



COLORADO COUNTY CLERKS ASSOCIATION

Tuesday, June 29, 2021

Dear Bipartisan Election Advisory Committee Members:

The Colorado County Clerks Association (CCCA) is extremely proud of the work our membership did in 2020 to facilitate voting for Colorado citizens, one of our most cherished rights as Americans! This was not an easy accomplishment as Colorado Clerk and Recorders conducted three elections (including the new presidential primary) during a worldwide pandemic, a contentious presidential election, and unprecedented levels of mis, dis, and malinformation (MDM). Despite these enormous challenges, Colorado Clerks and their staff did an amazing job conducting elections that our citizens should have great confidence in. While we are proud of the work that we do here in Colorado, the CCCA would like to build on our successes with initiatives that will further strengthen our elections and enhance the transparency and integrity of our processes.

Colorado's election model is hailed nationally as one of the best and most secure in the country. This is due in large part to the innovative ideas that have come from our membership over the last 20 years. These ideas have increased access, improved accuracy and security, and improved voter awareness of the vast resources available to them.

Each of these initiatives is based on our expertise with current law and is designed to improve Colorado's election model and provide further evidence that our elections are accessible, accurate, transparent, and secure. Accuracy and transparency are paramount to our work and we support these goals. Furthermore, these initiatives will also help combat the MDM that has so poisoned our public discourse and damaged public confidence in our elections. We are not afraid of greater transparency...we welcome it! If greater sunshine reveals gaps in our processes, we welcome that as we all and look forward to closing those gaps.

The purveyors of disinformation have had their moment and that moment is over! Make no mistake, Colorado Clerk and Recorders are the trusted source for accurate election information in Colorado. We believe these measures are necessary to continue building public trust in our processes and to further discredit those spreading MDM. The Colorado County Clerks Association is committed to these important steps and ready to roll!

The CCCA understands these measures need time and consideration to ensure policies adopted capture the proper intent and do not negatively impact access or integrity. These changes will not happen overnight. The CCCA looks forward to working with the Colorado Department of State, the Colorado General Assembly, and other stakeholders to create and implement these important measures. We also look forward to hearing other ideas that may help move our model forward.

We recommend the Bipartisan Election Advisory Committee dedicate time between now and November 2021 on each individual item outlined in this letter to explore in-depth these policy ideas and any regulatory or statutory changes that might be needed as a result. This examination should include the creation of subcommittees to work on each bullet point to allow for a robust conversation. The subcommittees should include a cross section of election experts, election auditing experts, and other interested stakeholders. Colorado has led in this way before with the creation of Risk-Limiting Audits, the Pilot Election Review Committee, the National Voter Registration Act Committee, and so much more. Colorado's election model is already among the best in the nation. Let's build on our success with smart policies that will enhance our election administration practices and strengthen voter confidence as well.

Warmest Regards,

The Colorado County Clerks Association

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COLORADO COUNTY CLERKS ASSOCIATION

Colorado County Clerks Association's Recommendations to Enhance Colorado's Elections Model

Ballot Images and Cast Vote Records Available for Public Inspection at No Cost

- The CCCA is extremely confident in our election processes and systems. Thanks to our best-in-the-nation Risk Limiting Audit (RLA), Colorado is able to push back on disinformation and provide statistical evidence that our voting systems count votes accurately. However, citizens should also be able to verify election outcomes on their own, and they should not have to pay the government to do so. Once the election is certified and any necessary redaction to protect voter anonymity is complete, ballot images should be available to the public at no cost. Pueblo and El Paso counties are currently piloting a platform to allow anyone to review ballot images and cast vote records from the 2020 Presidential Election. Our membership is ready to follow their lead.

Redaction will be a very important element of this conversation as it is very staff intensive and expensive. Without automated options and/or process changes, many counties will not be able to provide these records at no cost.

Signature Verification Audit Process Enhancements

- Signature verification, along with voter list maintenance, is a key factor in protecting the integrity of Colorado's mail ballot delivery model. While Colorado's signature verification processes are more mature than most, if not all, other states around the country, there are enhancements to this process we would like to see in order to further strengthen the accuracy and transparency of our processes.

Secretary of State Election Rule 7.8.8 requires counties to periodically audit signature verification judges. The CCCA suggests a formal audit process codified in statute and rule, similar to the RLA, that will ensure signature verification is conducted consistently and correctly across the state. This audit can be conducted in real-time during each election as signature verification is happening, after signature verification is complete, or both. This type of audit will also provide voters confidence that signatures are being adjudicated correctly. Our RLA is an industry-leading audit that demonstrates our voting systems count votes accurately. The CCCA believes our citizens deserve the same level of confidence that our signature verification process is accurate as well.

Voter List Maintenance Review/Audit

- Our voter registration list is the gateway to participating in the voting process. An accurate voter registration list is vital to ensuring free and fair elections. Colorado has taken many affirmative steps to increase the access to and the integrity of our voting list. Despite disinformation to the contrary, automatic voter registration through the Department of Revenue and same day voter registration help improve the integrity of our voter registration list. We have confidence that our voter registration list is one of the most accurate in the country. With that said, while perfection is unattainable, we must continue striving for validation and improvement.

The CCCA supports an audit process to provide our citizens confidence that our voter registration list is as accurate as possible. This audit includes validating that 3rd party data (Social Security Administration, Colorado Department of Health, Colorado Department of Revenue, SAVE (federal Immigration information, etc.) is accurate and delivered timely for counties to process. This audit would also include verifying that the Colorado Department of State sends this information to counties timely to process the data, especially within 60 days of all elections (General, Primary, Coordinated, Special, Recall, Municipal, and Special District). Counties should also be audited to ensure they are processing this information accurately and timely, in accordance with Colorado law.

Ensure the Proper Funding of Elections

- Simply stated, election administration is not properly funded in Colorado, especially at the county level. The statutory reimbursement to counties for conducting elections does not come close to meeting actual costs and supporting enhancements and innovations necessary to continue improving our processes. In 2020, some jurisdictions here in Colorado and many across the country relied on funding from nonprofit grants because they did not have the funding to ensure their elections have the necessary access and security. The state of Colorado needs to modernize its reimbursement rates to cover increasing costs and unfunded state statutory mandates.