

Auditor General DePasquale: Officials in 18 Counties Report Accepting Gifts from Voting Equipment Vendors

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NEWS RELEASE

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HARRISBURG (Feb. 22, 2019) – Auditor General Eugene DePasquale today said officials in 18 of Pennsylvania’s 67 counties reported accepting gifts, meals or trips from firms competing to sell new voting machines to counties ahead of the 2020 election.

“As Pennsylvania counties chose new voting equipment, I want them to make decisions based on the best interests of voters – and no other factors,” DePasquale said. “Even if the value of those gifts is below the legal threshold for reporting them, simply accepting them smacks of impropriety.”

In December, DePasquale announced that he would review the issue after it was reported that Luzerne County’s elections director accepted trips from a vendor that was selected to provide voting equipment.

DePasquale asked all counties to report whether any officials accepted similar trips or gifts from voting equipment vendors.

DePasquale said he acted to ensure the decision-making process at the county level was transparent and aboveboard. He noted that while county officials are bound by their own county's ethics rules, the state Ethics Act also applies to county elections directors under a 1991 ruling.

"Even if this activity was permitted under the law, county officials who are making decisions about spending taxpayer dollars should not accept anything of value from the companies that are asking for their business," DePasquale said. "It's not only about the need for officials to follow the letter and the spirit of the law; it's about preserving the integrity of their role in the democratic process."

Examples of gifts reported include:

- Expense-paid travel to destinations including Las Vegas;
- Tickets to a wine festival and a distillery tour;
- Dinners at high-end restaurants and other meals;
- An open bar at a conference for elections officials;
- Tickets to an amusement park; and
- An assortment of treats such as chocolate-covered pretzels, snacks and coffee.

"It doesn't matter if the gifts were large or small – my problem is the fact that anyone accepted them, period," he said. "I'll be referring my findings to the state Ethics Commission for further review."

DePasquale said the issue is larger than Pennsylvania because many other states are also replacing voting equipment before the 2020 election.

"I'll be writing to my fellow Auditors General to urge them to pay attention to what's occurring in their own states," he said. "If it's happening here, it must be happening elsewhere."

DePasquale also called for changes to strengthen Pennsylvania's rules for accepting and reporting gifts, citing Gov. Wolf's complete ban on gifts for employees of his administration as an example. DePasquale also called for updating disclosure laws to make them similar to what is already required of lobbyists.

In April 2018, the Pennsylvania Department of State told counties they have until the end of 2019 to select new voting systems that feature a paper record, which allows for more accurate post-election audits. The new systems are to be in use no later than the 2020 primary, and preferably by this year's general election. The statewide cost of the work could range from \$125 million to \$150 million.

"We must ensure that no one can tamper with our elections and make sure there is a trustworthy paper trail to follow, should reviews become necessary," DePasquale said. "We need to protect the right to vote and ensure that all votes can be counted securely and accurately."

On Wednesday, the Philadelphia city commissioners selected Election Systems & Software (ES&S) to provide new voting machines at a cost of \$50 million. DePasquale said he still has serious concerns about the process that led to the decision, which appeared to be tailored to the vendor that was selected.

"I believe the city commissioners didn't go far enough to follow the recommendations of the state's Blue Ribbon Commission on election security," he added. "I urge City Council to carefully review the commission's action."

"Meanwhile, in neighboring Montgomery County, commissioners selected a new voting system offering hand-marked paper ballots and met the concerns of advocates for voters with disabilities. I think it is telling that the third-largest county in the state did its research and reached a very different conclusion than Philadelphia."

According to the Department of State, at least nine other counties have approved purchases or leases of new voting systems, including Berks, Bradford, Centre, Crawford, Lawrence, Lebanon, Lehigh, Pike and

Susquehanna counties. Numerous other counties have approved funding for new voting systems but have yet to select a supplier.

DePasquale is also auditing the Statewide Uniform Registry of Electors within the Department of State. He launched that review after the Department of Homeland Security said Pennsylvania was one of 21 states targeted for hacking by Russian government operatives ahead of the 2016 election.

To learn more about the Department of the Auditor General, please visit www.PaAuditor.gov.

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Editor's Note: The Department of the Auditor General [received responses from all 67 counties](#). The following summarizes responses from the 18 counties that reported accepting gifts from voting equipment vendors including Election Systems & Software (ES&S), Dominion Voting Systems (Dominion), Electec Election Services (Electec), and Unisyn Voting Solutions (Unisyn):

Berks County

Vendors paid a total of \$3,518.24 for travel and lodging for officials in 2018: \$1,302.48 for the election director and \$1,178.23 for a county commissioner (ES&S), and \$1,037.53 for the same county commissioner (Unisyn).

Bucks County

Accepted meals from Electec and ES&S; accepted a promotional folding chair from current vendor Electec; accepted incline ride fare from Dominion during a conference in Pittsburgh.

Butler County

At a 2016 equipment demonstration, Dominion provided a meal and ES&S provided coffee and doughnuts; Dominion provided a fast-food lunch at a May 2018 equipment demonstration; ES&S provided lunch for eight county officials at a January 2019 equipment demonstration; various election equipment vendors drop off doughnuts and candy and other small items for the staff.

Cambria County

Attended vendor-sponsored luncheons and dinners during county election conferences.

Cameron County

At a 2016 conference in State College, attended a Dominion-sponsored dinner at a local restaurant; Dominion provided transportation to a wine tour of the area and paid entry to a private tour of a local distillery; at a 2017 conference in Harrisburg, ES&S paid for transportation to and meal at a high-end restaurant; at a 2018 conference in Pittsburgh, accepted from Dominion a meal, transportation, and tour of a museum; in September 2018, ES&S held an equipment demonstration and took board of elections and staff to lunch at a restaurant; Dominion paid for lunch at another 2018 equipment demonstration; ES&S provided boxes of chocolate-covered pretzels; ES&S sometimes provides lunch at annual conferences for those who attend its luncheon meetings.

Clearfield County

Accepted dinners and lunches from ES&S and Dominion.

Clinton County

ES&S and Dominion brought coffee and sweet rolls to system demonstrations.

Delaware County

Attended vendor-sponsored cocktail parties during county election conferences.

Elk County

Accepted lunch from ES&S on April 25, 2018, and lunch from Dominion on May 24, 2018.

Forest County

In September 2018, accepted dinner and admission to a wine festival from ES&S.

Lycoming County

Accepted occasional meals or drinks paid for by vendors at county election conference.

Luzerne County

ES&S paid costs for the elections director to travel to two advisory board meetings: March 2017 (\$1,243.03) and August 2017 (\$1,249.74).

Northumberland County

Accepted a lunch from ES&S in November 2018.

Potter County

Accepted dinners sponsored by Dominion at conferences held from 2013 through 2018.

Warren County

At the annual election officials conference, a company associated with ES&S provides a hospitality room; vendors covered a cash bar and entertainment at a 2018 conference; Dominion and ES&S have taken conference attendees to dinner one night each year since 2013; Dominion and ES&S gave presentations with coffee and doughnuts; ES&S has sent a representative to deliver items like chocolate-covered pretzels on two occasions; at a 2017 conference, ES&S paid for some elections officials to go to an amusement park, which included entrance fee, lunch and the creation of their own candy bar.

Washington County

Attended voting equipment demonstrations by Dominion and ES&S in summer 2016, lunch was provided and county reimbursed attendees for mileage; attended summer 2018 voting equipment demonstrations, lunch provided by ES&S.

Westmoreland County

In 2018, Dominion and ES&S sent catered lunches to the election bureau; ES&S took bureau director and deputy director to dinner in 2018; bureau director and her husband accepted ES&S invitation to attend a wine festival in September; Dominion and ES&S have also provided occasional boxes of doughnuts to the commissioners' suite and the elections bureau.

York County

ES&S bought lunch for two members of the election department in 2017 and 2018; Dominion provided bagels and coffee for a meeting in October 2018.