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Colorado Secretary of State  
Scott Gessler  
Denver, CO

**RE: Election Complaint – Election Reporting**

It is our understanding that the Department has authorized the use of an uncertified component in the 2012 General Election. This software is planned to collect and report Colorado election results.

There are errors in this uncertified software, as illustrated in the October 31, 2012 version available on the Internet at: <http://results.enr.clarityelections.com/CO/43032/105587/en/reports.html> .

1. The registration statistics for Boulder County are wrong:  
Total Active Voters: 173,295  
Total Inactive Voters: 71,530  
Total Eligible Voters: 244,825
2. In the SUMMARY tab, each contest is missing a row for under-votes and a row for over-votes.
3. In the PRECINCTS tab, the report does not distinguish between different styles within each precinct. Different styles signify different contests.
4. In the TURNOUT tab, the county-by-county report is wrong. The column labeled “All Registered Voters” reports the number of “Active Voters” not “All Registered Voters”.
5. The SUMMARY report shows the number of under and over-votes for each contestant. This does not make sense; there is no way to know this mental state of a voter. Over and under-votes occur by contest, not by contestant.
6. Throughout the reports there is an inconsistent (and in some cases inaccurate) use of terminology. There is misuse of the terms “voter” and “elector”. A voter is an elector who voted. An elector is a person who is eligible to vote.

I did not delve deeply into the component, but since I found so many defects, I am reporting what anybody should have seen at a moment’s glance. I suggest that you look carefully at the interface between the provider and the county data, and what happens to the data released to the provider.

As you must be aware, incorrect reporting of election results can cause a public crisis. If Canvass Board certified results overturn the results reported by this software, you risk a clamor on the scale of Florida 2000. No amount of disclaimer will remedy this threat. This component must be certified, and the problems must be fixed before it is used.

Your highest priority is not “speedy results”.

Al Kolwicz