

CAMBER
Citizens for Accurate Mail Ballot Election Results
2867 Tincup Circle
Boulder, CO 80305
303-494-1540

September 5, 2003

VIA US MAIL and E-Mail

Boulder County Clerk
Colorado Attorney General

Attached to this e-mail, as a Postscript File, is a certified letter from the Boulder County Clerk - received today at 2:50 p.m. September 5th. Also attached is a letter from the Attorney General dated September 2, 2003.

The Clerk's letter states,

"Concerns that were brought forward by you on Sept. 17, 2001 regarding the November 2001 mail ballot election were thoroughly addressed in a subsequent public hearing in December 2001.

The review panel, which included Secretary of State Donetta Davidson, and Maury Knaiser of the Colorado Attorney General's Office, found your allegations to be unfounded and without merit. Because your current allegations are no different than those that were made two years ago, and because the Secretary of State found that those allegations were unfounded, Boulder County will not respond to them again."

The Attorney General's letter states,

"This office is aware of Camber's disagreement with Boulder's conduct of the 2001 mail ballot election. You have submitted several documents over the course of the last year. Staff has reviewed your written allegations and attended a meeting at which you presented your concerns to the Secretary of State. The Secretary of State has thoroughly and conscientiously investigated this matter. We concur with the Secretary's decisions."

Obviously neither of these statements is true. The proceedings of December 14, 2001 include the following six items which document: inaccurate election records, after-the-fact modification of official election records, unequal treatment of voters, missing election records, and flaws in the software used to conduct the election.

1. November 8, 2001 – Kolwicz to Davidson, Objection to Certification of Boulder County Election Results
2. November 16, 2001 - Davidson to Kolwicz, Set meeting date in Boulder County
3. December 11, 2001 – CAMBER preliminary report “2001 Election Flaws”
4. December 11, 2001 – Boulder County Clerk's Response to “2001 Election Flaws” report
5. January 4, 2002 – CAMBER Addendum to “2001 Election Flaws Report”
6. February 14, 2002 – CAMBER report, “Fraud, Incompetence, or Corruption?”

While it is true that the word “procedure(s)” might be used in the December 14 proceedings, it is not in reference to the September 17 report. Further, it is not true that the Secretary of State addressed CAMBER’s September 17, 2001 concerns, nor is it relevant. This is 2003.

CAMBER has asked the Clerk to invite public input into the 2003 Mail Ballot Planning process. This request has been ignored until today, when the Clerk states,

“Boulder County will notify you when the proposed mail ballot plan is posted on our website. But because Secretary of State Donetta Davidson is responsible for reviewing Boulder County's mail ballot election plan to ensure that it meets statutory requirements and guidelines – and subsequently approving or disapproving of that plan - any comments, questions or complaints about the county's plan should be directed to her.”

It is not acceptable to address our comments to the Secretary of State, since the Secretary of State does not respond to such requests. On September 17, 2001, CAMBER transmitted to Secretary of State Donetta Davidson, “Six (6) Reviews of the November 6, 2001 Boulder County, Colorado Mail Ballot Plan”. To date we have received no response. In our transmittal we said,

“We consider that every one of the points raised is important and requires a revision to the plan. We expect to see a revision to the plan that cures all of the problems raised by our reviewers. We expect that each point raised by our reviewers that does not result in a plan revision will be responded to in a letter from you, authorizing the non-response. We expect you to establish a process to insure the timely and satisfactory (to we citizens) resolution of each and every defect.”

While it is true that the Clerk and the Attorney General have the power to exercise bureaucratic tactics to prevent the people from participating in this plan, to do so is a direct affront to the peoples’ rights under our state constitution and their right to vote.

We await your response to our Open Records Request.

Al Kolwicz
Executive Director, CAMBER