Election Process Improvement Recommendations
Michael Sumida, Election Judge and Watcher

The following are the suggested election process improvements that I shared at the Pueblo canvass meeting on 3 Nov. They are based on personal observations as a judge and watcher in Pueblo. This is an expanded description. I just touched on each briefly at the meeting.

1. Establish an Election Process Assessment team BEFORE the election that provides an assessment of the election process and specific improvement recommendations. Recommend SOS provide feedback to county clerk. Or SOS may be firmer and require certain process modifications. This should help with problems in certifying the election after the election is over. Wouldn't it be nice to not have to discuss process issues 29 days after the election?

2. Establish clearer Judge/watcher interaction guidelines. I was both a judge and watcher. I was told judges could talk to watchers but watchers could not talk to judges. Why? If we are all Americans and trying to show our voters that our election was fair, what is it with this judge/watcher confrontational policy. And after two weeks as a watcher, with the times where I wanted to say something to a judge, such as questioning a signature, I think the issue of slowing down the process by allowing judge/watcher interaction is not real. When I was a judge, I liked that fact that I was being watched because I could truly say to my friends and our fellow citizens, that I truly implemented my judge responsibilities in a transparent and honest manner with nothing to hide and that they don't have to take my word for it because I was watched.

2a. I did not brief this, but am adding it to this list. There should be a briefing attended by all judges and watchers before the election. They should be given a motivational briefing that although they represent different parties, they are all Americans and must work together. They should discuss any issues openly and try to help each other resolve issues. The cornerstone of convincing our public that the election was fair is that partisan judges and watchers worked together in resolving concerns. Brief them that such things as simply asking to relook at a signature should not be taken as some sort of major insult, but rather that a team member has an honest question, and resolve it with teamwork. Set the judge/watcher team attitude. That is leadership.

3. Set watcher quantity limits based on the number of processing stations and room size. On Nov 4, there were at least 20 ballot processing stations in the Pueblo Election Room. 2 receiving tables, 2 computer binking stations, 4 signature verification stations, 10 deconstructions stations and 2 duping stations. Also, when undeliverable ballots were processed, there were up to 3 employees processing undeliverable ballots in a separate room, and later in the election, there were duping stations and in-person ballot receiving going on down stairs, so on 4 Nov, there were more than 20 processing stations. We were allowed 2 people upstairs and 1 person downstairs, and someone said they felt we were allowed too many watchers. I disagree.

4. Judge Lists should come from Party County Chairpersons. One of the most important cornerstones of a fair election is that all ballot processing is performed by at least 2 partisan judges. Also, I feel employees of the clerk should not be certified as judges without the Party chair concurrence. This would establish greater confidence in the election process. But when the judges are picked by the county clerk, and the county party chairperson doesn't know or even recognize the names of "their" judges, the goal of establishing trust has just been destroyed. **Just as an example,** imagine if the Ukraine had an election, and Vladimir Putin declared himself

election **manager and** clerk and told everyone that he picked the partisan judges and will vouch that the people he picked were partisan to their respective parties. Part of the problem in Pueblo was the Republicans could not trust the Republican judges because they were unknown to those involved with party activities. Trust in judges is an overwhelming cornerstone in eliminating process issues after the election. **This is such a simple action to eliminate some of the post-election discussions 29 days after the election.** Wouldn't that be nice, and a great benefit with such a simple fix. In the current election, the comment that we should have confidence in the process because we had partisan judges became null and void, because of the unknown loyalty of the Republican judges. Those who are tired of hearing Republicans complain about issues that are easily resolved with the 2 partisan judge concept can silence the complaining by simply letting the Chairperson's provide the judge list. Simple.

5. Undeliverable Ballot Processing change. Undeliverable ballots were taken by Clerk employees, and were compared to data on computer screens at their desk to determine if another ballot can be mailed out. This should be a 2 judge process. I watched this process, but only part time with watching other election room activities.

6. Emailed Ballot Processing. I am not sure, but I believe Pueblo allowed overseas military to email their ballots. If this is not true, ignore this recommendation. If this is true, email accounts with passwords established by the SOS should be established. The password can be something like an 8 digit/alpha code, of which each party only knows 4 of the digits/letters. Then, those email accounts are opened by the two judges who know 4 digits each of the 8 digit password code, and open the emails and make the printouts of the emailed ballots that are then duplicated onto the normal ballot forms. When I watched duping, I believe I saw printouts of ballots that looked like they were email printouts to me.

7. Empty Ballot Box Transport must be done by judges. Pueblo allowed employees (who weren't even judges) to transport empty ballot boxes alone to remote ballot drop off sites. Once a ballot box has a chain of custody log on it, with seals, I believe that item should then be treated with chain of custody rules. The empty ballot box could have been diverted to another location and involved in fraudulent activity.

8. Add transport departure and arrival time to ballot box chain of custody logs. There were complaints of ballot boxes taking a long time to get from a remote location to the election office. Easy way to silence that complaint is simply have the judges put down the time the boxes are shipped and received.

9. Include printed name and time to chain of custody logs. When reviewing a chain of custody log, you can see signatures, but have no idea who they are. It would be so simple to create a page that lists all judges with signatures, so when reviewing a custody log, you can easily see who signed it, or determine that there is a fraudulent signature. Provide watchers with a list of all judges. This should be simple.

10. Rejected Signature Ballot Processing. When a signature is rejected, it then goes to a clerk employee, not to 2 judges, who then processes letters to the person to validate their signature. Signature affidavits are then mailed back to the election office and processed by clerk

employees who then create a ballot that goes directly to deconstruction. I believe this processing should be done by 2 partisan judges and watched.

11. In-person Ballot Processing. In-person ballots are not processed through the normal receiving station that documents in the receiving station logbook, the source of the ballots and how many ballots were in the box. Pueblo sent these in-person boxes downstairs and transferred the in-person ballots right into a large plastic box that was then sealed. Why not receive the in-person ballot boxes just like all of the other ballots/boxes. Consistency of process used for all received ballots.

12. Election processing areas doors and any doors of rooms involved with ballot processing should be sealed and opened by two judges (and preferably witnessed by a watcher) . In Pueblo, a single large room with 3 rooms within it that can only be accessed through the large room was used to process and store ballots. But that room was not sealed with numbered seal tapes each night. They did seal one room, called the vault. It would be so easy to seal those two doors, with 2 judge signature, and open the doors requiring two judges, which easily invokes the chain of custody evidence to the election processing room. Yes, there is video, but the seals are so much easier to determine if someone came into the election office in the middle of the night than reviewing hours and days of video.

13 If the clerk is a candidate in the election, In my opinion, the clerk and their staff should not manage or implement the election. Replacements should be identified and approved by the Secretary of State. Here is an example of what I believe is a valid description of what we do now. If Eastern Ukraine had elections, and Vladimir Putin then established himself as both a candidate and the manager of the election staff, what would Americans say about that? Well, in my opinion, having a clerk, who is both a candidate and the manager of the election office staff is an identical situation. I can honestly tell you that if I was in that situation, I would recuse myself. My personal integrity and ethics would not allow me to do otherwise. I would want absolutely no possible room what-so-ever for conflict of interest in something as important as an election. Why even allow any possible indication of conflict of interest regardless of how remote it may be. Just eliminate it completely and make it a non-issue. Period.

These are just my personal recommendations and observations and have not been screened or formally approved by anyone or any other organization.

I did appreciate the solicitation of comments at the end of the meeting that allowed me to provide these thoughts. Again, the above summary is an expansion of what I said, since I didn't want to take up a lot of time.

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