



Mail Ballot Elections

Communications with Colorado Springs city council regarding mail ballot elections

Subject: Registered voters in Colorado Springs

Date: Fri, 6 Apr 2007 09:15:01 -0600

To: Lionel Rivera <lrivera@ci.colospgs.co.us>, Margaret Radford <radford4council@aol.com>, Larry Small <Lsmall@ci.colospgs.co.us>, Scott Hente <shente@ci.colospgs.co.us>., Jerry Heimlicher <jheimlicher@ci.colospgs.co.us>, Tom Gallagher <tgallagher@ci.colospgs.co.us>, Randy Purvis <rpurvis@ci.colospgs.co.us>, Darryl Glenn <dglenn@springsgov.com>, Bernie Herpin <bernie@herpins.com>

From: □ Dr. Charles E. Corry □ <ccorry@ejfi.org>

Cc: Robert Balink <RobertBalink@elpasoco.com>, John Bass <johnbass@elpasoco.com>, gtop@gazette.com, Ed Sealover <sealover@gazette.com>, jweiss@csindy.com

Mayor Rivera and City Council,

There is a gross error on the tabulation of the Colorado Springs April 3, 2007, election results posted at <http://www.springsgov.com/Page.asp?NavID=6712>. The number of registered voters for Colorado Springs given there is 147,857. However, as of March 26, 2007, the El Paso County Clerk and Recorder listed 222,533 registered voters in Colorado Springs.

I also note that if 60,935 ballots were actually cast in this election that voter turnout was only 27%, not 41% as suggested by the city clerk.

It is these kinds of simple arithmetic errors that destroy trust in elections and faith in your city clerk's ability to conduct an election, particularly a mail ballot election. It also seems quite likely that additional investigation of the April 3rd election results would reveal even more errors by both Diebold and the city clerk.

Charles E. Corry, Ph.D., F.G.S.A.

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Subject: RE: Registered voters in Colorado Springs

Date: Sat, 7 Apr 2007 09:35:47 -0600

From: □ Council Member Tom Gallagher □ <TGallagher@springsgov.com>

To: □ Dr. Charles E. Corry □ <ccorry@ejfi.org>

Dr. Corry,

The cornerstone of our free society, and the foundation of representative government is built upon the concept of □ Election Day □. Our military presence made a □ free election □ possible for the people of Iraq, and even though a blue index finger could have marked you for death. The citizens of Iraq turned out in mass to exercise their newly acquired right to cast a vote.

My brother in law (currently deployed in support of Operation Enduring Freedom) is the DCO of the 43rd ASG. As a senior logistician in theatre, he was intimately involved with how that election was conducted. There were several instances where insurgents successfully detonated bombs in an effort to disrupt and discredit the election process. He witnessed people seriously injured refuse medical attention until after they cast their ballot, in some cases this meant waiting until a new polling location could be established.

The right of self-determination, to be able to choose the elected members of your government, is the trademark of a free society. In Colorado Springs we see the other side of the coin, as some of our citizens exercise their right to not vote. This action however is a matter of choice, whereas the City Clerk made an arbitrary determination that over 80,000 citizen□s who were registered and eligible to cast a ballot, were deemed unworthy of the □Active□ voter designation, and essentially denied their right to vote or not vote.

You have identified the over 80,000 disenfranchised voters that were excluded from the city's election process. I say excluded because of the unique hoops these registered voters would be required to jump through in order to become certified as an □active□ voter by the City Clerk. This is one of the reasons that I voted against, and do not support the continued use of an □all mail in ballot□.

I also disagree strongly with the □cost savings□ rationale that has frequently been used by my colleagues to justify their votes in support of the all mail in process. I don't care if the cost of conducting our election exceeds the combined sum total of the City's General Fund and Enterprises annual budgets. I do not look upon the citizen□s right to vote as an opportunity to demonstrate fiscal conservatism. That over sight would be much more appropriately (and as yet unapplied to) demonstrated by allocating PSST funds to fire stations instead of office buildings.

Even though I won re-election, my confidence in the City Clerks process is low. The □Election Plan□ presented to the City Council was represented by the City Clerk as having been approved by Colorado's Secretary of State. This was an extremely liberal interpretation of Mike Coffman's opinion letter. The letter stated Colorado Springs' exercise of its home rule authority, created a Constitutional prohibition against rendering any opinion or expressing any of his reservations on the submitted election plan.

I hold little hope that City Council will end its practice of blindly deferring to the recommendations of city staff. The responsibility of setting policy and making substantive decisions rests on the shoulders of Council. By abrogating that obligation to staff, we commit a grievous disservice to our citizens and insulate our staff from any and all accountability for the action.

Thank you for confirming my opinion of how well we fail to fulfill our obligations to our constituency. Even for bobble heads we are pathetic, opting for spin and interpretation, instead of producing substantive results. Our current business model confers disproportionate benefit to upon a select few to the detriment of many. It also blurs the moral absolutes of right and wrong, for that I apologize.

I value your assessment of the election process and encourage you to continue to inform us of our shortcomings. It takes courage to point out that the emperor has no clothes; I apologize for the Council's inability to understand the message.

Tom Gallagher
Colorado Springs City Council at Large

Subject: RE: Mail ballot elections - the opposing viewpoint

Date: Wed, 6 Jun 2007 11:09:03 -0600

From: □ Council Member Jerry Heimlicher □ <JHeimlicher@springsgov.com>

To: □ Robert Balink □ <RobertBalink@elpasoco.com>, <ccorry@ejfi.org>

Seems like the economics are overpowering and it is time to take mail ballots to the next level. Why not stop trying to shoot them down and find a way to address each concern. All of the concerns about mail in ballots exist for absentee and early voters.

Subject: RE: Mail ballot elections - the opposing viewpoint

Date: Fri, 7 Jun 2007 20:00:17 -0600

To: □ Council Member Jerry Heimlicher □ <JHeimlicher@springsgov.com>, □ Robert Balink □ <RobertBalink@elpasoco.com>

From: □ Dr. Charles E. Corry □ <ccorry@ejfi.org>

Mr. Heimlicher,

From your comment it appears your premise is that elections should be sold to the lowest bidder, in this case Diebold the most mistrusted name in elections.

It would also greatly help public confidence if Colorado Springs employed a city clerk who could do basic arithmetic. And since all the programming was done by Diebold, signatures were checked by Diebold, and counting was done by Diebold without oversight by poll watchers we have no idea if the count was accurate, precise, or repeatable. That is not conducive to public trust.

Apparently it doesn't penetrate when I say that **you can have an honest election, or you can have a mail ballot election, but you can't have both at the same time.** There are simply too many ways to game a mail ballot election to □ *address each concern* □ and far too much money and power at stake to assume there will not be election fraud.

You are correct that the same concerns exist for □ *no excuse* □ absentee ballots and early voting. So why not do away with the expense of early voting if economy is desired and return to only issuing absentee ballots to those who appear in person and present a valid reason they won't be here on Election Day? That would be much smarter than trying to make the unworkable work as is so frequently done with government programs like mail ballot elections.

At present, city council and the county commission, in league with the clerks, design a Cadillac election with polling places and expensive optical scanners and DREs at every precinct for handicapped voters who rarely use them, provisional ballots, □ *no excuse* □ absentee ballots, and two weeks of early voting, and then say it costs more than the Model T version of mail balloting. If, instead, one used the Chevrolet version of polling place elections, with absentee voting only on demand by personal appearance, then costs for the two election styles would likely be very similar but the integrity of our elections would be orders of magnitude greater.

Since the turnout in the April 2007 Colorado Springs mail ballot election dropped to 27% from the 37% turnout in the 2003 mail ballot election and the number of registered voters dropped by about 500 despite an increase in population of about 32,000 residents, efforts to increase voter turnout and participation by making it easier to vote would appear to be having the opposite effect.

Cost and convenience are not the underlying objectives for an election.

Charles E. Corry, Ph.D., F.G.S.A.

Subject: RE: EJF newsletter - You will vote the way we tell you to vote! Verstehen! 6/26/07
Date: Tue, 26 Jun 2007 12:33:32 -0600
From: "Council Member Jerry Heimlicher" <JHeimlicher@springsgov.com>
To: "Dr. Charles E. Corry" <ccorry@ejfi.org>

Charles, Don't you think you should work to find a way to make mail in ballots safe rather than continuing to work against them? The economic reality is that we cannot continue to support the present system.

Date: Thu, 28 Jun 2007 10:59:56 -0600
To: "Colorado Springs Council Member Jerry Heimlicher" <JHeimlicher@springsgov.com>
From: "Dr. Charles E. Corry" <ccorry@ejfi.org>
Subject: RE: EJF newsletter - You will vote the way we tell you to vote! Verstehen! 6/26/07

Mr. Heimlicher,

I learned at a relatively young age that when someone older and much better educated than I told me something it usually paid for me to pay attention.

You don't seem to have learned that lesson and it doesn't seem to have penetrated that **you can have an honest election, or you can have a mail ballot election, but you can't have both at the same time.**

I am reminded of a two-year old by your statement. You want it because you want it and everyone else should cater to your immature and ignorant demands.

It also bears repeating that cost and convenience, particularly for election officials, are not of basic importance in such a fundamental process as an election.

Unless you favor dishonest elections for personal gain or advantage, why not work to lower the cost of precinct-based elections? There is no reason the cost of those can't be cut in half from what the Colorado Springs city clerk has been quoting to you. I'd be happy to help design a low-cost precinct election that provides a secret ballot and an honest, secure election.

Charles E. Corry, Ph.D., F.G.S.A.

Subject: RE: EJF newsletter - You will vote the way we tell you to vote! Verstehen! 6/26/07
Date: Sat, 7 Jul 2007 08:21:35 -0600
From: "Colorado Springs Council Member Jerry Heimlicher" <JHeimlicher@springsgov.com>
To: "Dr. Charles E. Corry " <ccorry@ejfi.org>

Dr. Corry,

This two year old insult will not resolve the real issue. The issue is one of economics. You solve that issue and we can continue to have the traditional way of voting. If you do not solve the economic issue, then find a way to make the mail in ballot work in as safe and secure a way as the current mail in absentee ballots and mail voting for early voters plus the ballot box approach.

If you are not willing to deal with reality, then stop insulting me and those who do not agree with you. Your emotional blasts are of little value and therefore, if you cannot stop insulting me and others, then stop writing to me altogether.

Date: Tuesday, 10 July 2007 08:55:08 hours MDT -0600

To: "Colorado Springs Council Member Jerry Heimlicher" <JHeimlicher@springsgov.com>, EJF comments <comments@ejfi.org>

From: "Dr. Charles E. Corry" <ccorry@ejfi.org>

Subject: RE: EJF newsletter - You will vote the way we tell you to vote! Verstehen! 6/26/07

Cc: Tom Gallagher <tgallagher@springsgov.com>, Darryl Glenn <dglenn@springsgov.com>, Scott Hente <shente@springsgov.com>, Jan Martin <JMartin@springsgov.com>, Randy Purvis <rpurvis@springsgov.com>, Margaret Radford <radford4council@aol.com>, Lionel Rivera <lrivera@springsgov.com>, Larry Small <Lsmall@springsgov.com>, Wayne Williams (Dist 1) <waynewilliams@elpasoco.com>, Sallie and Welling Clark <mail@holdenhouse.com>, Douglas Bruce <douglasbruce@elpasoco.com>, Jim Bensberg (Dist 5) <jimbensberg@elpasoco.com>, Dennis Hisey <hisey4cd4@earthlink.net>, Robert Balink <RobertBalink@elpasoco.com>

Mr. Heimlicher,

One of the most basic errors of logic is begging the question (*petitio principii*). In your response below you have made that error by insisting the basic issue in conducting an election is "*one of economics*."

May I remind you that as a public official responsible for conducting elections you are required, at a minimum, to:

- **Use a secret ballot**

Mail ballots are not and cannot be kept secret.

- **Provide a polling place where citizens can cast their ballot privately without fear of intimidation, coercion, or electioneering.**

Mail ballots do not and cannot provide that fundamental protection.

- **Ensure one man, one vote.**

Mail ballots do not and cannot ensure that.

- **Conduct the election publicly and transparently.**

Instead you hired a private company who used secret equipment and methods to count our ballots.

At www.ejfi.org/Voting/Voting-77.htm I have provided details and many more reasons why mail ballots are a bad idea. It is not apparent that you have read that essay, nor have you presented any counter arguments or any basis as to why economics should be the overriding factor in the conduct of an election.

While I agree that public officials have made elections ridiculously and needlessly expensive, the basic issue for an election still isn't one of economics, nor are mail ballot elections the solution. And the reasons for increasing the expense of elections are based on improving election safeguards you so blithely ignore.

I previously offered to "*help design a low-cost precinct election that provides a secret ballot and an honest, secure election*." You make no response to that offer. Apparently, despite the fact that you appear to be younger than I, and certainly don't have a doctorate in science or engineering, nor any apparent experience with elections or voting methods, you refuse to pay any attention to what I'm trying to tell you. As a resident in your district it is then reasonable to ask who do you listen to? From here it seems to be only the voices in your head.

As my district representative on city council may I remind you of that troublesome First Amendment that gives me a right to petition for a redress of grievances. There is no more fundamental grievance in American society than the misconduct of elections. And how else am I to point out the folly of your thinking and the fallacies of your logic if not by writing?

Readers interested in the complete text of this debate on mail ballot elections with Colorado Springs city council will find it here. The thread of a similar debate with the El Paso County, Colorado, clerk can be found at www.ejfi.org/PDF/Balink_mail_ballot_debate.pdf. It is worthwhile to recall that this debate began because of my request to provide an opposing viewpoint to an election commission regarding mail ballot elections, which the county clerk denied and subsequently cancelled the commission. Clearly, opposing viewpoints on mail ballot elections are not welcome, which brings us full circle to the problem of **You will vote the way we tell you to vote! Verstehen!**

Charles E. Corry, Ph.D., F.G.S.A.

Subject: RE: EJF newsletter - You will vote the way we tell you to vote! Verstehen! 6/26/07

Date: Tue, 10 Jul 2007 16:13:33 -0600

From: "Council Member Jerry Heimlicher" <JHeimlicher@springsgov.com>

To: "Dr. Charles E. Corry" <ccorry@ejfi.org>

Dr. Corry,

The issue of economics and the public's lack of interest in the elections are issues, not the major issues. You can continue to write about how stupid I am and how much I don't understand or you can address how we can make mail ballots safer and more secure. In other words you can continue to say no or you can be part of the process improvement."

Date: Mon, 16 Jul 2007 07:26:37 -0600

To: "Colorado Springs Council Member Jerry Heimlicher" <JHeimlicher@springsgov.com>

From: "Dr. Charles E. Corry" <ccorry@ejfi.org>

Subject: RE: EJF newsletter - You will vote the way we tell you to vote! Verstehen! 6/26/07

Mr. Heimlicher,

All of us make mistakes and no one has all the answers. But when all the evidence is against you, and you have not made any counter arguments but simply repeat the same unsubstantiated claims, that does reflect on your intelligence.

It has become evident that your city clerk pulled a bait-and-switch in "*selling*" a mail ballot election and then manipulated the results to make it appear the April election was more successful than it was. Now you insist I participate in such corrupt practices if I am to be "*part of the process.*" In short, you insult me and question my integrity, and I want no part of such "*politics as usual.*" And it is becoming more and more evident that you only listen to the voices in your head rather than the citizens you are supposed to represent.

I am also at a loss with regard to your statement about "*the public's lack of interest in the elections*"? May I suggest you review the citizen's groups dealing with elections I've tabulated at www.ejfi.org/Voting/Voting-139.htm. I add one or two new groups every week to that tabulation, although I haven't had a chance to update the site since April. When I started working on voting standards seven years ago there were just a handful of similar groups, now there are

hundreds. That hardly seems to me to reflect a lack of interest in the most basic process in our republic.

Charles E. Corry, Ph.D., F.G.S.A.

Subject: Re: EJF newsletter - You will vote the way we tell you to vote! Verstehen! 6/26/07

Date: Tue, 17 Jul 2007 16:12:15 -0600

From: "Council Member Tom Gallagher" <TGallagher@springsgov.com>

To: <ccorry@ejfi.org>

Dr. Corry,

I agree with you, elections are not the place to look for cost savings, and I apologize for not being able to end the practice even though I have faired well with them

There is nothing like a polling place on election day to make you feel like your vote matters. I encourage you in your efforts to make us see the light

Tom Gallagher
