

Voye, David

From: robert tobolski <btobo1227@gmail.com>
Sent: Wednesday, June 2, 2021 12:59 PM
To: # Board of Elections
Subject: Up date voting.

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The time has come for voter ID. If you need to show positive ID to cash a government or payroll check or drive a car, get a covid shot, open a savings account, buy a car, rent an apartment, or check into a hospital. then you should show ID to vote. To say this is discrimination is a bunch of crap. Do you think people are too stupid to get ID ??? Allegheny County should be the leader in this update to voting.

Voye, David

From: MarySue Flick <marysue@q-chem.com>
Sent: Saturday, June 5, 2021 7:00 PM
To: # Board of Elections
Subject: Comment for Submission to the Record of Monday's Board of Election Meeting
Attachments: Borough Election Code Violation Images_210518.docx

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Το Ωηομ ιτ Μαψ Χονχερν:

Ι ωουλδ λικε το ρεπορτ ον σεπεραλ ινστανχεσ ωηιχη Ι βελιεπε τ ο βε ιν πιολατιον οφ τηε Πεννσπλωανια Ελεχτιον Χοδε, ωηιχη μψ φαμιλψ ανδ Ι ωιτνεσσεδ ανδ ωηιχη οχχυρρεδ ιν τηε Βορου γη οφ ΜχΚεεσ Ροκκσ ον τηε δαψ οφ τηε 2021 Πριμαρψ ελεχτιον, Μαψ 18, 2021. Ι αμ αωαρε οφ τηεσε πιολατιονσ ασ μψ ηυσβ ανδ, Δαπιδ Φλιχκ, ωασ ρυννινγ φορ Μαψορ, ανδ Ι ωασ ουτσιδ ε οφ Ωαρδ 3 φορ μοστ οφ τηε δαψ, ανδ Ωαρδ 2 φορ σομε οφ ιτ, η ανδινγ ουτ ποτερ χαρδσ ον βεηαλφ οφ μψ ηυσβανδ. Μψ σον, Χοννορ Γριφφιν, ωασ ηανδινγ ουτ χαρδσ ουτσιδε οφ Ωαρδ 2 ιν τηε μορνινγ, ανδ Ωαρδ 3 ιν τηε αφτερνοον. Μψ ηυσβανδ ωασ ουτσιδε αλλ τηεε πολλινγ πλαχεσ ατ παριουσ τιμεσ οφ τηε δαψ. Ηερε ισ ωηατ ωε ωιτνεσσεδ:

Ward 3.

- ο The McKees Rocks First candidates (Jack Muhr (incumbent Mayor) and Tracey Pedersen (incumbent Tax Collector)) positioned their chairs about five feet from the door to the election facility, then tended to stand about 2 feet from the door, often going right up to the door, opening it for voters while telling them how they should vote, or telling them how they, themselves, had voted. Often voters where surrounded on three sides right

outside the door by the McKees Rocks First group, which also included current Borough Council President Archie Brinza (not up for re-election, but there to support the two incumbent candidates that had opposition). They also made sure that there were multiple lawn chairs, rarely used throughout the day, lined up in a row along the wall to the door to ensure we were kept far away from the door - about 20 feet. As an observer of the reactions of voters to this setup, you could clearly see this made many people extremely uncomfortable, as many would go out of their way to avoid walking through the lineup of McKees Rocks First people leading to the door. This "gauntlet" is also the handicapped path to the door, so everyone handicapped had to travel through their line. [Violation of Section 1220 (d)] (See pictures attached.)

- o I overheard one voter asking the McKees Rocks First group how she, a Republican, would go about voting for David Flick for Mayor. She was told by the McKees Rocks First group that she could not vote for him, even as a write-in candidate, since she was a Republican. The voter turned and walked away, deciding not to vote at all. [Violation of Section 1209 (a.1)]
- o The person inside the polls who was overseeing the whole operation (possibly the Judge of Elections?) is the wife of the current Mayor, Jack Muhr, who was running for re-election. She had listed as her contact number the cell phone of her husband, the Mayor. When enough complaints had come into the Allegheny County Elections Board, they placed a call to the Mayor's wife, and, of course, they reached the Mayor who wanted to know what they wanted with his wife, and then asked who complained. He gave the Elections Board much trouble about having called. This item was related to me by Maribeth Taylor who had learned this when she was

following up on a complaint she had filed with the Elections Board.

o When I called the Elections Commission to complain about the activities of McKees Rocks First, I was told that they had been receiving many calls about McKees Rocks polling problems.

- Ward 2.

- o Ward 2 had three poll workers who did not show up. Because of this, several of the wives of persons on the ballot were brought in to work because they apparently had been previously trained to work the polls for previous elections.
- o Barb Godfrey, who was also working inside the Ward 2 poll was often coming out of the polls, asking for literature from the McKees Rocks First group and then would return inside the polls to hand the literature to voters inside the polling place. This was witnessed by my husband, David Flick. [Violation of Section 1220(c)]
- o The election board received multiple calls about the McKees Rocks First operation outside this poll location too, and the group actually was made to move to a distance beyond ten feet from the door to the polling place. This was witnessed by my son, Connor Griffin, who was handing out literature for my husband there in the morning. Interestingly, according to my son, their position when they were made to move was farther from the door than the McKees Rocks First group's position was all day at Ward 3.

I am reporting this in the hope that there might be more attention paid to the activities at the McKees Rocks polling facilities during elections. I know the voters really don't

like the pressure that is put upon them when they vote in person in this Borough, and I am hopeful that more adherence to the rules might be enforced, as well as to ensure the placement of poll workers/judges who do not have any interest in "looking the other way" when there are clear violations of the Election Code happening outside, and sometimes even inside the polling places.

Thank you.

MarySue Flick
1228 Vine Street
McKees Rocks, PA. 15136

Voye, David

From: Juliet Zavon <julietzavon@gmail.com>
Sent: Sunday, June 6, 2021 8:53 AM
To: # Board of Elections
Subject: Public Comment - BOE meeting 6/7/21

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A Plea for Better Systems and More Transparency

*Public Comment from Juliet Zavon (JulietZavon@gmail.com)
Allegheny County Board of Elections Meeting June 7, 2021*

In the May elections, as in past elections, poll workers, would-be poll workers, and those who declined to be poll workers reported problems because the Elections Division failed to track contacts and conversations with them.

- Would-be poll-workers reported that the Elections Division said it would contact them with an assignment but never did. Although they were not contacted, their names were assigned to polling places. The result was short-staffed polling places.
- A friend who said “no” to volunteering in May was repeatedly contacted to work at the polling place where he worked in November. He declined each time, but over and over again the information was not recorded. As election day approached, he became particularly alarmed when he received instructions about picking up the suitcase of election supplies for judges of elections. He contacted the Elections Division again, but still the information wasn’t recorded. He got a phone call the Sunday before election day asking why he hadn’t picked up the suitcase.

There are many more examples. They result in understaffed polling places, frustration, confusion, and avoidable rework by election division staff, which is a cost to the county and taxpayers. Yet all of this could be prevented with better management and a better system. Software to manage recruitment is widely used elsewhere: who was called, by whom, the volunteer’s training session, polling place assignment, and more. The software makes it possible to track everything in one place.

Recruiting poll workers is challenging nationwide, but the problem is compounded here because recruiters, working with paper and pen, aren’t able to keep up. It’s like asking them to wash windows with a toothbrush instead of a brush fitted to the task.

Surely, you must see the need for improvement. What are the plans? Please make them public. Post them on the website. It’s about transparency and accountability. The different departments in the City of Pittsburgh post information about processes and plans on their websites. You should do the same. It’s so obvious a way to build a relationship with the public, with the very people you want to recruit to be poll workers.

Can someone discuss this with me? It’s not the first time I bring it to your attention. At each meeting you say you will respond to all comments, but I’ve never heard from anyone.

June 6, 2021

Allegheny County Board of Elections
County Office Building
542 Forbes Avenue, Room 604
Pittsburgh PA 15219

Re: 2021 Election Plans & Board Meeting Schedule

We are writing to express our deep concern that according to the Allegheny County Election Board website, June 7th is the last scheduled public meeting of your board until October 19th -- just two weeks before the general election. On behalf of the undersigned nonpartisan organizations representing diverse communities across Allegheny County, we urge you to prioritize election administration and hold at least one Election Board meeting per month until the November election.

It has also been brought to our attention that the board meeting on June 7th will not be streamed online. The real-time streaming of Board of Election meetings was an effective tool during the pandemic and its use should be continued as a way to provide ease of communication with those unable to attend, transparency and accountability to the public, and to increase confidence in our election systems. We urge you to continue the use of online streaming for the June 7th board meeting and subsequent meetings.

With the primary election now behind us, it is time to turn our attention to the planning of the general election in November. We believe it is in the best interest of voters to have access to information regarding the general election process as early as possible. In addition, with the potential for the State Legislature to enact election law changes over the summer, it becomes imperative that voters be given clear and expeditious information about any such changes that may affect how and when they vote. Convening monthly Election Board meetings would address that. To be clear, waiting two weeks before an election to share your plans with the public is counterproductive for voter participation. Additionally, it is a likely acknowledgment that your plans will not include pro-voter activations such as drop boxes and satellite offices again.

We recognize that election administration work is an ongoing process throughout the year and does not start and stop with the traditional election cycles. This makes the summer months a critical time to develop the infrastructure needed for the ultimate success of the November election and future elections. Given the administrative work that will be done this summer, we strongly encourage you to hold monthly public meetings and provide your election plans no later than Labor Day 2021. This will provide voters a reasonable amount of time to develop their own election plans and encourage participation.

It is our hope that this board will look favorably on this letter in the best interest of Allegheny County voters. We look forward to maintaining ongoing conversations throughout the summer with you all regarding these topics and more with respect to expanding voter access. Our

organizations are committed to continuing a meaningful working relationship with Allegheny County elections officials and providing support in any way possible.

The undersigned,

All Voting is Local PA
Black Political Empowerment Project (B-PEP)
Center for Loving Kindness of the JCC of Greater PGH
League of Women Voters of Greater Pittsburgh
One PA
Pennsylvania Religious Action Center
Pittsburgh Coalition of Black Trade Unionists (CBTU)
Southwestern PA Coalition of Labor Union Women
Take Action Mon Valley
The Pennsylvania Chapter of Pride At Work
Voter Empowerment Education & Enrichment Movement
West End P.O.W.E.R.

Cc: Jennifer Liptak, Chief of Staff Allegheny County Executive
Amie Downs, Communications Director Allegheny County
David Voye, Allegheny County Election Division Manager
Chet Harhut, Allegheny County Election Deputy Division Manager

Voye, David

From: Joann Seifried <akitten@comcast.net>
Sent: Sunday, June 6, 2021 9:39 AM
To: # Board of Elections
Subject: questions about suitcase pick up and return

Warning! This email was sent from an external source. Please be sure you recognize the sender and use caution when clicking on links and/or opening attachments.

I'm wondering how the suitcase pickup and return sites are determined. I'm in Kennedy Township and have to go to North Park skating rink (18 miles and 45 minutes) when the Carnegie site is closer. Can the sites be realigned for closer pickups?

I'm also not sure how the mileage compensation is determined. Could you explain how 36 miles equaled \$3.57.

Thanks for your attention to this matter.

Joann Seifried
Judge of Elections Kennedy 6
akitten@comcast.net

Comments to the Board of Elections for the June 7, 2021 meeting

From William Towne, PhD

Greetings! I am a regular voter and an elected Judge of Election in Allegheny County with some concerns about the recent primary election and Board meetings.

Due to some issues stemming from the ongoing Covid-19 pandemic, I am unable to attend this or any other meeting in person, and am disappointed by your transparency-limiting choice of holding only an in-person meeting **without** an online livestreaming component such as what you have had for recent past meetings even where Board members were collocated with each other and/or Elections Division officials for the meetings. The PA Department of Health website¹ claims that local restrictions related to Covid-19 are still in effect in Allegheny County. I understand a desire to get everything back to "normal" but not all members of the public are there yet, and choosing to limit transparency is not a good choice.

I would like to raise an issue initially raised by Ms. Hallam at prior board meetings, including the April 13 meeting: the **costs** associated with Midwest Direct mailing tens of thousands of wrong ballots in the November 2020 General Election. Around that election, Ms. Hallam asked repeatedly if there would be some adjustment in the costs paid by the County for those wrong ballots and for the considerable county staff time associated with voter communications and rectification around that error. At the April 13 meeting, Ms. Hallam asked repeatedly and specifically if the County had been fully reimbursed from Midwest Direct for that mailing issue, including a labor component for the county's extra staff time and effort involved. Repeatedly, she got an answer in this public forum which claimed a full reimbursement and specifically that there was a labor component included in that. However, **this is not true**.

Prior to that meeting, I obtained records trying to address this question. I sought "Records of contracts, contract modifications, financial transactions (e.g. payments, payment adjustments, refunds), and records of communications discussing possible adjustments or refunds, regarding Midwest Direct services performed in 2020." This request required appeal to the Office of Open Records, because the County did not satisfy its obligations under PA's Right-To-Know Law. The only two responsive records the County claims exist are attached.

One of these attachments is a \$507,492.35 invoice paid by the Allegheny County Department of Elections to an intermediary contractor for Midwest Direct's printing and mailing services for the Fall 2020 general election. This includes a credit for the "VBM Mailing & Service" portion of service fees for 28,879 packs per the e-mail also attached (though **not** the associated insert or absentee ballot printing charges). It also includes an extra charge of thousands of dollars for weekend service, associable with at least some of the extra time required for responding to that issue even if it was other specific tasks shifted to that weekend time. While there is a labor component to the financial adjustment, it does not go in the direction Ms. Hallam and the public were led to believe by the Elections Division's answers before the Board of Elections, nor did the fee adjustment cover the **full amount** of the printing and mailing services billed for on the mishandled ballots.

It is extremely disheartening to see the Elections Division directly lying to the Board of Elections and the public on a specific pointed question, while also artificially raising barriers to corresponding

¹ <https://www.pa.gov/guides/responding-to-covid-19/#COVIDMitigationinPennsylvania>

transparency under the Right-To-Know Law. It is also disheartening to see barriers raised toward covering up this issue: the County is legally required to conduct a good faith search of its records and provide some substantive response within 5 business days of a records request, but didn't even start doing that search until after the deadline for responding to the Office of Open Records in a Right-To-Know Law appeal that had to be filed in that case (OOR docket AP 2021-0498).

On a related note, the Elections Division also engaged in a similar illegal pattern of failure to substantively respond to a Right-To-Know-Law request seeking records about the **procedures used for processing mailed in ballots**. This request, made in early January to be in a lower period of activity between elections, similarly required an appeal to the Office of Open Records (OOR docket AP 2021-0497) and the County did not apparently begin its search for responsive records until AFTER the deadline for providing additional information to the OOR on appeal, despite a legal requirement to have done so within five days of the request. Atty. Opsitnick (historically likely to be the sole individual filtering and summarizing these comments to the Board) then told the OOR that the requested records documenting procedures for handling mail-in ballots did not exist, and that there were only two partially relevant documents from the Department of State, which did not describe Allegheny's county-specific procedures that do vary from county to county. Only after a Final Determination and specific order from the Office of Open Records did the Elections Division actually search for the requested records, and returned a partial set that still contain no information about e.g. procedures for remaking ballots.

Ballot remaking is a procedure which was observed happening in the warehouse and which is a sensitive process for which there should be formal procedures, including multiple workers with differing partisan affiliations double checking that remade ballots accurately represent a voter's selections on the mailed-in ballot. Unfortunately, the procedures for doing this are nonformalized to be invented anew (at least in part) for each election and/or secret despite an Office of Open Records order to make them public. Canvassing observations at the warehouse also indicate that there are few if any tasks done by multiple workers together on a team, who might have different partisan leanings or even be able to correct each other on innocent mistakes triggered by long and late hours, which can still affect election outcomes. Councilmember DeMarco has made requests for more team efforts, but those requests were ignored.

Unlike other counties, our procedures also lack any step for mixing up the secrecy envelopes in a large batch before opening. It seems like county staff inspect and open the declaration envelope (so they know who the voter is), then inspect the secrecy envelope, and then secrecy envelopes are opened in the same order, in small batches. When we processed these at the polls, there was an explicit step whereby we had to mix up all the secrecy envelopes (even if there was just one or two) before opening them; that step is missing from Allegheny County's central procedures.

To ease public access to these public records, I have attached to these comments all county records responsive to my request for: *"All reference materials, instructions, training materials, procedures manuals, and other records documenting procedures used (or to be used) for processing of mailed-in and/or absentee and/or UOCAVA ballots, which were prepared, modified, or used in 2020 or 2021. This request includes documents in both categories: used for, and revised following, elections held in 2020."* This is an incomplete set of the actual responsive records, but it seems only the Board of Elections has authority to even try to hold the Elections Division accountable. Procedures for counting votes should be rigorous and secure by design, and (except only for access passwords) should not be secret!

In general, I think there would be a lot of value in returning to having the mailed-in ballots counted at the polls at the close of polls, especially if these ballots can be fed into the precinct scanner. Currently, the ballots have an X in a box preventing the scanner from reading them during the day, but the scanner could be programmed to take only those ballots after polls close, and add them to the precinct totals. This would be way faster than the manual tallying we did before, especially now that there aren't straight-party options with all the complex override rules, and the tabulation is all automatic. Being able to feed absentee ballots into the precinct scanner was touted as one of the features behind why we picked the new voting equipment we have!

Most importantly, this would significantly reduce opportunities for coercion (by union bosses, employers, spouses, party officials ensuring loyalty, vote-buyers, etc.). Coercion concerns are the reason why we didn't have no-excuse postal voting for so many years; it seems like these concerns should increase rather than disappear in such a hyper-partisan environment. Other places that do postal voting allow voters to request new ballots at any time and even vote in person, accepting only the last ballot cast, to reduce coercion, while we take only the first, maximizing the potential for coercion. This would also mean there's a prompt tally, done and publicly posted the night of the election, instead of the long delays we had last fall. With the ballots being scanned in with the in-person voted ballots, there would not need to be separate tallies that annul secret ballot for precincts with one or a small number of like-minded absentee voters, as we had before. More people would be able to observe, including the public and all pollwatchers, instead of the limited subset allowed into the warehouse pens. It would make it easy to spoil mail-in ballots (following prior procedures) and allow more convenience for voters who got their ballots too late to have them reliably mailed back to the Elections Division, allowing voters to drop those ballots off in their local precinct on election day instead of trying to get downtown with all the associated transportation, parking, and accessibility issues. With local Boards able to do the steps associated with declaration envelope checking at slow times during the day, there's natural scalability that more mail-in ballots would generally mean fewer in-person voters at that precinct and more time to check those envelopes (which takes less time than checking in in-person voters). It would also ease handling of a case where a large number of voters wish to change their mind, e.g. due to a candidate passing away or suddenly changing campaign positions just before election day.

I would like to raise a concern about the Board's compliance with **PA's Sunshine Act**, especially section 710.1 which allows for public comment "on matters of concern, official action or deliberation which are or may be before the board or council prior to taking official action" and specifically states that "Any person has the right to raise an objection at any time to a perceived violation of this chapter at any meeting of a board or council of a political subdivision or an authority created by a political subdivision." Though official announcements for recent meetings state that submitted comments "will be read into the record," in its recent meetings, the Board has **not** done that but instead briefly & inadequately summarized comments at the beginning of each meeting, not allowed any Sunshine Law objection to be raised at any point during the meeting, & ignored objections raised before the meeting. This comment constitutes my best attempt to formally raise an objection to a perceived violation under the law.

The Board has generally not **responded** to my prior comments by e-mail despite assuring public assurance of such responses being announced at the meetings, and has not even attached comments to some published minutes which state they are attached. The official Board of Elections website also provides a form for people wishing to speak at the meeting, but the Board has previously explicitly

ignored these requests. Other Allegheny County departments such as the Health Department and courts are able to have virtual meetings with outside participation; you actively choose not to do so.

Meetings have also not been **announced** in a manner consistent with good transparency. For example, the April 13, 2021 meeting was not (and is still not) included in the 2021 Board Meeting Schedule published on the Board of Elections website, and was not announced through usual alerting channels – yet the small number of public comments sent in to a Board the public knows will likely ignore the comments was cited as a reason for not needing to have any additional Board meetings when Ms. Hallam proposed it (a proposal I support). Meeting announcements, including meeting format and commenting deadlines, are regularly announced on the Board’s web page just a few days (consistently less than a week) before the commenting deadline. As made even more official in the May 4 meeting, the pre-canvassing activities on Election Day are legally meetings of the Board of Elections, but these are also not included in the board meeting schedule, public comments are not allowed or accepted, public observability is limited to officially designated observers in a shrinking pen area, and objections under the Sunshine Law are not heard.

On this basis, the Board’s official actions, including those preparing for and/or certifying the results of elections, could be **nullified**. The Trump Campaign, which continues to claim that the November 2020 election was stolen by fraudulent noncompliance with relevant laws, could still point to this Board’s violation as reason to not trust Allegheny County’s (and thus Pennsylvania’s) certified results, even if it is now legally too late to formally nullify the certification. The continuation of our democracy depends on elections that both fairly pick a winner and convince the loser that they lost by a fair process; we have failed on the second criteria with a large fraction of the population still not accepting those results. Further, failing to comply with even the basic transparency requirements of PA law and/or the Board’s own announcements works strongly and needlessly **against** public confidence in the Board’s ability to run fair and transparent elections. Please follow these rules!

Trustworthiness could also be aided by **increased transparency in the ballot counting process**. For example, having livestreaming webcams overseeing the ballots constantly from the time the USPS delivers them until after results are certified could help increase public confidence, especially with closeups of key parts of the process such as scanning ballots in as having arrived and any discarding of ballots due to duplicate submission, the County having sent the incorrect ballot, etc. (Opening of ballots should be a wider angle as not all will contain secrecy envelopes; opening of mixed-up secrecy envelopes could be done closer-in). Other counties, such as King County WA, offer webcams for observation of ballot processing; there is both precedent and need for this.

I am concerned about the certification of results at today’s meeting in races where **write-in votes** have not been fully tabulated. I am also concerned that in some cases, where a write-in candidate may have received less than the minimum number of votes to win in any particular precinct (categorized to “scatter” or similar) but more than enough across all precincts in an office’s district, these write-in candidates will not be recognized as winning when they should. I hope the Board can elaborate on its procedures and progress on checking for conditions like that and on processing write-in votes from the recent primary. This election has the most fragmented races of the entire cycle, when these write-in issues are likely to be the greatest.

I would like to know about the unique numbers of **candidates & ballot styles** required for this election and how relevant statistics compare to the requirements added late in the County's search for new elections equipment, especially those requirements that effectively limited the supplier field to ES&S.

At the last Board of Elections meeting, Mr. DeMarco expressed concern about the Division not having enough staff to run all the polling stations (though the Board chair insists that the Board cannot have additional regular meetings on e.g. a monthly basis to learn about issues earlier). In the most recent primary, multiple districts had Judges and Inspectors of Election who did not know they would be in that role even 24 hours prior, and did not have appropriate training. I would like to know how many **appointed pollworkers** were not informed of their role and/or assigned polling place until less than 3 days before the start of the election, and how many pollworkers in any role did not receive training.

I am concerned about the very **long lines** for election returns faced by Judges of Election and/or anyone else doing returns on election nights. We are asking people - especially of the advanced average age of the most experienced pollworkers in this County - to be at their polling places by 6 am, then work the whole day through polls closing, then drive to the returns location, and wait in line outdoors for hours more, as steps vital to the security of our elections, all for under \$10/hr. We should at least be doing much better to minimize the lines at returns centers on election night, and assuming the pandemic is concluded by the November election rather than renewed through the Delta variant of concern, move those lines indoors.

I am concerned about the way **instructions around postage** were omitted from mail-in ballot instructions in the most recent primary. Last year, mail-in ballots did not require any postage; in this election they did require voters to supply postage but the difference was not called out in instructions and the oversize ballots/envelopes led to significant voter confusion about how much postage was required, among voters who learned that postage was required at all. These requirements need to be made crystal clear in voter instructions, but were instead completely absent.

We should also be integrating with the USPS's **Intelligent Mail Barcode tracking system** for election mail, which would allow voters and the County to track ballots while in transit. This is technically feasible, and I can even offer professional implementation help!

Finally, I would encourage the Board to investigate ranked-choice voting, with the option to rank as many positions as there are candidates. This helps make politics more civil and less hyperpartisan and allows voters to express their true preferences rather than having to game the system by voting only for candidates they think many others will vote for. It benefits minor parties by revealing true levels of support for their candidates and benefits the major parties by eliminating the "spoiler effect" of dark-money funded candidates added to tight races for the purpose of peeling off just enough support from the funders' major-party opponents. Ranked-choice voting is used in many US jurisdictions already, and where voters have had a chance to try it and decide, they like the system and vote to keep it. It is something I think we'd be able to try in Allegheny County, even in this fall's municipal elections, or at least the Board could put it on the ballot as a question to voters.

Free and fair elections are a privilege we should treat with care. If we fail to do so, we may lose them!

Thank you,
William Towne

From: Sean Gebbie <sgebbie@mw-direct.com>
Sent: Wednesday, December 9, 2020 12:10 PM
To: Tyskiewicz, Jerry <Jerry.Tyskiewicz@AlleghenyCounty.US>
Cc: Todd Mullen <tmullen@gorbm.com>; Gary Close <gclose@mw-direct.com>
Subject: Credit for misprinted ballots

Warning! This email was sent from an external source. Please be sure you recognize the sender and use caution when clicking on links and/or opening attachments.

We had 28,879 ballots that were printed incorrectly and needed corrected. The total charge per packet is \$1.15 charged to Allegheny County. We understand that the error was ours and the reprint cost was absorbed by us. We would like to offer a complete production credit for the accurately corrected 28,879. This credit is a total of \$33,310.85. We hope that this amount allows us to move forward together as partners understanding that while things may happen it is how we all correct our mistakes. Thank you again for your confidence and trust in us throughout this process.

--

Sean M. Gebbie
President
2222 W. 110th St. Cleveland
phone: 216.251.2500 • fax: 216.251.2577
sgebbie@mw-direct.com • mw-direct.com



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Voucher Approval Form

Charge to (cost center/job): 203101-65503 Date Ordered/ Required: 12/16/2020

SUBMITTED BY:

Name: Caitlin C. Calhoun Telephone/Cell Number: x7252

Division: ELECTIONS

Voucher Description: VBM-Nov 3, 2020 General Election

Vendor Information	
Company Name/Vendor Number: RBM Consulting, LLC PO Box 1231 St. Cloud, MN 56302-1231	Contract # and/or Spec #/Executive Action #:
V#: 238620	C#:

Additional Information: INVOICE #: 40752

INVOICE DATE: 11/5/2020

TOTAL: \$507,492.35

ATTACH ORIGINAL VENDOR INVOICE

I have reviewed the invoice and attached billing documentation. Based on my understanding at this time, services listed were performed by the vendor as outlined in the contract/Standard Letter Agreement/Statement of Work on file. I hereby request authorized payment to the vendor for services rendered.

APPROVAL:

Approving Manager/Supervisor Signature: David R. Jay

Date sent to Fiscal Department: _____

Date Received by Fiscal Department: _____



RBM Consulting, LLC
 PO Box 1231
 St. Cloud, MN 56302-1231

Invoice

Date	Invoice #
11/5/2020	40752

Bill To
Dept. of Admin Serv. Allegheny Election Mr. David Voye 604 County Office Building 542 Forbes Avenue Pittsburgh, PA 15219

Ship To

Description	Contract No.		Terms
	Qty	Rate	Due on receipt
November 3, 2020 General Election - VBM			
VBM Mailing & Service	390,860	1.15	449,489.00
Insert	390,860	0.021	8,208.06
Absentee Ballot	390,860	0.199	77,781.14
Credit for 28,879 packs	28,879	-1.15	-33,210.85
Weekend service per William McKain	1	5,225.00	5,225.00
Total			\$507,492.35

2020 DEC 15 AM 9:07
 JLS
 JNS

Remit to:
 RBM Consulting, LLC
 PO Box 1231
 St. Cloud, MN 56302-1231
 EIN: 20-8741389

Contact:
 Dan McGinnis
 (312) 952-0913
 dmcginnis@gorbm.com

Balance Due	\$507,492.35
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 PO Box 1231
 St. Cloud, MN 56302-1231

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ALLEGHENY COUNTY ELECTIONS JUNE 2020 PRECANVASS POLICIES AND PROCEDURES

As Allegheny County is permitted under law (Pa. Act 12 of 2020) to conduct a Pre-Canvass on Election Day beginning at 7A, the following policies and procedures shall apply:

All Elections personnel or other persons involved in the Pre-Canvass (PC), should be at the PC location by 6:30 A on Election Day or as otherwise directed.

The PC location is the County Elections facility at the XYZ Custom Warehouse, at 901 Pennsylvania Avenue, Pittsburgh PA 15233.

All persons involved in the PC, in any fashion, shall take the oath for Election Polling Places workers, to be administered by the Elections Division Manager or Deputy orally. All persons subject to the oath shall sign the oath as well.

All persons involved in the PC, shall have their arrival and departure time recorded by the appropriate Elections personnel.

All persons involved in the PC are permitted to use electronic devices for listening only, using headphones or earbuds. No photography is permitted and PC personnel are directed to not use their smartphone or similar device while facing the PC equipment and the ballots.

Per Act 12, "one authorized representative of each candidate in an election and one representative of each political party shall be permitted to remain in the room...." where the PC is being conducted. Those representatives shall inform Elections personnel of their identity and provide proof of candidate or party authority. Replacement representatives shall do the same.

An appropriate location shall be designed for candidate and party representatives.

An appropriate location for media shall be designated.

Per Act 12, "No person observing, attending or participating in a pre-canvass meeting may disclose the results of any portion of the pre-canvass meeting prior to the close of the polls."

Ballots without the "inner" or "secrecy" envelope shall be scanned.

Ballots with markings on the “inner” or “secrecy” envelope shall not be scanned but shall be set aside, as directed.

Lunch and other breaks shall be announced.

PC scanning specifics:

Letter Opening Phase 1

4 people per letter opener: 1 to prep stack; 1 to feed opener; 1 to remove from opener; 1 to stack in trays. +1 to move trays to tables for both letter openers. Total of 9 people.

Envelope runners (8 as noted above) take trays from letter openers to tables.

90 staff at tables remove inner envelope and place inner envelope in trays. When trays are full, put blue tape across tray and set aside to end of table. Outer envelopes are placed in PO bins, emptied periodically in large box marked for retention of Outer Envelopes.

Envelope runners take taped trays to end of row and place on carts for Phase 2.

Letter Opening Phase 2

1 letter opener, 2 envelope runners and 2 rows of tables remain in Phase 1, opening outer envelopes and removing inner envelopes.

Move 1 letter opener to other end and begin opening inner envelopes, with same staffing as above.

6 envelope runners move trays of inner envelopes to Phase 2 tables.

60 staff at Phase 2 tables work in 20 teams of 3: 1 pulls ballots and hands to other 2 who stack with folds aligned and flatten ballots.

2 ballot runners move stacks of ballots to final ballot prep tables at each scanner.

8 scanner assistants further flatten ballots at final ballot prep tables.

Scanning Mail-in Ballots:

Scanner operators (one per scanner) take one-inch stacks from ballot prep table, feed into scanner, and move successfully scanned ballots to final table.

After two attempts, unscannable ballots are placed in Unscannable Ballots tray.

Design and print labels for 32 trays (4/scanner).

Test DS200 for possible use as scanner Unscannable Ballots.

Ballot packers (one per scanner) put ballots in Banker Boxes, with batch summary report on top; put lid on box; mark label and affix to lid.

Ask ESS for sample of Batch Summary.

Design and print forms for 600 boxes.

Ballot Storage operator places Banker Boxes with scanned ballots onto go 20' Cart, for storage in secured area with cameras.

Determine designated area for ballot storage.

Intake of Election Day Ballots

15 laborers take Ballot Boxes and paperwork from leadmen cars.

4-8 staff log-in receipt of Ballot Boxes and paperwork; verify seals; remove seals from Ballot Boxes.

4 Ballot Box runners take Ballot Boxes to scanners.

Allegheny County Board of Elections

Guidelines for Evaluation of the Sufficiency of Declarations on Mail-In Ballot Envelopes, Opening Declaration Envelopes and Examination of the Secrecy Envelope

Introduction

Section 3146.8(g)(3) of the Election Code requires county boards of elections to perform three duties of the during the pre-canvassing and canvassing process of absentee and mail-in ballots. They are:

- (1) to “examine the declaration on the envelope of each ballot not set aside under subsection (d) [requiring rejection of ballots for deceased voters] and shall compare the information thereon with that contained in the ‘Registered Absentee and Mail-in Voters File,’ the absentee voters’ list and/or the ‘Military Veterans and Emergency Civilians Absentee Voters File,’ whichever is applicable;”
- (2) to verify “the proof of identification as required under this act;” and
- (3) to be “satisfied that ***the declaration is sufficient*** and the information contained in the ‘Registered Absentee and Mail-in Voters File,’ the absentee voters’ list and/or the ‘Military Veterans and Emergency Civilians Absentee Voters File’ verifies his right to vote.”

25 P.S. § 3146.8(g)(3).

The requirements for a ballot declaration are set forth in Section 3146.6(a) (absentee ballots) and Section 3150.16(a) (mail-in ballots). Both sections require that the elector “fill out, date and sign the declaration.” *Id.* §§ 3146.6(a), 3150.16(a). Thus, in determining whether the declaration is “sufficient” for a mail-in or absentee ballot at canvassing, the county board is required to ascertain whether the declaration on the return envelope has been filled out, dated, and signed.

Unless the Secretary of the Commonwealth provides other written guidance on these matters, the Allegheny County Board of Elections and its staff shall use following guidelines for purposes of performing the pre-canvass and canvass under the Election Code: (1) determining whether the Voter Declaration is “sufficient” under 25 P.S. § 3146.8(g)(3); (2) opening the Declaration Envelope; and (3) examining the secrecy envelope.

I. Voter Declaration on the Declarations Envelope

The Voter Declaration on the back of the Declaration Envelope has four components: a space for the elector's signature, a space for the elector's printed name, a space for a date, and a space for an address. These guidelines are intended to address each of these four components need for sufficiency under the Election Code.

1. Signature

A. Unsigned Declaration – If the Voter Declaration does not contain a signature, the Voter Declaration will be deemed not “sufficient.” The ballot will be set aside and will not be included in the pre-canvass or canvass of mail-in and absentee voters.

B. Completely Different Signature – If the Voter Declaration contains a totally or completely different name than that of the elector to whom the ballot was sent, the Voter Declaration will be deemed not “sufficient.” For example, if the elector's name is “John Smith” and it is readily apparent that the signed name on the Voter Declaration is signed “Sam Jones,” then the Voter Declaration is not sufficient.

C. Derivative or Closely Varied Signature – If a Voter Declaration contains a close or logical derivative or variation signature of the elector's name, then the signature on the Voter Declaration will be deemed “sufficient.” For example, if the person's name on the Declaration Envelope is Robert Smith and the signed name on the Voter Declaration is Bob Smith or R. Smith, then that signature on the Voter Declaration is sufficient. Instances where Board staff is uncertain whether the signed name is a close or logical derivative or variation thereof shall be set aside for additional review and final determination at a later time.

D. **Signature Under Maiden or Married Name** - If the circumstances indicate that the signature on a Voter Declaration contains a signature that is the maiden or married name of the elector who is registered under their maiden or married name, then that signature on the Voter Declaration is sufficient. For example, if the person's name on the Declaration Envelope is Mary Jones, but the person is registered under the maiden name of Mary Smith, that maiden name or married signature will be sufficient. Instances where Board staff is uncertain whether the signed name is a maiden or married name shall be set aside for additional review and final determination at a later time.

2. Printed Name

1. **Missing Printed Name** - If there is a signature on the Voter Declaration but the printed name below the signature on the Voter Declaration is missing, then the Declaration shall be deemed to be "sufficient" as long as the identity of the elector can be determined by the elector's signature or other information on the envelope.

2. **Derivative or Closely Varied Printed Name** – If the printed name below the signature on the Voter Declaration contains a close or logical derivative or variation of the elector's name, then that derivative or closely varied printed name on the Voter Declaration is sufficient. For example, if the person's name on the Declaration Envelope is Robert Smith and the printed name below the signature on the Voter Declaration is Bob Smith or R. Smith, then the Declaration is sufficient. Instances where Board staff is uncertain whether the printed name is a close or logical derivative or variation thereof shall be set aside for additional review and final determination at a later time.

3. Date

1. **Wrong Date** – If the date written on the Voter Declaration is not the date on

which the voter signed the Declaration but some other date, such as the elector's birth date, then the date written on the Voter Declaration shall be deemed "sufficient."

2. **Lack of Any Date** - If the Voter Declaration does not have any date, then the Voter Declaration shall be deemed not sufficient/sufficient as long as ?.

4. Address

1. **Minor Variation of Address** – If the address written or printed on Voter Declaration differs in a minor or immaterial way from the address in the Registered Absentee and Mail-in Voters File for the elector to whom the ballot was sent (as reflected in the preprinted return address on the ballot envelope), then that address on the Voter Declaration is sufficient. For example, if the address printed on the Declaration Envelope is 1234 Brownsville, Brentwood, PA, 15227, but the preprinted return address on the envelope is 123 Brownsville Road, Pittsburgh, PA, 15227, then the address on the Voter Declaration is sufficient. Instances where Board staff is uncertain whether the address is uncertain shall be set aside for additional review and final determination at a later time.

2. **Different Address** - If the address written or printed on Voter Declaration does not match that in the Registered Absentee and Mail-in Voters File for the elector to whom the ballot was sent (as reflected in the preprinted return address on the ballot envelope), then the address on the Voter Declaration shall be deemed not sufficient/sufficient as long as ?.

3. **No Address** - If the Voter Declaration does not contain an address, then the address on the Voter Declaration shall be deemed not sufficient/sufficient as long as ?.

II. Opening of the Declaration Envelope

Once the Voter Declaration on the Declaration Envelope has been determined to be sufficient, the Board and its staff shall proceed with the opening of the Declaration Envelope. Once the Declaration Envelope is opened, Board staff shall examine the contents of that envelope. If Board staff discovers that the Declaration Envelope contains a ballot that is not inside a privacy or secrecy envelope (a “naked ballot”), such naked ballot shall be returned to the Declaration Envelope and set aside and declared cancelled.

III. Examination of the Secrecy Envelope

Once the Declaration Envelope is opened, Board staff shall remove and examine the secrecy envelope for any text, mark or symbol that reveals the identity of the elector, the elector's political affiliation, or the elector's candidate preference. Any secrecy envelope found to have any text, mark or symbol that reveals the identity of the elector, the elector's political affiliation, or the elector's candidate preference shall be not be opened. The secrecy envelope will be returned to the Declaration Envelope and shall be set aside and declared cancelled.

These following is intended to provide guidance concerning whether the secrecy envelope contains any text, mark or symbol that reveals the identity of the elector, the elector's political affiliation, or the elector's candidate preference.

1. **Name and Address Labels** – If a secrecy envelope has a label affixed to it containing a person's name and address, then secrecy envelope should not be opened, and the ballot therein cancelled.

2. **Partial Names** - If only a first name is written on the secrecy envelope, then the secrecy envelope should be opened.

3. **Non-Descript Marks or Symbols** – If a non-descript symbol, mark or sticker are affixed to the envelope, then the secrecy envelope should be opened. For example, if someone drew a flower or a peace symbol or affixed a sticker with the American Flag or a “Smiley Face,” these symbols, marks or stickers do not reveal the identity of the elector, the elector’s political affiliation, or the elector’s candidate preference.

4. **Written Expressions of Support for a Candidate** – If a person writes on the secrecy envelope, “I support the GOP,” or “I’m a 100% Democrat,” such would be viewed as a written statement stating the elector’s political affiliation. Similarly, If a person writes on the secrecy envelope, “Biden all the way,” or “I’m a Vet for Parnell,” such would be viewed as a written statement stating the elector’s candidate preference. In these instances, the secrecy envelope would should not be opened, and the ballot therein cancelled.

Instances where Board staff is uncertain whether the text, mark or symbol possibly reveals the identity of the elector, the elector’s political affiliation, or the elector’s candidate preference shall be set aside for additional review and final determination at a later time.

PRE-SORTING REVIEW PROCEDURE

Your task is to review the Voter Declaration on the back of the Declaration Envelope for the presence of four things: A Voter's Signature; A Printed Name; A Date; and An Address.

To accomplish this task, you will need to review the name and address on the upper left-hand corner of the front of the Declaration Envelope and compare that name with the pre-printed name on the Voter Declaration.

STEP 1: REVIEW FOR A SIGNATURE: *Is the Voter Declaration signed?*

If there is no signature, then the envelope must be set aside for additional review.

If there is no voter signature but someone else completed the assistance declaration bound below the Voter Declaration for that voter, then the Declaration does have a signature.

STEP 2: REVIEW FOR A PRINTED SIGNATURE: *Does the voter's name printed in the Voter Declaration match the pre-printed name on the front of the Declaration Envelope or is the printed name a close or logical derivative of the name on the front of the Envelope?*

Compare the Voter's Pre-Printed Name found in the upper left-hand corner of the front of the Declaration Envelope with Printed Name in the Voter Declaration.

The following are examples of acceptable close or logical derivatives of the name: E.g. – Pre-Printed Name on the front of the Declaration Envelope is John Smith. The Printed Name in the Voter Declaration is Jack Smith or J. Smith.

If there is no printed name, then the envelope must be set aside for additional review.

STEP 3: REVIEW FOR A DATE: *Is there a date on the Voter Declaration?*

If there is no date, then the envelope must be set aside for additional review.

STEP 4: REVIEW FOR AN ADDRESS: *Is there an address printed on the Voter Declaration?*

If there is no address, then the envelope must be set aside for additional review.

CONCLUSION:

If your review finds that all four items are present in the Voter Declaration - a signature, a printed name, date and address in the Voter Declaration, instructions will be given to you concerning where this facially reviewed envelope should be placed.

PRIVILEGED AND CONFIDENTIAL ATTORNEY COMMUNICATION

PROCEDURES FOLLOWING THE OPENING OF THE DECLARATION ENVELOPE

STEP 1: Remove the Content Inside the Declaration Envelope.

Remove and examine whatever is inside the Declaration Envelope.

STEP 2: Determine Whether the Ballot is Within an Official Ballot Envelope.

Examine whether the ballot is inside the Official Ballot Envelope (otherwise known as the Privacy or Secrecy Envelope).

If you find that the ballot is inside the Official Ballot Envelope, then place the Official Ballot Envelope containing the voter's ballot in the designated bin for further opening and processing.

If you find that the ballot is not inside the Official Ballot Envelope, put the voter's ballot back into the Declaration Envelope and place that Declaration Envelope in the designated bin for further processing.

ANY BALLOT NOT TO BE INSIDE AN OFFICIAL BALLOT ENVELOPE SHALL NOT BE COUNTED.

STEP 3: Examine the Official Ballot Envelope for Any Text, Mark or Symbol.

Examine the Official Ballot Envelope for the presence of any text, mark or symbol that reveals the identity of the elector, the elector's political affiliation, or the elector's candidate preference.

If you find that the Official Ballot Envelope has any text, mark or symbol that reveals the identity of the elector, the elector's political affiliation, or the elector's candidate preference, then place the Official Ballot Envelope back into the Declaration Envelope in the designated bin for further processing.

Any Official Ballot Envelope having any text, mark or symbol that reveals the identity of the elector, the elector's political affiliation, or the elector's candidate preference shall not be counted.

IF YOU ARE UNCERTAIN WHETHER THE OFFICIAL BALLOT ENVELOPE CONTAINS ANY PROHIBITED TEXT, MARK OR SYMBOL, THEN PLACE IT IN THE RESOLUTION BIN. IT WILL BE REVIEWED BY ELECTIONS DIVISION STAFF IN CONSULTATION WITH LAW DEPARTMENT STAFF.

PRIVILEGED AND CONFIDENTIAL ATTORNEY COMMUNICATION

SECRECY ENVELOPE INSPECTION AND REVIEW PROCEDURES

STEP 1: Look Inside the Declaration Envelope.

Look inside the Declaration Envelope. If you find a ballot is not inside a Secrecy Envelope, put the Declaration Envelope in the Resolution Bin for further processing.

STEP 2: Examine the Secrecy Envelope for Any Prohibited Text, Mark or Symbol.

Examine the Secrecy Envelope for the presence of *any text, mark or symbol* that reveals the following:

- *the identity of the voter;*
- *the voter's political affiliation; or*
- *the voter's candidate preference.*

If you find that the Secrecy Envelope has a text, mark or symbol that may reveal the voter's identity, political affiliation, or candidate preference, then put the Secrecy Envelope back into the Declaration Envelope and place that Declaration Envelope in the Resolution Bin for further processing.

IF YOU ARE UNCERTAIN WHETHER THE SECRECY ENVELOPE CONTAINS ANY PROHIBITED TEXT, MARK OR SYMBOL DESCRIBED ABOVE, THEN PUT THE SECRECY ENVELOPE BACK INTO THE DECLARATION ENVELOPE AND PLACE THE DECLARATION ENVELOPE INTO THE RESOLUTION BIN. IT WILL BE REVIEWED BY ELECTIONS DIVISION STAFF IN CONSULTATION WITH LAW DEPARTMENT STAFF.

STEP 3: Separate the Secrecy Envelope from the Declaration Envelope.

If the Secrecy Envelope passes Steps 1 and 2, place the Declaration Envelope in the bin at your feet and place the Secrecy Envelope in the empty mail tray on your table.

STEP 4: Tape your Mail Tray.

When the mail tray is filled, tape over the mail tray with blue tape. A runner will take the taped-over mail tray and supply you with a new mail tray.