



**Jana Coen**  
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**Written Comments**  
**Notice of Proposed Rulemaking**  
**Colorado Department of State**  
**Election Rules**  
**8CCR 1505-1**  
**Date and time of public hearing:**  
**August 15, 2024 at 9:00 A.M.**

To whom it may concern:

Please see the following written comments related to the Notice of Proposed Rulemaking for regarding Election Rules:

**Rule 20.7.2 (d)**

*A tamper-evident seal must be place over the door or other opening from where ballots are retrieved from a ballot drop box. Election Judges retrieving ballots from a drop box must fill out a chain-of-custody log with that seal information each time they retrieve ballots.*

Opposed for the following reasons:

- Placing a tamper-evident seal on drop boxes is unnecessary. Drop boxes are already controlled under a lock and key process and twenty-four-hour surveillance.
- This proposed rule does not take in account for weather related issues. If we have freezing or high heat conditions during an election, such tamper-evident seals will not stick to the ballot boxes which then causes the county to have to fill out an incident report to the Secretary of State on a daily basis or several times in one day just because the tamper-evident seal did not stick.
- If a tamper-evident seal falls off, the remains of the seal has the word VOID which could cause a voter to believe that a drop box is not valid because they see the words VOID all over it.
- Judges will struggle with filling out a log while standing in severe bad weather conditions and trying to get another tamper-evident seal to stick to the drop box.
- This rule is unnecessary because county election staff already have controls in place when accessing the drop box key for security.

**Rule 20.11.1**

*Specify the minimum regular intervals at which video surveillance recording equipment must be checked to confirm that there has not been an outage of the equipment. Amendments also specify that a contingency plan created by a county clerk must include a contact information sheet identifying the government agency the clerk would contact in an emergency. (f) The county clerk must develop contingency plans which address an unexpected outage of any required video surveillance. The pan must include regular intervals, BUT NOT LESS THAN ONCE PER BUSINESS DAY AND THE SATURDAY AND*

*SUNDAY BEFORE ELECTION DAY, at which the county will confirm that all required video surveillance is operational.*

Opposed for the following reasons:

- This proposed rule would require all counties, regardless of size to do election business on the Sunday before election. Elections should not interfere with Sunday church services and worshipping our Lord and Savior.
- There would not be any County IT staff available to assist in fixing any technology problems because of it being a Sunday.
- There is no benefit to checking for surveillance outages on Sunday because surveillance equipment vendors will not be available either.
- Many surveillance systems are not remotely monitored and that counties would require staff to drive to the site to verify an outage, thus creating extra expenses for paying staff mileage and overtime hours for working on a Sunday.

Thank you,

*Jana Coen*

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