



Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4311 • Fax: (907) 249-7999 <http://www.muni.org/assembly>

Office of the Municipal Clerk

DATE: April 23, 2022

TO: Daniel E. Smith, Observer
Sami Graham, Observer

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

SUBJECT: Observer Complaints re Selection and Training of Drop Box Workers Received on April 5 and April 11, 2022

Thank you for bringing your concerns regarding drop box workers and training to our attention. This response addresses two observer complaints together for expediency and due to the overlap of the majority of the concerns and questions.

CONTEXT: Every Election night, up to 54 election workers and volunteers are needed to go to the 18 drop box locations in teams of three (and teams of two, if there not enough people) to pick up ballot return envelopes and close the drop boxes at 8:00 sharp. (This year there were 48 workers.) The majority of Drop Box Workers (DBWs) are Municipal employees or Election Workers and attend training at the Election Center at about 6:00 p.m., prior to departing the Election Center for their scheduled drop box pickup and closing.

LOCATION, SIGN-IN, AND BAGS: Your first complaints concern the area used for training, sign-in by the DBWs, and materials retained by the DBWs. The MOA Elections' response to your complaint is as follows:

- The DBWs were not restricted to areas designated for the public; they gathered loosely in a large area outside of the public reception area and off the yellow brick road in an area generally reserved for election workers.
- Not all of the DBWs signed in at the reception area, which is required of volunteers, the public and observers.
- The DBWs were allowed to keep their coats, purses, and backpacks with them in the non-public portions of the gathering area, while members of the public and observers are required to leave these items in the Observer area or Election reception area.

The Clerk accepts these complaints. Although there were no ballot envelopes or ballots that were being processed and all were locked in cages and therefore inaccessible to the DBWs, the arrival of the DBWs should have been handled more formally. First, the MOA Elections Team did not initially appreciate that the receptionist was part of the DBW group and not positioned at the front desk. When the observers brought the lack of signing-in to staff's attention, an Observer Liaison moved to the front desk for sign-in and circulated in the training group requiring that volunteers wear the appropriate lanyards required of visitors and the public. Similarly, others circulated and told the DBWs to make sure they didn't have coats or backpacks in ballot processing areas. Approximately 30 of the 48 DBWs were Election Workers or

Clerk's Office staff, who would not be required to sign-in.) To address this issue in the future, the MOA Election Team will take the following action:

- Ensure there is a full-time reception worker on election night to ensure that all visitors sign in and receive a lanyard.
- Provide a coat and other rack in the Reception Area on Election night for DBWs to store their coats, purses, and backpacks while they are in the non-public areas of the Election Center. In addition, DBWs may be able to place their coats, purses, and backpacks in the lockers in the kitchen or on the coatrack in the area outside of the kitchen, on the south side of the Election Center.

TRAINING. As for location of the training, it is scheduled and takes place in Section 5 of the Election Center, as well as a small part of Section 1, next to Section 5. Section 5 is the area designated for the Observers, the Observer Liaisons, and storage of drop boxes and drop box materials as well as other election materials. There are and were no ballots, ballot envelopes, or other confidential election materials in Section 5, nor in the small part of Section 1 used next to Section 5. However, there were DBWs in Section 2, the envelope opening and ballot separation area, during the training where DBWs were sitting and signing materials. The training should not have extended to Section 2. To address this issue in the future, the MOA Elections Team will make sure that the drop box training will be in Section 5, a small part of Section 1, and the yellow brick road around that area.

DBW TRAINING. Your complaint asked questions regarding the training and onboarding of the DBWs. This year thirty-two (32), or 66%, of the DBWs were Municipal employees – either existing Election workers or employees of the Clerk's Office, Assembly Counsel or other Assembly Offices. (This number also included Dennis Wheeler, who is an MOA Contractor and Project Manager for the Election project.) The remaining sixteen (16) DBWs were volunteers and one-half (8) worked in previous elections; and the other half (8) were new, and inexperienced. Thus, thirty-two (32), or 66%, of the forty-eight (48) DBWs had received election training and MOA employee onboarding. Forty (40), or 83%, had received prior training. As the finale of DBW training, all DBWs took the Oath of Office to uphold the constitution of the United States, the constitution of the State of Alaska, and the Charter of the Municipality of Anchorage.

The Drop Box Team Lead prepared and presented the training on election night for all DBWs including a review of a detailed drop box checklist and other detailed information concerning closing the drop boxes and assisting the public at the drop boxes. The Drop Box Team Lead assigns the eighteen (18) teams of 2 or 3 persons to be dispatched to their respective drop box. Each drop box closing team lead was a person with past drop box worker or closure experience. The goal is to assign no more than one inexperienced person to any drop box closing team.

Your complaint states that you observed at least three DBWs come in late and miss training. At this time, we do not believe but cannot verify whether any of the eight (8) inexperienced DBW were among this group that appeared to miss training. Again, the pairing of the inexperienced DBWs with experienced workers should have minimized the impact of missed or partially missed training.

SELECTION: The Drop Box Team Lead asks and encourages Election workers and employees of the Clerk's Office and other Assembly Offices, to serve as DBWs. With respect to the sixteen (16) non-employee DBWs, eight (8) had worked previously with Election night drop box closure and pick-up. With respect to the eight (8) new DBWs, attempts to find additional DBWs included informal announcements

asking for Election Workers at Assembly meetings; there was other outreach by the Clerk's Office to Assembly Members and to other MOA offices, including Human Resources, the Department of Law, the Ombudsman, and posting on the Clerk's social media, Elections webpages, the MOA Jobs webpage, and the Alaska Bar Association webpage. Civic groups such as OLE!, which had offered volunteers in the past, were contacted. Many of the non-employee DBWs are friends or family members of the Election Workers.

OBSERVERS: In your complaint you express frustration that DBWs are less trained than the Observers and were selected over the Observers. However, as detailed above DBWs are trained, and per Municipal code Observers "are not allowed to handle ballots, registers, other election materials, or computers." AMC 28.50.300E.5d. Alternatively, many Observers either followed the dispatched DBW vehicles or proceeded directly to the drop sites for observation.

PARTISAN VS. NON-PARTISAN: A few observers offered that the State of Alaska attempts to ensure staffing by pairing persons of opposite political parties. However, the Anchorage Municipal Charter states that Municipal Elections are to be non-partisan; thus, it would be a violation of the charter for the MOA Elections Team to look up the party status for any Election Worker or DBW. State law is different. See AS 15.10.120. Appointment of election board.



Municipality of Anchorage
 April 5, 2022 Regular Municipal Election
 Complaint Form

OBSERVER INFORMATION	<u>4-5-22 6:30 PM</u>
	Date
	<u>DANIEL E. SMITH</u>
	Printed Name Of Observer
	<u>LIZ VAZQUEZ</u>
	Name Of Candidate Or Organization/Group Representing

COMPLAINT	SPECIFIC INFORMATION REGARDING COMPLAINT, INCLUDING ELECTION OFFICIAL NAME, IF APPLICABLE:
	<ul style="list-style-type: none"> ① DROP BOX VOLUNTEERS HAVE ENTERED THE SECURE ELECTION CENTER AREAS AND CREATED AN UNSECURE SITUATION WEARING COATS, CARRYING PURSES BAGS AND BACK PACKS. ② WE QUESTION WHETHER OR NOT DROP BOX VOLUNTEERS HAVE RECEIVED TRAINING PRIOR TO ENTERING SECURE AREAS. - ONLY FOR EXAMPLE A CONFIDENTIALITY OATH. ③ APPROX 18 OF 36 APPEAR TO HAVE SIGNED BUILDING ENTRY LOG. ④ WE QUESTION THE SELECTION PROCESS FOR DBV'S. ⑤ FOOD & DRINK PRESENT AND BEING CONSUMED IN UNAPPROVED AREAS ⑥ AT LEAST 3 ABV'S MISSED TRAINING (CAME IN LATE) ⑦

SIGNATURES	<u>Daniel E Smith</u>	<u>4-5-22</u>
	Signature of Observer	Date Submitted
	Signature of Municipal Clerk or Designee	Date Received