

March 11, 2024

Chairman Williams,

Pursuant to CRC Article 15, Section C, OTHER CONTROVERSIES, I am filing a formal complaint with you and the State Executive Committee and reserve the right to appeal to all superior governing bodies regarding the planned use of electronic machines in the elections at the April 6, 2024, Colorado GOP Convention.

My fidelity and adherence to our bylaws, SEC Policies and Procedures and RNC rules are at the crux of the controversy. Additionally, at the September 30, 2023, CRC meeting, the members voted to use “Paper Ballots” during the April 6th Assembly/Convention.

The use of these machines would violate the Policies and Procedures of the CRC, CRC Bylaws, Art. XII, § C (4), Art. XIII, § A (1)(a), CRC Bylaws, Art. XIII, § A(5)(c) and violates the Chairmans fiduciary responsibility to comply and honor the 2022 State Assembly and RNC Resolutions concerning the use of hand counted paper ballots.

CRS 1-3-106. Control of party controversies,

(2) From the time the state convention of the party convenes until the time of its final adjournment, the state convention has all the powers given by subsection (1) of this section to the state central committee, but not otherwise. The state convention of the party may also provide rules that shall govern the state central committee in the exercise of the powers conferred upon the committee in subsection (1) of this section.

This statute grants powers once every four years to the state convention; powers that are vested solely in the state central committee at any other time. By this act the state convention has powers in deciding controversies and making rules governing the state central committee, thus by de facto it falls under the policies and procedures set forth by the state executive committee.

- 1.) It has been confirmed via email with Scantron Corp. that none of their machines, including the “Scantron Score” machine, have open-source coding, therefore their use in CRC meetings is in violation of the 2023-2024 Colorado Republican Executive Committee Policies and Procedures for the Conduct of Elections at Meetings of the Colorado Republican Central Committee.
 - a. **ARTICLE II, SECTION 2. ELECTRONIC VOTING EQUIPMENT**
 - i. *For the purpose of these Election Procedures, “Electronic Voting Equipment” and software must have open-source coding, be auditable and permit the members of the Colorado Republican Central Committee to cast a ballot in any manner other than by voice vote, standing/sitting vote, roll call vote, online meeting platform or paper ballot.*
 - b. *According to CRS 1-3-106. Control of party controversies, cited on page 2 of RULE NO. 16(f) FILING SUMMARY, this controversy applies also to the State Convention.*
 - (1) *The state central committee of any political party in this state has full power to pass upon and determine all controversies concerning the regularity of the organization of that party within any congressional, judicial, senatorial, representative, or county commissioner district or within any county and also concerning the right to the use of the party name. The*

state central committee may make rules governing the method of passing upon and determining controversies as it deems best, unless the rules have been provided by the state convention of the party as provided in subsection (2) of this section. All determinations upon the part of the state central committee shall be final.

(2) From the time the state convention of the party convenes until the time of its final adjournment, the state convention has all the powers given by subsection (1) of this section to the state central committee, but not otherwise. The state convention of the party may also provide rules that shall govern the state central committee in the exercise of the powers conferred upon the committee in subsection (1) of this section.

- c. There is no exception in the Bylaws for use of machines with closed-sourced coding for unofficial or official tallying of elections.
- 2.) Chairman Williams has dictated the use of Scantron machines and the use of Scantron ballots for the Convention in violation of the **RNC RULE NO. 16(f) FILING SUMMARY** which was filed with the RNC and cites on page 16:

CRC Bylaws, Art. XII, § C(4) and Art. XIII, § A (1)(a).

The participants at the state convention alone shall determine the selection of individual delegates or alternates to the national convention, and candidate for delegate or alternate for the national convention shall be compelled or required to identify the candidate he or she is pledged to support.

CRC Bylaws, Art. XIII, § A(5)(c).

The ballot shall include the presidential candidate each candidate for national delegate is pledged to support.

It has been reported that the Scantron ballots cannot be printed on, therefore this is a violation of the above CRC Bylaws.

Further, Republicans want hand-counted paper ballots.

- a. Chairman Williams conducted a poll at the **September 30, 2023, CRC meeting** in which the members voted in favor of having “paper ballots” at the 2024 State Assembly/Convention. The implication was clearly “hand-counted paper ballots.”
- b. The **2022 CO GOP Assembly Delegates** voted in favor of a Resolution for hand-counted paper ballots. The CRC copy of Resolution #2, which was passed at the 2022 CO State Assembly, has been removed from cologop.org. A copy can be found at the following. <https://mycoloradogop.org/323-peg-cage-prep-notes-for-chuck-and-julie-show-september-23-2022>

Resolution #2: We Require Integrity in Elections.

Whereas over the last 6 election cycles the people of Colorado, on both sides of the aisle, continue to mistrust the accuracy of election results and whereas elections exist to give these same people a republican government they choose through democratic means that can be held accountable at the ballot box, and whereas illegally cast votes directly cancel out

legally cast votes, Be It Resolved that the Colorado Republican Party supports each eligible voter actively registering to vote, ending automatic voter registration, and insists on the cleaning of county voter rolls so that only qualified voters receive ballots who then are required to show state-issued ID when voting in person. The Colorado Republican Party also supports locally controlled elections following the rule of law with verifiable counts and processes; rejects Secretary of State administrative rules used inconsistently in opposition to state law and changed in the midst of an election; opposes the use of private funds to assist in the administration of elections; calls for the development of a plan to hold elections during emergencies; and requests forensic audits of election machines and the maintaining of backup images of each hard drive in the voting system on an external hard drive, kept safe for the statutory 25 months or until the completion of all audits. Voting shall be in person on Election Day at the precinct voting center, with voter ID. Mail in ballots shall be permitted only for active-duty military, and registered voters who request a mail in ballot because they are physically unable to vote in person. Ballots should be counted by hand by election judges in each precinct.

https://www.cologop.org/wp-content/uploads/2022/04/Approved_CRC_Resolutions_final-4-9-2022-1.pdf

c. **RNC Resolution**

In September 2023, the Republican National Committee voted unanimously on a resolution urging a “RETURN TO EXCELLENCE” IN AMERICAN VOTING AND ELECTIONS. (Posted at <https://mycoloradogop.org/434-rnc-return-to-excellence-in-elections>) Two of the points in the Resolution are pertinent here:

WHEREAS, The grassroots activists of the Republican Party have discovered and made it abundantly clear that there are recognized problems with electronic election procedures and intentional complications of instituted systems that complicate, belabor, and slow down our election processes;

RESOLVED, The Republican National Committee calls on state legislatures, county, and municipal governments to pass laws and municipal codes and rules that allow for full transparent hand-counting procedures that are planned, timely and fully observable by the public and the registered parties for geographically defined audits and recounts;

My Former Teller Committee Chairman’s report contains more details about this Controversy and is posted at <https://mycoloradogop.org/453-former-cogop-teller-committee-chairman-s-report>, along with answers to frequently asked questions.

Respectfully Submitted by,



Peg Cage, SCC Bonus Member, Boulder County
Peg@MyColoradoGOP.org