

ELECTION BOARD RESOLUTION NO. 6 OF 2022

WHEREAS, The Lancaster County Board of Elections seeks to ensure absolutely fair and secure elections to the utmost extent possible under existing state law, so that all citizens of all political parties may have full faith in our elections, and;

WHEREAS: There are those who unfortunately seek for the County to implement practices that will not instill faith in our elections and ultimately will make elections less secure, and;

WHEREAS: In today's litigious environment, unfortunately, the County regularly faces frivolous claims, and;

WHEREAS: The American Civil Liberties Union (ACLU), has sued the County twice in the last two weeks, including a suit seeking to force County government to install a ballot drop box, and;

WHEREAS: We are aware of no Pennsylvania County or municipal government anywhere that has ever been held to the standard being proposed by the ACLU – specifically that administrative operational matters such as whether to have or not have a ballot drop box must be treated as legislative matters. And further, such a standard as proposed here, should it be created under a final court ruling, would be, if followed to a logical conclusion, possibly crippling to the operations of any municipal government. In circumstances, as happened in this case, where citizens raise an issue and ask questions of the board as to where the board stands on a matter, the board would possibly be forced to refrain from answering transparently as the board did in this case. Moreover, under the ACLU's proposed standard, municipal boards would possibly be forced to meet virtually continuously, to decide administrative matters by legislative action for the municipal or county government, and;

WHEREAS: The issue of ballot drop boxes has been discussed and debated at multiple public meetings of the Lancaster County Board of Elections in a transparent way going far above what is required by the law for an administrative matter, and;

WHEREAS: Lancaster County government takes citizen input extremely seriously, having something on the order of 150 public meetings a year at which any member of the public may comment and ask questions about any subject – far exceeding virtually any other level of government anywhere, and;

WHEREAS: In the matter of the ACLU's lawsuit, the court has not issued a *final* opinion on this matter, but rather a *preliminary* injunction, and that injunction has ordered the temporary installation of a ballot drop box, and;

WHEREAS: Given the fact that across Pennsylvania there are reported instances of people placing or attempting to place multiple ballots into a drop box, which is *illegal* (unless specifically authorized), including Governor Tom Wolf's admission that he gave his ballot to his wife to drop in a box, which constitutes a violation of law – after he signed the mail in ballot law (Act 77 – 2019), which included provisions making ballot harvesting illegal, and;

WHEREAS: Although confident in ultimate legal victory in this case, in order to stay completely focused on the key issue – securing our elections – and in order to preempt further wasteful litigation, and to render this issue moot, as suggested by the court, and to allow the court to focus on other pressing matters;

NOW THEREFORE: We, the Lancaster County Board of Elections in order to instill integrity in our elections and ensure a system that does the utmost to prevent voters from unintentionally or intentionally breaking the law, hereby declares that Lancaster County shall have no ballot drop box in this current election or any election, unless compelled to do so by Pennsylvania statute or by official legal authority.

FURTHER: As in person voting is the most secure manner to run an election and instills the most confidence in the citizens of this County and Commonwealth, we call upon the Legislature of Pennsylvania to fully repeal Act 77 of 2019 and restore elections to in person, as outlined in the Constitution of the Commonwealth of Pennsylvania, with exceptions for absentee ballots only as specified in the Constitution of the Commonwealth of Pennsylvania, and to enact voter ID.

Adopted by the Board of Elections of Lancaster County this 16th day of May 2022.

ATTEST:

Ray D'Agostino, Chairman

Lawrence M. George
Administrator/Chief Clerk

Joshua G. Parsons, Vice Chairman

John B. Trescot, Commissioner

Board of Elections of
Lancaster County, Pennsylvania