



June 21, 2019

The Honorable Jena Griswold
Colorado Secretary of State
1700 Broadway, Suite 200
Denver, CO 80290

Secretary Griswold:

Thank you very much for the opportunity to comment on your proposed election rules. Denver appreciates the amount of time that both you and your staff have put into this process. We mostly agree with your rule changes but would like to make the following comments for future drafts:

Rule 1

During the negotiations of HB 19-1278, the Secretary of State's office agreed to review the video surveillance rules as they pertain to drop boxes. While we appreciate the proposed change in Rule 7.5.1(e), we would like to see amendments to current Rule 1.1.45, too.

Denver has systems that can begin continuous recording once it detects motion. The "one frame per minute" piece of the definition causes us to just take pictures of empty space and have larger file sizes. If we could simply use a recording system that begins continuously recording once motion is detected (including buffer times on each end of the motion), we would be able to compress the files for better storage. The one frame per minute requirement basically requires us to continuously record, which is antiquated, so we would like to see a new definition along the lines of: "Video security surveillance recording" means video monitoring by a device that continuously records a designated location or a system that uses motion detection to trigger continuous recording.

Rule 7.1.2

We believe that Rule 22 already covers using approved forms, so this rule may be duplicative.

Rule 7.9.8

We are concerned about referencing guidance that does not yet exist because we do not want the Secretary of State's office to create or change it while we are already busy with the election.

Rule 7.10

Could this rule be amended to specify that the county must perform an accessibility survey within the 12 months immediately before designating that location as a VSPC? With the presidential primary, we are concerned about "annually" being interpreted as each calendar year because 120 days before March 3rd is in 2019, not 2020.

Thank you very much for your time. Please feel free to reach out if you have any questions or concerns.

Sincerely,

Dan Volkosh
Policy and Compliance Administrator
Denver Clerk and Recorder's Office