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## **Voting Rights Advocates File Suit to Ensure Accountability in May Primary**

Philadelphia, Pa. – Philadelphia 3.0, the Committee of Seventy and several candidates for elected office today filed a lawsuit asking the Pennsylvania Supreme Court to direct the President Judge of the Court of Common Pleas to replace Philadelphia’s City Commissioners with interim election officials for the May 2017 primary. The plaintiffs are represented by attorneys from the Public Interest Law Center and private counsel.

According to [state law](#), whenever a question related to a Home Rule Charter appears on a ballot, as it will in May, the President Judge must appoint temporary election overseers to serve in the place of the City Commissioners. To date, President Judge Sheila Woods-Skipper has yet to appoint such overseers. The petitioners are committed to ensuring the upcoming primary election complies with state law, and have been trying to work this issue out with the President Judge since January.

“Today we stand with all Philadelphia voters to call on the Pennsylvania Supreme Court to step in and ensure our state election laws are enforced,” said David Thornburgh, President and CEO of Committee of Seventy. “Philadelphia desperately needs a modern election system that ensures city elections are conducted with integrity and prevents eligible voters from slipping through the cracks.”

Philadelphia voters have faced problems at the polls for decades. In advance of multiple elections, voter registrations and absentee ballot applications have not been processed in time. Poll workers are often provided inadequate training and support. And physical and language barriers stand in the way of universal access to the ballot.

The City Commissioners are responsible for managing Philadelphia’s elections. Among the largest cities in the United States, Philadelphia is the only city with three full-time elected officials, each of whose sole job is to oversee elections. Residents pay almost half a million dollars in taxes to cover the salary costs of the three elected Commissioners.

“For far too long, the Office of City Commissioners has cost the taxpayers too much, not just in dollars, but in violation of their fundamental rights to an unencumbered election system,” said Alison Perelman, Executive Director of Philadelphia 3.0. “Our elected officials should hear the message of this lawsuit loud and clear – it is time to modernize Philadelphia’s election system

and replace the Commissioners with appointed experts who are committed to bringing our elections into the 21st Century.”

[The state law](#) under which this lawsuit has been brought has not been followed in Philadelphia for at least 15 years. If the lawsuit is successful, the City Commissioners will have to sit out not just the May 16 primary but also many more elections to come. Since 2002, the enforcement of this law would have rendered the City Commissioners unable to perform their responsibilities in close to 75 percent of elections. Notably, when the City Commissioners are replaced by temporary elections overseers every four years because they are on the ballot, they still receive their entire salary.

“[State law](#) is clear that the City Commissioners cannot serve whenever there is a ballot question about amending our Home Rule Charter, and Philadelphia needs to start following that law,” said Mimi McKenzie, Legal Director for the Public Interest Law Center. “The fact that state law actually renders the City Commissioners unable to do their job and oversee elections means the City needs to speed up its election reform efforts to replace them with appointed and experienced professionals.”

The Better Philadelphia Elections Coalition, a non-partisan coalition of voting rights groups, community advocates and civic leaders, is calling on City Council to create a new Department of Elections to replace the obsolete Office of the City Commissioners. The Coalition is advocating for a Department led by an accredited director appointed by the Mayor with the consent of City Council, with oversight provided by an appointed, non-salaried, and bipartisan Philadelphia Board of Elections, also appointed by the Mayor and consented to by City Council. Philadelphia 3.0, Committee of Seventy and the Public Interest Law Center are all members of this coalition.

To see the relevant state law, Section 301(c) of the Pennsylvania Election Code, 25 P.S. § 2641(c), click here:

[https://govt.westlaw.com/pac/Document/NEAC22EC0343011DA8A989F4EECDB8638?transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/pac/Document/NEAC22EC0343011DA8A989F4EECDB8638?transitionType=Default&contextData=(sc.Default))

To view the complaint and related case documents, click here:

<http://www.pubintlaw.org/ensuring-accountability-in-philadelphia-elections/>

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