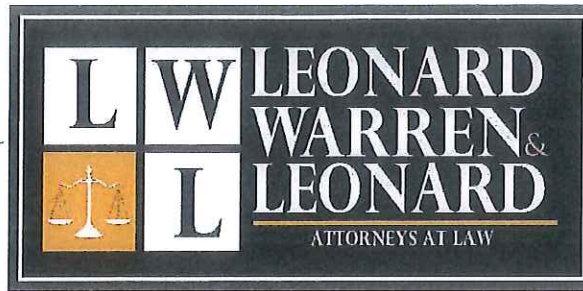


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June 6, 2024

*Via eCourts and Electronic Mail*

Honorable Judge Michael J. Blee, A.J.S.C.  
Atlantic County Superior Court  
1201 Bacharach Blvd  
Atlantic City, NJ 08401

**RE: IMO June 4, Primary Election Regarding Disputed Mail-In Ballots**

*Docket. No.: ATL-L-1194-24*

Dear Judge Blee:

Please accept this correspondence as to the position of the Atlantic County Republican Committee as an interested party in relation to the above captioned matter.

The Atlantic County Republican Committee believes in the unwavering necessity to protect the integrity of the electoral system. This is accomplished through the preservation and enforcement of the statutory safeguards in place to prevent corruption, contamination and undue influence.

In an effort to protect these constitutional principles, and to verify that each legitimate and acceptable vote is counted, the voters of Atlantic County deserve both transparency and accountability. When 1909 mail-in ballots are opened approximately three (3) weeks prior to the allowable statutory date authorizing them to be opened, the integrity and trust in the electoral system is shaken, and those protected constitutional rights are placed unnecessarily in jeopardy.

Title 19 prohibits the Atlantic County Board of Elections from opening the inner envelopes of main-in-ballots earlier than five (5) days prior to the day of the primary election. N.J.S.A. 19:63-22(b). Furthermore, Title 19 directs that “[a]ny mail-in ballot which is received by a county board of elections shall be rejected if the inner envelope is unsealed or if either the inner or outer envelope has a seal that has been tampered with.” N.J.S.A. 19:63-17.

By and through the New Jersey Attorney General’s brief investigation, more than 1900 mail-in ballots “inner envelopes” were admittedly opened prior to the statutory date of May 30, 2024. It is my understanding that the increase in number above the originally proffered 1803 is the direct consequence of a chaotic environment as a result of misdirection.

The lack of necessary bipartisan oversight that allowed this to occur is appalling and is emblematic of a systemic breakdown in the Board that was purposefully created to ensure and protect the citizens it purportedly serves.

Although in an effort to not disenfranchise voters and have mail-in votes unnecessarily rejected, Title 19 further holds that “[m]ail-in ballots shall not be rejected due to any defect arising out of or relating to the preparation or mailing of the ballot or envelope that was not reasonably caused by the voters, such as a torn envelope and missing or insufficient glue to allow the ballot to be sealed.” Ibid.

These statutory rules and regulations are for the sole purpose to prevent the contamination of mail-in ballots and protect and ensure both their validity and accuracy. This unfortunately is not an occurrence of “missing or insufficient” glue because of the defect of the utilized envelopes that would allow this to be an easy ruling to safeguard voters trust in the system.

This failing is the result of misdirection and mishandling of at least 1909 citizens’ protected votes. Those ballots have now been placed into question and the inclusion of those votes could ultimately and materially affect the chosen representatives of those voters’ respective parties in this Primary Election.

An inquiry and investigation into how this happened, why this happened and who authorized this and/or allowed this violation to occur should be mandated. If this violation happened at the direction of a singular person, rogue actions cannot be tolerated or the system crumbles.

Additionally, this should not have only been addressed on the day of the Primary Election. This cavalier attitude undermines the system. We recognize the Deputy Attorney Gleeson’s argument that Title 19 does not specify a cure for what should occur in a violation such as this.

However, Title 19 does offer other viable examples of solutions to cure deficiencies. In example:

The county board of elections shall, promptly after receiving each mail-in ballot, undertake the following procedures and requirements concerning the acceptance or rejection of each mail-in ballot: (1) within 24 hours after the decision has been made to reject a voter's mail-in or provisional ballot on the basis of a missing signature or discrepant signature, issue a "Cure Letter" by mail or email to the voter whose ballot was rejected, which shall inform the voter of that fact and provide the reasoning for rejection, and attempt to contact the voter by telephone, if a telephone number is available. The cure letter shall include a "Cure Form" and the form shall include the voter's name and instruct the voter on how to cure the alleged or actual deficiency. Cure forms shall not be referred to as affidavits or certifications and shall not be required to be sworn...

N.J.S.A. N.J.S.A. 19:63-17(b).

If this was in fact a “mistake,” then attempts to cure and protect the integrity and accuracy could have occurred under the right leadership. This issue was brought to light weeks before the June

4<sup>th</sup> Primary Election and nothing was done. In fact, an accurate accounting of how many mail-in ballots were affected wasn't done as of the emergent hearing on the day of the election.

In closing, this matter needs to be investigated and proper changes need to be implemented to protect the voters of Atlantic County. They deserve transparency and accountability. They deserve to trust in the integrity of the electoral process and system that has been created to protect their constitutional rights. This can only be accomplished through the strict adherence to the rules and regulations that govern everyone equally.

Your Honor's kind attention to this matter is appreciated.

Respectfully Submitted,



**Kenneth M. Warren Jr. Esquire**  
Leonard, Warren & Leonard, L.L.C.

KMW:ko

cc: Elliot J. Almanza, Esq. *(Via Email)*

Steven Gleeson, Esq., Deputy Attorney General *(Via Email)*

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