

**BERKS COUNTY BOARD OF ELECTIONS  
MEETING MINUTES  
October 31, 2024 – 11:00 A.M.**

**Michael S. Rivera, Chair**  
**Christian Y. Leinbach, Vice Chair**  
**Dante Santoni, Jr., Commissioner**  
**Anne Norton, Chief Clerk**  
**Christine M. Sadler, County Solicitor – not present**  
**Cody L. Kauffman, First Assistant County Solicitor**

**CALL TO ORDER: 11:00 A.M.**

**APPROVAL OF THE MINUTES**

The Board deferred the approval of the minutes for the October 24, 2024 meeting until its next meeting.

**PUBLIC COMMENT ON AGENDA ITEMS**

None.

**Agenda Items**

**1. Discussion of receipt of bulk voter registrations**

First Assistant County Solicitor Cody Kauffman noted there have been various news stories about neighboring counties receiving bulk batches of voter registrations near the registration deadline. He informed the Board that Berks also received two large boxes of voter registrations from a voter registration drive near the deadline on Oct. 21. He said the volume of registrations and their content raised some concerns about their authenticity. He said some of the registrations from the boxes were legitimate and processed, but due to the volume of registrations, he recommended the matter be referred to the District Attorney's office for further investigation.

Mr. Kauffman said he felt it was important for the Board to understand that received registrations are not approved automatically. He said there is a specific legal process that every registration must go through that includes statutory requirements for certain identification information. He said only registrations that are legally compliant are approved and that if any information does not match or is missing, the registration is set aside for further follow-up. After the elections staff does its due diligence and still cannot verify the authenticity, the registration is ultimately rejected. He said all the registrations received in the large boxes that were not legally compliant were not approved. He added that the bulk voter registrations were a huge drain to the elections staff's time, but that the staff does a great job of ensuring the process is followed and each registration was reviewed thoroughly and legally compliant.

Commissioner Rivera said that part of the issue is that these voter registration drives pay their workers on a per registration basis. He said that the time spent on reviewing these registrations could have been better spent on other duties.

Commissioner Leinbach stressed that the process does work, and that the elections staff has the duty to do things correctly. He said that when someone signs a registration or application, they are signing that everything on that form is accurate, so if they are lying, it can be criminally prosecuted.

Commissioner Santoni asked if it was unusual to get large boxes of voter registrations. Ms. Norton said that it was not uncommon during a Presidential election. He said he believes the process works and the staff is doing a great job.

On the motion of Commissioner Leinbach, seconded by Commissioner Santoni, the Board approved to refer the matter to the District Attorney's office for further investigation.

## **2. Discussion of video recording of voters voting**

Mr. Kauffman informed the Board that during the "over-the-counter" voting period in the Election Services office, there were two reported incidents of individuals video recording people as they were voting. He said that after reviewing security video of the incidents, the individuals recording were near the tables that were set up for voting but were not directly behind voters or intruding in the voting compartment. He said the law is specifically concerned about impermissible intrusion into the voting space. Mr. Kauffman said while the behavior was concerning, he did not believe there was a specific violation of the law that would warrant referring the matter to the District Attorney's office.

Commissioner Leinbach said he was very disturbed that anyone would be recording video in an area where people were voting and possibly infringing on someone else's privacy. He said he would like to have the matter referred to the District Attorney's office to be further investigated to determine nothing illegal occurred. He said no one should feel pressured or forced to tell anyone how they voted.

Mr. Kauffman said he did not have any objection to the matter being referred to the District Attorney and agreed it was concerning behavior.

On the motion of Commissioner Leinbach, seconded by Commissioner Santoni, the Board approved to refer the matter to the District Attorney's office for further investigation.

## **Election Director's Report**

Ms. Norton said that the deadline to apply for a mail-in or absentee ballot had been Tuesday at 5 p.m. She explained that if a voter only just found out they cannot be present at the polls, they can apply for an emergency absentee ballot in the elections office. Further, voters who applied by the deadline, but did not receive their ballot and are concerned they won't get it in time, can come to the elections office to cancel the first ballot and have a new one reissued.

Ms. Norton said the logic and accuracy testing of the central scan tabulators was completed last Friday. She said there were no issues and the testing produced the expected results. The logic and accuracy testing of the electronic poll books was conducted earlier in the week. No issues were found and the electronic poll books were loaded with voter data and sealed to be sent to the polling locations.

Ms. Norton said that about 57,400 mail-in and absentee ballots were issued and that about 40,000 had been received back so far.

### **Public Comment**

Roxann Curran, Reading, said she was still shocked that the Board decided at last week's meeting to count ballots that had been received in a bulk mailing from a nursing home facility. She said she still had more questions about the situation that she did not feel had been answered and felt the Board's decision was premature.

Christine Worley, Cumru Township, also had concerns related to the bulk mailing of ballots from the nursing home facility. She asked if detectives interviewed each of the affected voters to see if they filled out their own ballots or had been assisted.

Debbie Noel, Robeson Township, thanked the Election Services team for their hard work. She said that both parties have authorized poll watchers that go to polling places on Election Day. She said she was disturbed to learn that one Republican candidate on the ballot has posted negative and misleading things about Democrat poll watchers.

Sor Angel Resto, Reading, said she had concerns about the possibility of collecting ballots from others in her workplace.

Heather Bouchard, Mohnton Borough, said she was in the Election Services office Monday and Tuesday related to obtaining ballots for two family members dealing with emergencies. She said she did not know she needed completed applications in addition to designated agent forms to get the ballots and suggested there be more training of the staff. She said the line did move quickly and that everyone was helpful.

### **General Comments from the Board regarding current election-related issues**

Commissioner Santoni said that the District Attorney did a report on the findings of the investigation into the bulk ballot mailing from the nursing home and found there was nothing nefarious. He said the report found that the voters followed their proper process for sending out mail. He said the Board felt it was appropriate to count the ballots based on those findings.

He said there are five days until Election Day and while it has been a contentious process, he thanked the elections staff and solicitor's office for all of their great work. He encouraged voters to be civil with one another and that, when the results are finalized, to accept them. He noted that Berks County, and Reading specifically, has been identified by experts as the epicenter of the election, so it is important for residents to get out and vote.

Commissioner Leinbach said that he was amazed by the large number of voters who chose to utilize the over-the-counter voting option at the Election Services office. He said the volume overwhelmed the elections staff during office hours, so the staff worked before and after to get their other duties done. He said he would like to look into the possibility of setting up a satellite office for this purpose for future elections.

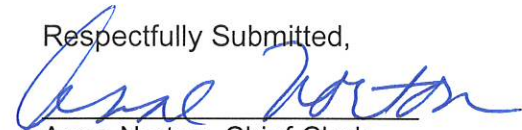
He also shared how there was the potential that both Presidential candidates would be in Reading at the same time on Monday, the day before the election. He said the visits were creating a security concern for the County and law enforcement, but also showed how important Berks and Pennsylvania are for this election. He urged residents to not miss the historical nature of what was happening in Berks.

Commissioner Rivera thanked the elections staff for all of their hard work. He noted that their work doesn't end on Election Day but continues until the final certification. He asked anyone going to the office to be patient with the staff since they have been working long days for a long time. He also asked voters to be respectful of one another. He encouraged those voting by mail-in ballot to return them to the office or through a County of Berks drop box to ensure it is received by Election Day.

The Election Board also discussed when results will be available. Mr. Kauffman explained that the mail-in and absentee ballots can only begin to be opened at 7 a.m. on Election Day and that, per Act 88, the staff cannot stop until all ballots are counted. The bulk of the mail-in ballot results will be included as the in-person results are returned, with one additional drop early Wednesday morning when the counting is completed. Commissioner Leinbach said that with each election, the process of opening the mail-in ballots has been smoother. He said the County has an amazing team in place that has gone through the process multiple times now.

**ADJOURNMENT** 11:58 a.m.

Respectfully Submitted,



Anne Norton, Chief Clerk