



ELECTION JUDGE POLICY

DATE APPROVED OR LAST UPDATED: February 1, 2022

SUBJECT: ELECTION JUDGES

AUTHOR: CITY AND COUNTY CLERK'S OFFICE

It shall be the policy of the City and County of Broomfield to hire, train, employ, transfer and remove election judges as reflected in C.R.S. § 1-6-101, *et seq.* ("Title 1").

1. PURPOSE

The purposes of this policy are to:

- Record a procedure for providing application of Title 1 in Broomfield's general policies and procedures;
- Provide framework for selection of judges, and the removal of judges;
- Provide transparency to county political party chairpersons about the procedure behind the selection of election judges; and
- Set expectations of performance for election judges.

2. SCOPE

This policy is intended to apply to temporary employees who are hired to fill the position of "election judge." This policy is adopted, interpreted and applied by the City and County Clerk. Because administering elections is a community project, this policy also includes the outreach necessary to ensure clear communications paths with the county's major political parties. This policy does not apply to canvass board members.

3. DEFINITIONS

The definitions found in C.R.S. § 1-1-104 shall apply when interpreting this policy, unless the context clearly requires a different interpretation.

4. PROCEDURES

4.1. Selection procedures for election judges in partisan elections are as follows:

- Each major political party is entitled to nominate a list of election judges and submit it to the designated election official (DEO) as set forth in C.R.S. § 1-6-103.
- The major political party chairperson shall designate the order of preference of the names of the registered electors recommended. C.R.S. §1-6-103(2)
- The county clerk and recorder shall select the election judges in the

chairperson's order of preference. C.R.S. §1-6-103(2)

- Each major political party is legally entitled to half of the supervisor judge positions hired, subject to C.R.S. §1-6-109.5.
- Each major political party is entitled to half of the election judges hired subject to C.R.S. §1-6-109.
- Election judges will be appointed pursuant to C.R.S. §1-6-104(3). Broomfield election division will reasonably attempt to exhaust the updated lists provided by the major political parties before supplementing with judges from minor political parties or unaffiliated judges. Any additional vacancies will be filled using other sources such as previous political party lists.
- Political party chairpersons may exercise a preemptive removal pursuant to C.R.S. § 1-6-119(1) on a sitting judge of their own party with written notice to the DEO.
- Broomfield strives for equitable representation at each location, and will use reasonable efforts to have a supervisor judge from each major party at every location.

4.2. Selection procedures for election judges in nonpartisan elections are as follows:

- Coordinated, special and municipal recall election judges will be filled using the most recent party judge lists provided from major political parties and supplemented with unaffiliated and minor party judges.
- It is a goal that unaffiliated and minor party judges will play a larger role in nonpartisan elections.
- *The county clerk must request an updated list of election judges from each major party before each election the clerk conducts under the Uniform Election Code. (Election Rule 6.1.1)*
- Broomfield strives for equitable representation and will use reasonable efforts to provide a balanced election judge team in nonpartisan elections.

4.3. The following persons are disqualified from serving as an election judge in any capacity:

- A candidate for that election as set forth in C.R.S. §1-6-101(2)(e);
- An immediate family member of a candidate related by blood, marriage or civil union to the second degree;
- An individual who has a conviction of fraud, election fraud or any other election offense;
- An individual who does not successfully complete the required background check;
- An individual who is not a registered voter in the state of Colorado; and
- An individual who is disqualified from serving as an election judge for any other reason set forth in Colorado law.

4.4 Situations which could cause the removal of an individual from the position of election judge include, but are not limited to:

- Not following procedures;
- Failure to pass driving background check;

- Violation(s) of safety protocols;
- Wearing electioneering materials (shirts, hats, buttons) while performing duties of an election judge or while inside the polling location or in any public street or room or in any public manner within one hundred feet of any building in which a polling location is located;
- Discussing political issues while performing duties of an election judge;
- Disenfranchising a voter;
- Allowing a voter to vote multiple ballots in a single election;
- Discriminatory behavior toward a voter including party, race, age, religion, disability, size, sexuality or gender identity, or any other legally protected class;
- Missing required training sessions; or
- Any other reason for removal set forth in the Broomfield Municipal Code or Colorado law.

Decisions will be made on a case-by-case basis in consultation with Human Resources, and in compliance with all applicable state and federal laws and regulations.

4.5 Communication with Major Party Chairperson:

- Within a reasonable time after any addition or removal of the judges occurs an updated list of election judges will be provided to the Chairperson of each political party as is allowed under C.R.S. §1-6-108(2).
- A reasonable time is typically within five business days of the official removal date.