

## **Office of City Commissioner Stephanie Singer**

working for free, fair elections and an informed, engaged electorate

PRESENTS

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# **PROTECT THE VOTE**

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A HANDBOOK FROM THE OFFICE OF CITY COMMISSIONER STEPHANIE SINGER

## **Civics on the Ground Workshop Series**

Office of Commissioner Stephanie Singer, City Hall Room #132, Phila, PA 19107

Phone: 215-686-3460 or website: [www.PAtransparency.org](http://www.PAtransparency.org)



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## ABOUT THIS HANDBOOK

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This handbook is designed to help candidates and parties protect the integrity of their votes in Philadelphia. If all of this is new to you, please do not be daunted. There is a lot to know, and you may not be able to do everything.

Pennsylvania law puts the primary responsibility for oversight of elections on the parties and the candidates. Every bit of oversight you provide helps protect not only your candidate, but the integrity of the process as a whole.

This handbook does not give information about Election Court, where legal disputes regarding elections are settled by Judges of the Court of Common Pleas on Election Day.

For much more detail on Election Day procedures, including images of various forms, please see the *Guide for Election Board Officials in Philadelphia County*<sup>1</sup>.

The contents of this handbook may be freely copied and distributed, as long as they are attributed to the Office of City Commissioner Stephanie Singer. An electronic copy can be downloaded from [PATransparency.org](http://PATransparency.org)<sup>2</sup>. Paper copies are available from the Office of City Commissioner Stephanie Singer, City Hall Room 132.

Previous Handbook in the Civics on the Ground Series:

- *Defending Democracy at Home: How to Run for Neighborhood Leadership Positions*
- *Voters' Guide to the November 5, 2013, General Election*
- *Voters' Guide to the May 20, 2014, Primary and Special Elections*

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## ONE MONTH BEFORE ELECTION DAY

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Each candidate has the right to appoint up to two watchers in each voting precinct in the district in which the candidate is running. In a General Election or Special Election each party with a candidate on the ballot has the right to appoint up to three watchers in each voting precinct in the district.

As soon as possible, candidates and parties should submit Watchers Requests to the Board of Elections. Four weeks before the election is not too early; two weeks before the election is respectful; last minute requests will be honored **but will earn you bad karma in several future lifetimes**. Watchers Request forms are available from:

- Any Commissioner's Office (Rooms 130, 132 and 134 City Hall)
- The Election Materials Division of the Philadelphia County Board of Elections (520 N. Delaware Avenue, 6th floor, entrance on Spring Garden)
- [PhiladelphiaVotes.com](http://PhiladelphiaVotes.com)<sup>3</sup>

Completed Watchers Request forms can be submitted in several ways:

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<sup>1</sup> Available at the Philadelphia Board of Elections, City Hall Room 142, or at [PhiladelphiaVotes.com](http://PhiladelphiaVotes.com)

<sup>2</sup> <http://PATransparency.org>

<sup>3</sup> [http://www.philadelphiavotes.com/files/Poll\\_Watcher\\_Request.pdf](http://www.philadelphiavotes.com/files/Poll_Watcher_Request.pdf)

- In person to any Commissioner's Office or to the Election Materials Division
- By email to Joyce.Roll@Phila.gov
- By fax to 215-686-1533

Having someone you trust on the working inside "at the desk" is one of the best possible protections for your candidate. Check PhiladelphiaVotes.com for vacancies in the posts of Judge of Election or Inspector of Election in divisions of interest to you. Voters in those divisions can petition the Court of Common Pleas to fill those vacancies by appointment. You can also direct your supporters to contact the City Commissioners to put their names on the list of people who want to work as Machine Inspectors or (in some divisions) as bilingual interpreters.

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## ON ELECTION EVE

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- (Optional) Distribute phone numbers to all watchers (e.g., District Attorney, Board of Elections, contact number for the campaign or party, media, City Commissioner)
- (Optional) Distribute street lists to all Poll Watchers (marking any voters whom the Poll Watchers might challenge)
- (Optional) Obtain list of absentee voters from the Board of Elections (marking any voters whose ballots the Poll Watchers might challenge)
- (Optional) Train Poll Watchers on polling place procedures, perhaps via these resources
  - Training sessions run by the Board of Elections
  - Videos on the [Pennsylvania Department of State website](#)<sup>4</sup>
  - Resources at [PhiladelphiaVotes.com](#)<sup>5</sup>
- (Optional) Plan shifts, meals and post-election information sharing
- (Optional) If you expect trouble you may wish to engage a lawyer to help you navigate election law and the election courts.

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## ON ELECTION DAY

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### GENERAL ADVICE

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Only one watcher per candidate and one watcher per party may be present in a polling place at any given time for any given division.

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<sup>4</sup> [http://www.dos.state.pa.us/portal/server.pt/community/poll\\_worker\\_training/12373](http://www.dos.state.pa.us/portal/server.pt/community/poll_worker_training/12373)

<sup>5</sup> <http://www.philadelphivotes.com/en/election-board-officials/training-materials>

There is no legal limit on the total number of watchers (from different candidates or parties) who can be in the polling place at one time. However, there may be a practical limit. The Judge of Election has the discretion to judge what that practical limit is, and to judge which of the many watchers have priority. This judgment can be appealed to Election Court.

The Judge of Elections is in charge in the polling place on Election Day. Watchers should respect the Judge's authority at all times.

As a watcher you may find yourself disagreeing with a Judge of Elections about proper procedure. Please remember that you are subordinate to the Judge of Elections. If you believe that the Judge of Elections is in error, you may wish to consult a knowledgeable source, such as a City Commissioner or an election expert. If your knowledgeable source confirms that the Judge of Elections is in error, remember that you can catch more flies with honey than with vinegar. Often a respectful private comment to a Judge of Elections can change behavior.

If a Watcher feels that the Judge of Election is acting illegally or allowing illegal activity in the polling place, the Watcher should call the District Attorney immediately. While other people (e.g., City Commissioners, Board of Elections, political operatives) may provide helpful advice or mediation, the District Attorney has the power to compel the Judge of Elections. It is also possible to compel the Judge via an order from Election Court.

Do Not:

- touch anything on the desk without the express permission of the Judge of Elections
- touch any voting machine unless at the direction of a voter who has asked you for assistance in the presence of a poll worker
- needlessly antagonize the Judge of Election (or anyone else)
- interfere in any way with the conduct of the election
- block the movement of any voter or poll worker

## WATCHER'S CHECKLIST

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Watchers may wish to bring:

- Your Watchers Certificate from the Board of Elections
- Notebook and pen (or other note-taking technology)
- List of voters in the division (with candidate or party supporters marked)
- Cell phone and list of phone numbers (e.g., District Attorney, Board of Elections, contact number for the campaign or party, media, City Commissioner)
- This handbook
- Guide for Election Officials in Philadelphia County* (available from the Board of Elections or from [PhiladelphiaVotes.com](http://www.philadelphiamvotes.com)<sup>6</sup>)

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<sup>6</sup> [http://www.philadelphiamvotes.com/files/Election\\_Board\\_Training\\_Guide\\_1-16-14.pdf](http://www.philadelphiamvotes.com/files/Election_Board_Training_Guide_1-16-14.pdf)

## BEFORE POLLS OPEN

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- Election Officers are sworn in and sign oath of office
  - Judge's name: \_\_\_\_\_
  - Majority Inspector's name: \_\_\_\_\_
  - Minority Inspector's name: \_\_\_\_\_
  
- Election Materials Box (white, about 7"x13"x20") is unsealed at the polls
- Electronic Voting Machine Serial Number (on outside of machine) matches Ballot Number visible through the window in the lower corner of the ballot face cover on each machine
  - 
  - SERIAL NUMBER \_\_\_\_\_
  
- In the poll opening count on the tape (visible through the write-in window) all counts are 0 on each machine
- Public Counter (on the back of machine on Officer's Control Panel) is 0 on each machine

## WHILE POLLS ARE OPEN

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Poll Watchers can help identify illegal electioneering in the polling place. With the exception of voters who are in the polling place to cast their vote, no one in the polling place (or within 10 feet of the door to the polling place) may show any sign of support for any particular candidate. In particular, it is illegal for Poll Watchers or Poll Workers to wear buttons or t-shirts promoting candidates, or to leave candidate literature on view in the polling place. In elections where Poll Workers themselves are on the ballot (usually because they are running for re-election or running for Committeeperson), they must refrain from talking about their candidacy or in any way soliciting votes on Election Day.

Many Poll Watchers maintain "strike lists" for their candidate or party. When each voter signs the poll book or the provisional ballot affidavit, a poll worker should read the name of the voter loud enough for you to hear<sup>7</sup>. When you hear a name, you strike the name off your list. When the official list of absentee voters is read, strike those names off your list too. This way you will know which voters have not yet voted, which is valuable information for any campaign with the resources to remind those voters to get to the polls.

A Poll Watcher (as well as any Poll Worker or voter present in the polling place) has the right to challenge a person's vote on the basis of identity. If you believe that the person presenting herself

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<sup>7</sup> According to the Pennsylvania Election Code, 25 PS §3050

to vote is not who she claims to be, say "I challenge this person on the basis of identity." This will set in motion a procedure described in detail in the *Guide for Election Officials in Philadelphia County*. In order to vote after such a challenge, a person must sign a sworn affidavit and have another voter in the division sign a sworn affidavit affirming that the person is indeed who she claims to be. Frivolous challenges may be deemed to be interference with the conduct of the election, a third-degree felony<sup>8</sup>.

A Poll Watcher has the right to challenge the validity of an absentee ballot. For each such challenge, the Poll Watcher must put up \$10. If the Board of Elections upholds the challenge then the \$10 is returned to the Poll Watcher. A challenge can be made based on any one of these circumstances:

- The voter is not registered in the division
- The voter requested an absentee ballot because of a necessary absence from Philadelphia but has actually been in Philadelphia while the polls are open
- The voter claimed illness or disability but is actually physically able to appear at the polling place.

Some candidates and parties express concern about improper assistance for voters. A Poll Watcher can keep an eye on assistance procedures, but should mind the "General Advice" given above. The Judge of Elections is the ultimate authority in the polling place. Here are some guidelines for voter assistance.

- The voter must ask for assistance and designate a person to assist. It is not proper for a poll worker, Poll Watcher, interpreter or other voter to offer assistance unless asked by the voter.
- Unless the voter's eligibility for assistance is noted in the poll book, the voter will have to sign an Assistance Declaration form before entering the voting machine.
- Assistance can be given by any person **except** the Judge of Election, the voter's employer (or agent) or an officer or agent of the voter's union.

If there are no voters present you may examine the poll book and other materials on the table.

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### AFTER THE POLLS CLOSE

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- Election Officers sign all seven results tapes
  - Judge's name: \_\_\_\_\_
  - Majority Inspector's name: \_\_\_\_\_
  - Minority Inspector's name: \_\_\_\_\_
- Photograph taken of the first (longest) results tape from each machine, the one with the write-in votes on it (if the Judge of Elections permits photography)
- Names and contests of write-in votes recorded in your notes

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<sup>8</sup> According to the Pennsylvania Election Code, 25 PS §3527



- First results tapes from each machine put into vinyl cartridge-results bag
- Machine memory cartridges from each machine put into vinyl cartridge-results bag
- Absentee voters list put into vinyl cartridge-results bag
- Vinyl cartridge-results bag handed to visiting Police Officer
- A signed results tape from each machine posted on door to polling place
- Numbers of provisional ballot recorded:
  - Number voted:
  - Number spoiled:

## AFTER ELECTION DAY

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### Checklist:

- Vote totals from machines on Election Day match the unofficial (machine-only) results available from the Board of Elections and posted on line at [PhiladelphiaVotes.com](http://PhiladelphiaVotes.com)<sup>9</sup>. (Caveat: the results on this webpage may eventually include absentee and provisional totals as well. Look for "machine only" notification.)
- Vote totals from machines on Election Day match the official machine results (available a few weeks after the election from the Board of Elections or on line at [PhiladelphiaVotes.com](http://PhiladelphiaVotes.com)<sup>10</sup>.)
- Number of provisional votes recorded in the official results does not exceed the number of provisional ballots cast on Election Day

## USEFUL PHONE NUMBERS (AS OF 2014)


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District Attorney Election Day Phone Number	215-686-9641, 215-686-9642, 215-686-9644
Philadelphia Board of Elections	215-686-3943
Philadelphia Department of Voter Registration	215-686-1590, 215-686-1500, 215-686-1509
City Commissioner Stephanie Singer	215-686-3460
Your Campaign/Party Organizer	
Your Legal Advisor	
Non-Partisan Voter Protection Hotline	866-OUR-VOTE, 866-687-8683

<sup>9</sup> <http://www.philadelphiavotes.com/en/resources-a-data/live-election-results>

<sup>10</sup> <http://www.philadelphiavotes.com/en/resources-a-data/prior-year-election-results>

# SAMPLE WATCHERS CERTIFICATE



**Commonwealth of Pennsylvania**  
COUNTY OF PHILADELPHIA  
**WATCHER'S CERTIFICATE**  
THIS CERTIFICATE AUTHORIZES THE INDIVIDUAL TO WATCH IN ANY  
WARD / DIVISION IN PHILADELPHIA

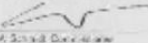
THIS WILL CERTIFY That....., residing at  
....., has been regularly appointed as a WATCHER in  
the ..... Ward for the..... Election of Philadelphia, representing  
..... Candidate for.....  
on the **DEMOCRATIC BALLOT** to serve at the Primary Election to be held April 24, 2012.

Witness our hand and official seal

Note - Each candidate is entitled to two Watchers per Division in his or her District, but no  
Candidate or party shall be represented by more than one Watcher in the same voting years at  
any time. } COUNTY BOARD OF ELECTIONS

  
Stephen Singer, Chair

  
Arlene Clark, Clerk

  
A. Scott, Secretary

18-88 (Rev. 2/10) DEMOCRATIC