By Bev Harris, Founder of BlackBoxVoting.org

Colorado election integrity and transparency is now officially out the window, with a series of corruption protection rules and new laws.

1. Let's begin with the unflappable Donetta Davidson, who collaborated with convicted embezzler Jeffrey Dean(1) to remove voter privacy, through a contract specification that required him to redo his absentee mail software in order to embed a method to tie voted ballots to the voters. This shifty business, which now includes all absentee ballots cast on Hart eSlate machines, has led to a blockade on ALL Colorado election accounting records (see #4, below).

2. Next, in a move that has most of us scratching our heads, Colorado Sec. State Gessler proposed new rules in December 2011 to remove requirements for continuous video surveillance.(2) Though billed as "cost saving," note that most video surveillance nowadays is simply piped into digital files stored on a Web site. Since cameras are already installed, there is no significant cost savings in allowing non-continuous surveillance.

3. Sec. State Gessler also decided to reduce the number of seals on voting machines,(2) to the chagrin of election integrity groups like Voter Action, whose investigations and litigation demonstrated vulnerabilities requiring the seals in the first place. The "cost savings" in this measure can be counted in pennies.

4. A number of protective accounting measures crucial for evaluating election tampering have been taken off the table though a new law to block election-related public records examination.

Donetta Davidson led the lobbying for this law. Davidson had become a commissioner of the U.S. Election Assistence Commission, then took a step down to take over the Colorado Clerks Association. In this capacity she led a fight to block the media and citizens from examining the ballots. And no wonder: She knew that due to changes made under her administration, private companies had marks embedded on the ballots enabling them to harvest data tying votes to voters.

Thanks to a lawsuit by Colorado citizen Marilyn Marks, of The Citizen Center, sponsored and assisted by Black Box Voting, the Colorado Supreme Court affirmed right to examine ballots. Marks was shocked when she discovered that identifying marks on the ballots allowed her to immediately associate every voted ballot with the voter who cast it. Marks, The Citizen Center, (and Black Box Voting) are now involved in litigation to permanently prohibit this harvesting of personal political information. In the interim, Sec. State Gessler has required that the identifiers be removed for November 2012 only.

With ballot examination affirmed to be in the public domain, Davidson's next move was to block ballot examination until after all remedies had expired. Using her clout, she lobbied successfully for the removal of ballots -- AND OTHER CRUCIAL ELECTION RECORDS, SUCH AS POLL LISTS -- from any access by election watchdogs until 45 days after the election.(3)

One telltale sign of election tampering is when thousands more votes than voters show up. But in Colorado, neither the media nor the public will be allowed to examine the poll lists or the list of names for voters said to have voted absentee, until too late to do anything about discrepancies.

5. And then there is the matter of alleged Romney ties to the second-biggest voting machine manufacturer in America. These connections are being minimized by Internet outlets like Snopes, but the straight truth is that Hart Intercivic, the firm that supplies two-thirds of Colorado counties with their voting machines, is now owned by a spin-off of Bain & Company (H.I.G. Capital).(4)

A majority of Hart's directors are now H.I.G. guys, and the directors of H.I.G. are Romney bundlers and donors who don't hedge their bets by donating to any other presidential candidate.

This isn't the first time Romney has had his buddies in charge of crucial election processes this year. Some weeks after the misreported figures in the Iowa caucus, which incorrectly cited Romney as the winner, Black Box Voting uncovered that Romney staffers had been brought in to run the Iowa Caucus, and the Nevada Caucus too. Besides heading Romney campaign functions, these guys were associated with an odious Colorado political firm which narrowly escaped prosecution for maliciously misleading political ads.(5)

And the Romney affiliation with Hart Intercivic doesn't rule out his buddies -- or Obama's buddies -- or George Soros -- or the Chinese, for that matter -- owning the other companies. Election Systems & Software (ES&S) does not reveal who its owners are, and we don't know who owns Dominion either. ES&S directly handles voting machines in three Colorado counties; it co-produces elections on the old Diebold equipment with Dominion, with ES&S supplying technicians in some U.S. locations and Dominion in others. Dominion owns Sequoia Voting Systems (or does it? No one seems to be quite sure...), used in large metro Denver County and in Pueblo.(6) Confused? American elections are now so far removed from the hands of the people that self-governance is just a memory.

6. Romney's business buddies owning Colorado's main voting machine company demonstrates, at the very least, an appearance of impropriety, but it carries with it something more: Actual opportunity to alter results.

Unlike most Diebold voting machine locations, whose county technicians set up each election using voting company software, Hart has its customers send files directly to Texas, where its programmers and technicians have their way with the files, sending them back to the counties to put in their voting machines. This centralized control point does in fact enable tampering with results from a remote location. Paper ballots? Well, not all Colorado counties even have them, but thanks to Donetta Davidson and her cronies, they are off limits for human examination and

will be interpreted only by the Hart machines.

The Hart system has built-in secret functions in its system, discovered by researchers in the Everest Study commissioned by then-Ohio Sec. State Jennifer Bruner. "Undocumented functions" are accessed through the registry, geek territory for most of us but accessible by any administrator. Voting systems are supposed to be certified and they are not supposed to contain "undocumented functions" accessible through sophisticated built-in back doors into the registry. These are certainly not accidental and not even the researchers for the EVEREST study were able to determine what these functions do.(7)

7. Loosey-goosey absentee system combines with obstruction of observation: Half of all ballots in Colorado are likely to be cast absentee, due to the implementation of not only no-fault absentee, but active promotion of "permanent" absentee status by Donetta Davidson's Colorado Clerks Assocation. With "permanent absentee" they send ballots even if they were not requested, and following a tussle, they also send ballots to people who didn't request them who haven't voted for years. Seems like a prescription for insider-driven absentee fraud (where an elections worker exploits names of inactive voters to insert ballots into the pool).

It also seems like it would at least be a good idea to allow extra careful observation of the whole absentee process, to authenticate the ID numbers of voters in whose name ballots are being cast.

Unfortunately, this is not the case.

"We used to stand beside the workers and look to see if the person reading an ID number and the person typing the ID number into the system were doing it properly," [Mary] Eberle said. [Eberle was a watcher for the American Constitution Party who is also a member of the watchdog group Citizen Center] "We could see how well they matched the signatures on a ballot envelope with the voter signature on file in [the state's registered voter database]. Well, we can't do that anymore..." (8)

According to The Colorado Independent: Marty Neilson, Republican Party election watcher, walked out of the Boulder County Clerk's building in disgust as workers there tabulated primary voting results the last week of June. Neilson said she couldn't see anything of substance and felt like she was participating in a sham exercise in oversight.

"[Clerk Hillary Hall] kept us behind [solid] walls and behind glass walls," Neilson told the Colorado Independent. "We are there to view the whole process, which is what the statutes say we're supposed to do, from the time the [election workers] get the ballots to the time they verify the signatures and then count the votes. But it was a charade. I left because why stay? There was no reason to be there."

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The core of a true democratic system is the concept of self-governance. If the public is not allowed to see and authenticate essential parts of the election (who can vote - voter list; who did

vote - poll lists; the counting of the vote; and chain of custody) -- if the public is left standing in the dark while insiders control the levers of operation and accounting, you don't have self-government at all.

What you are left with is the government choosing itself.

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FOOTNOTES

(1) Jeff Dean involvement in vote by mail software:
 http://www.bbvforums.org/forums/messages/70328/81241.html
Colorado demand to tie votes to voters:
(full transcript: http://www.blackboxvoting.org/1-10-06-04kim-v-dean.pdf - 1,007 KB) ; Page 19:
..."okay, if this voter showed up in the subsequent upload, then I need to ... tell them ... what ballot number he was assigned so they can pull it [the voted ballot] back out. It was a fundamental change in the way the program worked. Q When you say Colorado was told that, do you know who told them that the program was capable of doing that?
A Jeff [Dean]
More: http://www.bbvforums.org/forums/messages/133/80503.html

(2) Denver Post; Posted: 12/07/2011 02:19:33 PM MST; Updated: 12/07/2011 03:52:07 PM MST; By Sara Burnett
 http://www.denverpost.com/breakingnews/ci_19490338
"Among the changes being considered:
- Eliminate the requirement that video security surveillance of areas where election software is used be "continuous." Video surveillance is required for 60 days prior and 30 days after an election.

- Eliminate requirement that a county clerk or election judge who suspects tampering report it to the Secretary of State. Instead, such investigations would be handled at the county level.

- Reduce the number of tamper-proof seals that must be placed on seams of cases that hold the equipment's electronic components.

(3) New law to restrict access to election records http://www.centerpostdispatch.com/v2_news _articles.php?heading=0&page=72&story_id=1701

(4) Romney ties to Hart Intercivic: http://truth-out.org/news/item/12204-does-the-romney-family -now-own-your-e-vote

(5) Former Romney staffers run Iowa, Nevada caucuses: http://www.bbvforums.org/forums/me ssages/8/81900.html

(6) Map of voting machines in Colorado : http://www.verifiedvoting.org

(7) Hart use of registry for undocumented functions: http://www.bbvdocs.org/hart/EVEREST-Hart.pdf

"18.3.2 Windows Registry Misuse
The Windows registry is a operating system service that maintains configuration parameters for applications installed on the computer. The Hart system makes extensive use of the registry to enable/disable features of the system. While in general the use of the registry is not a problem, Hart uses it to enable critical functions and security sensitive operations. Issues arise because anyone with the appropriate privileges on the computer can read and change the registry. Thus an attacker without any Hart system passwords or hardware tokens can affect the security and behavior of the system.

"...An interesting characteristic of the registry use in the Hart software is that it (generally) periodically checks registry entries, rather that just checking them at start-up. This has the consequence that triggered features can be turned on and off without restarting the software.

"We found references to many dozens or more of registry entries used by the Hart EMS applications. We were only able to investigate a small number of these. The vast majority of registry entries are undocumented, and their purpose is often unclear.

(8) Blocking meaningful observation of absentee processing: http://coloradoindependent.com/author/johntomasic

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http://www.bbvforums.org/forums/messages/8/82306.html