



Jena M Griswold

Colorado Secretary of State

Election Order 2022-11

Re: Supervision of November 2022 General Election in Pueblo County to Ensure Compliance with Statutory Requirements

Date: October 17, 2022

Operative Facts

On June 22, 2022, the Secretary of State issued Election Order No. 2022-10 appointing an Election Supervisor to monitor the conduct of the Primary Election in Pueblo County in light of various errors in election administration by the Pueblo County Clerk & Recorder's office, including the erroneous printing of races on a large numbers of ballots and ballot-distribution errors, the circumstances of which were summarized in the Operative Facts of the prior Election Order. Those facts are incorporated here by reference.

On the afternoon of October 14, 2022, Pueblo County Clerk notified the Colorado Department of State ("Department") that a ballot-printing error for the General Election ballot had been made by the Pueblo clerk's office, in which the words "Official Primary Election Ballot" were printed on the detachable tab at the top of the first card of the General Election ballot. Although this tear-off tab is not a legally required portion of the official ballot, the misprint on this portion of the ballot creates a risk that voters will be confused as to whether the ballot they have received is the correct one for the General Election.

The Secretary hereby appoints Teak Simonton to be Election Supervisor in Pueblo County. Ms. Simonton's extensive experience in election administration will help assist the Pueblo County Clerk and Pueblo County in complying with all legal requirements.

Order

In accordance with sections 1-1-107, 1-1-110(1), 1-1.5-104(1), and 1-7.5-104, C.R.S., as well as section 10 of the National Voter Registration Act of 1993, ("NVRA"), 52 U.S.C. § 20509, and section 253(e) of HAVA, 52 U.S.C. § 21003(e), and Election Rules 1.1.39 and 8.17, I order as follows:

1. The Secretary of State hereby exercises her authority to supervise the conduct of elections under the Colorado Elections Code in Pueblo County, including all activities related to the upcoming November 8, 2022, General Election.
2. Teak Simonton is appointed as an official Election Supervisor with authority to direct the conduct of the election on behalf of the Secretary of State under the authority of Title 1 of the Colorado Revised Statutes. This appointment begins immediately and will continue throughout the 2022 general election or until otherwise revoked by the Secretary of State through subsequent order.

3. The Election Supervisor is authorized to inspect and review the practices and procedures of the elections staff of the Pueblo County Clerk and Recorder's Office, with access to all documents and records of Pueblo County that she deems appropriate or necessary to her work, and she is further authorized to monitor, direct, instruct, and supervise the elections staff of the Pueblo County Clerk and Recorder's Office to take such steps that may be deemed necessary. The Election Supervisor is also authorized to take remedial actions in consultation with and upon approval from the Department, to address any other or additional deficiencies in election administration that may be identified by her or the Department.
4. The Election Supervisor will confer with the Department on actions to be taken by Pueblo County for the election, and the Election Supervisor will notify the Department of any potential additional actions she believes may be necessary to ensure the fairness and accessibility of the election in Pueblo County.
5. The Election Supervisor will start immediately, at Pueblo County's expense. Pueblo County shall reimburse the Colorado Department of State for all reasonable expenses related to the Election Supervisor's work, including compensation at an hourly rate and travel expenses, within 45 days of receipt of invoice.
6. Pueblo County shall provide workspace and appropriate facility access to the Election Supervisor and any additional observers authorized by the Secretary of State.

Dated this 17th day of October, 2022



Jena M Griswold
Colorado Secretary of State

