

**PETITION TO OPPOSE SECRETARY OF STATE'S ("SOS") PROPOSED RULE 2.13.2 AND RULES 10.1-10.3**

*Michael A. Morais*  
Petitioner, \_\_\_\_\_, a Colorado citizen and interested person submits this Petition to the Secretary of State's ("SOS") Proposed Rule 2.13.2 and Rules 10.1-10.3 (hereafter "Petition") based on the SOS' failure to demonstrate necessity for Rules 2.13.2 and Rules 10.1-10.3 ("Rules"), waste of limited state resources, undue burden on Colorado taxpayers, and the likelihood that the Rules will reduce election integrity.

**APPLICABLE LAW**

Pursuant to Section 24-4-103(7) C.R.S. which provides:

(7) Any interested person shall have the right to petition for the issuance, amendment, or repeal of a rule. Such petition shall be open to public inspection. Action on such petition shall be within the discretion of the agency; but when an agency undertakes rulemaking on any matter, all related petitions for the issuance, amendment, or repeal of rules on such matter shall be considered and acted upon in the same proceeding.

Accordingly, as provided above this Petition in opposition of the issuance of Rules 2.13.2 and 10.1-10.3 shall (mandatory) *be considered and acted upon at the rulemaking procedure.*

Pursuant to Section 24-4-103(4)(b)(I) C.R.S. which provides:

(b) All proposed rules shall be reviewed by the agency. No rule shall be adopted unless: (I) The record of the rule-making proceeding demonstrates the need for the regulation.

**PROPOSED RULES ARE NOT NECESSARY / UNDULY BURDENSOME TO COLORADO TAXPAYERS**

In support of this Petition, Petitioner alleges the following:

1. Rule 2.13.2. Currently, the County Clerks process inactive voter registrations. Proposed Rule 2.13.2 shifts the responsibility of processing inactive voter registrations away from the county clerks and solely to SOS staff. County Clerks are better positioned to process inactive voter registrations in their jurisdictions. County Clerk offices are staffed, trained, and experienced in this process, and FTEs for this processing are currently apportioned at the County Clerk level. Rule 2.13.2 is unnecessary and is an inefficient use of limited state resources that unduly burdens Colorado taxpayers. Additionally, Proposed Rule 2.13.2 fails to improve election integrity and in fact, increases the risk of voter fraud by:
  - a. Requiring additional but unneeded middle managers, data transfers, and confusing steps causing increased distancing between voters and their registrations. The increased administrative burden on the SOS, while eliminating already trained, seasoned local election officials, interjects delays in the voter registration process. The failure rate of removing obsolete voter registrations will increase. Such delays and failures result in obsolete registrations which devalues all Colorado voter registrations. Catching voter fraud will be more difficult allowing more voter fraud

to slip through the cracks. These consequences of the rules decrease election integrity and serve to disenfranchise voters.

2. Rules 10.1-10.3 Currently, well-trained bipartisan citizen canvas boards serve as voting fraud detectors. Detection of voting fraud reduces the risk of canceling votes and increases election integrity. Proposed Rules 10.1-10.3 significantly reduce the ability of well-trained bipartisan citizen canvas boards to detect fraud by:

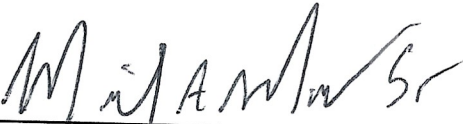
- i. Eliminating their ability to identify, correct, and account for errors;
- ii. Eliminating their ability to "account and balance" the election;
- iii. Eliminating their ability to pull ballots in question;
- iv. Eliminating their ability to contact election judges to address discrepancies; and
- v. Eliminating the requirement that they review the Statement of Ballots.

Petitioner contends that the SOS Proposed Rules 2.13.2 and 10.1-10.3 fail to meet the statutory requirement of Section 24-4-103(4)(b)(1) C.R.S. because the Rules are unnecessary. Moreover, the Rules waste limited state resources by utilizing untrained state personnel to perform the duties of already trained state personnel, impose undue financial burden on Colorado taxpayers by creating the likelihood of additional but unneeded SOS FTE, and serve to reduce election integrity by eliminating current fraud detection measures.

WHEREFORE, based on the foregoing Accordingly, Petitioner submits this petition to oppose the issuance of Proposed Rules 2.13.2 and 10.1-10.3 and requests that this Petition be made part of the rule-making record.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_



8/6/2021



**PETITION TO CONTEST LEGALITY AND/OR CONSTITUTIONALITY OF TEMPORARY/EMERGENCY RULE AMENDMENTS TO RULE 20.5.4 INCLUDING NEW RULES 20.5.4(a) AND 20.5.4 (e); AMENDMENTS TO RULE 21.7.3 INCLUDING A PORTION OF FORMER RULE 21.7.3 WHICH HAS BEEN RE-CODIFIED AS NEW RULE 21.7.3 (a); and ADOPTION OF NEW RULES 21.7.3 (b-e) and 21.7.4 ("Petition")**

Petitioner (print name), Don Ruby, a Colorado citizen and interested person ("Petitioner"), submits this Petition to contest the legality and/or constitutionality of temporary/rule amendments to Rule 20.5.4 including New Rules 20.5.4(a) and 20.5.4(e), amendments to rule 21.7.3 including a portion of former Rule 21.7.3 which has been re-codified as New rule 21.7.3 (a) and adoption of New Rules 21.7.3 (b-e) and 21.7.4 (hereafter collectively referred to as the "June 17, 2021 SOS Emergency Rules").

**APPLICABLE LAW**

On June 17, 2021, the Colorado Office of the Secretary of State ("SOS") adopted the June 17, 2021 SOS Emergency Rules.

Pursuant to Section 24-4-103 (6)(a) "a temporary or emergency rule may be adopted without compliance with the procedures prescribed in subsection (4) of this section and with less than the twenty days' notice prescribed in subsection (3) of this section, or where circumstances imperatively require, without notice, *only if the agency finds that immediate adoption of the rule is imperatively necessary to comply with a state or federal law or federal regulation or for the preservation of public health, safety, or welfare and compliance with the requirements of this section would be contrary to the public interest and makes such finding on the record. Such findings and a statement of the reasons for the action shall be published with the rule.*" (Emphasis added).

**LACK OF FINDING ON THE RECORD**

The "Statement of Justification and Reasons for Adoption of Temporary Rules" (the "Statement") provides "Adoption of these new and amended rules on a temporary basis is necessary given the public concern regarding rapidly increasing instances of purported "forensic audits" conducted by unknown and unverified third parties nationwide. These rules are necessary to ensure the continued security and integrity of, and public confidence in, Colorado's voting systems and its elections. These rules also ensure uniform conduct of the quickly approaching November coordinated election."

In support of this Petition, Petitioner alleges SOS' failure to:

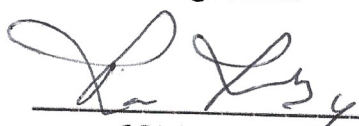
1. Provide a nexus between noncompliance with a state and/or federal law and how such alleged noncompliance renders the June 17, 2021 SOS Emergency Rules "imperatively necessary";
2. Provide a finding on the record of a "public concern" that is contrary to the public interest;
3. Provide a finding on the record of a "rapidly increasing" public concern that is contrary to public interest;
4. Provide a finding on the record of "forensic audits." The SOS acknowledges such "forensic audits" are purported and may not have occurred;
5. Provide a finding on the record of "unknown and unverified third parties" which by the SOS' own description indicates a lack of finding about such parties; and

6. Provide a finding on the record of any specific concern for Colorado citizens. Rather, the SOS relies upon a "nationwide" concern which in turn is used to adopt a Colorado emergency rule.
7. Provide a finding on the record on why it is "imperatively necessary" to adopt temporary/ emergency rules given a November election (5 months away).

Petitioner alleges that the SOS lacks any finding on the record which demonstrates that the adoption of the June 17, 2021 SOS Emergency Rules is "imperatively necessary".

WHEREFORE, based on the foregoing Accordingly, Petitioner submits this petition to render the June 17, 2021 SOS Emergency Rules void, *ab initio*.

Petitioner Signature:

 / Ron Ruby Date: 8/9/21  
COLORADO VOTER SIGNATURE                      COLORADO VOTER NAME (PRINT)

SOS please respond to this petition at (print email): \_\_\_\_\_



**PETITION TO CONTEST LEGALITY AND/OR CONSTITUTIONALITY OF TEMPORARY/EMERGENCY RULE AMENDMENTS TO RULE 20.5.4 INCLUDING NEW RULES 20.5.4(a) AND 20.5.4 (e); AMENDMENTS TO RULE 21.7.3 INCLUDING A PORTION OF FORMER RULE 21.7.3 WHICH HAS BEEN RE-CODIFIED AS NEW RULE 21.7.3 (a); and ADOPTION OF NEW RULES 21.7.3 (b-e) and 21.7.4 ("Petition")**

Petitioner (print name), Shari Adelagos, a Colorado citizen and interested person ("Petitioner"), submits this Petition to contest the legality and/or constitutionality of temporary/rule amendments to Rule 20.5.4 including New Rules 20.5.4(a) and 20.5.4(e), amendments to rule 21.7.3 including a portion of former Rule 21.7.3 which has been re-codified as New rule 21.7.3 (a) and adoption of New Rules 21.7.3 (b-e) and 21.7.4 (hereafter collectively referred to as the "June 17, 2021 SOS Emergency Rules").

**APPLICABLE LAW**

On June 17, 2021, the Colorado Office of the Secretary of State ("SOS") adopted the June 17, 2021 SOS Emergency Rules.

Pursuant to Section 24-4-103 (6)(a) "a temporary or emergency rule may be adopted without compliance with the procedures prescribed in subsection (4) of this section and with less than the twenty days' notice prescribed in subsection (3) of this section, or where circumstances imperatively require, without notice, *only if the agency finds that immediate adoption of the rule is imperatively necessary to comply with a state or federal law or federal regulation or for the preservation of public health, safety, or welfare and compliance with the requirements of this section would be contrary to the public interest and makes such finding on the record. Such findings and a statement of the reasons for the action shall be published with the rule.*" (Emphasis added).

**LACK OF FINDING ON THE RECORD**

The "Statement of Justification and Reasons for Adoption of Temporary Rules" (the "Statement") provides "Adoption of these new and amended rules on a temporary basis is necessary given the public concern regarding rapidly increasing instances of purported "forensic audits" conducted by unknown and unverified third parties nationwide. These rules are necessary to ensure the continued security and integrity of, and public confidence in, Colorado's voting systems and its elections. These rules also ensure uniform conduct of the quickly approaching November coordinated election."

In support of this Petition, Petitioner alleges SOS' failure to:

1. Provide a nexus between noncompliance with a state and/or federal law and how such alleged noncompliance renders the June 17, 2021 SOS Emergency Rules "imperatively necessary";
2. Provide a finding on the record of a "public concern" that is contrary to the public interest;
3. Provide a finding on the record of a "rapidly increasing" public concern that is contrary to public interest;
4. Provide a finding on the record of "forensic audits." The SOS acknowledges such "forensic audits" are purported and may not have occurred;
5. Provide a finding on the record of "unknown and unverified third parties" which by the SOS' own description indicates a lack of finding about such parties; and

6. Provide a finding on the record of any specific concern for Colorado citizens. Rather, the SOS relies upon a "nationwide" concern which in turn is used to adopt a Colorado emergency rule.
7. Provide a finding on the record on why it is "imperatively necessary" to adopt temporary/emergency rules given a November election (5 months away).

Petitioner alleges that the SOS lacks any finding on the record which demonstrates that the adoption of the June 17, 2021 SOS Emergency Rules is "imperatively necessary".

WHEREFORE, based on the foregoing Accordingly, Petitioner submits this petition to render the June 17, 2021 SOS Emergency Rules void, *ab initio*.

Petitioner Signature:



COLORADO VOTER SIGNATURE

Shari Gallegos

COLORADO VOTER NAME (PRINT)

Date:

8/7/21

SOS please respond to this petition at (print email): \_\_\_\_\_

**PETITION TO OPPOSE SECRETARY OF STATE'S ("SOS") PROPOSED RULE 2.13.2 AND RULES 10.1-10.3**

Petitioner, <sup>Shelby R K</sup> Hopkins, a Colorado citizen and interested person submits this Petition to the Secretary of State's ("SOS") Proposed Rule 2.13.2 and Rules 10.1-10.3 (hereafter "Petition") based on the SOS' failure to demonstrate necessity for Rules 2.13.2 and Rules 10.1-10.3 ("Rules"), waste of limited state resources, undue burden on Colorado taxpayers, and the likelihood that the Rules will reduce election integrity.

**APPLICABLE LAW**

Pursuant to Section 24-4-103(7) C.R.S. which provides:

(7) Any interested person shall have the right to petition for the issuance, amendment, or repeal of a rule. Such petition shall be open to public inspection. Action on such petition shall be within the discretion of the agency; but when an agency undertakes rulemaking on any matter, all related petitions for the issuance, amendment, or repeal of rules on such matter shall be considered and acted upon in the same proceeding.

Accordingly, as provided above this Petition in opposition of the issuance of Rules 2.13.2 and 10.1-10.3 shall (mandatory) *be considered and acted upon at the rulemaking procedure.*

Pursuant to Section 24-4-103(4)(b)(I) C.R.S. which provides:

(b) All proposed rules shall be reviewed by the agency. No rule shall be adopted unless: (I) The record of the rule-making proceeding demonstrates the need for the regulation.

**PROPOSED RULES ARE NOT NECESSARY / UNDULY BURDENSOME TO COLORADO TAXPAYERS**

In support of this Petition, Petitioner alleges the following:

1. Rule 2.13.2. Currently, the County Clerks process inactive voter registrations. Proposed Rule 2.13.2 shifts the responsibility of processing inactive voter registrations away from the county clerks and solely to SOS staff. County Clerks are better positioned to process inactive voter registrations in their jurisdictions. County Clerk offices are staffed, trained, and experienced in this process, and FTEs for this processing are currently apportioned at the County Clerk level. Rule 2.13.2 is unnecessary and is an inefficient use of limited state resources that unduly burdens Colorado taxpayers. Additionally, Proposed Rule 2.13.2 fails to improve election integrity and in fact, increases the risk of voter fraud by:
  - a. Requiring additional but unneeded middle managers, data transfers, and confusing steps causing increased distancing between voters and their registrations. The increased administrative burden on the SOS, while eliminating already trained, seasoned local election officials, interjects delays in the voter registration process. The failure rate of removing obsolete voter registrations will increase. Such delays and failures result in obsolete registrations which devalues all Colorado voter registrations. Catching voter fraud will be more difficult allowing more voter fraud



to slip through the cracks. These consequences of the rules decrease election integrity and serve to disenfranchise voters.

2. Rules 10.1-10.3 Currently, well-trained bipartisan citizen canvas boards serve as voting fraud detectors. Detection of voting fraud reduces the risk of canceling votes and increases election integrity. Proposed Rules 10.1-10.3 significantly reduce the ability of well-trained bipartisan citizen canvas boards to detect fraud by:

- I. Eliminating their ability to identify, correct, and account for errors;
- ii. Eliminating their ability to "account and balance" the election;
- iii. Eliminating their ability to pull ballots in question;
- iv. Eliminating their ability to contact election judges to address discrepancies; and
- v. Eliminating the requirement that they review the Statement of Ballots.

Petitioner contends that the SOS Proposed Rules 2.13.2 and 10.1-10.3 fail to meet the statutory requirement of Section 24-4-103(4)(b)(1) C.R.S. because the Rules are unnecessary. Moreover, the Rules waste limited state resources by utilizing untrained state personnel to perform the duties of already trained state personnel, impose undue financial burden on Colorado taxpayers by creating the likelihood of additional but unneeded SOS FTE, and serve to reduce election integrity by eliminating current fraud detection measures.

WHEREFORE, based on the foregoing Accordingly, Petitioner submits this petition to oppose the issuance of Proposed Rules 2.13.2 and 10.1-10.3 and requests that this Petition be made part of the rule-making record.

Signed:



Dated:

8-7-21

## PETITION TO OPPOSE SECRETARY OF STATE'S ("SOS") PROPOSED RULE 2.13.2 AND RULES 10.1-10.3

Petitioner, Sagel, a Colorado citizen and interested person submits this Petition to the Secretary of State's ("SOS") Proposed Rule 2.13.2 and Rules 10.1-10.3 (hereafter "Petition") based on the SOS' failure to demonstrate necessity for Rules 2.13.2 and Rules 10.1-10.3 ("Rules"), waste of limited state resources, undue burden on Colorado taxpayers, and the likelihood that the Rules will reduce election integrity.

### APPLICABLE LAW

Pursuant to Section 24-4-103(7) C.R.S. which provides:

(7) Any interested person shall have the right to petition for the issuance, amendment, or repeal of a rule. Such petition shall be open to public inspection. Action on such petition shall be within the discretion of the agency; but when an agency undertakes rulemaking on any matter, all related petitions for the issuance, amendment, or repeal of rules on such matter shall be considered and acted upon in the same proceeding.

Accordingly, as provided above this Petition in opposition of the issuance of Rules 2.13.2 and 10.1-10.3 shall (mandatory) *be considered and acted upon at the rulemaking procedure.*

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(b) All proposed rules shall be reviewed by the agency. No rule shall be adopted unless: (I) The record of the rule-making proceeding demonstrates the need for the regulation.

### PROPOSED RULES ARE NOT NECESSARY / UNDULY BURDENSOME TO COLORADO TAXPAYERS

In support of this Petition, Petitioner alleges the following:

1. Rule 2.13.2. Currently, the County Clerks process inactive voter registrations. Proposed Rule 2.13.2 shifts the responsibility of processing inactive voter registrations away from the county clerks and solely to SOS staff. County Clerks are better positioned to process inactive voter registrations in their jurisdictions. County Clerk offices are staffed, trained, and experienced in this process, and FTEs for this processing are currently apportioned at the County Clerk level. Rule 2.13.2 is unnecessary and is an inefficient use of limited state resources that unduly burdens Colorado taxpayers. Additionally, Proposed Rule 2.13.2 fails to improve election integrity and in fact, increases the risk of voter fraud by:
  - a. Requiring additional but unneeded middle managers, data transfers, and confusing steps causing increased distancing between voters and their registrations. The increased administrative burden on the SOS, while eliminating already trained, seasoned local election officials, interjects delays in the voter registration process. The failure rate of removing obsolete voter registrations will increase. Such delays and failures result in obsolete registrations which devalues all Colorado voter registrations. Catching voter fraud will be more difficult allowing more voter fraud

to slip through the cracks. These consequences of the rules decrease election integrity and serve to disenfranchise voters.

2. Rules 10.1-10.3 Currently, well-trained bipartisan citizen canvas boards serve as voting fraud detectors. Detection of voting fraud reduces the risk of canceling votes and increases election integrity. Proposed Rules 10.1-10.3 significantly reduce the ability of well-trained bipartisan citizen canvas boards to detect fraud by:

- i. Eliminating their ability to identify, correct, and account for errors;
- ii. Eliminating their ability to "account and balance" the election;
- iii. Eliminating their ability to pull ballots in question;
- iv. Eliminating their ability to contact election judges to address discrepancies; and
- v. Eliminating the requirement that they review the Statement of Ballots.

Petitioner contends that the SOS Proposed Rules 2.13.2 and 10.1-10.3 fail to meet the statutory requirement of Section 24-4-103(4)(b)(1) C.R.S. because the Rules are unnecessary. Moreover, the Rules waste limited state resources by utilizing untrained state personnel to perform the duties of already trained state personnel, impose undue financial burden on Colorado taxpayers by creating the likelihood of additional but unneeded SOS FTE, and serve to reduce election integrity by eliminating current fraud detection measures.

WHEREFORE, based on the foregoing Accordingly, Petitioner submits this petition to oppose the issuance of Proposed Rules 2.13.2 and 10.1-10.3 and requests that this Petition be made part of the rule-making record.

Signed: 

Dated: August 7 2020



## PETITION TO OPPOSE SECRETARY OF STATE'S ("SOS") PROPOSED RULE 2.13.2 AND RULES 10.1-10.3

Petitioner, Phoenix, a Colorado citizen and interested person submits this Petition to the Secretary of State's ("SOS") Proposed Rule 2.13.2 and Rules 10.1-10.3 (hereafter "Petition") based on the SOS' failure to demonstrate necessity for Rules 2.13.2 and Rules 10.1-10.3 ("Rules"), waste of limited state resources, undue burden on Colorado taxpayers, and the likelihood that the Rules will reduce election integrity.

### APPLICABLE LAW

Pursuant to Section 24-4-103(7) C.R.S. which provides:

(7) Any interested person shall have the right to petition for the issuance, amendment, or repeal of a rule. Such petition shall be open to public inspection. Action on such petition shall be within the discretion of the agency; but when an agency undertakes rulemaking on any matter, all related petitions for the issuance, amendment, or repeal of rules on such matter shall be considered and acted upon in the same proceeding.

Accordingly, as provided above this Petition in opposition of the issuance of Rules 2.13.2 and 10.1-10.3 shall (mandatory) *be considered and acted upon at the rulemaking procedure.*

Pursuant to Section 24-4-103(4)(b)(I) C.R.S. which provides:

(b) All proposed rules shall be reviewed by the agency. No rule shall be adopted unless: (I) The record of the rule-making proceeding demonstrates the need for the regulation.

### PROPOSED RULES ARE NOT NECESSARY / UNDULY BURDENSOME TO COLORADO TAXPAYERS

In support of this Petition, Petitioner alleges the following:

1. Rule 2.13.2. Currently, the County Clerks process inactive voter registrations. Proposed Rule 2.13.2 shifts the responsibility of processing inactive voter registrations away from the county clerks and solely to SOS staff. County Clerks are better positioned to process inactive voter registrations in their jurisdictions. County Clerk offices are staffed, trained, and experienced in this process, and FTEs for this processing are currently apportioned at the County Clerk level. Rule 2.13.2 is unnecessary and is an inefficient use of limited state resources that unduly burdens Colorado taxpayers. Additionally, Proposed Rule 2.13.2 fails to improve election integrity and in fact, increases the risk of voter fraud by:
  - a. Requiring additional but unneeded middle managers, data transfers, and confusing steps causing increased distancing between voters and their registrations. The increased administrative burden on the SOS, while eliminating already trained, seasoned local election officials, interjects delays in the voter registration process. The failure rate of removing obsolete voter registrations will increase. Such delays and failures result in obsolete registrations which devalues all Colorado voter registrations. Catching voter fraud will be more difficult allowing more voter fraud

to slip through the cracks. These consequences of the rules decrease election integrity and serve to disenfranchise voters.

2. Rules 10.1-10.3 Currently, well-trained bipartisan citizen canvas boards serve as voting fraud detectors. Detection of voting fraud reduces the risk of canceling votes and increases election integrity. Proposed Rules 10.1-10.3 significantly reduce the ability of well-trained bipartisan citizen canvas boards to detect fraud by:

- i. Eliminating their ability to identify, correct, and account for errors;
- ii. Eliminating their ability to "account and balance" the election;
- iii. Eliminating their ability to pull ballots in question;
- iv. Eliminating their ability to contact election judges to address discrepancies; and
- v. Eliminating the requirement that they review the Statement of Ballots.

Petitioner contends that the SOS Proposed Rules 2.13.2 and 10.1-10.3 fail to meet the statutory requirement of Section 24-4-103(4)(b)(1) C.R.S. because the Rules are unnecessary. Moreover, the Rules waste limited state resources by utilizing untrained state personnel to perform the duties of already trained state personnel, impose undue financial burden on Colorado taxpayers by creating the likelihood of additional but unneeded SOS FTE, and serve to reduce election integrity by eliminating current fraud detection measures.

WHEREFORE, based on the foregoing Accordingly, Petitioner submits this petition to oppose the issuance of Proposed Rules 2.13.2 and 10.1-10.3 and requests that this Petition be made part of the rule-making record.

Signed: Chaemy Tipari

Dated: 8/7/21

**PETITION TO OPPOSE SECRETARY OF STATE'S ("SOS") PROPOSED RULE 2.13.2 AND RULES 10.1-10.3**

Petitioner, Abrey Fears, a Colorado citizen and interested person submits this Petition to the Secretary of State's ("SOS") Proposed Rule 2.13.2 and Rules 10.1-10.3 (hereafter "Petition") based on the SOS' failure to demonstrate necessity for Rules 2.13.2 and Rules 10.1-10.3 ("Rules"), waste of limited state resources, undue burden on Colorado taxpayers, and the likelihood that the Rules will reduce election integrity.

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to slip through the cracks. These consequences of the rules decrease election integrity and serve to disenfranchise voters.

2. Rules 10.1-10.3 Currently, well-trained bipartisan citizen canvas boards serve as voting fraud detectors. Detection of voting fraud reduces the risk of canceling votes and increases election integrity. Proposed Rules 10.1-10.3 significantly reduce the ability of well-trained bipartisan citizen canvas boards to detect fraud by:

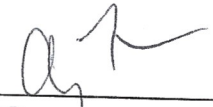
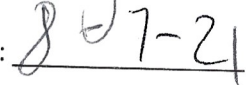
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- ii. Eliminating their ability to "account and balance" the election;
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Petitioner contends that the SOS Proposed Rules 2.13.2 and 10.1-10.3 fail to meet the statutory requirement of Section 24-4-103(4)(b)(1) C.R.S. because the Rules are unnecessary. Moreover, the Rules waste limited state resources by utilizing untrained state personnel to perform the duties of already trained state personnel, impose undue financial burden on Colorado taxpayers by creating the likelihood of additional but unneeded SOS FTE, and serve to reduce election integrity by eliminating current fraud detection measures.

WHEREFORE, based on the foregoing Accordingly, Petitioner submits this petition to oppose the issuance of Proposed Rules 2.13.2 and 10.1-10.3 and requests that this Petition be made part of the rule-making record.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

**PETITION TO OPPOSE SECRETARY OF STATE'S ("SOS") PROPOSED RULE 2.13.2 AND RULES 10.1-10.3**

Petitioner, BARBARA E J BENNETT, a Colorado citizen and interested person submits this Petition to the Secretary of State's ("SOS") Proposed Rule 2.13.2 and Rules 10.1-10.3 (hereafter "Petition") based on the SOS' failure to demonstrate necessity for Rules 2.13.2 and Rules 10.1-10.3 ("Rules"), waste of limited state resources, undue burden on Colorado taxpayers, and the likelihood that the Rules will reduce election integrity.

**APPLICABLE LAW**

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**PROPOSED RULES ARE NOT NECESSARY / UNDULY BURDENSOME TO COLORADO TAXPAYERS**

In support of this Petition, Petitioner alleges the following:

1. Rule 2.13.2. Currently, the County Clerks process inactive voter registrations. Proposed Rule 2.13.2 shifts the responsibility of processing inactive voter registrations away from the county clerks and solely to SOS staff. County Clerks are better positioned to process inactive voter registrations in their jurisdictions. County Clerk offices are staffed, trained, and experienced in this process, and FTEs for this processing are currently apportioned at the County Clerk level. Rule 2.13.2 is unnecessary and is an inefficient use of limited state resources that unduly burdens Colorado taxpayers. Additionally, Proposed Rule 2.13.2 fails to improve election integrity and in fact, increases the risk of voter fraud by:
  - a. Requiring additional but unneeded middle managers, data transfers, and confusing steps causing increased distancing between voters and their registrations. The increased administrative burden on the SOS, while eliminating already trained, seasoned local election officials, interjects delays in the voter registration process. The failure rate of removing obsolete voter registrations will increase. Such delays and failures result in obsolete registrations which devalues all Colorado voter registrations. Catching voter fraud will be more difficult allowing more voter fraud

to slip through the cracks. These consequences of the rules decrease election integrity and serve to disenfranchise voters.

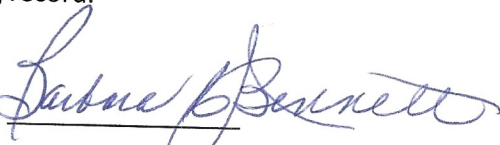
2. Rules 10.1-10.3 Currently, well-trained bipartisan citizen canvas boards serve as voting fraud detectors. Detection of voting fraud reduces the risk of canceling votes and increases election integrity. Proposed Rules 10.1-10.3 significantly reduce the ability of well-trained bipartisan citizen canvas boards to detect fraud by:

- i. Eliminating their ability to identify, correct, and account for errors;
- ii. Eliminating their ability to "account and balance" the election;
- iii. Eliminating their ability to pull ballots in question;
- iv. Eliminating their ability to contact election judges to address discrepancies; and
- v. Eliminating the requirement that they review the Statement of Ballots.

Petitioner contends that the SOS Proposed Rules 2.13.2 and 10.1-10.3 fail to meet the statutory requirement of Section 24-4-103(4)(b)(1) C.R.S. because the Rules are unnecessary. Moreover, the Rules waste limited state resources by utilizing untrained state personnel to perform the duties of already trained state personnel, impose undue financial burden on Colorado taxpayers by creating the likelihood of additional but unneeded SOS FTE, and serve to reduce election integrity by eliminating current fraud detection measures.

WHEREFORE, based on the foregoing Accordingly, Petitioner submits this petition to oppose the issuance of Proposed Rules 2.13.2 and 10.1-10.3 and requests that this Petition be made part of the rule-making record.

Signed:



Dated:

8-7-2021