

PHILADELPHIA CITY COMMISSIONERS

SUNSHINE MEETING

Wednesday, May 28, 2025

11:00 a.m.

Job No.: 964617

1 ATTENDANCE

2 OMAR SABIR, CHAIRMAN

3 KHALIF CHESTNUT, CHIEF DEPUTY

4 LISA DEELEY, VICE CHAIR

5 NICK CUSTODIO, DEPUTY TO THE VICE-CHAIR

6 SETH BLUESTEIN, COMMISSIONER

7 ERIC KAPENSTEIN, DEPUTY

8 KEVIN RICHARDSON, VOTER REGISTRATION ADMINISTRATOR

9 DANA ECKROADE, DEPUTY DIRECTOR

10 JOSEPH LYNCH, DIRECTOR OF OPERATIONS

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

2 (11:00 a.m.)

3 CHAIRMAN SABIR: Good morning. I call to order
4 the meeting of the Philadelphia City Commissioner's
5 Return board for Wednesday, May 28th, 2025. This
6 meeting is in compliance with the Pennsylvania
7 Sunshine Act. The Philadelphia City Commissioners, a
8 three-member bipartisan board of elected officials in
9 charge of elections and voter registration for the
10 city of Philadelphia.

11 Each Commissioner is elected to serve a
12 four-year term that coincides with the municipal
13 election cycle for mayor and city council. The
14 Commissioner set and enforce departmental policies to
15 administer voter registration and conduct elections in
16 accordance with federal and state voter registration
17 and election laws.

18 The City Commissioners were created by the
19 Pennsylvania assembly in 1711 with a focus on taxation
20 and held various regulatory powers throughout the
21 century. The Commissioner started maintaining voter
22 lists in 1799 and took on more election-related
23 responsibilities, but didn't emerge into its current
24 form until the adoption of Philadelphia's Home Rule
25 Charter in 1951.

1 We will start off with public comments.
2 Before beginning their comments, commenters shall
3 state where they live or if they are not a resident of
4 Philadelphia, that they are a Philadelphia taxpayer.
5 Public comment is not an opportunity for dialogue or Q
6 and A. It is public comment, a chance for you to tell
7 us what you think.

8 Each speaker will have two minutes to speak.
9 However, I may extend the time at my discretion.
10 Public comment must concern matters on today's meeting
11 agenda. Finally, it is my responsibility to preserve
12 the order and decorum of the meetings as such,
13 profane, slanderous, discriminatory, or personal
14 attacks will not be tolerated.

15 If you wish to make a public objection to a
16 perceived Sunshine Act violation, please raise your
17 hand 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 our secretary for email public
21 comments. Secretary Bluestein, are there any email
22 public comments?

23 MR. BLUESTEIN: As of 9:45 a.m., there were no
24 email public comments.

25 CHAIRMAN SABIR: Thank you. We will now proceed

1 to old business. First, we have a report from our
2 director of operation, Mr. Joseph Lynch. Good
3 morning, Joe.

4 MR. LYNCH: Morning commissioners.

5 CHAIRMAN SABIR: Good morning.

6 MR. LYNCH: Not much to report from last week.
7 Like I said, after the election last week everything
8 went great. We're way ahead of the game. All we're
9 doing is clean up now. We're working on surrenders
10 and then next week we'll do the two percent audit and
11 should be able to certify not long after that.
12 Everything went well.

13 I wanted to thank the commissioners for your
14 support and especially our civil service staff for
15 what they did throughout the year or throughout this
16 cycle. And we're looking forward to getting on board
17 with the November election. That's all I have. Thank
18 you.

19 CHAIRMAN SABIR: Thank you, Joe. Vice Chair
20 Deeley, did you have any questions or comments?

21 MS. DEELEY: I have none. Thank you.

22 CHAIRMAN SABIR: Secretary?

23 MR. BLUESTEIN: I have none. Thank you.

24 CHAIRMAN SABIR: Thank you, Joe. Really
25 appreciate your service and appreciate the new

1 rollouts that were implemented in this election.

2 Thank you. This completes our old business for
3 today's meeting. We will now proceed to new business.
4 We'll begin by considering the first agenda item on
5 the new business, Mail Ballot Sufficiency
6 Determinations. We will call up our deputy executive
7 of compliance of vote by mail. Dana, welcome.

8 MS. ECKROADE: (indiscernible)

9 CHAIRMAN SABIR: Good morning. Can you please
10 read the first category and number of votes, please?

11 MS. ECKROADE: No date. We have 185 ballots.

12 CHAIRMAN SABIR: I move that this board count.
13 Is there a second?

14 MR. BLUESTEIN: Second.

15 MS. DEELEY: Mr. Chairman, remarks on the motion,
16 please?

17 CHAIRMAN SABIR: Yes, you may.

18 MS. DEELEY: Last year, a majority of this board
19 voted to not count undated and misstated ballots in
20 two special elections for the State House. I voted to
21 count them based on the Commonwealth Court's majority
22 opinion in Black Political Empowerment Project v.
23 Schmidt. In that case, the Commonwealth Court's order
24 was eventually vacated on technical grounds and the
25 Pennsylvania Supreme Court did not rule on the merits

1 of the constitutional argument.

2 This board's majority vote was reversed by
3 the Philadelphia Court of Common Pleas on appeal in
4 the Baxter case. That ruling was affirmed by the
5 Commonwealth Court on the basis that not counting
6 those ballots violates the free and equal elections
7 clause of the Pennsylvania Constitution. That order
8 has been stayed and is currently on appeal to the
9 Pennsylvania Supreme Court.

10 But without a ruling from the Supreme Court
11 saying otherwise and the facts being the same, and the
12 common pleas decision has not been stayed, we are the
13 only county of the 67 that has received instructions
14 from our Court of Common Pleas to count these ballots.

15 In addition, at the end of March of this
16 year, a district court judge in Western Pennsylvania
17 issued a decision in Eakin v. Adams County Board of
18 Elections stating that, "The enforcement of the day
19 provision does not pass constitutional muster." And
20 ordering county boards of election to stop rejecting
21 mail ballots due to incorrect or missing handwritten
22 dates. That decision has also been appealed and no
23 stay motions have been granted.

24 Therefore, we are bound to count these
25 ballots. Please note that these remarks should apply

1 to all date questions on today's agenda. And I vote
2 aye.

3 CHAIRMAN SABIR: Secretary, please call a roll.

4 MR. BLUESTEIN: Vice Chair Deeley?

5 CHAIRMAN SABIR: I'm sorry. Did you have a
6 statement you want to make?

7 MR. BLUESTEIN: I do not. Thank you, sir.

8 CHAIRMAN SABIR: Okay, okay.

9 MR. BLUESTEIN: Vice Chair Deeley?

10 MS. DEELEY: I vote aye.

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

12 CHAIRMAN SABIR: Aye. Please proceed.

13 MS. ECKROADE: Incorrectly dated. We have 215
14 ballots.

15 CHAIRMAN SABIR: I move that this board counts
16 ballots with this category. Is there a second?

17 MS. DEELEY: Second.

18 MR. BLUESTEIN: Second.

19 CHAIRMAN SABIR: Does anyone have any statements?

20 MS. DEELEY: None.

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

23 MR. BLUESTEIN: Vice Chair Deeley?

24 MS. DEELEY: I vote aye.

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

1 CHAIRMAN SABIR: Aye. Please proceed.

2 MS. ECKROADE: Correctly dated declaration and
3 signed front.

4 CHAIRMAN SABIR: I move that this board counts
5 ballots with this category. Is there a second?

6 MS. DEELEY: Second.

7 CHAIRMAN SABIR: Any statements?

8 MS. DEELEY: I have none.

9 MR. BLUESTEIN: No.

10 CHAIRMAN SABIR: Secretary Bluestein, please call
11 the roll.

12 MR. BLUESTEIN: Vice Chair Deeley?

13 MS. DEELEY: I vote aye.

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

15 CHAIRMAN SABIR: Aye. Please proceed.

16 MS. ECKROADE: No date, signed front. 17
17 ballots.

18 CHAIRMAN SABIR: I move that this board counts
19 ballots in this category. Is there a second?

20 MS. DEELEY: Second.

21 CHAIRMAN SABIR: Any comments?

22 MS. DEELEY: No comment.

23 MR. BLUESTEIN: No.

24 CHAIRMAN SABIR: Secretary Bluestein, please call
25 the roll.

1 MR. BLUESTEIN: Vice Chair Deeley?
2 MS. DEELEY: I vote aye.
3 MR. BLUESTEIN: I vote aye. Chairman Sabir?
4 CHAIRMAN SABIR: Aye. Please proceed.
5 MS. ECKROADE: No signature. 334 ballots.
6 CHAIRMAN SABIR: I move that this board does not
7 count ballots in this category. Is there a second?
8 MS. DEELEY: Second.
9 CHAIRMAN SABIR: Any comments?
10 MS. DEELEY: No comment.
11 MR. BLUESTEIN: No comment.
12 CHAIRMAN SABIR: Secretary, please call the roll.
13 MR. BLUESTEIN: Vice Chair Deeley?
14 MS. DEELEY: I vote aye.
15 MR. BLUESTEIN: I vote aye. Chairman Sabir?
16 CHAIRMAN SABIR: Aye. Please proceed.
17 MS. ECKROADE: Not enclosed in secrecy envelope.
18 163 ballots.
19 CHAIRMAN SABIR: I move that this board does not
20 count those ballots in this category. Is there a
21 second?
22 MR. BLUESTEIN: Second.
23 CHAIRMAN SABIR: Anyone have any comments?
24 MS. DEELEY: Yes, Mr. Chairman. Remarks, please.
25 CHAIRMAN SABIR: Yes, you may.

1 MS. DEELEY: The cases that I cited for the
2 missing date categories do not deal with the so called
3 naked ballots. I believe the arguments which I read
4 for the previous categories apply here also. The
5 secrecy envelope does not determine the timeliness of
6 when a ballot is received. The secrecy envelope does
7 not determine if a voter is eligible to vote.

8 Finally, when absentee ballots used to be
9 counted in polling places and there was only a handful
10 of them, they served to prevent fraud. But that is no
11 longer the case in a Post Act 77 world with the
12 central mechanized counting of all ballots. So there
13 is no longer a compelling government interest to not
14 count these ballots. Thank you.

15 CHAIRMAN SABIR: Thank you. Please call the
16 roll.

17 MR. BLUESTEIN: Vice Chair Deeley?

18 MS. DEELEY: I vote no.

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

20 CHAIRMAN SABIR: Aye. Please proceed.

21 MS. ECKROADE: ID verification. No Social
22 Security or driver's license on SURE file. We have
23 one.

24 CHAIRMAN SABIR: I move that this board counts
25 ballots in this category. Is there a second?

1 MS. DEELEY: Second.

2 CHAIRMAN SABIR: Anyone have any comments?

3 MS. DEELEY: Yes, Mr. Chairman.

4 CHAIRMAN SABIR: Please proceed.

5 MS. DEELEY: I actually have a question for Dana
6 on this category. Dana, these voters received our ID
7 verification letters and they responded by filling out
8 the form that we sent them or contacting us but -- or
9 contacted us in another way, correct?

10 MS. ECKROADE: Correct.

11 MS. DEELEY: So these voters, it would be
12 impossible to verify using the form. They would have
13 to send us a copy of their photo ID?

14 MS. ECKROADE: Not necessarily. We do have
15 people that do pass the HAVA check that send back the
16 identification letter. We would need verifiable
17 identification from the voter.

18 MS. DEELEY: Thank you.

19 MR. BLUESTEIN: Mr. Chairman. I have a question
20 for Dana.

21 CHAIRMAN SABIR: Please proceed.

22 MR. BLUESTEIN: Thank you. Dana, is the voter in
23 question at least 65 years or older?

24 MS. ECKROADE: No.

25 MR. BLUESTEIN: Okay, thank you.

1 CHAIRMAN SABIR: Okay. Secretary, please call to
2 roll.

3 MR. BLUESTEIN: Vice Chair Deeley?

4 MS. DEELEY: I vote aye.

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

6 CHAIRMAN SABIR: Aye. Please proceed.

7 MS. ECKROADE: ID verification, no response.
8 285.

9 CHAIRMAN SABIR: I move that this board does not
10 count ballots in this category. Is there a second?

11 MR. BLUESTEIN: Second.

12 CHAIRMAN SABIR: Does anyone have any comments?

13 MR. BLUESTEIN: I don't.

14 CHAIRMAN SABIR: Secretary, please call the roll.

15 MR. BLUESTEIN: Vice Chair Deeley?

16 MS. DEELEY: Nay. Oh, I'm sorry. I vote -- I
17 vote aye. I was ahead of you.

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

19 CHAIRMAN SABIR: Aye. Thank you, Dana. Is these
20 all the categories?

21 MS. ECKROADE: Yes.

22 CHAIRMAN SABIR: Thank you. I appreciate. We
23 wrapped that up pretty good. Thank you. I
24 appreciate.

25 MS. ECKROADE: You're welcome.

1 CHAIRMAN SABIR: We will now move to our second
2 item of new business on our agenda. Provisional
3 Ballot Sufficiency Determinations. These categories
4 will be presented by our voter registration
5 administrator, Kevin Richardson. Good morning.

6 MR. RICHARDSON: Good morning, commissioners.

7 MR. BLUESTEIN: Good morning.

8 MS. DEELEY: Morning.

9 MR. RICHARDSON: Up here a little bit early this
10 time.

11 CHAIRMAN SABIR: Thank you. I appreciate the
12 hard work. Can you please read of the first category
13 and number of votes?

14 MR. RICHARDSON: Sure. The first category is
15 missing board worker signature. We have a total of
16 119.

17 CHAIRMAN SABIR: Okay. I move that this board
18 counts ballots in this provisional ballots in this
19 category. Is there a second?

20 MS. DEELEY: Second.

21 CHAIRMAN SABIR: Does anyone have any comments?

22 MS. DEELEY: Yes, Mr. Chairman.

23 CHAIRMAN SABIR: Thank you. Secretary, please
24 call the roll.

25 MR. BLUESTEIN: Vice Chair Deeley?

1 MS. DEELEY: I vote aye.

2 (Audio starts breaking up from this point.)

3 CHAIRMAN SABIR: Three. I move that this board
4 does not count -- call the roll.

5 MR. BLUESTEIN: Vice Chair Deeley?

6 MS. DEELEY: Aye.

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

8 CHAIRMAN SABIR: Aye. I move that this board
9 does not count provisional ballots --

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

11 CHAIRMAN SABIR: Aye. Please proceed. -- that
12 this board does not count provisional ballots in this
13 category. Is there a second?

14 MR. BLUESTEIN: Chairman Sabir?

15 CHAIRMAN SABIR: Aye. Please proceed.

16 MR. RICHARDSON: The next category is where the
17 voter's registration was canceled.

18 CHAIRMAN SABIR: Does anyone have any comment?

19 MS. DEELEY: No comment.

20 MR. RICHARDSON: Category is determined that the
21 voter is registered out of county with a total of
22 seven.

23 MR. BLUESTEIN: I have none.

24 CHAIRMAN SABIR: Secretary, please call the roll.

25 MR. BLUESTEIN: Vice Chair Deeley?

1 MR. RICHARDSON: Votes returned and was counted.

2 They voted by mail and --

3 CHAIRMAN SABIR: Anyone have any comment?

4 MS. DEELEY: No comment.

5 MR. BLUESTEIN: I have none.

6 MR. RICHARDSON: There was only one voter
7 signature on the declaration envelope, and we have a
8 total of 9 --

9 MS. DEELEY: Signature on the envelope?

10 MR. RICHARDSON: Yes, one voter signature.

11 MS. DEELEY: Was the staff able to compare that
12 signature to the registered vote?

13 CHAIRMAN SABIR: I move that this board does not
14 count --

15 MS. DEELEY: Mr. Chairman, I have remarks on the
16 motion. B1, what we are talking about here, I would
17 like to display a blank. The signature boxes are
18 within inches of each other. When reading the NRA
19 canvas of provisional referred to one signature
20 ballots as unsigned was the only one he submitted in
21 that election. As such, Walsh carries on some other
22 piece of paper.

23 If it is the signature line on the left side
24 of the envelope -- shall place his signature on the
25 front of the provisional ballot envelope -- front of

1 the provisional envelope on the left side. It then --
2 genuine and executed by the same person who signed the
3 affidavit. Well, I'm not sure what situation is
4 occurring where the person signing the left --
5 provisional envelopes.

6 As we heard from Kevin, our staff only needs
7 one of the two signature for both signatures but it
8 would not be the first as a provisional ballots in the
9 2024 primary election. I think that compelling
10 government interest and making voters sign the same
11 piece of paper -- and we were unable to fully
12 communicate the newfound importance on signing both
13 sides. Furthermore -- we only have it on the right
14 side. This makes it much harder for the voter to note
15 --

16 MR. BLUESTEIN: This issue like with the use of a
17 secrecy envelope is required by -- that we passed your
18 motion earlier that hopefully we will implement going
19 forward towards enfranchising more voters as long as
20 we're able --

21 MS. DEELEY: No.

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

23 CHAIRMAN SABIR: Aye.

24 MS. DEELEY: Mr. Chairman, I have a question for
25 Kevin on this category -- with these ballots is that

1 there's not an inside secrecy envelope, correct?

2 MR. RICHARDSON: That is correct --

3 CHAIRMAN SABIR: -- this category, is there a
4 second?

5 MR. BLUESTEIN: Second.

6 CHAIRMAN SABIR: Does anyone wants to make a
7 comment?

8 MS. DEELEY: -- individual is qualified under
9 state law to vote in such election but unlike the mail
10 ballots where the voters are filling them out on their
11 -- so this is a poll worker error that we should not
12 be punishing the voter for -- way then we must count
13 them PA law has extra hurdles but the America Vote Act
14 this has not been the subject --

15 MR. BLUESTEIN: One statement. I certainly agree
16 with the vice chair that the use of an optional choice
17 by the voter instead of a mic -- Chairman Sabir?

18 CHAIRMAN SABIR: Aye.

19 MR. RICHARDSON: Okay, a rejection for that it's
20 if -- well, federal voters are only qualified to vote
21 in federal elections which this one was not.

22 CHAIRMAN SABIR: Okay. Does anyone have any
23 comments on this category? Thank you, Kevin.

24 MR. RICHARDSON: I just want to say something
25 before I go. I didn't get a chance to thank

1 everybody, so thanks.

2 CHAIRMAN SABIR: Thank you. Thank you
3 commissioners.

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5 (End of audio recording.)

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outcome of this matter.

IN WITNESS THEREOF, I have hereunto set my hand
this 11th day of June, 2025.



Jeffery Meria

<hr/>	67	ahead	9:5,17,19	6:12,18
1	7:13	5:8 13:17	10:5,7,18,	7:17 8:15
119	<hr/>	appeal	20 11:3,8,	9:4,18
14:16	7	7:3,8	12,14,25	10:6,19
11:00	77	appealed	13:10	11:24 13:9
3:2	11:11	7:22	14:18	14:15,17
163	<hr/>	apply	based	board's
10:18	9	7:25 11:4	6:21	7:2
17	9:45	argument	basis	boards
9:16	4:23	7:1	7:5	7:20
1711	<hr/>	arguments	Baxter	bound
3:19	A	11:3	7:4	7:24
1799	a.m.	assembly	begin	business
3:22	3:2 4:23	3:19	6:4	5:1 6:2,3,
185	absentee	attacks	beginning	5 14:2
6:11	11:8	4:14	4:2	<hr/>
1951	accordance	audit	bipartisan	C
3:25	3:16	5:10	3:8	call
<hr/>	Act	aye	bit	3:3 6:6
2	3:7 4:16	8:2,10,11,	14:9	8:3,21
2025	11:11	12,24,25	Black	9:10,24
3:5	Adams	9:1,13,14,	6:22	10:12
215	7:17	15 10:2,3,	Bluestein	11:15
8:13	addition	4,14,15,16	4:21,23	13:1,14
285	7:15	11:19,20	5:23 6:14	14:24
13:8	administer	13:4,6,17,	8:4,7,9,	called
28th	3:15	18,19	11,18,21,	11:2
3:5	administra	<hr/>	23,25 9:9,	case
<hr/>	tor	B	10,12,14,	6:23 7:4
3	14:5	back	23,24	11:11
334	adoption	12:15	10:1,3,11,	cases
10:5	3:24	ballot	13,15,22	11:1
<hr/>	affirmed	6:5 11:6	11:17,19	categories
6	7:4	14:3	12:19,22,	11:2,4
65	agenda	ballots	25 13:3,5,	13:20 14:3
12:23	4:11 6:4	6:11,19	11,13,15,	category
	8:1 14:2	7:6,14,21,	18 14:7,25	6:10 8:16
		25 8:14,16	board	9:5,19
			3:5,8 5:16	10:7,20

11:25 12:6 13:10 14:12,14, 19 central 11:12 century 3:21 certify 5:11 Chair 5:19 8:4, 9,23 9:12 10:1,13 11:17 13:3,15 14:25 Chairman 3:3 4:25 5:5,19,22, 24 6:9,12, 15,17 8:3, 5,8,11,12, 15,19,21, 25 9:1,4, 7,10,14, 15,18,21, 24 10:3,4, 6,9,12,15, 16,19,23, 24,25 11:15,19, 20,24 12:2,3,4, 19,21 13:1,5,6, 9,12,14, 18,19,22 14:1,11, 17,21,22,	23 chance 4:6 charge 3:9 Charter 3:25 check 12:15 cited 11:1 city 3:4,7,10, 13,18 civil 5:14 clause 7:7 clean 5:9 coincides 3:12 comment 4:5,6,10, 18 9:22 10:10,11 commenters 4:2 comments 4:1,2,21, 22,24 5:20 9:21 10:9, 23 12:2 13:12 14:21 Commissioner 3:11,14,21	Commissioner's 3:4 commissioners 3:7,18 5:4,13 14:6 common 7:3,12,14 Commonwealth 6:21,23 7:5 compelling 11:13 completes 6:2 compliance 3:6 6:7 concern 4:10 conduct 3:15 Constitution 7:7 constitutional 7:1,19 contacted 12:9 contacting 12:8 copy 12:13 correct 12:9,10	Correctly 9:2 council 3:13 count 6:12,19,21 7:14,24 10:7,20 11:14 13:10 counted 11:9 counting 7:5 11:12 counts 8:15 9:4, 18 11:24 14:18 county 7:13,17,20 court 6:25 7:3, 5,9,10,14, 16 Court's 6:21,23 created 3:18 current 3:23 cycle 3:13 5:16 D Dana 6:7 12:5, 6,20,22 13:19	date 6:11 8:1 9:16 11:2 dated 8:13 9:2 dates 7:22 day 7:18 deal 11:2 decision 7:12,17,22 declaration 9:2 decorum 4:12 Deeley 5:20,21 6:15,18 8:4,9,10, 17,20,23, 24 9:6,8, 12,13,20, 22 10:1,2, 8,10,13, 14,24 11:1,17,18 12:1,3,5, 11,18 13:3,4,15, 16 14:8, 20,22,25 departmental 3:14 deputy 6:6
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Determinations 6:6 14:3	5:7,17 6:1 7:20		granted 7:23	implemented 6:1
determine 11:5,7	election-related 3:22	F	great 5:8	impossible 12:12
dialogue 4:5	elections 3:9,15	facts 7:11	grounds 6:24	incorrect 7:21
director 5:2	6:20 7:6,18	federal 3:16		Incorrectly 8:13
discretion 4:9	eligible 11:7	file 11:22	H	indiscernible 6:8
discriminatory 4:13	email 4:20,21,24	filling 12:7	hand 4:17	instructions 7:13
district 7:16	emerge 3:23	Finally 4:11 11:8	handful 11:9	issued 7:17
driver's 11:22	Empowerment 6:22	focus 3:19	handwritten 7:21	item 6:4 14:2
due 7:21	enclosed 10:17	form 3:24 12:8,12	hard 14:12	
	end 7:15	forward 4:19 5:16	HAVA 12:15	J
E	enforce 3:14	four-year 3:12	Hearing 4:19	Joe 5:3,19,24
Eakin 7:17	enforcement 7:18	fraud 11:10	held 3:20	Joseph 5:2
early 14:9	envelope 10:17	free 7:6	Home 3:24	judge 7:16
ECKROADE 6:8,11	11:5,6	front 9:3,16	House 6:20	
8:13 9:2,16 10:5,17	equal 7:6		I	K
11:21	eventually 6:24	G	ID 11:21	Kevin 14:5
12:10,14,24 13:7,21,25	executive 6:6	game 5:8	12:6,13	
elected 3:8,11	extend 4:9	good 3:3 5:2,5	13:7	
election 3:13,17		6:9 13:23	identification 12:16,17	
		14:5,6,7		
		government 11:13		

<hr/> <p>L</p> <p>laws 3:17</p> <p>letter 12:16</p> <p>letters 12:7</p> <p>license 11:22</p> <p>lists 3:22</p> <p>live 4:3</p> <p>long 5:11</p> <p>longer 11:11,13</p> <p>Lynch 5:2,4,6</p> <hr/> <p>M</p> <p>mail 6:5,7 7:21</p> <p>maintainin g 3:21</p> <p>majority 6:18,21 7:2</p> <p>make 4:15 8:6</p> <p>March 7:15</p> <p>matters 4:10</p>	<p>mayor 3:13</p> <p>mechanized 11:12</p> <p>meeting 3:4,6 4:10 6:3</p> <p>meetings 4:12</p> <p>merits 6:25</p> <p>minutes 4:8</p> <p>missing 7:21 11:2 14:15</p> <p>misstated 6:19</p> <p>morning 3:3 5:3,4, 5 6:9 14:5,6,7,8</p> <p>motion 6:15</p> <p>motions 7:23</p> <p>move 4:19 6:12 8:15 9:4, 18 10:6,19 11:24 13:9 14:1,17</p> <p>municipal 3:12</p> <p>muster 7:19</p>	<hr/> <p>N</p> <p>naked 11:3</p> <p>nay 13:5,16</p> <p>necessaril y 12:14</p> <p>note 7:25</p> <p>November 5:17</p> <p>number 6:10 14:13</p> <hr/> <p>O</p> <p>objection 4:15</p> <p>offer 4:18</p> <p>officials 3:8</p> <p>older 12:23</p> <p>operation 5:2</p> <p>opinion 6:22</p> <p>opportunit y 4:5</p> <p>order 3:3 4:12 6:23 7:7</p> <p>ordering 7:20</p>	<p>Outbursts 4:17</p> <hr/> <p>P</p> <p>pass 7:19 12:15</p> <p>Pennsylvan ia 3:6,19 6:25 7:7, 9,16</p> <p>people 12:15</p> <p>perceived 4:16</p> <p>percent 5:10</p> <p>personal 4:13</p> <p>Philadelph ia 3:4,7,10 4:4 7:3</p> <p>Philadelph ia's 3:24</p> <p>photo 12:13</p> <p>places 11:9</p> <p>pleas 7:3,12,14</p> <p>policies 3:14</p> <p>Political 6:22</p> <p>polling 11:9</p>	<p>Post 11:11</p> <p>powers 3:20</p> <p>presented 14:4</p> <p>preserve 4:11</p> <p>pretty 13:23</p> <p>prevent 11:10</p> <p>previous 11:4</p> <p>proceed 4:25 6:3 8:12 9:1, 15 10:4,16 11:20 12:4,21 13:6</p> <p>profane 4:13</p> <p>Project 6:22</p> <p>provision 7:19</p> <p>provisiona l 14:2,18</p> <p>public 4:1,5,6, 10,15,18, 20,22,24</p> <hr/> <p>Q</p> <p>question 12:5,19,23</p>
--	--	---	---	--

questions 5:20 8:1	responsibi lity 4:11	19,20,24 12:2,4,21 13:1,5,6,	4:13 Social 11:21	support 5:14
R	Return 3:5	9,12,14, 18,19,22 14:1,11,	speak 4:8	Supreme 6:25 7:9, 10
raise 4:16	reversed 7:2	17,21,23	speaker 4:8	surrenders 5:9
read 6:10 11:3 14:12	Richardson 14:5,6,9, 14	Schmidt 6:23	special 6:20	T
received 7:13 11:6 12:6	roll 8:3,22 9:11,25	secrecy 10:17 11:5,6	staff 5:14	taxation 3:19
recognize 4:17	10:12 11:16	secretary 4:20,21 5:22 8:3,	start 4:1	taxpayer 4:4
registrati on 3:9,15,16 14:4	13:2,14 14:24	21 9:10,24 10:12 13:1,14 14:23	started 3:21	technical 6:24
regulatory 3:20	rollouts 6:1	Security 11:22	state 3:16 4:3 6:20	term 3:12
rejecting 7:20	rule 3:24 6:25	send 12:13,15	statement 8:6	three- member 3:8
remarks 6:15 7:25 10:24	ruling 7:4,10	serve 3:11	statements 8:19 9:7	time 4:9 14:10
report 4:20 5:1,6	S	served 11:10	stating 7:18	timeliness 11:5
resident 4:3	Sabir 3:3 4:25 5:5,19,22, 24 6:9,12, 17 8:3,5, 8,11,12, 15,19,21, 25 9:1,4, 7,10,14, 15,18,21, 24 10:3,4, 6,9,12,15, 16,19,23, 25 11:15,	service 5:14,25	stay 7:23	today's 4:10 6:3 8:1
responded 12:7		set 3:14	stayed 7:8,12	tolerated 4:14,18
response 13:7		signature 10:5 14:15	step 4:19	total 14:15
responsibi lities 3:23		signed 9:3,16	stop 7:20	U
		sir 8:7	Sufficienc y 6:5 14:3	undated 6:19
		slandorous	Sunshine 3:7 4:16	

	14:4	
V	voters	
vacated	12:6,11	
6:24	votes	
verifiable	6:10 14:13	
12:16		
verificati	W	
on	wanted	
11:21 12:7	5:13	
13:7	Wednesday	
verify	3:5	
12:12	week	
Vice	5:6,7,10	
5:19 8:4,	Western	
9,23 9:12	7:16	
10:1,13	wishing	
11:17	4:18	
13:3,15	work	
14:25	14:12	
violates	worker	
7:6	14:15	
violation	working	
4:16	5:9	
vote	world	
6:7 7:2	11:11	
8:1,10,11,	wrapped	
24,25	13:23	
9:13,14		
10:2,3,14,		
15 11:7,	Y	
18,19	year	
13:4,5,16,	5:15 6:18	
17,18	7:16	
voted	years	
6:19,20	12:23	
voter		
3:9,15,16,		
21 11:7		
12:17,22		