

MEETING OF THE COMMISSIONERS

\* \* \* \* \*

SATURDAY, NOVEMBER 14, 2020

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COMMISSIONERS PRESENT:

LISA DEELEY, CHAIRWOMAN  
AL SCHMIDT, COMMISSIONER  
OMAR SABIR, COMMISSIONER

HELD AT:

The Convention Center  
Philadelphia, Pennsylvania

REPORTED BY: Samantha Clearfield

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1 \* \* \* \* \*

2 P-R-O-C-E-E-D-I-N-G-S

3 \* \* \* \* \*

4 CHAIRWOMAN DEELEY: I'd like to call to  
5 order the Return Board meeting of Monday,  
6 November 14, 2020.

7 The Return Board of the November 3,  
8 2020, general and special elections having  
9 been reconvened on this day of November 14,  
10 2020, shall continue with the business of the  
11 canvas and computation.

12 We will now move to public comment.  
13 Commenters shall state where they live or, if  
14 they are not a resident of Philadelphia, that  
15 they are a Philadelphia taxpayer. Public  
16 comment is not an opportunity for dialogue or  
17 Q and A. It is public comment. A chance for  
18 you to tell us what you think. Each speaker  
19 shall have two minutes. However, I may extend  
20 this time at my discretion.

21 All public comments must be relevant or  
22 germane toward business. Finally, it is my  
23 responsibility to preserve the order and  
24 decorum of the meeting. As such, profane,

1 slanderous, discriminatory or personal attacks  
2 will not be tolerated. Anyone wishing to  
3 offer public comment, please step forward.

4 MS. GREENLEE: Hello.

5 THE CHAIRWOMAN: Good morning. Please  
6 state your name for the record.

7 MS. GREENLEE: Leslie Greenlee (ph).  
8 My vote has not been counted for the  
9 presidential election and I have voted since  
10 1988 in the same division in Philadelphia and  
11 I voted since 2001 in the same house. I have  
12 a lot of middle names. Leslie Marsha Lincoln  
13 Killien Greenlee is my full name and I have  
14 some documents here to show you. Some proof  
15 of evidence.

16 THE CHAIRWOMAN: Ms. Greenlee, how did  
17 you vote in this election?

18 MS. GREENLEE: By ballot, by mail.

19 THE CHAIRWOMAN: Were you contacted by  
20 our office?

21 MS. GREENLEE: Yes, I was and I filled  
22 out a form and actually brought it physically  
23 into the Commissioner's office and then it  
24 still wasn't counted.

1 THE CHAIRWOMAN: Okay, thank you. Can  
2 you please show your identification to our  
3 compliance specialist Garrett Dietz.

4 MS. GREENLEE: Thank you.

5 THE CHAIRWOMAN: Thank you.  
6 Ms. Greenlee, are you here this morning for  
7 the purpose of asking if your vote will count?

8 MS. GREENLEE: Yes.

9 THE CHAIRWOMAN: Should you desire for  
10 your vote to be counted?

11 MS. GREENLEE: Yes.

12 THE CHAIRWOMAN: Thank you. Any more  
13 public comment? Please approach. State your  
14 name for the record.

15 MR. MASARA: Good morning. My name is  
16 Thomas Henry Masara (ph). It's been a  
17 pleasurable experience for the last week to  
18 have tens of thousands of people in this city,  
19 in this state, in this nation, in this world  
20 to thank this Commission, all three  
21 Commissioners, for having a fair, full,  
22 honest, accurate, honest, count on election  
23 day.

24 That's a wonderful thing to have been

1 said because it's bipartisan but when I  
2 thought about it that is 99.7 percent  
3 insufficient to thank you for election day.  
4 I'd like to thank each of you for the  
5 approximately 215 days, nights where you  
6 worked to have a fair, honest, accurate,  
7 transparent election. So all of us and our  
8 city, our state, our nation, and our world  
9 would really like to thank you for about  
10 215 days before the election. Thank you.

11 THE CHAIRWOMAN: Thank you. Anyone  
12 else for public comment? Hearing none, we  
13 will now hear a report from Deputy Seth  
14 Bluestein on provisional ballot challenges.

15 MR. BLUESTEIN: Good morning,  
16 Commissioners.

17 THE CHAIRWOMAN: Good morning.

18 MR. BLUESTEIN: Earlier this week, the  
19 staff canvassed the provisional ballots cast  
20 in the general election and received  
21 challenges to a number of provisional ballots.  
22 These challenges fall into ten categories that  
23 I will present to the Commissioners for a  
24 vote. The first category are absentee and

1 mail-in ballots that were counted or voted in  
2 person.

3 THE CHAIRWOMAN: If anyone representing  
4 those who brought the challenge would like to  
5 make an argument or if anyone representing a  
6 candidate or party would like to speak on that  
7 category of ballot challenge? Hearing none,  
8 proceed. Can you repeat the category?

9 MR. BLUESTEIN: Sure. Voters who cast  
10 a provisional ballot, who also cast an  
11 absentee mail-in ballot that counted or voted  
12 in person.

13 THE CHAIRWOMAN: I vote no count.

14 COMMISSIONER SCHMIDT: I vote against  
15 counting them.

16 COMMISSIONER SABIR: I vote no count.

17 THE CHAIRWOMAN: Those will not be  
18 counted.

19 MR. BLUESTEIN: The second category was  
20 a blanket challenge against provisional  
21 ballots cast by a voter whose absentee or  
22 mail-in ballot was canceled in advance of the  
23 general election.

24 THE CHAIRWOMAN: If anyone representing

1 those who brought the challenge would like to  
2 make a argument or if anyone representing a  
3 candidate or party would like to also speak?  
4 Please state your name for the record.

5 MR. BONIN: Adam Bonin B-O-N-I-N on  
6 behalf of the Democratic Party and its  
7 candidates. It's my understanding that this  
8 is a category that represents individuals who  
9 were directed by the City Commissioners based  
10 on guidance from the Department of State to  
11 notify voters whose envelopes received had  
12 certain deficiencies that were cancelled and  
13 that these were voters who were directed to  
14 cast provisional ballots in order to make sure  
15 their vote be counted. If in fact these are  
16 voters who fall within this category, this is  
17 what the provisional ballot exists for and  
18 this is our hope that these ballots be  
19 counted.

20 THE CHAIRWOMAN: Thank you. Anyone  
21 else? Hearing none, I vote that these ballots  
22 be counted.

23 COMMISSIONER SABIR: I vote to count.

24 COMMISSIONER SCHMIDT: I vote to count.

1 THE CHAIRWOMAN: Proceed. These votes  
2 will be counted.

3 MR. BLUESTEIN: The third category are  
4 provisional ballots cast by voters whose  
5 absentee or mail-in ballots were not returned.

6 THE CHAIRWOMAN: Anyone here  
7 representing those who brought the challenge  
8 that would like to make argument or if anyone  
9 representing a candidate argument or if anyone  
10 representing a candidate or party would like  
11 to also speak? Hearing none, I vote to count  
12 these ballots.

13 COMMISSIONER SCHMIDT: I vote to count.

14 COMMISSIONER SABIR: I vote to count.

15 THE CHAIRWOMAN: These ballots will be  
16 counted. Proceed.

17 MR. BLUESTEIN: The fourth category are  
18 provisional ballots cast by voters who did not  
19 sign the affidavit.

20 THE CHAIRWOMAN: Anyone representing  
21 those who brought the challenge would like to  
22 make an argument or if anyone representing a  
23 candidate or party would like to speak on  
24 behalf of these ballots?



1                   MR. BONIN: Just very briefly,  
2                   Commissioners. My only question as to this  
3                   category -- and I hope that the Commissioners  
4                   have reviewed this thoroughly -- is whether  
5                   these voters signed the envelopes in some  
6                   other place other than on the line of the  
7                   affidavit. If there's a signature anywhere on  
8                   the outer envelope, if the voter may have been  
9                   misdirected as to where to sign, we would hope  
10                  that those ballots be counted. Obviously  
11                  there needs to be some signature somewhere. I  
12                  just want to make sure the staff is thorough  
13                  in determining that there was absolutely no  
14                  signature as to these ballots.

15                 THE CHAIRWOMAN: Thank you, counselor.  
16                 Mr. Bluestein, was there a signature anywhere  
17                 on these ballots?

18                 MR. BLUESTEIN: Thank you,  
19                 Commissioner. The ballots that were part of  
20                 category four had no signature anywhere on the  
21                 envelope.

22                 THE CHAIRWOMAN: Thank you. I vote to  
23                 not count these ballots.

24                 COMMISSIONER SABIR: I vote not to

1 count.

2 COMMISSIONER SCHMIDT: I vote not to  
3 count.

4 THE CHAIRWOMAN: These ballots will not  
5 be counted. Proceed.

6 MR. BLUESTEIN: Category five are  
7 provisional ballots cast by voters who did not  
8 fully complete the affidavit or the  
9 information on the affidavit was inconsistent  
10 with their record in the SURE system.

11 THE CHAIRWOMAN: Anyone representing  
12 those who brought the challenge would like to  
13 make an argument or anyone representing a  
14 candidate or party would like to speak?  
15 Hearing none, I vote to count these ballots.

16 COMMISSIONER SCHMIDT: I vote to count.

17 COMMISSIONER SABIR: I vote to count.

18 THE CHAIRWOMAN: These ballots will be  
19 counted. Proceed.

20 MR. BLUESTEIN: Category six are  
21 provisional ballots cast by voters whose  
22 affidavit is missing any poll worker  
23 signature.

24 THE CHAIRWOMAN: Anyone representing

1 those who brought the challenge and would like  
2 to make an argument or anyone representing a  
3 candidate or party who would like to speak?  
4 Hearing none, I vote that these ballots be  
5 counted.

6 COMMISSIONER SCHMIDT: I vote to count.

7 COMMISSIONER SABIR: I vote to count.

8 THE CHAIRWOMAN: These ballots will be  
9 counted. Please proceed.

10 MR. BLUESTEIN: Category seven are  
11 provisional ballots whose affidavits have no  
12 reason given for casting the provisional  
13 ballot.

14 THE CHAIRWOMAN: Anyone representing  
15 those who brought the challenge and would like  
16 to make an argument or anyone representing a  
17 candidate or party would like to speak?  
18 Hearing none, I vote to count these ballots.

19 COMMISSIONER SCHMIDT: I vote to count.

20 COMMISSIONER SABIR: I vote to count.

21 THE CHAIRWOMAN: These ballots will be  
22 counted. Please proceed.

23 MR. BLUESTEIN: Category eight are  
24 provisional ballots that were cast by voters

1 in the wrong ward or division.

2 THE CHAIRWOMAN: Anyone representing  
3 those who brought the challenge would like to  
4 make an argument or if anyone representing a  
5 candidate or party would like to speak?

6 MR. BONIN: Just very briefly. Again,  
7 for the record this is Adam Bonin. It would  
8 be our position that voters who are registered  
9 to vote in the City of Philadelphia but who  
10 happened to show up in an incorrect ward and  
11 division, that those votes should be counted  
12 as to those races for which they were properly  
13 registered and not counted for those local  
14 races where they may have showed up at the  
15 wrong polling place.

16 THE CHAIRWOMAN: Thank you, counselor.  
17 I vote to count these ballots.

18 COMMISSIONER SCHMIDT: I vote to count.

19 COMMISSIONER SABIR: I vote to count.

20 THE CHAIRWOMAN: These ballots will be  
21 counted. Please proceed.

22 MR. BLUESTEIN: The ninth category of  
23 the challenge that was brought is a  
24 provisional ballot envelope that has no

1 barcode.

2 THE CHAIRWOMAN: If anyone representing  
3 those who brought the challenge would like to  
4 make an argument or if anyone representing a  
5 candidate or party would like to speak?  
6 Hearing none, I vote to count these ballots.

7 COMMISSIONER SCHMIDT: I vote to count.

8 COMMISSIONER SABIR: I vote to count.

9 THE CHAIRWOMAN: These ballots will be  
10 counted. Please proceed.

11 MR. BLUESTEIN: Category ten are  
12 provisional ballots who were challenged with  
13 no explanation and the reason for challenge is  
14 unknown.

15 THE CHAIRWOMAN: Anyone representing  
16 those who brought the challenge would like to  
17 make an argument or if anyone representing a  
18 candidate or party would like to speak?  
19 Hearing none, I vote to count these ballots.

20 COMMISSIONER SCHMIDT: I vote to count.

21 COMMISSIONER SABIR: I vote to count.

22 THE CHAIRWOMAN: These ballots will be  
23 counted.

24 MR. BLUESTEIN: Thank you

1 Commissioners. That's all I have.

2 THE CHAIRWOMAN: Thank you,  
3 Mr. Bluestein. We will now hear a report from  
4 our supervisor of elections Garrett Dietz.

5 MR. DIETZ: Good morning,  
6 Commissioners.

7 THE CHAIRWOMAN: Good morning, Garrett.

8 MR. DIETZ: I have one category of  
9 ballots that I'm bringing before you today.  
10 It's specifically voters whose identification  
11 response was received timely but could not be  
12 verified due to technological issues with  
13 SURE.

14 So to give a little context, part of  
15 the absentee or mail-in ballot application  
16 requires some sort of identification in the  
17 form of last four of your Social Security  
18 number or PA driver's license or PA  
19 identification card number.

20 We had several thousand voters that  
21 unfortunately could not be verified at the --  
22 for the first check. We sent a letter out to  
23 all those voters informing them that their  
24 identification could not be verified and to

1 give them a further opportunity to rectify the  
2 situation.

3 We have a few hundred voters who  
4 responded to the notice but unfortunately due  
5 to technological issues with SURE we were  
6 unable to confirm or deny that the  
7 identification that they provided was  
8 sufficient.

9 THE CHAIRWOMAN: Garrett, is the state  
10 aware of this issue?

11 MR. DIETZ: Very much so. I've been in  
12 talks for weeks with various members of the  
13 Department of State. Both their programming  
14 team and people next to or people higher up --  
15 people in the Department of State itself.

16 THE CHAIRWOMAN: Where do we get the  
17 proof of identification form from?

18 MR. DIETZ: A template was provided by  
19 the Department of State well before this  
20 election. It was altered slightly for the  
21 usage for this county in particular.

22 THE CHAIRWOMAN: Are any of these  
23 voters first-time voters?

24 MR. DIETZ: Some are. I would say the

1 overall majority are long-time voters.

2 THE CHAIRWOMAN: Why would there be  
3 voters without either a Social Security number  
4 or a driver's license number on their file?

5 MR. DIETZ: If they originally  
6 registered to vote before that was a  
7 requirement for registration.

8 THE CHAIRWOMAN: Is there anything  
9 special about these voters records?

10 MR. DIETZ: So as you can imagine it  
11 would be disproportionately elderly voters  
12 because they would tend to disproportionately  
13 be ones who had to -- who would have  
14 registered before the Social or driver's  
15 license requirement was in effect.

16 THE CHAIRWOMAN: Given what we know  
17 today about this issue, is there any chance  
18 that any of these voters will ever be able to  
19 vote without a fix to the system?

20 MR. DIETZ: Short of being able to find  
21 a different source for the Social or driver's  
22 license number of each voter and manual  
23 affixing it to the record, the only other  
24 opportunity that these voters would have to



1 vote by ballot ever again would be if SURE  
2 fixes the issue.

3 THE CHAIRWOMAN: Is Ms. Greenlee one of  
4 these voters?

5 MR. DIETZ: I believe so, yes.

6 THE CHAIRWOMAN: Thank you. Anyone  
7 else have any questions?

8 COMMISSIONER SCHMIDT: Garrett, now  
9 that we have those additional identifying  
10 information, do we update their file in SURE  
11 to reflect that? So the problem doesn't  
12 persist since they just provided it to us.

13 MR. DIETZ: So we don't have any plan  
14 in place yet but we can definitely look into  
15 that. We can definitely take that into  
16 consideration.

17 COMMISSIONER SABIR: How many files is  
18 it, Garrett?

19 MR. DIETZ: So the group of voters I'm  
20 talking about in particular are a few hundred.  
21 A few hundred voters where they responded  
22 timely but the verification -- the  
23 identification verification could not be  
24 processed.

1                   THE CHAIRWOMAN: So it is my belief  
2                   that these voters did everything that we asked  
3                   of them. They submitted their applications,  
4                   they submitted their ballots and when we sent  
5                   them a letter indicating that their ID was  
6                   unverified, they returned the forms that we  
7                   supplied for this purpose or contacted our  
8                   office as instructed.

9                   Clearly something is wrong with the  
10                  system that is preventing these voters from  
11                  ever having their IDs properly verified and  
12                  therefore their votes counted. It appears  
13                  that their only option to prevent this in the  
14                  future is to update their voter registration  
15                  with a Penndot number or a Social Security  
16                  number.

17                  The ID verification process worked well  
18                  for over 440,000 applications but it appears  
19                  to be putting these couple hundred voters'  
20                  voices in this election in jeopardy. I am  
21                  satisfied that they are legitimate votes given  
22                  all the communication our office has had back  
23                  and forth with them.

24                  I vote that we count all of the

1 ID-verified that returned a proof of  
2 identification form to us or contacted our  
3 office with their identification information  
4 as instructed and are being prevented from  
5 being verified because they have neither a  
6 Penndot number or a Social Security number in  
7 their registration file. Do I have a second.

8 COMMISSIONER SCHMIDT: Yes, second.

9 CHAIRWOMAN DEELEY: All in favor?

10 COMMISSIONER SCHMIDT: Aye.

11 COMMISSIONER SABIR: Aye.

12 CHAIRWOMAN DEELEY: Aye.

13 MR. DIETZ: That concludes my business.  
14 Thank you, Commissioners.

15 THE CHAIRWOMAN: One more thing,  
16 Garrett. On this topic, I would like to vote  
17 to count the ballot of Leslie Greenlee as she  
18 both returned the verification form to us  
19 timely and appeared before us today to  
20 demonstrate that she is a legitimate voter.

21 COMMISSIONER SABIR: I second.

22 THE CHAIRWOMAN: Thank you.

23 COMMISSIONER SCHMIDT: Aye.

24 THE CHAIRWOMAN: Thank you, Ms.

1 Greenlee.

2 MS. GREENLEE: Thank you.

3 THE CHAIRWOMAN: Thank you, Garrett.

4 That concludes today's business. The Return  
5 Board shall now stand in recess until the call  
6 of the chair.

7 \* \* \* \* \*

8 (Whereupon the meeting concluded at 10:22 a.m.)

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C E R T I F I C A T I O N

I hereby certify that the proceedings and evidence noted are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter, and that this is a correct transcript of the same.

Court Reporter-Notary Public

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying reporter.)

Meeting of the Commissioners - Elections  
November 14, 2020

| A                     | B                    |                      |                      |                       |                       |                       |                       |
|-----------------------|----------------------|----------------------|----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| a.m 20:8              | <b>B-O-N-I-N</b>     | 12:3,23              | 8:15,20              | 13:8,20,21            | 7:15,19,22            | 16:11,12              | 15:23                 |
| able 16:18,20         | 7:5                  | 13:3,16              | 9:15,22              | 17:8,17               | 8:2,16 9:10           | <b>division</b> 3:10  | <b>five</b> 10:6      |
| absentee 5:24         | <b>back</b> 18:22    | <b>business</b> 2:10 | 10:4,11,18           | 19:8,10,11            | 10:5,19               | 12:1,11               | <b>fix</b> 16:19      |
| 6:11,21 8:5           | <b>ballot</b> 3:18   | 2:22 19:13           | 10:24 11:8           | 19:21,23              | 11:5,9,22             | <b>documents</b>      | <b>fixes</b> 17:2     |
| 14:15                 | 5:14 6:7,10          | 20:4                 | 11:14,21             | <b>Commissio...</b>   | 12:11,13,21           | 3:14                  | <b>foregoing</b>      |
| <b>absolutely</b>     | 6:11,22              | <b>C</b>             | 12:2,16,20           | 3:23                  | 13:10,23              | <b>driver's</b>       | 21:6,15               |
| 9:13                  | 7:17 11:13           | <b>C 21:1,1</b>      | 13:2,9,15            | <b>Commissio...</b>   | 18:12                 | 14:18 16:4            | <b>form</b> 3:22      |
| <b>accurate</b> 4:22  | 12:24 14:15          | <b>call</b> 2:4 20:5 | 13:22 14:2           | 1:1,6 4:21            | <b>counting</b> 6:15  | 16:14,21              | 14:17 15:17           |
| 5:6                   | 17:1 19:17           | <b>canceled</b> 6:22 | 14:7 15:9            | 5:16,23 7:9           | <b>county</b> 15:21   | <b>due</b> 14:12      | 19:2,18               |
| <b>accurately</b>     | <b>ballots</b> 5:19  | <b>cancelled</b>     | 15:16,22             | 9:2,3 14:1,6          | <b>couple</b> 18:19   | 15:4                  | <b>forms</b> 18:6     |
| 21:5                  | 5:21 6:1,21          | 7:12                 | 16:2,8,16            | 19:14                 | <b>Court</b> 1:20     |                       | <b>forth</b> 18:23    |
| <b>Adam</b> 7:5       | 7:14,18,21           | <b>candidate</b> 6:6 | 17:3,6 18:1          | <b>communica...</b>   | 21:13                 | <b>E</b>              | <b>forward</b> 3:3    |
| 12:7                  | 8:4,5,12,15          | 7:3 8:9,10           | 19:9,12,15           | 18:22                 | <b>D</b>              | <b>E 21:1</b>         | <b>four</b> 9:20      |
| <b>additional</b>     | 8:18,24              | 8:23 10:14           | 19:22,24             | 10:8                  | <b>day</b> 2:9 4:23   | <b>Earlier</b> 5:18   | 14:17                 |
| 17:9                  | 9:10,14,17           | 11:3,17              | 20:3                 | <b>complete</b>       | 5:3                   | <b>effect</b> 16:15   | <b>fourth</b> 8:17    |
| <b>advance</b> 6:22   | 9:19,23              | 12:5 13:5            | <b>challenge</b> 6:4 | 4:3                   | <b>days</b> 5:5,10    | <b>eight</b> 11:23    | <b>FRIENDS</b>        |
| <b>affidavit</b> 8:19 | 10:4,7,15            | 13:18                | 6:7,20 7:1           | <b>compliance</b>     | <b>decorum</b>        | <b>either</b> 16:3    | 1:21                  |
| 9:7 10:8,9            | 10:18,21             | <b>candidates</b>    | 8:7,21               | 4:3                   | 2:24                  | <b>elderly</b> 16:11  | <b>full</b> 3:13 4:21 |
| 10:22                 | 11:4,8,11            | 7:7                  | 10:12 11:1           | 2:11                  | <b>DEELEY</b> 1:7     | <b>election</b> 3:9   | <b>fully</b> 10:8     |
| <b>affidavits</b>     | 11:18,21,24          | <b>canvas</b> 2:11   | 11:15 12:3           | <b>concluded</b>      | 2:4 19:9,12           | 3:17 4:22             | 21:5                  |
| 11:11                 | 12:17,20             | <b>canvassed</b>     | 12:23 13:3           | 20:8                  | <b>deficiencies</b>   | 5:3,7,10,20           | <b>further</b> 15:1   |
| <b>affixing</b>       | 13:6,9,12            | 5:19                 | 13:13,16             | <b>concludes</b>      | 7:12                  | 6:23 15:20            | <b>future</b> 18:14   |
| 16:23                 | 13:19,22             | <b>card</b> 14:19    | <b>challenged</b>    | 19:13 20:4            | <b>definitely</b>     | 18:20                 |                       |
| <b>AL</b> 1:7         | 14:9 18:4            | <b>cast</b> 5:19 6:9 | 13:12                | <b>confirm</b> 15:6   | 17:14,15              | <b>elections</b> 2:8  | <b>G</b>              |
| <b>altered</b> 15:20  | <b>barcode</b> 13:1  | 6:10,21              | <b>challenges</b>    | <b>considerati...</b> | <b>Democratic</b>     | 14:4                  | <b>Garrett</b> 4:3    |
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November 14, 2020

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