

STATE OF COLORADO
Department of State
1700 Broadway
Suite 250
Denver, CO 80290



Mike Coffman
Secretary of State

William A. Hobbs
Deputy Secretary of State

VIA HAND DELIVERY

March 12, 2008

Matthew Azer, Director
Office of Administrative Courts
633 17th Street, Suite 1300
Denver, Colorado 80202
Attention: Richard Walker

FACE THE STATE

Re: The complaint of Chloe Johnson pursuant to Section 1-40-132, C.R.S., concerning alleged violations relating to the circulation of a petition for Proposed Initiative #31.

Dear Mr. Azer:

I am transmitting the above-referenced complaint to the Office of Administrative Courts for a hearing before an administrative law judge in accordance with Sections 24-4-105 and 1-40-132, C.R.S.

Please note that pursuant to Section 1-40-132, C.R.S., the written complaint must be submitted by a registered elector. According to the records of the Secretary of State's office, there are three registered electors named "Chloe Johnson," yet no registered electors with this name have a residential address that matches the residential address given in the written complaint.

Additionally, the complaint involves the circulation of a petition for Proposed Initiative #31. According to the records of this office and pursuant to Section 1-40-104, C.R.S., the two designated representatives for the proponents of Initiative #31 are:

Valery Orr
P.O. Box 351559
Westminster, Colorado 80035-1559

Linda Chavez
P.O. Box 351559
Westminster, Colorado 80035-1559

Please find the original complaint enclosed. We expect the parties to direct all future pleadings and correspondence to your office.

Sincerely,

William A. Hobbs
Deputy Secretary of State

Enclosures

Main Number (303) 894-2200
Administration (303) 860-6900
Fax - Administration (303) 869-4860

TDD (303) 869-4867
Web Site www.sos.state.co.us
E-mail - Administration sos.admin1@sos.state.co.us

cc: Complainant
Chloe Johnson
3257 South Parker Road
Apt. 4P4
Aurora, Colorado 80014

Designated Representatives
Valery Orr
P.O. Box 351559
Westminster, Colorado 80035-1559

Linda Chavez
P.O. Box 351559
Westminster, Colorado 80035-1559

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ELECTIONS / LICENSING
SECRETARY OF STATE

Chloe Johnson
3257 S. Parker Rd. Apt. 4P4
Aurora, CO 80014

Mike Coffman
Secretary of State
Colorado Department of State
1700 Broadway
Denver, CO 80290

February 26, 2008

FACE THE STATE

Dear Mr. Coffman:

I am a political science major at the University of Colorado-Denver. At the light rail station I venture to everyday I was approached by a petition circulator who asked me to sign a petition that would end discrimination in Colorado within institutions, workforce, etc. I questioned this petitioner knowing that we already had laws to prevent this but he told me that they would no longer be effective in the following months. I signed the petition because I believe in preventing discrimination anywhere. As well as a student I am also an intern for State Representative Morgan Carroll. At her office, in doing an assignment I came across the bill/petition that I had signed which I thought was to end discrimination was in fact a petition for anti-affirmative action. I took the step to call the governors office to proceed in removing my name from the petition for being misled by the petition circulator. I was then directed to contact you about this issue and given the Colorado state statute 1-40-132 which reads:

“1-40-132. Enforcement. (1) The secretary of state is charged with the administration and enforcement of the provisions of this article relating to statewide initiated or referred measures and state constitutional amendments. The secretary of state shall have the authority to promulgate rules as may be necessary to administer and enforce any provision of this article that relates to statewide initiated or referred measures and state constitutional amendments. The secretary of state may conduct a hearing, upon a written complaint by a registered elector, on any alleged violation of the provisions relating to the circulation of a petition, which may include but shall not be limited to the preparation or signing of an affidavit by a circulator. If the secretary of state, after the hearing, has reasonable cause to believe that there has been a violation of the provisions of this article relating to statewide initiated or referred measures and state constitutional amendments, he or she shall notify the attorney general, who may institute a criminal prosecution. If a circulator is found to have violated any provision of this article or is otherwise shown to have made false or misleading statements relating to his or her section of the petition, such section of the petition shall be deemed void.

Thank you for your time I look forward to your response on how I should proceed in taking care of this situation.

Yours sincerely,

Chloe Johnson

(303)-803-3656

chloe_rachel_johnson@yahoo.com

STATE OF COLORADO
Department of State
1700 Broadway
Suite 250
Denver, CO 80290



Mike Coffman
Secretary of State

William A. Hobbs
Deputy Secretary of State

March 11, 2008

Ms. Chloe Johnson
3257 South Parker Road
Apt. 4P4
Aurora, Colorado 80014



RE: Complaint filed with the Colorado Secretary of State

Dear Ms. Johnson:

The Secretary of State's office is in receipt of your letter dated February 26, 2008 regarding the alleged misconduct of a petition circulator.

Section 1-40-132, C.R.S., authorizes the Secretary of State to "conduct a hearing, upon the written complaint by a registered elector, on any alleged violation of the provisions relating to the circulation of a petition." Section 24-4-105, C.R.S., provides that an agency hearing may be conducted by an administrative law judge.

Accordingly, this office is transmitting your complaint to the Office of Administrative Courts for a hearing conducted by an administrative law judge on behalf of the Secretary of State.

If this office may be of further service, please do not hesitate to call me at (303) 894-2200 ext. 6323.

Sincerely,

Troy Bratton
Legal Specialist