



Preparing Philadelphia for the November 2020 Election
City Council Legislative Oversight Committee
July 21, 2020

Philadelphia executed the June 2 primary election under unprecedented circumstances, including major changes to state election law, the COVID-19 pandemic and emergency provisions passed by the General Assembly, and mass protests in communities across the city spurred by the murder of George Floyd. The advent of mail-in voting available to all city residents and health concerns around the coronavirus resulted in more than 220,000 processed applications for absentee and mail-in ballots, and roughly 160,000 returned by the initial 8 PM deadline on June 2. Governor Tom Wolf's executive order for mail ballots postmarked on Election Day to be counted if received by June 9 allowed roughly 14,000 additional ballots to be canvassed.

As expected, the extraordinary increase in mail ballots pressure-tested the system like never before, and revealed the urgent need for further refinements in the state Election Code, new investments in equipment and staff, and a rigorous review of election policies and procedures. With at least 750,000 Philadelphia voters expected to cast ballots this fall amid the pandemic – potentially 50 percent by mail – it is paramount that special efforts be made to ensure a safe, secure, and accessible election.

Emergency Adjustments to State Election Law

The Committee of Seventy is a member of the nonpartisan Keystone Votes coalition and endorses its [2020 Legislative Priorities](#)¹. The following Election Code provisions will be critical to Philadelphia and other counties to successfully run the November general election during the COVID-19 pandemic but must be passed *as soon as possible* to allow election officials an opportunity to properly implement.

1. Reauthorize counties to exercise **limited polling place consolidation** but with a **cap of 5,000 voters per location**. Poll consolidation inevitably has a negative impact on voter access but may be necessary to prioritize locations that minimize health risks and to ensure polls are sufficiently staffed.
2. Allow local election officials to **deploy poll workers anywhere *within* the county**. Pennsylvania is one of only several states with elected poll workers and with a cumbersome appointment process to fill vacancies. Seventy strongly supports amending the PA Constitution to eliminate elected Election Officers and to allow government workers to serve in these positions. For now, changing statute to allow counties the

¹ Keystone Votes 2020 Legislative Priorities. <<http://www.keystonevotes.org/2020-legislative-priorities>>



emergency power to appoint poll workers as needed in the November 3 election will be essential to fully staff the polls.

3. **Ballots postmarked on Election Day should be counted** if received by election officials up to seven days after the election. As evidenced by the June 2 primary, thousands of voters risk being disenfranchised if postmarked ballots are not accepted. Unprecedented mail-in volume, further potential disruptions by COVID-19, and strains on the U.S. Postal Service, compound the problem. Without a postmark deadline, voters are also put in the troubling position of not knowing when, due to varying USPS delivery times, their sent ballot will be received and whether their vote will count.
4. Counties must be able to begin **pre-canvassing mail ballots** at least seven days before Election Day. Two-thirds of states allow some degree of returned-ballot processing before the election, which often includes scanning ballots; results are not released until after polls close. Colorado, one of the leaders in safe, accessible, and modern elections, allows local officials to process and scan ballots 15 days before the election.
5. **Additional emergency funding** is needed to support counties as they administer, in effect, two full elections simultaneously – one by mail and another in-person – while protecting voters, poll workers, and the general public from the coronavirus. Sending mail-in applications, providing return postage for ballots, securing personal protective equipment, and high-volume, vote-by-mail (VBM) printing and processing are all new costs.

Urgent Election Preparations in the City of Philadelphia

We are unimaginably fortunate that the General Assembly passed Act 77 of 2019, only several months prior to the explosion of a global pandemic. The new law created not only mail-in ballots available to *any* Pennsylvanian but also the authority for counties to offer ballot drop-off options similar to full vote-by-mail states (e.g., Colorado, Washington) and de facto early voting via absentee or mail-in ballot at county election offices. Some of these policies are currently being litigated; however, it is **critical that city and state officials plan through the uncertainty**, making contingency plans and investments as needed.

The opportunity to administer a robust vote-by-mail program and safe in-person voting infrastructure is still possible, but time is running short, and the Office of the City Commissioners, city and state officials, election experts, and community advocates will have to work together closely unlike any previous election cycle. **Failure to achieve this collaboration risks calamity in November.**

The following policies and programs are not an exhaustive list of those needed for the November general election, but they will be essential to guarantee both voter access and election integrity, especially in the event COVID-19 infection rates increase and public health restrictions are reinstated.



- **Provide prepaid postage to return absentee and mail-in ballots and to return VBM applications.** Philadelphia was one of two counties that committed to sending ballots to voters with prepaid postage for the June primary election, a policy that should be maintained through the general election. Although many voters will be able to use the state's online VBM request tool, others may not and should be sent a mail-in ballot application with a prepaid return envelope.
- **Allocate additional equipment and staff to efficiently and accurately process absentee and mail-in ballot requests and to conduct the pre-canvass and canvass.** The June 2 primary election saw more than 220,000 absentee and mail-in ballot requests submitted to the City Commissioners with approximately 175,000 returned. This volume could more than double in the general election. Without the appropriate equipment and staff, a deluge of voter registration applications and VBM requests close to deadlines could risk delays in voters receiving their ballots. The new 15-day voter registration deadline, although a good policy for voters and one we should keep, creates an additional processing challenge for election offices. New equipment is needed to: **1)** build and sort outbound ballot packs; **2)** sort, open and process inbound ballots; and **3)** scan ballots; this will minimize the risk of disenfranchisement and delays in producing election results.
- **Install ballot drop boxes inside or adjacent to libraries, recreation centers or other public facilities in neighborhoods across the city.** Some best practices suggest one drop-off location for every 15,000 to 20,000 vote-by-mail voters. Drop boxes inside public facilities would be staffed and could be made available in addition to secure, 24-hour drop boxes in other high-traffic locations.
- **Stand up satellite election offices in each council district to enable 'over-the-counter' voting by absentee or mail-in ballot.** Act 77 of 2019 allows counties to maintain multiple election offices where a voter can request an absentee or mail-in ballot, then complete and return it in the same visit – de facto early voting. Such an office, however, must be staffed by trained election personnel with secure access to the Statewide Uniform Registry of Electors system and the ability to provide any ballot style used in the election (Philadelphia has nearly 60 in 2020). These offices will be critical both in maximizing the number of voters who cast ballots before Election Day and in helping provide replacement ballots for voters whose original was lost, damaged, or mismarked.
- **Enhance poll worker training and polling place management to minimize the risk of errors leading to disenfranchisement and to ensure voter and poll worker safety.** Especially given numerous changes to election law and pandemic risks, it is essential Philadelphia poll workers have thorough preparation that extends beyond the standard presentation. Interactive, scenario-based sessions, video instructions, and self-assessments would improve dramatically our poll workers' ability to correctly follow important voting procedures, operate voting systems and administer polling places following public health guidance. The Commissioners Office must also coordinate with



community leaders to provide special multilingual signage at each polling place and to recruit sufficient interpreters.

Public Communication and Voter Outreach

In addition to building the election infrastructure and operations needed for the fall, we face a massive challenge in effectively reaching hundreds of thousands of city voters with clear, accessible information about the upcoming election and how to safely vote. The widespread confusion and concern endured by voters and poll workers in the June 2 primary cannot be repeated.

First, while most changes to voting procedures this year were necessary and beneficial, they inevitably have a disproportionate impact on the electorate. In Philadelphia, communities of color had lower rates of VBM requests and returning mail ballots. This resulted in more people of color at the polls on Election Day, subjected to longer wait times and health risks. Additional resources and every valuable communication channel and trusted messenger must be part of the effort to reach voters with election information through the rest of summer and into the fall. This includes Philadelphia City government, through its large-scale communications apparatus and Philly Counts census program, as well as civic, community and media organizations across the city.

Second, the threat of mis- and dis-information to the public's trust in the voting process will also necessitate complete transparency from the Commissioners Office and detailed background on topics drawing heightened scrutiny including the new ES&S voting system, mail ballot life cycle, pre-canvass and canvass, and poll watcher and ballot challenge procedures. Even public meetings will have to be redesigned to go far beyond Sunshine Act requirements, with a reasonable opportunity for members of the public to ask questions, and for City Commissioners to make a good-faith effort to respond. Glass walls around our election processes and meaningful public engagement will be the strongest defenses against unfounded allegations of election fraud that are certain to grow louder and potentially extend after Election Day as results are published.

Achieving a successful November election in Philadelphia is still possible, but will require urgent planning, additional resources, and close collaboration between city agencies and various other stakeholders. Only then can we guarantee every eligible city voter a safe and secure opportunity to cast a ballot.

Thank you.

Pat Christmas
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Committee of Seventy