

Voye, David

From: Colin Dean <cad@cad.cx>
Sent: Friday, March 4, 2022 11:21 PM
To: # Board of Elections
Subject: Comment for upcoming BOE meeting: poster board map for multi-district polling places

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Something I'd like to bring to the Board of Elections' attention:

TL;DR I'm a Judge of Election and for the past two elections, we've guided voters at our multi-district polling place to the correct table using a large map presented nearly immediately after entry to the polling place. This has greatly reduced wait times and eliminated confusion. I think this would be a great improvement for all multi-district polling places and is a worthwhile expenditure to facilitate the voting process. I would like to see county elections make this an option for all Judges of Election and provide this for all polling places, delivered with the voting machines.

I am an elected Judge of Election for Wilkinsburg ward 1 district 4, which votes at the Eastridge Library near the intersection of Graham Blvd and Laketon Road right on the Penn Hills border. I'm starting my second term in the position, having now worked eight elections 2018-2021. Two other districts, 1-1 and 1-5, also vote at the Eastridge Library.

For years, I've tried various methods to solve a very common problem at our multi-district polling place: people don't remember which district they're in or which table they used at the last election. Some people remember faces but get thrown off when the faces change (e.g. when people didn't see me for a year or two and I've grown my hair out during the pandemic... and put on the quarantine 15). When people don't remember, they bounce from table to table asking if they're at the right table. This can really slow down voting, especially for folks who come to the right table right away. Folks who aren't in the right polling place can really occupy time as they end up needing a JoE's help to figure out where they should be. All I'm going to do is look up their registration on the votespa.com service that's publicly available before I call the county elections helpline!

I've tried making "remember this number" signs. Not very effective. I listed street names on a poster board at the entrance of the library. This decreased the problem but caused some false positives as I learned the hard way that some streets are in multiple districts. Naive mistake! I restored to a hand-drawn map at the November 2020 election and that was a big help.

Ahead of the May 2021 primary election, I had an idea to make a high-quality map of the districts that vote at this polling place. I'd get it printed and mount it on a "science fair project" board and decorate it with other useful information. I resolved to make this happen regardless of the expense and I'm very fortunate that a county employee nudged me to ask County Elections Division for a map file that I could get printed. I was elated to find that they could have it printed for me! I took them up on the offer, picked up the printed map, and mounted it as I dreamed with URLs and phone numbers to check the voter registration status.

This is the product:

<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fphotos.app.goo.gl%2FRtXLDQT7YTLPKYVt7&data=04%7C01%7CDavid.Voye%40AlleghenyCounty.US%7Ccefe865b696d43810d7808d9fe5f9e71%7Ce0273d12e4cb4eb19f708bba16fb968d%7C0%7C1%7C637820508928249477%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C3000&sdata=nO%2FV9AhvRSUYttgJtP98ndiT7GDiqKs3rNN9wy6IJck%3D&reserved=0>

I provide multiple ways to check the registration status and polling places for those equipped with a phone or smartphone and make it clear for whom they need to ask if they need more help.

It was a hit. People loved it. Elected officials and fellow poll workers praised its utility. Voters young and old thanked me for making it. We were able to position a poll worker near it at all times to welcome people to the building and ask if they knew which table was theirs. This drastically reduced the wait times (which I admit were already low because of it being a muni primary). People who come and are in the wrong place appreciate it: all I'm going to do is look up their registration on the very same service posted on the posterboard and if they have a smartphone, I guide them through the process on their own device. Only when that's inconclusive do I call the county elections helpline!

I repeated the performance at the November 2021 muni general and again it saved so much time. I'll have it for the April special election, the May primary, and all future elections I'm running. When eventually I am no longer working the polls, I'll pass it to another Judge of Election and hope it stays around... if the county doesn't provide something like it.

My ask is that county elections make this an option for all Judges of Election to have at their polling place. I can see it delivered along with the voting machines rather than in the care of an individual Judge.

I'm happy to answer any questions about this. I credit Eli Thomas, David Voye, Darin Palilla, and Susan Neft for their assistance in making this happen!

--
Colin Dean
cad@cad.cx

Voye, David

From: klauschers@verizon.net
Sent: Sunday, March 6, 2022 11:03 AM
To: # Board of Elections
Subject: Q: Legal size paper for committee petitions

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This is a minor concern in the grand scheme of things, but I'd like to know if the county is responsible for the rule that petitions for party committee members to get on the primary ballot be on 8 1/2 x 14 legal size paper? None of the other petitions are required on this increasing hard to find paper size.

If it is a county rule, I suggest that we get it changed to letter size before the next ballot in 2026.

Thank you,
Valerie Klauscher
623 Prospect Street
Crescent PA 15046

Voye, David

From: Juliet Zvon <julietzvon@gmail.com>
Sent: Sunday, March 6, 2022 12:21 PM
To: # Board of Elections
Subject: signing up to speak at meeting 3/8/22 at 2 PM

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Juliet Zvon
1318 Malvern Ave.
Pittsburgh, PA 15217

Voye, David

From: Juliet Zavon <julietzavon@gmail.com>
Sent: Sunday, March 6, 2022 2:48 PM
To: # Board of Elections
Subject: Fwd: Public Comment for 3/8/22 BOE meeting

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.

**Public Comment to the Allegheny County Board of Elections
Juliet Zavon
March 6, 2022**

Incorrect ballots are repeatedly sent to voters in Allegheny County. To give just two examples:

- In 2020, over 29,000 incorrect ballots were sent to voters in the November election.
- In 2021, the problem was a serious printing error: the voter's name and address were actually printed on the ballot, thus violating a voter's right to ballot privacy.

In these examples and others, it is voters that catch the error, not the Election Division. This indicates inadequate quality control.

The Elections Division says it reviews 15% of ballot packets for accuracy before sending them to voters. Statistically, reviewing 15% of ballots is adequate. It should have discovered 8-10 of the 68 incorrect ballots the Elections Division acknowledges for the November 2021 election. However, 15% is only adequate if the ballot packets to be reviewed were randomly selected and checked properly. The fact that these errors were undetected by both quality control at the mail house that prepared the ballots AND quality control at the Elections Division indicates quality control is inadequate.

As one of several examples of problems reported to the Elections Division and the Board of Elections for the November 2021 elections, Monica C. got a ballot packet missing two envelopes, and her name and barcode were printed on her ballot itself (see photo). The secret ballot is the cornerstone of fair elections. When a ballot has personal identifying information on it, it is no longer a secret ballot.

Please provide the documentation that outlines quality control procedures at the mail house and at the Elections Division.

<p>Justice of the Supreme Court Vote for One</p> <p><input type="radio"/> Maria McLaughlin Democratic</p> <p><input type="radio"/> Kevin Brobson Republican 00271 -02</p> <p><input type="radio"/> Write-in</p>		<p><input type="radio"/> Write-in</p> <p><input type="radio"/> Write-in</p> <p><input type="radio"/> Write-in</p> <p><input type="radio"/> Write-in</p> <p><input type="radio"/> Write-in</p> <p><input type="radio"/> Write-in</p> <p><input type="radio"/> Write-in</p> <p><input type="radio"/> Write-in</p> <p><input type="radio"/> Write-in</p>
<p>Judge of the Superior Court Vote for One</p> <p><input type="radio"/> Timika Lane Democratic</p> <p><input type="radio"/> Megan Sullivan Republican</p> <p><input type="radio"/> Write-in</p>		<p><input type="radio"/> Write-in</p> <p><input type="radio"/> Write-in</p> <p><input type="radio"/> Write-in</p> <p><input type="radio"/> Write-in</p>
		<p>Sheriff 4 Year Term Vote for One</p> <p><input type="radio"/> Kevin Kraus Democratic/Republican</p>

CELLO, MONICA J

Comments to the Board of Elections for the Mar. 6, 2022 meeting

From William Towne

Greetings! I come before you today to raise a major concern about ballot secrecy in Allegheny County, based on the County's own position that this does not exist for hundreds of thousands of ballots in a very important election.

As an opening matter, I'd like to thank you for announcing that today's meeting will be live-streamed online. This is something I'd requested in prior public comments and it is appreciated. However, I would ask that you would livestream the entire meeting, and set up the connection a few minutes early so that people looking to join can actually find it online and join for the start of the meeting.

I am sure you are already aware of the Commonwealth Court's decision in case #244 MD 2021, which invalidated Act 77's expansion of postal voting to permit no-excuse mail-in voting, now pending before the Supreme Court. The majority opinion in that case (especially in section III.B, p. 15-20) reviewed PA's constitutional requirements regarding ballot secrecy, including an 1874 amendment which first bound election officers to keep votes secret and an 1891 law which made this practically easier by adopting uniform ballots that did not have distinctions visible from a distance as voters handed their (generally party-supplied) ballots to election officials. A 1901 amendment changed the Constitution to require much more generally "that secrecy in voting be preserved," including secrecy from election officials. In 1975, this requirement was used as a basis for disenfranchising voters in the face of a voting machine failure because the alternative of voting by sworn testimony would abridge the constitutional requirement for a secret ballot.

Article XIII of the PA Election Code, more specifically 25 P.S. § 3146.9(a), states in part that "All official absentee ballots, files, applications for such ballots and envelopes on which the executed declarations appear, and all information and lists are hereby designated and declared to be public records." Though the County would not provide this explanation when denying access to records on direct request, or through a formal Right to Know Law (RTKL) request, or even on a RTKL appeal at the Office of Open Records, in a petition for a second Reconsideration at the Office of Open Records the County recently asserted that the reason it does not wish to make these explicitly-public records actually available for public inspection is that the ballots and declaration envelopes contain a matching code which allow a voter's identity to be matched with their ballot choices. This information appears to be available to county staff, possibly state-level employees (depending on exactly how the identifying number was generated), as well as a direct county contractor and apparent subcontractor. Prior RTKL requests revealed that there are no documented restrictions on these parties (esp. the contractors) further disclosing the information, for example to a major-party campaign publicly favored by the contractor.

Even if access to this information were strictly limited to just County staff, it appears that uniquely marking ballots in the way the County now claims it did/does violates the PA Constitution and Elections Code, according to the County's own position when arguing against transparency. If the County does not consider its own access to what it claims is deanonymizing information to be a violation of these important laws, especially when it claims anybody else seeing the same public records would therefore be violating those laws, it should promptly explain why. If the County believes that the Elections Code

and/or Constitutional requirements (as amended more than a century ago to provide for ballot secrecy from elections officials) do not apply to the County, it should promptly explain why.

If the County is willing to admit that its actions have violated the PA Constitution and/or Elections Code, it should strongly commit to never repeating this issue. For practical credibility, such a commitment should be backed by significant penalties that would be easily enforceable if the County violates that commitment, as the Elections Division holds that even admitted violations of law which did not previously bring about penalties or similar accountability measures are not actually problematic and may in practice be freely repeated.

As submitted in a largely ignored public comment at the last Board of Elections meeting, the issue described by the County has continued to be observed, absent any penalties or accountability or directives from the Board of Elections. The County's contract language in Invitations For Bid, which it could and should easily change, has continued to require use of barcodes on ballots, which sometimes uniquely identify voters, and does NOT explicitly require compliance with the PA Constitution or call out its requirements for ballot secrecy. Instead, the County's contract should clearly require that ballots be completely indistinguishable within the same municipality, ward, precinct, precinct split if applicable, and ballot type (e.g. absentee vs. mail-in vs. in-person). To avoid even the appearance or suspicion of an issue, the County should forbid the use of codes or markings/content on ballots other than human-interpretable text, human-interpretable instructional graphics, uniform empty bubbles and lines for marking selections, and file signatures of Board of Elections members. The ballot style information should be scannable through optical character recognition of the human-interpretable text (e.g. "Pittsburgh Ward 15 District 7"). At the time of sending ballots, such a scan can be checked against the data provided by the county to verify that the correct ballot is being sent to each voter. Similar prior recommendations to this Board about not uniquely identifying ballots have so far been generally ignored without response.

The County should also obtain a public directive from the Department of State, consistent with any commitment it makes to not repeat the issue in Allegheny County, to avoid repeats of this issue in other counties. This directive should extend to include other ballot secrecy measures such as the use of privacy envelopes printed with an inner pattern for ballot secrecy envelopes, mixing those envelopes in large batches between the steps of removing them from declaration envelopes and opening the secrecy envelopes, and having documented, observable procedures for remaking ballots where needed, which implementing staff review before each election.

If the Board of Elections seeks a response from the Division, it should keep in mind the Elections Division's position (as recently filed in the Court of Common Pleas) that the context and applicable legal standard do not require its representatives to limit themselves to truthful statements to the Board of Elections during public meetings, but permit as many falsehoods and statements directly contrary to the truth as desired. This is a very concerning position to read in an official court filing from the County.

Though the County's lack of transparency is now being litigated before the Court of Common Pleas and (per the County's argument) the Office of Open Records, I have chosen to focus my comments today on an underlying issue claimed by the County about the actual identifiability of ballot choices, which is not

something that any currently pending case can resolve the propriety of. I am not aware of any currently filed, pending, or drafted litigation focused on the County's capacity to authoritatively identify so many voters' ballot choices (only about the lack of transparency surrounding the issue) and hope that this concern is not dismissed by a nonspecific mischaracterization to the contrary. The Board of Elections can and should state an opinion about whether this position as held by the County presents an issue and if so, determine what it believes the County's response should be.

In prior comments, I have raised concerns about ballot secrecy which were generally ignored or dismissed. I do not think these concerns should continue to be dismissed, especially now that the Division of Elections itself is formally holding that the records it possesses violate the PA Constitution and/or Elections Code. Please take action to ensure strong public transparency about what issues in this category have happened already and make a strong commitment to prevent recurrence, ideally including more active Board oversight by the people's elected representatives.

Finally, I encourage the Board to integrate with the USPS's Intelligent Mail Barcode tracking system for election mail, including downloading and communication of tracking data, and investigate implementation of ranked-choice voting with the option to rank as many positions as there are candidates. Thank you for your work.