

Public Records Request

January 19th 2010

Responding agency: Secretary of the Commonwealth
Elections Division
McCormack Building, Room 1705
One Ashburton Place
Boston, MA 02108
Telephone: (617) 727-2828
Email: elections@sec.state.ma.us

Requesters: Sheila Parks, Ed.D.,
Center for Hand-Counted Paper Ballots
(617) 512-5529
sheilaruthparks@comcast.net

Jim March
Member of the Board of Directors,
Black Box Voting
(916) 370-0347
1.jim.march@gmail.com

Bob Fleischer
(978) 857-8255 (mobile)
rjf@tiac.net

Overview:

This request is for information regarding the conduct of elections generally and the upcoming special senate race (Jan. 2010) in particular.

All records requested are for non-commercial purposes. We request all responses regarding records availability, costs and where possible the records themselves be shared with us in electronic form only and Email transmission wherever possible.

Please CC both requesters above on all correspondence.

If electronic records exist but are too large for Email transmission, we are willing to pick up data on CD/DVDs or if the volume is large enough, provide a flash memory "USB stick" class of device of approximately eight gigabytes in it's original factory sealed package for easy copying and transmission of data. Please let us know if that would help facilitate the processing of this request.

We reserve the right to do on-site inspections of any material costly to reproduce.

We understand that it's possible that some material requested may be confidential until some point after either the election or final official canvass, or records that don't exist yet as of the time of the writing of this request but will be created as part of the election process. In that event, please let us know the earliest date and time the material in question can be released. We are aware of case law supporting the idea of asking for records that will exist, but don't yet.

We request the following:

- 1) Copies of contracts with LHS Associates, Diebold/Premier Election Systems, ES&S or any other voting system vendor or “VAR” (Value Added Reseller) operating within MA.
- 2) Copies of the certification reports for any voting systems approved for use in MA, created at either the Federal (EAC/NASED) levels or at the state level.
- 3) Copies of the electronic databases used to generate memory card data for MA elections, as prepared by any outside vendor such as LHS Associates. If your agency doesn't have these in-house, we ask that you obtain them from LHS and for that matter continue to do so in future elections. We realize that this data cannot be released until post-election, as it contains electronic copies of ballot layout files. ***These should have the file extension .MDB.***
- 4) Any policy manuals controlling the actions or allowed activities of companies supplying election support services such as provided by LHS Associates.
- 5) Any records you have on “ballot on demand” systems that allow local elections officials to print their own blank ballots within their own facilities, allowed for use and in use in MA. One such device we are aware of is the “Sentio” by Runbeck Election Services in Phoenix, AZ. We want any documents regarding the certification, contracts or allowed usage policies for this class of devices.
- 6) Any records you have on the rules regarding optically scanned paper ballots including who creates them, how they're tracked, how unvoted blanks are to be accounted for and what pens are allowable for use.

Thank you for your kind attention in this matter,

Sheila Parks, Ed.D.

Bob Fleischer

Jim March

Public Records Request

January 19th 2010

Responding agency: Boston Elections Department
Chairwoman Geraldine Cuddyer
1 City Hall Square, Room 241
Boston, MA 02201-2008

Telephone: 617.635.3767
Election@cityofboston.gov

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- 6) Any records showing the names of LHS Associates staff allowed on-site during elections, and their scope of duties.
- 7) Copies of the polltapes from the precincts. This may be a matter for on-site inspection of voluminous records.
- 8) Copies of the voter “sign in” logs from the precincts. This may be a matter for on-site inspection of voluminous records.
- 9) Copies of any “end of day” logs from the precincts, created by pollworker staff that show any of the following: blank ballots received, ballots used (votes cast), voters turned away for any reason. This may be a matter for on-site inspection of voluminous records.
- 10) Copies of any document showing “tracking and chain of custody” of ballot materials, including seals, seal status on receipt at any sort of central elections headquarters or warehouse facility, records of how ballot totals or ballots themselves were transmitted or transported and who did the transmission/transportation.
- 11) Copies of each “snapshot” of vote total sheets or printouts as they were created on election night after the polls close, including the time/date of printout, vote percentage completed and vote totals. (This is one record that contrary to the introduction, we want on paper as printed on election night.)

Thank you for your kind attention in this matter,

Sheila Parks, Ed.D.
Bob Fleischer
Jim March

Public Records Request

January 19th 2010

Responding agency: City of Belmont Town Clerk Delores A. Keefe
Town Hall
455 Concord Avenue
Belmont, MA 02478
617-993-2600/2602/2603/2604
dkeefe@town.belmont.ma.us

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