

Evelynn S. Catterson
904 Marlborough Avenue
Absecon, New Jersey 08201
Phone 609-703-4322
Fax 609-272-8008
jecatterson@verizon.net

July 31, 2020

Governor Phil Murphy
225 W. State Street, 3rd Floor
P.O. Box 001
Trenton, New Jersey 08625

Tahesha Way, Secretary of State
225 W. State Street
P. O. Box 300
Trenton, New Jersey 08625-0300

By Fax 609-292-3454
and Regular Mail

By Fax 609-777-1764
and Regular Mail

RE: Primary Election Issues

Dear Governor Murphy and Secretary of State Way:

I chair the Atlantic County Board of Elections. I write this letter from me alone, and its content cannot be attributed to the Board itself or to any other Board Commissioner.

The purpose of this letter is to bring to your attention, some very serious problems which occurred in Atlantic County during the recent Primary Election with regard to the Mail-in-Ballot [MIB] system. All of these problems, in my view, can and should be addressed and resolved in order that they are not repeated in the General Election. Acting on these problems will insure that the MIB process is as streamlined and efficient as possible.

Many of the problems involve the New Jersey State Motor Vehicle Commission [MVC] and the New Jersey State Voter Registration System [SVRS] along with a federal agency - the United States Postal Service [USPS]. Coordination with these agencies by your authority is required in order to address and resolve the issues raised herein.

My major concerns are as follows:

SIGNATURE REVIEW

With the law in New Jersey being that the only way to show voter identification is by matching past and present signatures, there are problems in both the MVC and SVRS.

- When people register to become voters through the MVC, they are instructed to sign their signature with their finger on a pad. The resulting mark looks nothing like their true signature, yet this is what the Board of Elections must use to compare to the voter's signature on the MIB. Needless to say, these signatures do not match, and the voters must go through the added process of receiving and returning a "Cure" letter in order for their vote to Count. In Atlantic County only 60% of the voters who received Cure letters returned them.
- When there is an active registered voter, there are often several signatures in the SVRS, and it is necessary for the Board to see them all. In order to get one signature printed out for the Board to review and compare to the MIB signature, it takes 13 clicks of the computer mouse. To print out additional signature samples, the same process must be followed for each signature. This takes an inordinate amount of time, which Board staff does not have when they are processing thousands of MIBs. A computer program must be developed which would allow the Board workers to pull up and print out all signatures for a voter at one time with a minimum of mouse clicks. This would not only save staff time, but it would give the Board every possibility to accept a MIB, by finding one matching signature.

DELIVERY OF ELECTION MATERIALS BY THE POST OFFICE

- Completed MIBs must now go from the local post office where they are mailed, all the way to a central location, and then back to the Board of Elections' post office. This adds days to the delivery time and increases the possibility of delivery issues. MIBs are readily recognizable, and USPS must change its procedure to allow that MIBs mailed at a local post office, be sent directly to the Board of Elections' post office rather than making the added trip to a central location.
- Voters have reported that they never received their mailed MIBs and their mailing address had been confirmed as correct. One voter from Egg Harbor Township was told by the County Clerk's office that her initially mailed MIB was sent to Lancaster, Pennsylvania.
- MIBs have 2 bar codes on them – one indicating the Board of Elections and the other the code for the voter. If the wrong bar code is scanned, the completed and mailed ballot is mailed back to the voter. Postal workers must all be trained to scan the correct bar code so that the MIB is sent to the Board of Elections, not back to the voter.
- When a MIB is noted postage-prepaid, the taxpayers of the County are paying for that postage. When the ballot has been misdelivered back to the voter and then re-mailed to the Board of Elections and delivered correctly, the taxpayer has paid for both mailing. In other words, the taxpayer has paid for the postal error.

- All MIBs received by the post office on Election Day must be postmarked Election Day. This was not the case in the Atlantic County Primary Election.

VOTER RECORDS

- A list of all voters with their contact details is kept in the SVRS. The existing system has been “refusing” to record needed information that is being entered – such as apartment numbers, corrected party affiliation, corrected name spelling, among other items. This has led to disenfranchising voters.
- All County Clerks, County Superintendents of Election, and Board of Elections use the SVRS at the same time in processing voter MIBs and other information. During the Primary Election process, the SVRS repeatedly crashed as too many people were trying to use it. Modifications need to be made so that the system can handle hundreds of people using it at the same time.

DEADLINES

- All people who create deadlines in the election process should realize the practical impact of the deadline being set. This is easily done by contacting members of the New Jersey State Association of Election Officials [NJAE0], who fully understand the election process before declaring a deadline.
- When there is an anticipation of a great number of MIBs, the time of their being mailed out before an election should be lengthened from the 45 days given in the statute – not shortened as was done for the Primary Election. Sixty (60) days ahead for the General Election would have the MIBs mailed the first week in September.
- Given the large number of MIBs being processed, and requiring a Cure letter to go out for signature questions and for unsigned MIBs, the deadline of July 23rd in this Primary Election was very unfair to the voter and was a much too short turn-around time. In fact, Cure letters going out to military personnel overseas likely were not even received before the deadline for their return.
- Provisional ballots which had no signatures also required a Cure letter. The Superintendent could not even complete the required investigation of the Provisional ballots until the deadline for receipt of MIBs, which was a week after the election was over. Again, the Cure letters going out this late made the voter response time difficult and unfair.

Please be assured that I am available to meet or speak with your representatives at any time to provide more specific details as to what went wrong in the Primary Election and how we can work together so as to not disenfranchise voters.

Very truly yours,



EVELYNN S. CATERSON

cc: Atlantic County Board of Election Commissioners and Clerks
Attorney General Gurbir S. Grewal
Deputy Attorneys General George Cohen, Beau Wilson, Susan Scott
Robert Giles, Division of Elections
Maureen Bugdon, Superintendent of Elections and President of NJAEO
Edward McGettigan, County Clerk
Michael Sommers, Deputy County Clerk
Dennis Levinson, County Executive
Diana Rutala, County Administrator
Keith A. Davis, Esq., Chair Atlantic County Republican Committee
Michael Suleiman, Chair Atlantic County Democratic Committee
Press of Atlantic City