



OFFICE OF THE DISTRICT ATTORNEY
LEHIGH COUNTY COURTHOUSE

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April 26, 2022

Phillips M. Armstrong, Chair, and
Members of the Lehigh County Election Board
Lehigh County Government Center
17 South Seventh Street
Allentown, PA 18101-2400

RE: Drop-box notification

Dear Mr. Armstrong, Dr. Allen and Mr. Nemes:

Since issuing my report on April 4, 2022, regarding multiple ballots being deposited at drop-boxes during the November, 2021, election, I have had an opportunity to review the notice that appears on the drop-box itself. In part it reads in both English and Spanish, as follows:

“Third-party return of ballots is prohibited unless assisting a disabled voter or an emergency absentee voter. Such assistance requires a signed declaration by the voter and the person rendering assistance.”

In my opinion, although accurate, that is an obscure warning placed in an obscure location on the box. I strongly suggest that an additional warning be placed on all drop-boxes and placed in a more prominent location, as follows:

**“Return only your ballot. If you deposit any other ballot envelope but your own, you are in violation of the Pennsylvania Election Code, guilty of a misdemeanor of the third degree, and upon conviction shall be sentenced to pay a fine not exceeding \$2,500, or be imprisoned for a term of up to two years, or both.
25 P.S. § 3553.”**

In addition, I suggest conspicuous free-standing signage to that effect be placed at all drop-box locations.

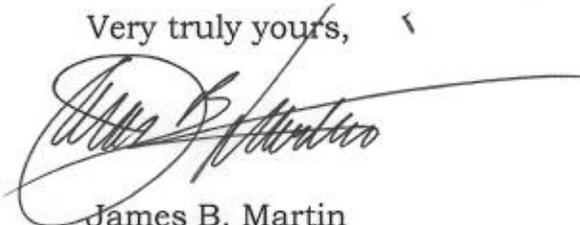
I am also suggesting that the operational hours of the drop-box located at the Lehigh County Government Center be restricted to “normal” business

hours (8:00 a.m. to 5:00 p.m.) as are the other drop-box locations. (There should at least be a belief by voters that someone might be watching.)

Finally, I intend to publish by News Release a notice to the voters of Lehigh County that drop-boxes and surveillance video of drop-box locations will be monitored from time to time by county detectives during the May Primary and that any persons identified as depositing more than one ballot envelope may be prosecuted and face the penalties set forth in the Election Code, as stated above.

Should you have any questions, please do not hesitate to contact me.

Very truly yours, \

A handwritten signature in black ink, appearing to read "James B. Martin", with a long horizontal flourish extending to the right.

James B. Martin

xc: David Backenstoe, Esquire
Sarah Murray, Esquire
Timothy A. Benyo, Chief Clerk