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MEETING OF THE COMMISSIONERS

\* \* \* \*

Wednesday, March 7, 2012

Philadelphia, Pennsylvania

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COMMISSIONERS PRESENT:

STEPHANIE SINGER, Chairwoman

ANTHONY CLARK, Commissioner

AL SCHMIDT, Commissioner

NOAM KUGELMASS, Deputy Commissioner

CARLA MOSS, Deputy Commissioner

DON GARECHT, Deputy Commissioner

PRESENT:

FRED VOIGT, Legal Counsel

CARMEN SEMINARA, Election Board Supervisor

TIMOTHY DOWLING, Documents

JOSEPH LYNCH, Election Material

GARY FERRIS, Polling Material Supervisor

GREG IRVING, Administrator of Elections

SETH BLUESTEIN

JOSEPH DeFELICE, Republican Party

DAVID THOMSEN

LUKE McKINSTRY, Committee of Seventy

BOB WARNER, Philadelphia Inquirer

STEVEN BOC

IVAN COHEN

HELD AT: Delaware and Spring Garden Streets

Philadelphia, Pennsylvania

REPORTED BY:

Renée Helmar, Shorthand Reporter

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(Whereupon, the proceedings

commenced at approximately 11:00

a.m.)

MADAME CHAIRWOMAN: Okay. I call the meeting to order.

Welcome everybody.

We'll start with reports from the Board of Election supervisors.

Mr. Seminara.

MR. SEMINARA: Good morning. Good morning, Commissioners.

As of February 29th, to today, March 7th -- as of February 29th, which was last week, we received a total of 69 applications for regular absentee, 74 were alternative, 9 military and 6 civilian living overseas. That brings my

16 grand total to 597. Including the 3890 militaries that we  
17 are waiting for to be shipped out, that brings our total to  
18 4009. Four years ago, 8312. So we're looking at about a  
19 double between then.

20 The Writs of Election were served and were  
21 distributed for the three legislative vacancies.

22 I contacted the chief clerk yesterday regarding  
23 the ballot referendum. There will be none this election.  
24 He is not able to make the deadline, city council is not

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1 able to make our deadline of Monday, so there will be no  
2 ballot referendums.

3 MADAME CHAIRWOMAN: And do we have something  
4 similar from the State? Do we know from the State yet  
5 whether they will be --

6 MR. SEMINARA: The State has -- they have not  
7 gotten back to me yet.

8 MADAME CHAIRWOMAN: So it is still possible that  
9 there may be valid initiatives from the State?

10 MR. SEMINARA: Yes.

11 MADAME CHAIRWOMAN: Thank you.

12 But not from the City?

13 MR. SEMINARA: Not from the City, no.

14 MADAME CHAIRWOMAN: Thank you.

15 MR. SEMINARA: I received the MBB from Joe Lynch  
16 yesterday for the military ballots, the write-in ballots.  
17 We are going to go and put them in the mail this weekend.  
18 We're going to print them and stuff them this weekend.

19 I have the candidate list that is over at central,  
20 we roughly need 4000 of those. So they will go out this  
21 weekend.

22 And as far as the Web site, I'll mention it again.  
23 You can receive candidate lists, ballot order, nominating  
24 petition objections, withdraw lists and special election

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1 information, and I'll clearly state that it's  
2 dos.state.pa.us, and go to the Hot Topics section.

3 And that concludes my report.

4 MADAME CHAIRWOMAN: Thank you.

5 And I would like everyone to know that we have  
6 maps here of the three districts in which there will be  
7 Special Elections if anyone is interested to see the maps.  
8 We have copies here.

9 Thank you.

10 Mr. Day.

11 MR. LYNCH: I'll speak for John Day.

12 Commissioner, John Day is up -- right now he's up  
13 helping with the upgrade at the warehouse.

14 John Day, Bob Passiore and Aaron Duche (phonetic)  
15 from Elect Tech are up there swapping out the old routers  
16 and switches, so he couldn't make the meeting.

17 But he told me that this week he had a shipment of  
18 500 new batteries come to the warehouse. So far they're up  
19 to 250 installed.

20 MADAME CHAIRWOMAN: That's great news.

21 MR. LYNCH: They're going to continue working on  
22 that. And they're supposed to get another shipment in later  
23 next week. So he'll continue on that.

24 He also laid out all the RTC bags. And they're

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1 putting the seals on the inside of the machines.

2 So, that is it for John Day.

3 MADAME CHAIRWOMAN: Thank you.

4 Miss Murchison.

5 MR. FERRIS: I'll speak for her.

6 She's up attending a funeral right now for Abraham  
7 Green's father.

8 They had a total of 482 people last week at  
9 Northeast Public High School. She said it's about the same  
10 figure as the election before.

11 And a reminder that they are at Bartram and  
12 Frankford High Schools this week.

13 And that is all she has.

14 MADAME CHAIRWOMAN: Thank you.

15 For Mr. Dowling. Oh, Mr. Dowling, there you are.  
16 Hello.

17 MR. DOWLING: Good morning.

18 Yeah. As of yesterday we received 13,451  
19 applications through the mail and the various sources. Of  
20 that total we have rejected 361 applications. Of that 361,  
21 we've only received 37 appeals for other counties and other  
22 states. We've mailed out 169 applications to other counties  
23 and 4 to other states, for a total of 173. Those numbers  
24 don't include applications that will be getting rejected

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1 from the last week. There is going to be a lot from two  
2 groups that turned in applications to us last week.

3 And the response to our bilingual interpreter  
4 letter is pretty slow.

5 Nancy Laureano (phonetic) assisted me in that, is  
6 making phone calls based on the numbers that were on our  
7 database and also on the list, the database list that we had  
8 for previous elections of people who were bilingual  
9 interpreters. And she started making those calls on Monday.

10 MADAME CHAIRWOMAN: Are you also calling folks who  
11 have been identified on the voter registration form who  
12 identified themselves as interested in being bilingual  
13 interpreters?

14 MR. DOWLING: Yes.

15 Mr. Irving provided me with that list, and that's  
16 also included in our calls.

17 MADAME CHAIRWOMAN: Terrific. Thank you.

18 That's it?

19 MR. DOWLING: Yes.

20 MADAME CHAIRWOMAN: Okay. Mr. Lynch.

21 MR. LYNCH: Yes. Like Carmen was saying, I sent  
22 him a cartridge for the military ballot write ins. Sent  
23 them up to him the other day so that he can continue working  
24 on them.

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1 We sent letters out to both parties in reference  
2 to the Watcher Certificates Request so people -- we got the  
3 watchers delivered yesterday, so if anybody submits Watcher  
4 Certificates we can proceed to look them up and write them.  
5 Also, I've been working with an Elect Tech on the  
6 upgrade or whatever assistance we can give them, myself, Bob  
7 Passiore and Rich Veto.

8 Yesterday Rich Veto and myself went out and  
9 replaced two RTCs. We cleaned the router box out and hung  
10 the new equipment.

11 Today we'll be going out and try -- hopefully we  
12 can knock two more of them out.

13 So, it's moving right along.

14 So that's it.

15 MADAME CHAIRWOMAN: Terrific. Thank you.

16 And for watchers, are you ahead or behind where  
17 you usually are in the requests that you've gotten in so  
18 far?

19 MR. LYNCH: We haven't gotten any requests. We  
20 may have gotten --

21 MADAME CHAIRWOMAN: And is that usual, or is that  
22 --

23 MR. LYNCH: We may have gotten one list.

24 That's usual.

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1 MADAME CHAIRWOMAN: That's usual, okay.

2 MR. LYNCH: It's the last minute thing. They wait  
3 for the last minute.

4 MADAME CHAIRWOMAN: Okay.

5 MR. LYNCH: It's on a first come, first serve  
6 basis, so...

7 MADAME CHAIRWOMAN: Okay. Thank you.

8 Mr. Ferris.

9 MR. FERRIS: Okay. We have some pending polling  
10 place changes that were continued from last week.

11 The first thing that I want to do is announce the  
12 changes that the Commissioners made after the meeting last  
13 week in executive session. That would be 33;16, was moved  
14 to the Scanlon Rec Center at J and Tioga Streets; 33;19 was  
15 moved to the PAL Center at H and Tioga Streets; 33;21 was  
16 moved to Scanlon Rec Center at J and Tioga Streets; 33;22  
17 was moved to the PAL Center at H and Tioga Streets; 33;23  
18 was moved to the Scanlon Rec Center at J and Tioga Streets;  
19 and 33;24 was moved to the Scanlon Rec Center at J and Tioga  
20 Streets.

21 Now, there were several that were taken under  
22 advisement.

23 We were asked to go out and look at some polling  
24 places either with people or go find out some complaints

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1 that were brought to the Commissioners' attention. The  
2 first one was the 1st Ward; 19 Division.

3 One of my investigator's met with the committee  
4 woman and the judge at the site that they claim the second  
5 polling place wouldn't fit. They explained how the second

6 polling place would fit.

7           However, they asked for another week to look for  
8 an alternative spot. They have an alternative spot in mind  
9 that is handicapped accessible, we're just waiting for  
10 permission to inspect that site.

11           So we would ask for another week before we make a  
12 decision on that one. That was for 1;19.

13           Okay. The next one is for the 13th Ward; 14th  
14 Division, there was a question that there was no lighting in  
15 the school and it was dangerous to go to the back of the  
16 school.

17           Two weeks ago the school district installed brand  
18 new lighting and also security cameras. And I have pictures  
19 here that show where the cameras are and where the lighting  
20 is placed.

21                               (Whereupon, documents submitted  
22 to the Commissioners.)

23           MR. FERRIS: So, if the Commission would like to  
24 vote on that one now, or take that under advisement and talk

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1 about it after the meeting, it's up to you what you want to  
2 do.

3           MADAME CHAIRWOMAN: We'll take it under  
4 advisement.

5           MR. FERRIS: Okay. The next one is for the 6th  
6 Ward; 15th Division.

7           The pastor was in here asking about the church and  
8 what could be done at the church. He has submitted a letter  
9 to the Commissioners asking for some time.

10           We have gone out and also found a school that is  
11 closer than the recommended site, the School of the Future,  
12 which is a brand new state-of-the-art school, which is  
13 closer to the current church that we're using, so they don't  
14 have to go as far. The suggestion was Leidy School, and  
15 this is much closer than the Leidy School.

16           So that was one that we can use that as an  
17 alternative location if the Commissioners want to vote on  
18 that, or take it under advisement right now.

19           MADAME CHAIRWOMAN: We'll take that under  
20 advisement.

21           MR. FERRIS: The next one I have is for the 26th  
22 Ward, the 6 divisions that were going to be moved to the  
23 Swedish Museum. They submitted a location of Calvary  
24 Church.

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1           We have inspected the church and it is fully  
2 handicapped accessible. We do have an inspection report.

3           So with these six divisions if you want to rule on  
4 this one now, or take it under advisement?

5           COMMISSIONER CLARK: Yes.

6           MADAME CHAIRWOMAN: Yes. We approve that.

7           COMMISSIONER CLARK: Absolutely.

8                               (Whereupon, documents were  
9 signed by the Commissioners.)

10           MR. FERRIS: So the new polling place for the 26th

11 Ward; 1st Division, 2nd Division, 3rd Division, 20th  
12 Division, 23rd Division and the 24th Division will all be  
13 going to the Calvary Church at 3301 South 20th Street.

14 And then the only thing that I have is, that we  
15 will be holding more polling place change hearings on  
16 Wednesday, March 21st, here in this room. I just need a  
17 time that the Commissioners would like to hear so I can get  
18 letters out today to ward leaders and signs posted.

19 MADAME CHAIRWOMAN: If you would check with our --  
20 if you would just work with Mr. Garecht and Miss Moss to --

21 MR. FERRIS: Okay.

22 MADAME CHAIRWOMAN: -- make sure that our  
23 calendars --

24 MR. FERRIS: I sent everybody an E-mail last

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1 night. I don't know if you got it or not, but --

2 MADAME CHAIRWOMAN: I didn't get it yet, so...

3 MR. FERRIS: Okay.

4 MADAME CHAIRWOMAN: I haven't looked at my E-mail  
5 this morning.

6 COMMISSIONER SCHMIDT: Right now we can only  
7 access our E-mails from one individual computer to our  
8 offices. It's not to a Black Berry, it's not to anything  
9 else.

10 MR. FERRIS: Okay.

11 COMMISSIONER SCHMIDT: So, we're, sort of, getting  
12 there.

13 But thank you for your patience.

14 MR. FERRIS: Well, I put two suggestions on there  
15 because it is only approximately 25 instead of 34.

16 MADAME CHAIRWOMAN: Yes.

17 MR. FERRIS: And if we would either just have it  
18 at 12:00 right after this meeting since these meetings tend  
19 to go fast, or we can recess like we did last time and do it  
20 at 1:00. So it's your call. Just let me know hopefully  
21 today and I can get those out.

22 MADAME CHAIRWOMAN: Yes.

23 COMMISSIONER SCHMIDT: Yeah.

24 MADAME CHAIRWOMAN: Can you get with Miss Moss and

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1 Mr. Garecht to letting you know?

2 MR. FERRIS: Yes.

3 MADAME CHAIRWOMAN: Thank you. Okay.

4 MR. FERRIS: And then other than that, the only  
5 thing I have is some stuff for the Department of Justice,  
6 but I believe that we are going to do them in executive  
7 session.

8 MADAME CHAIRWOMAN: Yes.

9 MR. FERRIS: Okay.

10 MADAME CHAIRWOMAN: Yes.

11 MR. FERRIS: So that is all that I have. Thank  
12 you.

13 MADAME CHAIRWOMAN: Thank you.

14 Mr. Irving.

15 MR. IRVING: Good morning, Commissioners.

16 Currently we're up to March 5th on processing all  
17 of the paper Voter Registration Affidavits which we  
18 received.

19 They're currently working on stuff from March 6th,  
20 to today as we speak.

21 The electronic applications which are transmitted  
22 through the Department of State, we've processed everything  
23 up to and including February 29th.

24 The State had a problem with transmitting during

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1 the week, so they were put on hold, and we just received  
2 those this morning. So they're working on anything between  
3 March 1st, and up until their transmittal this morning.

4 Absentees, we probably have about 150 absentees  
5 remain which we have to process.

6 We held back on that because, a lot of those forms  
7 which came in, they came in with a voter registration forms,  
8 too. So we want to make sure that those people are in the  
9 system before we actually process an absentee.

10 MADAME CHAIRWOMAN: And when you say an absentee,  
11 you mean an absentee ballot request?

12 MR. IRVING: The application, yes.

13 During the past week we submitted two test CDs to  
14 our vendors. One to Barton and Coney for our street list,  
15 and the other to Van Guard for the admission slips.

16 Both companies said they were fine. They were  
17 able to go ahead and run the job without any glitches. So  
18 we are on target to have that stuff printed out.

19 Poll workers and interpreters, we're continuing to  
20 pull the information from the voter registration  
21 application, plus we had -- actually during the week we had  
22 two people who popped into the counter and inquired about  
23 becoming poll workers. I submitted those names to Mr.  
24 Dowling. I gave him an updated list. I have an updated

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1 list which I am going to e-mail to Jorge Santana. It also  
2 includes phone numbers on this one, okay.

3 MADAME CHAIRWOMAN: Excellent.

4 MR. IRVING: Also, we still have the petition  
5 hearings going on. We have court cases going on up at the  
6 Widener Building and in Harrisburg.

7 Next week we're scheduled to have hearings five  
8 days in Harrisburg as well as here, so we'll be dispatching  
9 people.

10 What we're going to do is wait until Friday before  
11 I make up a schedule of who is going to go out. And I'll  
12 talk with you guys about seeing whether they're going to  
13 stay overnight because, if it is two hearings and it  
14 continues later, than instead of having them drive back and  
15 forth, we'll do it that way.

16 We have people coming in to sit down to -- as  
17 their Court Order to stipulate what they can before they go  
18 in front of the judge. That's what most of it has been for  
19 the week. We have a group in here now, and we have more  
20 scheduled to come today and throughout the rest of the week

21 so, therefore, we're requesting the extension of hours once  
22 again.

23 What I did so far is, I cut back to -- I cut it  
24 back to just one unit and maybe a couple of other people,

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1 because I don't want to have myself short when we get people  
2 come in here.

3 So, the hours are going to be from 8:30 to 7:30,  
4 that's today, Wednesday, tomorrow, Thursday. Friday from  
5 8:30 a.m. until 5 p.m. Saturday and Sunday from 8 a.m.  
6 until 4:30 p.m.

7 I just received an E-mail before I came upstairs  
8 from the State that the SURE System, they're going to be  
9 doing some maintenance on them for Saturday. And I fired  
10 off an E-mail back to them, hey, guys, look at your  
11 calendar, see what's going on here. I have about four  
12 cases. So I'm waiting to hear back from them.

13 Usually they attempt to do things like that in the  
14 past, but once we talk to them they'll put it on hold and do  
15 it at some other time.

16 Other than that, we're continuing with all  
17 necessary preparations for the upcoming election.

18 And that concludes my report.

19 MADAME CHAIRWOMAN: Thank you very much.

20 MR. IRVING: You're welcome.

21 MADAME CHAIRWOMAN: Next on the agenda,  
22 recommendation from Commissioner Schmidt to consider the  
23 adoption of policies prohibiting sexual harassment and  
24 nepotism.

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1 COMMISSIONER SCHMIDT: In January of last year the  
2 mayor issued a series of Executive Orders to address  
3 different shortcomings with current city-wide policies on a  
4 couple of different issues, and then the mayor encouraged  
5 all independent agencies to adopt these Executive Orders.

6 For one reason or another our agency didn't --  
7 what I did was, I redrafted the Executive Orders to make  
8 them tailored to our agency. And so they would be issued  
9 from our agency rather than adopting one from another.

10 The first concerns sexual harassment. And it is  
11 somewhat timely given other things going on at other  
12 agencies in the City recently.

13 The second concerns nepotism. And it's not as  
14 timely, but it addresses an ongoing issue in a lot of city  
15 agencies.

16 I'm just submitting them both for your  
17 consideration for us to vote to approve or not next week.

18 The language is largely the same as the mayor's  
19 Executive Orders except it's redrafted to fit our office.

20 I've run them both past our Office of Human  
21 Resources, and Lynn Malson (phonetic) provided some very  
22 helpful changes to make them more appropriate for our needs.

23 MADAME CHAIRWOMAN: Thank you.

24 I would like to say, that I was shocked to find

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1 that there was no sexual harassment policy here.

2 This is an issue that I feel very strongly about.  
3 It is absolutely crucial that this is an excellent place for  
4 everyone to work. And that means that woman as well as men,  
5 too, should have equal opportunities to advance.

6 The kind of hostile environment that can be  
7 created by sexual harassment is one that I would not like to  
8 be responsible for in any institution that I am a part of,  
9 much less at the head of.

10 So thank you very much for proposing these,  
11 Commissioner Schmidt.

12 COMMISSIONER CLARK: We're going to talk about  
13 that?

14 MADAME CHAIRWOMAN: There's no --

15 COMMISSIONER SCHMIDT: There's no need to provide  
16 anything today, they're for your consideration.

17 COMMISSIONER CLARK: Right.

18 MADAME CHAIRWOMAN: Okay. Thank you.

19 COMMISSIONER CLARK: And we've been bound by them.

20 MADAME CHAIRWOMAN: Next on the agenda, our  
21 recommendation from myself to consider implementing an  
22 outreach initiative about the Special Elections to educate  
23 the public who will be affected by them.

24 As my office did not timely get to the other

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1 Commissioners the actual details of that proposal, I would  
2 like to just say that we will be getting you those details  
3 and hope that you would agree that this is something that we  
4 should be doing.

5 And that concludes the public part of this meeting  
6 -- I'm sorry, that concludes the agenda, the fixed agenda,  
7 that we had. We will be having an executive session later  
8 today and -- or possibly tomorrow or Friday, depending on  
9 Mr. Aversa's schedule, to discuss the legal -- the Kerrigan  
10 case and some developments, and also to discuss some  
11 personnel issues.

12 So at this point I would like to open the meeting  
13 up to public comment and questions.

14 Mr. DeFelice.

15 MR. DeFELICE: Yeah. I have a question. With  
16 respect to these new policies with respect to sexual  
17 harassment as well as nepotism, is this something that your  
18 office will make -- you're going to essentially vote on this  
19 next week; right, and I guess the public will have -- will  
20 the public have an opportunity to view this ahead of time?  
21 Is this something that we would post somewhere, or is this  
22 an internal document that doesn't affect the public?

23 COMMISSIONER SCHMIDT: I think once we finish  
24 drafting it and vote on it, then it's public, otherwise

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1 they're work papers used in the deliberation of a decision;  
2 is that accurate, Mr. Voigt?

3 MR. VOIGT: It is an internal document.

4 COMMISSIONER SCHMIDT: Right.

5 MR. VOIGT: It has nothing to do with the public.

6 MADAME CHAIRWOMAN: No. It's an internal document  
7 until we actually vote on it and adopt it, so...  
8 MR. DeFELICE: And it becomes --  
9 MADAME CHAIRWOMAN: And it becomes --  
10 COMMISSIONER SCHMIDT: They're draft documents  
11 right now.

12 MR. DeFELICE: All right. That's number one.  
13 Two is a question with respect to the Watcher  
14 Certificates. And let me start off by saying, that I think  
15 Joe and Joyce and everyone with respect to those does a  
16 great job with the Watcher Certificates, always timely.  
17 I just was -- the one thing through the years that  
18 I brought to the attention of the Commissioners previously  
19 was, I mean, I know we're still in a situation where we hand  
20 write these documents, and with an election coming up, the  
21 presidential, busy as they are on a regular basis, has there  
22 been any talk from the Commission or from Greg or from  
23 whoever to further modernize the approach to this, whether  
24 it was printing these or typing these out or maybe use a

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1 mail-merge function on Windows?

2 I mean, I just -- like I said, with all due  
3 respect to the crew over there, they do an excellent job,  
4 but it just seems there could be -- could be a potential  
5 faster way.

6 MADAME CHAIRWOMAN: There are -- there are -- that  
7 is just one example of many modernizations that would be  
8 possible internally that would help us internally, and also  
9 would help us be able to provide information to the public  
10 in a much more useable format. And all of those things are  
11 under discussion.

12 I would ask you to bear with us in this year of  
13 2012 when there have been several complications. And indeed  
14 one coming down the pike that you may be glad to see, but I  
15 am not, which is the impending passage of HB934, which will  
16 further complicate our operations.

17 But I ensure you that I have -- I fully appreciate  
18 the suggestion. And you will see it at some point. I  
19 cannot promise you when.

20 MR. DeFELICE: It's fair enough.

21 And with respect to the voter ID, I mean, this is  
22 obviously -- it's pinnacle right now the discussion, I know,  
23 with the senate right now; has there been any further talk  
24 about if -- has there been any pre talk about how that would

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1 be implemented here on the Commissioner level -- on the  
2 county level?

3 MADAME CHAIRWOMAN: We cannot implement anything  
4 until we get directives from the Secretary of State. And  
5 certainly before the bill actually passes in final form, it  
6 would be foolish to go beyond simply some speculation and  
7 discussion.

8 But it has been limited. We do not know what the  
9 final form of the bill would be. And we had very little  
10 input on what the final form of the bill will be.

11 MR. DeFELICE: And I guess not to get to far off  
12 because, again, it's still speculation because the bill is  
13 in bill phase, but, I mean, is there a possibility that this  
14 could be in place for the Primary Election?

15 MADAME CHAIRWOMAN: The last version of the bill  
16 that I saw, the one that came out of the Senate  
17 Appropriations Committee does require all of the  
18 administrative apparatus of the bill, all our part of the  
19 bill, plus a little, to be in place for the April 24th  
20 Primary.

21 MR. DeFELICE: All right. Thank you.

22 MADAME CHAIRWOMAN: Thank you.

23 Mr. Thomsen.

24 MR. THOMSEN: David Thomsen.

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1 I just want to ask, perhaps the Commissioners  
2 might be going to the legislature with a different issue?

3 Pennsylvania State Constitution prohibits any  
4 convicted felons who's serving under the Commonwealth.

5 Apparently, according to articles in the Inquirer  
6 and other things that I've read, you can run for the office,  
7 you just can't serve in the office. And I think it would be  
8 a good idea and reduce the expenses of the City to findsome  
9 way to prohibit candidates for running when they cannot  
10 legally serve.

11 Thank you.

12 MADAME CHAIRWOMAN: Thank you, Mr. Thomsen. We  
13 will --

14 MR. THOMSEN: You know who I mean.

15 MADAME CHAIRWOMAN: -- take it under advisement.  
16 And that goes to a larger issue of the state of the election  
17 -- the State Election Code, which needs to be modernized in  
18 many ways.

19 And I would love to see the legislature tackle  
20 that. But at this point I don't have much hope that the  
21 current legislature will spend its time on that kind of very  
22 important meaningful reform.

23 Mr. Cohen.

24 MR. COHEN: Good morning, Commissioners; my name

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1 is Ivan Cohen. I ran for city council in the 2nd district  
2 against Kenyatta Johnson, so-called state representative.

3 I would like to know what you are going to do  
4 about the address that he gave, the address that he has now,  
5 and where he lives? Help me out with this.

6 His house is up for sale that he did not own.  
7 People went in the house, there was never no furniture in  
8 the house. There was, maybe, six inches of dirt through the  
9 whole house. That's why he won't let Channel 29 in there to  
10 look at the house. And he was never taken off the ballot.

11 You had another candidate, Barbara Capozzi  
12 running, losing by 38 votes.

13 If you looked at the people in the districts, you  
14 had Damon Roberts, I know that Commissioner Schmidt is  
15 working on it now, had 196 people with no signature cards.

16 And then there's another division with a hundred  
17 and eighty-something, no signature cards.  
18 What is going to be done with all of this I'd like  
19 to know?  
20 I just want to go on record here and let it be  
21 known what happened. That's one.  
22 Now, let's go on with Donatucci. Here you have a  
23 commissioner, nine people living in a house on 21st Street.  
24 He lives at 104 Queen Street.

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1 How could he be registered at 2321 South 21st  
2 Street, his mother's house, with eight other people, and he  
3 lives on Queen Street, the 1st district? That's the 2nd  
4 district. And everybody voted. He just pushes people out  
5 and votes.

6 Not for saying nothing, I beat that division. I  
7 would have beat Point Breeze and Grays Ferry if the people  
8 didn't ask for ridiculous money for me to help them -- for  
9 them to help me, the Democrats and Republicans. It was  
10 crazy. It was chaotic.

11 They says (sic), you want to win, this is what  
12 it's going to cost you.

13 I'm not putting up -- I wasn't running for  
14 president the money that they were asking.

15 I just ran a legitimate election, they didn't.  
16 Nobody did.

17 Thirteen thousand people coming out for a  
18 councilman; that was ridiculous.

19 I went to the polling places and people were  
20 sitting there writing names. Nobody was in there voting.  
21 It was like a picnic in every division I went to, South  
22 Philly, Point Breeze, Grays Ferry, South-West Philly. It  
23 was a picnic. Fifty people the most they had.

24 And I just don't understand what's going to go on  
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1 now. I just want it to be put on record what happened  
2 during that election. It was a total fraud. And here you  
3 have another fraud sitting there as a councilman. Bad city.  
4 Bad policy.

5 That's all I got to say. Thank you.

6 MADAME CHAIRWOMAN: Thank you. Thank you for your  
7 information.

8 MR. COHEN: Thank you for listening to me two  
9 times.

10 MADAME CHAIRWOMAN: You're welcome.

11 MR. COHEN: And Commissioner Schmidt.

12 MADAME CHAIRWOMAN: So, the first -- the first  
13 comment is, that the election in 2011, was in 2011, there  
14 were some legal challenges. There is -- that election is  
15 over, and the legal challenges are over, and there is  
16 nothing that the Commission can do at this point as regards  
17 to that election.

18 As regards your allegation that there are people  
19 improperly registered at Mr. Donatucci's house, we have done  
20 our investigation, as we do in response to any citizen

21 complaint, and we are satisfied that indeed the eight people  
22 registered there are, in fact, living there. It's a large  
23 house in South Philadelphia.

24 And as regards the first thing, Councilman

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1 Johnson's residence, perhaps, Mr. Voigt, you would explain  
2 our legal -- the legal limits of our ability legally to  
3 address that.

4 MR. VOIGT: In terms of his eligibility, we have  
5 -- to serve, we have no jurisdiction.

6 As to his ability to vote, we have jurisdiction to  
7 examine that. I'm sure that we can do that.

8 MADAME CHAIRWOMAN: If you would like us to  
9 examine his right to be registered at that address, we can  
10 do that.

11 MR. VOIGT: To vote.

12 MADAME CHAIRWOMAN: We have no -- registered to  
13 vote. We have no jurisdiction over his eligibility.

14 And that would be a matter for what -- what -- a  
15 complaint should properly be brought to whom for that, Mr.  
16 Voigt?

17 MR. VOIGT: You challenge his eligibility to  
18 serve.

19 There is a procedure in Common Pleas Court -- or  
20 actually in the Commonwealth Court. But that's a court  
21 procedure. It can't be brought before us.

22 MR. COHEN: I understand, but I was just making it  
23 a point --

24 MR. VOIGT: I understand.

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1 MR. COHEN: That's all I was doing.

2 MR. VOIGT: Okay.

3 MR. COHEN: I mean, Barbara Capozzi tried it. She  
4 went as far as \$350,000. And I told her, you are a fool to  
5 spend another 50,000 and go to a Superior Court or go to a  
6 Supreme Court.

7 MR. VOIGT: She lost that case.

8 MR. COHEN: I understand.

9 MR. VOIGT: Her case was dismissed.

10 MR. COHEN: I know that she lost that case.

11 That's not my point.

12 You're telling me that eight people live in that  
13 house on 21st? Donatucci's address is 104 Queen Street.  
14 His tickets on his car, it was 104 Queen Street. That's  
15 where he lives at. His mother lives in that house and one  
16 other person. His son and daughter live somewhere else on  
17 Wolfe Street. I know everything that goes on. There's not  
18 nine people or eight people or four people living in that  
19 house. There's just no way.

20 Your information is totally wrong. It is totally  
21 wrong.

22 MR. VOIGT: You are entitled to your opinion.

23 MR. COHEN: That's my opinion. This is what I  
24 know.

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1 MADAME CHAIRWOMAN: Thank you.  
2 MR. VOIGT: Thank you.  
3 MR. COHEN: You're welcome.  
4 MADAME CHAIRWOMAN: And any other comments or  
5 questions from the public?  
6 (Whereupon, there was no  
7 response.)  
8 MADAME CHAIRWOMAN: If not, then --  
9 MR. FERRIS: Commissioner, excuse me.  
10 MADAME CHAIRWOMAN: Yes.  
11 MR. FERRIS: Could I just bring up one thing that  
12 I forgot to add?  
13 People have been calling for polling place lists.  
14 MADAME CHAIRWOMAN: Yes.  
15 MR. FERRIS: It has been past practice, that --  
16 first of all, by State Law, we have to give them out 20 days  
17 before the election, which would be April 4th, which is also  
18 the last day the three Commissioners can hear any kind of  
19 polling place change.  
20 It has been our practice not to give out polling  
21 place lists until at least that day, because giving out  
22 misinformation could cause problems. So I just wanted to  
23 put that on the record in case anyone complains to you that  
24 this has always been past practice. We do not give out  
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1 polling place lists until, you know, the 20 days before, for  
2 that reason.  
3 You may -- we may agree or you may agree to change  
4 polling places. However, they don't get into the system,  
5 you know, that exact day. So it does take time to update  
6 the City system and the SURE System. So this is why we  
7 don't give out the polling place lists, inaccurate  
8 information, because they will come back and blame it on us  
9 that you gave us the wrong polling places.  
10 MADAME CHAIRWOMAN: Thank you, Mr. Ferris, for  
11 that information.  
12 MR. FERRIS: Thank you.  
13 MADAME CHAIRWOMAN: All right. If there is no one  
14 else, nothing else, then I adjourn this meeting.  
15 Thank you.  
16 (Whereupon, the proceeding was  
17 adjourned at approximately 11:35  
18 a.m.)  
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1 C E R T I F I C A T E  
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3 I, RENÉE HELMAR, a Shorthand Reporter, and Notary  
4 Public, certify that the foregoing is a true and accurate  
5 transcript of the proceedings which were held at the time,

6 place and on the date herein before set forth.

7 I further certify that I am neither attorney, nor  
8 counsel for, nor related to or employed by, any of the  
9 parties to the action in which these proceedings were taken,  
10 and further that I am not a relative or employee of any  
11 attorney or counsel employed in this action, nor am I  
12 financially interested in this case.

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17 René Helmar  
18 Shorthand Reporter  
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