



Jena M Griswold

Colorado Secretary of State

Election Order 2022-10

Re: Supervision of June 2022 Primary Election to Ensure Compliance with Statutory Requirements

Date: June 22, 2022

Operative Facts

The Colorado Department of State (“Department”) received for review seven formal elections complaints asserting various allegations of errors and mistakes committed by the Pueblo County Clerk and Recorder’s Office with respect to the now-ongoing June 28, 2022 primary election. The Department has commenced an investigation of these allegations, and while that investigation is continuing, the Department has found that certain errors occurred and necessitate immediate action at this time.¹

Most notably, the complaints indicated that voters in Pueblo County’s Precinct 209 received the incorrect State House race on their ballots. The Department has confirmed this allegation to be correct and has been working with the Pueblo County Clerk and Recorder’s Office on a remedy, while the Department undertakes further analysis.

Prior to the filing of these complaints, the Department was alerted to an error in which the Pueblo County Commissioner District 3 race was omitted from a substantial number of ballots sent to voters in Pueblo. Immediately upon notification of this error, the Department worked with the Pueblo County Clerk and Recorder’s Office to ensure a timely remedy, and the Secretary of State assigned Drake Rambke to be the Department’s election observer in Pueblo County.

The Department has and continues to work closely with the Pueblo County Clerk and Recorder’s Office to address these issues. However, given the pattern of errors and omissions by the Pueblo County Clerk and Recorder’s Office, and to ensure fair and accessible elections for the voters of Pueblo County, the Secretary of State has determined that an election supervisor must be appointed for Pueblo County, to be responsible for the administration of Pueblo County’s primary election.

The Secretary hereby appoints Mr. Rambke to be Election Supervisor in Pueblo County. Mr. Rambke’s extensive experience in election administration will help ensure that the June 28, 2022 primary election in Pueblo complies with all legal requirements.

¹ The Department’s investigation into the allegations in the complaints is ongoing. This order is based on the initial findings to date outlined in this order. The Secretary reserves further determination as to the other matters raised in the complaints until the completion of the Department’s investigation.

Order

In accordance with sections 1-1-107, 1-1-110(1), 1-1.5-104(1), and 1-7.5-104, C.R.S., as well as section 10 of the National Voter Registration Act of 1993, ("NVRA"), 52 U.S.C. § 20509, and section 253(e) of HAVA, 52 U.S.C. § 21003(e), and Election Rules 1.1.31 and 8.17, I order as follows:

1. The Secretary of State hereby exercises her authority to supervise the conduct of elections under the Colorado Elections Code in Pueblo County, including all activities related to the upcoming June 28, 2022 primary election.
2. Drake Rambke is appointed as an official Election Supervisor with authority to direct the conduct of the primary election on behalf of the Secretary of State under the authority of Title 1 of the Colorado Revised Statutes. This appointment begins immediately and will continue until revoked by the Secretary of State through subsequent order.
3. The Election Supervisor is authorized to inspect and review the practices and procedures of the elections staff of the Pueblo County Clerk and Recorder's Office, with access to all documents and records of Pueblo County that he deems appropriate or necessary to his work, and he is further authorized to direct, instruct, and supervise the elections staff of the Pueblo County Clerk and Recorder's Office to take such steps as the Department may deem necessary to address the errors in ballot assignments that have thus far been identified and that may be further identified based upon his or the Department's investigation. The Election Supervisor is also authorized to take remedial actions in consultation with and upon approval from the Department, to address any other or additional deficiencies in election administration that may be identified by him or the Department as a result of the Department's ongoing investigation in Pueblo County.
4. The Election Supervisor will confer with the Department on all actions to be taken by Pueblo County in connection with the mistaken assignment of ballots, and the Election Supervisor will notify the Department of any potential additional actions he believes may be necessary to ensure the fairness and accessibility of the primary election in Pueblo County.
5. Pueblo County shall provide workspace and appropriate facility access to the Election Supervisor and any additional observers authorized by the Secretary of State.
6. The time and expenses of the Election Supervisor will be paid directly by Pueblo County, pursuant to invoices to be submitted by the Election Supervisor.

Dated this 22nd day of June, 2022



Jena M Griswold
Colorado Secretary of State