

The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth Elections Division

November 6, 2024

Eneida Tavares, Chair Boston Election Commission 1 City Hall Square Boston, Massachusetts 02201

Re: <u>Irregularities Regarding the November 5, 2024 State Election</u>

Dear Ms. Tavares:

As you are aware, significant problems occurred with the administration of Tuesday's State Election in the City of Boston. This Office has concluded, and Boston Election Officials have confirmed, that numerous polling locations throughout the City of Boston were not provided with a sufficient number of ballots for the election on Tuesday. This is despite the fact that 766,200 ballots had been printed by this Office and delivered to the City of Boston. Further, this Office sent a reminder to all election officials on Monday, a copy of which is attached, regarding the delivery of sufficient ballot quantities to each polling place, as well as specific instructions for local election officials maintain contact with poll workers to monitor ballot quantities. We recommended that election officials proactively contact precincts to inquire about the supply of ballots to be able to timely replenish supplies.

In addition to voters complaining that polling places were without ballots, election officials working in the precincts contacted our Office to report shortages, as they indicated they were unable to contact the Boston Election Commission. This indicates that the City did not originally deliver an appropriate supply of ballots to precincts in Boston, did not have adequate communication channels with the polling places, and had no plan to deliver additional ballots as needed, and in a timely manner.

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¹ This Office printed and delivered 416,200 bilingual English/Spanish official ballots to the City of Boston. Boston also received 26,400 English/Chinese official ballots and 18,700 English/Vietnamese official ballots for use on Election Day. Additionally, this Office printed and delivered 254,500 English/Spanish Early/Absentee ballots, 29,700 English/Chinese Early/Absentee ballots and 18,700 English/Vietnamese Early/Absentee ballots. In the event official ballots were depleted, the Early/Absentee ballots could have been used.

Although it appears that these locations ultimately received ballots, voters were subjected to unreasonable and unnecessary delays in exercising their franchise. This is unacceptable and contravenes the most fundamental principles of our democratic process.

The Secretary of the Commonwealth possesses the authority to investigate complaints and order local election officials to comply with the law in appropriate cases and to pursue enforcement and remediation. See G. L. c. 56, § 60 (2023 ed.); see also 950 C.M.R. § 56.02 (defining complaint pursuant to G. L. c. 56, § 60). The Secretary may initiate a complaint that a pattern of conduct, or a standard, practice, or procedure, of a local official is contrary to election laws. 950 C.M.R. § 56.02. State law requires that one set of ballots, not less than one for each registered voter, be provided for each polling place at which an election for state officers is to be held. G.L. c. 54, § 45 (2023 ed.).

Accordingly, I am initiating an immediate investigation into the practices and procedures of the Boston Elections Department leading up to and including the State Election held on Tuesday, November 5, 2024, and any other matter relating thereto.

I will notify you of the name of the individual or individuals I have designated to investigate this matter and will schedule a consultation consistent with the statute. My office will be sending a request for information to be produced regarding the events in advance of any scheduled meeting.

Very truly yours,

WILLIAM FRANCIS GALVIN

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Secretary of the Commonwealth

cc: Adam Cederbaum, Corporation Counsel