

Election Commission Investigative Panel

**Findings and Recommendations
December 2006**

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I. EXECUTIVE SUMMARY

Immediately following the November 7, 2006 election, Mayor John Hickenlooper and Council President Michael Hancock convened a 14-member Election Commission Investigative Panel (Panel) to quickly analyze Denver's election problems and develop actionable solutions. The Panel held five weekly meetings between November 15th and December 13th during which it heard testimony and reviewed submissions from voters, election judges, poll watchers, election experts, and outside technology and process consultants. With the benefit of this input, the Panel explored how best to improve the state of elections in the City and County of Denver (CCD) and ensure that the unacceptable obstacles faced by voters on November 7, 2006 are not seen again. The primary objective of these deliberations was to answer the following questions:

1. Based on the evidence and the perspective of the Panelists, what voting format, or combination of formats, is best for Denver?
2. What election process improvements can the DEC make to enhance the experience of Denver voters and reduce the likelihood of future problems?
3. What changes to the management and operations of the DEC will facilitate its ability to more effectively and consistently perform its role?
4. Does the structure of election governance in Denver remain viable after the breakdowns on and before November 7, 2006, and, if not, what is the best alternative system of governance?

The Panel spent significant time discussing each of these questions and, in summary, came to the following conclusions:

1. A well executed election process that incorporates flexible voting locations (vote centers), early in person voting options, and absentee (mail) balloting is the best system for Denver based on the combined attributes of access, flexibility and efficiency. However, given the organizational issues at the DEC and the short time frame, the Panel recommends the DEC undertake an all mail ballot election for May 2007.
2. There is significant room for improvement in virtually every aspect of election process execution, including planning, internal and voter communication, technology management, and personnel.
3. Similarly, there are substantial opportunities to improve the management and operations of the DEC, including clarifying of job roles for both management and employees, transitioning employees to Career Service Authority status, improving procurement, and integrating with CCD resources in technology and other areas.
4. A change in the governance of Denver's elections is necessary in order to both restore confidence and provide better results. The Panel reached a consensus that a single point of accountability through an elected Clerk and Recorder with an appointed Director of Elections is the model for governing elections in Denver because it provides authority and accountability directly to the people. A highly qualified Director of Elections chosen by the elected Clerk was also recommended.

II. Background

A. Overview of DEC

Established in 1904, the Denver Election Commission is a quasi-independent agency of the City Council vested by the City Charter with the exclusive authority for the registration of voters and the conducting of federal, state and local elections in the CCD, and other incidental powers related to initiative, referendum and recall procedures. For over one hundred years, the DEC has conducted every candidate and issue election, as well as overseen the education, legal, management, operational, and administrative responsibilities for the election matters of CCD. Since 1919, the commission has consisted of the Clerk and Recorder and two non-partisan elected Commissioners. The DEC has approximately 20 full time employees and employs as many as 1,100 temporary and on-call employees during an election.

Significant changes in the statutory and regulatory requirements for conducting elections (including the bilingual requirement of the Voting Rights Act, the Help America Vote Act and ADA compliance requirements) have forced election officials throughout the country to reevaluate voting procedures. These changes combined, in many cases, with an increasing role of technology have led to a dramatic increase in the complexity of elections and, as a result, in the demands on the organizations that manage elections.

In response to the changing legal landscape, as well as in pursuit of increased flexibility and efficiency, the DEC pursued a transition from a system of 292 fixed precinct locations to a system of fewer, larger voting locations or vote centers, whereby voters could vote at any of 55 locations throughout the City. The vote center model required an electronic voter registration system or “ePollBook” to ensure that voters were not able to cast multiple ballots at different centers. In making this change, the DEC was undertaking a significantly more complex process requiring substantial planning, testing, logistical support, and technology management.

Unfortunately, none of these requirements was adequately met by the DEC in its conduct of the November 2006 election resulting in unacceptable wait times and other challenges turned away thousands of voters from the polls.

B. Convening of the Panel

Immediately following the November 2006 election, Mayor John Hickenlooper and Council President Michael Hancock convened the Panel to quickly analyze Denver’s election problems and develop actionable solutions. Both Mayor Hickenlooper and Council President Hancock expressed their deep concern for the ability of the Denver Election Commission (DEC) to properly and effectively execute the next Denver election (scheduled for May 2007) and future elections given the multiple breakdowns experienced on Election Day. They pledged to review every aspect of the governance, management and operations failures underlying the breakdown and to develop a complete set of recommendations by mid-December.

The Mayor and the Council President, acting as co-chairs, immediately appointed a distinguished panel of community and business leaders, election experts, and elected officials. The members included:

- Dr. Paul Burleson, Greater Metro Denver Ministerial Alliance
- Scott Doyle, Larimer County Clerk and Recorder
- Hubert Farbes, Attorney/Shareholder, Brownstein, Hyatt and Farber
- Jenny Flanagan, Colorado Common Cause
- Dennis Gallagher, Auditor, City and County of Denver
- Dusti Gurule, Director, The Latina Initiative
- Rep. Rosemary Marshall, Colorado State Legislature, House District 8
- Dick Notebaert, Chairman and CEO, Qwest Communications
- Ralph Peterson, Chairman and CEO, CH2MHill
- Daniel Ritchie, Chancellor Emeritus, University of Denver
- Councilwoman Rosemary Rodriguez, Denver City Council, District 3
- Sen. Paula Sandoval, Colorado State Legislature, Senate District 34
- Sandra Shreve, President, League of Women Voters of Denver

III. Testimony/Information Gathering

The Panel heard testimony and reviewed submittals of over 300 individuals, full and part time employees, and stakeholder organizations as well those of the DEC Commissioners and its Executive Director. While opinions differed as to the potential solutions for the problems seen on November 7th, there was a high degree of consistency in the assessment of the issues leading to the breakdown, including:

- Failure of the ePollBook technology;
- Inadequate numbers of laptops to register voters on Election Day;
- Inadequate contingency plans;
- Printing errors that led to delayed ballot counting;
- Ballot counting machine failure;
- Poor/unavailable communications between vote center judges and workers and the DEC on the day of the election;
- Understaffing at the vote center sites;
- Poorly trained vote center personnel;
- Lack of adequate amount of provisional ballots and supplies; and,
- Unclear and inconsistent policies and directives.

Minutes of the panel deliberations are available online at www.denver.org/investigativepanel.

The Panel also heard from Fujitsu Consulting which had been retained by the CCD to assess technology and process issues related to the 2006 election cycle. Following a rapid but thorough review of these matters, Fujitsu made the following observations and recommendations:

- The proximate cause of voter inconvenience on Election Day was the failure of the ePollBook application to efficiently process voters as they arrived at voting centers.

- This failure, along with the challenges in counting absentee ballots, is symptomatic of an unacceptable casual and substandard tradition of technology management at the DEC that requires fundamental correction.
- In general, planning, operations, and logistics suffered from an inadequate degree of testing, quality assurance, due diligence, and oversight in a risky environment featuring many significant changes and challenges.
- Despite the problems encountered on Election Day, the voting center model appears to be viable for Denver at least in the abstract, and its future success will depend largely on improving technology performance, process planning and operational execution.

IV. Panel Deliberations/Recommendations

A. Election Process/Voting Model

The Panel's consideration of election process alternatives centered around three primary models under which the majority of votes might be cast in any given election.

1. The first model provides for in person voting at a fixed location based on a person's address. In this respect, the Panel considered two alternatives:
 - a. The precinct model in use in Denver prior to the November 2006 election which involved voters voting at 292 fixed precinct polling places throughout the city; and
 - b. A consolidated precinct model under which the existing 292 precincts would be consolidated into a smaller, more manageable number of voting places incorporating multiple precincts.
2. The second model provides for in-person voting at any number of flexible locations commonly described as the vote center model.
3. The third model provides for all ballots to be cast through the mail.

In considering these alternatives, the Panel reviewed the following summary of many of the most common arguments for and against each of these models:

<i>Flexible Voting Location</i> <ul style="list-style-type: none"> • Vote Centers 	<i>Fixed Voting Location</i> <ul style="list-style-type: none"> • Precincts/Consolidated Precincts 	<i>No In-Person Voting</i> <ul style="list-style-type: none"> • All mail ballots
<i>Potential Arguments in Favor:</i> <ul style="list-style-type: none"> • Total flexibility for voters in terms of voting location • Fewer locations reduces administrative, personnel, supply and other costs • Cost effective means of complying with HAVA requirements • When combined with early and absentee voting, maximizes voter opportunity/flexibility • November 2006 model appears viable in terms of processing voters in a reasonable time frame if technology and process issues addressed quickly • Simplifies election monitoring 	<i>Potential Arguments in Favor:</i> <ul style="list-style-type: none"> • Relatively satisfactory historical execution by DEC • Reduced reliance/increased flexibility with respect to role of technology • Viability of paper back-up system in any event • Familiarity to many Denver voters (would apply less to a consolidated precinct model) • Could also be part of a system of early and absentee voting that maximizes voter opportunity/flexibility • Consolidating precincts could help solve for HAVA and operational complexity challenges 	<i>Potential Arguments in Favor:</i> <ul style="list-style-type: none"> • Reduces logistical/execution challenges on voting day • Lower costs • Limited technology risk – although printing and counting issues could remain • Apparent success in Oregon – lower costs/ higher turnout • Relative ease of planning/ implementation
<i>Potential Arguments in Opposition:</i> <ul style="list-style-type: none"> • Demonstrated failure/voter reluctance to repeat the same process • Technology requirements increase risk of disruption/cost of contingency planning • Difficulty accessing precinct level voting data • Unclear effect on turnout among lower mobility voters • Some citizens have expressed preference for familiarity/social aspects of precinct model 	<i>Potential Arguments in Opposition:</i> <ul style="list-style-type: none"> • Unclear what the costs/other issues might be to comply with HAVA under traditional precinct model (292 polling places) • Continued issues with voters going to wrong polling places • Potentially higher cost to operate, particularly if 292 polling place model is continued 	<i>Potential Arguments in Opposition:</i> <ul style="list-style-type: none"> • Perception that risk of fraud/ influence is increased • Eliminates physical participation that many voters prefer • Unclear effect on outcomes i.e. which groups are more or less likely to vote in this format • Risk that voters who have moved will not receive information about the election/ballots • Challenges experienced with the vendor (printing, etc.) • Accessibility issues for persons with disabilities

In considering these three different models, the Panel addressed two different questions:

1. What is the best election process for the citizens of Denver going forward in terms of maximizing voter access and flexibility (time and location) while also providing a cost effective, secure and efficient outcome?
2. What, if any, alternatives to the recommended long term voting format should be considered for the May 2007 election given the short time frame, the number of process improvements necessary to bring about a successful in person election and the management and organizational challenges at the DEC?

While certain Panelists supported a return to the previous precinct polling system with paper balloting, the majority of the Panel members concluded that a well executed election process that incorporates flexible voting locations, early in person voting options and absentee (mail) balloting is the best system for Denver based on the combined attributes of access, flexibility and efficiency. In addition, if carefully and thoughtfully executed, a majority of the Panelists believes this combination of formats also represents a cost effective and secure means of conducting elections in the CCD. Further, this same group of Panelists considers this model to be the one best suited to encourage the broadest voter participation because of its flexibility and documented success when properly executed.

The Panel heard and takes seriously the testimony that many citizens value the familiarity and social aspects of the previously practiced precinct polling place model incorporating 292 individual polling places throughout the City and County of Denver. However, the Panel understands, based on testimony, that the requirements of the Help America Vote Act related to accessibility for persons with disabilities, would require substantial investments to facilitate compliance, including the purchase of additional HAVA compliant voting machines and physical modifications at precinct sites to afford ADA compliant access. Specifically, the DEC estimates that the incremental costs associated with these changes could exceed \$4 million. The majority of Panelists considers these costs to be greater than the benefits of maintaining the legacy precinct model, particularly given the other relative merits of the convenience and flexibility of other alternatives.

The Panel also considered and sees many potential benefits to the implementation of a consolidated precinct model, whereby multiple precinct locations would be consolidated into fewer larger locations. This model incorporates many of the efficiency and accessibility benefits of the vote center model resulting from fewer total voting places. It also reduces the requirement for an electronic poll book to verify voter activity. However, the Panel believes that the additional flexibility offered voters by the vote center model weighs heavily in its favor and that the technology challenges associated with conducting such a model are entirely surmountable, as proven in Larimer County and other locations around the country.

The Panel has also heard and understands that the lowest cost and least logistically complicated process is most likely a vote by mail alternative, such as that practiced in Oregon and in many Colorado counties in off year elections. However, the combination of the people of the State having voted against such a system for statewide issues and, more importantly, this system not achieving the highest mix of access and flexibility, makes a mail ballot election system less viable as the exclusive model for the people of Denver.

B. Implementation of Process Recommendations

While the Panel believes that its recommended model can be the best outcome for the citizens of Denver, the challenges of the November 2006 election during which such a model was employed, demonstrate the need for dramatic and comprehensive improvement in the execution of almost every aspect of the process. The Panel considered and approved the following list of recommendations and strongly urges the DEC to implement each or otherwise address their intent prior to the next time it invites Denver voters to the polls to cast their ballots. The recommendations also include suggested improvements to the counting of absentee ballots given the significant delays faced in November.

1. Recommendations for In-Person Voting Processes

- Planning*
- Develop detailed schedule and operational plan for each election
 - Develop written policies and procedures for each element of the election and train accordingly
 - Thoroughly test each aspect of the plan to include both virtual and actual mock elections, as applicable
 - Re-examine the space requirements for prospective vote centers to increase potential locations and accessibility
- Technology*
- Thoroughly test any technology employed in the election enough in advance of the affected election to anticipate and respond to issues
 - Operate under the assumption that technology will fail at some point and, to the extent possible, develop contingency plans that are not also technology-dependent
 - Provide a viable poll book software solution
 - Evaluate using Larimer County's proven ePollBook application against the cost of addressing issues with Sequoia system
- Process Design*
- Confirm viability of 55 center model using a maximum 30 minute wait time for voters during peak periods of the day
 - Thoroughly test and model ratio of laptops to voting machines using appropriately conservative estimates for time to complete each phase of the process
- Election Judges*
- Provide more than one training session and add testing to confirm familiarity
 - Recruit more technologically savvy people potentially college students
 - Consider using City employees on some basis
 - Increase compensation
 - Consider two shifts to reduce length of day and other measures to improve working conditions
 - Build staffing model that anticipates no shows so as to ensure against understaffing at affected locations

- Internal Communication*
 - Increase communication center capacity – more dedicated lines and staffing
 - Direct line of communication from each polling place to comm. center
 - Develop/implement proper back-up plan for communications challenges
 - Work closely with Denver Channel 8 and others to develop a detailed and coordinated plan for the accurate and timely reporting of election results
- IT Support*
 - Provide either very robust central IT support team with adequate floating on-site techs or a dedicated tech support person for each voting place
- Supply Chain*
 - Increase planning and staffing within supply chain operation and/or review fundamental assumptions of supply organization and carry purchase enough critical supplies to provide increased on-site inventory
 - Thoroughly review supply procedures and communication process to mitigate inefficiencies of multiple trips and/or inability to get through
- Training*
 - Increase cross training to maximize capacity/flexibility
 - Make sure entire organization is trained on implementation/execution of process
- Voter Outreach*
 - Improve pre-election communication in terms of any changes and locations of polling places
 - Provide accurate, real-time information on the length of wait at vote centers so that voters could make better decisions regarding where to vote
 - Increase communication to restore confidence to voters generally about the elections, voting method, locations, and long-term strategies
 - As part of postcard mailing to inactive voters, seek feedback from voters who did not vote in November 2006 and why.
- Audit*
 - Commission a third party technology and process assessment in advance of any election incorporating new or substantially different equipment or processes with sufficient time to act on any recommendations
- Other*
 - Eliminate or modify use of green voting cards as a gating feature of the process
 - Implement contingency plan immediately when wait exceeds established standards
 - Seek to streamline decision making and look for opportunities to empower front line employees

2. Recommendations for Absentee Ballot Counting

- Staffing*
 - Increase staffing/potentially leverage City employees
- Space*
 - Present a comprehensive assessment of space needs
 - Space planning should include assumption of growing absentee participation as a percentage of the total votes cast

- Process*
- Thoroughly test each element of the process
 - Communicate the receipt of absentee ballots when voters return them, potentially using the web-site for this communication
 - Count as many ballots as possible as they come in prior to the election
 - Develop and implement thorough quality control processes including sending employees to printing site for review of ballots as they are produced
 - Consider timing of absentee ballot provisions to ensure balance between voter flexibility and DEC capacity
 - Consider creating some excess capacity to allow for mechanical issues
 - Provide adequate scanning capacity to accommodate peak requirements on a reasonable basis
- Voter Outreach*
- Develop improved means of communicating status of absentee ballot application, possibly using Larimer County website access as a model

While incorporated above, the Panel wants to emphasize that in order to proceed with the flexible vote center model, the DEC must dramatically improve its management of technology, fix or replace the substandard Sequoia ePollBook system, and adequately test every significant aspect of the model employed in the November election, including the number of centers, the ratio of laptops to voting machines, the time taken to vote, etc. The DEC must also develop robust controls and contingency plans to assure all that any unexpected problems are managed quickly and seamlessly with respect to voters exercising their right to vote.

C. May 2007 Election

The second very important question is whether or not, in spite of the attributes mentioned above, the DEC should attempt another vote center election in May 2007. After serious consideration and substantive discussion, the Panel has concluded that in order to best ensure a well executed election in May and, more importantly, to reduce and risk of further erosion of voter confidence in the vote center model, the DEC should pursue an all mail ballot format for this one election.

As manifested in its long term recommendation, the Panel understands and supports the tradition of in person voting in Denver and believes it should be protected and enhanced. A critical element of this preservation is to rebuild citizen trust that their access to polling places will not be unreasonably impeded by the long lines or other disruptions experienced in November 2006. As a result, the next time the citizens of Denver go to the polls to cast their vote the experience should be as efficient and issue free as possible. Enormous change is required with respect to planning, technology and process improvement, management, training, staffing and other areas in order to adequately guarantee this kind of outcome. Many of these changes are incorporated above in the Panel's recommendations for process improvement. One panel member observed that the sheer number of recommended changes provides all the evidence needed that executing a successful vote center election in less than six months would be an incredible challenge for the organization.

The Panel also observes that this sizable execution challenge would be faced by an organization that is seriously compromised at the moment on many levels. A partial list of the issues that might interfere with the DEC's ability to plan and implement an in-person election includes:

- An executive director who has submitted his resignation;
- A suspended director of technology;
- A vacant director of logistics position;
- The need for the Mayor to appoint a new Clerk & Recorder to the commission;
- The limited supply of qualified election professionals available to fill such jobs;
- The fact that both elected commissioners terms are up in May and one has expressed a desire to run again; and,
- The current low morale of DEC employees, possibly exacerbated by a component of a ballot question affecting their employment status.

These multiple organizational challenges serve to strongly reinforce the Panel's conclusion that May 2007 is too soon to subject Denver voters to another in- person election requiring the degree of management, planning and execution necessary to ensure a successful outcome.

Thus, the Panel recommends that the DEC begin working immediately to plan and implement the best possible mail ballot election for May of 2007, while also beginning the important process of preparing for its next in- person vote using the vote center model, presumably November 2007. In making this recommendation, the Panel observes that it will be no small task to implement even a mail- only election as demonstrated by the multiple challenges the DEC faced in counting absentee ballots in November. Readers and the DEC are referred to the recommendations above, many of them seemingly obvious but otherwise not in evidence in November, regarding the counting of mail ballots. In addition, the Panel implores the DEC to immediately pursue every possible means to verify voter addresses, communicate to voters regarding necessary registration conditions, and otherwise ensure the maximum participation in May's mail ballot election.

D. Third Party Support/Advisory Panel

Given the critical nature of this task, the Panel recommends that the DEC retain the assistance of a highly qualified third party election specialist to assist with the development and implementation of the recommended model, as well as to help ensure a successful all mail election in May. The Panel also recommends that the DEC form an advisory board of individuals having adequate election, process, technology and general management experience to serve as a sounding board for the DEC in developing plans for May 2007 and beyond. Among other things, this advisory board could help frame the scope of the work for the third party consultant and review that firm's assessments of planning and readiness far enough in advance of the May election to recommend possible improvements based on the collective experience of the members.

E. Management and Operations

The Panel reviewed the work of the Election Governance Panel (EGP), chaired by Councilwoman Marcia Johnson, which published its report in July 2006, and supports the recommendations made therein with respect to DEC management and operations. In summary the recommendations receiving the Panel's endorsement include:

Career Service Designation of Employees -- Include employees of the Election Commission below the Executive Director level in Career Service in order to help professionalize staff

Procurement Rules -- Require the DEC to follow all city-wide procurement rules and regulations

Executive Director -- Strengthen and clarify the role and qualifications of the Executive Director. Consider increasing pay to attract and retain qualified individuals.

Operating Rules -- DEC should promulgate more definitive rules and regulations for its operations and administration to help clarify policy setting and administrative roles and add transparency and effectiveness.

Employees -- More clearly define employee roles through effective job descriptions.

Policy-making vs. Implementation -- Clarify policy-making role of the Commissioners from the implementation role of the management team so as to minimize interference once policies are set.

The Panel also supports the following concepts which were raised during testimony:

Leverage City and County of Denver Resources -- 1) Increase linkage with City's Technology Services department to potentially include consolidating most functions; 2) Use City technology personnel to support voting locations and other operations on Election Day; and 3) Explore ways to incorporate other City employees in staffing election operations.

Sequoia Relationship -- Evaluate ways in which to reduce reliance on single vendor for all election related equipment and services, as well as pursue proactive measures, such as on-site monitoring of printing activities by DEC personnel, to create better outcomes between the parties.

F. Governance

In considering potential changes to the governance structure of the DEC, the Panel focused on the following objectives:

- Restoration of the public trust;
- Sufficient accountability of the individual or individuals responsible;
- Ensuring that all individuals responsible for performing Denver's elections are adequately qualified for their respective roles with specific emphasis on those in leadership positions;
- Provision of resources adequate to the task; and
- Assurance of independence from political influence.

The Panel quickly concluded that, given the history of problems and the magnitude of the failure in the November 2006 election, the status quo was unacceptable and that change is needed to address challenges related to both organizational capacity and public perception. Similarly, while other jurisdictions similar to Denver outside of Colorado appear to function well with a commission or board structure, the Panel concluded that a system of individual authority and accountability was essential to changing the dynamics within the organization and, most importantly, renewing the trust of the citizens.

Having established its intent to consider alternatives that would provide the desired individual responsibility, the Panel discussed a number of potential governance structures that can be generally characterized as follows:

1. An elected Clerk and Recorder who appoints a Director of Elections;
2. An elected Director of Elections who operates independently of an appointed Clerk and Recorder; and
3. An appointed Clerk and Recorder or Director of Elections, functioning in each case similarly to the elected positions described in the first two categories.

The majority of the Panel's discussion focused on comparing the relative merits of the elected Clerk and Recorder model and an appointed election official (either Clerk and Recorder or Elections Director). The central question was how best to ensure that the individual responsible for Denver's elections is sufficiently qualified, accountable and independent.

A number of Panelists expressed support for the creation of an appointed position to oversee elections based on the premise that this model would provide the best qualified individual for a number of reasons. First, the appointing authority, specifically the Mayor and/or City Council, would be best able to evaluate the qualifications of individuals seeking a role which is in many ways a management role within the government (as opposed to a policy-making, legislative or executive role). Second, the voters would be challenged to adequately assess the qualifications of the candidates for Clerk and Recorder given the number of other, higher profile races and questions on the ballot in any given election. Finally, the question was raised whether the challenges of running for office would deter qualified candidates.

The deliberations made clear, however, that the majority of the members believed the elected Clerk and Recorder provided the best alternative for Denver for the following reasons:

- Proven success within the vast majority of other counties in Colorado;
- Confidence that the people would be able to select well-qualified individuals;
- The broader duties of the Clerk and Recorder (relative to a more narrowly tailored elected Director of Elections) would be more likely to attract good candidates;
- Direct accountability to voters for the execution of elections; and
- Confidence that an elected Clerk and Recorder would be highly motivated to recruit only the best qualified individuals as his or her Director of Elections.

The discussion ended with the Panel reaching a consensus in support of an elected Clerk and Recorder who appoints a Director of Elections as a very positive change for Denver that would

bring the necessary increased visibility, accountability and expertise to the governance of elections.

Having established this primary recommendation, the Panel made the following additional recommendations:

- *Advisory Board* -- The Clerk and Recorder and Director of Elections are strongly encouraged, although not required, to create an citizen advisory board of individuals with areas of both technical expertise (i.e. technology, operational process) and elections experience or perspective that could serve as a sounding board in the management and execution of elections.
- *Employee Qualifications* -- The employees of the DEC should be transitioned into the Career Service Authority system within the City and County of Denver to provide for clarity of job requirements and qualifications. Current employees would be required to meet these requirements as part of the transition process.
- *Timing* -- Given the highly compromised status of the DEC and the extremely challenging time frame, the Panel recommends against pursuing a ballot question to address these changes in January and proposes that the question be placed on the May 2007 ballot with the new Clerk to be elected in November 2007. The current energies of all involved in the City's election process should be focused on addressing the myriad process, management and operational recommendations contained in this report. Among these, the most critical from a timing perspective is the technology assessment and improvement process, as well as the integration of the DEC's technology operation into the City's Tech Services platform.

Having made these final recommendations, the Panel adjourned on December 13, 2006. The Mayor and Council President thanked the Panelists for their time, diligence and service to the people of the CCD in their performance of this important task.