

# Comments to the Bipartisan Election Advisory Commission (BEAC) Meeting

by Michael L. Raisch, CPA

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My name is Michael L. Raisch. I am making these comments as an individual and as a Certified Public Accountant with an active license in Colorado for the past 50 years.

My primary concern has to do with the way the Risk Limiting Audit (RLA) is performed in Colorado. The RLA is primary tool upon which the Canvas Board relies to gather the information necessary to certify the election results and meet their statutory duties as defined under CRS 1-10-101.5. The duties are to reconcile the ballots received with the votes cast, to reconcile the ballots cast by precinct to confirm the number of ballots cast do not exceed the number of registered voters in such precinct, and to certify the abstract of votes cast in the election. As a CPA I can say that any valid audit should allow the auditors, and in this case the Canvass Board members, to have access to the information necessary to make the above three determinations. I believe it is specifically necessary that the Canvass Board have **direct** access to the Cast Vote Record (CVR).

My experience over the last few months in dealing with election officials, on both the state and county levels, is that there is a growing willingness to consider allowing access to these records. The access is appropriate in their unredacted form to Audit Boards and Canvass Boards as they are “election officials” as defined in CRS 18-9-313.5. As for the public’s access, I would suggest there are tools available to do the redaction quickly so the public may get the benefit of access to the CVR file before certification of the elections. I believe this access will provide much needed transparency, which should result in increased trust in the election process by the public.

As the name of the BEAC implies, I believe you are in a position of responsibility to advise on this matter. In addition to the growing willingness to allow this access during the RLA, the counties should not be left to individually decide how to rework their audit process to make use of this new and important information. The process in which the RLA is conducted is governed by the election rules (specifically Rule 25) as issued by the Secretary of State’s (SoS) office. I am requesting that your commission issue a letter of recommendation to the SoS to conduct meetings on how the counties can best utilize the CVR during the election audit. These working group meetings should include election officials, political parties, audit experts, statisticians, election experts, non-profit organizations, and other stakeholders. These changes to Rule 25 are within the rule-making authority of the Secretary of State and would not require legislative action.

Also, I have developed a tool to assist in accessing data in the CVR in an efficient and effective way, which uses the Excel software.

I have one more comment to make. During the presentation by representative of the SoS’s office, we were shown data that indicated the registration of unaffiliated voters has grown to over 50% of total registered voters in the state. The roles of Canvass Board members as discussed above currently limits membership to those registered as Democrats or Republicans. I believe this rule is outdated and operates to exclude over half of the voters from this process. I suggest your group recommend to the SoS that this suppression of this opportunity to unaffiliated voters be stopped.

Thank you.