

DT: June 24, 2013

TO: SOS Scott Gessler, DSOS Suzanne Staiert; Andrea Gyger

FR: Colorado Voter Group

RE: Comments concerning proposed election rules (rulemaking hearing 6/14/13)

Dear Secretary Gessler:

Thank you for the extended opportunity to comment on the rule.

We recommend three vital changes to the Rule:

1. **Public oversight** -- A review of elections over the past decade will show that the current training program is massively deficient in one of the most critical elements of elections -- the entire topic of public oversight of public elections. This includes CORA, open meetings, canvass boards, watchers, logic and accuracy testers, post election audits, system acceptance testing, trusted build, certification testing, etc. Evidence of this deficiency can be found in the many legal and extra-legal disputes over these elements. It is apparent that officials have not been trained to follow the intent of the law regarding public oversight.

We recommend that the rule be revised to require that the curriculum include specific training regarding public oversight and that such training be prepared under the guidance of and approved in advance by a public body that includes a major constituency of members of the public and election quality advocacy groups who have hands-on experience with public oversight.

2. **Transparency** – At present, there is no explicit statement of requirement that training programs be open to public oversight. This lack of transparency has been compounded in the past by conducting courses in private facilities, not accessible to the public. (E.g. Colorado County Clerks Association meetings.)

We recommend that the rule be revised to require that the training be open to public attendees, and the course materials be available online at no charge.

3. **Advisory Committee** – Advisory Committee members have been insiders. Consequently, training has been biased toward government control, rather than public control of elections. Curriculum development has excluded the potential contributions of highly skilled professionals that are not government officials.

We recommend that the rule be revised to require that the Secretary of State appoint a majority of Advisory Committee members to be subject matter experts that are not government personnel, and increase the power of the committee to control the curriculum.

We are available to discuss these recommendations.