



How Philly Works Did Your Provisional Ballot Count?

The presidential election is long over. Barack Obama and Mitt Romney have mended fences at the White House.

But it wasn't until today that 27,355 Philadelphians got the first word on why they came to the polls on November 6 expecting to use the voting machines but were instead forced to vote by paper (or "provisional") ballot. That's more than twice as many as in the 2008 presidential election.

Astoundingly, many of these voters had been voting at the same polling place for years, sometimes decades. Days after the election, one long-time voter compelled to vote provisionally told us: "I am very angry over this situation." She isn't alone. Lots of new voters showed up at the polls with their registration cards in hand – and had to vote by provisional ballot too.

What caused the dramatic increase in provisional ballots? Were all 27,355 counted? Was your provisional ballot counted? And why would voting by provisional ballot make someone so angry: does it really matter whether you vote by provisional ballot – or on the voting machines?

A report submitted today by the city's Acting Voter Registration Administrator to the three City Commissioners who run local elections has some preliminary answers. But the "case of the provisional ballots" is far from resolved. And in-fighting among the Commissioners could get in the way of getting to the bottom of what happened – and, more importantly, figuring out how to make sure it doesn't happen again.

Seventy will keep you up-to-date as this story continues to unfold. In the meantime, if you want to share your Election Day story, please e-mail us at futureofthecity@seventy.org.

-- December 5, 2012

Remind me what a provisional ballot is.

A provisional ballot is a paper ballot that is printed in the same format as the ballot on the machines inside the voting booth.

Who has to vote by provisional ballot?

The two most common reasons people vote by provisional ballot is (1) if their names are not in the poll book or in the supplemental poll book pages (we'll explain what these are in a minute), or (2) if they are first-time voters, or voting for the first time in a new voting division, and are not able to show any form of identification, photo or non-photo.



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Are provisional ballots counted on the same day as votes cast on voting machines?

They aren't – and that's why the voter who wrote us is angry. Most people want their votes to count on Election Day. Provisional ballots are sent to the voter's county Board of Elections, which has up to seven days after the election to determine if they are valid. It's hard for people to feel their vote is important after they already know the outcome of the election.

Are provisional ballots as reliable as machine votes?

Opinions differ about the reliability of machine votes. But there is a lot of room for "human error" with provisional ballots because they have to travel through several hands between the time the voter fills out the ballot at the polls and the time the ballot is counted days later at the county Board of Elections. So the short answer is "no."

You said there was a dramatic increase in provisional ballots. How "dramatic" was it?

There were 27,355 provisional ballots cast by Philadelphians on November 6. By contrast, city voters cast 12,733 provisional ballots in the November 2008 presidential election.

Were all 27,355 ballots counted this year?

No. That's what we learned today: 19,670 of the 27,355 were actually counted. That means 7,685 were tossed out.

How does this compare with 2008?

In 2008, 8,525 of 12,733 ballots were counted and 4,208 were tossed out.

Why were some provisional ballots counted – and others not?

According to today's report, of the 7,685 provisional ballots invalidated:

- 4,240 were cast by people who were either not registered to vote at all or not registered to vote in Pennsylvania;
- 1,630 were cast by people who were previously registered in Philadelphia but whose registrations were cancelled before November 6 (e.g., people who had not shown up at the polls for many years);
- 1,170 were cast by people who were registered to vote in Pennsylvania, but not in Philadelphia;
- 380 were cast by people who voted by provisional ballot and also on the voting machines; and
- 265 had miscellaneous problems (e.g., the provisional ballot security envelope contained no actual ballot, the voter didn't sign the affidavit confirming their provisional vote or the voter's signature was invalid).



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What can you tell me about the 19,670 provisional ballots that were counted?

Here's what we know so far: 5,263 properly registered Philadelphians had to vote by provisional ballot because their names did not appear in either the poll book (that's the giant book you see on the table at your polling place that includes the names and registration information, including signatures, of every eligible registered voter in your voting division) or the supplemental poll book pages.

What are the supplemental poll book pages?

The supplemental poll book pages list the names of properly registered voters whose names, for some reason, are not in the poll book. These pages are included in the box of election materials at each polling place.

Why would 5,263 names not show up in the poll books or supplemental poll book pages?

Two reasons were given in today's report: First involves voters who would turn age 18 by November 6, but who registered to vote before they turned 18. Apparently their voter registration status was not properly changed before the poll book or supplemental poll book pages were printed. We don't know how many voters were in this category yet.

And the second reason?

The report says there was an "as yet undetermined problem" when information for some voters was "extracted" from the state's centralized database of registered voters that caused them to be dropped from the supplemental poll book pages. We don't know how many voters are in this category either.

What about all the other voters who had to vote by provisional ballot?

Good question. Of the 19,670 total provisional ballots counted, the remaining 14,407 were cast by voters whose names apparently were in the poll books or supplemental poll book pages.

I don't get it: why did they have to vote by provisional ballot?

Because, the report says, approximately 2/3 of the 14,407 went to the wrong polling places (so their names wouldn't have shown up in the poll book or supplemental poll book pages). One third (1/3) went to the correct polling places but poll workers either didn't look for or could not find their names in the poll book or supplemental poll book pages.

I still don't understand why someone who always votes in the same polling place wouldn't be in the poll book like they are year after year.

Neither do we. That's one of the mysteries we want resolved. It's hard to imagine that poll workers – many of whom work every election at the same polling places – wouldn't know where to look for the names or couldn't find them.



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Aren't poll workers trained on where to look?

Absolutely. If they don't go to a poll workers' training session (they aren't obligated to go – and roughly half of them don't), the Guide for Election Officers in Philadelphia County instructs them to look for voters' names in the poll book or, if they are not in the poll book, in the supplemental poll book pages.

What are the City Commissioners going to do about this?

That's another thing we don't know yet. The report, which you can read [here](#), made some recommendations to prevent the provisional ballot problem from happening again. And at the Commissioners' public meeting today, Commissioner Stephanie Singer proposed other ways to improve the provisional ballot process. You can see these proposals by going to her website at: <http://www.patransparency.org/index.php/search/>.

Did the other two City Commissioners go along with Singer's proposals?

They held them under advisement. And that's where the in-fighting we mentioned earlier comes in. The day after the election, Singer was ousted as Chair of the City Commissioners by her two colleagues, Republican Al Schmidt and Democrat Anthony Clark, who are now Co-Chairs of the Commissioners. It's pretty clear Schmidt/Clark and Singer don't see eye-to-eye on determining and making public what happened on November 6 or figuring out what should be done to make things better.

Is the provisional ballot problem the only issue the Commissioners should address?

Seventy believes other issues need to be tackled as well, such as why so many Judges of Election (who are in charge of polling places and, in Philly, are almost always Democrats) ousted properly credentialed Minority Inspectors (typically Republicans). Today's report conjectures that the reason may be because Judges of Elections didn't get the final list of Minority Inspectors until after the polls opened. But this is conjecture – not the outcome of an investigation. Another issue city voters deserve to hear more about, to dispel any fears of improper behavior, is why no votes for Mitt Romney were cast in 59 voting divisions.

Are the City Commissioners looking into these issues too?

Seventy has urged them to. City Controller Alan Butkovitz has started an audit of the city's elections process "including but not limited to provisional balloting." Some state legislators have called on the U.S. Department of Justice and the Pennsylvania Attorney General to investigate too.

I almost forgot: I voted by provisional ballot. How can I find out if it was counted?

Anyone in Pennsylvania (not just in Philadelphia) who voted by provisional ballot can find out the status of their provisional ballot either by calling 1-877-VOTESPA (1-877-868-3772) or by going to <https://www.pavoterservices.state.pa.us/Pages/ProvisionalBallotSearch.aspx>. You can search by using the provisional ballot number you received on November 6 or by entering your first name, last name and date of birth.



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