

Uniformity in Election Administration: A 2008 Survey of Swing State County Clerks Colorado Edition

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Introduction

The Democracy SOS Project aims to increase transparency in election administration and to monitor the actions of election officials, starting with Secretaries of State. This series reports the results of surveys of county clerks in 10 “swing states” during the 2008 presidential election. FairVote staff and interns surveyed nearly every county clerk in Missouri, New Mexico, Colorado, Pennsylvania and Virginia, as well as election officials in counties with at least 500,000 residents in Ohio, Florida, Minnesota, Michigan and Wisconsin.

The questions were designed to shed light on the practices of the county, as well as their interpretation and compliance with state law. We asked questions regarding the allocation of voting machines and poll booths in order to assess the county clerks’ preparedness in ensuring that there would not be long lines and everyone would be able to vote on Election Day. We asked if they planned to put together a written allocation plan of their machines/booths to assess if these plans have been well thought out. We inquired as to when draft and final versions of the ballot would be ready to assess their clarity and ensure the public has time to review the ballot before Election Day, which helps cut down the amount of time voters spend in the voting booth. Finally, we asked about the number of post-secondary institutions in each county and if they had on campus polling locations to evaluate accessibility for youth voters.

Colorado has 64 counties and we were able to survey the election officials in 44 of them. We were, however, unable to contact county clerks in Adams, Boulder, Chaffee, Delta, Dolores, Douglas, Elbert, Grand, Jefferson, Las Animas, Lincoln, Mesa, Montrose, Morgan, Phillips, Pueblo, Routt, San Juan, Sedgwick, and Teller counties.

Type of Voting Equipment and Number per Precinct

The first question we asked each county clerk clarified the voting equipment used in the county as well as the number of machines per precinct. We looked up the machines used in each county and whether or not they had central or precinct-based count on the website *verifiedvoting.org*, and then compared the information to responses by the county clerks. Every county clerk was able to explain the voting equipment brand and type used in their counties. However, county clerks of Conejos and San Miguel counties said that they use DRE-Dial machines and offer paper ballots at the polls, which will be counted at the county level by an optical scan. The entry of Verified Voting categorizes the Conejos and San Miguel as counties that only offer DRE-Dial voting at the polls. For the purposes of this survey, we will assume that the county clerks were correct. Most counties in Colorado use paper ballots scanned by optical machines for most voters with a DRE machine for disabled voters. However, there is a substantial amount of variation in the brand of voting machine, with machines bought from Hart InterCivic, Premier Election Solutions, and Sequoia Voting Systems. Many counties that use optical scan machines with DRE machines use DRE Dial equipment while the others use DRE Touch Screen. Also, a substantial portion of counties only used DRE machines for all voters, not just disabled voters, at their precincts. These counties primarily used DRE-Dial machines, although Weld County uses DRE-Touch Screen for all voters.

Voting Equipment Used in Colorado

	Optical Scan and DRE Touch Screen	Optical Scan and DRE Dial	DRE Touch Screen	DRE Dial
Number of Counties*	12	21	1	10

*Out of 44 surveyed

In the counties that said they use optical scan and DRE equipment, almost all allocate one optical scan and one DRE machine per precinct. However, four of the counties that use paper ballots have a central count at the county headquarters. At these locations, some counties offered as many as 10 DRE machines per precinct, primarily using these machines and offering paper ballots in case of lines. Other counties with centrally counted paper ballots offered only one DRE machine and used it primarily for disabled voters while mostly using optical scan machines for all other voters. In counties that only use DRE machines at precincts with no paper ballots offered, there was substantial variation in the number of machines allocated to each precinct. Some counties were only able to allocate one DRE to each polling location. One of these counties cited being in “the poor part of Colorado” and therefore not having funds to provide an adequate number of machines.

Allocation of Poll Booths in each Precinct

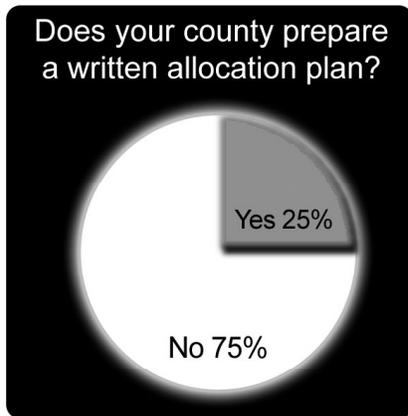
Our next question sought to address how county clerks determine the number of poll booths needed for the upcoming presidential election. Since county clerks were preparing for a primary election and not thinking ahead to November, some had a difficult time answering this question.

In general, county clerks cited experience, past voter turnout, current voter registration and precinct population most frequently as factors that they use to determine the number of booths needed. However, five counties had no formula and were planning to send a set amount of booths with a few extra voting booths to the largest precincts.¹ Four counties planned to send an equal number of booths to all precincts regardless of past turnout or registration numbers in those counties.² One precinct simply put in as many polling booths as could fit in the precinct.³ Two precincts set up their booths either partially⁴ or entirely⁵ based on their guesses about what should be needed in each precinct. One precinct planned to “just send them arbitrarily” with no formula or factor whatsoever to determine allocation.⁶

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Written Allocation Plan

We surveyed county clerks as to whether or not they would be preparing a written allocation plan of their poll booths for the upcoming November election as a means of gauging their organization and planning. The plan would simply state how many poll booths each polling location in each precinct would get for Election Day.



Our survey found that the majority of county clerks did not have a written plan for poll booth allocation, nor were they going to draft one. Out of 44 county clerks surveyed, only 11 were preparing to create a written booth allocation plan.⁷ Also, many of the counties that did have a written plan did not necessarily release it to public and rather only filed it with the Secretary of State.

“Out of 44 counties, only 11 are preparing a written booth allocation plan for the presidential election.”

The most common reasons cited by county clerks for not creating a written allocation plan were that the allocation of booths is based on what has been done in the past and that the booths are stored at polling locations and so allocation does not change.

¹ Broomfield, Fremont, Gunnison, Moffat, and Park counties

² Clear Creek, Custer, Montezuma, and Pitkin counties

³ Garfield County

⁴ Summit County uses both historical turnout and what they think each polling place will need to determine booth allocation

⁵ Ouray County just sends “as many as [she] think[s] are needed”

⁶ San Miguel County

⁷ Conejos, Gilpin, Gunnison, Hinsdale, Jackson, Kit Carson, Larimer, Mineral, Park, Summit, and Washington County Clerks

Readiness of Rough and Final Drafts of the Ballot

FairVote asked county clerks when the rough and final draft of their ballot for the presidential election would be ready as a means of understanding their election planning timeline, as well as to find out when we would be able to see a copy of the ballot.

In general, we found that many clerks were confused by the concept of a rough draft. It appears that localities do not handle the sample ballot because most claimed that the state handled sending the ballot to the printer and therefore nearly every county received their sample ballots on the same day as their final ballots. A substantial number of county clerks claimed that they received both their first sample ballot and all of their final ballots 30 days before the election.⁸ Three clerks declined to give specific dates, answering “September”⁹ and “October”¹⁰ when asked when their ballots would be available to the public.

A number of county clerks were vague about the deadline and said that their ballots would be ready “when required by law,” “after the state certification date,” “whenever the printer has them prepared” or “before absentee voting starts.” There were also four counties that were completely unsure when their sample or final ballots would be prepared.¹¹

College Campuses and Polling Locations

The final question in our survey was intended to determine which counties had a post-secondary institution, and whether or not there was a polling place on campus. Of the 44 counties surveyed, there were 45 colleges, universities, community colleges or junior colleges. Of these 45 post-secondary educational institutions, 17 had polling locations on campus. Also, a number of county clerks were unaware of the number of colleges in their county and only knew of the colleges that had polling locations on campus. Therefore, these numbers might overestimate the proportion of colleges in the state that have polling locations on campus.

“Of these 45 post-secondary educational institutions, 17 had polling locations on campus.”

The rationale clerks gave for placing polling locations on campuses is worth reporting. Some counties reported that they placed polling locations on campus not for the benefit of students, but simply because of their location within the precinct, and it just so happened that the campus was a central point. Some counties explained that they had polling locations near the colleges, sometimes even across the street but that attempts to put polling locations on campus had failed. Alamosa County reported that they previously put a polling place on each of the campuses of their college and junior college, however they removed them due to concerns for accessibility due to limited parking.

⁸ Alamosa, Arapahoe, Archuleta, Baca, Bent, Cheyenne, Clear Creek, Conejos, Crowley, Hinsdale, and Otero County Clerks

⁹ Moffat County Clerk

¹⁰ Montezuma and Park County Clerks

¹¹ Fremont, Huerfano, Kit Carson, and Yuma County Clerks

Although we could not reach the clerk for Boulder County, we did confirm that the University of Colorado at Boulder has three polling places on campus. The second largest school, Colorado State, has on-campus voting as well.

Conclusions

We have concluded that some counties in Colorado have not adequately prepared for the anticipated turnout on November 4th. The voting equipment in the state severely lacks uniformity, but local officials in many counties have taken steps to utilize multiple voting technologies to accommodate voters on Election Day. We can attribute this lack of uniformity to a dearth of guidelines and protocols from the state and federal level.

Most counties set their voting booth allocation through reasonable benchmarks, such as voter registration and turnout. However, some counties use arbitrary allocation methods based on where machines are stored and “best guesses” to determine how many booths are in each precinct. Counties should have a standardized, written formula to determine the number of booths in each precinct based on past voter turnout as well as registration numbers as of the voter registration deadline.

Most counties were not preparing a written allocation plan for the November election. A written plan is helpful in case of problems on Election Day that require intra-county communication and for future planning. County clerks should be required to draft a written allocation plan for booths and machines, to be finalized by a specified date well in advance of the election.

Colorado’s system of state-controlled ballot design and printing is acceptable, so long as the necessary safeguards are in place to ensure ballots are clear to voters. Making the rough draft or sample ballot available to counties and the public weeks before the election could prevent possible voter confusion and eliminate potential readability issues.

Colorado does a relatively good job of ensuring that most of its students have access to the polls on Election Day. Although 17 out of the 45 schools have on-campus voting in the counties we were able to survey, we confirmed that the largest two institutions have polling places on campus. Colorado’s use of early voting is also a practical way to get more college students to vote without having to worry about the potential barriers students have traditionally encountered on Election Day.

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