

Comments on Proposed Rules
Published 04/15/2022, Updated 05/18/2022
As Prepared and Presented at
Secretary of State Rules Hearing
05/24/2022

I address this body from a broader perspective than that which is inevitably being discussed by numerous other submissions and testimony. While it is indeed important to discuss and call to question the individual rules being proposed for amendment and adoption as a part of this hearing process, those intricacies are not my focus as they will no doubt be covered in-depth by numerous others who are well qualified and/or experts in their respective fields. There is a much more significant aspect overarching the entirety of this discussion. Along with the majority of engaged Coloradans, I call upon the Secretary of State's office (SOS) to propose rules and help influence legislation that moves Colorado away from mandatory electronic voting systems and processes.

What is being perpetuated through this hearing is a never-ending need to continually create a more and more restrictively regulated voting and election system. The rules being proposed by this body do not create a more transparent and trusted election system, but rather do nothing except continue to consolidate control of elections under the SOS and its favored vendors – unelected and unregulated third parties who should have zero involvement or influence in the administration of elections. These proposed rules, if codified, serve no purpose but to continue to strip authority from duly elected Clerks & Recorders and limit their statutorily authorized and required role in elections. This is not what the people of Colorado want. In fact, it's exactly the opposite. Coloradans are entitled to elect their local election official from a pool of local candidates they know and can vet whom they can look in the eye and hold directly accountable on a daily basis. The SOS does not offer, nor does it desire, any level of accountability to citizens, but merely to consolidate control over what are clearly Constitutionally local matters.

To be representative of Coloradans, the SOS should choose to create a true “Gold Standard” for elections here in CO. Instead of creating rules upon rules to strip power and authority from county Clerks & Recorders and promulgate an electronic election system that CO constituents clearly do not want, the SOS should be leading CO and the entirety of the United States to modernize by removing electronic voting systems from our election process. Indeed, modernization requires a return to hand counting ballots.

Repeatedly our Western country counterparts have demonstrated that they are more advanced in areas of electronic security and privacy. Repeatedly those countries tried switching to electronic voting systems in lieu of counting paper ballots by hand. Repeatedly those countries have reversed course to eliminate electronic voting systems and return to hand counting ballots because they realized the grave impact of fraud, manipulation, and the lack of security found within their electronic-based election systems. CO should be the leader in moving the United States to join countries such as:

- Canada (a Dominion Voting Systems HQ location)
- France
- Germany
- Spain
- the Netherlands
- all of Scandinavia
- England

and numerous others around the world in returning to hand counting paper ballots for their major elections. All of the above-named countries had previously transitioned to electronic voting systems and within the past five to fifteen years all of them have transitioned back to hand counting paper ballots with no challenge in reporting election results within 24 hours of polls closing. All the while the CO SOS has been a leader in trying to force electronic voting systems onto constituents and simultaneously consolidate control over

those systems at the state level versus leaving elections managed and directed by Clerks & Recorders at the local level where elections belong. It is time for CO to once again modernize.

This leads back to the overarching point that the continual process of creating rules upon rules to control and consolidate an electronically driven election system are completely unnecessary when a simplified, proven, and, once again, modern (though previously erroneously considered old and outdated), system of voting is in place. While every election system requires set standards and rules to ensure Constitutional and Statutory requirements are upheld, a locally controlled system of hand counting ballots returns that authority and responsibility to its rightful place – local Clerks & Recorders. Hand counting of paper ballots, controlled by Clerks & Recorders at the local level, is the will of the people of CO . . . why would the current SOS continue to push with vigor in the opposite direction?

The same question must be asked with regard to the continued promotion and expansion of all-mail ballot distribution, the creation of an election season versus the requisite election day, lack of ID required to vote, inaccurate voter rolls managed at the statewide level, and the continued propagation of adding truly non-secureable ballot drop boxes. To secure our elections and make them transparent all of these components of the CO election system must be eliminated, and control returned to the local level. County Commissions, in conjunction with Clerks & Recorders, are given statutory authority for election budgets and processes. The proposed rules being considered and discussed during this hearing process are working directly in opposition to that local authority and go against aspects of the US Constitution, CO Constitution, and Statutes in place to direct and protect elections.

It is time for CO to truly take the lead in creating a “Gold Standard” for elections in the United States. To do so, the SOS must modernize by a return to hand-counted ballots and relinquish control back to duly elected officials with accountability at the local level.

Thank you for your time in consideration.

Respectfully Submitted By,
Peter Lupia
El Paso County, Colorado