

FACTS TO KNOW BEFORE YOU CONSIDER CERTIFYING THE ABSTRACT OF VOTES

This is your decision, not a forgone conclusion. An honest statement that the Canvas Board members could write *in place of their signature* is **"I cannot certify under CRS 1-10-101.5 that the numbers presented to me in the abstract of votes are accurate."**

Colorado counties cannot certify this election based on Colorado statutes and Rules. The canvas board members are being asked to certify an election based on a set of numbers in the Abstract of votes¹ in Rule 10.6. These numbers are generated by an election system that is not legally certified. Nor do the canvas board members have a method to verify the accuracy of the numbers according to what actually took place during the election.

"to secure the purity of elections and to guard against the abuses of the elective franchise."
Colo. Const. Article VII, Section 11

From: Ron Hanks, Chairman, COGOP Ballot and Election Security Committee's Statement to 2023 Election Canvass Boards dated November 22, 2023:

1. ***"Nothing has changed since the 2020 elections. The voting equipment is the same, uncertified, Chinese-built electronics with built-in internet capability. They are not "secure" by any national security definition of the word."*** Ron Hanks

Facts to consider:

- The numbers the Canvas Board members are being asked to certify are generated by illegally certified Election Systems. The accreditation of the Voting System Testing Laboratory (VSTL) Pro V&V, who tests Colorado's election systems, expired on February 21, 2017.²
- Ron Hank's letter from 2021 regarding the certification of electronic Voting systems.

If the canvassing boards cannot verify ineligible ballots were not cast, why certify?

If they cannot verify ineligible votes were not counted, why certify?

If they cannot attest election records are transparent, why certify?

<https://mycoloradogop.org/242-rep-ron-hanks-letter-on-election-certification>

¹ 10.6 Official Abstract and Reporting to the Secretary of State

10.6.1 The official county abstract must include, by precinct or ballot style, where applicable:

- (a) The total number of active registered electors on election day;
- (b) The total number of registered electors (active and inactive) on election day;
- (c) The statement of votes counted by race and ballot question or issue; and
- (d) The total number of ballots cast in the election

² https://www.eac.gov/sites/default/files/voting_system_test_lab/files/Pro_VandV_accreditation_certificate_2015.pdf

- An executive summary of the Certification issue, along with links source to documents, is available at: <https://www.coloradocounts.com/electronic-voting-systems.html>
- A detailed timeline of the certification, complete with links to the corresponding government documentation is available here: https://www.coloradocounts.com/uploads/1/3/6/8/136885417/pro_vv_certification_history.pdf

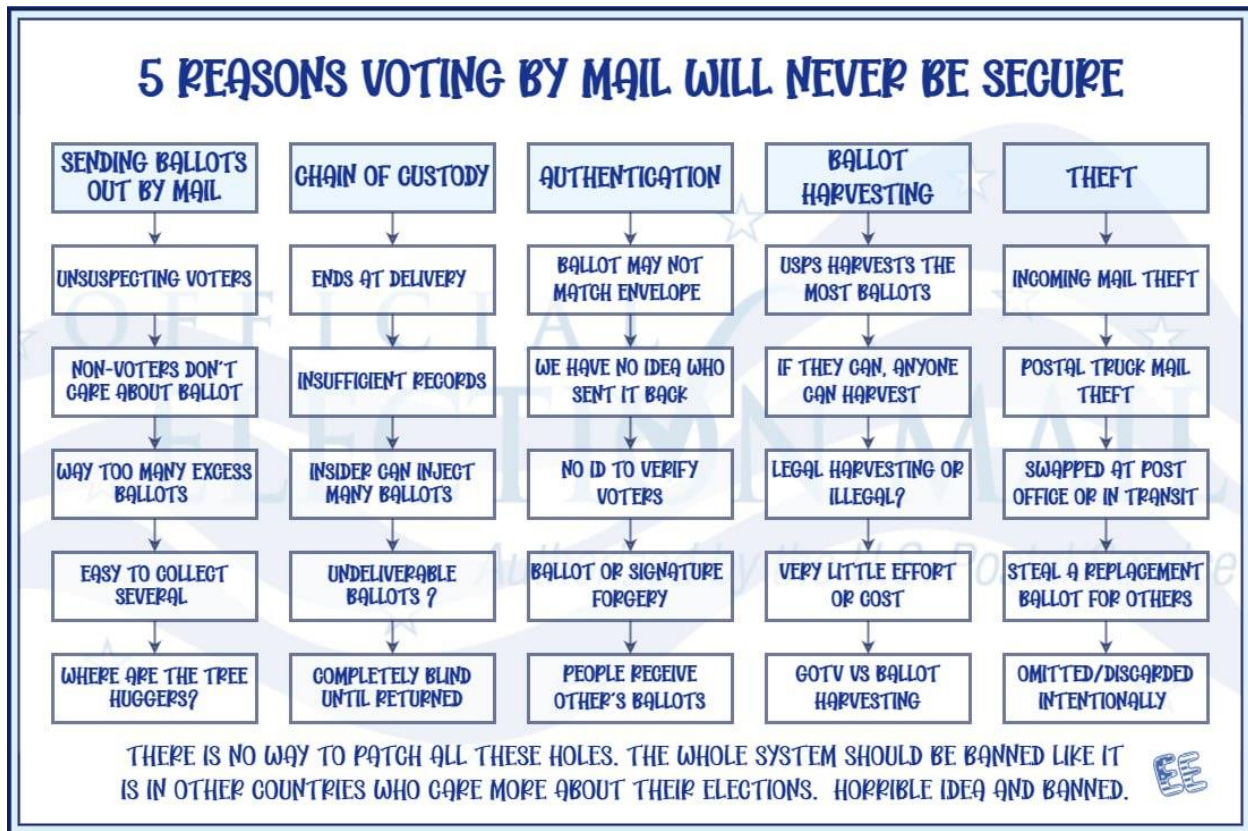
2. ***“Colorado’s voter rolls remain a playground for election-manipulators, despite Judicial Watch’s lawsuit and victory over Soros-funded, partisan-hack Jena Griswold, Colorado’s dismal Secretary of State. As an example, please consider the 30,000 non-citizens who were sent notices and instructions on how to register and vote by Jena Griswold and her team.”*** Ron Hanks

Facts to consider:

- An analysis of Colorado Voter Rolls indicates that “The Secretary of State’s office has failed to abide by its voter list maintenance obligations”. “there are several instances where SCORE reflects voter registration rates close to or exceeding 100% of the voting population per the Colorado Demography Office.” “growth in the voter rolls that doesn’t align to growth in the voting population.” (Source: https://www.coloradosos.gov/pubs/rule_making/written_comments/2022/20220523JeffYoung.pdf)
- The *Judicial Watch v. Griswold* case settled out of court in 2022. The CDOS rejoiced saying the required reports that they have to file to comply with the settlement are already public documents. Unfortunately, though this case brought attention to Colorado’s voter roll situation, it did nothing to actually clean it up.
 - “According to Judicial Watch’s review of EAC data, 30 Colorado counties reported removing fewer than 3% of the registration list, even though Census data shows that 18% of Colorado residents are living in a different house as a year ago.” *Id.*, ¶ 38–39..
 - “Furthermore, based on data posted on the Secretary’s website, Judicial Watch has determined that ... **the median inactive registration rate nationwide was 8.3%, 60 of Colorado’s 64 counties exceeded that rate and, in eight counties, the rate was 17%.**” *Id.* at 11, ¶¶ 53–55.³
- **Citizenship of the Voters:** There is no way to verify if a person who registers to vote is a citizen of the United State under current statute and rules, instead the clerks and election judges are forced to simply take the word of an applicant/voter. Bear in mind that non-citizens are able to receive driver’s licenses and Social Security numbers in Colorado. However, in 2020 the citizens of Colorado voted to make citizenship a requirement to participate in elections. (See the following references.) [https://ballotpedia.org/Colorado_Amendment_76,_Citizenship_Requirement_for_Voting_Initiative_\(2020\)](https://ballotpedia.org/Colorado_Amendment_76,_Citizenship_Requirement_for_Voting_Initiative_(2020))

³ *Judicial Watch, Inc. v. Griswold*, 554 F. Supp. 3d 1091, 1097 (D. Colo. 2021), reconsideration denied, 20-CV-02992-PAB-KMT, 2022 WL 3681986 (D. Colo. Aug. 25, 2022)

- Article VII, Colorado Constitution § 1 **“Only a citizen of the United States** who has attained the age of eighteen years, has resided in this state for such time as may be prescribed by law, and has been duly registered as a voter if required by law shall be qualified to vote at all elections.”
 - CRS § 1-2-101 - Qualifications for registration – preregistration
 - (1) Every person who is eighteen years of age or older on the date of the next election and who has the following qualifications is entitled to register to vote at all elections:
 - (a) **The person is a citizen of the United States;** and
 - (b) The person has resided in this state twenty-two days immediately prior to the election at which the person intends to vote.
 - 8CCR 1501-1 2.4 Treatment of incomplete new registration applications
 - 2.4.1 **If an applicant fails to check the box answering the question, "Are you a citizen of the United States?", the county clerk must accept and process the application as complete** so long as it is otherwise complete and the affirmation at the bottom of the form is signed.
 - 8CCR 1501-1 Rule 9. Voting Challenges
 - 9.1 Challenging an in-person voter 9.1.1 Under Section 1-9-201, C.R.S., an election official, watcher, or eligible elector of the precinct **may challenge an elector’s right to vote**. A person whose eligibility is challenged while voting in-person, **must be offered a regular ballot by an election judge if the person answers the applicable challenge questions** confirming their eligibility as specified in section 1-9-203, C.R.S., and this Rule. If the person challenged refuses to answer the challenge questions or does not otherwise confirm their eligibility, an election judge must offer the person a provisional ballot.
 - 9.1.2 Citizenship. **The election judge must ask the elector, "Are you a citizen of the United States?"**
- Once the ballot is mailed from the County Clerk’s office, there are absolutely NO methods to ensure the security and validity of that ballot. Consider the following:



- In sum, by using mail-in ballots, we are entrusting members of the United States Postal Service (USPS) to handle the ballots and evidence produced in the *Della Rocca et al v. United States Postal Service* 1:22-CV-01276 indicates that that USPS colluded to ship pallets of ballots from NY state into PA during the 2020 election. This is an important example of where USPS has proven itself themselves untrustworthy and in doing so further erodes voter confidence in our elections. (Source: http://www.cofightforfreedom.com/uploads/1/3/6/8/136885417/della_rocca_v_usps_-_exhibit_1_-_gov.uscourts.dcd.243120.1.1.pdf and <https://rumble.com/vbud5v-amistad-project-wistleblowers-speak-out.html?start=3514>)
- There is no way to verify that the person the ballot was mailed to is an eligible elector. In October 2022 Secretary Griswold mailed out registration invitations to over 30,000 noncitizens who hold driver's licenses and social security numbers. (Source: <https://coloradosun.com/2022/10/10/colorado-30000-noncitizens-got-voter-registration-mailer/>)
- The only means to determine if a voter is a citizen is an Honor system in which they check off a box on the registration form. Once again, noncitizens have driver's licenses and Social Security numbers. County Clerks have no way of verifying citizenship. The noncitizens are either already here illegally and have proven they do not honor our Nation's laws, or they may not understand the significance of checking this box. (I have had a county clerk describe how they were registering a voter who had checked the box, then in conversation the clerk realized the person was NOT a citizen. Had they not chatted with this person, the registration would be valid.

- There is no way to determine that one person only submits one ballot in a mail in system. People are sent multiple ballots with name spelling iterations, deceased persons or adult children who have moved which is a known occurrence as evidenced in the necessity for Rule 9.2.2.⁴ The "Signature Verification" system has proven itself to be effective ineffective to prevent this.
3. ***“As a result of “rule changes”, the canvass boards have been rendered irrelevant by Colorado’s Secretary of State. They are effectively a facade of citizen oversight and a rubber stamp. Under new rules, canvass boards review and sign off on two computer-generated tallies, both unverifiable. And as the rules read today, any canvass board concern can be ignored and overturned by the Secretary of State by fiat.”*** Ron Hanks

Facts to consider:

- An honest statement that the Canvas Board members could write *in place of their signature* is **"I cannot certify under CRS 1-10-101.5 that the numbers presented to me in the abstract of votes are accurate."**
- There is no method left to the canvas board member to investigate and review documents, reports, physical evidence etc that might verify the numbers on the abstract of votes.
- There is no method for a canvas board member to report substantial facts observed in the election which could bring the numbers on the abstract of votes under further investigation.

4. **Let’s examine the Statute and Rule governing the canvas board’s certification.**

CRS § 1-10-101.5 - Duties of the canvass board

(1) The canvass board shall:

- Reconcile the **ballots cast** in an election to confirm that the number of ballots **counted** in that election **does not exceed** the number of **ballots cast** in that election;
- Reconcile the **ballots cast in each precinct** in the county to confirm that the number of ballots cast **does not exceed the number of registered electors** in the precinct; and
- Certify the abstract of votes cast in any election and transmit the certification to the secretary of state.** A majority of canvass board members' signatures shall be sufficient to

⁴ 9.2.2 If an individual challenges a mail ballot for forgery of a deceased person’s signature on the mail ballot envelope or for submission of multiple ballots by the same voter for the same election, the election judge must forward the ballot to two other election judges of different political party affiliations designated by the county clerk who must jointly review the elector’s eligibility to vote. At their request, the election judges may receive assistance in making their eligibility determination from county clerk staff. A challenge for submission of multiple ballots under this rule does not apply to an unaffiliated voter who returns more than one party’s ballot.

certify the abstract of votes cast in any election. When unable to certify the abstract of votes by the majority of the board for any reason, the canvass board shall transmit the noncertified abstract of votes to the secretary of state along with a written report detailing the reason for noncertification.⁵

****PLEASE NOTE:** As a minority canvas board member who decides not to certify, you can submit a report expressing the reasons why you decided not to certify, it is not required but it will be kept with the election records.

8CCR 1501-1 10.3.2 The canvass board's only duties are to:

(a) Conduct the canvass and certify the official abstract of votes in accordance with section 1-10-101.5, C.R.S., by:

- (1) Reconciling the number of **ballots counted** to the number of **ballots cast**; and
- (2) Reconciling the number of **ballots cast** to the number of **voters who voted**.⁶

Clearly 1-10-101.5(1)(a) and 8CCR 1501-1 10.3.2(a)(1) are in line with one another. However, by rephrasing the statute 101.5(1)(b) the way CDOS did in Rule 10.3.2(a)(2) to eliminate the precinct level comparison and changing "registered electors" to "voter who voted" created a third standard or variable by which to reconcile. There is no definition in statute or Rule to give us a definition of "voters who voted" or "Ballots Counted" so we are left with using a standard definition.

Ballots Counted = No Definition in Statute. The number of accepted ballots scanned and tabulated.

Ballots Cast = Rule 1.1.9 "Ballots cast" means the total number of ballots received by the county clerk in an election. "Ballots cast" does not include mail ballot envelopes returned to the county clerk by the U.S. Postal Service as undeliverable.

*(Includes both rejected and accepted ballots.)

Number of Voters = No Definition in Statute. This number is generated by SCORE either when a person who votes in person registers at the desk through the electronic poll book or when a ballot is returned by mail or through the drop box and the signature verification is performed. The number of voters who voted should reconcile with the total number of Accepted ballots counted plus the number of Rejected ballots (Uncured) in the abstract of votes. However, this is essentially the same number as the number of Ballots Cast.

⁵ <https://casetext.com/statute/colorado-revised-statutes/title-1-elections/general-primary-recall-and-congressional-vacancy-elections/article-10-survey-of-returns/part-1-survey-of-returns-partisan-elections/section-1-10-1015-duties-of-the-canvass-board>

⁶ <https://www.coloradosos.gov/CCR/GenerateRulePdf.do?ruleVersionId=11124&fileName=8%20CCR%201505-1>

However, there is no way to count the actual number of voters who voted with mail in ballots received, nor can you verify that the voters are an eligible elector. There is no chain of custody with mail in ballots before they are received by the clerk. The clerk has no way of knowing if they are receiving fraudulently cast ballots.

Note: You should also be able to reconcile the number of Signature slips (in person voting) and opened envelopes of Accepted mail in ballots should match the number of **ballots counted**. (Rejected ballots do not get opened. If it fails signature verification it is Uncured and finally Rejected - unopened.)

In the thick of things, when the Clerk is trying to rush you through the process as a routine detail they have to take care of, take a breath and ask your Clerk exactly what you were sworn in to do and what you are being asked to certify. Ask them to explain the statutes and rules to you. Ask them where they get the different numbers from. What databases? Is the Ballots Cast number from the Dominion Tabulators? Is the number of Voters who Voted from the SCORE database? Are they essentially the same source? If so why, are you being asked to compare the same number from the same source? If they clerk can give you a clear explanation of where these numbers are drawn from, can you verify anything on a practical level that happened during the election was legitimate? Are you certain the numbers presented to you actually represent individual *citizens* who filled out their ballot? Are you certain there aren't any additional or fraudulent ballots that were counted? Ask yourself, if you were sworn in on the witness stand, could you honestly say that these number represent an accurate election with 100% certainty?


“One of the most important rights of American citizens is the franchise—the right to vote.”
<https://www.whitehouse.gov/about-the-white-house/our-government/elections-and-voting/>

“The principle of transparency is linked to the fundamental right of citizens to seek, receive, and impart information, as well as the right to take part in government and public affairs. Decision-making processes must be open to scrutiny, and reasonable opportunities for public input should be provided. Information relating to all stages of the electoral cycle must be made available and accessible to citizens, including voters and candidates.”⁷

Thank you for serving your county, your state and your country.

⁷ <https://openelectiondata.net/en/guide/electoral-integrity/credible-elections/>

Boulder county has not certified the election results for a number of years. In 2016 the Republican Canvas Board members wrote in "I cannot reconcile the number of Ballots Cast and voted as required by CRS 1-10-1101.5(1)(a)." and "This election cannot be certified based on the duties of CRS 1-10-101.5(1)(a) to remote ballots cast." See Image below.





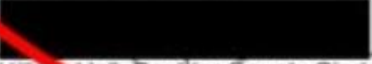
RE: Certification of Boulder County 2016 Primary Election


The duly appointed members of the 2016 Primary Election Canvass Board for Boulder County have completed the duties required, as detailed in 8 CCR 1505-1 Rule 10.2.2 and 10.6.

And, in accordance with C.R.S. 1-10-101.5(c), we, the undersigned members of Canvass Board, do hereby certify that the number of ballots counted in the June 28 Primary election do not exceed the number of ballots cast in this election, as shown in the attached Statement of Vote.

We further certify that the attached Statement of Vote is a true and accurate listing of the results for the 2016 Primary Election held in Boulder County on Tuesday, June 28, 2016.

Signed:

	7/11/16
Paul Geissler, Democratic Party Representative	Date
	7/11/16
Sally Martin, Democratic Party Representative	Date
This election cannot be reconciled based on the duties of CRS 1-10-101.5 (1)(a) to reconcile ballots cast	
Maureen Denig, Republican Party Representative	7/11/16
	Date
I cannot reconcile the number of ballots cast and voted as required by CRS 1-10-101.5 (1)(a)	
Cathy Jarrett, Republican Party Representative	7-11-2016
	Date
	7-11-2016
Hillary Hall, Boulder County Clerk and Recorder	Date



Office of the Clerk & Recorder
 1750 33rd Street - Boulder, CO 80501 - www.BoulderCounty.org
 Hillary Hall, Boulder County Clerk & Recorder

<https://mycoloradogov.org/index.php/mygov-articles/96-bcr-canvass-2020>