



# **The Committee of Seventy**

## **Election Oversight Program**

### **Preliminary Election Report to Philadelphia Voters**

#### **For the May 15, 2007 Primary Election**

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#### **INTRODUCTION**

The Committee of Seventy conducts the oldest – and now clearly the best – local voter protection program in America. The goals are simple to articulate, but less simple to achieve:

1. Diminish the risk of vote fraud and intimidation.
2. Make the voting process as simple and rewarding as possible in order to help increase voter participation over time.

In very general terms, the May 15<sup>th</sup> Election produced:

- A vast number of various kinds of Election Day problems, but no evidence of systematic difficulties such as fraud or inadequacies in machine operations. *This statement is not meant to minimize the problems. When taken together, they have the effect of discouraging voters from coming to the polls or returning when the next election rolls around.*
- A slightly disappointing level of turnout -- given the importance and nature of the races. There are about 993,000 registered voters in Philadelphia. About 330,000 people voted in the city for a turnout of about 33 percent.

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In anticipation of the heavily contested and critical 2007 Primary, the Committee of Seventy rebuilt its Election Day program from the ground up. We relied heavily on advice from national voting rights advocates, government attorneys, experienced Seventy volunteers and many partner organizations.

We also identified new partners and strengthened our working relationship with a number of organizations and government agencies that share our commitment to voting rights.

This report is the initial account of our combined work on Election Day. A comprehensive final report will be published when the results are official, the reports from our field teams are analyzed and our partners are fully debriefed.

Two very important effects of Seventy’s sweeping 2007 program are not included in the numbers presented here, nor will they be included in the final report. They are:

- The deterrent effect of having so many identifiable voting rights advocates – all wearing Committee of Seventy credentials or hats -- covering polling places throughout the city.
- The huge number of “minor” problems – or, to put it more appropriately, problems that seem minor to others but are very important to the voter who experiences one -- that are resolved by our volunteers at the polls or on the phones but do not merit formal written reports.

Also, please note that in addition to the statistics presented below, our permanent staff, our volunteers and our **Citizen Access Center** -- which enables voters to find their polling place by telephone or Internet -- provide informal pre-election and Election Day information and assistance to thousands of voters all year every year.

#### **ELECTION DAY BY THE NUMBERS**

<b>First call to Seventy (answered by a live person)</b>	<b>6:04 am</b>
<b>Last call to Seventy (answered by an exhausted, but live person)</b>	<b>9:27 pm</b>
<b>Number of Seventy Volunteers</b>	<b>486</b>
<b>Total Election Day Volunteers (including affiliated programs managed by the League of Women Voters and Vote for Homes)</b>	<b>approximately 560</b>
<b>Volunteer Training Sessions</b>	<b>41</b>
<b>Number of Election Day Calls to Citizen Access Center Polling Place Locator</b>	<b>4,502</b>
<b>Election Day Hits on Seventy’s website</b>	<b>approximately 150,000</b>
<b>Election Complaints recorded electronically</b>	<b>251</b>
<b>Number of polling places covered by field and legal teams</b>	<b>1,192 (more than 70%)</b>
<b>Numbers of field reports received from volunteers</b>	<b>1,554</b>
<b>Large cups of Starbucks ice coffee consumed by the author of this report while the polls were open</b>	<b>3.5</b>

<b>Types of Complaints</b>	<b>Percent</b>
Required Voting Notices/Documentation Issues	16%
Denial of the Right to Vote	3%
Intimidation and related activities	6%
Hostile Voting Environment	2%

Electioneering and other Polling Place issues	15%
Polling Place Accessibility	5%
Voting Machine Issues	27%
Problems with Location of Polling Place	8%
Pollbook Issues	6%
Issues with Polling Officials	6%
Others	6%

<b>Complaints by Area</b>	<b>Percent</b>
Center City East (Wards 2, 5, 14, 20, 30)	10%
Central Northeast (Wards 41, 53, 54, 55, 57, 64, 65)	8%
City Avenue (Wards 3, 4, 6, 24, 34, 44, 52)	10%
Fairmount Park East (Wards 8, 15, 28, 29, 32, 47)	13%
Far Northeast (Wards 56, 58, 63, 66)	9%
Germantown/Mt. Airy (Wards 10, 12, 17, 22, 50, 59)	10%
Kensington/Riverwards (Wards 7, 18, 19, 25, 31, 33, 37, 45)	4%
Northwest Philadelphia (Wards 9, 11, 13, 16, 21, 38, 43)	8%
Olney (Wards 23, 35, 42, 49, 61, 62)	9%
South Philadelphia (Wards 1, 26, 36, 39, 48)	10%
Southwest Philadelphia (Wards 27, 40, 46, 51, 60)	8%
Undisclosed	0.8%
Outside Philadelphia	0.2%

<b>Sources of Complaints</b>	<b>Percent</b>
Calls from Voters	63%
Calls from Seventy's volunteers	13%
Calls from Polling Officials	10%
Calls from Poll Watchers	4%
Calls from Unidentified Callers	10%

<b>Disposition of Election Day Complaints Logged into EIRS</b>	<b>Number</b>
Resolved at Polling Place by Citizen Field Team	84
Resolved at Polling Place by Legal Team	45
Referred to Philadelphia Board of Elections	15
Referred to Philadelphia District Attorney's Office	6
Referred to Philadelphia Inspector General's Office (prohibited political activity by city employees)	0
Referred to U.S. Department of Justice	2

## ELECTION OVERSIGHT IN THE 21<sup>ST</sup> CENTURY

Although we often think of politicians as trying to actively expand the electorate to build their political parties, in many cases their interest is best served by keeping opposing or uncommitted voters away from the polls. In the most extreme cases, whole classes of people have been discouraged or denied access by state constitutions, statutes, court decisions, regulations, customs, fraud and even by force.

Even where there is no effort to disenfranchise voters for competitive reasons, the Election Day infrastructure is remarkably complex and fragile.

Often, affluent and informed voters go to the polls every six months, sign-in and vote without incident. But imagine your reaction if your name was not in the poll book, your right to vote was challenged by a watcher, you had a disability and couldn't get into an inaccessible polling place, you needed assistance while voting due to a disability, limited literacy or limited English proficiency, you were unexpectedly required to present identification before voting, you had to cast a provisional ballot due to an administrative error, or someone tried to stop you from voting based on your race or political party

The initial focus of the Committee of Seventy, which was formed in 1904, was on election fraud of a systematic nature. But for many years, our top priority has been to help an eligible voter successfully cast his or her ballot and make sure that vote is counted.

## **HIGHLIGHTS OF SEVENTY'S PROGRAM**

To meet the challenges of the 2007 Primary, Seventy worked with a number of partners to build the largest program in our history – special thanks to the **Lawyers' Committee for Civil Rights Under Law** and **Greater Philadelphia Cares** for their unprecedented commitment of resources. The heart of the program remains our hotline and citizen field volunteers, but significant changes include:

- \* **Record Number of Volunteers:** Including allied programs, we had the benefit of over 500 volunteers on Tuesday, May 15. They represented all segments of the community and ranged in age from 15 to 80.
- \* **Introduction of Legal Field Teams** – For the first time, Seventy had teams of attorneys and law students available to voters in every city neighborhood solving problems that were more complex than field volunteers are able to successfully handle.
- \* **Election Court Representation** - Recruitment of an experienced legal team in partnership with the Lawyers' Committee to represent Seventy's program in Central Election Court.
- \* **Effective Coordination with and Between Government Agencies** – For especially thorny problems, we had working relationships on Election Day with the U.S. Department of Justice, and within Philadelphia government: the District Attorney's Office, the Board of Elections, the Law Department and the Inspector General's Office.

\* **Seventy in Spanish** – We had at least two bilingual office volunteers at all times and a significant number of bilingual field volunteers working in Philadelphia Latino communities.

\* **Seventy on Site** – At locations where there are multiple polling places, we stationed a volunteer to help diminish the inevitable confusion. Approximately 88 volunteers worked in this new program.

\* **Computerized Intake of Complaints** - Using the Election Incident Reporting System (EIRS) built by the Lawyers' Committee so complaints could be quickly relayed electronically to the appropriate team leader for assignment to a field team in the area.

\* **Mapping and Communications** - A redesigned assignment map and field communication system made it easier for field teams to back one another up in busy wards, but avoid unnecessary repeat visits to quiet locations.

The combined effect of these 2007 improvements was to significantly reduce response time to better serve voters and have an even greater deterrent effect against Election Day misconduct. While there were issues throughout the city, we were generally able to keep the peace and help voters cast a vote while the polls were still open.

## **MAJOR PARTNERS**

Community Partners who helped to recruit volunteers:

- Greater Philadelphia Cares
- Philadelphia Bar Association
- University of Pennsylvania
- Drexel University
- Congreso de Latinos Unidos
- The Council of Spanish Speaking Organizations (Concilio)
- Special People in Northeast (SPIN)

Voting Rights Partners:

- Lawyers Committee for Civil Rights Under Law
- League of Women Voters
- Advancement Project
- Project Home's Votes for Homes Initiative

## **CHARACTERISTICS OF THE 2007 PRIMARY**

Every election is different. Turnout varies widely based on what office is at the top of the ticket and whether this office is heavily contested. Prior to May 15<sup>th</sup>, we expected and prepared for the proverbial perfect storm of municipal elections. Turnout was only expected to be half of what it was in the 2004 Presidential Election, but other factors made this election unique and challenging.

This year, Philadelphia voters faced:

- A long and dense ballot – 12 judicial and municipal offices and over 100 candidates.
- A seven way open-seat Democratic mayoral primary -- with five competitive candidates - - and the real potential of becoming a nasty factional contest.
- An unusually high number of competitive City Council campaigns.
- Eight municipal ballot questions. The more ballot questions, the longer a voter must wait to vote.
- A shadow election for an anti-gaming referendum which was removed by the Pennsylvania Supreme court shortly before the election.
- More sophisticated and costly campaign field operations and poll watchers than any election in recent memory.

#### **PROBLEMS ON ELECTION DAY**

With 1,681 polling places to cover, an Election Day such as this one is chaotic. The statistics included here are based on our preliminary tracking of electronic complaints. The paper field reports are now being analyzed and our final Report will have revised numbers.

The most common problems were:

- \* **Voting machine issues:** Mostly related to polling officials having difficulty opening and operating the machines.
- \* **Competitive issues:** Electioneering within 10 feet of the polls, misconduct by watchers, unattributed and misleading campaign literature.
- \* **Access issues:** Disabled accessibility, intimidation, denial of the right to vote.

In most cases, our volunteers were able to address the issues and diffuse the disputes amicably at the polls. Most problems result from people not knowing or not understanding the applicable law, so an impartial person advising them is usually enough to resolve a situation.

In the more serious cases, a referral was made to law enforcement – the District Attorney for suspected state law violations and the Justice Department for suspected voting rights violations.

#### **PRELIMINARY RECOMMENDATIONS:**

The reforms cited below are clearly within the city's authority. In time, the Committee of Seventy will offer a much more complete set of recommendations that are within the city and state's ability to solve.

- **Improved signage** to reduce the amount of electioneering – the 10 foot line should be clearly marked at every polling place.
- **Increased pay for polling officials** – the current rate works out to about \$7 per hour for what is a very long day.
- **The use of high school students** as polling officials. Pennsylvania law permits well-qualified and mature students to work the polls as either the machine inspector or clerk. Philadelphia should take advantage of this recent amendment to the Election Code to fill vacancies and engage a new generation in this important work.

## CONCLUSION

Overall, thanks to our volunteers, our partners, the Philadelphia Board of Elections supervisors and staff and many other concerned citizens, we had a successful election.

We owe a special debt of gratitude to Ahmed S. Abbasi, Seventy's 2007 Election Program Coordinator, for his tireless work, creative problem solving, and sense of humor. Abbasi has now managed election programs in Pakistan and Philadelphia, Pennsylvania. If this pattern holds, I'm thinking his next accomplishment could be in Paris, Peru or maybe Portland.

Special thanks as well to Jonathan David, recent Temple University graduate and my voting rights and election reform intern for the last two semesters. During both election cycles, Jon committed a great deal of time, energy and thought to making this program a success (if you're one of his professors, he really was at Seventy when he missed that class).

There is work to be done to make the election system more accessible, especially for people with disabilities and those with limited English proficiency. There are also polling officials who do not live up to their responsibilities. The City Commissioners should take action so the voters in these divisions can have a positive experience at the polls.

Moving forward, Seventy will be working with relevant agencies and community groups to address these structural issues.