



OKLAHOMA STATE ELECTION BOARD

July 22, 2020

Bailey Perkins
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(580) 483-1600

Liz Holmes
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(405) 850-3991

Dear Ms. Perkins and Ms. Holmes,

Thank you for your correspondence dated July 6, 2020, regarding your experience as extra poll workers at Precinct 550159 in Oklahoma County on June 30, 2020.

Oklahoma County Election Board Secretary Doug Sanderson has reviewed your written complaints, interviewed the other Precinct Officials at Precinct 550159, and produced a six-page report with his findings, which I have enclosed. If you would like to discuss Secretary Sanderson's report with my office, please contact Assistant State Election Board Secretary Pam Slater at Pam.Slater@elections.ok.gov to set up a meeting. Thank you.

Sincerely,

Paul Ziriaux
Secretary, Oklahoma State Election Board
(405) 521-2391
Paul.Ziriaux@elections.ok.gov

Enclosures: 2



OKLAHOMA COUNTY ELECTION BOARD

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July 21, 2020

Mr. Paul Ziriaux, Secretary
State Election Board
PO Box 53156
Oklahoma City, OK 73152

Dear Secretary Ziriaux:

Below are my findings in response to the written complaints in correspondence dated July 6, 2020. The complaint alleges errors in the conduct of the June 30, 2020 state primary election by precinct officials in Oklahoma County Precinct 550159.

The complainants are first-time extra workers who were both trained June 19, 2020, eleven days before the election. One attended the supplemental Inspector training.

The three member precinct board is composed of two people with over 20 years of experience and the third has served since May, 2016. All three have attended mandatory bi-annual training classes numerous times. Two of the three have attended the supplemental Inspector training.

Separately, we interviewed at length, by telephone, the three precinct officials multiple times. The Judge came to our office and I personally questioned her more than 2 hours.

Complaint #1

“A voter presented a picture of her license on a cell phone and it was accepted as a form of ID because the inspector and judge refused to go through the provisional ballot request process.”

A photograph of an ID on a cellular telephone is not an acceptable ID. However, precinct officials say the voter presented an Oklahoma Mobile ID/Electronic Device License which is acceptable.

The complaint does not mention that this voter was at the wrong precinct and did not cast a ballot but was directed to the proper precinct.

Complaint #2

“The judge verbally expressed to voters and workers that provisional ballots are not counted, that the Election Board “just tells us that as a legal protocol” and that it would take an hour and half to complete the provisional ballot process.”

Precinct officials dispute the characterization of discussions about provisional voting procedures and say discussions were not in front of voters. Precinct officials say they did attempt to explain to the complainants the steps that occur before the provisional voting option is triggered.

It is obvious that provisional ballots are counted if cast by eligible voters.

Complaint #3

“The inspector and judge had inappropriate political conversations at the polls near the voter registry.”

Reports of inappropriate political conversations by precinct officials are not common. In this case, the officials in question deny it and the other precinct official did not hear anything political in nature.

When this has been reported, the complainant is adamant about precisely what was said and always recites it with specificity.

Here the location, but not the content of the alleged impropriety is reported.

Complaint #4

“The inspector and judge denied a voter the right to complete a provisional ballot.”

Precinct officials recall a person whose name was not found in the precinct registry. The person stated she had just “signed up at a rally on Sunday.” After calling our office for confirmation, the voter returned and told precinct officials she did not meet the deadline. Precinct officials gave her a voter registration application form.

If any person disagrees with the election board finding or otherwise expresses a desire to cast a provisional ballot anyway, the person is issued a provisional ballot.

When a dispute as to eligibility cannot be resolved or explained, the person is informed of the provisional voting option.

Here it appears the voter did not dispute her lack of eligibility.

As a precaution, the election board will re-emphasize proper provisional ballot procedures and what triggers offering a provisional ballot.

Precinct official assignment letters for both August 25 and November 3 elections will contain additional materials on provisional voting. Also, provisional ballot procedures will be a talking point for discussion with each Inspector at supply checkout.

Complaint #5

“The inspector utilized a phone other than the phone provided by the Election Board as the official time count for closing the polls until corrected by Ms. Holmes.”

The complaint on its face confirms that the election board issued cellular telephone was used to determine when it was 7:00 p.m. The precinct official says she always uses it.

The precinct official explained that she was checking the one-minute discrepancy between the election board cellular telephone and the time on the voting device. The one-minute difference is irrelevant. The voting device time is not used to determine when it is 7:00 p.m.

We later confirmed that the time on both cellular telephones was exactly the same.

Complaint #6

“The judge and inspector began taking down election signage 40 minutes before the polls closed, and attempted to force us to take down outside election signs two hours before the polls were to close.”

Precinct officials strongly dispute both the 40 minute and two hour allegations.

Some of the voting booths which do contain signage were reduced to six booths at about 6:00 p.m. This is perfectly acceptable since six booths were adequate to accommodate voters.

At about 6:45 p.m., sample ballots and other non laminated signs were taken down. Precinct officials have been reprimanded for this because no inside signage should be taken down until after 7:00 p.m.

No outside or inside "Vote Here" signs were taken down until after 7:00 p.m.

Complaint #7

"Protocols governing issues with the voting machine were not followed. For about 10-15 minutes, the machine displayed a paper jam error and would not allow other ballots to be cast. Instead of collecting the ballots and placing them in the emergency bin so that voters would not have to wait to have their ballots cast, they tinkered with the device to figure out the problem; and we were not asked to sign any of the boxes that contained the raw ballots nor were we asked to sign anything on the ballot machine receipts."

A voter placed two ballots in the voting device at the same time causing the ballots to become stuck.

This problem is usually resolved by simply pulling the ballots out of the throat of the voting device which should only take moments. Here it appears the ballots were more imbedded and more difficult to pull out.

Typically precinct officials focus on clearing the throat of the voting device and would not immediately open the emergency bin.

It is our preference and commonly the voters insistence that they wait until the voting device is operational and place ballots in the voting device.

If there is an extended delay requiring the dispatch of a voting device technician the emergency bin is used. Here the issue was resolved before precinct officials called for assistance.

We believe only 3-4 voters had to wait for the voting device to be made operational. If any indicated they could not wait and needed to leave, the emergency bin should have been made available. We will not second guess precinct officials in this situation.

Precinct officials do not collect ballots and place them in the emergency bin. They direct voters to place ballots in the emergency bin themselves.

Since the three regular precinct officials were present, extra workers did not need to sign any documents. The law only requires signatures of the three regular precinct officials

Conclusion

Elections are never perfect, but we try to learn from each one and do a better job at the next one. Additional emphasis on issues raised will be beneficial.

This report has not been distributed. I leave it to you to circulate it to any interested parties.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Sanderson", with a long, sweeping horizontal line extending to the right.

Doug Sanderson
Secretary

July 6, 2020

Doug Sanderson, Secretary
Oklahoma County Election Board
4201 N Lincoln Blvd
Oklahoma City, OK 73105

Paul Ziriaux, Secretary
Oklahoma State Election Board
2300 N Lincoln Blvd, Room G2
Oklahoma City, OK 73105

Dear Sirs:

We are sending this letter to detail incidents that occurred during the course of the day on June 30, at the Precinct 159 polling place located at NW Expressway & Council Road, where we were assigned to work. We were both trained and certified on June 19th, in person, at the Oklahoma County Election Board. Holmes also completed Inspector training that day.

It is our observation that Precinct 159 appeared over-assigned with five workers present. The inspector therefore considered us alternates. Throughout the day, we witnessed and/or experienced the following violations:

- A voter presented a picture of her license on a cell phone and it was accepted as a form of ID because the inspector and judge refused to go through the provisional ballot request process;
- The judge verbally expressed to voters and workers that provisional ballots are not counted, that the Election Board "just tells us that as a legal protocol," and that it would take an hour and half to complete the provisional ballot process;
- The inspector and judge had inappropriate political conversations at the polls near the voter registry;
- The inspector and judge denied a voter the right to complete a provisional ballot;
- The inspector utilized a phone other than the phone provided by the Election Board as the official time count for closing the polls until corrected by Ms. Holmes;
- The judge and inspector began taking down election signage 40 minutes before the polls closed, and attempted to force us to take down outside election signs two hours before the polls were to close;
- Protocols governing issues with the voting machine were not followed. For about 10-15 minutes, the machine displayed a paper jam error and would not allow other ballots to be cast. Instead of collecting the ballots and placing them in the emergency bin so that voters would not have to wait to have their ballots cast, they tinkered with the device to figure out the problem; and we were not asked to sign any of the boxes that contained the raw ballots nor were we asked to sign anything on the ballot machine receipts.

These behaviors represent serious violations of the laws governing a person's right to vote.

As a possible solution to avoid similar occurrences in the future, we are asking the Oklahoma State Election Board to consider annual continuing education training for all poll workers to ensure that every worker possesses accurate information on properly conducting elections. We were told numerous times by the judge and inspector at our location that "they had been doing this for 20 years." Each time we reminded them of the protocols taught in training, the inspector and judge became frustrated and dismissed what was said because of their prior experience.

We also respectfully request to meet with you regarding steps to register a complaint against the behaviors witnessed that day and would appreciate feedback on your reaction to what happened and how we can prevent this in the future.

Thanking you in advance for your help.



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