

Citizens' Oversight Projects (COPs)

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July 25, 2021

PATRICIA ANDERSON
County Clerk, Dane County, WI
City County Building, Rm 106A
210 Martin Luther King Jr. Blvd.
Madison, WI 53703

(608) 266-4121
county.clerk@countyofdane.com



RE: Questions about the 2020 Election Data in DANE COUNTY, WI

We are very appreciative of the leadership provided by Dane County in terms of providing full disclosure of ballot images and cast vote records of recent elections.

Citizens' Oversight has been engaged in providing oversight of elections for the past 15 years, particularly starting in California, but also including Wisconsin, Florida and other areas. On October 6, 2019, we announced that we were developing a cloud-based service, "AuditEngine," that can provide audits of the ballot images created by the election equipment.

In fact, due to the availability of ballot images in your county, we started the development of AuditEngine using the images in prior elections before going to other counties in Florida and other areas. Now, we are pleased to share with you our Case Study featuring three counties in Florida: Volusia, Collier, and St. Lucie counties. The case study can be viewed online at this URL:
<https://auditengine.org/audit-results/case-study/>

THE ISSUE OF THIS LETTER

The reason for this letter is to inquire about an inconsistency we have discovered in the ballot image and Cast Vote Record (CVR) data compared with the official results. Let me reassure you that this is only an inconsistency in the data rather than any concern of your official results. Here are the ballot counts:

Description	Count
1. The official count of ballots cast (from Dane County website)	345,645
2. The total number of records in the CVRs	343,322
3. Unique ballot_ids in ballot image archives	336,679
4. Ballots cast that are not in the CVR records	2,323
5. Ballots in CVR records that are not in ballot image archives	6,643
6. Total ballot images not included	8,966

On your web page, you state that (underlining added):

The final, official canvass results posted on the Clerk's Results webpage (as well as on Wisconsin Elections Commission's website) for any county/state/federal races also include counted provisional ballots and other small adjustments. These adjustments are not tallied by the voting equipment, rather through the County Board of Canvass process. It is very important that any ballot image audit results only be compared to the unofficial, election night results.

Thus, we expect that item [1] in the table is the "final, official canvass results", and we have confirmed that the CVR files of item [2] match the "unofficial, election night results" provided on your website, subtotaled by ward. Thus the 2,323 ballot differential of item [4] is the "counted provisional balance and other small adjustments" mentioned in the first sentence above.

The remaining issue is the differential between the ballots included in the CVR files but do not have ballot images. There are a total of 6,643 ballots in this category. We have researched this and the adjacent report breaks this down by precinct. We are contacting you to find out if these ballot images are available, and if not, why they are not available.

WHAT MAY HAVE HAPPENED

We think it might happen if one or more machines that services the precincts listed in the table, were configured to not save ballot images.

The ES&S DS-200 voting machines have three settings:

- (a) save no ballot images,
- (b) save only write-in images, and
- (c) save all images.

If the machine is set to (a) or (b) then it may be the case that the votes of each ballot from those machines are included in the CVR data but no ballot images are included. Or, this could be another issue related to the way you are processing ballots out of the scope of the CVR and ballot image files.

This issue is related only to the consistency of the published data and does not indicate that the outcome of the election is in question.

For your reference, our BIF (ballot information file, i.e. metadata) report is available at this URL:

https://us-east-1-audit-engine-jobs.s3.amazonaws.com/US/WI/US_WI_Dane_20201103/reports/bif_report.html

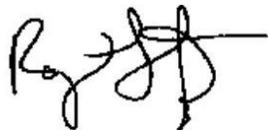
OUR REQUEST

1. Is it possible to get the missing 6,643 ballot images so that the ballot images will match the Cast Vote Record files?
2. What is the reason that these ballot images were not included?

precinct	count
T Oregon Wds 1-4	2279
T Cottage Grove Wds 1-2, 4-5, 7	1716
T Cottage Grove Wds 3, 6	985
T York Wd 1	457
V Belleville Wd 3	325
C Madison Wd 098	300
V Brooklyn Wd 2	254
C Madison Wd 097	203
V Cambridge Wd 1	66
C Madison Wd 038	27
C Madison Wd 140	18
V Deerfield Wds 1-3	13

If you would like to further discuss this, please call Ray Lutz at (619) 693-8960, or respond by sending an email to support@citizenoversight.org

Thank you for your kind assistance,

A handwritten signature in black ink, appearing to read 'Ray Lutz', with a long horizontal stroke extending to the right.

Ray Lutz
Executive Director,
Citizens Oversight

DANE COUNTY CLERK

SCOTT McDONELL

Madison, Wisconsin 53703

(608) 266-4121

mcdonell@countyofdane.com

To: Ray Lutz
Executive Director
Citizens' Oversight Projects

From: Scott McDonell, Dane County Clerk

RE: November 2020 General Election Ballot Images

Date: August 26, 2021

This is in response to your memo dated July 25th, 2021. Here are the answers to your questions about the ballot images posted on the Dane County Clerk Audit page for the November 2020 General election. We discovered ballot images that were missing from our website that you did not indicate were missing. An explanation for those missing ballot images is included as well.

Town of Cottage Grove Wards 1-2,4-5,7

Town of Cottage Grove Wards 3,6

Town of Oregon Wards 1-4

The ballot images for the Towns of Cottage Grove and Oregon are not online because both of these municipalities used a central count location for processing absentee ballots. (These are the only two municipalities currently who use this process in Dane County) Poll workers were required to write the voter number on the back of the ballot. Without redaction, it would be possible to match a voter with their specific ballot. Redaction is a time consuming process due to the number of ballots involved. Currently we are short staffed and dealing with multiple open records requests, marriage licenses, etc. There may be quicker methods to produce a partial image that would include the relevant data. Please let me know if you would like to discuss this option further.

Town of York Ward 1

Ballot images for the Town of York were inadvertently not included in the files posted on our website. They are now available. Thank you for pointing this out.

Village of Rockdale Ward 1

Internal errors prevented the saving of 2 of the 130 ballot images. Ballot images for the remaining 128 can be provided.

City of Edgerton Ward 7

Rock County programs the equipment for the entire City of Edgerton and these ballot images are currently in the possession of Rock County.

City of Madison Ward 91

Ballot images for the City of Madison ward 91 were inadvertently not included in the files posted on our website. They are now available. Thank you for pointing this out.

City of Madison Ward 92

The media for Ward 92 failed during the close polls process and no ballot images are available.

City of Madison Ward 140

Ballots for this small ward were hand-counted and not tabulated by election equipment. Therefore, no ballot images exist.

City of Madison Ward 38

City of Madison Ward 97

City of Madison Ward 98

Village of Deerfield Wds 1-3

An error in the ballot image extraction process resulted in the extraction process ending prematurely. A complete ballot image file is now available online alongside the original file.

Village of Belleville Wd 3

Village of Brooklyn Wd 2

Village of Cambridge Wd 1

Dane County programs the equipment for these wards, but these wards lie outside Dane County. When extracting the CVR file from our election management system, we do not have the option to exclude precincts. This results in the CVR including records for these wards, but as these wards are not in Dane County, we do not post the ballot images.

As a reminder, the vote totals for each ward were verified at the Dane County recount that occurred at Monona Terrace last November. The actual ballots represent the election totals, not the images. The single most important security feature is the integrity and retention of the actual cast paper ballots.

Feel free to contact our office for any additional clarification.