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November 8TH, 2022

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COMMISSIONERS PRESENT:

- LISA M. DEELEY, CHAIRMAN
- SETH BLUESTEIN, COMMISSIONER
- OMAR SABIR, COMMISSIONER
- NICK CUSTODIO, DEPUTY COMMISSIONER

HELD:

VIA ZOOM.  
(Audio Transcription)

1 - - - - -

2 PROCEEDINGS

3 - - - - -

4 COMMISSIONER DEELEY: Good

5 morning. I call the November 8th, 2022  
6 special meeting of the Philadelphia City  
7 Commissioners to order.

8 First, I'll preserve the order of  
9 the Court of these meetings. Everyone  
10 attending to be on notice that shouting out or  
11 interrupting the in the proceeding will not be  
12 tolerated. Those who violate this will be  
13 asked to leave.

14 The Sunshine Act permits anyone  
15 attending a public meeting to object to a  
16 proceeding violation at any time during the  
17 meeting. If you choose to do so, please  
18 distinctly state your objection. Objecting is  
19 not an opportunity for speech making.

20 Second, I note that the Board of  
21 Elections met in an executive session  
22 yesterday with Counsel regarding ongoing  
23 litigation. Third, the decision of Elkins  
24 versus The Philadelphia City Commissioners,

1 and the opinion, was issued less than 24 hours  
2 ago.

3 This allows us no time to notice a  
4 special meeting or publish an agenda 24 hours  
5 prior in order to address concerns raised and  
6 the opinions prior to the start of the  
7 pre-canvass.

8 Instead, this special meeting was  
9 scheduled immediately following the beginning  
10 of the pre-canvass. It was announced on our  
11 website, and social media. We emailed our  
12 press list the notice.

13 Therefore, I would like to make a  
14 motion to amend the agenda, to add my motion  
15 to amend the 2022 General Ballot procedures to  
16 reconciliation poll books, along past  
17 practices, and in being included the agenda  
18 that was posted on our website at 10:15 p.m.  
19 on November 7th.

20 As I started earlier, the decision  
21 and the opinion of Elkin versus The  
22 Philadelphia City Commissioners was issued  
23 less than 24 hours prior to the start of the  
24 pre-canvass. This left us no time to notice a

1 meeting or publish an agenda 24 hours prior in  
2 order to address an opinion prior to the start  
3 of the canvass.

4 Furthermore, the agenda that was  
5 posted on our website at 10:15 p.m. on  
6 November 7th shall be considered the amended  
7 agenda.

8 COMMISSIONER BLUESTEIN: Second.

9 COMMISSIONER DEELEY: Commissioner  
10 Bluestein, please call the role.

11 COMMISSIONER BLUESTEIN:  
12 Commissioner Deeley.

13 - - - - -  
14 (Respond I.)

15 - - - - -  
16 COMMISSIONER BLUESTEIN: I vote I.

17 Commissioner Sabir.  
18 - - - - -

19 (Respond I.)  
20 - - - - -

21 COMMISSIONER SABIR: Nay.

22 COMMISSIONER DEELEY: We will now  
23 swear in the staff -- the motion to amend the  
24 agenda has passed two votes. Deeley, I,

1 Bluestein, I, and Sabir, nay.

2 The motion carries.

3 We will now swear in the staff who  
4 will be conducting the pre-canvass.

5 Please rise. Raise your right  
6 hand. Do you each and each of you solemnly  
7 swear that you will perform your duties in  
8 assisting in the pre-canvassing and the votes  
9 casted in the primary and special election  
10 held on Tuesday, November 8th, 2022 in the  
11 City and County of Philadelphia, and do you  
12 swear that you will perform your duties  
13 impartially and that you shall not read,  
14 write, count or certify any returns votes  
15 falsely or fraudulently so help you God?

16 - - -

17 (All respond I do.)

18 - - -

19 COMMISSIONER DEELEY: Thank you.

20 - - -

21 COMMISSIONER DEELEY: Good morning  
22 everyone. Please stand. Do you each and each  
23 of you solemnly swear that you will perform  
24 your duties in assisting in the pre-canvassing

1 and the votes casted in the primary and  
2 special election held on November 8th, 2022 in  
3 the City and County of Philadelphia, and do  
4 you swear that you will perform your duties  
5 impartially and that you shall not read,  
6 write, count or certify any returns votes  
7 falsely or fraudulently so help you God?

8 - - -

9 (All respond I do.)

10 - - -

11 COMMISSIONER DEELEY: Thank you so  
12 much.

13 COMMISSIONER SABIR: Thank you so  
14 much.

15 COMMISSIONER DEELEY: We will now  
16 move to public comment. Commenter's shall  
17 state where they live or if they're not a  
18 resident of Philadelphia that they're a  
19 Philadelphia tax payer.

20 Public comment is not an  
21 opportunity for dialog or Q and A. It's  
22 public comment. It's a chance for you to tell  
23 us what you think. Each speaker shall have  
24 two minutes. However, I may extend this time

1 at my discretion. All public comments must be  
2 relevant or germane to board business.

3 Finally, it is my responsibility  
4 to preserve the order of these meetings. As  
5 such, profane, slander, discriminatory, or  
6 personal attacks will not be tolerated.

7 Is there anyone here for public  
8 comment?

9 - - - - -

10 (No response.)

11 - - - - -

12  
13 COMMISSIONER DEELEY: We will now  
14 move to Commissioner Bluestein for email  
15 public comment.

16 COMMISSIONER BLUESTEIN: There  
17 were no email public comments this morning.

18 COMMISSIONER DEELEY: We will now  
19 proceed to new business.

20 I motion that the Board amend the  
21 2022 General Election Canvass Procedures to  
22 delete item 8 of the absentee and mail in  
23 pre-canvass procedures, and that the Board can  
24 -- poll book reconciliation in the same matter

1 as the Board recent historical practices for  
2 the 2022 election.

3 COMMISSIONER BLUESTEIN:

4 Chairwoman, before I second this motion I just  
5 want to say something very quickly.

6 I want to make very clear that  
7 when there are conversations that occur later  
8 this evening about whether or not Philadelphia  
9 has counted all their ballots, that the reason  
10 that some ballots will not be counted is  
11 because Republican attorneys targeted  
12 Philadelphia, and only Philadelphia, in trying  
13 to force us to do a procedure that no other  
14 County does.

15 While we technically won the court  
16 case in Common Pleas Court, the opinion that  
17 was written was written in a way that we have  
18 no other choice then to go forward and  
19 reinstate reconciliation.

20 With that, I second the motion.

21 COMMISSIONER DEELEY: Commissioner  
22 Bluestein, please call the roll.

23 COMMISSIONER BLUESTEIN:

24 Commissioner Deeley.



1 - - -

2 (Respond I do.)

3 - - -

4 COMMISSIONER BLUESTEIN: I vote I.  
5 Commissioner Sabir.

6 - - -

7 (Respond nay.)

8 - - -

9 COMMISSIONER DEELEY: The motion  
10 to amend the 2022 General Election Canvass  
11 Procedure has passed. Deeley, I, Bluestein,  
12 I, and Sabir, nay.

13 Commissioner Bluestein, do you  
14 have any items to be added to the agenda?

15 COMMISSIONER BLUESTEIN: I have  
16 none.

17 COMMISSIONER DEELEY: Commissioner  
18 Sabir, do you have any items to be added to  
19 the agenda?

20 COMMISSIONER SABIR: I have none.

21 COMMISSIONER DEELEY: With no  
22 items remaining on the agenda this meeting is  
23 adjourned to the call of the chair.

24 Thank you.

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(Whereupon, the hearing is  
concluded.)  
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C E R T I F I C A T I O N

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

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Court Reporter - Notary Public

(The forgoing 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.)

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