

5/19/2023

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

# Elections Meeting

DATE: May 19, 2023  
TIME: 9 a.m.-9:30 a.m.  
LOCATION: City Commissioners' Office,  
11311 Roosevelt Blvd  
Philadelphia, PA 19154.  
JOB No.: 31797

5/19/2023

1 A P P E A R A N C E S

2

3 Judge James Crumlish

4

5 Judge Vincent Furlong

6

7 Public commenter: Rich Garella

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

5/19/2023

1 JUDGE CRUMLISH: Good morning,  
2 everyone. I'm Judge James Crumlish and with  
3 me today is with Judge Furlong, along with  
4 staff city commissioners' office and we're  
5 going to now bring to order our meeting, which  
6 is for the return board of the City and County  
7 of Philadelphia in order to commence the  
8 canvas and computation for the primary and  
9 special election for Tuesday, May 16, 2023.

10 As chair, I will preserve the order and  
11 decorum of these meetings and the orderly  
12 process of this public meeting and everyone in  
13 attendance should be on notice that any  
14 interruption or disruption of the meeting  
15 won't be tolerated. I also ask all to conduct  
16 themselves with civility and decorum and the  
17 Sunshine Act does permit anyone attending a  
18 public meeting to object to a perceived  
19 violation at any time during the meeting. If  
20 you chose to do so, please succinctly state  
21 your objection and I remind all that an  
22 objection is not an opportunity for  
23 litigation, interrogation or speech making.

24 Do we have any public comment?

25 MR. GARELLA: Your Honor, I have

5/19/2023

1 a Sunshine Act objection.

2 JUDGE CRUMLISH: You may come to  
3 the microphone, identify yourself and assert  
4 your objection.

5 MR. GARELLA: Yes. My name is  
6 --

7 JUDGE CRUMLISH: You may  
8 proceed, sir.

9 MR. GARELLA: Yes. My name is  
10 Rich Garella representing Protect Our Vote  
11 Philly. The Pennsylvania Sunshine Act at  
12 Section 709A requires notification of the  
13 public 24 hours in advance of any special  
14 meeting, which is a meeting scheduled by an  
15 agency after the agency's regularly scheduled  
16 meetings has been established, such as this  
17 one. However, the notification was not posted  
18 until about 4:30 p.m. yesterday, only some 16  
19 to 17 hours in advance, replacing a previous  
20 posting that had listed the meeting at 12  
21 noon, so members of the public, who saw that,  
22 would not know to be here and would not know  
23 to check for a change because it was within 24  
24 hours. Therefore, this is not a legally held  
25 open meeting under the Sunshine Act and any

5/19/2023

1 official actions will be taken in violation of  
2 the Sunshine Act, which at Section 704 states  
3 that official actions and deliberations by a  
4 quorum of the members of an agency shall take  
5 place at a meeting open to the public unless  
6 closed under certain couple of exceptions that  
7 don't apply here.

8 JUDGE CRUMLISH: Thank you, sir.  
9 So I'll now move to any e-mailed comments that  
10 may have been received by the city  
11 commissioners' office.

12 MR. GARELLA: I have a public  
13 comment.

14 JUDGE CRUMLISH: Okay. Why  
15 don't you just for efficiency sake continue  
16 your address.

17 MR. GARELLA: According to  
18 Pennsylvania -- again, my name is rich  
19 Garella. I'm a resident of Philadelphia.

20 According to Pennsylvania election code  
21 Section 1403, clerks and others who assist in  
22 the computation and canvassing of the votes  
23 must first be sworn in, but since this meeting  
24 does not meet Sunshine Act requirements for an  
25 open meeting, any or all business conducted

5/19/2023

1 here, including the swearing in, may be  
2 determined invalid under Section 703. The  
3 failure to properly notify the public of open  
4 meetings repeating an error made just two days  
5 ago, typifies this office's attitude towards  
6 both the public and the law. The  
7 commissioners and their deputies have  
8 established a year's long pattern of  
9 illegalities that the board has now  
10 constituted is unfortunately following. These  
11 have included failure to keep minutes, illegal  
12 hiring practices, illegal executive sessions  
13 failure to properly notice open meetings as we  
14 see here today and more. I believe we all  
15 share the goal of having elections  
16 administered professionally, fairly and  
17 transparently and conducted in accordance with  
18 the laws of the common law. We want the  
19 public to be confident in the results, but to  
20 see our election administration ignoring or  
21 violating the law undermines that confidence.  
22 After all, if it so cavalierly disregards one  
23 law, a law that provides transparency and  
24 accountability, what other laws might it be  
25 disregarding? Following the law is not a

5/19/2023

1 matter of convenience. Democracy cannot exist  
2 outside the rule of law. This board has the  
3 duty and the responsibility to correct these  
4 illegalities and also has the opportunity.  
5 It's as simple as following the law. Thank  
6 you.

7 JUDGE CRUMLISH: We'll now move  
8 to e-mail public comment. Judge Furlong.

9 JUDGE FURLONG: Thank you, Mr.  
10 Chairman. All comments that were e-mailed  
11 before the meeting were shared with the board  
12 and the deputies have been provided in the  
13 meeting member of the board (inaudible)  
14 available at the public for comment. Received  
15 one comment (inaudible) elections board  
16 (inaudible.)

17 JUDGE CRUMLISH: And without  
18 objection, I agree and I have read the  
19 e-mailed comment and it will be marked and  
20 moved into the public record of this meeting.

21 So now under new business, we are going  
22 to proceed to the performance of the oath for  
23 the canvas of elections and the preceding  
24 primary and special elections, so will the  
25 canvassers please stand?

5/19/2023

1           Do you and each of you solemnly swear  
2 that you will perform your duties in assisting  
3 in the precanvas and canvas of votes cast in  
4 the primary special election held on Tuesday,  
5 May 16, 2023 in the City and County of  
6 Philadelphia and do you so swear that you will  
7 perform your duties impartially and that you  
8 should not read, write, count or certify any  
9 return votes falsely or fraudulently, so help  
10 you God?

11                   CANVASSERS: I do.

12                   JUDGE CRUMLISH: Thank you and  
13 we appreciate your service to your community  
14 and the conduct of the canvas of this  
15 election. Thank you again.

16                   (Recess.)

17                   JUDGE CRUMLISH: Good morning  
18 and thank you for being with us here today.  
19 I'd ask you all to please rise so I may  
20 administer the oath.

21           Do you and each of you, solemnly swear  
22 that you will perform your duties in assisting  
23 the canvas of the votes cast in the primary  
24 and special election held on Tuesday, May 16,  
25 2023, in the City and County of Philadelphia



5/19/2023

1 and do you swear that you will perform your  
2 duties impartially and that you shall not  
3 read, write, count or certify any return votes  
4 falsely or fraudulently, so help you God

5 CANVASSERS: I do.

6 JUDGE CRUMLISH: Thank you and  
7 you may proceed and we appreciate your hard  
8 work on behalf of your community and your  
9 neighbors thank you very much.

10 (Recess.)

11 JUDGE CRUMLISH: Good morning,  
12 everyone. We can only run as slow as our  
13 fastest man or something like that.

14 Good morning, everyone. Thank you so  
15 much for being of service to your community  
16 and your neighbors and the conduct of the  
17 canvas of this election vote, so if you'll  
18 please rise, I will now administer the oath.

19 Do you and each of you solemnly swear  
20 that you will perform your duties in assisting  
21 the canvas of the votes cast in the primary  
22 and special election held on Tuesday, May 16,  
23 2023 in the City and County of Philadelphia  
24 and do you swear that you will perform your  
25 duties impartially and that you shall not

5/19/2023

1 read, write, count or certify any return votes  
2 falsely or fraudulently, so help you God

3 CANVASSERS: I do.

4 JUDGE CRUMLISH: Thank you very  
5 much, ladies and gentlemen.

6 (Recess.)

7 JUDGE CRUMLISH: Good morning.  
8 You all can be seated for the moment. Let  
9 everyone get in.

10 So good morning, everyone. And first  
11 of all, I'd like to thank you all for the  
12 service you perform on behalf of your  
13 community and your neighbors and this  
14 important role in the canvas of the votes for  
15 this last election, so with that I am now  
16 going to administer the oath.

17 Do you swear that you will perform your  
18 duties in assisting the canvas of the votes  
19 cast in the primary and special election held  
20 on Tuesday, May 16, 2023 in the City and  
21 County of Philadelphia and do you swear that  
22 you will perform your duties impartially and  
23 that you shall not read, write, count or  
24 certify any return votes falsely or  
25 fraudulently, so help you God

5/19/2023

1 CANVASSERS: I do.

2 JUDGE CRUMLISH: Thank you very  
3 much.

4 (This concludes the video file.)

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

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.

*Cynthia Bauerle*

\_\_\_\_\_  
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.)

5/19/2023

<u>WORD</u> <u>INDEX</u>					
< 1 >	ago 6:5	civility 3:16	deliberations 5:3	Furlong 2:5	9, 17 8:12, 17
11311 1:8	agree 7:18	clerks 5:21	Democracy 7:1	3:3 7:8, 9	9:6, 11 10:4, 7
12 4:20	apply 5:7	closed 5:6	deputies 6:7	further 12:10	11:2
1403 5:21	appreciate 8:13 9:7	code 5:20	7:12	< G >	< K >
16 3:9 4:18	assert 4:3	come 4:2	determined 6:2	Garella 2:7	keep 6:11
8:5, 24 9:22	assist 5:21	commence 3:7	digital 12:3	3:25 4:5, 9, 10	know 4:22
10:20	assisting 8:2, 22 9:20 10:18	comment 3:24	disregarding 6:25	5:12, 17, 19	knowledge 12:7
17 4:19	attendance 3:13	commenter 2:7	disregards 6:22	gentlemen 10:5	
19 1:5	attending 3:17	comments 5:9	disruption 3:14	goal 6:15	< L >
19154 1:9	attitude 6:5	Commissioners 1:7 3:4 5:11 6:7	duties 8:2, 7, 22 9:2, 20, 25 10:18, 22	God 8:10 9:4 10:2, 25	ladies 10:5
< 2 >	attorney 12:12	common 6:18	duty 7:3	going 3:5	law 6:6, 18, 21, 23, 25 7:2, 5
2023 1:5 3:9	audio 12:4	community 8:13 9:8, 15 10:13	< E >	7:21 10:16	laws 6:18, 24
8:5, 25 9:23	available 7:14	computation 3:8 5:22	efficiency 5:15	Good 3:1	legally 4:24
10:20	< B >	concludes 11:4	election 3:9	8:17 9:11, 14 10:7, 10	listed 4:20
24 4:13, 23	BAUERLE 12:2, 19	conduct 3:15	5:20 6:20 8:4, 15, 24 9:17, 22 10:15, 19	< H >	litigation 3:23
< 3 >	behalf 9:8	conducted 5:25 6:17	Elections 1:1	hard 9:7	LOCATION 1:7
31797 1:10	10:12	confidence 6:21	6:15 7:15, 23, 24	held 4:24 8:4, 24 9:22 10:19	long 6:8
< 4 >	believe 6:14	confident 6:19	7:10, 19	help 8:9 9:4 10:2, 25	< M >
4:30 4:18	best 12:6	constituted 6:10	e-mail 7:8	hereto 12:12	making 3:23
< 7 >	Blvd 1:8	continue 5:15	e-mailed 5:9	hiring 6:12	man 9:13
703 6:2	board 3:6 6:9 7:2, 11, 13, 15	convenience 7:1	7:10, 19	Honor 3:25	marked 7:19
704 5:2	bring 3:5	correct 7:3	employed 12:8, 12	hours 4:13, 19, 24	matter 7:1
709A 4:12	business 5:25 7:21	counsel 12:8, 11	employee 12:11	< I >	meet 5:24
< 9 >	< C >	count 8:8 9:3 10:1, 23	error 6:4	identify 4:3	Meeting 1:1
9 1:6	canvas 3:8	County 3:6	established 4:16 6:8	ignoring 6:20	3:5, 12, 14, 18, 19 4:14, 20, 25
< A >	7:23 8:3, 14, 23 9:17, 21 10:14, 18	8:5, 25 9:23 10:21	exceptions 5:6	illegal 6:11, 12	5:5, 23, 25
a.m 1:6	canvassers 7:25 8:11 9:5 10:3 11:1	Crumlish 2:3	executive 6:12	illegalities 6:9 7:4	7:11, 13, 20
a.m.-9:30 1:6	canvassing 5:22	3:1, 2 4:2, 7	exist 7:1	impartially 8:7 9:2, 25 10:22	meetings 3:11
ability 12:7	cast 8:3, 23 9:21 10:19	5:8, 14 7:7, 17	< F >	important 10:14	4:16 6:4, 13
accountability 6:24	cavalierly 6:22	8:12, 17 9:6, 11 10:4, 7 11:2	failure 6:3, 11, 13	inaudible 7:13, 15, 16	member 7:13
accurate 12:5	certain 5:6	8:12, 17 9:6, 11 10:4, 7 11:2	fairly 6:16	included 6:11	members 4:21
Act 3:17 4:1, 11, 25 5:2, 24	CERTIFICAT E 12:1	CSR 12:19	falsely 8:9 9:4 10:2, 24	including 6:1	5:4
action 12:9, 14	certify 8:8 9:3 10:1, 24 12:2	CYNTHIA 12:2, 19	fastest 9:13	interested 12:13	microphone 4:3
actions 5:1, 3	chair 3:10	< D >	file 11:4	interrogation 3:23	minutes 6:11
address 5:16	Chairman 7:10	DATE 1:5	financially 12:13	interruption 3:14	moment 10:8
administer 8:20 9:18 10:16	change 4:23	days 6:4	first 5:23 10:10	invalid 6:2	morning 3:1
administered 6:16	check 4:23	decorum 3:11, 16	following 6:10, 25 7:5	< J >	8:17 9:11, 14 10:7, 10
administration 6:20	chose 3:20	< D >	foregoing 12:4	James 2:3 3:2	move 5:9 7:7
advance 4:13, 19	City 1:7 3:4, 6 5:10 8:5, 25 9:23 10:20	DATE 1:5	fraudulently 8:9 9:4 10:2, 25	JOB 1:10	moved 7:20
agency 4:15		days 6:4		Judge 2:3, 5	< N >
agency's 4:15		decorum 3:11, 16		3:1, 2, 3 4:2, 7 5:8, 14 7:7, 8,	name 4:5, 9 5:18

5/19/2023

<b>notification</b> 4:12, 17	<b>primary</b> 3:8 7:24 8:4, 23 9:21 10:19	<b>Roosevelt</b> 1:8	<b>transparently</b> 6:17, 23
<b>notify</b> 6:3	<b>proceed</b> 4:8 7:22 9:7	<b>rule</b> 7:2	<b>true</b> 12:5
< O >	<b>proceeding</b> 12:4	<b>run</b> 9:12	<b>Tuesday</b> 3:9 8:4, 24 9:22 10:20
<b>oath</b> 7:22 8:20 9:18 10:16	<b>proceedings</b> 12:6	< S >	<b>two</b> 6:4
<b>object</b> 3:18	<b>process</b> 3:12	<b>sake</b> 5:15	<b>typifies</b> 6:5
<b>objection</b> 3:21, 22 4:1, 4 7:18	<b>professionally</b> 6:16	<b>saw</b> 4:21	< U >
<b>Office</b> 1:7 3:4 5:11	<b>properly</b> 6:3, 13	<b>scheduled</b> 4:14, 15	<b>undermines</b> 6:21
<b>office's</b> 6:5	<b>Protect</b> 4:10	<b>seated</b> 10:8	<b>unfortunately</b> 6:10
<b>official</b> 5:1, 3	<b>provided</b> 7:12	<b>Section</b> 4:12 5:2, 21 6:2	< V >
<b>Okay</b> 5:14	<b>provides</b> 6:23	<b>see</b> 6:14, 20	<b>video</b> 11:4
<b>open</b> 4:25 5:5, 25 6:3, 13	<b>Public</b> 2:7 3:12, 18, 24 4:13, 21 5:5, 12 6:3, 6, 19 7:8, 14, 20	<b>service</b> 8:13 9:15 10:12	<b>Vincent</b> 2:5
<b>opportunity</b> 3:22 7:4	< Q >	<b>sessions</b> 6:12	<b>violating</b> 6:21
<b>order</b> 3:5, 7, 10	<b>quorum</b> 5:4	<b>share</b> 6:15	<b>violation</b> 3:19 5:1
<b>orderly</b> 3:11	< R >	<b>shared</b> 7:11	<b>Vote</b> 4:10 9:17
<b>outcome</b> 12:14	<b>read</b> 7:18 8:8 9:3 10:1, 23	<b>simple</b> 7:5	<b>votes</b> 5:22 8:3, 9, 23 9:3, 21 10:1, 14, 18, 24
<b>outside</b> 7:2	<b>received</b> 5:10 7:14	<b>sir</b> 4:8 5:8	< W >
< P >	<b>Recess</b> 8:16 9:10 10:6	<b>skills</b> 12:7	<b>want</b> 6:18
<b>p.m</b> 4:18	<b>record</b> 7:20 12:6	<b>slow</b> 9:12	<b>we're</b> 3:4
<b>PA</b> 1:9	<b>recording</b> 12:4	<b>solemnly</b> 8:1, 21 9:19	<b>work</b> 9:8
<b>parties</b> 12:9, 12	<b>regularly</b> 4:15	<b>special</b> 3:9 4:13 7:24 8:4, 24 9:22 10:19	<b>write</b> 8:8 9:3 10:1, 23
<b>pattern</b> 6:8	<b>related</b> 12:8	<b>speech</b> 3:23	< Y >
<b>Pennsylvania</b> 4:11 5:18, 20	<b>relative</b> 12:11	<b>staff</b> 3:4	<b>year's</b> 6:8
<b>perceived</b> 3:18	<b>remind</b> 3:21	<b>stand</b> 7:25	<b>yesterday</b> 4:18
<b>perform</b> 8:2, 7, 22 9:1, 20, 24 10:12, 17, 22	<b>repeating</b> 6:4	<b>state</b> 3:20	
<b>performance</b> 7:22	<b>replacing</b> 4:19	<b>states</b> 5:2	
<b>permit</b> 3:17	<b>representing</b> 4:10	<b>successfully</b> 3:20	
<b>Philadelphia</b> 1:9 3:7 5:19 8:6, 25 9:23 10:21	<b>requirements</b> 5:24	<b>Sunshine</b> 3:17 4:1, 11, 25 5:2, 24	
<b>Philly</b> 4:11	<b>requires</b> 4:12	<b>swear</b> 8:1, 6, 21 9:1, 19, 24 10:17, 21	
<b>place</b> 5:5	<b>resident</b> 5:19	<b>swearing</b> 6:1	
<b>please</b> 3:20 7:25 8:19 9:18	<b>responsibility</b> 7:3	<b>sworn</b> 5:23	
<b>posted</b> 4:17	<b>results</b> 6:19	< T >	
<b>posting</b> 4:20	<b>return</b> 3:6 8:9 9:3 10:1, 24	<b>take</b> 5:4	
<b>practices</b> 6:12	<b>Rich</b> 2:7 4:10 5:18	<b>taken</b> 5:1 12:10	
<b>precanvas</b> 8:3	<b>rise</b> 8:19 9:18	<b>Thank</b> 5:8 7:5, 9 8:12, 15, 18 9:6, 9, 14 10:4, 11 11:2	
<b>preceding</b> 7:23	<b>role</b> 10:14	<b>TIME</b> 1:6 3:19	
<b>prepared</b> 12:3		<b>today</b> 3:3 6:14 8:18	
<b>preserve</b> 3:10		<b>tolerated</b> 3:15	
<b>previous</b> 4:19		<b>TRANSCRIBE</b>	
		<b>R</b> 12:1	
		<b>transcript</b> 12:3, 5	