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# MEMORANDUM

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Date: November 6, 2013

To: Chairman and Members  
Election Integrity Commission

From: C.H. Huckelberry  
County Administrator

A handwritten signature in black ink, appearing to be "CHH", is written over the printed name "C.H. Huckelberry".

Re: **Your October 23, 2013 Letter Regarding Clear Audit and Clear Count Election Systems**

I appreciate your October 23, 2013 letter regarding Clear Audit and Clear Count Election Systems. Election vote tabulation methodology is changing rapidly, and the type of system you described would greatly enhance, simplify and improve the integrity of future elections.

After the November 5, 2013 election, I will ask Elections Director Brad Nelson and Assistant County Administrator Ellen Wheeler to follow up with the Secretary of State regarding the current status of their willingness to examine these options. It would be very helpful if one or more of the new tabulation systems was receiving some accepted state or national certification so we do not venture into bleeding edge technology.

While we cannot endorse or specify a single vendor and must give all potential vendors equal opportunity to obtain County business, we can specify performance, operational, and maintainability specifications in our procurement processes. I will also ask Ms. Wheeler to contact Clear Ballot to obtain more information about their system. She is also communicating with Mr. Nelson and Dr. John Moffatt regarding the operational advantages of the Clear Ballot system, as well as remaining alert to any pitfalls that may arise in technical performance or the procurement process.

CHH/anc

Attachment

c: Ellen Wheeler, Assistant County Administrator  
Brad Nelson, Elections Director

October 23, 2013

Chuck Huckelberry  
Pima County Administrator  
130 W. Congress Street, 10th Floor  
Tucson, AZ 85701

**Subject: Clear Audit and Clear Count Election Systems**

The Pima County Election Integrity Commission has received briefings and presentations from several election management system and election device vendors during CY2013. One system represents a clear technological advance in the area of election integrity. The Clear Ballot systems incorporate commercial off-the-shelf scanners and computers instead of custom developed and proprietary hardware, allowing high cost components to be used for other governmental functions and reducing election system acquisition and maintenance costs. The Commission recommends that the Administrator, Recorder and the Director of Elections from Pima County and the staff of the Arizona Secretary of State receive a web briefing and presentation by the Clear Ballot Group on their innovative new systems so that Arizona can move ahead in having greater accuracy, integrity, transparency and auditability of our election results.

The two Clear Ballot systems, ClearAudit (for auditing) and ClearCount (for voting); deliver results in a different manner than followed by the traditional vendors. The systems developed by Clear Ballot extend the basic capabilities common to the other systems. All create an electronic image of the ballot and tabulate the vote from the images. Clear Ballot goes farther. It presents the evidence of voter intent in a completely new visual method that allows non-technical people (think canvassing board judges, candidates, political parties and activists) to "see" the classification of votes, over-votes and under votes in a way that is fast, efficient and intuitive.

Traditional systems still require manual determination of votes received by write-in candidates by physically counting the number of ballots with valid marks. In addition, these older technology systems still require a great deal of handling of paper and manual duplication to deal with ballots that cannot be optically scanned for some reason (Pima County had approximately 20,000 of these in the last election). Ballots often cannot be scanned by the older technology systems due to printing errors, voter mismarking, or physical damage to the ballot. Using all-digital technologies, the Clear Ballot system eliminates this manpower intensive and expensive requirement to manually handle the physical ballots and the inherent opportunities for human mistakes and/or election fraud to occur. The resolution of write-in votes, over-voted ballots and unreadable ballots can all be done digitally. There will still be a few ballots that are damaged so badly, such as torn in two or more pieces, that they cannot be scanned and will require manual duplication but this should be a very small number of ballots. Each time human judgment is applied to a ballot in the Clear Ballot systems, the digital provenance of every ballot is automatically updated. The result is a complete digital record of everything known about every ballot.

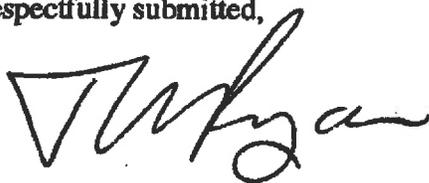
In addition to the elimination of the costs and time involved with resolution of the write-in votes and the questionable ballots the results of every race in the election can be readily audited electronically. The systems continually perform a self-audit to ensure that every identity is preserved. Within seconds after the polls close the election results can be reviewed in familiar tabular reports as well in Clear Ballot's unique election visualization software. They can audit by race, candidate, precinct, the quality of mark made on the ballot, and the voter's intent on any particular ballot.

The Clear Ballot systems have been proven to be more accurate than the traditional optical scanning technologies and the capability to completely and independently audit the election has caused the system to be adopted by a growing number of states. The systems have been used in Florida (where a law change has been approved to use the nation's first automated, independent audit), New York and Colorado. The ClearCount central count system is expected to be certified for use as a tabulation system in New York State by the third quarter of CY 2014. Clear Ballot has reached an agreement with SLI, one of two election system certification laboratories in the United States, to provide technical specifications and documentation to support certification as an election system under existing Arizona law early in 2014.

The Commission feels that the visual method of evaluating votes cast by the voters that Clear Ballot has used in developing their systems is far superior to methods employed by the traditional vendors and will provide a significant advancement in ensuring that the announced results are accurate. In addition to this basic principle of election integrity, the Clear Ballot systems will enhance voter confidence in our election processes by providing 100% auditability of the elections. Finally, by using off-the-shelf hardware, Clear Ballot should be able to offer election systems at a significantly lower cost.

The Commission is of the opinion that this advancement in election system technology warrants further investigation and awareness by both Pima County and the Arizona Secretary of State. For that reason the commission recommends and strongly encourages both Pima County officials and the Arizona Secretary of State to coordinate with Clear Ballot to schedule a joint web briefing so that we can advance election integrity in the state.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tom Ryan". The signature is written in a cursive style with a large, stylized initial "T".

Tom Ryan, Chair

On Behalf of the Pima County Election Integrity Commission

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