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guest commentary - Abolishing Denver's Election Commission

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## Electing one clerk not the answer

On the one hand There is no guarantee that a single clerk and recorder will be any more effective in running fair and efficient elections in Denver.

By Jan Tyler

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Denver will vote soon - in a special, all-mail election - on whether to abolish the city's 104-year-old Election Commission.

Supporters of abolishing the commission and setting up an elected clerk and recorder to run elections like to blame the commission structure for every problem that's befallen the city's elections, but their arguments are not persuasive.

One claim is the three-person structure (two elected and one appointed by the mayor) simply cannot meet the challenges of modern elections.

That may be their opinion, but according to Cal Tech political science professor R. Michael Alvarez, a commission structure with a combination of elected and appointed officials is preferable because "partisan political interests can and do affect how elections are run ... politicians can control the process that elects them to office."

Critics of the commission also complain that it is an independent body with no oversight. But that actually is a virtue. The relative independence of the commission is what has kept past elections relatively scandal free.

And the existing commission isn't completely free from the involvement of other city officials. For instance, the importance of the budgetary process under the current structure cannot be dismissed. The mayor controls the budget, and the mayor influenced the Election Commission when I served through the budget and his appointed clerk and recorder. We had to cut our budget every year by at least 1 percent, in spite of the increasing complexity and demands of conducting elections. The appointees who served as clerk and recorder acted as enforcers, denying reform and even basic needs of the commission in order to meet budget cuts.

The city attorney, appointed by the mayor, also provides another little-known oversight function because he provides legal advice to the commission. Some of that advice has not served the commission well in the past.

There is no guarantee that a single clerk and recorder will be any more effective in running fair and efficient elections in Denver.

An election doesn't automatically produce a person who is qualified to master and manage the increasingly complex business of elections, and the clerk will have to hire an expert in elections administration as an assistant to do the real work.

Recent history offers plenty of examples of single, elected elections officials who had plenty of problems. Remember Tracy Baker in Arapahoe County? Serious problems have arisen over the last two election cycles in Douglas, Montrose, El Paso, Arapahoe and Boulder counties with elected clerks. And how about secretaries of state Katherine Harris in Florida and Kenneth Blackwell in Ohio?

An elected clerk will be just another politician, and that might just create new problems for Denver.

Proponents of measure 1A argue that an elected clerk is the only answer, but others - such as the study group convened by Councilwoman Marcia Johnson in 2005 - have recommended managerial, not structural changes.

Even the consultant hired by the city to examine the 2006 election didn't specifically recommend structural changes.

Hiring experienced and respected election professionals in operational jobs could go a long way toward solving our problems.

Don't waste the Denver Election Commission in this hasty election. Vote "no" on Referendum 1A.

Jan Tyler was an elected Denver election commissioner from 1995-2003. She is a certified elections registration administrator.

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