State Debra Bowen, and Miguel Castillo, Legal unit, California Secretary of State.

Dear Ms. Seiler:

We are continuing our investigation into the operations of your department. Our last interaction on this was March 30, 2009. I apologize for taking so long to process the data as I had other commitments, and I did not want to conflict with the election in May. I am hoping to draw this work to a close shortly. I was hoping to have no further requests for your staff, but I found it is necessary to further investigate only a couple more issues.

1   Sign-in Rosters
    1.1   On March 30, 2009, we attempted to scan the Sign-in Rosters for the November 2008 election. We scanned approximately 41 precincts of the index sheets (pages 2-n), however we were not able to scan the first page, the "Ballot Statement." We we told by Assistant Registrar Michael Vu that it was not legal for us to scan the top sheet as it included the signatures of the precinct workers. We disagree with the notion that the signatures are protected because they might be the same as the signature used for validating any Vote-by-Mail ballot, as that would make scanning any signature illegal. However, that is an issue we are willing to defer to debate at another time.

    In our discussion with Mr. Vu, we were assured that your office was more than happy to allow us to have scans of those sheets as long as the signatures were obscured, and furthermore, that your office would be happy to help us with that task at a later time. Therefore,

    ---> Please supply scans of the top sheets of those pages with the signatures obscured, according to the proposal of Mr. Vu. If you place each in a separate file named BallotStatementXXXX.pdf, where XXXX is the precinct sequence number, that will assist our processing. We need to access a 5% sample, (85 precincts) with the following Sequence Numbers:

    0002 0015 0070 0081 0084 0101 0106 0115 0126 0150 0191 0196 0251 0320 0342 0347 0362
    0390 0399 0431 0451 0454 0483 0532 0535 0594 0612 0613 0624 0632 0634 0691 0702 0707
    0720 0768 0797 0824 0827 0832 0860 0892 0915 0917 0925 0947 0974 0995 0997 1048 1067
    1099 1100 1101 1126 1145 1217 1254 1256 1259 1275 1295 1298 1305 1315 1320 1321 1336
    1367 1377 1382 1407 1425 1434 1451 1460 1491 1510 1517 1527 1540 1563 1568 1610 1627

1.2　Also, we were unable to fully scan the index sheets (pages 2 – n) and stopped at precinct number 915.
---> If you would be so kind, please complete the scanning of precincts 917 to the end so our volunteers can inspect those sheets. Again, please use the name rosterindexseqXXXX.pdf so we can easily process these in our investigation.

2　Ballots Scanned on Election Night
　2.1　Please check the following description for accuracy:

At the precinct on election day, as each voter signs-in and receives a ballot, they are also checked off of the Roster Index (i.e. check list on pages 2-n of the Ballot Statement). NOT INCLUDED in the set of completed ballots (and the scan on election night) are:
　* Provisional ballots – (these are placed in an envelope and processed using Vote By Mail procedures.)
　* Vote-by-Mail ballots dropped off at the precinct (left in their envelope and processed according to the Mail-in ballot procedure including signature validation, etc.)
　* Ballots completed using touch-screen voting machines.

The following numbers SHOULD be exactly the same, under the assumption that all voters complete their ballot and insert it in the ballot box, and everyone counts perfectly:

2.1.1　The number of voters who signed in,
2.1.2　The number of voters who have been checked off of the Roster Index,
2.1.3　The number of completed ballots returned from the precinct,
2.1.4　The number of ballots scanned on election night,
2.1.5　The number of "Cards Cast" reported on the scanner report tape, and
2.1.6　The number of blank ballots provided to the precinct minus the number of spoiled ballots.

IS THIS CORRECT?

3　Audit Report
　3.1　Your answers to our questions on the audit report included referral to Premier Elections Systems (Formerly Diebold Systems) for answers.
---> Please provide a contact at Premier so we may ask our questions directly and please let them know that they should cooperate with us to answer those questions.

Specifically, this relates to (but may not be limited to) the following questions.
3.1.1　C00021.21.1 "Do you have full documentation for the audit log, such as what all entries mean and any options or configuration settings in terms of what is provided in the audit log?" and your answer was "No".
3.1.2　C00021-21.7.2 when you said "We are unable to answer this. Perhaps Premier could answer it."
3.1.3　C00021-21.8 when you said "This error is internal to the GEMS software. Premier would need to answer this question."
3.1.4　C00021-21.8.4 when you said "Please direct this request to Premier."
3.1.5　C00021-21.12.1 when you said "We are unable to explain this. Please redirect your question to Premier."
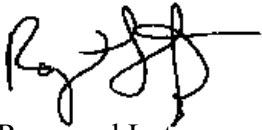
To reduce the use of paper products, we would be happy to accept the information as scanned documents in

PDF, JPG or a similar format. Since there is no cost in the form of paper and toner to create these files, we anticipate that the cost will therefore be minimal.

We would appreciate a prompt reply to this request to confirm your cooperation. The best way to respond is by email. We <u>do not require</u> any follow-up by conventional mail for our records as we will actively confirm your communication.

We trust that you will receive these requests with the community spirit that they are intended.

Sincerely,

Raymond Lutz
Coordinator, Citizens' Oversight Projects (COPs)