



CITY COUNCIL WORK SESSION AGENDA

Work Session - Board of Elections

COUNCIL MEETING WILL BE ONLINE ONLY

Due to the COVID-19 precautions, the Council Meeting will be held online and is planned to be cablecast on Verizon 21, Comcast 71 and 996 and streamed to www.greenbeltmd.gov/municipaltv.

Resident participation:

Join Zoom Meeting

[https://us02web.zoom.us/j/85867503341?](https://us02web.zoom.us/j/85867503341?pwd=UHVJeTdGdCt1QmpaQjQraUd0dFA5QT09)

pwd=UHVJeTdGdCt1QmpaQjQraUd0dFA5QT09

OR

Join By phone: (301) 715-8592

Meeting ID: 858 6750 3341

Passcode: 386794

In advance, the hearing impaired is advised to use Video Relay Services (VRS) at 711 to submit your questions/comments or contact the City Clerk at (301) 474-8000 or email banderson@greenbeltmd.gov.

Monday, December 6, 2021

8:00 PM

Work Session Packet

Board of Election Post Election Review

Suggested Action:

Agenda

- Introductions

- Council Discussion

- Questions and Answers

- Other Items

[2021 Greenbelt Election Audit.pdf](#)

[2021 Election Summary \(12.6.21\).pdf](#)

City Council Work Session Agenda Item Report

Meeting Date: December 6, 2021

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: Work Session Item

Agenda Section: Work Session Packet

Subject:

Board of Election Post Election Review

Suggested Action:

Agenda

- Introductions
- Council Discussion
- Questions and Answers
- Other Items

Attachments:

[2021 Greenbelt Election Audit.pdf](#)

[2021 Election Summary \(12.6.21\).pdf](#)

2021 Greenbelt Election Audit

This report is a compilation of issues and recommendations related to the Greenbelt 2021 election. The content of this report was contributed by multiple Greenbelt residents not affiliated with any particular group or organization and collected and compiled by Beth Terry.

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“What is the price of democracy?”

Several of the suggestions below will require additional city funds to implement. But as one Greenbelt voter put it, “What is the price of democracy?” To implement the democratic process and enfranchise as many Greenbelt residents as possible, the City must prioritize equity and accessibility in voting opportunities across all sections of Greenbelt and must make sure that all voting instructions are clear, accurate, and accessible to all residents. We must avoid inadvertent voter suppression resulting from a lack of understanding of, and sensitivity to, basic issues surrounding equitable voting practices. These are the main themes running through this citizens’ audit of the 2021 Greenbelt election process.

MAIL-IN BALLOT ISSUES

1) Problem: Incorrect Application Deadline published/not corrected in a timely manner

What the City Code Says: Chapter 8 of the Code of the City of Greenbelt, as amended on May 24, 2021, states, “Mail-in applications shall be submitted to the clerk not later than 12:00 noon of the last day before election day.”

What happened: The mail-in application said, “Completed application for mail-in ballots must be mailed to the office of the City Clerk by Monday, September 27, 2021” (emphasis original). Greenbelt also published a web page available at <https://www.greenbeltmd.gov/government/city-administration/city-clerk-s-office/mail-in-ballot-information> that stated, “Applications for mail-in ballots must reach the office of the City Clerk no later than **September 27, 2021**” (emphasis original).

Relying on the erroneous mail-in application and web page, the *Greenbelt News Review* ran an article on September 23, 2021, on page 7, titled “Where Does the Time Go? Election Deadlines Looming.” The article included the following paragraph: “September 27. Voters who wish to take advantage of the new mail-in voting should send in their application form to request a ballot by September 27.”

Alex Zajac says he discovered the error and informed Ms. Bonita Anderson of the incorrect date via email on October 5, 2021. He also informed Ms. Nicole Ard of the incorrect date via email on October 6, 2021. On October 8, 2021, Ms. Anderson emailed a memorandum from Todd Pounds to all candidates on the November 2, 2021, ballot. The memorandum concluded, “The September 27th date constitutes guidance by the Board of Elections, is not mandatory and does not in any way foreclose a voter’s right or ability to use the mail-in method.” However, the email from did not include anyone from the local newspaper or any resident besides the candidates and staff of Greenbelt. Accordingly, Alex personally forwarded the memorandum to the *Greenbelt News*

Review via email on the evening of October 8, 2021. As a result, the *Greenbelt News Review* printed the memorandum on October 14, 2021, on page 1, titled “Voters Can Still Request Mail-in Ballots from City.”

Greenbelt did nothing to advertise this error until October 20, 2021, when Greenbelt posted on Facebook and Twitter, updated the language on the web page available at <https://www.greenbeltmd.gov/government/city-administration/city-clerk-s-office/mail-in-ballot-information> and on the web page available at <https://www.greenbeltmd.gov/government/city-administration/city-clerk-s-office/election-information>, and replaced the pdf version of the mail-in application available at <https://www.greenbeltmd.gov/home/showpublisheddocument/18635/637703579380370000> with a new pdf that stated, “Completed application for mail-in ballots must be hand-delivered to the office of the City Clerk by noon Monday, November 1, 2021” (emphasis original). Greenbelt did *not* mail paper copies of the new pdf to any resident.

Impact: Voters who thought the deadline was a month earlier may not have voted if in-person voting was too inconvenient for them and they thought that it was too late to apply for mail-in voting.

Recommendation: Ensure that the published deadline is in keeping with the deadline in the City Code to give Greenbelt residents more time to request a mail-in ballot. If the City would like to recommend that applications be sent in earlier than the Code specifies, ensure that the language makes it clear that the earlier date is a suggestion only and that the actual due date is 12:00 noon of the last day before election day.

2) Problem: Instructions incomplete for voters outside the U.S.

What the City Code says: Chapter 8 of the Code of the City of Greenbelt, as amended on May 24, 2021, states, “A qualified voter domiciled in the city but outside the continental United States for the 30-day period ending on election day may apply for a mail-in ballot by facsimile or scanner.”

What happened: The mail-in application did not include any instructions regarding its return by facsimile or scanner.

Impact: Voters who reside outside the U.S. who relied on the postal service may not have gotten their application in on time and therefore, might not have been able to vote.

Recommendation: Re-do the mail-in application to include better instructions for Greenbelters living abroad.

Follow up question: Is it possible for voters outside the U.S. to submit their *ballots* by fax or scanner? Some countries don’t have trustworthy mail systems.

3) Problem: Instructions only in English

What happened: Mail-in applications and mail-in ballots were only provided (via mail and/or online) in English.

Impact: Non-English speakers may have been disenfranchised if they were unable to read/comprehend the English instructions.

Recommendation: The City should amend the code to require all voting-related instructions be printed in Spanish as well as English. Furthermore, the City should research what other languages are commonly spoken in Greenbelt and require instructions be printed in those languages as well.

4) Problem: Delays in mailing ballots

What happened: Greenbelt delayed in mailing ballots to voters who duly requested them. According to an October 22, 2021, post on Facebook (a substantial copy of which was also posted on Twitter), Greenbelt mailed ballots “in 3 batches . . . based on last name and precinct.” Multiple voters posted in the Greenbelters Facebook group that they hadn’t received their ballots as late as October 28, 2021.

Recommendations: Codify requirements for when mail-in ballots must be sent to avoid disenfranchising voters by mailing their ballots late. Additionally, extend the timeline for mail-in voting applications so that ballots can be mailed earlier. If mail-in voting applications are mailed to residents earlier, voters would be able to get their applications in earlier and perhaps receive their ballots earlier.

Alternatively, abolish the mail-in ballot application process altogether and simply mail ballots to all registered voters.

5) Problem: Unclear or Missing Mail-In Ballot Instructions

What the City Code says: Chapter 8 of the Code of the City of Greenbelt, as amended on May 24, 2021, states, “To cast a mail-in ballot, a voter must: (i) complete the ballot, following the printed instructions; (ii) place the ballot in a blank, sealed envelope; (iii) place the sealed envelope in the mail-in envelope, on which the voter writes his or her name as registered; (iv) sign the mail-in envelope; and (v) place the signed, mail-in envelope in a designated drop box, or mail or deliver it to the clerk’s office.”

What happened: At least 43 mail-in ballots were disqualified because they were placed in a drop box without the outer signature envelope. Various voters mentioned in the Greenbelters Facebook group that they hadn’t received or hadn’t noticed the outer envelope and had placed the blank sealed envelope directly into the drop box. Several others said they had seen the outer address

envelope but didn't think they needed it since they were dropping off their ballot. Apparently, the instructions were not clearly written to ensure all voters followed the correct procedure. Additionally, some voters reported not receiving instructions at all.

It is unclear whether some ballots were sent without the outer envelope or if some voters just didn't see them.

Impact: At least 43 voters were disenfranchised due to unclear instructions.

Recommendations: Print clear warning language ***on the flaps*** of both the blank envelope and the outer envelope that *all* voters must put the secret envelope inside the outer addressed envelope, *regardless of whether it's being mailed or dropped off*, and sign the outer envelope for the ballot to be counted. Thus, if voters don't receive or don't see the outer envelope, they will be notified of its existence and necessity **prior to sealing the secret envelope**.

Additionally, establish stricter oversight over ballot mailing to make sure every voter receives instructions and *both* envelopes.

6) Problem: No return postage on mail-in ballots

What happened: Mail-in ballot applications were mailed to voters without return postage provided.

Impact: Voters may have been disenfranchised due to an inadvertent poll tax. No one should have to pay to vote. What's more, even if the cost of postage is not prohibitive for many people, the extra step of having to buy postage (how many of us keep stamps in our homes these days?) before mailing the ballot could have reduced the number of people who voted by mail.

Recommendation: Provide return postage so as not to disenfranchise anyone through an inadvertent poll tax. If the City feels that return postage is cost prohibitive, perhaps the City should ask itself *what is the cost of democracy?*

7) Problem: Late publication of availability of additional drop boxes outside Central Greenbelt

What happened: Three additional drop boxes were installed on October 8, 2021, as alternatives to returning a ballot to 25 Crescent Rd.

However, the **web page** available at

<https://www.greenbeltmd.gov/government/city-administration/city-clerk-s-office/mail-in-ballot-information> only stated that mail-in ballots should be returned, "by 1) sending it through the U.S. mail in time to arrive by November 2, 2) placing it in the locked drop-box at the east door of the Municipal Building at 25 Crescent Road, or 3) placing it in the locked drop-box at the east door of the

Municipal Building at 25 Crescent Road [sic]" until the web page was updated on October 20, 2021 to include the three additional drop box locations.

It should be noted that on the updated web page, the three additional drop boxes were listed separately from information about the municipal building drop box, causing confusion for some voters. Similarly, in an update in the *City Connector*, which was mailed on October 22, the original drop box was listed on one page and the additional drop boxes were listed on another page. (<https://www.greenbeltmd.gov/home/showpublisheddocument/18969/637704275210130000>) They were never listed together on either the website or the city bulletin, causing many voters to seek clarification on the Greenbelters Facebook page.

Additionally, **instructions included with mail-in ballots** did not indicate the three additional drop box locations.

Impact: Voters in East and West Greenbelt may have been disenfranchised if they were unaware of additional drop boxes and were unable to get to Central Greenbelt to drop off their ballot.

Recommendation: Codify the use of additional drop boxes to avoid misleading voters in future elections. Ensure the City web page, *City Connector Bulletin*, and mail-in ballot instructions clearly indicate all drop box locations.

8) Problem: Lack of Signage at Municipal Building drop box

What happened: While the application and mail-in ballot instructions indicated that applications and ballots could be left at the drop box at the Municipal building, there was no signage on or near the drop box itself confirming that it was indeed the correct place to leave applications and ballots. Since the drop box looked just like a regular mailbox, residents were confused as to whether it was the correct place to leave their ballots and applications.

Impact: Residents could not be certain that they had actually voted correctly.

Recommendations: Ensure there is clear signage at any drop box where voters are expected to leave applications and ballots. Also, as an additional solution to Problem #7 above, the drop box signage should also reiterate that the blank envelopes should not be dropped in the box without the signed outer envelope.

9) Problem: Lack of clear corrective procedure to “cure” ballots

What the City Code says: Chapter 8 of the Code of the City of Greenbelt, as amended on May 24, 2021, provides a curative process for mail-in ballots. In particular, “[i]f a mail-in ballot is lost or destroyed and not returned in the mail-in envelope to the clerk, a second ballot may be issued.”

What happened: Despite losing their mail-in ballots by improperly trying to cast them only in secret envelopes (which thus results in the mail-in envelope not returning to the city clerk), some voters were denied their right to a second ballot under Chapter 8 of the Code of the City of Greenbelt. At least one voter went to City Hall on election day after realizing her mistake and was told that there was no way to correct her ballot and that her vote would not be counted. She was offered no option to cure her ballot. Nor was she offered the option to vote in person, which she could have done since her mail-in ballot was not entered into the system.

Recommendation: Amend Chapter 8 to set forth a clear procedure by which any voter can attest that their mail-in ballot has been or will be destroyed and thereby cast an in-person ballot instead.

10) Problem: Mail-in ballots received late not counted

What the City Code says: “Unless otherwise provided in a mail-in voting resolution, a mail-in ballot may not be counted unless the clerk’s office receives it at least two [(2)] hours before [the] polls close on election day.”

What happened: Any mail-in ballots received later than two hours before the polls closed were not counted.

Impact: According to Ms. Bonita Anderson during the Board of Elections meeting on 11/18/2021, there were 15 mail-in ballots received after election day. We can surmise that late ballots will continue to be a problem since USPS is now delivering mail much slower. (<https://www.washingtonpost.com/business/2021/10/01/usps-slowdown-prices-faq/>) In addition, we will never know how many ballots were lost due to voters attempting to drop off their ballots late on election day and discovering the drop boxes taped shut. We don’t know if these voters attempted to vote in person or not.

Recommendation: Delay finalizing the results and installing the new council for two weeks after election day to allow for the arrival of late mail-in ballots that are postmarked on or before election day. Allow mail-in ballots to be dropped off at drop boxes until the time the polls close.

Early Voting

1) Problem: Imbalance in early voting hours

What the City Code Says: Early voting will begin on the third Saturday prior to the election and end on the first Friday prior to the election on the following schedule: Third Saturday (9:00 a.m. to 1:00 p.m.) and third Sunday (11 a.m. to 2:00 p.m.) prior to the election in Greenbelt East; second Saturday (9:00 a.m. to 1:00 p.m.) and second Sunday (11 a.m. to 2:00 p.m.) prior to the election in

Greenbelt West; and Mondays, Wednesdays, Thursdays and Fridays (9:00 a.m. to 5:00 p.m.) and Tuesdays (9:00 a.m. to 8:00 p.m.) in the municipal building throughout this period.

What happened: The City followed the code, giving East/West Greenbelt 7 hours each for early voting and Central Greenbelt 136 hours for early voting. That's a nearly 20-fold difference.

Impact: Residents outside Central Greenbelt have far fewer chances for early voting in their neighborhoods, making it less likely that folks in those neighborhoods will vote. This is one more example of the disenfranchisement of residents outside Central Greenbelt.

Recommendation: The City Code should be amended to give East and West Greenbelt more hours for early voting for a more equitable election throughout the city.

2) Problem: Lack of Accessible Entry at Municipal Building

What happened: A voter with mobility issues was observed attempting to vote early in Central Greenbelt during early voting hours; the accessible entrance to the building was locked, with no doorbell available at that entrance. Thankfully, another Greenbelt resident was nearby and was able to go to the front door (up the steps) to get someone to open the accessible entrance.

Impact: Impediment to early voting for disabled residents.

Recommendation: Ensure that the accessible entrance is either unlocked during all early voting hours or that there is a clearly-marked doorbell at wheelchair level with instructions to ring the bell to gain access to early voting.

3) Problem: Lack of Early Voting Signage on Municipal Building doors

What happened: In addition to the accessible entrance, there was no signage on any of the municipal building doors indicating that when the doors are locked, voters should ring the doorbell.

Impact: Yet more voter confusion. It's confusing to come to a polling place to vote and encounter a locked door with only a doorbell.

Recommendation: Make sure all doors of Municipal Building are clearly marked with signage indicating that early voters are at the correct place and that they should ring the bell to gain access to vote. Don't assume that the general signage on the door will be enough to assure voters that they are indeed at the correct early voting place.

Election Day Voting

1) Problem: Election Day voting at Greenbelt Police Station

What happened: One of the 5 Election Day polling locations is the Greenbelt Police Department (GPD) station.

Impact: This presents a possible systemic barrier that could prevent Greenbelters who feel unsafe/uncomfortable entering the police station from exercising their right to vote.

Recommendations: The GPD station may be a desirable location due to probable ADA compliance; however, alternatives within that voting precinct should be considered. Possible alternatives: Greenbelt Elementary School, Greenbelt Baptist Church, Greenbelt Community Church.

2) Problem: Location of Community Center polling place

What happened: The polling place at the Greenbelt Community Center was in a small, stuffy room in the basement rather than in the large gymnasium, where it's been located in previous years. There was no advanced notice of the change in location and signage was insufficient to direct voters to the new location.

Impacts: Residents were unable to distance themselves properly during the pandemic, and at one point, a poll worker instructed residents to crowd closer together in line.

The room change also required voters to park significantly further from the entrance and walk down a very steep hill to get to the entrance of the voting room. Voters then had to walk up the same steep hill to get back to the parking lot. The steep incline made it much more difficult for individuals with mobility challenges to navigate the pathway to vote.

Additionally, voters were confused about where to vote. Many voters asked the volunteers for the candidates, who were standing in the parking lot of the Community Center, where the voting was taking place.

Recommendation: The City should have a standing reservation for the gymnasium to be used as a polling place during all city elections.

3) Problem: Voters required to vote within their precinct

What the City Code says: "...all voters shall be required to cast their ballot at the polling place for the precinct in which they reside."

What happened: Election day voters were not allowed to vote in a different precinct from where they lived, despite the fact that City Council members are at-large and all ballots are the same.

Impact: Yet another inconvenience for residents of Greenbelt who might be closer to another precinct during voting hours.

Recommendation: The City should allow residents to vote at any polling place in Greenbelt since everyone in Greenbelt votes for the same candidates and referendums. Even if at some point Greenbelt switches away from an at-large system, it's not difficult for each polling place to have different ballots available for voters from different precincts. State and national elections are handled this way. To ensure that voters don't vote in more than one precinct, those voting outside their own precinct would use a provisional ballot that would not be counted until all other ballots are counted and matched against ballots already cast to ensure no duplication. This procedure would require a longer period of time to certify the results, which is also recommended in [Item 9 of the Mail-in Ballots section](#).

4) Problem: Loss of Provenance & Lack of Paper Trail

What happened: On election day, voters entered their votes into electronic machines that did not provide a paper trail of the ballots cast. What's more, one observer at Precinct 3 noted issues with the beginning and ending counts procedures and several instances of loss of provenance (when the tape from the machine was not in view) during the time that an election worker drove the tape from the machine to the municipal building and delivered it to Ms. Anderson.

Impact: These irregularities could affect the results of the election with no method of hand recounting if questions arise.

Recommendation: All votes should be cast on paper ballots. To speed counting, those ballots can be fed into scanners, with clear procedures for publicly verifying that the scanner count is zero before scanning begins. In the event of a close or questioned election, paper ballots can then be hand-counted to confirm the accuracy of the count.

General Issues

1) Problem: Lack of enforcement of City Code provisions

What happened: As listed above, several provisions of the City Code were broken during this election. (Incorrect application deadline, incomplete instructions for voters outside the U.S., refusal

to “cure” incorrectly cast ballots, etc.) and we are unaware of any enforcement mechanisms in place to prevent these errors.

Impact: Voting was made more difficult for many voters in the 2021 election, and without a mechanism of enforcement, similar errors could be made with impunity in future elections.

Recommendation: The City should codify enforcement provisions, whether that be a procedural mechanism (e.g., a way to file a complaint with the Board of Elections if procedure isn't followed and a requirement the Board address all complaints within a certain number of days) or a civil one (e.g., a mechanism to fine city officials who violate the election procedures).

References:

City Elections Code:

<https://www.greenbeltmd.gov/home/showpublisheddocument/7802/636729633724870000>

May 2021 Mail-in ballot amendment:

https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/933767/Ord_Vote_By_Mail.pdf

2021 Greenbelt Elections Review

Board Members

Steven Gilbert

Patricia Evans

Toni Mathewson

Laurie Siegel

Wanna Coker

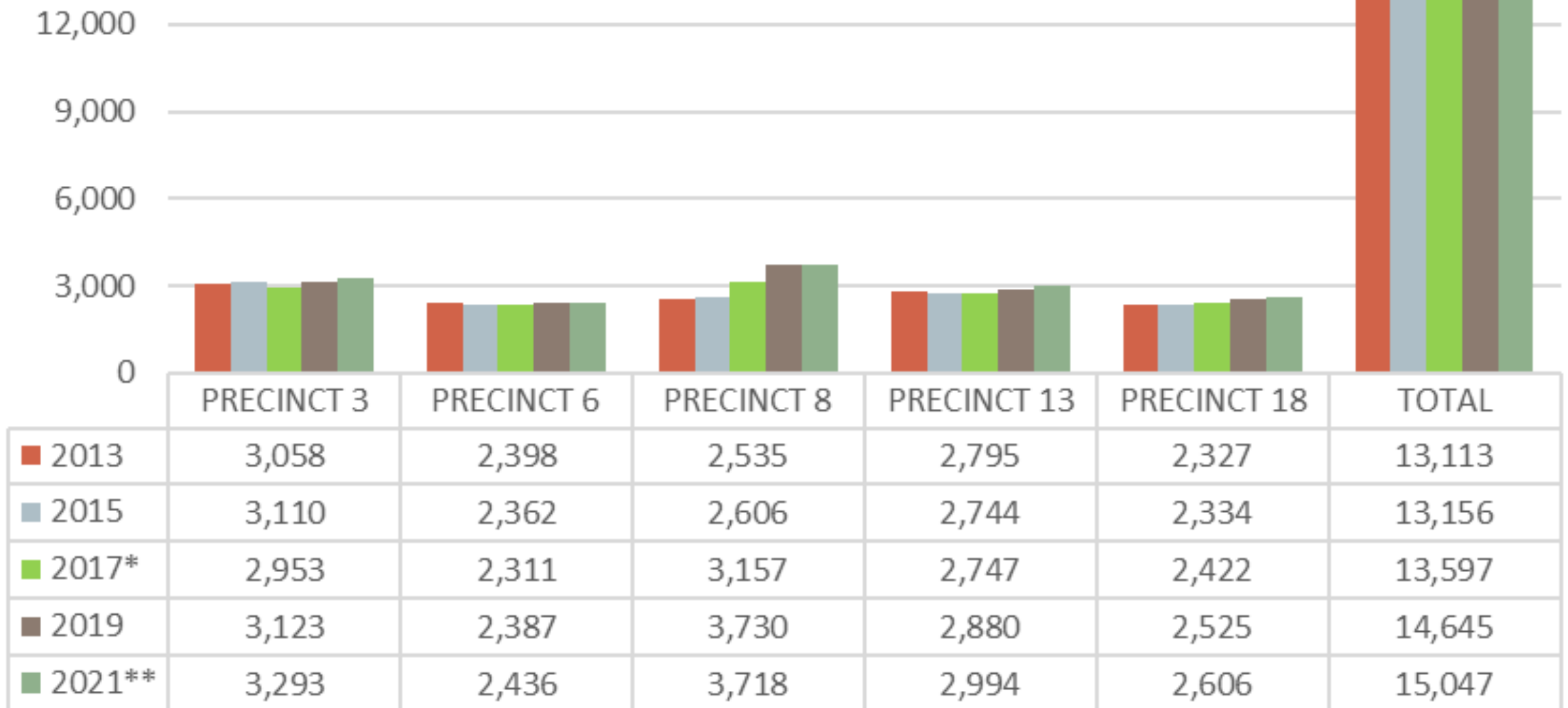
James Williams

Board Liaison

Bonita Anderson

December 6, 2021

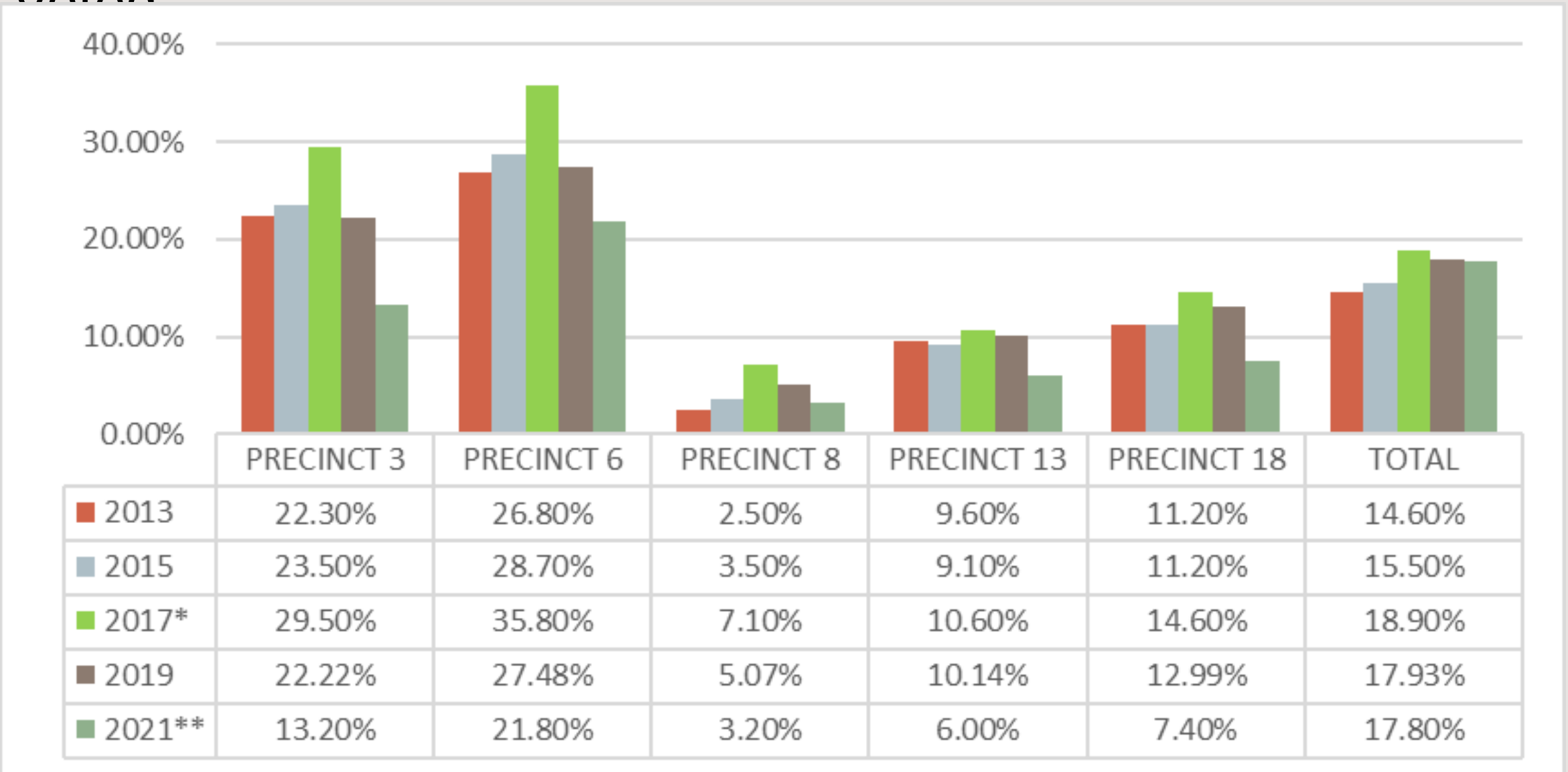
2021 Voter Statistics – Registered voters



* 2017 election - 1 vacant council seat.

**2021 election - 2 vacant council seats; COVID-19.

2021 Election Results – % Registered Voters who

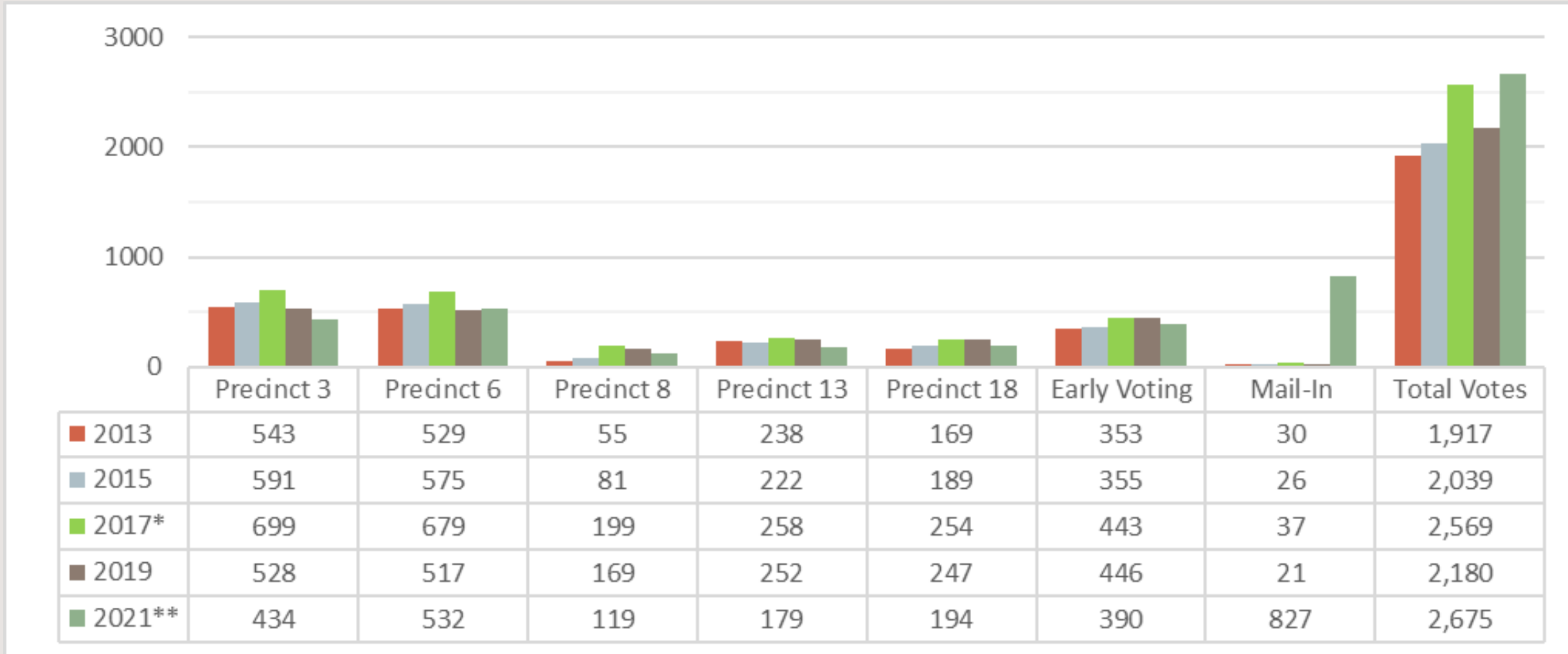


*2017 election - 1 vacant council seat.

**2021 election - 2 vacant council seats; COVID-19.

** 2021 Precincts % exclude Mail-in/EV ballots; total inclusive of

2021 Election Results – Total Votes

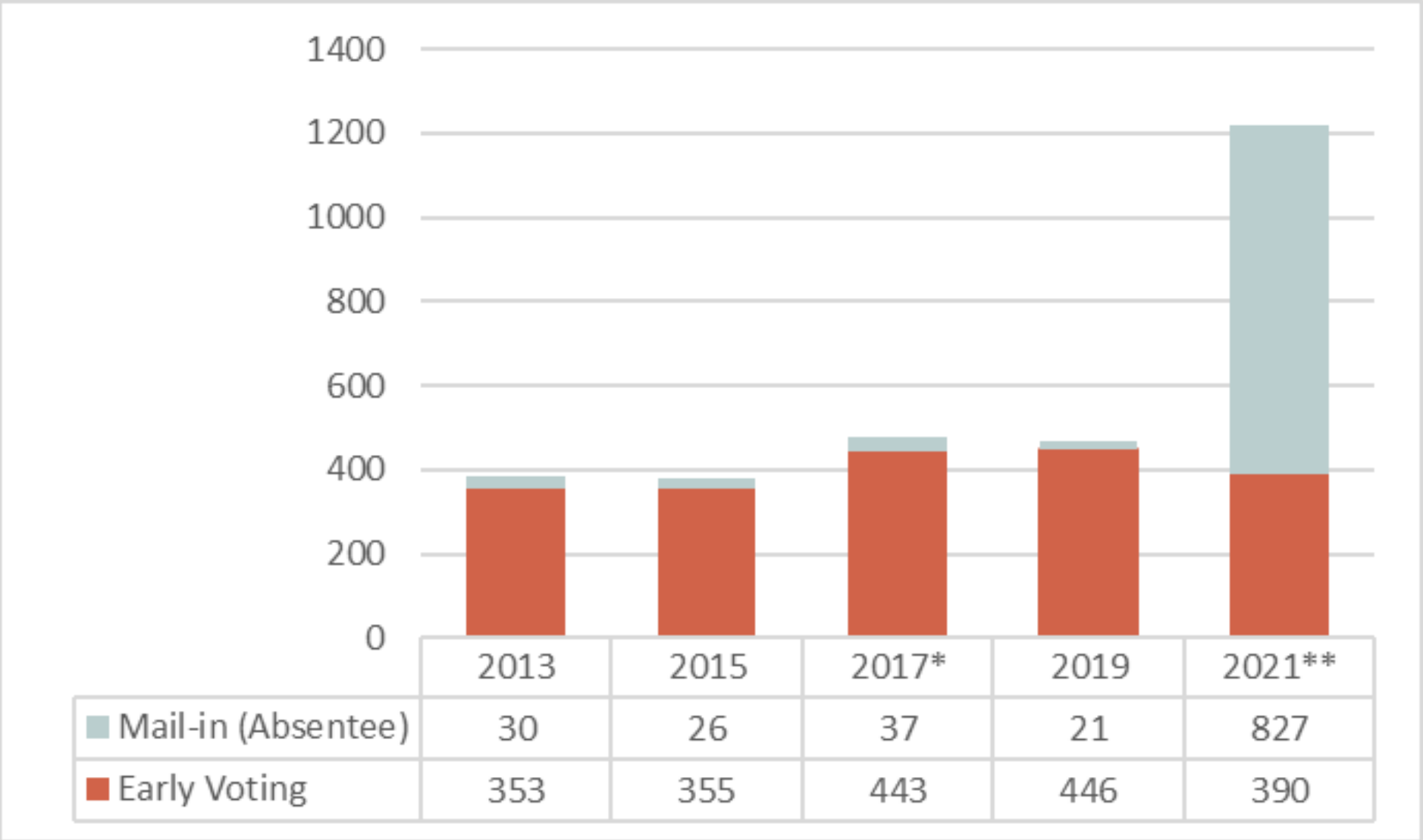


*2017 election - 1 vacant council seat.

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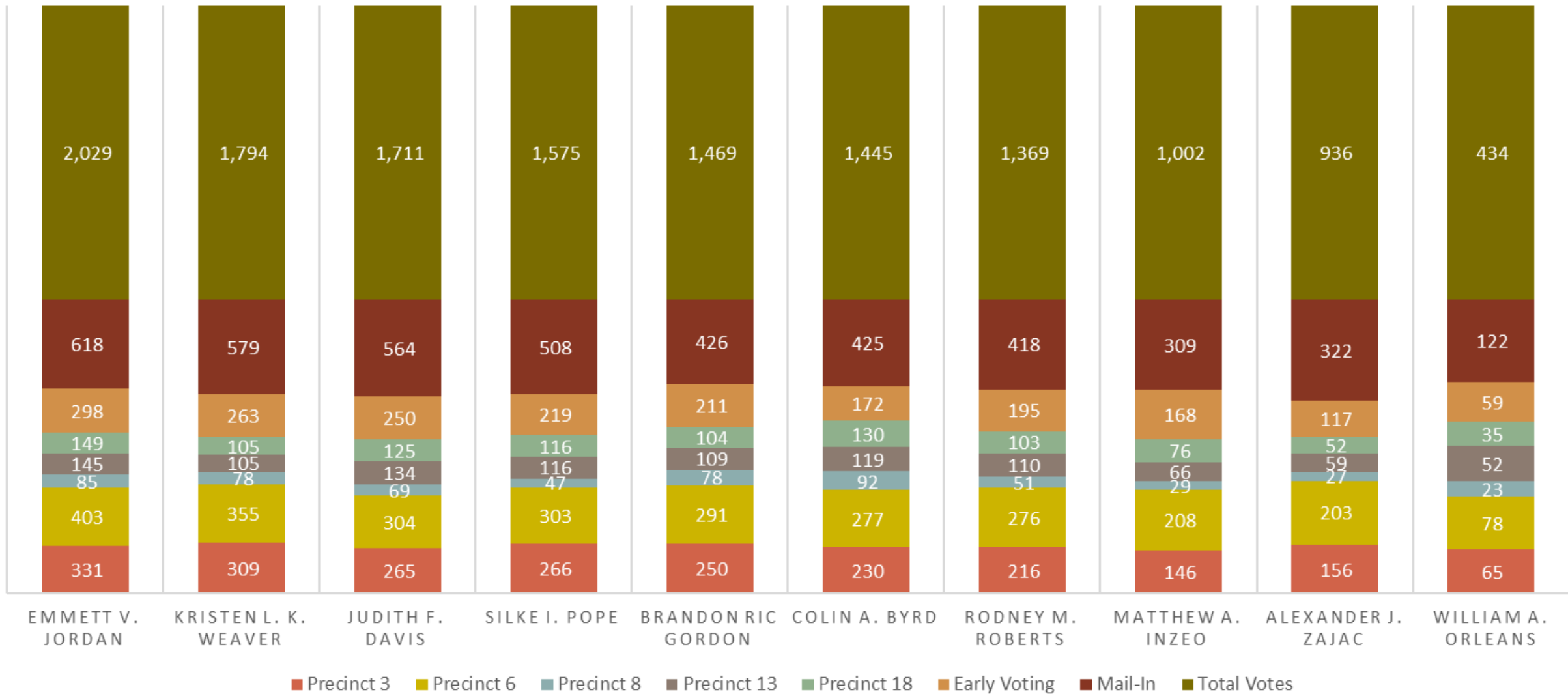
** 2021 Precincts % exclude Mail-in/EV ballots; total inclusive of

2021 Election Results – Early and Mail-in Votes



Note: 43 out of 50 ballots not counted due to no identifying information to confirm voter cast 1 ballot only.

2021 Election Results



2021 Themes

Transparency

- Candidates – all have same information/updates
- Voters – more transparency requested ballot casting/counting
- Vendor – engage vendors with urgency; ensure timely mailing of ballots

Clear Communication

- Reduce confusion on communications in entire process
- Voter literature translation
- Strengthen collaborations to improve election process and increase voter turnout. (Review Questionnaire election results/have a forum).

Other

- Budget increased but still coming in 50% overbudget. Gain Experience.
- Realign Early Voting Opportunities
- Begin Election process earlier – review timeline
- Financial reporting – training for treasurers; Role for BOE?
- Training for all aspects throughout the cycle including judges/clerks