

**Testimony submitted to the  
Pennsylvania House of Representatives  
State Government Committee**

**David Thornburgh, President and CEO  
Committee of Seventy**

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I am David Thornburgh, President and CEO of the Committee of Seventy, a nonpartisan, nonprofit advocate for better government in Philadelphia and Pennsylvania.

Seventy (as we refer to ourselves) was founded in 1904 by a group of business and civic leaders in Philadelphia to protect and defend the voting process, encourage people of integrity and competence to get involved in politics, and engage citizens in the important issues of the day. Today we are led and supported by a board of 62 prominent private sector leaders committed to open, honest and effective government in Philadelphia and Pennsylvania.

I appreciate the opportunity to be here today. As I understand it, the goal of this hearing is to focus on issues surrounding and preparations for the upcoming election, particularly in relation to the integrity of the election process. While the focus is on the near term, I gather you're also interested in hearing recommendations in regard to election reforms in Pennsylvania.

The Committee of Seventy is uniquely qualified to talk about this. For more than a century, Seventy has championed fair, honest and well-run elections in Philadelphia. For years, we recruited and trained non-partisan volunteers to visit city polling places to answer voters' questions, resolve minor issues and report more serious problems to law enforcement officials. In this coming election, we are key partners with the Lawyers' Committee for Civil Rights Under Law's Election Protection hotline (1-866-OUR-VOTE). In addition, in response to declining rates of young voter participation, we have begun an Election Ambassadors program that will give hundreds of new and soon-to-be voters in high schools the chance to serve as nonpartisan volunteer guides at the polls on Election Day.

Let me address directly the near term issues around the November 8 election, now just 34 days away. Much has been written and said about the possibility of security breaches or hackers somehow infiltrating our election systems and influencing the outcome of the election. I defer to Secretary Cortés and his capable staff, and to county election officials, to respond to those comments and to reassure voters that their votes will be counted fairly and accurately, and that all reasonable precautions have been taken to secure our election technology. I am not an expert on cyber security, and see no reason to be concerned, but that is what voters should expect and demand. For our part, we intend to hold our election officials, both elected and appointed, accountable for any issues we encounter in that regard.

As for the human factor, which is the most important and weakest link in the chain of the voting process, Seventy has had longstanding concerns about the recruitment and training of election boards, the foundation of election integrity throughout the Commonwealth. This election will once again be a test of those thousands of men and women who serve as polling place officials. As a young transplant to Philadelphia, I took my turn in serving on an election board, and I appreciate what a difficult job it is. Election workers are called upon to interpret and enforce election law to voters, many of whom vote only once every four years and easily forget the procedures they need to follow. Poll workers commit to long hours, are usually not well-trained, and are poorly paid. As a result, many election Boards across the state are riddled with vacancies, and have trouble attracting younger members who might bring new ideas and energy to the process.

How will those boards perform on November 8? I'm confident they will do their best, but the real answer is we have no comprehensive way of judging either their preparation or their performance. In Pennsylvania and elsewhere, for good reason the voting process is highly decentralized, not just to the county level but to the local voting divisions throughout our 67 counties. While the Pew Election Performance Index, which I commend to you, does a great job of assessing the overall performance at a statewide level, there has been nothing similar at the county level, and nothing that gives us useful, real-time information that can be used to improve results.

To fill the gap in our understanding of how the election apparatus performs, in each of the last two elections Seventy has created and administered an online "Voter Experience Survey" to any and all voters we can reach. In the April primary, over 1,000 voters in the Philadelphia area completed the survey. I've attached the survey results to this testimony. The results – which I'd stress are not drawn from a random sample and therefore cannot be generalized or extrapolated – suggest a system that works OK, but with some notable challenges. Most strikingly, 21% of the respondents expressed some lack of confidence that the election process produces fair outcomes.

It's also worth noting that this November will be our first experience in fielding the Voter Experience Survey in Philadelphia in the pressure cooker of a Presidential general election. We are anxious that we not repeat the experience of the 2012 Presidential election, perhaps the worst-run election in the city's history, as well as a national embarrassment that generated probes by the Department of State, our Mayor, City Controller, and the City Commissioners. Reading through the reports of these probes reveals a tale of massive confusion, mismanagement and partisanship.

Most notably:

- An unprecedented 26,986 provisional ballots were cast, including (according to Mayor Nutter's probe) 12,294 by voters who were properly registered to vote, showed up at the correct polling place and should have been permitted to use the voting machine. Included were 5,263 voters whose names were inexplicably missing from poll books or supplemental pages, according to the then-Acting Voter Registration Administrator.

- Two weeks before the election, over 28,000 voter registration applications had not yet been processed. At a public hearing on November 2, four days before the election, the Commissioners' office announced that the process had been completed – leaving no time for many people who submitted incomplete applications to make corrections.
- Almost 100 Republicans who were legally entitled to serve as Minority Inspectors at polling places were not permitted to sit by Democratic Judges of Election. Court orders were required to seat them, which tied up most of the morning on the busiest Election Day every four years.
- Nearly 7,000 voters appeared at the wrong polling place. Hundreds of voters called the hotline to ask where to vote or to complain about no signage about relocations at what they believed to be their assigned polling place.

So what will November 8th look like, in Philadelphia and elsewhere in Pennsylvania? In my view, we would be wise to hope for the best but perhaps expect the worst. It will not be a perfect, error-free process. But we have a right to expect, and to demand, that our elected and appointed election officials do their utmost to deliver a voting experience that plays by the rules, is free of excessive partisan influence, and treats voters fairly. The Committee of Seventy will be watching, as will the American electorate and indeed the world.

Looking forward to the issue of election reform – which to us means making it easier to participate in the voting process and also ensuring that voters have a good experience when they do vote, in a clean and well-run voting process— Pennsylvania and Philadelphia have a lot of hard work to do.

It's time the state moved into the 21<sup>st</sup> century. While online voter registration was a great leap forward for Pennsylvania, most of the state's voting procedures are more consistent with the way people lived decades ago, not the way they live today. We have long championed reforms like no-excuse absentee ballots, early voting, and the use of electronic poll books to help maintain accurate voter rolls. In our increasingly diverse Commonwealth, it's time we took seriously language access issues for voters with limited English proficiency. In similar fashion, we owe our citizens with disabilities every opportunity to vote as required by law and by all standards of fairness. We also support the idea that polling place workers receive adequate compensation for working a 13-hour day at the polls, and that they be required to attend high quality training before each election. A thorough review of the election technology that Pennsylvania counties now employ is also way overdue.

We have special concerns in Philadelphia about the leadership of our election process. The Committee of Seventy strongly believes that the person in charge of city elections should be an appointed professional, as they are in every other county in the Commonwealth, and not chosen through a partisan election process. Especially in a city where nearly 80% of the voters are Democrats and just over 12% are Republicans, the current system has shown itself to be open to political influence and has not produced the professional leadership on these issues that we deserve. The same concerns will be true in jurisdictions dominated by the Republican Party.

Earlier this year, in pursuit of professional leadership of our election process, we helped form the Better Philadelphia Elections Coalition, a group of over a dozen civic and community organizations, ranging from the Greater Philadelphia Chamber of Commerce to the League of Women Voters and Disability Rights Pennsylvania. It is our goal and intent to advocate for professional, efficient and effective leadership of the election process in Philadelphia.

All of the above, of course, will require leadership, vision and effort. But here in Pennsylvania, voting is too important to pay attention to only every four years. The voters must be allowed to exercise this right freely, fairly and without any fear whatsoever that it will be abridged in any way.

On behalf of the Committee of Seventy, I appreciate the the Committee's consideration of our testimony.

Thank you.



## Voter Experience Survey April 2016

The Committee of Seventy's April 2016 Voter Experience Survey was administered online with Survey Monkey, distributed via email to Seventy's 11,000 newsletter subscribers and through the organization's Twitter and Facebook accounts. The survey was also featured live on [www.seventy.org](http://www.seventy.org) from 7:00 a.m. on Election Day, April 26, through Friday, April 29 at 12 noon. During this time, respondents were restricted to one submission per IP address.

*Seventy appreciates the support of the 20+ community, civic and media organizations who assisted in disseminating the survey – and to the more than 1,000 citizens who participated. Nearly 412,000 Philadelphia voters cast ballots on April 26 out of the city's approximately one million registered voters.*

### Question 1: Did you vote in Person on Election Day or by mail?

I voted in person	1,062	99%
I voted by mail	6	<1%

### Question 2: Were there any problems getting your absentee or alternative ballot?

No	4	71%
Yes	2	29%

### Question 3: Approximately how long did you wait in line to vote?

Not at all	543	52%
Less than 10 minutes	388	37%
10-30 minutes	108	10%
31 minutes to an hour	7	<1%
More than an hour	5	<1%
I don't know	1	<1%

### Question 4: Did you encounter any individuals canvassing or distributing partisan flyers, button or posters inside the polling place (i.e. the space or room where the voting machines are located)?

No	963	92%
Yes	85	8%

### Question 5: Was there a problem with your voter registration when you tried to vote?

No	997	95%
Yes	49	5%

### If Yes: Were you allowed to vote?

(Continued from Question 5)

Yes, by voting machine	39	80%
Yes, by provisional ballot	8	16%
No, not allowed to vote	2	4%

### Question 6: Were you asked to show picture identification, such as a driver's license, at the polling place?

No	906	87%
Yes	139	13%

### If Yes: Was this your first time voting at this particular polling place?

No	48	35%
Yes	91	65%

### Were you then allowed to vote?

Yes, by the voting machine	134	96%
Yes, by the provisional ballot	4	3%
No, not allowed to vote	1	<1%

### Question 7: Did you encounter any problems with the voting equipment or the ballot that may have interfered with your ability to cast your vote as intended?

No	947	91%
Yes	81	8%
Don't know	16	1%

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### Question 8: Did you need help or assistance voting due to a disability?

No	1036	99%
Yes	7	<1%

#### If Yes: How did you receive help or assistance voting at the polling place? (Check all that apply)

A person of my choosing assisted me.	1	14%
I used the auto keypad/headphone device	0	0%
The voting machine was lowered	2	29%
I had to submit an alternative ballot.	0	0%
I did not receive any assistance.	4	57%

#### Were you able to successfully vote?

No	1	25%
Yes	6	75%

### Question 9: Were the poll workers able to address any question or issues you encountered in the voting process?

No	241	23%
Yes	46	5%
N/A	752	72%

### Question 10: Please rate the job performance of the poll worker at the polling place where you voted.

Excellent	617	60%
Good	287	28%
Fair	90	9%
Poor	45	4%

### Question 11: How confident are you that the current election process in Philadelphia (or in your particular county) produces fair outcomes?

4 (Very confident)	390	37%
3	442	42%
2	141	14%
1 (Not at all confident)	67	7%

## Excerpts from Open-ended Responses

### Were there any problems getting your absentee or alternative ballot?

- "I voted via provisional ballot and at first the judge of elections said I could not vote."
- "Required repeated requests (phone calls) to Board of Elections to receive absentee ballot application in the mail; did not receive absentee ballot until Friday, April 22 which was useless because it was due at the Board of Elections by 5pm on that day."

### Was there a problem with your voter registration when you tried to vote?

- "The woman checking me in said that I needed to have a PA license to vote. After I protested, because I've voted with my New Hampshire license before, she called someone and eventually let me vote."
- "Not actually with my registration; signature block noted no signature on file; poll worker insisted that I needed to show photo ID (although I've voted at the same location for more than 10 years)."
- "After I provided my registration, I was asked for my driver's license. I informed that poll worker that I was not obligated to produce it, and she accepted that, but I should not have been asked."
- "When we went to our polling place this morning at 9:00 am we were turned away because the voting booths were locked in a closet in the building. We were told no one had a key, among other problems the folks were having who were staffing the polls. We were able to vote tonight at 6:00 pm."



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- “As it was my first time voting in PA, I needed ID?!? I had left my wallet at work, of course, but the poll workers were great; they allowed me to run home and get my health insurance card and a utility bill. A great voting experience.”
- “I was required to show ID even though I had voted at this location and in this precinct in the prior election.”
- “They could not find my name in their book, although I had a voter registration card and registered back in January. I had to fill out an affidavit, which took 3 people to figure out how to complete. I was totally dissatisfied today.”

### **Did you encounter any problems with the voting equipment or the ballot that may have interfered with your ability to cast your vote as intended?**

- “Arrived at 7 am and polling place did not open until 7:10 am. Voting machines were not working. These old machines had issues the last three years. I waited an hour and then I decided to complete a provisional ballot.”
- “My write in function did not work. Two people entered my half-filled ballot booth to fix it. It took 20 mins for them to reset the booth so I could vote all over again.”
- “Machines were not working. I waited an hour to see if they could get them to work. I could not wait any longer and would not be able to come back at later time, so I completed a provisional ballot.”
- “The pressure sensor buttons under the paper were (hopefully!) properly lined up with the candidate names, however on pressing the buttons the red light indicating your choice was not lined up, and in some places crossed into an opposing candidates area of the paper.”
- “It wasn't set up at 7:45. They told me to come back in an hour. At 8:45, I was the first to vote.”

### **If you received any form of assistance please specify:**

- “The people at the polling place didn't know how to lower the machine so that I could reach all of the buttons, so I had to ask one of them to just come into the machine with me and hit the appropriate buttons. It kind of ruins the entire point of a secret ballot. I'm sure my votes were cast as intended, and I didn't mind that I had to reveal my votes, but it was awkward and I felt disempowered when voting is supposed to be one of the most empowering things we can do in this country.”
- “Poll attendant helped me maneuver into booth and close curtain.”

### **Were the poll workers able to address any questions or issues you encountered in the voting process?**

- “I pointed out that partisan voting materials should not be displayed or distributed inside a polling place; this was ignored.”
- “As we were standing in line, there were several questions asked about delegates and poll workers were helpful in answering them.”
- “There was a flyer for a candidate on a table inside the polling room. I advised an official that it was illegal and she removed it immediately and agreed that it should not have been there.”
- “One of the women was able to help me through the process, while the other became indignant when I asked her to stop trying to tell me who to vote for. In past years I've been a registered independent and each time these same women in Ward ## District ##...tell me "you can't vote". Even though I can still vote for the ballot questions, etc.”



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- “They tried but could not help. They called someone who was not interested in my problem and said, ‘Oh well, guess you are not voting’.”
- “The poll workers were new at my polling place and apparently new to the job. They had little knowledge of what they needed to do, and had to call for assistance when the names of voters couldn't be found in the book. This is the reason I was in line about 25 minutes, and only the 10th person to vote at this polling place.”
- “I was not asked for an ID, but my husband was. We've both voted there before. My husband is a naturalized citizen and speaks with an accent. I believe the poll workers discriminated against him. He was allowed to vote, but he should not have been required to show ID.”
- “The ‘judge’ at my polling place was gracious and informative about my ‘write in’ vote question. I never did that before.”

### Methodology Note

This tool was first deployed in November 2015, collecting 650 responses from city residents and another 50 from the surrounding counties. Most questions have been collected from similar studies conducted by other organizations and academics. Seventy intends to continue refining survey questions and broadening its distribution to mitigate bias and improve its usefulness. Responses were anonymous.

These results are not drawn from a random and representative sample of Philadelphia area voters. Despite the high number of respondents, only rough generalizations inferred about the experiences of the 1000+ survey participants – not the broader population of voters.

### Responses by Geography

<b>Philadelphia Responses*</b>	<b>890</b>	
Center	154	14%
North	93	9%
Northeast	111	10%
Northwest	183	17%
South	222	21%
West/Southwest	127	12%
<b>Suburban County Responses</b>	<b>169</b>	<b>16%</b>
<b>Other/No data</b>	<b>9</b>	<b>&lt;1%</b>
<b>TOTAL</b>	<b>1068</b>	

*\*Center (19102, 19103, 19106, 19107, 19123, 19130), North (19120, 19121, 19122, 19124, 19125, 19132, 19133, 19134, 19140), Northeast (19111, 19114, 19115, 19116, 19135, 19136, 19137, 19149, 19152, 19154), Northwest (19118, 19119, 19126, 19127, 19128, 19129, 19138, 19141, 19144, 19150), South (19112, 19145, 19146, 19147, 19148), West/Southwest (19104, 19131, 19139, 19142, 19143, 19151, 19153)*