



Municipality of Anchorage

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Office of the Municipal Clerk

TO: John Henry, Election Observer

FROM: Barbara A. Jones, Municipal Clerk *BAJ*

DATE: April 15, 2022

SUBJECT: Response to Your Complaint Regarding City Hall Special Needs Ballots Issued

Thank you for your complaint filed on April 5, 2022, regarding approximately seven special needs ballots issued at the City Hall Vote Center on Election Day. We appreciate the concerns that you raised and took immediate action to address them.

Your complaint alleges that “one person ... requested 14 ‘special [needs] ballots’ [and] 7 ballots were issued and 7 denied due to inability to locate [the voter] ...” in the database. As you noted, seven ballot packages were denied at the front end of the process by the Election Worker at the City Hall Vote Center. When the representative requested the special needs ballot packages, the Election Worker first checked the voter data base and, in this case, seven of the names requested by the representative were not in the data base and were therefore not entitled to be issued and were not issued.

The Municipal code authorizes voters, “who because of a disability are unable to vote at ...a vote center on election day...” to “...request delivery and return of a special needs ballot.” AMC 28.60.040A. The code details the procedure for the voter or a personal representative to request a special needs ballot, including making the request at a vote center or requesting a ballot package by telephone.

In preparation for requests from voters or their personal representative, the MOA Elections Team has Election Officials and volunteers from the League of Women Voters standing by on and before Election Day to serve as personal representatives and deliver Special Needs Ballots to individuals in their homes, at hospitals or at care centers.

In response to the complaint, the MOA Elections Team has taken the following action:

- Even though the municipal code authorizes a person to request a special needs ballot package from an Anchorage Vote Center (AVC), requesting 14 special needs ballots is a burden on the vote center and the vote center workers, particularly on Election Day. The MOA Elections Team will continue to have Election Officials and volunteers from the League of Women Voters standing by on or about Election Day to assist with Special Needs ballot packages. Deputy Clerk – Elections Jamie Heinz also immediately prepared a new procedure for the AVCs specifying:
 - **Personal Representatives requesting Special Needs Ballots may not request more than two Special Needs Ballot Packages from an AVC. If a Representative needs more than two Special Needs Packages, please refer the**

Representative to the Voter Hotline at 907-243-VOTE (8683) or to Election Center.

- On Election Day or the day after, the MOA Elections Team ascertained the names of the seven voters who were issued special needs ballot packages from the City Hall Vote Center and challenged all seven ballot packages (at the envelope stage).
- All seven envelopes were reviewed, prior to processing, like the questioned ballot envelope review, with observers present, on Friday, April 15, 2022.
 - Because persons are allowed to vote using a special needs ballot and if the ballot envelope, including the voter declarations and the personal representative oaths, are completed, the MOA Elections Team may have limited authority under the code to challenge these ballot envelopes.
 - Even so, because of the unusual situation of seven special needs envelopes being requested by one personal representative at an AVC, MOA Election Officials are referring all seven envelopes to the Anchorage Election Commission for adjudication.

The steps detailed above were implemented and discussed with the observers on Election Day or the day after, as well as on April 15. Thank you again for bringing this complaint to our attention.

C: Jamie Heinz, Deputy Municipal Clerk – Elections
Dee Ennis, Observer Liaison
Ralph Duerre, Observer Liaison
Observer Contacts for other campaigns

Municipality of Anchorage
April 5, 2022 Regular Municipal Election
Ballot Not Properly Cast or Improperly Rejected Challenge Form

OBSERVER INFORMATION	Date <u>4/5/2022</u>
	Printed Name Of Observer <u>JOHN M. HENRY</u>
	Name Of Candidate Or Organization/Group Representing <u>RANDY SULTE</u>

CHALLENGE INFORMATION	<u>NAME OF VOTER WHOSE BALLOT IS BEING CHALLENGED:</u> <u>UNKNOWN - CITY HALL VOTE LOCATION</u> (First Name - Middle Initial - Last Name - Suffix)
	<u>REASON FOR CHALLENGE (check all that apply):</u> <input checked="" type="checkbox"/> The voter did not sign the voter declaration. <input checked="" type="checkbox"/> The voter who was unable to sign did not make a mark and/or have the mark properly witnessed. <input type="checkbox"/> The voter's ballot envelope was received after the date of the election and was not postmarked on or before the date of the election, has no postmark, or the postmark is unreadable. <input type="checkbox"/> The voter's ballot envelope was received after 8:00 p.m. on the date of the election by a method other than through the U.S. Postal Service. <input type="checkbox"/> The voter already voted in the election. <input type="checkbox"/> The voter did not provide required identification before the opening of the Public Session of Canvass. <input type="checkbox"/> The voter's ballot envelope was improperly rejected. Explain: <u>ONE PERSON FROM API REQUESTED 14 "SPECIAL BALLOTS" 7 BALLOTS WERE ISSUED & 7 DENIED DUE TO INABILITY TO LOCATE ON SOA DATA BASE.</u>

SIGNATURES	<i>I swear or affirm, under penalty of unsworn falsification, that to the best of my belief, the person named above does not meet one or more of the requirements of law and is not entitled to vote in this election.</i>	
	<u>John M. Henry</u> Signature of Observer	<u>4/5/2022</u> Date Submitted
	_____ Signature of Municipal Clerk or Designee	_____ Date and Time Received
	_____ Signature of Candidate, Campaign Manager, or Chairperson	_____ Date and Time Submitted