



Bucks County Republican Committee 2020 Primary Election Report

Mail-in Ballots

Inaccurate Status Reporting by Department of State and Board of Elections

Due to the volume of mail-in-ballots, the Bucks County Board of Elections was unable to mail the ballots out in-house, as has been the practice in the previous elections. Instead, the mailing process was outsourced to a mail-house outside the county.

This resulted in unclear reporting on the Department of State website used to track the status of ballots. While the site may show that a voter's ballot was mailed on Date X, the reality is that the ballot may not have reached the mail stream until several days later, causing additional confusion and distrust in the process.

Additionally, the Bucks County Board of Elections was unable to provide us with a realistic timeline on ballots being mailed out so that we could effectively chase them. While the law permits ballots to be sent "up to 50 days" prior to the Election, the Bucks County Board of Elections did not begin sending them until fewer than 30 days prior. This delay caused many ballots to be received too late, an issue we address further in an upcoming section.

Increased Potential for Human Error

The introduction of so many mail-in-ballots all at once has vastly increased the potential for honest human error.

Anecdotally, we are aware of at least one voter in Bucks County who received three (3) ballots mailed to their registered address. Even beyond the problem with having three ballots sent to one address, it was not the address to which the voter requested the ballot be mailed.

In another case, a husband and wife submitted their paper applications via mail in the same envelope. However, only the husband's application was processed, and there was no record of the wife having ever applied for a ballot at all.

Versions of this story repeated themselves throughout the Commonwealth, and they will continue to be an inevitable flaw of a system so prone to human error. With the volume of ballots expected to only increase with the November Election, there are serious concerns regarding the ability of county Boards of Election to effectively manage mail-in-ballot requests.

Lack of Security at Drop Boxes

In order to accommodate voters who would otherwise be unable to meet the deadlines set forth in Act 77, the County of Bucks established three (3) drop boxes outside their government buildings in the Upper, Central and Lower parts of the county.

While the rules that were published by the County indicated that a sheriff's deputy would be present at each box during its hours of operation, we have several eyewitnesses who can confirm that this was not the case at certain times.

Additionally, there were no clear safeguards put into place that would prevent a voter from anonymously turning in any ballot other than their own, which would be in violation of Pennsylvania law.

Existing Deadlines Permit Potential Fraud Given Delays

As a precaution against double-voting, any mail-in-ballot applications must be received at the Board of Elections by 5:00 PM the Tuesday prior to the election. Theoretically, this would allow the Board of Elections to print the books that go to the polling places with an indication that a voter has applied for a mail-in-ballot.

However, the reality is that given the delays in processing applications, it was possible for an application received on the Tuesday deadline to not be processed prior to the poll books being printed. In this scenario, a voter could vote by mail and cast a vote at their polling place. This would likely be remedied during the official canvass, but it seems like an unnecessary potential opportunity for fraud or human error.

Existing Deadlines do not Match Real World Conditions

The statutory deadline to apply for a mail-in ballot is 5:00 PM on the Tuesday prior to the Election. The deadline to return your completed mail-in ballot is 8:00 PM on Election Day. Unfortunately, for many voters in Bucks County during this Primary Election cycle, this was a completely unrealistic timeline.

Our Headquarters received countless calls from voters who did not receive their mail-in ballot until the Friday or Saturday before the Election. It would be impossible for these voters to put their ballot in the mail with any confidence that it would reach the Board of Elections ahead of the deadline. While the County did make the drop boxes available, a number of these voters were physically unable to leave their home, or were hesitant due to the coronavirus – which is why they requested a mail-in-ballot in the first place.

Additionally, due to the inconsistent nature of the postal service, it was often the case that our Party's chase letter would arrive two or three days ahead of the actual ballot, creating further confusion and frustration for the voter.

Adjustments must be made to these deadlines in order to ensure that voters are not disenfranchised and that the Party has the ability to effectively chase ballots.

Polling Place Changes

Generally, the Bucks County Board of Commissioners demonstrated restraint in consolidating polling places. The only changes of which we were made aware came at the request of the polling place itself, and not from a decision made by the Commissioners or the Board of Elections.

However, there was one particular consolidation made that we found to be questionable. Warminster Township District 14 consists of voters who live in Ann's Choice, a large senior-living community. The polling place is traditionally hosted by Ann's Choice in one of their community rooms, for the convenience of the residents, many of whom do not have their own mode of transportation. Adding to the inconvenience, Ann's Choice did not make their typical shuttle service available to voters for transportation to the polling place.

During the Primary Election, the polling place was moved to William Tennent High School, a location which already hosted two other voting districts. The stated logic was to move the polling place out of the senior-living facility as to not bring the outside public into their community. That said, it seems less safe to ask these voters, the most at risk to COVID-19, to travel to another site where they will be inevitably interacting with *more* people.

There are also concerns that a number of voters at Ann's Choice were disenfranchised by the decision to move their polling place, as they were unable to secure transportation to the new location, and their ability to request a mail-in-ballot was limited at that late date, given the timing issues we have outlined above.

Election Day

Non-Standard Ballots

Early in the day, our Headquarters began to receive reports that the Republican ballots were not properly fitting into the scanners at a number of polling places across the County.

To remedy this problem, election officials were either cutting the ballots (thereby defacing them by definition), or placing them all into a bag to be counted later (undermining the voter's confidence in the process). In fact, in Warminster Township District 11, nearly all the Election Day votes cast by Republicans were set aside and had to be counted days later. Despite the Board of Elections' insistence that this was a problem for voters in both Parties, we have heard no reports of a Democratic ballot being the wrong size.

Lack of Training for Election Officials

The failure to effectively train election officials related to the new vote-by-mail process and new voting machines in Bucks County was made evident on Election Day.

It is reasonable to attribute some of this lack of preparedness to the effects of the coronavirus, but this will be an unacceptable response if the same issues are present in the Fall.

Lack of Confidence in the Security of Votes

Our Headquarters was made aware of several potential issues that could have the effect of undermining the voters' confidence in the security of the paper ballots and new voting machines.

First, we received several reports that due to the new paper ballots, and the process by which they are scanned into the machine, we have effectively surrendered the right to a secret ballot. Voters in a number of cases were required to hand their ballot to an election official, who then ran their ballot through the scanner. In places where it may not have been required initially, election officials had to intervene due to technical problems with the scanner or the ballot. All of this to say that while a voter is being "assisted" the election official has access to their ballot and can plainly see the votes cast for each office.

Second, there were concerns regarding how the ballots that did not properly scan were being handled. In some cases, a voter was told to simply leave their ballot in a pile on a chair near the election officials, and that their ballot would be dealt with later. In one instance, a voter was handed a new ballot, which they completed and scanned into the machine. However, their original "defective" ballot was nearly placed into a bag with other

ballots to be counted later, which would have resulted in a double vote. Had the voter not noticed this error and pointed it out, their vote may have counted twice.

Third, at the end of the night at each polling place, there are a number of unused paper ballots. In precincts where there may be no watcher from one Party or the other, it is theoretically possible for elections officials to simply fill in these ballots on behalf of voters who failed to cast a vote of their own. While this would certainly be an extreme example, it is nonetheless a potential avenue for fraud that is created by the new paper ballot system, and we must be sure to implement procedures to guard against it.

Finally, in Bucks County, there appears to be no accountability for the bags of completed ballots that are delivered from the polling place to the Administration Building at the end of the night. We were made aware of at least one election official who brought the ballots from their polling place to the Administration Building, handed it off to an unnamed employee, and was provided with no receipt or acknowledgement that the transfer had occurred. There was no way to independently verify that this election official had in fact transferred the ballots to the possession of the County. Again, the potential for human error, or fraud, creates an inherent distrust of the new system.

VERIFICATION

ANTHONY PONTARELLI, states that he is the Executive Director for the Bucks County Republican Committee in this matter and the facts set forth in the foregoing report regarding the June 2, 2020 Primary Election are true and correct to the best of his knowledge, information and belief. The undersigned understands the statements therein are made subject to the penalty of Pa. C. S. 4904 relating to unsworn falsifications to authorities.

A handwritten signature in black ink, appearing to read 'A. M.', written over a horizontal line.

ANTHONY PONTARELLI