



FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS
JUDICIAL CHAMBERS

GIOVANNI O. CAMPBELL
JUDGE

THE JUSTICE JUANITA KIDD STOUT CENTER
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Hon. Rebecca Rhynhart
Philadelphia City Controller
1230 Municipal Services Building
1401 John F. Kennedy Boulevard
Philadelphia, PA 19102

April 17, 2019

Dear Controller Rhynhart:

As I stated at the last meeting on April 10, 2019, I am in receipt of your letter dated April 2, 2019 regarding the Philadelphia Board of Elections' approval of Election Systems & Software, LLC's ExpressVote XL voting machines with the DS450 Tabulation System for use in Philadelphia beginning with the November 2019 General Election.

I was appointed to the Board of Elections by President Judge Fox on February 21, 2019 to replace Commissioner Lisa Deeley because she is running for re-election. I sit on the board until Commissioner Deeley ceases to be a candidate, which may be in June or November, depending on the will of the voters. The events and issues you address in your letter occurred prior to my appointment. A group calling themselves the Protect our Vote Coalition has provided public comments to the Board of Elections at each meeting I have attended raising concerns similar to those identified in your letter. In addition, you have provided comments to the Board raising those concerns. I have great respect for these citizens commitment to our democratic processes as well as their passion and resolve, and great respect for your commitment to your role and responsibilities as the City Controller. I do not, however, agree that it is appropriate for the Board of Elections to revisit its prior determinations here.

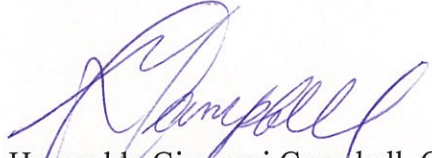
I have reviewed the Election Code in conjunction with my understanding of this matter. Under the Election Code, the Board of Elections has the responsibility for determining the voting machines to be used by the City. On February 20, 2019, the Philadelphia Board of Elections selected an electronic voting system for future use in Philadelphia. That system was approved for use in Pennsylvania by Secretary of the Commonwealth on November 30, 2018. I do not believe the Board of Elections determination on February 20, 2019 was improper under the Election Code.

I recognize that voting systems are contested issues and people rightly feel passionately about the systems that will be used for their exercise of a core constitutional right. And I am grateful that you and others have been voicing those concerns to the Board of Elections.

However, I do not believe the Board of Elections should overrule its prior legitimate determinations. While I remain committed to the Board of Elections providing a forum for public comment, given this response I do not believe the Board of Elections is the appropriate venue to address your concerns.

Thank you for your interest in this topic and the work that you do for the Citizens of Philadelphia. If you have any further questions or comments, please do not hesitate to contact me or attend another public meeting of the Philadelphia Board of Elections.

Sincerely,

A handwritten signature in blue ink, appearing to read "G. Campbell", is written over the typed name.

Honorable Giovanni Campbell, Chair
Philadelphia Board of Elections

CC: Commissioner Anthony Clark
Judge Vincent Furlong
Mayor James Kenney
Council President Darrell Clarke
Christine Derenick-Lopez, Chief Administrative Officer
Mark Wheeler, Chief Information Officer