

2/15/2022

COUNCIL OF THE CITY OF PHILADELPHIA

COMMITTEE ON LAW AND GOVERNMENT

Remote location using Microsoft® Teams
Tuesday, February 15, 2022
1:00 p.m.

PRESENT:

COUNCILWOMAN CHERELLE L. PARKER, CHAIR
COUNCILMAN DEREK S. GREEN, VICE-CHAIR
COUNCILWOMAN HELEN GYM
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN DAVID OH
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILMAN MARK SQUILLA

ALSO PRESENT:

COUNCILMAN ISAIAH THOMAS

BILLS: 220001, 220002, 220077

RESOLUTIONS: 220009, 220010, 220082, 210657

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2 COUNCILWOMAN PARKER: Good
3 afternoon. Before we begin the public
4 hearing, I will make the following
5 announcement: Due to the continuing
6 threat to public health from COVID-19,
7 City Council Committees are currently
8 meeting remotely. We are using
9 Microsoft Teams to make these remote
10 hearings possible.

11 Instructions for how the public
12 may view and offer public testimony at
13 public hearings of Council Committees
14 are included in the public hearing
15 notices that are published in the Daily
16 News, Inquirer and Legal Intelligencer
17 prior to the hearing and they can also
18 be found on PHLCouncil.com. I now note
19 that the hour has come.

20 Rachel, will you please call
21 the roll to take attendance. Members
22 who are in attendance will you please
23 indicate that you are present when your
24 name is called. Also, please say a few
25 brief words when responding so that your

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1 image will be displayed on screen when
2 you speak.

3 THE CLERK: Vice-Chair Derek
4 Green.

5 COUNCILMAN GREEN: I am
6 present. Good afternoon, Madam Chair.

7 THE CLERK: Councilmember Brian
8 O'Neill.

9 COUNCILMAN O'NEILL: Good
10 afternoon, everyone.

11 COUNCILWOMAN PARKER:
12 Afternoon.

13 THE CLERK: Councilmember
14 David Oh.

15 COUNCILMAN OH: Good afternoon,
16 Chair and colleagues. I'm present.

17 THE CLERK: Councilmember Helen
18 Gym.

19 COUNCILWOMAN GYM: Good
20 afternoon, Madam Chair. Good afternoon,
21 colleagues. I am present.

22 THE CLERK: And, Councilmember
23 Maria Quinones-Sanchez.

24 COUNCILWOMAN QUINONES-SANCHEZ:
25 I am present.

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1 THE CLERK: I believe that is
2 all for now.

3 COUNCILWOMAN PARKER: Thank
4 you. A quorum of the Committee is
5 present and this hearing is now called
6 to order. This is the public hearing of
7 the Committee on Law and Government on
8 Bill Nos. 220001, 220002 and 220007 and
9 Resolution Nos. 220009, 220010, 200082
10 and 210657.

11 Rachel, would you please read
12 the title of the bills and resolutions.

13 THE CLERK: 220001, an
14 ordinance providing for the submission
15 to the qualified electors of the City of
16 Philadelphia of an amendment to The
17 Philadelphia Home Rule Charter,
18 providing for the removal of gender-
19 based references throughout the Charter,
20 as approved by resolution of the City
21 Council; fixing the date of the special
22 election for such purpose; prescribing
23 the form of ballot question to be voted
24 on; and authorizing the appropriate
25 officers to publish notice and to make

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1 arrangement for the special election.

2 220002, an ordinance providing

3 for the submission of the qualified

4 electors of the Philadelphia Charter --

5 sorry, qualified electors of the City of

6 Philadelphia of an amendment to the

7 educational supplement to the

8 Philadelphia Home Rule Charter, relating

9 to the removal of gender-based

10 references throughout the Educational

11 Supplement, as approved by resolution of

12 the Council; fixing the date of a

13 special election for such purpose;

14 prescribing the form of ballot question

15 to be voted on and authorizing the

16 appropriate officers to publish notice

17 and to make arrangements for the special

18 election.

19 220077, an ordinance providing

20 for the submission to the qualified

21 electors of the City of Philadelphia of

22 an amendment to the Philadelphia Home

23 Rule Charter to provide for the creation

24 of a Fair Housing Commission as an

25 independent commission; as approved by

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1 resolution of the City Council; fixing
2 the date of a special election for such
3 purpose; prescribing the form of ballot
4 question to be voted on; and authorizing
5 the appropriate officers to publish
6 notice and to make arrangements for the
7 special election.

8 220009, a resolution proposing
9 an amendment to the Philadelphia Home
10 Rule Charter providing for the removal
11 of gender-based references through the
12 Charter; and providing for the
13 submission of the proposed amendment to
14 the electors of Philadelphia.

15 220010, resolution proposing an
16 amendment to the Educational Supplement
17 to the Philadelphia Home Rule Charter
18 providing for the removal of gender-
19 based references throughout the
20 Educational Supplement; and providing
21 for the submission of the amendment to
22 the electors of Philadelphia.

23 220082, a resolution proposing
24 an amendment to the Philadelphia Home
25 Rule Charter to provide for the

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1 establishment of a Fair Housing
2 Commission as an independent commission
3 and providing for the submission of the
4 amendment to the electors of
5 Philadelphia.

6 And 210657, a resolution
7 calling for the Committee on Law and
8 Government to hold hearings to examine
9 the feasibility of offering election
10 materials in additional languages,
11 exploring ballot randomization, and
12 enabling safer and more secure elections
13 to adequately prepare for and
14 participate in local, state and federal
15 elections.

16 COUNCILWOMAN PARKER: Thank
17 you, Rachel.

18 Before we begin to hear
19 testimony from the witnesses we have for
20 today, everyone who has been invited to
21 the meeting to testify should be aware
22 that this public hearing is being
23 recorded. Because the hearing is
24 public, participants and viewers have no
25 reasonable expectation of privacy. By

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1 continuing to be in the meeting, you are
2 consenting to being recorded.

3 Additionally, prior to
4 recognizing Members for questions or
5 comments they have for witnesses, I will
6 note for the record at this time that we
7 will use the chat feature available in
8 Microsoft Teams to allow Members to
9 signify that they wish to be recognized.
10 In order to comply with the Sunshine
11 Act, the chat feature must only be used
12 for this purpose.

13 Rachel, will you please call
14 the first panel we have to testify this
15 afternoon on Bill Nos. 220001 and 220002
16 and Resolution Nos. 220009 and 220010.

17 THE CLERK: Yes. The only
18 testifier we have on this legislation is
19 Celena Morrison.

20 COUNCILWOMAN PARKER: Good
21 afternoon, Celena. Are you present and
22 connected and ready to proceed?

23 MS. MORRISON: Yes, I am.

24 COUNCILWOMAN PARKER: Thank you
25 so much. Please state your name for the

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1 record and feel free to proceed with
2 your testimony.

3 MS. MORRISON: Okay. I'm
4 trying to get my camera on. Good
5 afternoon, Madam Chair and members of
6 the Committee. My name is Celena
7 Morrison and I am Executive Director of
8 LGBT Affairs for the City of
9 Philadelphia. And I'm pleased to
10 provide testimony today in support of
11 Bill Nos. 220001 and 220002 and
12 Resolution Nos. 220009 and 220010.

13 Since I began my role as
14 Executive Director of LGBT Affairs, my
15 office has led the charge to ensure that
16 our City's workforce is reflective of
17 the rich diversity of our LGBTQ+
18 communities here in Philadelphia,
19 including most recently our efforts to
20 collect vital data on the composition of
21 our workforce.

22 Historically, the options to
23 self-identify one's gender were limited
24 to a male or female binary, but our
25 efforts have now expanded the available

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1 options to more reflect our current
2 understanding of the spectrum of gender.
3 It is because of efforts like these and
4 these pieces of legislation that are
5 making strides to become a more
6 inclusive city in a place that lives up
7 to its reputation as a progressive
8 community to live and work in.

9 Language has the power to
10 reflect and influence societal
11 attitudes, our behaviors, our
12 perceptions, and making strides to
13 include gender neutral language
14 encourages us to avoid word choices
15 which may be interpreted as bias,
16 discriminatory, demeaning or by implying
17 that one's sexuality or gender identity
18 is the norm.

19 If you want to really
20 understand the lens through which a
21 person sees gender, listen for their use
22 of gender-neutral language. Not using
23 it reveals a great deal of unconscious
24 bias, which is something that we should
25 all seek to mitigate in our professional

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1 and personal lives.

2 Using gender-fair and inclusive
3 language and replacing words in the
4 Charter like policeman, fireman and the
5 like helps reduce gender stereotyping,
6 promotes gender equality and equity and
7 shows the residents of Philadelphia that
8 members of this Council are aware and
9 respectful of the world's ever-expanding
10 understanding of gender. And while the
11 simplest of changes can help to foster a
12 welcoming environment for all people,
13 it's not enough for us to just say that
14 we are inclusive.

15 We must continue to create
16 tangible policies and practice language
17 norms that create affirming and
18 supportive environments for all. My
19 office stands ready to help create those
20 environments. My hope is that we will
21 work to create a Philadelphia that is
22 welcoming to all its residents, create a
23 culture in which nonbinary people can
24 properly identify and affirm -- I'm
25 sorry, creating a culture in which

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1 nonbinary people can be properly
2 identified and affirmed fosters that
3 positive representation with our City's
4 government.

5 In short, inclusive language
6 reflects our awareness of the world and
7 demonstrates our commitment to
8 inclusion. This is vital for attracting
9 and attaining the rich diversity of our
10 City. As global citizens, residents of
11 Philadelphia and fellow humans, we can
12 show our solidarity and respect of one
13 another by making changes to represent
14 all people.

15 The Administration
16 wholeheartedly supports these pieces of
17 legislation measures which affirm and
18 support not just women and nonbinary
19 people, but everyone on the gender
20 spectrum. This is a small change with a
21 human impact. Thank you.

22 COUNCILWOMAN PARKER: Thank you
23 so very much, Celena, for your
24 testimony.

25 I will now ask my colleagues

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1 and let me try to open up the chat. Are
2 there any questions or comments from
3 members of the Committee for Celena
4 Morrison?

5 (No response.)

6 COUNCILWOMAN PARKER: Okay.
7 There being none, again, Celena, thank
8 you so much for your testimony. We
9 greatly appreciate it.

10 There being none, Rachel, will
11 you please call the first panel we have
12 to testify this afternoon on Bill No.
13 220077 and Resolution No. 220082.

14 THE CLERK: Yes. Again, the
15 only testifier on this legislation is
16 Kia Ghee. And I apologize if I
17 mispronounced your name.

18 COUNCILWOMAN PARKER: Kia Ghee,
19 are you connected and ready to proceed?

20 MS. GHEE: Yes. Can you hear
21 me?

22 COUNCILWOMAN PARKER: Yes, I
23 can hear you well. Thank you so very
24 much. Just please state your name for
25 the record and feel free to proceed with

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1 your testimony.

2 MS. GHEE: Yes. Good

3 afternoon, Chair Parker and members of
4 the Law and Government Committee. Thank
5 you for giving me an opportunity to
6 testify in support of Bill No. 220077
7 and Resolution No. 220082, which will
8 provide for the submission to the
9 qualified electors of the City of
10 Philadelphia of an amendment to the Home
11 Rule Charter to provide for the
12 establishment of the Fair Housing
13 Commission as an independent commission.

14 I am Kia Ghee, the Executive
15 Director for the Philadelphia --
16 Philadelphia Fair Housing Commission,
17 I'm sorry, the agency that enforces the
18 Fair Housing Ordinance. By way of
19 background, the Fair Housing Ordinance
20 was enacted in 1962 to protect the
21 health, safety and general welfare of
22 renters in Philadelphia. The Fair
23 Housing Ordinance prohibits certain
24 unfair rental practices by landlords and
25 gives the Fair Housing Commission the

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1 authority to address unsafe, unhealthy
2 conditions in rental properties through
3 adjudicatory hearings as well as through
4 investigatory and subpoena authority.

5 Each year hundreds of tenants
6 file complaints with the Fair Housing
7 Commission seeking assistance after
8 their landlord has engaged in unfair
9 rental practices, such as terminating a
10 lease when a property is cited for a
11 code violation or retaliating against
12 tenants for exercising their legal
13 rights.

14 FHC's leadership has played an
15 active role in the ongoing efforts of
16 the Mayor's Eviction Task Force via its
17 subcommittees charged with easing the
18 eviction crisis that is affecting many
19 low-income Philadelphians. Among other
20 initiatives, the committees are focused
21 on promoting and strengthening the Fair
22 Housing Ordinance to provide greater
23 protections for tenants and landlords.

24 The FHC also conducts
25 educational outreach to inform tenants

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1 and landlords of their legal rights and
2 responsibilities. The demand for
3 services from the Fair Housing
4 Commission has grown significantly over
5 the years. The Fair Housing Commission
6 currently has more than 525 open cases
7 with more complaints filed for the first
8 half of the current fiscal year than in
9 all of 2020. These increases are likely
10 attributed to our enforcement of
11 expansive legislation like the Good
12 Cause Eviction bill, which requires
13 landlords to provide timely notice and
14 articulate a sufficient basis to end
15 certain residential leases.

16 In 2021, the Fair Housing
17 Commission created regulations to
18 provide guidance for the Emergency
19 Housing Protection Act, which provides
20 protections for renters affected by the
21 COVID-19 pandemic which included an
22 eviction moratorium, a waiver of late
23 fees, mandatory mediation prior to
24 filing of eviction, mandatory payment
25 plans for delinquent rent and remedies

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1 for tenants experiencing self-help
2 eviction practices.

3 The Fair Housing Commission
4 also helped to interpret the Renters
5 Access Act in order to effectively and
6 quickly enforce against blanket
7 exclusions of people with eviction
8 records, criminal records, credit scores
9 and a tenant's failure to pay rent or
10 utility bills during the COVID-19
11 period.

12 Some may be asking why is it
13 important to propose this Charter change
14 now. Well, the answer is simple. With
15 an increased focus on the eviction
16 crises, especially in Philadelphia,
17 concerns over living conditions that
18 some renters face and fair rental
19 screening practices, the Fair Housing
20 Commission has proven itself to be an
21 invaluable resource to tenants in
22 Philadelphia.

23 And while the Fair Housing
24 Commission has operated for
25 approximately 60 years largely at the

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1 discretion of the Mayor as provided by
2 City Council, this work is far too
3 important not to be established as a
4 permanent commission under the Charter.

5 Tenants who file complaints
6 with the Fair Housing Commission are
7 typically low-income families in
8 communities of color that are headed by
9 single mothers. Resolving unfair rental
10 practices for these communities reduce
11 historical inequities in housing and
12 provides positive outcomes such as
13 ensuring people live in safe, decent
14 housing in neighborhoods that they
15 choose. Thank you for allowing me an
16 opportunity to testify. The
17 Administration supports this legislation
18 wholeheartedly. I am happy to answer
19 any questions that you may have.

20 COUNCILWOMAN PARKER: Thank you
21 so very much, Kia, for your testimony.
22 I just quickly want to take some
23 personal privilege here to say a special
24 thank you for all of the work that you
25 do in this area, not just inside of

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1 government but outside of government.
2 It was an honor to participate with you
3 on the panel not long ago. And boy, was
4 it great feedback about the deck that
5 you put together and all the information
6 you provided. So thank you so very much
7 for that.

8 Now, I want to ask my
9 colleagues are there any questions or
10 comments from members of the Committee
11 for Kia on her testimony?

12 (No response.)

13 COUNCILWOMAN PARKER: Hearing
14 none --

15 COUNCILWOMAN GYM: Madam --

16 COUNCILWOMAN PARKER: I'm
17 sorry. Chair recognizes Councilmember
18 Gym.

19 COUNCILWOMAN PARKER: I just
20 also wanted to echo my welcome and
21 gratitude to Ms. Ghee. We welcome you
22 for your leadership and thank you for
23 all the work that you've done. The Fair
24 Housing Commission is a core part of our
25 work to ensure safety and security,

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1 stability of our neighborhoods and
2 communities and also to be very clear,
3 to protect families, in particular those
4 with children, many of our mothers, our
5 seniors, our veterans. So I know you've
6 been an important part of that, and we
7 really look forward to your leadership
8 looking forward. We're your partners in
9 all of this.

10 And thank you so much,
11 Councilmember Parker, for making this a
12 truly independent Commission. So thank
13 you.

14 COUNCILWOMAN PARKER: Thank
15 you, Councilmember Gym.

16 Well, there being no further
17 questions from members of the Committee
18 and no other witnesses to testify on
19 Bill Nos. 220001, 220002 and 220077 and
20 Resolution Nos. 220009, 220010 and
21 220082, I will ask if there's anyone
22 else present in this hearing whose name
23 we have failed to call and that wishes
24 to testify and offer any comment on any
25 of these bills and resolutions that are

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1 being considered?

2 (No response.)

3 COUNCILWOMAN PARKER: Hearing
4 none, I want to thank our witnesses for
5 their participation today. Please note
6 that we value your opinions. Before we
7 hear testimony on Resolution No. 210657,
8 we will now recess the public hearing
9 and briefly go into the public meeting
10 to consider the action to be taken on
11 Bill Nos. 220001, 220002 and 220077 and
12 Resolution Nos. 220009, 220010 and
13 220082.

14 I also at this time want to
15 just note for the record that I'm
16 looking in the chat and I see that
17 Councilmembers Squilla, Thomas and I
18 think Jones has joined us. I see
19 Samantha here. So I just want the Clerk
20 to please note that for the record.

21 THE CLERK: Got it. Thank you.

22 COUNCILMAN SQUILLA: Thank you,
23 Madam Chair.

24 COUNCILWOMAN PARKER: So now,
25 we are going to convene the public

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1 meeting.

2 Rachel, will you please call
3 the roll to take attendance. Members
4 that are in attendance will please
5 indicate when your name is called.
6 Also, please say a few brief words when
7 responding so that your image will be
8 displayed on the screen when you speak.

9 THE CLERK: Vice-Chair Derek
10 Green.

11 COUNCILMAN GREEN: I am
12 present. Thank you.

13 THE CLERK: Councilmember Brian
14 O'Neill.

15 COUNCILMAN O'NEILL: Present.

16 THE CLERK: Councilmember David
17 Oh.

18 COUNCILMAN OH: Present.

19 THE CLERK: Councilmember Helen
20 Gym.

21 COUNCILWOMAN GYM: Present.

22 THE CLERK: Councilmember Maria
23 Quinones-Sanchez.

24 (No response.)

25 THE CLERK: I know she was

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1 here, but maybe she stepped away.

2 Councilmember Mark Squilla.

3 COUNCILMAN SQUILLA: Thank you,

4 Madam Chair. Present.

5 THE CLERK: And we are also

6 joined by Councilmember Isaiah Thomas,

7 but I believe he's on because his

8 resolution is being heard next.

9 COUNCILWOMAN PARKER: Thank

10 you. We will now go into our public

11 meeting.

12 The Chair recognizes

13 Councilmember Green for a motion on

14 bill -- excuse me, the phone rang -- for

15 a motion on Bill No. 220001. Thank you,

16 Councilmember Green.

17 COUNCILMAN GREEN: Thank you,

18 Madam Chair.

19 I move that Bill No. 220001 be

20 reported from this Committee with a

21 favorable recommendation and further

22 move that the rules of Council be

23 suspended to permit first reading of

24 this bill at the next session of

25 Council.

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1 COUNCILMAN SQUILLA: Second.

2 COUNCILWOMAN PARKER: The Chair

3 notes for the record that the motion was

4 seconded by Councilmember Squilla. It

5 has been moved and properly seconded

6 that Bill No. 220001 be reported from

7 this Committee with a favorable

8 recommendation and further move that the

9 rules of Council be suspended to permit

10 first reading of this bill at the next

11 session of Council.

12 All those in favor of the

13 motion will signify by saying aye.

14 (Aye.)

15 COUNCILWOMAN PARKER: Those

16 opposed?

17 (No response.)

18 COUNCILWOMAN PARKER: The ayes

19 have it and the motion carries.

20 Again, the Chair recognizes

21 Councilmember Green for a motion on

22 Resolution No. 220009.

23 COUNCILMAN GREEN: Thank you,

24 Madam Chair.

25 I move that Resolution No.

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1 220009 be reported from this Committee
2 with a favorable recommendation.

3 COUNCILWOMAN PARKER: Is there
4 a second?

5 COUNCILWOMAN GYM: Second.

6 COUNCILWOMAN PARKER: The Chair
7 notes for the record that Councilmember
8 Gym seconds the motion. It has been
9 moved and properly seconded that
10 Resolution No. 220009 be reported from
11 this Committee with a favorable
12 recommendation.

13 All those in favor of the
14 motion will signify by saying aye.

15 (Aye.)

16 COUNCILWOMAN PARKER: Those
17 opposed?

18 (No response.)

19 COUNCILWOMAN PARKER: The ayes
20 have it and the motion carries.

21 The Chair recognizes
22 Councilmember Green for a motion on Bill
23 No. 220002.

24 COUNCILMAN GREEN: Thank you,
25 Madam Chair.

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1 I move that Bill No. 220002 be
2 reported from this Committee with a
3 favorable recommendation and further
4 move that the rules of Council be
5 suspended to permit first reading of
6 this bill at the next session of
7 Council.

8 COUNCILWOMAN GYM: Second.

9 COUNCILWOMAN PARKER: The Chair
10 notes for the record that Councilmember
11 Gym seconds the motion. It has been
12 moved and properly seconded that Bill
13 No. 220002 be reported from this
14 Committee with a favorable
15 recommendation and further move that the
16 rules of Council be suspended to permit
17 first reading of this bill at the next
18 session of Council.

19 All those in favor of the
20 motion will signify by saying aye.

21 (Aye.)

22 COUNCILWOMAN PARKER: Those
23 opposed?

24 (No response.)

25 COUNCILWOMAN PARKER: The ayes

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1 have it and the motion carries.

2 Again, the Chair recognizes

3 Councilmember Green for a motion on

4 Resolution No. 220010.

5 COUNCILMAN GREEN: Thank you,

6 Madam Chair.

7 I move that Resolution No.

8 220010 be reported from this Committee

9 with a favorable recommendation.

10 COUNCILWOMAN GYM: Second.

11 COUNCILWOMAN PARKER: The Chair

12 notes for the record that Councilmember

13 Gym seconds the motion. It has been

14 moved and properly seconded that

15 Resolution No. 220010 be reported from

16 this Committee with a favorable

17 recommendation.

18 All those in favor of the

19 motion will signify by saying aye.

20 (Aye.)

21 COUNCILWOMAN PARKER: Those

22 opposed?

23 (No response.)

24 COUNCILWOMAN PARKER: The ayes

25 have it and the motion carries.

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1 Again, the Chair recognizes
2 Councilmember Green for a motion on Bill
3 No. 220077.

4 COUNCILMAN GREEN: Thank you,
5 Madam Chair.

6 I move that Bill No. 220077 be
7 reported from this Committee with a
8 favorable recommendation and further
9 move that the rules of Council be
10 suspended to permit first reading of
11 this bill at the next session of
12 Council.

13 COUNCILWOMAN GYM: Second.

14 COUNCILWOMAN PARKER: The Chair
15 notes for the record that Councilmember
16 Gym seconds the motion. It has been
17 moved and properly seconded that Bill
18 No. 220077 be reported from this
19 Committee with a favorable
20 recommendation and further move that the
21 rules of Council be suspended to permit
22 first reading of this bill at the next
23 session of Council.

24 All those in favor of the
25 motion will signify by saying aye.

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1 (Aye.)

2 COUNCILWOMAN PARKER: Those
3 opposed?

4 (No response.)

5 COUNCILWOMAN PARKER: The ayes
6 have it and the motion carries.

7 Again, the Chair recognizes
8 Councilmember Green for a motion on
9 Resolution No. 220082.

10 COUNCILMAN GREEN: Thank you,
11 Madam Chair.

12 I move that Resolution No.
13 220082 be reported from this Committee
14 with a favorable recommendation.

15 COUNCILWOMAN GYM: Second.

16 COUNCILWOMAN PARKER: The Chair
17 notes for the record that Councilmember
18 Gym seconds the motion. It has been
19 moved and properly seconded that
20 Resolution No. 220082 be reported from
21 this Committee with a favorable
22 recommendation.

23 All those in favor of the
24 motion will signify by saying aye.

25 (Aye.)

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1 COUNCILWOMAN PARKER: Those
2 opposed?

3 (No response.)

4 COUNCILWOMAN PARKER: The ayes
5 have it and the motion carries.

6 Now, we will reconvene our
7 public hearing. We will now resume our
8 public hearing on Resolution No. 210657.
9 And before we hear testimony from the
10 witnesses, I know my colleague
11 Councilmember Isaiah Thomas is with us
12 and he is the sponsor.

13 Councilmember Thomas, would you
14 like to make any opening comments?

15 COUNCILMAN THOMAS: Thank you,
16 Madam Chair. And good afternoon to all
17 the members of the Committee.

18 I'll be brief in my opening
19 comments. I just want to say thank you
20 for being here this afternoon to convene
21 this conversation. This is a very
22 important issue as we look at the future
23 of elections. We have a lot of things
24 that have changed of this unfortunate
25 coronavirus crisis.

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1 And one of the things that has
2 changed forever is how we vote, so we
3 want to really take the time to examine
4 what election day, the election process
5 as well as language access looks like
6 for the constituents of Philadelphia.

7 So thank you, Madam Chair. I
8 appreciate the leeway and I'm excited
9 for this conversation. And thank you to
10 the members of the Committee for
11 allowing me to be with you this
12 afternoon.

13 COUNCILWOMAN PARKER: Thank you
14 so very much for your leadership on this
15 issue, Councilmember Thomas.

16 Rachel, will you please call
17 the first panel we have to testify this
18 afternoon on Resolution No. 210657.

19 THE CLERK: The first panel is
20 Commissioner Omar Sabir, Al Schmidt,
21 House Democratic Leader Joanna McClinton
22 and Marian Schneider. And I believe
23 Commissioner Sabir is running a little
24 behind so we're going to move him to the
25 end of the panel, which means we can

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1 begin with Al Schmidt, if that works.

2 COUNCILWOMAN PARKER: Thank
3 you.

4 Good afternoon, Al Schmidt.
5 Are you connected and ready to proceed?

6 MR. SCHMIDT: I am, Chairperson
7 Parker.

8 COUNCILWOMAN PARKER: Thank
9 you. Just state your name for the
10 record and feel free to proceed with
11 your testimony.

12 MR. SCHMIDT: Thank you,
13 Chairperson Parker, Vice-Chairperson
14 Green, and members of Law and Government
15 Committee. I appreciate the opportunity
16 to appear before you today and offer
17 testimony on priorities for a safe and
18 secure 2022 election in Philadelphia.

19 My name is Al Schmidt and I'm
20 President and CEO of the Committee of
21 Seventy. Up until recently, I served as
22 City Commissioner of Philadelphia for 10
23 years, but I'm not speaking in that
24 former capacity today. I've submitted
25 my written testimony for your

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1 consideration so I will only briefly
2 touch on a few of my remarks.

3 While much of the needed reform
4 to improve elections in the Commonwealth
5 of Pennsylvania and Philadelphia has to
6 occur or be enacted at the state level,
7 there are much needed improvements at
8 the City level as well that the
9 Administration and City Council can make
10 happen, only when it comes to
11 operational assistance such as more
12 resources for staff and reallocating
13 some City staff during peak election
14 times, but also when it comes to
15 language access and better compensation
16 for our hard-working and
17 undercompensated Election Board workers.
18 And I've testified in front of City
19 Council many times about that need, and
20 I know you all share it as well.

21 Importantly, when it comes to
22 safe and secure elections, we need to
23 avoid making false choices between
24 improving valid access and improving
25 election integrity. There are some that

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1 would like us to believe that it's a
2 zero sum situation between improving
3 ballot access and improving election
4 integrity. There's no greater example
5 than that than the use of mail-in ballot
6 drop boxes.

7 In the 2020 election, the
8 primary election and the general
9 election, nearly half of our voters or
10 about half of our voters voted by mail.
11 That's 375,000 mail-in ballots to
12 process in the general election of 2020.
13 Because of the great use of mail-in
14 ballot voting, both in Pennsylvania and
15 other places where it's become available
16 and also because of the extremely tight
17 and I would argue unreasonable and
18 unrealistic deadlines between the
19 deadline to apply for a mail-in ballot
20 and the deadline for the Board of
21 Elections to receive that mail-in ballot
22 back, which is only seven days. And if
23 a voter is following the rules and a
24 voter is submitting an application by
25 the deadline, even if the City

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1 Commissioners are able to turn that
2 ballot around which they have in 24
3 hours and get it out the door, that
4 application processed, a ballot
5 generated for that voter and out the
6 door, it still might take two to three
7 days for delivery.

8 The ballot has to be voted by
9 the voter and then returned. And if
10 returned by mail, it would likely arrive
11 back as we saw after the mail-in ballot
12 deadline on 8:00 p.m. on Election day.
13 It is tragic to see ballots arrive that
14 were cast by eligible voters, registered
15 voters on or before Election day and to
16 receive them back after those ballots
17 can no longer be counted. Every ballot
18 is precious to us. And those
19 unrealistic deadlines, as well-
20 intentioned as they might be, result in
21 ballots being rejected because they
22 arrived back too late.

23 There is a solution to that
24 problem, and that solution is making
25 more drop-off locations available.

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1 Satellite offices while very helpful and
2 very useful in many different ways are
3 difficult to set up, expensive to
4 operate and when resources are
5 available, should be used and expanded.
6 Drop boxes are much more accessible.

7 So when a voter applies for a
8 mail-in ballot, again we're talking
9 about half of our voters, gets that
10 ballot or holds onto that ballot for too
11 long, they still need to be able to get
12 that ballot back to the Board of
13 Elections.

14 The false choice here is
15 suggestions that mail-in ballot drop
16 boxes are somehow less reliable or
17 somehow less secure. If anything, it's
18 the opposite. The voter is returning
19 their ballot directly into the Board of
20 Elections, not putting it in a mailbox,
21 not going through the hands of postal
22 service workers and machines through
23 transit stations and all the rest. It's
24 coming directly back to the Board of
25 Elections.

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1 Drop boxes are not cheap. They
2 have to be secured into their location.
3 They have to have 24-hour video
4 surveillance, but the more resources
5 available to have more drop boxes
6 available to our voters, especially in
7 high turn-out elections like 2022,
8 likely 2023 and certainly in 2024 will
9 benefit all of our voters. I appreciate
10 the opportunity to testify before you
11 today, and I would welcome any questions
12 that you might have.

13 COUNCILWOMAN PARKER: Thank you
14 so very much, Al Schmidt. I'm sure
15 there will be some comments and
16 questions.

17 I now want to recognize our
18 next witness. We are honored to have
19 with us today Democratic Leader of the
20 Pennsylvania House of Representatives
21 and my former colleague Joanna
22 McClinton. Good afternoon, Leader
23 McClinton. Are you connected and ready
24 to proceed?

25 STATE REPRESENTATIVE McCLINTON:

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1 (Muted).

2 COUNCILWOMAN PARKER: I know
3 she was on and may have had some
4 technical difficulties. Can you hear
5 me, Leader Joanna McClinton?

6 STATE REPRESENTATIVE McCLINTON:
7 I can hear you. Can you now hear me?

8 COUNCILWOMAN PARKER: Yes,
9 ma'am. I can hear you now. Leader
10 McClinton, it's an honor to have you
11 with us here today. Thank you so very
12 much. Feel free to state your name for
13 the record and proceed with your
14 testimony.

15 STATE REPRESENTATIVE McCLINTON:
16 Thank you, Madam Leader. My name for
17 the record, Joanna McClinton, State
18 Representative 191st Legislative
19 District, Minority Leader of the
20 Pennsylvania House Democratic Caucus.
21 Good afternoon, Councilwoman Parker,
22 Councilman Thomas and all of the
23 distinguished members of the Committee
24 of Law and Government.

25 Thank you for allowing me to

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1 join you today to discuss an issue that
2 I am very passionate about promoting
3 safe and secure elections and
4 dismantling the barriers to voting. I
5 know that everyone here is as concerned
6 as I am regarding the repeated assaults
7 on our democracy across the country.

8 Across the country and right
9 here in our Commonwealth, some of these
10 attacks have been bold, brazen and even
11 deadly, like the attack on our nation's
12 Capital on January 6, 2021, while others
13 have been more subtle but equally
14 dangerous to the long-term health of our
15 Commonwealth and the democratic
16 institution. Whether it's contesting
17 the results of the last Presidential
18 Election in 2020 and insisting on
19 taxpayer-funded Arizona-style audits,
20 challenging the legality of no-excuse
21 mail-in ballots, mail-in voting or
22 proposing election reforms that create
23 barriers to voting, specifically in
24 urban areas like the only City of the
25 First Class, Philadelphia, or advancing

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1 plans to permanently gerrymander
2 Pennsylvania Congressional Districts or
3 weakening our state system of checks and
4 balances, all of these measures throw
5 doubt into the integrity of our election
6 and our election officials, and they
7 threaten our Commonwealth's most sacred
8 institutions. These threats on our
9 democracy are simply too important to
10 ignore.

11 My colleagues in Harrisburg and
12 I have concentrated our efforts on
13 countering these bad policy ideas with
14 real commonsense solutions to restore
15 confidence and make voting safe and
16 secure for everyone. Instead of
17 undermining our democracy, the House
18 Democratic Caucus wants to strengthen
19 it.

20 Our bill the K. Leroy Irvis
21 Voters Protection Act or House Bill 2090
22 is named in honor of the first and only
23 African American Speaker of the
24 Pennsylvania House, and it would ease
25 the burdens on voting while bolstering

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1 our election security.

2 First, it would allow every
3 Pennsylvanian to vote making sure that
4 it is convenient, whether you are a
5 teacher or an emergency responder or you
6 live in an assisted care facility. To
7 accomplish this goal, the Irvis bill
8 would permit early voting, provide for
9 more ballot drop boxes and allow for the
10 same-day registration. These measures
11 should not be controversial as they have
12 already been adopted in so many other
13 states.

14 Next, we need to finally listen
15 to the election officials across the
16 state who are on the front lines of our
17 election and voting systems and answer
18 their calls for assistance. The Irvis
19 bill would make updates that our county
20 election officials have requested,
21 including the 21 days of prec canvassing
22 where they can prepare and sort mail-in
23 absentee ballots prior to Election day.

24 Finally, everyone wants safe
25 and secure elections. Without that, the

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1 public will lack confidence in election
2 outcomes. The Irvis bill would support
3 election security by implementing
4 statewide electronic poll books for
5 secure realtime monitoring of election
6 roles, a practice that is currently used
7 by almost three dozen states.

8 I believe that the K. Leroy
9 Irvis Voting Rights Protection Act will
10 go a long way in stemming the repeated
11 attacks on our voting rights and
12 restoring the public's faith in our
13 election system. One thing is certain,
14 the right to vote is a sacred right and
15 it is at the core of our national
16 identity. It's being challenged, and it
17 will require all of us to work together
18 to ensure that the threats that have
19 been on our free and fair elections are
20 only threats, that they are never
21 successful.

22 Whether it's combating the
23 policy ideas that threaten the fairness
24 of our election, advocating for measures
25 like the K. Leroy Irvis Voting Rights

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1 Protection Act or urging our friends and
2 neighbors to register to vote and to
3 participate every six months in each
4 election, the stakes are high and our
5 communities cannot afford inaction.

6 Thank you so very much at this time to
7 share my thoughts as you all consider
8 changing, upgrading and strengthening
9 our democracy here in my City, our City,
10 Philadelphia.

11 COUNCILWOMAN PARKER: Thank you
12 so much for your testimony, Leader
13 McClinton.

14 We're going to go to the next
15 person to testify. But if you could
16 stick around, I'm sure someone has a
17 comment and/or question for you. The
18 next person scheduled to testify, I hope
19 I have this correct, is it Marian
20 Schneider? Marian, are you connected
21 with us?

22 MS. SCHNEIDER: Yes, I am. Can
23 you hear me and see me?

24 COUNCILWOMAN PARKER: I can --
25 okay, now I can see you. Thank you. So

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1 just please state your name for the
2 record and proceed with your testimony.

3 MS. SCHNEIDER: Thank you. My
4 name is Marian Schneider and I'm the
5 Senior Voting Rights Policy Counsel for
6 the ACLU of Pennsylvania. I appreciate
7 the opportunity to testify here today.

8 Thank you so much for inviting me.

9 Thank you, Chair Parker, Vice-Chair
10 Green, members of the Committee and
11 especially Councilmember Isaiah Thomas
12 for your leadership in making election
13 issues a priority for City Council.

14 I'm here today to talk about
15 language access. The ACLU of
16 Pennsylvania fully supports and endorses
17 the efforts of the Coalition Citizens
18 for Language Access who has taken the
19 leadership role in advocating for
20 expanded resources in voting for those
21 who are not proficient in English.

22 The ACLU Pennsylvania joins the
23 Coalition in urging City Council to take
24 the necessary steps, including
25 allocating adequate funding towards

2/15/2022

1 first ensuring that the City of
2 Philadelphia is in full compliance with
3 its obligations under the Voting Rights
4 Act, second, adopting best practices
5 generally accepted in other
6 jurisdictions for implementing language
7 access, and third, taking voluntary
8 measures to expand language access to
9 the tens of thousands of Philadelphia
10 voting-age citizens who are not
11 proficient in English and speak another
12 language that is not within the current
13 coverage formula of Section 203.

14 I refer the members of the
15 Committee to the ACLU's written
16 testimony submitted yesterday, but I'd
17 like to emphasize a few of the points
18 mentioned in there. The first is
19 funding. Administering elections has
20 grown increasingly more complex in
21 recent years.

22 I understand the complexity
23 from firsthand experience as Deputy
24 Secretary for Elections and
25 Administration in the Pennsylvania

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1 Department of State from 2015 to 2017.

2 In the current atmosphere plagued by

3 widespread attacks on our democratic

4 institutions, it's more important than

5 ever that election offices, including

6 the Philadelphia City Commissioners,

7 have the funding resources to make

8 elections run as smoothly as possible.

9 ACLU of Pennsylvania joins the Coalition

10 in urging City Council to make sure

11 there's adequate funding to comply fully

12 with the Federal Voting Rights Act and

13 to commit to expand language

14 accessibility to other

15 nonEnglish-speaking voters.

16 So some of the priority items

17 that could be supported with additional

18 funding include additional bilingual

19 staff at the City Commissioner's Office

20 to support and increase their efforts to

21 engage the communities in need of

22 language assistance. Second is enhanced

23 coworker training. Third is the

24 recruitment and appointment of bilingual

25 poll workers in addition to the local

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1 interpreters that they already have.

2 And finally, competent

3 understandable translation of materials

4 and websites is critically important.

5 It's not acceptable to just rely on

6 Google Translate for those efforts.

7 Third, we urge Philadelphia to take the

8 necessary steps to serve the tens of

9 thousands of Philadelphia citizens in

10 need of language assistance to fully

11 engage and exercise the right to vote.

12 These citizens are not covered currently

13 under the Voting Rights Act and yet

14 still deserve an accessible voting

15 experience.

16 Such measures include having

17 election materials available in the most

18 prevalent spoken language in

19 Philadelphia, in addition to Chinese and

20 Spanish. Materials include the ballot,

21 absentee and mail-in ballots,

22 instructions, signage and other vital

23 voter information. In addition, I've

24 already talked about poll worker

25 training, but enhanced poll worker

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1 training in areas that have substantial
2 populations of voters needing language
3 assistance could go a long way towards
4 ensuring participation by these voters.
5 Such training could involve respectful
6 and welcoming attitudes and greetings,
7 culture awareness and sensitivity and
8 the knowledge that voters who are
9 legally guaranteed and a sister of their
10 choice in a polling place.

11 As you will hear in the next
12 panel, there are real people who are
13 experiencing language barriers at the
14 polls. We urge City Council to take
15 steps to ensure that all voters have an
16 easy and accessible voting experience.
17 I'll end there, but I'm happy to answer
18 any questions you have and I invite any
19 Councilmembers to reach out whenever if
20 they have questions that I may assist
21 with. Thank you.

22 COUNCILWOMAN PARKER: Thank
23 you, Marian Schneider for your
24 testimony.

25 I now want to ask my

2/15/2022

1 colleagues, are there any questions or
2 comments from members of the Committee.
3 Just put it in the chat, if you will.
4 And I see one hand.

5 Before we proceed, I want to
6 ask our Minority Leader McClinton,
7 Leader McClinton, while you listed a
8 number of very significant items under
9 the K. Leroy Irvis Voting Protection Act
10 that you all have worked on in
11 Harrisburg, Leader McClinton, is there
12 anything specifically that you would
13 identify out of that where you saw some
14 sort of compromise or level of
15 consistency between both sides of the
16 aisle that you think there could be some
17 agreement on?

18 STATE REPRESENTATIVE McCLINTON:
19 So this bill was just rolled out a
20 couple of weeks ago in January, Madam
21 Leader. And we do anticipate getting
22 support of course from the
23 Administration, from Governor Wolf's
24 legislative team, but even across the
25 aisle. The irony is that some of these

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1 measures were in bills that also created
2 barriers for people to vote. So there
3 was prec canvassing in one of the bills
4 from the Majority Caucus, but it also
5 included a very limited number of drop
6 boxes per county no matter how populous
7 the county. And of course, with a
8 county as populous as ours and you go
9 right next door to Mont Co. and Del Co.,
10 you cannot limit the number of drop
11 boxes just per county because the
12 population is so dense where we live.
13 So it's just been a challenge thus far
14 because every time there's a good idea
15 in one of their bills, it's coupled with
16 a few ideas that would limit people's
17 access.

18 But what we are hoping to
19 accomplish this year, particularly
20 before the next fall election, is to get
21 a real compromise so that we don't have
22 to wait weeks and days even to see who
23 won for United States Senate, who won
24 for Governor. We want to be able to
25 have these things in place so that our

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1 County election officials get the
2 support necessary and of course the law
3 so they can organize these mail-in
4 ballots and get everything situated.

5 COUNCILWOMAN PARKER: Thank
6 you, Leader McClinton, for that
7 response. I will state that when we
8 have to wait and wait and wait to know
9 what the results are, you do feel like
10 it is waning on the public's confidence
11 in our democratic process, so thank you
12 so very much for putting that on the
13 record.

14 Chair recognizes Councilmember
15 Thomas.

16 COUNCILMAN THOMAS: Thank you,
17 Madam Leader. I appreciate it.

18 And I just want to take a
19 moment to thank all the witnesses on
20 this panel. We appreciate your expert
21 opinion as well as the work that you do
22 on a consistent basis to fight for a
23 democracy. I know that there are a
24 number of other panelists and witnesses
25 so I don't want to be too long-winded,

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1 but you guys have so much knowledge that
2 I think it benefits us to be able to
3 hear some of the things that you're
4 working on and recommendations as it
5 relates to how we should move forward as
6 a municipality.

7 We've heard a lot of issues
8 around fraud and issues concerning
9 people around fraud with the elections
10 as well as this idea of people being
11 forced to have a lot of their personal
12 information being given to parties
13 that's not necessarily safe. I'm
14 wondering if any one of the panelists
15 could speak to that issue and the work
16 that you're doing in your particular
17 area to assure that democracy is being
18 protected and our personal information
19 is being protected.

20 MS. SCHNEIDER: I guess,
21 Councilmember Thomas, I could take that.
22 Am I muted?

23 COUNCILMAN THOMAS: No, we hear
24 you.

25 MS. SCHNEIDER: So there's an

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1 effort right now the legislative
2 subpoena to subpoena the personally
3 identifying information of all 9 million
4 Pennsylvania voters, and the ACLU of
5 Pennsylvania represents Intervener Eight
6 Voters as well as and the League of
7 Women Voters, Make the Road Pennsylvania
8 and Common Cause Pennsylvania asserting
9 a constitutional right to privacy of
10 that information, specifically it's the
11 last four digits of the Social Security
12 number and the Driver's License No. that
13 could subject Pennsylvania voters to
14 identity theft or all kinds of mischief
15 if people have that information coupled
16 with name, address and other
17 information, so that case is pending.
18 But we're doing everything in our power
19 to protect the right to privacy of
20 Pennsylvania voters in that case.

21 COUNCILMAN THOMAS: Thank you.

22 I appreciate it.

23 MR. SCHMIDT: Councilmember

24 Thomas, may I simply add just to echo
25 one issue that Marian said was sort of

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1 at the heart of this that was so
2 incredibly perverse and, that is, that
3 this request for all of this additional
4 information if you're interested in
5 combating voter fraud, this personally
6 identifiable information is the exact
7 information you would need to commit
8 voter fraud.

9 If you were to apply for a
10 mail-in ballot, you can't just request
11 one. To verify identity, you have to
12 include last four of your Social
13 Security number or Driver's License No.
14 So the information, if it is given to a
15 third party as we understand it will be
16 and that third party has no experience
17 in auditing and no experience with
18 elections, much like the ridiculous sort
19 of Cyber Ninja situation if you follow
20 back in Arizona, it creates a very real
21 possibility not just for a breach in
22 people's personal security and identity
23 theft, but also a real threat to
24 election integrity.

25 COUNCILMAN THOMAS: Thank you

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1 for that insight. I appreciate it.

2 My last question for the panel,
3 and again anyone can jump in and answer,
4 when we think about the issue as far as
5 language access approximately, how many
6 Philadelphians do we feel like are not
7 able to exercise their vote because of
8 not having access to a ballot that
9 particularly communicates the ballot
10 information in the language that they're
11 used to communicating in. And also,
12 from our state partners, do we know
13 anything that's being done as it relates
14 to dollars that might be coming from
15 Harrisburg or even on the federal level
16 to try to help offset the increase in
17 cost of elections because we know that
18 with things being the way they are now
19 post-coronavirus, elections do cost
20 significantly much more.

21 So that's my last question,
22 Madam Leader. And again, I want to
23 thank all the members of this panel for
24 your expert opinion and taking the time
25 to be here today. We definitely

2/15/2022

1 appreciate it. Thank you.

2 MS. SCHNEIDER: So this is
3 Marian. I will attempt to answer the
4 number question. In December of 2021
5 when the Census released its
6 designations, it included 150,000
7 voting-age Philadelphia citizens who
8 would be covered under the existing
9 Spanish and Chinese languages. However,
10 the Coalition had done some data
11 research earlier that if people that are
12 not covered under that 203 number also
13 is in the tens of thousands.

14 Now, the earlier numbers were
15 47,000 to 88,000, but we really need to
16 study the new 2020 census data, but it's
17 definitely going to be in the tens of
18 thousands, and note that not every
19 language is covered under the Voting
20 Rights Act under Section 203. So it's a
21 significant amount of the population.

22 So I'll end there, but I will
23 refer the Councilmembers to the panel
24 that's following this who are others who
25 have expertise in language access.

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1 STATE REPRESENTATIVE McCLINTON:

2 I'll attempt to answer the second part
3 of Councilmember Thomas' question. The
4 state definitely needs to do more to
5 support every single county's
6 significantly rising cost to hold
7 elections.

8 I don't need to tell people
9 here that we are currently not clear on
10 whether or not there will be the Primary
11 on May 17th, at least for state
12 legislative offices. So when you start
13 to talk about moving an election and the
14 cost associated with that and of course
15 if we are able to precavass and get
16 that into the law so that the county
17 election officials can get all of the
18 mail-in ballots organized, sorted, ready
19 to open when polls close. They have to
20 hire staff to do that, and it's not a
21 group of people that are currently on
22 their staff complement. So I know that
23 those costs will soar.

24 So that is something that I'm
25 prepared to join in with all of the

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1 advocates and of course our elected City
2 leaders as I go back up the turnpike to
3 Harrisburg, we're in budget hearings
4 right now, to say that -- not just our
5 City of course, but absolutely every
6 County election official will say from
7 the County Commissioner's Association
8 that more funding is needed from the
9 state level to make sure that these
10 rising costs are able to be paid for
11 because there is no slush fund in the
12 City Commissioner's Office to be able to
13 say, okay, well, we have to do this much
14 more work so we can hire 100 people
15 today. It doesn't work that way. So I
16 definitely want to continue to advocate
17 for more investment in elections.

18 COUNCILWOMAN PARKER: Al, I see
19 your camera is on. Al Schmidt, did you
20 want to add anything to that discussion?

21 MR. SCHMIDT: No. I will only
22 add, as Leader McClinton said, while
23 there might be differences among
24 Republicans and Democrats in Harrisburg,
25 there really isn't much different

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1 between Republicans and Democratic
2 election administrators across the
3 Commonwealth. They all want more time
4 to process mail-in ballots and all the
5 rest. Whether it's a big city like
6 Philadelphia or a small rural county,
7 they all want the same thing. And that
8 is, to count their voters' votes and to
9 do so expeditiously so that there isn't
10 an opportunity to exploit that window of
11 time between when the polls close and
12 when we know the final results as we've
13 seen in 2020.

14 COUNCILWOMAN PARKER: Thank you
15 so very much.

16 I'm monitoring the chat,
17 colleagues. Are there any questions or
18 comments from any other members of the
19 Committee? I can't see the hand raised
20 signal, but I can see when you put it in
21 the chat box.

22 (No response.)

23 COUNCILWOMAN PARKER: There
24 being none, let me thank each and every
25 one of you for your testimony today.

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1 Commissioner Omar Sabir is
2 having technical difficulty. So
3 whenever the Commissioner is able to
4 join us, we will include him on whatever
5 panel we are on during this hearing.

6 With that being said, Rachel,
7 will you please call the next panel to
8 testify on the resolution.

9 THE CLERK: Yes. The next
10 panel in this order is Tammy Patrick,
11 Karen Yarbrough, Kahina Guenfoud and
12 Andy Toy.

13 COUNCILWOMAN PARKER: Thank
14 you. Tammy, are you connected and ready
15 to proceed? Can you hear us?

16 MS. PATRICK: I am, Madam
17 Chair.

18 COUNCILWOMAN PARKER: Thank you
19 so very much. Just state your name for
20 the record and feel free to proceed with
21 your testimony.

22 MS. PATRICK: Thank you. For
23 the record, my name is Tammy Patrick.
24 I'm a Senior Advisor to the Elections
25 team at Democracy Fund. Chair Parker,

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1 Vice-Chair Green and members of the
2 Committee on Law and Government, thank
3 you for the invitation to speak with you
4 today on language access for
5 Philadelphia voters who are not
6 proficient in English. It's truly an
7 honor to be here. My name is Tammy
8 Patrick and I'm a former local election
9 official from Mericopa County, Arizona,
10 where I formalize and oversaw the
11 Language Assistance program for over a
12 decade as their federal compliance
13 officer.

14 I served as a Commissioner on
15 the Presidential Commission on Election
16 Administration or the PCEA, and I
17 believe partially based on that program
18 which we created to serve the 2 million
19 registered voters we had at the time.
20 We were tasked by President Obama via
21 Executive Order to make recommendations
22 on many facets of election
23 administration, including the provision
24 of effective assistance to voters with
25 limited English proficiency.

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1 Today I'd like to share a
2 couple of points around language
3 assistance. First, language assistance
4 is not new. Second, expansive
5 interpretation beyond the Voter Rights
6 Act is established and growing. Third,
7 the importance of community involvement.
8 And then lastly and by no means least,
9 the growing need in these uncertain
10 times. I believe these comments will
11 support the other testimony that you
12 will hear here today.

13 So first, language assistance
14 is not new. Voting materials and
15 assistance in other languages other than
16 English has been common practice well
17 before the passage of the Voting Rights
18 Act. At Democracy Fund's 2021 Language
19 Access for Voters Summit, Minnesota's
20 Secretary of State Steve Simon shared
21 that since 1896 Minnesota voters have
22 had access to assistance and materials
23 for voting in languages other than
24 English.

25 When the process first started,

2/15/2022

1 the languages were Norwegian, Swedish,
2 French, German and Italian. The
3 languages have changed. Now, it's
4 Spanish, Hmong, Somali, et cetera, but
5 the principles are the same, providing
6 citizens with the information that they
7 need, ensuring our community has what
8 they need to effectively engage in the
9 franchise as well as the informed voters
10 is truly the sign of a healthy
11 democracy. Expansive interpretation
12 beyond the Voting Rights Act is
13 established and growing.

14 I mentioned Secretary Simon's
15 comments at the Language Access Summit
16 in December, and he shared that in
17 recent years they more than doubled the
18 languages they provide from 5 to 12.
19 Minneapolis, the city of Minneapolis,
20 provides information in 10 languages,
21 including Amharic, Oromo and Russian.
22 There are states and jurisdictions
23 building upon what the requirements are
24 under the Voting Rights Act, both in
25 which languages are covered as well as

2/15/2022

1 what the thresholds are for coverage for
2 quite some time.

3 California has been offering
4 additional languages outside of the four
5 categories listed in the Voting Rights
6 Act for decades. Indeed, Los Angeles
7 provides materials in 18 languages.
8 Some cities like New York City has city-
9 wide programs that include elections and
10 services in their programs. Leveraging
11 those resources and the data collected
12 and utilized by other departments is
13 critical. As a way to refine service
14 provisions, it can inform where
15 bilingual support is necessary at the
16 polls, what languages are most requested
17 and also it's a viable -- what viable
18 translation services are already under
19 City contract for those ever-complicated
20 procurements.

21 In 2021, Colorado passed new
22 legislation to lower the threshold
23 trigger for provider language
24 assistance. We know that the Census
25 determinations can be problematic due to

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1 systemic undercounting as well as the
2 challenges present from the gathering of
3 language data via the American Community
4 Survey. So the need will most
5 definitely be greater than what the data
6 show.

7 Importance of community
8 involvement, election professionals not
9 only rely on each other's support and
10 expertise, they thrive on it. It's
11 wonderful to see Clerk Yarbrough here
12 today, and I know that your Commissioner
13 and election staff has consulted other
14 administrators, visited their offices
15 and benefited from those exchanges, so I
16 truly encourage continued support of
17 those efforts.

18 Philadelphia is fortunate to
19 have organizations like those testifying
20 here today to partner with on this
21 journey because it takes more than one
22 department, one organization, one
23 committed individual for a successful
24 program. Collaborative partnerships
25 increase the ability to correctly

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1 identify the needs, assess the scale of
2 necessary resources to allocate and then
3 evaluate the quality of the translations
4 and assist in the dissemination of
5 information and a solicitation of
6 workers.

7 Lastly, the growing need in
8 these uncertain times: Accurate,
9 official and trusted information is more
10 critical now than ever. We know that
11 when information deserts exist as they
12 do often within limited English-
13 proficient communities, mis- and
14 disinformation find fertile ground to
15 grow. When talking to reporters about
16 covering elections, I often advise that
17 they need to know what is right so you
18 can tell what is wrong, and it holds
19 true here for voters as well. Making
20 certain that all voters are getting
21 information that is correct and
22 legitimate should lessen the traction of
23 anti-democratic narratives and
24 confusing narratives. Thank you again
25 for inclusion in this hearing and I look

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1 forward to any questions that you may
2 have.

3 COUNCILWOMAN PARKER: Thank you
4 so very much, Tammy, for your testimony.
5 We hope you can stay on once we've heard
6 from all of our witnesses. I'm sure my
7 colleagues will have questions. So
8 thank you for your testimony.

9 Is Clerk Karen Yarbrough,
10 Karen, are you connected today? Are you
11 with us.

12 MS. YARBROUGH: I am. I am.

13 COUNCILWOMAN PARKER: Thank you
14 so very much. Just feel free to state
15 your name for the record and proceed
16 with your testimony.

17 MS. YARBROUGH: Thank you,
18 Madam Chair and members of the
19 Committee. I'm thrilled to add my voice
20 to the voices you've already heard here
21 today. My name is Karen Yarbrough and I
22 am the County Clerk and the Election
23 Authority for Cook County. Our area in
24 Suburban Cook, we have 1.6 million
25 registered voters. And then when you

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1 include the City of Chicago, we have
2 over 3 million registered voters. My
3 office serves as one of the most diverse
4 populations in the country, with almost
5 35 percent of households speaking a
6 language at home other than English.

7 And I'm here today to talk
8 about how we've invested in language
9 expansion for election ballots and
10 materials and how it's paying off for
11 us. In 2019, I was approached by a
12 couple of our County Board Commissioners
13 and asked if it was feasible to
14 voluntarily add languages for printing
15 ballots and election materials in
16 certain areas where language groups were
17 growing, but not quite enough to trigger
18 a federal mandate to offer their
19 language.

20 After consulting with my team
21 and we did an evaluation of our election
22 software, we realized not only could we
23 do it, we could leverage our
24 voter-friendly election laws allowing
25 vote by mail and early voting to bring

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1 eight new languages to all voters in
2 Suburban Cook County, and that's what we
3 did.

4 In the March 2020 Primary
5 Election with COVID and everything else
6 going on, we piloted two new languages,
7 Korean and Tagalog, that's a Filipino
8 language. With no problems that were
9 reported, we added six more languages in
10 the November election bringing our total
11 language offerings to 12. Though we
12 have limited utilization data available,
13 it's clear that people are using this
14 program with some languages tripling in
15 usage over one cycle. And I can tell
16 you that on Election day when I went to
17 some of these areas, it was thrilling to
18 see some of the new Americans, if you
19 will, who for the first time in their
20 life they were able to see their
21 language on their ballot.

22 Now, certainly there was a lot
23 of work to getting it done. The vote
24 program allowed us to hire language
25 consultants and to work with Googles

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1 Translate Election program to develop
2 custom machine learning election
3 dictionaries, and they guarantee
4 accurate translation of highly technical
5 terms. For instance, you don't want
6 Democratic party to become Democratic
7 fiesta on your ballot. In all, it took
8 us about 15 months to implement and
9 about 650,000 in appropriations for
10 software for reprogramming, the Google
11 Translate subscription cost and the
12 personnel cost. Now, I'm not aware how
13 much it may cost you in Philadelphia,
14 but I will say that we are willing to
15 share any and all of our data dictionary
16 to help other jurisdictions defray these
17 costs.

18 I finally want to say that it's
19 been a wonderful and rewarding
20 experience and it demonstrates how
21 government can actually meet people
22 where they are and deliver real change.
23 But to close, some words from language
24 advocates. I'm quoting Sik Sohn. He's
25 the President of the Korean American

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1 Boys. And he said and I quote, "I am so
2 excited. This is a historical day for
3 our community. The language barrier has
4 been the biggest hurdle to stop Korean
5 Americans with limited English skills
6 from casting their votes. The Korean
7 ballot will break the barrier and give
8 the community a voice that has been
9 silenced for a long time."

10 Ahmi Ghandi is senior counsel
11 at Chicago Lawyers Committee for Civil
12 Rights and he said, My positive
13 experiences advocating for language
14 access to the polls has helped me
15 reimagine what civic participation can
16 look like in the City of Chicago and
17 Cook County.

18 My Deputy Chief of Elections Ed
19 Michalowski is on the call today to
20 answer any questions you might have.
21 And thank you for giving me this
22 opportunity to add my voice, and I'm
23 hopeful that you'll be successful.
24 Anything that Cook County can do to
25 advance this initiative, we're here to

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1 help.

2 COUNCILWOMAN PARKER: Thank you
3 so very much, Clerk Yarbrough, for your
4 testimony. And again, I'm sure there's
5 going to be some comments and questions
6 after we hear from each of the members
7 on this panel.

8 I want to call the next witness
9 we have. And please correct your name
10 because I'm going to chop it up. Is it
11 Kahina? Kahina, are you present?

12 (No response.)

13 COUNCILWOMAN PARKER: Kahina
14 Guenfoud.

15 (No response.)

16 COUNCILWOMAN PARKER: Okay.
17 What about Andy Toy? Andy Toy, are you
18 connected with us?

19 MR. TOY: Yes. Can you hear
20 me?

21 COUNCILWOMAN PARKER: Yes, I
22 can hear you now, Andy. Please just
23 state your name for the record and
24 proceed with your testimony.

25 MR. TOY: Sure. Good

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1 afternoon, Chairperson Parker,
2 Vice-Chair Green and members of City
3 Council Committee on Law and Government.

4 My name is Andy Toy and I am here on
5 behalf of both Citizens for Language
6 Access and United Voices for
7 Philadelphia. I'm here to speak
8 regarding Resolution No. 210657 in
9 support of expanding language access and
10 materials in our election process.

11 I'm sorry that Kahina is not
12 here as well because she can give some
13 firsthand accounting of what's going on
14 in places like South Philadelphia. I
15 know she wrote a piece that can be
16 shared as well. And special thanks to
17 Councilperson Thomas for introducing the
18 resolution and making language access a
19 personal priority, thank you again. And
20 thanks to most of those on the Committee
21 who have already expressed support for
22 this effort.

23 And listening today, I also
24 have to give thanks to everybody here
25 and those across the country who are

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1 fighting for our democracy right now.
2 We all have to fight for our democracy,
3 and that includes our City Commissioners
4 who we sometimes disagree with or we're
5 pushing them, but they are doing the
6 right thing. Commissioner Deeley,
7 Commissioner Sabir, Commissioner
8 Bluestein and Ex-Commissioner Schmidt,
9 who we give a lot of thanks to the 2020
10 election of course.

11 So my testimony is the Voting
12 Rights Act of 1965, even while under
13 attack by some, has helped to protect
14 the fundamental rights of many
15 non-native English speakers across the
16 country, specifically Act -- Section
17 203. In Philadelphia, the Voting Rights
18 Act has supported Spanish-language
19 speakers, and this spring we'll add
20 Chinese-language speakers because the
21 population crossed the threshold in the
22 latest census. Both will now be
23 required to receive critical election
24 materials in their native languages.

25 Our Citizens for Language

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1 Access Philadelphia Coalition of over 66
2 now close to 71 organizations have been
3 making the case for years to add
4 additional languages to go beyond these
5 statutory requirements. We can reach
6 many more marginalized potential voters
7 as we are witnessing in municipalities
8 across the country, including Cook
9 County and many others mentioned here.

10 We know that more informed
11 citizens are better-engaged citizens who
12 will be more likely to vote and also
13 more likely to be actively involved in
14 their communities. And our core belief
15 is that to achieve equity marginalized
16 communities need to have their voices
17 heard to be truly part of the democratic
18 process and to have access to resources
19 that often get bypassed in these
20 communities.

21 According to the last few
22 census numbers, Philadelphia's foreign
23 born population is currently around 11
24 percent and still growing in numbers and
25 percentage. If not for Philadelphia

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1 being a welcoming city to immigrants --
2 thank you, Mayor Kenney, to a strong
3 Office of Immigrant Affairs -- our
4 population and voting power would have
5 decreased over the past decade. And
6 this does not include the close to
7 150,000 people moving here from Puerto
8 Rico, many with Spanish as their native
9 language.

10 Estimates of non-native English
11 speakers who are eligible to vote, and
12 this was done by Our Voting is Local, as
13 they look at the census data research,
14 and this is citizens 18 years or older,
15 are up to about close to 8,000 people.
16 And even at let's say half of that, if
17 we can get another quarter of them to
18 vote, that's 10,000 people. That can be
19 the difference in an election. And we
20 need these citizens to exercise this
21 amazing right, but we must do more to
22 help.

23 A couple of years ago while I
24 was at SEAMAAC in South Philadelphia
25 supporting civic engagement efforts, we

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1 were able to send out a few hundred
2 letters with nonpartisan information and
3 explanations in language about the
4 ballot to Chinese and Vietnamese citizen
5 voters. When we were able to look back
6 at those registered voters, we found
7 that those who we reached out to in
8 language came out in significantly
9 higher numbers than many other voters.

10 Unsurprisingly, our
11 colleagues -- and we could hear this
12 from Cook County, I'm sure around the
13 country, at the Democracy Fund -- I
14 found this to be true everywhere
15 election materials have been provided in
16 language. In Philadelphia there's no
17 time to waste. All of our citizens,
18 including historically marginalized ones
19 need to vote if our voices and needs as
20 a city are to match our population. And
21 in neighborhoods with large immigrant
22 and underheard and underserved
23 population, this is hugely important
24 regardless of who they vote for.

25 In 2016, when the City

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1 purchased expensive new voting machines,
2 the public was told that part of the
3 reason for the choice was the ease of
4 handling many more languages using touch
5 screen technology, which made us
6 optimistic. Three years later we're
7 still awaiting that promise to fulfill
8 the capability of these new machines.

9 What the Commissioner's Office
10 has explained to us and as we work
11 together is that there are various costs
12 and technical issues that must be
13 overcome beyond the program and the
14 machines, and we understand that and we
15 are ready to help with that. What we
16 have learned in our outreach to other
17 municipalities and jurisdictions is that
18 there are very efficient approaches and
19 degrees to creating more inclusive
20 systems that go beyond the machines
21 themselves. And we know that in Cook
22 County and many others across the
23 country, including Los Angeles and other
24 cities similar to Philadelphia, that
25 successfully implemented programs that

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1 could serve as a model that we can
2 replicate in part or wholly, we believe
3 Philadelphia as well as other nearby
4 jurisdictions can do this, but it takes
5 leadership. It takes political will and
6 a commitment of resources to take the
7 first steps.

8 In Philadelphia, the birthplace
9 of liberty and democracy in America, we
10 can and must do better. We cannot let
11 perfect be the enemy of the good because
12 if we do that, we'll never start down
13 this road of greater inclusivity and
14 equity. What we're asking for today is
15 a commitment of resources to begin
16 addressing the various parts of the
17 process that will enable the
18 Commissioners to move ahead to add
19 language so it can reach the next let's
20 say five largest non-native citizen
21 populations, because we are still
22 learning from the implementation of
23 Chinese, an exact amount per language is
24 still uncertain. But we do know that
25 Cook County has told us they'll be able

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1 to implement new languages at around
2 \$100,000 per language with their
3 targeted approach.

4 Our initial request to enable
5 the Commissioners to move forward in
6 good faith would be at least an
7 additional \$500,000 for up to five
8 languages, if we can get to five. Even
9 if we fall short of five, we would have
10 learned a lot and built the
11 infrastructure that would make it easier
12 to expand the effort each year going
13 forward.

14 We're asking today because the
15 budget cycle is here and the commitment
16 must be now if we are to reach our goal
17 to have this in place by this fall.
18 Again, I thank you for your support and
19 we look forward to continuing to support
20 the Commissioners, our current
21 Commissioners Deeley, Sabir and
22 Bluestein and the City in this important
23 effort to build a more inclusive
24 democracy that we know will result in a
25 broader, more equitable and larger voice

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1 for all of Philadelphia. Thank you.

2 COUNCILWOMAN PARKER: Thank you

3 so very much, Andy, for your testimony.

4 If you can just stay around for us until

5 we conclude this panel. I'm sure my

6 colleagues will have some comments or

7 questions.

8 I now see our Commissioner Omar

9 Sabir. He has joined us. Commissioner

10 Sabir, are you connected and ready to

11 proceed?

12 CITY COMMISSIONER SABIR: Yes,

13 Madam Chair.

14 COUNCILWOMAN PARKER: Thank

15 you. Just state your name for the

16 record and proceed with your testimony.

17 CITY COMMISSIONER SABIR: Sure.

18 City Commissioner Omar Sabir. I serve

19 as Vice-Chair of the County Board of

20 Elections for Philadelphia County. Good

21 afternoon, members of City Council and

22 guests gathered here today. I'd like to

23 take this opportunity to thank the

24 Committee for inviting me to speak on

25 this most important occasion. This

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1 month we commemorate the tremendous
2 contributions of Black people not only
3 in America, but across the world. And
4 as I refer to February as Black History
5 Month, our people continue to make
6 history every single day. This nation
7 owes us a debt that can never be repaid.
8 So I choose to acknowledge the
9 contributions of Black people all
10 yearlong.

11 Today I stand before you as an
12 elected official charged with helping to
13 ensure that our City, one of the largest
14 in the country, conduct safe, fair and
15 secure elections. My presence today is
16 even more significant because less than
17 60 years ago I and many of those of you
18 serving in elected office were not
19 guaranteed the unimpeded right to vote.
20 If that is not a reason to celebrate
21 Black History, I'm not sure what is.

22 On January 6, 2020, I was sworn
23 in as City Commissioner of Philadelphia.
24 The Philadelphia City Commissioners
25 consist of a three-member bipartisan

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1 Board of Elected Officials that oversee
2 elections in Philadelphia County. I
3 have the honor as serving as Vice-
4 chairman with Chairwoman Commissioner
5 Deeley and Commissioner Seth Bluestein.

6 Our charge is to ensure that
7 eligible voters across the City of
8 Philadelphia have the opportunity to
9 exercise their right to vote, a critical
10 and fundamental pillar of our democratic
11 system. In 2019, the Commonwealth of
12 Pennsylvania took a major step
13 forwarding and helping to ensure
14 eligible voters could exercise their
15 rights by passing Act 77, bipartisan
16 legislation that dramatically expanded
17 mail-in voting in the 2020 election.
18 The bill passed with almost unanimous
19 Republican support. But since former
20 President Trump in a loss in 2020, the
21 bill has come under fire from many of
22 those who voted in favor of its passage.

23 As elected officials, it
24 boggles my mind that those want to make
25 it more difficult for eligible Americans

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1 to vote. In the 2021 general election,
2 I and my fellow Commissioners were
3 tasked with carrying out an election
4 that was the first of its kind in
5 Philadelphia as over 1 million
6 registered voters. To show you the
7 success of Act 77 in 2021, in the face
8 of an ongoing pandemic more than 230,000
9 voters cast their ballots and about
10 one-third were cast by mail.

11 Despite these unprecedented
12 circumstances, we were able to fulfill
13 our duty to guarantee every legal ballot
14 was counted and the voices of our
15 community were heard. Despite unfounded
16 accusations and lies to the contrary,
17 this was one of the most pure elections
18 ever held. It was reviewed legally,
19 audited and certified without fraud or
20 falsity. As a requirement by state law,
21 a recount was triggered in the
22 Commonwealth Court race as part of that
23 recount, our machines were recalibrated
24 and swapped to recount the votes. The
25 results did not change which confirmed

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1 the safe and secure nature of our
2 procedures. We succeeded in complying
3 with the election code, something we
4 never doubted would be the case.

5 As City Commissioner, it is my
6 job to administer our elections
7 ethically, effectively and in accordance
8 with federal and state voter
9 registration and election laws. Without
10 question, our doubt of elections are
11 administered and conducted fairly in
12 compliance with the law. I am an
13 official sworn to and entrusted with
14 guarding the sanctity and legitimacy of
15 the vote. That is a responsibility and
16 honor I take with utmost seriousness.

17 But as an African American
18 whose people have a history of being
19 disenfranchised simply because of our
20 race, my commitment to ensuring that
21 every eligible voter has the opportunity
22 to exercise their vote, it is also a
23 personal commitment. Be assured in our
24 representative democracy, our vote is
25 our voice and that voice must be heard.

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1 And the words of the late
2 Congressman and Civil Rights icon John
3 Lewis, "The vote is precious. It is
4 almost sacred. It is the most powerful
5 nonviolent tool we have in our
6 democracy. We must practice voter
7 accountability and fight against voter
8 apathy. Our time is now." Thank you.

9 COUNCILWOMAN PARKER: Thank you
10 so very much, Commissioner Omar Sabir,
11 for your testimony. And if you could
12 just stay with us just in case any of
13 our colleagues have any comments or
14 questions.

15 One of our witnesses I see has
16 temporarily joined us. Kahina Guenfoud,
17 correct me if I mispronounce your name.
18 But Kahina, are you with us? Are you
19 connected?

20 MS. GUENFOUD: Yes. Hi,
21 everyone. Sorry to join a little bit
22 late. Sorry for that.

23 COUNCILWOMAN PARKER: Sure. No
24 problem. Kahina, just state your name
25 for the record and proceed with your

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1 testimony.

2 MS. GUENFOUD: Okay. My name
3 is Kahina Guenfoud. I'm going to
4 (inaudible). Okay. Thank you.

5 COUNCILWOMAN PARKER: You can
6 proceed with your testimony, Kahina.

7 MS. GUENFOUD: Yes. So my name
8 is Kahina. I work at SEAMAAC. SEAMAAC
9 is a non-profit organization located in
10 South Philadelphia founded in 1984, work
11 with immigrants with different services.
12 My role at SEAMAAC is I'm the Literacy
13 and Digital Access Coordinator. I'm an
14 immigrant as well and working with
15 immigrants. Under my program I have the
16 Citizenship Program, so I fill the
17 applications and prepare immigrants to
18 get just citizenship from multi-lingual
19 communities. So myself, I can speak --
20 I'm multi-language like four languages,
21 including Berber, French, Arabic and
22 English.

23 So according to my experience
24 and the feedback that I receive from my
25 clients, even if they get their

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1 citizenship, they prepare for the
2 citizenship but they still can't
3 understand English. They can't make
4 decisions in English. They can't vote
5 even if they are American citizens,
6 because they said that we can't
7 contribute to the decision of this
8 country. We can't make decisions
9 because we can't understand everything
10 in the American political system or in
11 the voting system because of the
12 language and it's different from their
13 native country. So that's why many of
14 our immigrants, our clients, are wishing
15 to have other languages in the voting
16 system. Because they understand
17 English, a little bit English, they
18 prepare, they learn by hard the answers
19 for the interview, but they can't think
20 in English. They can't feel in English,
21 so they need someone to explain in their
22 native language so they can contribute
23 the decision and they say that voting is
24 very important because you are
25 contributing in the future of this

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1 nation, so that's why they ask for --
2 they wish they have all the languages.

3 COUNCILWOMAN PARKER: Kahina,
4 thank you so very much for your
5 testimony.

6 I now want to ask my
7 colleagues, are there any questions or
8 comments from members of the Committee
9 for this panel, and remember -- Chair
10 recognizes Councilmember Thomas.

11 COUNCILMAN THOMAS: Thank you,
12 Madam Chair. I'm not sure if members of
13 the Committee who had questions. I do
14 apologize. I know that I'm technically
15 a guest of the Committee so, Madam
16 Chair, I appreciate the opportunity to
17 engage in dialogue, and I appreciate all
18 the expert witnesses and testimony.

19 I do want to say for the
20 record, again deep appreciation to
21 Commissioner Sabir and the work that the
22 Commissioner's Office has done as well
23 as former Commissioner Schmidt. There
24 was other testimony that was submitted
25 today that's been placed on the record

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1 by other Commissioners, and we
2 appreciate them as well too.

3 One of the issues that's been
4 raised significantly is this issue
5 related to language access. We heard
6 some of the numbers. We listened to
7 some of the expert testimony. I'm just
8 wondering from the perspective of the
9 experts that are on the call right now,
10 what else do you feel like has not been
11 covered as it relates to what we need to
12 know on the legislative side as it
13 relates to language access and the
14 importance of us moving on this
15 initiative right now?

16 And I'll just open that up to
17 any one of the panelists because again a
18 lot of information has been
19 communicated. I'm pretty sure you've
20 been able to also hear some information
21 from one another. We know that this is
22 a really important issue and we are
23 going to try to do our best as it
24 relates to the legislative side to
25 ensure that we get this right.

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1 We know that it's going to cost
2 money. I heard Mr. Toy communicate that
3 specific initiative -- I mean, specific
4 task on our end in his testimony. But
5 based on everything that we've heard
6 today, I'm wondering what holes still
7 need to be filled and what is it that we
8 need to know. And that question is open
9 for any of the members of this
10 particular panel.

11 CITY COMMISSIONER SABIR: I
12 know we (inaudible). One of the things
13 that maybe could possibly be assistance
14 to us as well is the universities. They
15 all have different language access as
16 well, so maybe a partnership with the
17 universities and maybe the embassies. I
18 know they may can assist with some of
19 the language barriers, which wouldn't
20 even cost resources. That's basically
21 political. So maybe helping us out, the
22 embassies and the universities could
23 maybe potentially assist with some of
24 the language barriers.

25 MR. TOY: Just a quick note,

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1 along those lines in the past we have
2 helped -- different organizations have
3 helped to at least make sure that we're
4 not saying party when we mean fair and
5 when we mean party. What was that, the
6 Democratic party. It's not a party,
7 party. It's an organization. So, yeah,
8 we have people that can help with that
9 too. So happy to provide some resource
10 there.

11 And I would just say I think
12 what's done in other places is a growing
13 kind of thing. We start smaller. We're
14 not going to get to 100 percent right
15 off the bat. But if we can build from a
16 database of people who speak let's say
17 Russian and in a couple of years, you
18 pretty much have most of those people,
19 but the first year you might not get
20 most of them. But if you never start,
21 you'll never get anywhere.

22 COUNCILMAN THOMAS: Real
23 briefly, if someone from the Cook County
24 side just out of curiosity, can you --

25 MR. MICHALOWSKI: Hello.

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1 COUNCILMAN THOMAS: Hey. Real
2 quick, if you could state your name for
3 the record and just talk to us a little
4 about the cost because we hear the
5 reoccurring issue of cost. Can you talk
6 to us a little bit about cost on your
7 end and how much do you spend in your
8 county per constituent? Give us an idea
9 of your demographic and help us
10 understand a little bit about the fiscal
11 side of how you implement this for your
12 particular constituents.

13 MR. MICHALOWSKI: Sure. Thank
14 you. My name is Edmond Michalowski. I
15 work for Clerk Yarbrough as the Deputy
16 Clerk managing the Elections Department.
17 And in the first implementation stage,
18 we spent \$650,000. And one of the key
19 issues that you have to realize when you
20 begin a program like this is the
21 communication within the respective
22 technologies that you're going to
23 employ. Everything from your voter
24 equipment to the poll books, they have
25 to be on par with what your objectives

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1 are.

2 So for us for the 3 million
3 voters within Chicago and Suburban Cook
4 County, every time you go to the polls
5 at any of the 4,000 election sites on
6 Election day or the hundred early voting
7 sites in the aggregate, every language
8 is on every ballot both spoken so people
9 can hear it if they can't read it, and
10 it's translated on the touch screen. So
11 really for us, making sure certain that
12 all of the technologies are within reach
13 of what they can do and staying on top
14 of it.

15 When we thought about this, and
16 I'll digress very briefly, Aristotle
17 defined inertia as motions in a void.
18 When I look at democracy, I look at
19 Philadelphia as the definition of what
20 inertia is for democracy. So whatever
21 we can do for you, we're going to be
22 there. Whether it's our spreadsheets
23 and documentation or whatever it is,
24 we're there, because you guys really led
25 the charge on democracy. And whatever

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1 we can do to support you, we're here for
2 you.

3 COUNCILMAN THOMAS: Thank you,
4 Madam Chair.

5 I don't think I can make a
6 better closing statement than the one
7 that was just communicated right there.
8 So thank you to everybody on this panel.

9 Thank you, Madam Chair. And to
10 members of this Committee, I appreciate
11 the leverage and asking a few questions
12 to this particular panel. Thank you.

13 COUNCILWOMAN PARKER: Thank
14 you, Councilmember Thomas, again for
15 your leadership.

16 I will ask now are there any
17 other questions or comments from members
18 of the Committee for this panel?

19 (No response.)

20 COUNCILWOMAN PARKER: Okay.
21 There being none, Rachel, will you
22 please call the next panel to testify.

23 THE CLERK: Yes. Alison
24 Perelman and Marc Meredith.

25 COUNCILWOMAN PARKER: Alison,

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1 Alison Perelman, are you connected and
2 ready to proceed? Can you hear us?

3 MS. PERELMAN: I can hear and
4 see you. Can you see me?

5 COUNCILWOMAN PARKER: Can't see
6 you now. Just keep talk -- now, I can
7 see you. Thanks so much for being with
8 us today. Just please state your name
9 for the record and feel free to proceed
10 with your testimony.

11 MS. PERELMAN: Thanks so much.
12 So good afternoon, members of Council.
13 Thank you, Councilmember Parker, and
14 thank you to Councilmember Thomas for
15 inviting me to participate here today.
16 I'm going to -- My name is Ali Perelman.
17 I'm the Executive Director of
18 Philadelphia 3.0, and I'm here to
19 comment on Resolution No. 210657 calling
20 for the exploration of ballot
21 randomization.

22 So I don't want to waste folks
23 time today delving into the details.
24 Everyone hear knows how the current
25 system works whereby valid position is

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1 assigned by the drawing of lots from a
2 coffee can. And I think everyone
3 recognizes that there are inevitable
4 shortcomings as a function of operating
5 under such an anachronistic system, and
6 I'm here today to share that there are
7 some very simple and legally permissible
8 ways that the City of Philadelphia can
9 randomize its ballot, which would
10 significantly reduce ballot position
11 effects and make our elections fairer.
12 In short, it would help resolve the
13 problem that at present, candidates can
14 gain or lose thousands of votes as the
15 function of a coffee can, which doesn't
16 seem terribly fair to me.

17 So today in my testimony I want
18 to share three reasons why we should
19 shift to a simple randomized
20 alternative. The first is that ballot
21 randomization increases the level of
22 democracy in elections, particularly in
23 large fields and low salient elections.
24 (Inaudible) doesn't burden voters. And
25 the third is that ballot randomization

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1 can be easily achieved in a way that
2 doesn't burden the City Commissioners.

3 So on the first point
4 randomizing the ballot to make elections
5 more democratic: So many of us on this
6 Teams today work to try to improve
7 access to the ballot, and that work is
8 typically focused on removing the
9 barriers that exist for eligible voters
10 to cast a vote. This working franchise
11 is voters, and it's obviously and
12 critically important. However,
13 democracy works in the inverse direction
14 too, that is, the mechanics of our
15 election system ought to provide all
16 candidates for office with the same
17 level of access to all voters once those
18 voters have reached the voting booth.

19 It was not so along ago in
20 Philadelphia that the arrangement, the
21 orientation of candidate names on the
22 ballot was used to advantage particular
23 candidates at the expense of others.
24 While that practice is no longer at
25 issue, the fundamental problem remains.

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1 Some candidates have better access to
2 voters as a function of where they
3 appear on the ballot than others do.

4 Ballot randomization clearly
5 matters more in some elections as
6 opposed to others. Elections which are
7 high salient and low candidate count,
8 like the Mayor's, DA and Controller, are
9 very unlikely to be influenced by the
10 ordering of the candidates' names.

11 Conversely, ballot position is
12 likely to play a material role in
13 outcome of elections in races where
14 there are many candidates, like for City
15 Council At-Large or and even more so,
16 and this is less the purview of this
17 panel but I wanted to raise it here,
18 races for judges, particularly Common
19 Pleas.

20 Jonathan Tannen, who is a
21 researcher who lives in West
22 Philadelphia, did an analysis in 2016
23 for Econsult where he found that Common
24 Pleas candidates who draw a ballot
25 position in the top left most portion of

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1 the ballot triple their vote count as a
2 result of their advantageous ballot
3 position. In short, election results
4 analysis demonstrate that ballot
5 position advantages a small number of
6 lucky candidates while disadvantaging a
7 larger pool of unlucky candidates in
8 races with bigger fields.

9 Point 2, we can randomize
10 ballots in a way that does not make it
11 harder to vote. Voting is made easier
12 by having each candidate assigned a
13 ballot number on a fixed ballot. These
14 two factors, the ballot number and the
15 fixed ballot, will allow the voter to
16 review a sample ballot in advance of
17 voting and allow that voter to easily
18 identify her preferred candidates by
19 ballot number once she's in the poll.

20 There are clear strengths to
21 this current system. And however it is
22 that we choose to randomize the ballot
23 must be weighed against those strengths.
24 Any reforms to this system which make it
25 harder for someone to vote should not be

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1 seriously considered.

2 In order to randomize the
3 ballot, we must determine how to
4 preserve the advantages of a fixed
5 ballot with ballot numbers, while
6 minimizing the disadvantages of luck-
7 based ballot position assignment. And
8 we can do that by randomizing the ballot
9 across, for example, Wards or Council
10 Districts. In this scenario, a voter
11 would be the same ballot as his or her
12 ward or council district and that ballot
13 would be fixed with fixed ballot
14 numbers. Those voters could review
15 their ballot in advance and know which
16 ballot numbers correspond with their
17 preferred candidate. So from the
18 voter's perspective, the experience of
19 voting would be nearly identical to what
20 they're used to now.

21 Candidates would have to
22 slightly modify their practices by
23 producing ward or district-specific
24 communications like mail pieces and palm
25 cards, but this would be all together a

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1 pretty low-cost shift and it will be
2 principally administrative. But these
3 candidates as a result of having to bear
4 this low cost would benefit, and the
5 benefit would be significant.

6 In another analysis, Jonathan
7 Tannen found that randomizing ballots
8 across wards eliminates over 75 percent
9 of the ballot position effect. That's
10 huge. And Point 3 -- in short, we can
11 randomize across smaller units like
12 wards or districts. This would help
13 voters by retaining the benefits of our
14 current fixed ballot system and help
15 candidates by drastically reducing the
16 cost of the ballot position effect.

17 So Point 3 finally, we can do
18 the randomized ballots in a way that
19 doesn't make it harder for
20 Commissioners. So when we talk about
21 randomizing the ballot, the question
22 ultimately becomes one of election
23 administration, can the Commissioners
24 actually do this, is it legal, is it
25 practical, is it within their budget.

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1 Current election laws simply
2 requires the drawing of lots to assign a
3 ballot position, but this law does not
4 require that the lot correspond in any
5 particular way to the ballot position
6 once any way that is predetermined. So
7 I'm just going to share sort of two
8 examples of ways that this ballot
9 randomization might work.

10 The first is that we randomize
11 across Council Districts. So each
12 Council District would have its own
13 random number generator, which would
14 produce the ballot ordering for let's
15 say At-large candidates in that
16 district. And Councilmembers would draw
17 a lot which would correspond to their
18 place in each of those 10 Council
19 District specific ballots.

20 Another way to do it if we want
21 to randomize by ward would be to say
22 that we would produce a random ordering
23 of the ballot position, and that random
24 ordering would start, for example, in
25 the 1st Ward. And for every ward after

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1 that, going into Ward 2, 3, 4, et
2 cetera, every ballot position would just
3 move one number down. There are plenty
4 of ways to do this, and I'm happy to
5 answer a lot of questions about this.
6 It really is very simple and that is for
7 folks who are feeling a little weary
8 about the technical capabilities we
9 would need to do this, I would just
10 recommend Googling random number
11 generator so you can see how this works.

12 This randomization process
13 raises some questions about
14 practicality, but fortunately most of
15 the recent changes to our election
16 system work in the direction that helps
17 us to randomize ballots. Our voting
18 machines have the capability to
19 randomize and mail ballots and sample
20 ballots are already personalized to the
21 division level.

22 Finally, there may be an
23 additional financial cost to this
24 process, but it is likely to be minimal
25 particularly after the first cycle and

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1 we get used to this. In short, the
2 Commissioners are within the law to
3 randomize the ballot and have the
4 capacity and the budget to handle the
5 shift. The coffee can is idiosyncratic
6 and it's quirky, but it is not good for
7 a democracy. It's like the sorting hat.
8 It just happens to sort candidates into
9 two houses. One house which gives you
10 votes and one house which takes votes
11 away. There are very simple and
12 straightforward ways to fix this problem
13 and allow all candidates equal access to
14 voters. Thank you and I'm happy to
15 answer any questions.

16 COUNCILWOMAN PARKER: Thank
17 you, Ali Perelman, for joining us. If
18 you will just stay connected with us and
19 allow us to get through our final
20 witness on this panel. We'll then open
21 it up for questions from my colleagues.

22 Marc Meredith, are you
23 connected and ready to proceed?

24 MR. MEREDITH: I'm here.

25 COUNCILWOMAN PARKER: Thank

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1 you, Marc. Feel free to state your name
2 for the record and proceed with your
3 testimony.

4 MR. MEREDITH: Good afternoon.
5 My name is Marc Meredith. And as a
6 constituent, I want to begin by thanking
7 the Philadelphia City Council for
8 holding hearings on the important issues
9 of offering election materials in
10 additional languages, ballot
11 randomization and holding safer and more
12 secure elections. I also really
13 appreciate the opportunity to testify on
14 these topics because they are all
15 related to the research that I conduct
16 as part of my job as an Associate
17 Professor of Political Science at the
18 University of Pennsylvania. Finally, I
19 want to thank the students in my class
20 administering elections that I'm
21 currently teaching for letting me pause
22 the class for a few minutes so I can
23 share these thoughts with you.

24 The written testimony that I
25 submitted establishes the following five

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1 points related to the issues at hand:

2 First, holding a safe and secure

3 election requires that when an eligible

4 Philadelphian casts a ballot, that

5 ballot is counted. Second,

6 Pennsylvania's current rules about what

7 disqualifies a mail ballot from being

8 counted threaten the ability to hold

9 safe and secure elections. Third,

10 investing resources in ballot curing

11 satellite mail ballot offices and

12 informational campaigns will reduce the

13 number of disqualified mail ballots.

14 Four, key election materials

15 should be available in more languages

16 than the three mandated by the Voting

17 Rights Act and supplemented with video

18 content when possible. And finally,

19 ward-based rotations of ballot ordering

20 will help ensure that no candidate wins

21 or loses office entirely based on their

22 ballot position.

23 In the interest of time, I will

24 focus my oral testimony on points of

25 action that I hope the City Council

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1 considers when discussing these issues.

2 While the City Council doesn't have the
3 power to change mail balloting rules, it
4 can invest resources to reduce the
5 disenfranchising consequences of them.

6 First, funds should be provided to
7 identify and correct mail ballots when
8 clerical errors that -- funds should be
9 provided to identify and correct mail
10 ballots with clerical errors that may
11 cause them to be rejected.

12 When a clerical error is
13 identified before Election day, the
14 voter can remedy the situation by
15 correcting it or by canceling that mail
16 ballot and voting again either by mail
17 or in person. So the voter can only do
18 this if they're made aware of the
19 problem. I recommend more resources be
20 allocated to identify problematic mail
21 ballots and inform voters about them in
22 a timely way.

23 Money can also be invested in
24 things that reduce the incidence of
25 clerical errors in the first place.

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1 When someone votes at an inperson mail
2 balloting site, election workers can
3 highlight potential issues and answer
4 questions that the voter might have
5 about the process. Consistent with
6 this, my analysis shows that voters who
7 cast an inperson mail ballot at one of
8 the satellite election offices in 2020
9 were less likely to cast a naked ballot
10 than voters who received their ballot in
11 the mail.

12 Direct mail can also be a
13 helpful tool for informing voters about
14 the process of mail balloting. Along
15 with some colleagues at Penn and the
16 Mayor's Office, I evaluated the benefits
17 of sending follow-up instructional
18 postcards to register and to request the
19 mail ballot in 2020. Our results showed
20 that people sent a postcard were less
21 likely to have their mail ballot
22 cancelled as well as being more likely
23 to return their mail ballot quickly.

24 Thus, I recommend that the City
25 Commissioners be provided the resources

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1 that they need to operate satellite
2 elections offices and informational
3 campaigns targeted at people who have
4 requested mail ballots. I'm
5 particularly concerned about the
6 potential for Pennsylvania's mail
7 balloting rule to disenfranchise
8 Philadelphians with limited English
9 ability.

10 My research suggests that
11 neighborhoods with high proportions of
12 non-English speakers are more likely to
13 cast mail ballots that do not ultimately
14 count. While the Voting Rights Act
15 mandates that communication be in three
16 languages, English, Spanish and
17 Mandarin, I recommend that Philadelphia
18 identifies key materials like mail
19 ballot instructions that could be
20 providing some additional languages that
21 are spoken by a substantial number of
22 our citizens.

23 My research shows that direct
24 mail can be a good way to communicate
25 with potential voters. I suspect to

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1 having high quality video content in
2 many languages about both the mail and
3 inperson voting processes might even be
4 more impactful.

5 Finally, I want to offer my
6 support for a ward-based rotation of
7 ballot ordering in primary and
8 nonpartisan elections so that candidates
9 do not have the same position all
10 ballots city-wide. I have multiple
11 research papers demonstrating that
12 ballot order influences how people vote.
13 Much of the data that I've used to
14 conduct these studies come from Ohio,
15 which provides one illustration of how
16 the ballot rotation can be done.
17 Precincts within a county are ordered.
18 In the 1st precinct of the county,
19 candidates in each race are listed on
20 the ballot in alphabetical order based
21 on their last name. In the 2nd
22 precinct, the first candidate in
23 alphabetical order is rotated to the
24 last ballot position with all other
25 candidates moved up one position.

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1 Studies estimate the effect of
2 ballot positioning and vote outcome by
3 comparing the same candidates next year
4 when they were listed in different
5 ballot positions. They generally show
6 that the same candidate gets the most
7 votes when they're listed first on the
8 ballot and fewest when they're listed in
9 one of the middle positions. This is
10 particularly true when voters can't rely
11 on party cues to determine who they want
12 to support such as in a primary
13 election.

14 For example, one study that I
15 authored found that in about 1 in every
16 20 California School Board of City
17 Council elections which are nonpartisan,
18 the first-listed candidate won the
19 election they wouldn't have won had they
20 been listed in a different ballot
21 position.

22 If Philadelphia were to
23 implement ballot rotation, I think it
24 would make sense for a rotation to look
25 something like Ohio's, except that the

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1 rotation would be done at the Ward level
2 instead of the Ward division level. I
3 see the most important feature of a
4 ballot ordering policy is that it
5 ensures that no candidate wins or loses
6 office entirely based on their ballot
7 position, which is not the case in the
8 current system.

9 While ward-based rotation will
10 not make it so candidates appear in each
11 ballot position with the exact same
12 frequency, it should ensure that no
13 candidate's chance of winning will be
14 significantly changed by their ballot
15 position. Moreover, ward-based rotation
16 has two potential advantages over ward
17 division-based rotation.

18 First, it will be logistically
19 simpler for election administrators to
20 implement. Second, it will be easier
21 for candidates to inform supporters
22 about where they will be located on the
23 ballot, when they will be in the same
24 ballot every division and ward. In
25 conclusion, I want to thank again the

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1 City Council for their invitation to
2 testify on these important issues, and I
3 look forward to answering any questions
4 that you may have.

5 COUNCILWOMAN PARKER: Thank you
6 so very much, Ali and Marc, for, your
7 testimony.

8 Let me ask my colleagues are
9 there any comments or questions from
10 members of the Committee or the chief
11 sponsor of the resolution Councilmember
12 Thomas.

13 COUNCILMAN THOMAS: Thank you,
14 Madam Chair.

15 And I just want to thank this
16 panel for their testimony. I think it
17 was very informative and it puts us in a
18 position where we really have to
19 brainstorm what we do --

20 (Background interruption.)

21 COUNCILMAN THOMAS: I'm sorry.
22 Somebody has --

23 COUNCILWOMAN PARKER: Excuse
24 me -- I think they caught it,
25 Councilmember Thomas.

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1 COUNCILMAN THOMAS: So again, I
2 just want to thank this panel. I think
3 when you think about the issue -- and
4 just one quick comment and then I'll
5 pass it back to you, Madam Chair, and
6 other members of the issue.

7 Just when you think about the
8 issue and the impact that these
9 elections have, it matters
10 significantly. So I'm wondering based
11 on the work that you've done and some of
12 the rooms that you've been in, the
13 dialogues that you've been a part of,
14 what's the downside of ballot
15 randomization?

16 We heard a lot of the
17 positives. We heard a number of
18 different ways that it can be done. And
19 I heard the example about the Ohio
20 election where we've seen it take place.
21 I'm wondering what the counterargument
22 is.

23 And then after, Madam Chair,
24 I'll pass it back to you. And I just
25 want to say thank you to everybody again

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1 for your patience today and for taking
2 the time to do a deep dive into issues
3 that we know we really need to explore
4 and continue the dialogue as it relates
5 to the work that we need to do as
6 legislators to ensure that we have fair
7 and proper elections here in the City of
8 Philadelphia. Thank you.

9 MS. PERELMAN: I mean, I'll
10 start. The downside is pretty modest.
11 And I think that we both probably heard
12 today, it's just that candidates who
13 typically would have to, for example,
14 send out a single mail piece to all
15 voters if they're running for example
16 for an At-large seat, would in this
17 scenario have to send out Ward- or
18 Council District-specific mail pieces to
19 account for the fact that they're in a
20 different ballot position depending on
21 ward or district. Really it's an
22 administrative cost more than it is a
23 financial cost, and it's something the
24 people running campaigns would get used
25 to quite quickly. It's a very modest

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1 shift.

2 From the voter's perspective,
3 really it's exactly the same. A voter
4 won't notice anything different. And
5 I'm sure there will be again like a
6 fairly modest learning curve within the
7 Commissioner's Office, but we have the
8 technology to do it.

9 And we already are
10 personalizing so many of the materials
11 that the voters get. Like the mail
12 ballots that we receive are personalized
13 down to the division level anyway, so
14 this would require that there will be
15 some additional level nuance to the
16 materials.

17 COUNCILWOMAN PARKER: Marc, do
18 you want to add anything?

19 MR. MEREDITH: No, I think
20 Alison summed it up well. I think in
21 some places the implementation might be
22 harder. But because we already do so
23 many Ward division offices here, I think
24 the challenges you have to prove every
25 type of ballot that you come up with and

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1 make sure it's right, but we already
2 have to do that in Philadelphia because
3 we have so many very localized elections
4 that it's not like we're using the same
5 ballot for the whole city in the first
6 place. I agree with Ali that there's
7 some potential learning curve on this,
8 but I think it can be learned very
9 quickly.

10 COUNCILWOMAN PARKER: Thank you
11 both for your testimony.

12 Let me just ask one last time
13 for my colleagues, are there any
14 questions or comments from members of
15 the Committee for this panel?

16 (No response.)

17 COUNCILWOMAN PARKER: I don't
18 see anything in the chat. Hearing no
19 further questions, we want to thank you
20 both for being here.

21 We will now take a brief break
22 to ensure that members of the public are
23 connected to testify. We want to take a
24 quick break to ensure that members of
25 the public are connected to testify.

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1 Thank you all so very much for your
2 patience.

3 COUNCIL TECH SUPPORT: Madam
4 Chair.

5 COUNCILWOMAN PARKER: Yes.

6 COUNCIL TECH SUPPORT: We have
7 one public participant that joined
8 Teams, so I don't think we're going to
9 need to break today.

10 COUNCILWOMAN PARKER: Okay.
11 All right.

12 COUNCIL TECH SUPPORT: Thank
13 you.

14 THE CLERK: Are the other two
15 on the line?

16 COUNCIL TECH SUPPORT: They are
17 going to be called in one by one.

18 COUNCILWOMAN PARKER: Thank you
19 so very much.

20 Rachel, will you please call
21 the first public commenter we have to
22 speak on the resolution.

23 THE CLERK: Al-Sharif Nassef.

24 COUNCILWOMAN PARKER: Good
25 afternoon. Al-Sharif, are you connected

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1 and ready to proceed?

2 MR. NASSEF: Good afternoon.

3 Yes, ma'am. Can you hear me?

4 COUNCILWOMAN PARKER: Yes, we
5 can hear you well. Just state your name
6 for the record and feel free to proceed
7 with your testimony.

8 MR. NASSEF: Thank you. My
9 name is Al-Sharif Nassef. I'm the
10 Pennsylvania Campaign Manager for All
11 Voting is Local. We're a collaborative
12 campaign of the leadership conference
13 and rights, American's largest civil
14 rights coalition of over 200 national
15 organizations. And we work on local
16 advocacy year-round to prevent barriers
17 to voting before they happen. We work
18 to protect our democracy and to uphold
19 voting rights for every American.

20 On behalf of Citizens for
21 Language Access, which is a team of over
22 70 leading local immigrant rights,
23 voting rights and good government
24 groups, I'd like to thank Councilman
25 Thomas for his leadership and all the

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1 cosponsors of Resolution 210657 for
2 hosting this important conversation,
3 especially as it pertains to language
4 access in voting.

5 I did want to direct the
6 attention of the Councilmembers to two
7 documents that I've submitted for the
8 record on behalf of our coalition. The
9 first is a letter from the 70-plus
10 organizations echoing our call for
11 language access funding and
12 implementation support. And the second
13 is an op-ed we submitted to the
14 Philadelphia Inquirer.

15 I just want to reemphasize some
16 of the points that have been made today.
17 (Inaudible) and the fact that America's
18 greatest strength is its diversity, and
19 that includes languages that we speak.
20 And we really look forward to working
21 with the City of Philly, the City
22 Commissioners, the Department of State
23 to ensure that language is not a barrier
24 to exercising our fundamental freedom to
25 vote, which is a cornerstone of our

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1 cherished democratic process, and really
2 work to meet the needs of Philly's
3 diverse and vibrant community who speak
4 other languages.

5 And I just want to emphasize
6 the point that this is not something new
7 that Philadelphia is doing. If we go
8 back to the founding of the 13 original
9 colonies, we got Dutch speakers, French
10 speakers, German speakers. And even
11 just a few blocks away from City Hall
12 when the Continental Congress, someone
13 made a proposal to make English the
14 official language of the United States,
15 and that was quickly shot down by the
16 rest of the Congress, the democratic
17 threat of individual liberty.

18 And so, from the very origin of
19 our country, Americans hailed from all
20 different parts of the world spoke many
21 languages. And of course, the Native
22 American stewards, the noble tribesmen
23 of the land spoke dozens of different
24 languages. And I think we fastforward
25 to 2019 and we spend millions of dollars

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1 on these new voting machines and they
2 can accommodate up to 12 languages,
3 maybe even more. And just want to
4 reiterate the call that we need the
5 funding and support of the City of
6 Philadelphia to make good on the
7 investment that Philadelphia made in
8 these voting machines and fund official
9 election materials in at least six
10 different additional languages beyond
11 the bare minimum requirements of federal
12 law.

13 And finally I'll end with this
14 point, which is former Georgia
15 legislator and the Voting Rights
16 Activist Stacey Abrams credits much of
17 her success in changing Georgia's
18 political landscape to grassroots
19 outreach to fast-growing API and
20 immigrant communities that are often
21 overlooked.

22 So here in Philadelphia which
23 is the cradle of American democracy can
24 play a pivotal role in both state and
25 federal elections. We hope our leaders

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1 can work together and invest in voting
2 equity to ensure that voters in
3 marginalized communities are fully
4 engaged, have every opportunity to cast
5 a ballot and enjoy a smooth and
6 welcoming voting experience. I want to
7 thank everyone for the opportunity to be
8 heard and we look forward to working
9 with you.

10 COUNCILWOMAN PARKER:

11 Al-Sharif, I just wanted to note for the
12 record and for the benefit of the public
13 the two documents from Al-Sharif, they
14 have been circulated to all members of
15 the Committee and they have been given
16 to our stenographer so that they can be
17 put on the record.

18 In addition to that,
19 Commissioners Bluestein and Deeley also
20 submitted written testimony and that has
21 been put on the record as well. So
22 Al-Sharif, thank you so very much for
23 your testimony today.

24 Let me ask Rachel and/or our
25 Tech team, is our next public commenter

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1 queued?

2 THE CLERK: It should be Jean
3 or Guilluame or Jeñn -- I'm not sure how
4 you pronounce it -- Guilluame.

5 MR. GUILLUAME: Hello.

6 COUNCILWOMAN PARKER: Hi.

7 Please state your name for the record
8 and fill free to proceed with your
9 testimony because we don't want to chop
10 up your name.

11 MR. GUILLUAME: My name is Jean
12 Guilluame and I'm a community organizer
13 for the Haitian community. Thank you
14 for inviting me. This is my first time
15 testifying, although I didn't prepare
16 anything because I got the invite very
17 late. But I've been trying to organize
18 the Haitian community for the last six
19 years, and this year we wanted to take
20 10,000 more Haitians who (inaudible),
21 but most of the problems that we've
22 encountered in the Haitian community is
23 the language situation.

24 Most of the Haitians don't know
25 how to speak English, especially the

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1 older folks. And unfortunately, some of
2 them also don't know how to read. So
3 having Haitians that speak Creole at the
4 poll as a poll worker and also
5 translations at the ballot in Creole,
6 that would really help Haitians
7 participate in the voting process. So
8 I've been listening to you guys and I'm
9 very glad you guys take that to heart
10 and to making sure all communities are
11 heard. So thank you for the effort.
12 Hopefully, you guys can make this a
13 reality because it will be a tremendous
14 opportunity for a lot of Haitians who
15 participate and to exercise their
16 civility. Thank you.

17 COUNCILWOMAN PARKER: Jean,
18 thank you so very much for your
19 testimony here today. We appreciate
20 your participation.

21 MR. GUILLUAME: Thank you.

22 COUNCILWOMAN PARKER: You're
23 welcome.

24 Rachel, will you please call
25 the next public commenter we have to

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1 speak on the resolution.

2 THE CLERK: Yes. The next and
3 last public commenter is Josephys
4 Dafils. Again, I may be mispronouncing
5 it a little bit.

6 COUNCILWOMAN PARKER: Josephys,
7 are you connected and ready to proceed?

8 (No response.)

9 COUNCILWOMAN PARKER: Hello?

10 (No response.)

11 COUNCILWOMAN PARKER: Let's
12 give our Tech team a second here.

13 (No response.)

14 COUNCILWOMAN PARKER: For
15 members of the viewing public, we are
16 now attempting to connect with our
17 public commenter and we have to dial
18 them into our session. So we want to
19 say a special thank you to each of you
20 for your patience while our Technical
21 team attempts to make a connection. We
22 want to ensure that those who are
23 scheduled to express their perspective
24 have the opportunity to participate.

25 COUNCIL TECH SUPPORT: Madam

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1 Chair, it seems that we cannot connect
2 with the public participant.

3 COUNCILWOMAN PARKER: Okay.
4 What we will do for the final person who
5 was scheduled to give a public comment
6 today on the resolution is that we will
7 allow that person to submit their
8 comments in writing and we will ensure
9 that it becomes an official part of the
10 public record and included for this
11 resolution.

12 Let me ask right now for the
13 record is there anyone else here to
14 testify on the resolution whose name has
15 not yet been called?

16 (No response.)

17 COUNCILWOMAN PARKER: Hearing
18 none, before we actually conclude the
19 hearing, the chief sponsor Councilmember
20 Isaiah Thomas, Councilmember Thomas, are
21 there any closing remarks or comments
22 that you wanted to make before we
23 conclude the hearing?

24 COUNCILMAN THOMAS: No, thank
25 you, Madam Chair. I just want to again

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1 thank you for your leadership and my
2 colleagues as well, members of this
3 Committee, for bearing with us and being
4 a part of this important conversation,
5 and of course thank all the experts and
6 panelists and those who have lived
7 experiences with this issue who continue
8 to advocate and fight.

9 Just know that we're listening
10 and we're brainstorming from a
11 legislative perspective of what we can
12 do and how can we make it easier for
13 everybody to have and participate in
14 fair and accessible elections here in
15 the City of Philadelphia.

16 Thank you, Madam Chair.

17 COUNCILWOMAN PARKER: Thank you
18 so very much, Councilmember Thomas. A
19 lot of great information put on the
20 record here today.

21 There being no one else here to
22 testify on this resolution, this
23 concludes the business of the Committee
24 on Law and Government today. This
25 public hearing is recessed to the call

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1 of the Chair. I want to thank you all
2 so very much for your participation and
3 have a great afternoon.

4 And to our Tech team and all of
5 our staff members, thank you for making
6 this possible. Have a great day.

7 COUNCILMAN GREEN: Thank you,
8 Madam Chair. Great hearing.

9 COUNCILWOMAN PARKER: Thank
10 you.

11 (Committee on Law and
12 Government concluded at 3:04 p.m.)

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I, hereby certify that the

proceedings and evidence noted are contained
fully and accurately in the stenographic notes
taken by me in the foregoing matter, and that
this is a correct transcript of the same.

TANEHA CARROLL
Court Reporter - Notary Public

(The foregoing certification of
this transcript does not apply to any
reproduction of the same by any means,
unless under the direct control and/or
supervision of the certifying reporter.)

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