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PHILADELPHIA CITY COMMISSIONERS

ELECTIONS MEETING
Friday, May 3, 2024
12:00 p.m.

Job No.: 41899

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ATTENDANCE

- OMAR SABIR, CHAIRMAN
- LISA DEELEY, VICE CHAIR
- VINCENT GOWANS, DEPUTY TO THE CHAIR
- NICHOLAS CUSTODIO, DEPUTY TO VICE-CHAIR
- SETH BLUESTEIN, COMMISSIONER
- ERIC KAPENSTEIN, DEPUTY
- JOSEPH LYNCH, DIRECTOR OF OPERATIONS
- STEPHANIE REID, DIRECTOR OF ADMINISTRATIONS
- ROXANNE HUFF-GROSS, UNIT SUPERVISOR

1 P R O C E E D I N G S

2 (12:00 p.m.)

3 MR. SABIR: Good morning. I call to order
4 meeting of the Philadelphia City Commissioner's Board
5 of Elections for Friday, May 3rd. This meeting is in
6 compliance under the Pennsylvania Sunshine Act. The
7 Philadelphia City Commissioners are a three member
8 bipartisan board of elected officials in charge of
9 elections and voter registration for the County of
10 Philadelphia. Each Commissioner is elected to serve a
11 four year term that coincide with the municipal
12 election cycle for mayor and city council.

13 The Commissioners set and enforced departmental
14 policies to administer voter registration and conduct
15 the elections in accordance with federal state voter
16 registration and election laws. The City
17 Commissioners were created by the Pennsylvania
18 Assembly in 1711 with a focus on taxation and held
19 various regulatory powers throughout the centuries.

20 The Commissioners started maintaining voter lists
21 in 1799 and took on more election related
22 responsibilities, but didn't emerge in its current
23 form until the adaption of Philadelphia's Home Rule
24 Charter, 1951.

25 We will start off with public comments. Before

1 beginning their comments, commenter should state where
2 they live or if they are not a resident of
3 Philadelphia and that they are a Philadelphia
4 taxpayer. Public comment is not an opportunity for
5 dialog or Q and A.

6 It is public comment, a chance for you to tell us
7 what you think. Each speaker will have two minutes to
8 speak, however, I may extend the time at my
9 discretion. Public comment must concern matters on
10 today's meeting agenda.

11 Finally, it is my responsibility to preserve the
12 order and decorum of the meetings as such, profane,
13 slanderous, discriminatory, personal attacks will not
14 be tolerated.

15 If you wish to make a public objection to a
16 perceived Sunshine violation, please raise your hand
17 and I will recognize you. Outbursts will not be
18 tolerated. Anyone wishing to offer public comment,
19 please step forward. Hearing none, we will now move
20 to report from Secretary Bluestein.

21 MR. BLUESTEIN: There were no public comments
22 emailed by 10:45 a.m..

23 MR. SABIR: Thank you, Secretary Bluestein. This
24 completes our old business for today's meeting. We
25 will now move to the next agenda item, provisional

1 ballot sufficiency determinations made by our
2 Supervisor of Election, Roxanne Huff-Gross.

3 Before we proceed, the professional staff has
4 identified an additional category that was not
5 included on the agenda. Therefore, I make the motion
6 to amend the agenda to add provisional ballots that
7 were not signed by the board workers, is there a
8 second?

9 MR. BLUESTEIN: Second.

10 MR. SABIR: Roxanne, could you please provide a
11 report on this category?

12 MS. HUFF-GROSS: Good morning, Commissioners.
13 Yes, we have a total of -- my name is Roxanne Huff-
14 Gross. I am voter registration and election board
15 supervisor and I'm here to serve and to inform you
16 about the status of the proficiency ballots. For an
17 example, is there some --

18 MR. SABIR: Vote for the motion real quick.
19 There was a second, we just want to vote on that
20 motion real quick. Vice Chair, did you have any
21 comments that you wanted to make on that motion?

22 MS. DEELEY: I do not.

23 MR. SABIR: Secretary Bluestein, do you have any
24 comments you want to make on this?

25 MR. BLUESTEIN: I do not.

1 MR. SABIR: Okay. You want to call the roll on
2 this one?

3 MR. BLUESTEIN: Yes. Vice Chair Deeley?

4 MS. DEELEY: I vote aye.

5 MR. BLUESTEIN: I vote aye. Chairman Sabir?

6 MR. SABIR: Aye.

7 MS. HUFF-GROSS: Okay. Is there something I need
8 to do for this?

9 MR. SABIR: No.

10 MS. HUFF-GROSS: Okay. I have 49 in total that
11 are not signed by the Board. Neither the Judge of
12 Election or the Minority Inspector signature.

13 MR. SABIR: Thank you. I motion that this Board
14 accepts provisional ballots where the board workers
15 did not sign the ballots, but the voter completed the
16 ballot correctly. Is there a second?

17 MS. DEELEY: Second.

18 MR. SABIR: Secretary Bluestein, please call the
19 roll.

20 MR. BLUESTEIN: Vice Chair Deeley?

21 MS. DEELEY: I vote aye.

22 MR. BLUESTEIN: I vote aye. Chairman Sabir?

23 MR. SABIR: Aye. So now we're going to move down
24 to the other categories. I motion -- okay. So,
25 Roxanne, you want to do the report for each one of the

1 categories?

2 MS. HUFF-GROSS: Certainly.

3 MR. SABIR: Thank you.

4 MS. HUFF-GROSS: First category is not in the
5 Sure system, we have 68.

6 MR. SABIR: I motion that this Board does not
7 accept the ballots where the voter is not found in
8 Sure. Is there a second?

9 MS. DEELEY: Second.

10 MR. SABIR: Does anyone want to make a comment on
11 this topic?

12 MR. BLUESTEIN: No, Mr. Chairman.

13 MR. SABIR: Okay. Secretary Bluestein, you want
14 to call the roll?

15 MR. BLUESTEIN: Vice Chair Deeley?

16 MS. DEELEY: I vote aye.

17 MR. BLUESTEIN: I vote aye. Chairman Sabir?

18 MR. SABIR: Aye. Roxanne, you want to do the
19 next?

20 MS. HUFF-GROSS: Canceled registrations. There
21 were 35.

22 MR. SABIR: I motion that this board does not
23 accept ballots of voters with a canceled registration.
24 Is there a second?

25 MS. DEELEY: Second.

1 MR. SABIR: Does anyone want to make a comment on
2 this motion?

3 MS. DEELEY: I do not.

4 MR. BLUESTEIN: No, Mr. Chairman.

5 MR. SABIR: Secretary Bluestein, please call the
6 roll.

7 MR. BLUESTEIN: Vice Chair Deeley?

8 MS. DEELEY: I vote aye.

9 MR. BLUESTEIN: I vote aye. Chairman Sabir?

10 MR. SABIR: Aye. Please proceed.

11 MS. HUFF-GROSS: Next category, registered in
12 another county, there were 71.

13 MR. SABIR: I motion that this Board does not
14 accept ballots of individuals who are registered in
15 another county. Is there a second?

16 MS. DEELEY: Second.

17 MR. SABIR: Does anyone have a comment on this
18 motion?

19 MS. DEELEY: I do not.

20 MR. BLUESTEIN: No, Mr. Chairman.

21 MR. SABIR: Secretary Bluestein, please call the
22 roll.

23 MR. BLUESTEIN: Vice Chair Deeley?

24 MS. DEELEY: I vote aye.

25 MR. BLUESTEIN: I vote aye. Chairman Sabir?

1 MR. SABIR: Aye. Please proceed.

2 MS. HUFF-GROSS: Next category, not signed by the
3 voter. There was one.

4 MR. SABIR: I motion that this Board does not
5 accept ballots that have not been signed by the voter.
6 Is there a second?

7 MR. BLUESTEIN: Second.

8 MR. SABIR: Does anyone want to make a comment on
9 this motion?

10 MS. DEELEY: I do not.

11 MR. BLUESTEIN: No, Mr. Chairman.

12 MR. SABIR: Secretary Bluestein? Please call the
13 roll.

14 MR. BLUESTEIN: Vice Chair Deeley?

15 MS. DEELEY: I vote aye.

16 MR. BLUESTEIN: I vote aye. Chairman Sabir?

17 MR. SABIR: So, what now? Aye. You want to
18 proceed?

19 MS. HUFF-GROSS: Next category. Signature
20 doesn't match, there were none.

21 MR. SABIR: Thank you.

22 MS. HUFF-GROSS: Next category. Voted in person,
23 there were seven.

24 MR. SABIR: Okay. I motion that this Board does
25 not accept ballots where it was determined that the

1 voter voted in person. Is there a second?

2 MS. DEELEY: Second.

3 MR. SABIR: Does anyone have any comment on this
4 motion?

5 MS. DEELEY: I do not.

6 MR. BLUESTEIN: No, Mr. Chairman.

7 MR. SABIR: Secretary Bluestein, please call the
8 roll.

9 MR. BLUESTEIN: Vice Chair Deeley?

10 MS. DEELEY: I vote aye.

11 MR. BLUESTEIN: I vote aye. Chairman Sabir?

12 MR. SABIR: Aye. You can proceed.

13 MS. HUFF-GROSS: Next category. No ward division
14 on envelope, none.

15 MR. SABIR: I motion that this Board accept
16 ballots in instances where the provider provided all
17 of the necessary and material information except the
18 ward and division. Is there a second?

19 MS. DEELEY: There is no ballots.

20 MR. SABIR: Okay. So there's no second. There's
21 zero in that category. We'll proceed to the next one.
22 You want to proceed, Roxanne?

23 MS. HUFF-GROSS: Yes. Returned mail in or
24 absentee that was counted. There were 40 mail in and
25 one absentee.

1 MR. SABIR: I motion that this Board does not
2 accept ballots in instances where the voter did not
3 return a mail in or absentee ballot that was counted.
4 Is there a second?

5 MS. DEELEY: Second.

6 MR. SABIR: Does anyone have a comment on this
7 motion?

8 MR. BLUESTEIN: No, Mr. Chairman.

9 MR. SABIR: Okay. Secretary Bluestein, please
10 call the roll.

11 MR. BLUESTEIN: Vice Chair Deeley?

12 MS. DEELEY: I vote aye.

13 MR. BLUESTEIN: I vote aye. Chairman Sabir?

14 MR. SABIR: Aye. You want to proceed?

15 MS. HUFF-GROSS: All right. Ballot not enclosed
16 in secrecy envelope. There were a total of 72.

17 MS. DEELEY: Mr. Chairman, I have a question for
18 Roxanne.

19 MS. HUFF-GROSS: Yes.

20 MR. SABIR: Proceed.

21 MS. DEELEY: Roxanne, were these voters
22 determined to be registered voters?

23 MS. HUFF-GROSS: Yes.

24 MS. DEELEY: These voters signed the affidavit,
25 correct?

1 MS. HUFF-GROSS: Yes.

2 MS. DEELEY: So the only thing wrong with these
3 ballots is that they are missing a secrecy envelope,
4 correct?

5 MS. HUFF-GROSS: They were not in a secrecy
6 envelope, but there was no secrecy envelope within the
7 ballot.

8 MS. DEELEY: Thank you.

9 MR. SABIR: I motion that this Board does not
10 accept ballots that were not enclosed in the secrecy
11 envelope. Is there a second?

12 MS. DEELEY: Mr. Chairman --

13 MR. SABIR: Hold on. Hold on now.

14 MR. BLUESTEIN: Second.

15 MR. SABIR: Okay.

16 MS. DEELEY: Mr. Chairman, may I make a remark on
17 the motion?

18 MR. SABIR: Yes, ma'am. But just, you know, when
19 you talk while I'm talking one on one, it confuses
20 everything. But just, you know, I give every
21 opportunity after we second the motion. So you on
22 nine, is that correct? Is this the same topic?

23 MS. DEELEY: Yes, Mr. Chairman.

24 MR. SABIR: Good.

25 MS. DEELEY: I believe whether or not a ballot is

1 in the secrecy envelope, is not material in
2 determining whether or not such individual is
3 qualified under state law to vote in such election.

4 But unlike the mail ballots where the voters are
5 filling them out on their kitchen table, these voters
6 are doing this process in the polling place. The
7 Judge of Election should be instructing them to place
8 their ballot in a secrecy envelope.

9 So this is a poll worker error that we should not
10 be punishing the voter for. Furthermore, the
11 difference here is the provisional ballots are
12 outlined in the federal law, the Help America Vote
13 Act. And this is a federal election. State law
14 determines someone is eligible to vote. We determine
15 these voters to be registered and that they signed the
16 affidavit and that they have not already voted in
17 another way, then we must count them.

18 PA law has an extra -- has extra hurdles, but
19 putting a ballot in a secrecy envelope has no bearing
20 on whether or not someone is qualified to vote. I
21 believe the PA law is in conflict with the Help
22 America Vote Act. This is not -- this has not been
23 the subject of recent court challenges, and therefore,
24 I believe that these ballots should count.

25 MR. SABIR: Thank you. Secretary Bluestein, did

1 you have a comment you wanted to make?

2 MR. BLUESTEIN: I have none.

3 MR. SABIR: Okay. I'll say the motion again. I
4 motion that this Board does not accept the ballots
5 that were not included -- can you call the roll?

6 MR. BLUESTEIN: Yes, sir. Vice Chair Deeley?

7 MS. DEELEY: Nay.

8 MR. BLUESTEIN: I vote aye. Chairman Sabir?

9 MR. SABIR: Aye. Okay. Thank you, Roxanne, for
10 all the hard work that you and your staff do at each
11 election. And it's always a pleasure to see you.
12 It's a pleasure to see you here. It's my first time
13 seeing you here, you know, in this capacity. Thank
14 you for all the work that you do in DSG and all across
15 our department. The service is greatly appreciated.

16 MS. HUFF-GROSS: Thank you for allowing me the
17 opportunity to serve.

18 MR. SABIR: Thank you. We'll now move to the
19 other portion of our agenda. Vice Chair Deeley, do
20 you have any other business to be raised at this
21 meeting?

22 MS. DEELEY: I do not.

23 MR. SABIR: Secretary Bluestein, do you have any
24 business to be raised at this meeting?

25 MR. BLUESTEIN: I have none.

1 MR. SABIR: Thank you, Commissioners. There are
2 no more agenda items.

3 (The meeting was adjourned.)

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CERTIFICATE OF TRANSCRIPTIONIST

I, MICHELE NIEHAUS, Legal Transcriptionist, do hereby certify:

That the foregoing is a complete and true transcription of the original digital audio recording of the testimony and proceedings captured in the above-entitled matter. As the transcriptionist, I have reviewed and transcribed the entirety of the original digital audio recording of the proceeding to ensure a verbatim record to the best of my ability.

I further certify that I am neither attorney for nor a relative or employee of any of the parties to the action; further, that I am not a relative or employee of any attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this matter.

IN WITNESS THEREOF, I have hereunto set my hand this 7th day of May, 2024.



Michele Niehaus

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