

From: [Steve Schleiker](#)
To: [SoS Rulemaking](#)
Cc: [Steve Schleiker](#); [Kristi Ridlen](#); [Angela Leath](#); [Stacey Peacock](#)
Subject: [EXTERNAL] Written Comments - Elections rules - 08/15/2024 hearing
Date: Friday, August 2, 2024 1:45:21 PM
Attachments: [image001.png](#)
[image002.png](#)

Hello, and good afternoon.

Your expertise and guidance on this matter are highly valued. Please find below my comments regarding the Notice of Proposed Rulemaking (Colorado Department of State Election Rules 8 CCR 1505-1), scheduled to be heard on August 15, 2024, at 9:00 AM.

New Rule 6.7 clarifies that student election judges may be appointed to conduct any required election activity unless it is otherwise prohibited under Colorado law.

I would like clarification on what roles student judges can play. Signature Verification? Counting? Can two students work together? Is a "student" considered a party when working for bipartisan teams?

New Rule 7.7.14 required county clerks to send a separate correspondence no later than 60 days before a general election to all active voters who have one or fewer reference signatures in SCORE, asking those voters to provide an additional reference signature.

Why 60 days? This is very close to when the first file is due to the vendor. Can we do it earlier? With the Secretary of State, provide the report of the voters who need to be contacted. When will the report be available? What does the correspondence look like? If it's online, then the signature will be the same CDOR signature we already have. Can we require a pen-to-paper signature?

New Rule 7.16.4 requires the county clerk to set up a voter service and polling center in a manner that does not allow, or appear to allow, a video surveillance camera to see how a voter is voting.

What does "appearing to record" mean? If a camera is turned off, does it also need to be covered?

Amendments to Rule 8.9, including Rule 8.9.1 and New Rule 8.9.2, which allows

watchers to be present at in-person voting at a county jail or detention center only if allowed by both the county clerk and county sheriff. If watchers are allowed to be present, the Rule specifies that they are subject to any rules or guidelines imposed by the county clerk or sheriff, even if those rules otherwise differ from normal rules applicable to watchers.

I will follow up.

Amendments to Rule 15.1.2 clarify that a signer line is considered reviewable if it contains a legible signature but no printed name.

Who determines if a signature is legible? Is it at first look or after research? This opens us up to challenges.

Amendments to Rule 15.2.2 clarify that compensation to a circulator includes both payment to a circulator and a promise to provide payment to a circulator at a later date.

The last sentence makes no sense. The exact words repeated.

Amendment to Rule 19 concerning certification and education of designated election officials.

I need clarification on what decertification means. How do you fail to satisfy the requirements for initial certification? What is the purpose of this Rule? Knowing the purpose may help us understand it better.

Amendments to Rule 20.2.4 require a voting system provider to arrange for a national background check for any employee or contractor who conducts work on a voting system.

What is a national background check? With the Secretary of State, specify the organization to use.

New Rule 20.4.5 would require all county clerks to request a physical security assessment of their central count facility and main office from a federal agency at least once every 3 years.

I will follow up.

New Rule 20.10.3 would require county clerks to take specific steps to control

the custody of voted ballots if those ballots were removed from their sealed container for any reason.

We place our seal logs inside the containers before sealing. How can we confirm the seal log on the container before opening it? Leaving logs outside of the container could allow for altering the information. We want to keep the logs inside to ensure nothing was changed during transport.

New Rule 20.10.3 would require county clerks to take specific steps to control the custody of voted ballots if those ballots were removed from their sealed container for any reason.

If we get a CORA request, we cannot give the Secretary of State two weeks' notice to attend based on CORA deadlines. We agree with the intent, but it needs to follow statutory CORA requirements.

Thank you, Steve



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