

Commissioners' Office
313 West Market Street, Suite 6202
West Chester, PA 19380
610-344-6100
cccommissioners@chesco.org
openrecords@chesco.org

Karen Barsoum, Director Voter Services
601 Westtown Rd, Suite 150
West Chester, PA 19380-0990
610-344-6410
ccelectionofficials@chesco.org

August 26, 2022

AUDIT REPORT - CHESTER COUNTY BALLOT PROCUREMENT PROCESS

Commissioners and Director of Voter Services,

An audit of the following records relating to Chester County's ballot supply process obtained on July 27, 2022 through Pennsylvania's Right to Know Law has been conducted.

1. 2022 Primary Ballot Order Spreadsheets
2. Policy and Procedure manual revised April 2022
3. NPC, Inc. Voter Ballot and Printing Production Proposal
4. Election Day Call Logs and emails

It is Chester County's Board of Elections (the Board's) responsibility to perform all duties in accordance with § 2642 of Pennsylvania's Election Code. Specifically, the Board has a duty to "purchase, preserve, store and maintain primary and election equipment of all kinds, including voting booths, ballot boxes and voting machines, and to procure ballots and all other supplies for elections." (25Pa. Uncons. Stat. § 2642 Powers and duties of county boards, Pennsylvania Unconsolidated Statutes, 2022 Edition)

Audit Findings

1. The Board failed to comply with 25 Pa. Uncons. Stat. § 2967 "in addition to the number of ballots required to be printed for general distribution, maintain a sufficient supply of such ballots at the office of the county board . . . for the use of any district, the ballots for which may be lost, destroyed or stolen." This failure resulted in turning away an untold number of Republican voters for several hours as they were unable to cast their vote via paper ballot in two precincts.

At 6:30am on election day, Voter Services was notified that the ballot box for precinct number 825 West Chester 2-W did not contain Republican ballots. The record reflects

ballots were printed at 8:20am as no ballots are maintained at the office of the county board in accordance with § 2967.

At 7:00am on election day, Voter Services was notified that precinct number 410 W Nottingham was supplied with an insufficient number of Republican ballots and a few hundred more ballots would be needed. The record reflects ballots were printed (time unknown) as no ballots are maintained at the office of the county board in accordance with § 2967.

The record does not indicate the quantity of ballots printed, whether each ballot was attached to a stub, bound together in books of fifty, and numbered consecutively, nor when the ballots were delivered to the precinct. Further, the record does not include a policy or procedure for the printing of ballots on election day. Nor is there any mention of chain of custody for the distribution of printed ballots to the precinct.

As the Board did not maintain the required inventory of ballots, ballots had to be printed during election hours. This prevented voters from exercising their civil right for several hours – or possibly not at all - due to the prolonged delay. Recommend the Board comply with § 2967 to reduce the time voters are prevented from voting via paper ballot in instances when ballots may be lost, destroyed, or stolen.

2. The Board of Elections failed to utilize a consistent formula to determine the quantity of ballots to be procured per precinct. A review of the ballot order spreadsheet reveals inconsistencies in the quantity of ballots ordered per precinct. The disparity ranges from ordering only enough ballots for 10% of registered voters to ordering more than 2.5 ballots per registered voter. This failure resulted in significant surplus and deficit supply of Republican and Democrat ballots in several precincts. As reported in Finding Number 1, this deficit supply prevented voters at 410 W Nottingham from voting via paper ballot for several hours – or possibly not at all – due to the prolonged printing delay.

Precinct	Party	Registered Voters	Ballots Ordered	Deficit / Surplus
410 W Nottingham	R	959	100	859
785 Willistown N-4	R	366	700	334
545 W Sadsbury	D	366	700	334
365 W Marlborough	D	249	650	401

Recommend the Board establish a formula to determine the quantity of ballots to be procured and apply it consistently across all precincts. This can be accomplished utilizing formulas in Excel. The example below is based on one book of fifty official ballots for every forty-five registered voters.

EXCEL EXAMPLE

	A	B	C	D
1	Precinct	Registered Voters	Excel Formula Number of Books	Excel Formula Total Ballots
2	425 Lower Oxford E	2173	=ROUNDUP(B2/45,0) 49	=SUM(D3*50) 2450
3	255 W Goshen N-1	654	=ROUNDUP(B3/45,0) 15	=SUM(D3*50) 750
4	457 Pennsbury S-2	289	=ROUNDUP(B4/45,0) 7	=SUM(D3*50) 350

3. The Board failed to inspect and control ballots received from NCI, Inc. As reported in Finding Number 1, the ballot box for precinct number 825 West Chester 2-W did not contain Republican ballots. The ballot order spreadsheet indicates 300 ballots were ordered from NCI, Inc. The record does not indicate if NCI, Inc. delivered the quantity of ballots ordered or if the ballots were misplaced once in the control of Voter Services. Further, the record does not include a policy or procedure for the receipt and inspection of ballots supplied by a vendor. Nor is there any mention of chain of custody for the removal of preprinted ballots from storage and deposit into Door C of the DS200 ballot box.

As the Board did not inspect and control the inventory of ballots, ballots had to be printed during election hours. This prevented voters from exercising their civil right for several hours – or possibly not at all - due to the prolonged delay.

Recommend the Board develop policy or procedures for the receipt and inspection of ballots supplied by a vendor confirming:

- a. The ballots conform to the purchase order
- b. The quantity ordered against the quantity shipped or delivered
- c. There is no damage or breakage
- d. The unit of measurement count is correct (e.g. 50 ballots per book)
- e. Appropriate chain of custody as preprinted ballots are moved from storage and the appropriate quantity is placed in placed in Door “C” of the DS200 ballot box

Regards,



Carmela Z. Ciliberti, ESQ

CC: Republican Committee of Chester County
Chester County Democrats
The Libertarian Party of Chester County