

FOR IMMEDIATE RELEASE

City and County of Broomfield

For more information, contact Assistant City and County Manager Jim Becklenberg by phone at 303-464-5153 or by email at jbecklenberg@broomfield.org.

Colorado Secretary of State Rules on Broomfield Election Complaint

Yesterday Broomfield received the Secretary of State's "Final Agency Action" report on a complaint filed in December 2013 related to the November 2013 election. The report concludes that Broomfield did not violate the Help America Vote Act (HAVA), as had been alleged in the complaint.

The complaint also alleged five violations of state election law or rules. In its response to the complaint, Broomfield accepted responsibility for noncompliance with two of the five allegations. The Secretary of State's report agreed with Broomfield on the two violations and rejected the other three allegations.

The first violation relates to mail ballots returned to the Broomfield Elections Office as undeliverable. Broomfield staff had updated the addresses in the state election database and reissued ballots to these voters at forwarding addresses provided by the United States Postal Service. The report notes that this practice is inconsistent with a new state election law and that it increases the risk for vote fraud.

The second violation regards the ballot duplication process, which is used to determine voter intent when a ballot is unclear. Election rules require a team of election judges to supervise another team of judges in the duplication process; Broomfield used only one team of bipartisan judges in this process. The rules also require documentation of the reason for duplication in the ballot log. The report notes concern about non-compliance with the rules, but also that "there is no evidence that the bipartisan judges who reviewed and duplicated ballots during the coordinated election and recount failed to properly discern voter intent or duplicate ballots."

The ruling concludes by encouraging Broomfield to correct the instances of statutory and rule non-compliance and expresses willingness to work with Broomfield on implementing best practices for future elections. City and County Manager Charles Ozaki commented, "We agree with the Secretary's ruling. We have corrected the procedures noted in the report, and we will not make these mistakes again. We look forward to collaborating with the Secretary's election staff as we continue to improve and document our election procedures."

###