

The Fight for Free and Fair Elections in Pennsylvania Is Far From Over

Lancaster County Petitioners in Pennsylvania Seek Hand Recount from May 17th Primary

LANCASTER, PENNSYLVANIA, UNITED STATES, June 13, 2022

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PA's legal counsel filed a brief (CI-22-03163) in the Commonwealth Court on Friday, June 10th on behalf of petitioners in Lancaster County who are seeking a hand recount for the May 17th primary where Speaker of the House Bryan Cutler ran against a primary challenger, Lancaster County

resident Ann Weston. According to the statute, 25 P.S. 3261, when three registered voters from any given polling location submit a written verification requesting a recount for their given precinct, the law states that the ballot box shall be opened. The statutory language is very clear, and although the court granted the recount on behalf of the petitioners, it requires the recount to be done by machines. Given the recent [CISA](#) report outlining in detail the [vulnerabilities](#) inherent in electronic voting machines, the petitioners would prefer a hand recount, and the statute includes language that leads the petitioners to believe they are entitled to exactly that.

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Without question, a hand recount would be a much more viable way to ensure that our election process is not compromised in any way. Why would Rep. Cutler attempt to stand in the way of such a recount?”

Toni Shuppe

In response and on the same day, an amicus curiae brief was filed on behalf of Bryan Cutler arguing that an electronic recount will do just fine.

Audit The Vote PA is a non-partisan organization that advocates for free and fair elections across the Commonwealth of Pennsylvania. Without question, a hand recount would be a much more viable way to ensure that our election process is not compromised in any way. Why would Rep. Cutler attempt to stand in the way of such a recount?



Audit the Vote PA's legal counsel expects the court to make a decision within the next week or two.

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STATEMENT OF THE CASE

At issue is the singular question as to whether the phrase "...correctly counted by persons..." in Section 1701 of the Pennsylvania Election Code (25 P.S. § 3261) means what it says. The answer to that question should be a simple yes.

This appeal arises from the order of the Lancaster County Court of Common Pleas, granting in part and denying in part, Appellants' Petition to Open Ballot Box for Correct Recount Pursuant to 25 P.S. § 3261(a). Although granting the petition as to opening the ballot box at issue and requiring the contents to be counted, the court expressly refused to require that the count be by hand and not by machine.

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