

RESPONSES TO PUBLIC COMMENT SUBMITTED AT JUNE 6, 13 & 23 BOARD OF ELECTIONS MEETINGS

The Division of Elections, Department of Administrative Services and the Law Department representative has reviewed the public comment submitted to the Board of Elections for its three June meetings. Questions and responses are below:

1. Why were there widespread shortages of Republican ballots at the primary?

There were shortages of both Democrat and Republican ballots because of higher-than-expected turnout. While it's not an excuse, the county is continuing to work through and determine how mail-in and absentee voting impacts turnout. In this case, even though we met the state threshold of ballots required at each polling place, we underestimated turnout and should have increased the number at each location.

Once we became aware of the issue(s), local boards were instructed to permit voters to use the Express Vote machine. Once extra printed ballots were used, additional ballots were printed on demand and delivered by county personnel and even a member of the Board of Elections.

The Board of Elections voted to increase the number of ballots printed each election and that effort has also now been codified in state law as well. This issue will not be repeated.

2. Why were write-in votes (for County Committee members) not included in the certification approved by the Board on June 6?

The Board of Elections vote on June 6 excluded the write-in results from the certification. Two members of the board wanted all of the winners determined and votes claimed by those individuals before certifying the results.

The process of reviewing, cumulating and tabulation of write-in votes is time consuming and a manual process. Once individuals are identified as having received the minimum amount of votes to qualify, there are letters sent to those voters advising them of the process to "claim" that office. This is a process that typically goes beyond the certification date, but as the certification is of the results, and not the winners, it is not something that is typically held for certification.

The results of the tabulation were posted on the Elections website initially. Once write-in candidates began claiming their votes, the results page was updated to reflect those candidates. The information remains available to the public on the Allegheny Votes website - [Elections | Results \(alleghenyvotes.com\)](https://www.elections.alleghenyvotes.com/Results)

3. Ballots should be hand counted.

Under the state Election Code, hand counting is not legally permitted.

4. Dominion equipment should not be used.

Allegheny County has never used Dominion voting equipment.

5. Drop boxes should not be used.

Allegheny County has never used drop boxes, which are unmanned. Allegheny County permits and historically has permitted ballots to be delivered to Elections Division office by the voter only. The only exception is if a ballot is for a disabled person, accompanied by the appropriate signed form. All voters are asked if that ballot they are tendering is theirs and whether the signature on the ballot is theirs.

The ballot return offered in the last few elections are manned locations with ballots returned to locked ballot boxes. All voters are asked if that ballot they are tendering is theirs and whether the signature on the ballot is theirs.

6. Were unsigned mail in/absentee ballots counted?

No. If received prior to the election, those ballots were returned to the voter with instructions on how to remedy the flaw. As the date of the election was closer, the ballots were simply set aside – unopened and uncounted.

7. Were undated ballots counted?

Yes. The Department of State (DOS) directed each Elections Division to count those ballots that were received timely but were not dated. In Allegheny County, there were 21 signed but undated ballots. These ballots were counted separately and included in the Amended Certification approved by the Board at their June 23 meeting, pursuant to the DOS direction.

8. There were reports of a voter receiving more than one mail in ballot.

Unless a voter requested a duplicate ballot be mailed, no one should receive more than one. We ask that anyone who sees an issue like this immediately contact the office so we may resolve it. If a voter receives and returns two ballots, only the first one received will be opened and counted.

9. There was confusion at the polls because of additional absentee voter lists

There were no additional lists sent. We believe this reference is to the supplemental Poll Book. For each polling place, there is a Poll Book, a supplemental Poll Book and a list of every voter that applied for an absentee or mail-in ballot. The local boards are to use the poll book and supplemental poll book to check in voters and to determine who may vote and how.

The application list includes the names of permanent absentee and mail-in voters that are registered Independent or no affiliation. These voters were not mailed a ballot. In the May 2022

election, this list erroneously contained names of voters who did not apply which will be corrected moving forward. Again, this list is not to be used for processing voters. The Division is required to make the application list available at the polls for public inspection.

10. I requested to work the polls and was not contacted.

While we make every effort to place poll workers in their preferred precincts, some locations are already fully staffed. In those cases, if the volunteer did not select any other area to work in, the Elections staff moved on to filling other vacancies throughout the county. Currently, anyone applying to be a poll worker does have the option to list preferred areas to work in, as well as accepting or declining an assignment via PollChief software. Staff have been instructed to work within those preferences as much as possible, knowing that we rely upon the 6,600 individuals who work at the polls each election and must take appropriate steps to accommodate them.

All Elections staff are currently participating in customer service training, so that they may enhance their public-facing skills. We will also be working with the software company to provide responses to those volunteers advising them that the polling place is full and asking if they'd be willing to work elsewhere.

11. There were reports of polling places understaffed and not opening on time.

Unfortunately, this is a challenge that we face each and every election. It happens for a variety of reasons – polling places are not open, elections workers come late or do not come at all, people forget materials, etc. We are extremely reliant upon the elected and appointed poll workers and cannot run a successful election without their dedication and hard work. We continue to do everything we can to ensure that these issues do not happen but will likely continue to face such challenges.

12. Ballots were requested but not received.

Without additional detail, it is difficult to respond to this claim. There are a variety of reasons that a ballot may not be received: the voter may not be registered to vote or is not registered in a political party that votes in the primary; the voter assumed because they're enrolled as a permanent mail-in voter, they would automatically receive a ballot but did not complete and return the application; in other cases, the SURE system reflects that a ballot was mailed, but the ballot location is unknown.

13. Photo ID should be required of all voters at all times.

In 2014, Commonwealth Court held that the in-person proof of identification requirements enacted under Act 18 of 2012 were unconstitutional. Those provisions are no longer in force. All mail in/absentee ballot applications require drivers license number or social security number.

The provisions of the federal law do require that first time voters, and individuals voting for the first time at a polling place, must provide identification.

14. Why were the June 13 & 23 meetings limited solely to certification of results? Aren't all meetings open for any purpose?

With proper notice, a public meeting can be limited to certain subjects. There will be a "general" meeting scheduled for later in the summer to review and discuss preparations for the November general election.

15. There was a complaint about campaign literature placed on the table in a polling place.

Electioneering in polling places is prohibited. Complaints such as this are taken seriously by Elections and investigated. If such information is received on Election Day, elections officials immediately investigate and take action. If unable to address, or if they receive opposition, Elections Court may take up the complaint.

16. For the primary, voters who requested a mail-in ballot received one with a personally identifiable bar code on it.

Each ballot mailing vendor that has been used by the county has applied a similar practice. The ballot, outer mailing envelope and the declaration envelope all have a small 2D barcode and a number associated for the purpose of ensuring the voter gets the correct ballot. This is used solely for the mailing and is not repeated. It is also not associated with a ballot number or precinct number as you noted, so someone would need access to all voted ballots and all declaration envelopes to make any match to associate a ballot with a voter. As we're sure you're aware, ballot box contents are not public records.