



May 10, 2023

12:00 PM

City Hall
Room 387
1400 JFK Boulevard
Philadelphia, PA 19107

- I. Call to order the meeting of Wednesday, Wednesday May 3, 2023
- II. Public Comments
 - A. In-Person
 - B. Report from the Secretary – Emailed Public Comments
- III. Old Business
 - A. Executive Director Report – Joe Lynch
- IV. New Business
 - A. Crumlish Motion - Approve May 2023 Absentee and Mail-in Ballot/Application Challenge Procedures
 - B. Crumlish Motion - Approve 2023 Primary Election Ballot Canvass Procedures
 - C. Crumlish Motion - Authorize and deputize the Philadelphia Board of Elections staff to prepare for and conduct a pre-canvass and canvass of absentee and mail-in ballots
 - D. Additional Non-Agenda Items
- V. Adjourned to the call of the Chair

2023 PRIMARY ELECTION BALLOT CANVASS PROCEDURES

For the May 16, 2023, Primary Election, the Board anticipates receiving a large number of absentee and mail-in ballots. In order to efficiently process these ballots, the Board deputizes and authorizes its staff to comply with the following procedures and to complete the absentee and mail-in ballot pre-canvass and canvass and voting machine ballot pre-canvass in accordance with the Election Code.

Absentee and Mail-in Ballot Receipt and Sorting

Upon receipt by the Board, envelopes containing absentee and mail-in ballots will be stamped with the time and date they are delivered to the Board and preliminarily sorted by sorting machines. The status of the ballots will be updated in the SURE system. Envelopes containing absentee and mail-in ballots will be organized and sorted by Ward and Division to prepare for the Pre-Canvass and Canvass, and shall be securely maintained until that time. This process shall include:

- The envelope of any elector for whom the Board has received due proof of death prior to 7 a.m. on Election Day shall be set aside.
- The envelope of any elector whose proof of identification has not been verified by the Board shall be set aside until proof of identification is received and verified.
- The envelope of any elector whose ballot or application has been timely and properly challenged will be set aside until such challenge is finally determined.

Absentee and Mail-in Ballot Pre-Canvass and Canvass Procedures

1. Beginning at 7 a.m. on Election Day at the Board of Elections ballot processing facility, 11311 Roosevelt Blvd., staff will begin the Pre-Canvass of the absentee and mail-in ballots received timely by the Board. In accordance with Act 88 and the terms of the Election Integrity Grant Agreement, Staff will Pre-Canvass and Canvass the mail-in and absentee ballots without interruption until each mail-in and absentee ballot has been canvassed.
2. A list of all envelopes that are to be examined during the Pre-Canvass and Canvass shall be posted publicly and/or provided to Observers present.
3. Staff shall examine each envelope and perform the following steps:
 - a. Staff shall verify that the elector is entitled to vote by comparing the written information on the declaration envelope with the pre-printed name on the declaration envelope from the list of absentee and mail-in voters.
 - b. Staff shall determine if they are satisfied that the declaration is sufficient.
4. The following envelopes shall be set aside for review by the secondary examination staff and/or the Board:
 - a. Any envelope whose declaration the examiner is unsure is sufficient for any reason, including because the envelope lacks a signature or date, or was potentially incorrect dated;
 - b. Any envelope whose declaration is not determined to be sufficient upon initial examination; and
 - c. Any envelope which was submitted by an elector who was not entitled to vote.

5. Envelopes not set aside shall then be brought to the extraction area and opened. If the secrecy envelope within the declaration envelope contains any text, mark or symbol which reveals the identity of the voter, the voter's political affiliation or the voter's candidate preference, or if the ballot is not contained within a secrecy envelope, the secrecy envelope and ballot shall be set aside.
6. Board staff shall then open all secrecy envelopes not set aside and scan all ballots contained therein.
7. Results shall be uploaded to vote.phila.gov/results. To the best of their ability, the staff shall post the first results of absentee and mail-in ballots scanned on Election Day after polls close at 8 p.m., with updates after the last voting machine results of the night and as additional results become available.
8. Certification Staff shall compare the list of mail-in and absentee ballots received with the pollbooks and investigate any instances of a voter for whom the records indicate may have both voted in person and via mail and report such instances to the District Attorney's Office if appropriate.

Voting Machine Pre-Canvass Ballot Procedure

Election Night

1. ExpressVote XL hopper sacks containing sealed hoppers with voted paper ballots will be collected by the Philadelphia Police Department when they collect the USBs from each polling place.
2. Police will drop off USBs at their designated Regional Transmission Center (RTC).
3. Police will transfer all hopper sacks to Board of Elections' staff.
4. Board staff will track to make sure all sacks have been returned, and hopper sack RFID tags will be scanned.
5. Hopper sacks will be loaded into trucks.
6. After all sacks have been loaded, trucks will be escorted by police to the Board of Elections ballot processing facility, 11311 Roosevelt Blvd.
7. The Philadelphia Police Department will assign a detail to guard the ballots.

Wednesday Onward

1. All personnel handling the ballots will be deputized.
2. The Board of Elections intends to begin the Voting Machine pre-canvass process as early as 9:00 a.m. on the day following Election Day at the Board of Elections ballot processing facility, 11311 Roosevelt Blvd.
3. Hopper sacks will be unloaded - hoppers laid out, seal cards placed on top, and provisional ballot envelopes placed in boxes.
4. Board staff will verify seals.
5. Board staff will prepare the ballots for the Pre-Canvass and Canvass:
 - a. Staff will break seals using wire cutters and remove ExpressVote XL paper ballots.
 - b. Ballots will be hand shuffled with at least six cuts to ensure a proper randomization of ballots.
 - c. Rubber bands will be placed around each stack of ballots.
 - d. The ward and division card will be removed from the hopper and placed under the rubber band.
 - e. Repeat for all hoppers in a division, place all bundles of ballots for a division into a bag, place bag in designated box for that ward.
6. Ballots will be securely stored until the Canvass.
7. Philadelphia Police will assign a detail to guard the ballots.

Absentee and Mail-in Ballot Pre-Canvass and Canvass Observer Procedures

Due to the COVID-19 pandemic, staff safety, and election security, those permitted to be present for the Pre-Canvass and Canvass (collectively, “Canvass”), other than Board of Elections personnel, may be limited to Observers pursuant to 25 P.S. § 2650 and 25 P.S. § 3146.8 of the Pennsylvania Election Code. Observers may be appointed as follows:

- Any candidate may appoint themselves, and individuals they have authorized to represent said candidate, as Observers for the Canvass.
- Any party or political body or body of citizens¹ that now is, or hereafter may be, entitled to have watchers at any primary or election may appoint individuals authorized to represent said party or body as Observers for the Canvass.

Observer credentials for the Canvass will be issued as follows:

- Those entitled to appoint Observers must email vote@phila.gov with (1) the name of each appointed Observer, (2) written confirmation authorizing each appointee to represent the candidate, party, or body, and (3) the Observer’s address.
- Due to security restrictions, Observer requests must be received by 5 p.m. on Friday, May 12, 2023 in order to be approved and credentials issued prior to Election Day. Late requests will be accepted on a rolling basis and processed within two business days.
- Approved Observers can retrieve their credential necessary for access to the Canvass at the Philadelphia Police 8th District, 3100 Red Lion Rd, Philadelphia, PA 19114 beginning 6:30 a.m. on Tuesday, May 16, 2023. Requesters may choose to have any credentials requests received by 5 p.m. on Friday, May 12, 2023 delivered to a Party or Campaign office within the boundaries of Philadelphia prior to May 16th.

Observers must be approved by the Board and bring their credential in order to be admitted to the property where the Canvass is being conducted. Observers must comply with safety guidelines at all times. Observers must remain within the physical area designated for Observers behind the railing. One Observer per candidate (inclusive of the candidate themselves) and three Observers per party or body shall be permitted to be present at any one time. To the extent the number of Observers requesting to be present in this area at any given time exceeds the number consistent with reasonable capacity limitations within the Observer area, the Board of Elections will limit in-person viewing by endeavoring to allow Observers to view in-person on a rotating basis. Observers may not disrupt, engage with, or interfere with Board staff completing the Canvass, including by asking questions or making requests of Board Staff while they are performing their duties. During the ballot adjudication process, staff shall not slow down, go back, nor stop at anyone’s request. Observers shall not be permitted to take photographs, video, or audio recordings, or use cell phones inside the observation area during the Canvass except in a designated area provided for pictures, video, and cell phone use. Violators will be removed and have their Observer eligibility revoked.

¹ Body of Citizens: Body which has not yet but intends to become a political party or political body as defined by 25 P.S. § 2831 through the nomination of candidates and/or the receiving of votes in a future election.

Absentee and Mail-in Ballot/Application Challenge Procedures

Any person challenging an application for an absentee ballot by a registered elector, an absentee ballot by a registered elector, an application for a mail-in ballot, or a mail-in ballot of a Philadelphia elector must follow the following procedure:

1. Only candidates, political parties and bodies, and authorized poll watchers may challenge.
2. Challenges may only be made on the ground that the applicant was not a qualified elector.
3. Challengers must complete the “Absentee or Mail-in Ballot or Ballot Application Challenge” form online for each application or ballot challenged at the following website:
<https://form.jotform.com/212974912800052>
 - a. The following information must be provided in the form:¹
 - i. Name of challenged individual
 - ii. Date of birth of the challenged individual
 - iii. Address of challenged individual
 - iv. Ward and Division of challenged individual
 - v. Alleged reason challenged elector not qualified
 - vi. A description of the evidence, including proposed testimony, of the challenged elector’s non-qualification
 - vii. Name of challenger
 - viii. Name of the candidate, political party, or political body the challenger represents
 - ix. Address of challenger
 - x. Phone number of the challenger
 - xi. Email address of the challenger
4. Challengers must print the form submission confirmation page and sign it in ink.
5. Challengers must deliver the original, signed challenge form to the Board of Elections at City Hall, Room 142² by 5 p.m. on Friday, May 12, 2023.
6. Challengers must also deposit ten dollars (\$10) with the Board of Elections by 5 p.m. on, May 12, 2023, for each challenge they submit. The person who made and signed the challenge must make the deposit. The Board only accepts certified checks and money orders made out to ‘City of Philadelphia’. If a challenger is submitting multiple challenges, a single certified check or money order for the aggregate amount will be accepted.
7. Challenges from challengers who do not comply with each of these requirements may be dismissed as improperly filed without a hearing by the Board.
8. The Board will hold a hearing or hearings on all challenges beginning with their next publicly announced meeting. The time and place of any such hearings will be publicly announced.

[If the online fillable form is unavailable, challengers may obtain paper forms from the Board of Elections at City Hall, Room 142. Challengers submitting more than two challenges who do not use the online fillable form must also provide the Board of Elections, via email to vote@phila.gov, with a .xls file containing the information in paragraph 3.a.i-xi above by the time the required deposit is made.]

¹ Information such as date of birth or ward/division may be obtained from the Board.

² Challengers must go to the front desk and ask to speak with Dana Eckroade or Catrina Vera without cutting in line or interacting with other constituents receiving services from the City Hall Board of Elections office.