

Legislation Text

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Authorizing the Council Committee of the Whole to hold hearings on the malfunction of hundreds of voting machines during the primary election of May 16, 2006 and to seek recommendations on how to prevent such an occurrence from happening again and to determine impact of the occurrence on the outcomes of the election.

WHEREAS, On May 16, 2006 a primary election was held in the City of Philadelphia in order to elect the nominations of the various parties for the general election on November 7, 2006; and

WHEREAS, On May 16, 2006 during the time between 7am until 8pm, hundreds of voting machines in the City of Philadelphia malfunctioned and did not operate for a significant number of hours; and

WHEREAS, Pennsylvania state law (25 P.S. Section 3045) requires that the polls shall be opened at 7am and shall remain open continuously until 8 pm at which time they shall be closed; and

WHEREAS, At many of the polling places both of the voting machines were broken and voters were turned away from the polls because they were told that the machines were not working; and

WHEREAS, Many of the voting machines were broken at 7am and most were not repaired until 3pm or later; and

WHEREAS, Throughout the day election board officials were unable to reach the City Commissioners' Office to report problems at the polling place such as machine malfunctions and to obtain provisional ballots; and

WHEREAS, Many voters were not offered a provisional ballot in order to cast their vote during the time that the machines were not in operation; and

WHEREAS, At polling places where voters were offered provisional ballots, the election boards ran out of provisional ballots and were unable to secure more provisional ballots; and

WHEREAS, There have been many reports in the media that a single screw was responsible for the malfunctions; and that as the machines that did function were open, rolls of paper fell out; and

WHEREAS, Without a thorough investigation of the cause and effect of these machine malfunctions we can not be sure of the fact that a similar occurrence will not happen again; and

WHEREAS, A substantial number of Philadelphia citizens were denied the right to vote as a result of the machine malfunctions; and

WHEREAS, The right to vote is one of the most fundamental rights of our democracy and the citizens of Philadelphia should not have these fundamental rights abridged; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Committee of the

Whole is authorized to hold hearings on the malfunction of hundreds of voting machines during the primary election of May 16, 2006 and seek recommendations on how to prevent such an occurrence from happening again and to determine the impact of the occurrence on the outcomes of the election.