The use of the current election system violates constitutional rights and privileges of voters under Article VII of the Colorado Constitution and the Colorado election code.

Laws and Rules associated with the fraud in Colorado’s Election Systems:

**2002 Voting Systems Standards (VSS)** promulgated by the Federal Election Commission not met in our current elections systems:

VSS Vol 1. 1.6, 2.1, 2.2, 2.2.11, 2.4.1.g, 2.2.4.1.h, 2.2.4.1.i, 2.2.5.3, 4.3, 4.4.3, 6.2, 6.2.2, 6.5.5,

**[8 CCR 1505-1] Rule 21. Voting System Standards for Certification**Rule 21 – As adopted 8/26/2021 The voting system provider must use at least one of the following to perform the independent analysis: (1) An EAC approved VSTL; (2) An independent testing organization approved by the Secretary of State; or (3) Testing conducted in another state.

**Colorado Revised Statute Violations:**

**C.R.S. §1-11-104** County clerk and recorder shall make a certificate of election

**C.R.S. §1-11-110.** Specifies among other things the powers and duties ofchief election officials in their respective counties

**C.R.S. §1-1-111(1)(a**) Requires County commissioners to supervise the conduct of elections. This duty includes ensuring that county election equipment meets legal requirements.

**C.R.S. § 1-5-601.5:** All voting systems and voting equipment offered for sale on or after May 28, 2004, shall meet the voting systems standards that were promulgated in 2002 by the federal election commission. At his or her discretion, the secretary of state may require by rule that voting systems and voting equipment satisfy voting systems standards promulgated after January 1, 2008, by the federal election assistance commission as long as such standards meet or exceed those promulgated in 2002 by the federal election commission. Subject to section 1-5-608.2, nothing in this section shall be construed to require any political subdivision to replace a voting system that is in use prior to May 28, 2004.

**C.R.S. § 1-5-603 Governing body may adopt any kind of voting system** “The governing body of any political subdivision may adopt for use at elections any kind of voting machine fulfilling the requirements for voting machines set forth in this part 6. These voting machines may be used at any or all elections held in the political subdivision for casting, registering, and counting votes. The governing body of any political subdivision which adopts and purchases or leases voting machines shall provide for the payment of the purchase price or the rent in such manner as may be in the best interest of the political subdivision and may for that purpose provide for the issuance of interest-bearing bonds, certificates of indebtedness, or other obligations, which shall be a charge upon the county. The bonds, certificates of indebtedness, or other obligations may be made payable at such times, not exceeding ten years from the date of issue, as may be determined by the governing body but shall not be issued or sold at less than par.

*CRS 1-5-603 empowers the commissioners to acquire electronic voting systems on the condition they comply with part 6, which includes CRS 1-5-601.5 assuring they meet the VVS.*

*CRS 1-5-603 was amended to require counties to reimburse the SoS for a license fee in the case of instant runoff elections. That section is not otherwise amended.*

**C.R.S. §1-2-605(7) Clerk has exclusive authority to maintain voter registration records:** If an elector whose registration record is marked “Inactive” fails to update his or her registration record, fails to respond to any confirmation card, and fails to vote in any election conducted by the county clerk and recorder during the time period that includes two consecutive general elections since the elector’s registration record was marked “Inactive”, the county clerk and recorder shall cancel the elector’s registration record. Nothing in this section allows an elector’s registration record to be canceled solely for failure to vote.

*Chief District Judge Philip A. Brimmer also ruled that Judicial Watch’s allegations about Colorado’s voting lists were enough to allow the lawsuit to proceed:
[Judicial Watch’s] claims that the Secretary is not complying with the NVRA are based on public records and statistical analysis. Plaintiffs insist that they have shown not only high registration rates,….* *but also that the Secretary sends too few Confirmation Notices, removes too few registrants, and has too high a number of inactive voters on the rolls. . . . [T]he Court finds that plaintiffs have met their burden and have plausibly alleged that Colorado’s list maintenance program does not comply with the NVRA.*

*In its lawsuit against Colorado Judicial Watch argues:*

* *A 2019 study showed that 40 of Colorado’s 64 counties had voter registration rates exceeding 100% of the eligible citizen voting-age population. The share of Colorado counties with registration rates exceeding 100% was the highest in the nation.*
* *Data Colorado itself provided to the federal Election Assistance Commission (EAC) showed that Colorado was lagging in the processing and removal of certain classes of ineligible registrations belonging to those who had moved out of state.*
* *In the last two years, 60 of Colorado’s 64 counties had a higher percentage of inactive registrations than the national median.*
* *In eight Colorado counties, more than one in six registrations belonged to an inactive voter.*

[*https://www.judicialwatch.org/court-rules-judicial-watch-lawsuit-can-proceed-against-colorado-officials/*](https://www.judicialwatch.org/court-rules-judicial-watch-lawsuit-can-proceed-against-colorado-officials/)

**C.R.S. § 1-5-608.5: Electronic and electromechanical voting systems - testing by federally accredited labs - certification and approval of purchasing of electronic and electromechanical voting systems by secretary of state - conditions of use by secretary of state - testing.**

(1) A federally accredited laboratory may test, approve, and qualify electronic and electromechanical voting systems for sale and use in the state of Colorado.
(3)(a) If the electronic and electromechanical voting systems tested pursuant to this section satisfy the requirements of this part 6, the secretary of state shall certify such systems and approve the purchase, installation, and use of such systems by political subdivisions and establish standards for certification.”

*1-5-608.5(1) the Certification for ProV&V the VSTL for Dominion in Colorado was expired between 2017 and 2021. The current Certification was based on illegally certified software and therefore is also illegal. The Secretary of State has illegally certified all election machines in Colorado including those used in the 2020 General Election and those in place to hold the 2022 Election.
(3)(a) The current machines do not meet requirements of this part 6 which includes CRS 1-5-601.5 assuring they meet the VVS.*

**1-5-612 Use of electronic and electromechanical voting systems. as amended by SB 22-153 (CAPS is new language after the passing of SB22-153)**

(1) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, the governing body of any political subdivision may, upon consultation with the designated election official, adopt an electronic or electromechanical voting system, including any upgrade in hardware, firmware, or software, for use at the polling locations in the political subdivision. The system **may** be used for recording, counting, and tabulating votes at all elections held by the political subdivision.

(b) FOR ALL ELECTIONS CONDUCTED UNDER THE "UNIFORM ELECTION CODE OF 1992", THE GOVERNING BODY OF ANY POLITICAL SUDIVISION **SHALL**, UPON CONSULTATION WITH THE DESIGNATED ELECTION OFFICIAL, ADOPT AN ELECTRONIC OR ELECTROMECHANICAL VOTING SYSTEM TO BE USED FOR **TABULATING VOTES** AT ALL ELECTIONS HELD BY THE POLITICAL SUBDIVISION. THE PROVISIONS OF THIS SUBSECTION (1)(b) DO NOT APPLY TO COUNTIES WITH FEWER THAN ONE THOUSAND ACTIVE ELECTORS AS OF THE DATE OF THE LAST GENERAL ELECTION.

*New CRS 105-612 contains a command that all counties over a minimum population use electronic voting systems. It contains no standards of certification, testing, performance, and so forth.*

**C.R.S. § 1-5-615: Electronic and electromechanical voting systems - requirements.** (1) The secretary of state shall not certify any electronic or electromechanical voting system unless such system: (a) Provides for voting in secrecy; (l) Counts votes correctly; (p) Saves and produces the records necessary to audit the operation of the electronic or electromechanical voting system, including a permanent paper record with a manual audit capacity.

**C.R.S. § 1-7-802:** Preservation of election records. The designated election official shall be responsible for the preservation of any election records for a period of at least twenty-five months after the election or until time has expired for which the record would be needed in any contest proceedings, whichever is later. Unused ballots may be destroyed after the time for a challenge to the election has passed. If a federal candidate was on the ballot, the voted ballots and any other required election materials shall be kept for at least twenty-five months after the election.

*The Phrase “election records” in C.R.S. § 1-7-802 includes all electronic files, including log files and all other files on the computerized voting system, that relate to any event that happened on any component of the computerized voting system during an election.*

**C.R.S. § 1-13-101(1) File an affidavit with the district attorney:** Any person may file an affidavit with the district attorney stating the name of any person who has violated any of the provisions of this code and stating the facts which constitute the alleged offense. Upon the filing of such affidavit, the district attorney shall forthwith investigate, and, if reasonable grounds appear therefor, he shall prosecute the violator.

 *Judicial District 21 District Attorney Daniel Rubinstein violated CRS 1-1-101 when he chose not to investigate all the evidence of election fraud in the Mesa County Reports presented to him.*

**C.R.S. § 1-13-107 False certificate**: Any public officer, election official, or other person upon whom any duty is imposed by this code who violates, neglects, or fails to perform such duty or is guilty of corrupt conduct in the discharge of the same or any notary public or other officer authorized by law to administer oaths who administers any oath knowing it to be false or who knowingly makes a false certificate in regard to a matter connected with any election provided by law upon conviction shall be punished as provided in C.R.S. 1-13-111.

*CRS 1-13-111 provides “In all cases in which an offense denominated in this code has no penalty specified, the offender commits a class 2 misdemeanor.”*

**C.R.S. § 1-13-708 Tampering with voting equipment:** Any person who tampers with any electronic or electromechanical voting equipment before, during, or after any election provided by law with intent to change the tabulation of votes thereon to reflect other than an accurate accounting is guilty of a class 1 misdemeanor and, upon conviction thereof, shall be punished as provided in CRS §18-1.3-501

**C.R.S. § 18-8-115 Duty to report suspected crime:** It is the duty of every corporation or person who has reasonable grounds to believe that a crime has been committed to report promptly the suspected crime to law enforcement authorities. Notwithstanding any other provision of the law to the contrary, a corporation or person may disclose information concerning a suspected crime to other persons or corporations for the purpose of giving notice of the possibility that other such criminal conduct may be attempted which may affect the persons or corporations notified. When acting in good faith, such corporation or person shall be immune from any civil liability for such reporting or disclosure. This duty shall exist notwithstanding any other provision of the law to the contrary; except that this section shall not require disclosure of any communication privileged by law.

**Violation of Federal Law:**

**42 U.S. Code §1974. Retention and preservation of records and papers by officers of elections; deposit with custodian; penalty for violation:** Every officer of election shall retain and preserve, for a period of twenty-two months from the date of any general, special, or primary election of which candidates for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Resident Commissioner from the Commonwealth of Puerto Rico are voted for, all records and papers which come into his possession relating to any application, registration, payment of poll tax, or other act requisite to voting in such election, except that, when required by law, such records and papers may be delivered to another officer of election and except that, if a State or the Commonwealth of Puerto Rico designates a custodian to retain and preserve these records and papers at a specified place, then such records and papers may be deposited with such custodian, and the duty to retain and preserve any record or paper so deposited shall devolve upon such custodian. Any officer of election or custodian who willfully fails to comply with this section shall be fined not more than $1,000 or imprisoned not more than one year, or both.

**52 U.S. Code § 20701 Retention and preservation of records and papers by officers of elections; deposit with custodian; penalty for violation:** Every officer of election shall retain and preserve, for a period of twenty-two months from the date of any general, special, or primary election of which candidates for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Resident Commissioner from the Commonwealth of Puerto Rico are voted for, all records and papers which come into his possession relating to any application, registration, payment of poll tax, or other act requisite to voting in such election, except that, when required by law, such records and papers may be delivered to another officer of election and except that, if a State or the Commonwealth of Puerto Rico designates a custodian to retain and preserve these records and papers at a specified place, then such records and papers may be deposited with such custodian, and the duty to retain and preserve any record or paper so deposited shall devolve upon such custodian. Any officer of election or custodian who willfully fails to comply with this section shall be fined not more than $1,000 or imprisoned not more than one year, or both.

**18 U.S. Code § 3 Accessory after the fact:** Whoever, knowing that an offense against the United States has been committed, receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact.
 Except as otherwise expressly provided by any Act of Congress, an accessory after the fact shall be imprisoned not more than one-half the maximum term of imprisonment or (notwithstanding section 3571) fined not more than one-half the maximum fine prescribed for the punishment of the principal, or both; or if the principal is punishable by life imprisonment or death, the accessory shall be imprisoned not more than 15 years.

**18 U.S. Code § 371 Conspiracy to commit offense or to defraud United States**

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined under this title or imprisoned not more than five years, or both.

***Warning:*** *Colorado’s election systems violate Federal and State Laws. Persisting with our current system of elections may lead to criminal charges and/or civil damages against you. Also understand that the law provides that you can be held personally responsible and liable. Please seek personal legal counsel if you do not understand these laws. Ignorance of the law is not a defense.*