

Andrea Gyger

From: Mary Eberle <m.eberle@wordrite.com>
Sent: Thursday, June 21, 2012 12:00 PM
To: Suzanne Staiert
Cc: Scott Gessler; Dana Williams; Andrea Gyger; Mary Eberle; Margit Johansson; Angie Layton; Joseph Richey; Kathryn Wallace; Harvie Branscomb; Marilyn Marks; Al Kolwicz
Subject: Rule 41: proposed canvass board rules

Dear Deputy Staiert,

Again I am forced to write in opposition to rules before we have even met in person, for which I apologize. I do hope to make your acquaintance soon.

Today I am writing to express my concern about the proposed canvass board rules as posted to the Secretary of State's website on Friday, June 15. Before the hearing, I will be submitting numerous detailed comments in opposition, either as an individual or in concert with other election-quality advocates. In advance of the hearing, I respectfully ask you to please reconsider the legal implications as well as the philosophical implications of the direction of these disturbing proposed rules.

Specifically, I request that a legal review of the proposed rules be undertaken to compare the proposals to Title 1 statutes and case law regarding the many responsibilities and broad scope of authority of our citizen representatives who are charged with certifying our elections.

It appears that many of the proposed rules would conflict with the current laws. Additionally, it appears that enacting some of the rules would exceed the Secretary of State's authority, given the current statutes. To avoid confusion at the hearing, and delays after the hearing, please consider a thorough review of the applicable statutes and case law well before the hearing. If such a review results in modifications to the proposals, having that information in advance would be helpful to the public.

As an election-integrity activist since 2002 and currently a member of Coloradans for Voting Integrity, Citizen Center, and Colorado Voter Group, I have seen citizen oversight and Colorado election transparency erode while other states are moving to higher-quality elections. Making the citizen canvass board into a clerk-controlled rubber-stamp board is terrible public policy that Secretary Gessler should not be leading. In fact, as our elected official charged with supervision of our major elections, he should be fighting such bad policy.

The authors of the proposed rules seem to have forgotten that elections belong to the people, not to the government officials. Please reconsider the direction of these proposals.

With best regards,
Mary

Mary C. Eberle
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[REDACTED]
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