

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KATHLEEN KERRIGAN, ANTHONY HOLIDAY,
MICHAEL J. McSHEA, TARIQ MANGUM, RENEE
CROSBY, and CAROLYN DAVENPORT, on behalf
of themselves and all other individuals similarly
situated,

Plaintiffs,

v.

THE CITY OF PHILADELPHIA; MARGARET M.
TARTAGLIONE, ANTHONY CLARK and JOSEPH
DUDA, in their official capacities as Philadelphia City
Commissioners; PENNSYLVANIA DEPARTMENT
OF STATE and PEDRO A. CORTÉS, in his official
capacity as Secretary of the Commonwealth,

Defendants.

Civil Action No. 07, 00687

REPORT TO THE MAGISTRATE JUDGE

In accordance with the settlement agreement between the third party and the City of Philadelphia and the settlement between the parties in the above, captioned case, the Third Party provides this bi-monthly report for the period of October 1 to November 30, 2009, on the status of the third party's polling place surveys. Copies of the surveys have been provided to all the parties.

This report provides only a summary of the actual survey results. If the Court would like further information, copies of the surveys can be provided as well.

ACCESSIBLE POLLING PLACES

The following polling places have been surveyed by the 3rd Party and have been determined to be accessible under the standards agreed to in this case. For these polling places, we indicate whether the accessible entrance is currently the primary entrance, whether the accessible entrance should not be re-designated as the exclusive entrance, or whether the accessible entrance currently is not designated as the primary entrance to the polling place but should be re-designated as the exclusive entrance.

The following listed polling locations follow this format:

Ward No., Division No., Name, Address (Entrance designation location in parenthesis) These locations have no change in the entrance.

- Ward 50, Division 01, 04, 10, 17, 19, Emanuel Recreation Center, 8500 Provident Street (Provident Street)
- Ward 53, Division 10, Bushrod Library, 6304 Castor Avenue (Bushrod Avenue)
- Ward 53, Division 13, 14, 16, 19, 22, Hampton Moore School, Summerdale and Longshore Avenues (Longshore Avenue through parking lot then through paved play area to entry at the rear just to the right of the center of the building.)
- Ward 54, Division 08, 21, District Health Center #10, 2230 Cottman Avenue (Cottman Avenue)
- Ward 58, Division 23, 30, Hayes Conwell Recreation Center, 9951 President Street (President Street)
- Ward 59, Division 02, 04, Awbury Recreation Center, Ardleigh and Haines Streets (Ardleigh Street)
- Ward 59, Division 12, 13, 14, Mallery Recreation Center, Morton and Johnson Streets (Morton Street)
- Ward 59, Division 15, First United Methodist Church, 6019 Germantown Avenue (the entry is up the Germantown Avenue driveway and from the parking lot)
- Ward 59, Division 20, Empirian Towers, Rittenhouse and Morris Streets (W. Rittenhouse Street main door to lobby)
- Ward 61, Division 06, 13, Fisher Park Recreation Center, 6th and Spencer Streets (W. Spencer Street driveway)
- Ward 61, Division 10, 12, Olney Recreation Center, A and Spencer Streets (A Street)
- Ward 61, Division 14, 15, 20, Finletter Little Schoolhouse, 6100 N Front Street (E. Godfrey Avenue parking lot)
- Ward 62, Division 13, Wissinoming Recreation Center, Cheltenham Avenue and Charles Street (Site entrance is on Cheltenham Avenue between Frankford Avenue and Charles Street)

POLLING PLACES THAT MAY BE MADE TEMPORARILY ACCESSIBLE ON ELECTION DAY

The following polling places have been surveyed by the third party and have been determined to be inaccessible under the standards agreed to in this case. For these polling places, there is a temporary measure(s) that may make them accessible on election day. We include the temporary measures as well as the identification of the polling places and the primary entrance. Additionally, for these polling places, we indicate whether the accessible entrance is currently the primary entrance, whether the accessible entrance should not be re-designated as the exclusive entrance and signs should be posted directing voters to the accessible entrance, or whether the accessible entrance currently is not designated as the primary entrance to the polling place but should be re-designated as the exclusive entrance.

Also included in this category, are polling places that are otherwise accessible but the accessible entrance is not the primary entrance; a recommendation to re-designate the accessible entrance as the exclusive entrance is then provided.

The following listed polling locations follow this format:

Ward No., Division No., Name, Address (Entrance designation location in parenthesis)

1) Temporary measure to make location accessible.

- Ward 10, Division 29 AND Ward 50, Division 06, 08, 11, 23, Finley Recreation Center, E. Upsal and Mansfield Streets (E. Hortter Street)
 1. Prop open door at the upstairs polling location.
- Ward 23, Division 22, 23, P.A.L. Center, 4253 Frankford Avenue, (Frankford Avenue in 1st floor multi-purpose room)
 1. Leave vestibule door open.
- Ward 25, Division 21, Mastbaum Vocational School, 3116 Frankford Avenue, (Frankford Avenue)
 1. Prop open corridor doors and remove center astragal.
 2. Prop open door to room 103.
- Ward 41, Division 21, AND Ward 65, Division 13, Tacony and Mayfair Sons of Italy, 4741 Friendship Street (Friendship Street)
 1. Provide heavy mat at threshold or sloped temporary transition such as EZ Edge™.
 2. Prop main door open for mat or wedge shaped transition remedy.
- Ward 45, Division 13, 17, 19, 21, Heitzman Recreation Center, 3631 Amber Street, (Site entrance begins at the intersection of Amber and Albright Street gate. Building entrance is north east side off of Amber Street.)
 1. Relocate all voting to the gym.

2. Provide signage showing site entrance location at intersection of Amber and Albright Street gate. Provide sign at inaccessible ramped driveway showing that the accessible site entrance is at Amber and Albright Streets.
 3. Provide 5 foot ramp at entry on the side of the building.
 4. Prop open both doors.
 5. Prop open doors to the gym.
 6. Open 3 foot gate at the gym.
- Ward 49, Division 16, 07, Cherashore Recreation Center, 1000 W. Chew Avenue, (W. Chew Avenue at rear parking lot entrance)
 1. Prop entrance door open.
 - Ward 50, Division 02, 05, 07, Leeds School, 1100 E. Mt. Pleasant Avenue (Mt. Pleasant Avenue – at center of building)
 1. Re-designate as the exclusive entrance the at-grade entry toward the center of the building on Mt. Pleasant Avenue.
 2. Prop open door at entrance.
 3. Provide sign at formerly used entrance notifying voters of entrance change.
 - Ward 50, Division 03, 12, FS Edmonds School, 8025 Thouron Street (Thouron Street)
 1. Prop doors open at building entrance and temporarily remove center astragals.
 2. Prop open doors to stage and to gym.
 - Ward 50, Division 14, 15, St. Raymond's Church, 1350 E. Vernon Rd (Williams Avenue parking lot entry near E. Vernon Road intersection)
 1. Relocate the polling location into two previously unused rooms: the Sacristy and the Chapel (polling will no longer be in the basement)
 2. Prop open entry doors and also interior doors.
 3. Provide signage directing voters to re-designated areas for each of the two divisions.
 - Ward 50, Division 20, 30, Firehouse, 2356 76th Ave. (76th Avenue)
 1. Leave garage bay door open
 - Ward 53, Division 04, 06, 07, 08, Tarken Recreation Center, 6250 Frontenac St. (main entrance facing Frontenac Street)
 1. Prop open voting room entrances
 - Ward 53, Division 09, 11, 12, 15, 23, St. Thomas Indian Orthodox Church, 1009 Unruh Avenue (Unruh Avenue – church auditorium hall entrance which is toward center of building)
 1. Prop open first set of hallway doors.
 - Ward 53, Division 20, Jardel Recreation Center, 1400 Cottman Avenue (Cottman Avenue entry with ramp. This is the northwestern entrance)
 1. Prop interior door open.

- Ward 53, Division 21, United Methodist Church of the Redeemer, Cottman & Lawndale Avenues (Cottman Avenue)
 1. Relocate polling area to the main lobby. The basement will no longer be used.
 2. Prop open entry doors to lobby.

- Ward 54, Division 01, 02, 03, 05, Spruance School, Levick and Horrocks Streets (Horrocks Street parking lot at the rear then along path to rear of auditorium)
 1. Redesignate the Spruance Little Schoolhouse as the polling location for all divisions.
 2. Place sign at exterior entry door of main school building auditorium showing change of voting location to the adjacent Spruance Little Schoolhouse building.

- Ward 54, Division 04, 09, 13, Max Myers Recreation Center, 1601 Hellerman Street (Accessible site entry is at Magee Avenue at gate near 3rd base of ball field. The building is close to Hellerman and its entry is at the side facing the ball field facing Bustleton Avenue.)
 1. Post accessible site entry sign at entry gate on Magee Avenue near 3rd base of baseball field (about 400 feet from polling place)
 2. Post sign at inaccessible ramp on Magee Ave. (about 300 feet from polling place) noting the aforementioned accessible site entry location.
 3. Post sign at the Hellerman Street site entrance by the steps noting the Magee Avenue accessible entrance to the site.
 4. Post sign along accessible pathway leading voters to recreation building used for polling.

- Ward 54, Division 15, 16, 17, 18, 22, Solis Cohen School, Tyson Avenue and Horrocks Street, (Tyson Avenue parking lot)
 1. Prop open single set of front double doors.
 2. Prop open single set of vestibule doors.

- Ward 54, Division 19, 20, Mosque, 7252 Roosevelt Blvd, (Roosevelt Boulevard)
 1. Prop open front doors.

- Ward 55, Division 01, Residence, 6025 Erdrick Street (Erdrick Street)
 1. Garage door is to remain open.

- Ward 55, Division 16, 17, 18, 19 AND Ward 64, Division 12, Mayfair School, Hawthorne Avenue & Princeton Avenue (Princeton Avenue)
 1. Re-designate as the exclusive entrance on Election Day the entry at the rear of the building that has the ramp.
 2. Provide sign at old primary entrance as notice to voters to go to the ramped rear entrance of the building.
 3. Door along route to the polling area at the gym must be propped open.

- Ward 56, Division 38, St. Regis Apartments, 2301 Tremont Street (enter through rear of building at the entrance near swimming pool)
 1. Re-designate as the exclusive entrance the rear basement entry, the door near the

- swimming pool.
 - 2. Provide signs at lobby entrance redirecting voters coming from outside the building to the rear basement entrance.
 - 3. Prop open rear basement entrance doors.
- Ward 57, Division 02, Northeast Philadelphia Church of Christ, 3200 Primrose Rd (Primrose Road)
 - 1. Prop open entry double doors.
- Ward 57, Division 08, 09, 10, 14, 20, 23, 26, 27, Pollock School, Welsh & Tolbut Street (ramped entrance on Tolbut Street)
 - 1. Prop open at least one gym door and ALSO remove center astragal temporarily.
- Ward 58, Division 10, 26, Lackman Recreation Center, 1101 Bartlet Street (Bartlet Street)
 - 1. Prop open interior doors.
- Ward 59, Division 01, Martin Luther King High School, 6100 Stenton Ave, (Stenton Avenue)
 - 1. Re-designate the lobby entrance as the exclusive entrance
 - 2. Relocate the polling area to the lobby
 - 3. Provide sign at old entrance directing voters to front doors.
- Ward 59, Division 05, 09, Waterview Recreation Center, 5826 McMahan St, (side ramped entrance off Price Street)
 - 1. Prop open entry door.
 - 2. Prop open hallway doors.
- Ward 59, Division 06, 08, Morton Homes (PHA), 5920 Morton St, (Morton Street parking lot to rear of building)
 - 1. Re-designate the rear entrance as the exclusive entrance.
 - 2. Post sign at front door noting change in building entry for polling.
 - 3. Prop open door.
- Ward 59, Division 17, Mastery Charter School, 5700 Wayne Avenue (Rittenhouse Street at lower level entrance to gym)
 - 1. Prop open doors at hallway.
 - 2. Prop open doors at voting area.
- Ward 59, Division 23, Germantown Mennonite Church, 21 W Washington Lane (Driveway facing Washington Lane)
 - 1. Provide 2 foot temporary ramp of provide heavy mat at threshold or sloped temporary transition such as EZ Edge™.
 - 2. Prop door open for mat or wedge shaped transition remedy.
- Ward 61, Division 02, 03, 04, 07, 08, Lowell School, 450 West Nedro Avenue (Ramped

entry off of rear parking lot near 5th Street)

1. Re-designate rear ramped entrance off of parking lot as the exclusive entrance on Election Day.
 2. Remove astragal from second set of doors between the auditorium and hallway and prop open those doors.
 3. Post sign at front doors showing new re-designated entry location at rear of building.
- Ward 61, Division 05, Grover Washington School, 201 E Olney Avenue (Up driveway about 200 feet from intersection of B Street and E Olney Avenue to entrance that is just to the right of the primary building entrance nearest the gym.)
 1. Prop open main door.
 2. Post sign at building's front entry doors directing voters to polling entry at the side of the gym.
 - Ward 61, Division 11, 16, Olney Midget Teen Club, 5900 Hammond Avenue, (Site entry is at E Nedro and Hammond Avenues then up driveway to building)
 1. Provide mat next to lamp post to widen pathway where it narrows at Hammond Avenue, close to 3rd base of baseball field.
 2. Provide mat at edge of speed bump to permit the ability of wheelchairs to go around it at driveway near E Nedro and Hammond Avenues.
 3. Leave garage door of building open.
 4. Prop interior door open.
 - Ward 61, Division 19, 25, 26, Sturgis Recreation Center, 200 65th Avenue
 1. Prop doors open in corridor along route to polling place.
 - Ward 61, Division 24, Cheltenham Nursing Center, 600 W Cheltenham Avenue (Cheltenham Avenue)
 1. At a meeting on October 14, 2009 between the plaintiffs, defendants and Justice Department it was determined that this location was acceptable since most (but not all) voters live in this building. Driveway and path from street to door is sloped greater than 1:12 but there is a drop-off point at the door.
 2. Front door must be held open, without using buzzer.
 - Ward 62, Division 04, 09, Smedley School, 1790 Bridge Street (Ramped entrance in rear, facing courtyard on Marlowe Street.)
 1. Prop open front doors. Remove center astragal for duration of day.
 2. Prop open corridor doors.
 - Ward 62, Division 07, 10, 11, 12, Regal Ballroom, 5411 Oxford Avenue (Oxford Avenue)
 1. Prop open doors at building entrance.
 2. Prop open interior doors.
 - Ward 63, Division 18, 19, Greenberg School, 600 Sharon Lane (Ramped entry on Alicia Street)

1. Re-designate ramped entrance on Alicia Street as the exclusive entrance on Election Day.
 2. Post sign at entrance on Sharon Lane directing voters to the Alicia Street ramped entry.
 3. Prop open entry doors and remove center astragal.
 4. Prop open double doors between vestibule and second hallway.
- Ward 63, Division 21, St. Thomas Syro Malabar Church, 608 Welsh Road (Welsh Road and up driveway to parking area)
 1. Re-designate the main doors facing the driveway off of Welsh Road as the exclusive entrance.
 2. Place sign at door facing rear parking lot that the entry has been moved to the main entrance.
 - Ward 64, Division 01, Brown School, 3600 Stanwood Street (Frankford Ave parking lot at the side ramped entrance)
 1. Re-designate side entry with the ramp off of the auditorium as the exclusive entrance for voting.
 2. Place sign at front door noting the new entrance location for voting at the side.
 - Ward 65, Division 03, 05, 06, Liddonfield Senior Center, 8800 Jackson Street (up driveway to Jackson Street parking lot and enter at front of building) NOTE: TWO BUILDINGS ARE ON THIS SITE. BOTH ARE USED FOR POLLING. SEE SEPARATE ITEM BELOW CALLED ***THE RAPP ROOM*** for ITS SPECIFIC INFORMATION.
 1. Prop open front doors.
 2. Prop corridor doors open and doors to voting room.
 - Ward 65, Division 03, 05, 06, Rapp Room, 8800 Jackson Street (up driveway to Jackson Street parking lot then go behind Liddonfield Senior Center to the Rapp Building and then to the rear entrance) NOTE: TWO BUILDINGS ARE ON THIS SITE. BOTH ARE USED FOR POLLING. SEE SEPARATE ITEM ABOVE CALLED ***THE LIDDONFIELD SENIOR CENTER*** for ITS SPECIFIC INFORMATION.
 1. Re-designate the rear entrance as the exclusive entrance on Election Day.
 2. Post sign at front door noting that the primary entrance is at the rear of the building.
 3. Provide 6 foot temporary ramp at the rear door.
 4. Prop open rear door.
 - Ward 65, Division 15, 22, Holmesburg Boys Club, 7756 Ditman Street
 1. Re-designate entrance toward right side of building along Ditman Street as the exclusive entrance.
 2. Place sign at the double doors toward the west side of the building (formerly used as the entrance for voters) directing them to use the door to the east of the building.
 - Ward 65, Division 19, First Presbyterian Church Holmesburg, 7860 Frankford Avenue (Frankford Avenue path at side of building)
 1. Prop open door facing side courtyard.
 2. Prop corridor doors open.

- Ward 66, Division 35, 37, Picariello Recreation Center, 10801 Calera Road (Entrance to the site is from Calera Road near the home plate of the baseball field then traveling up pathway to second gate then through basketball court to the side of the recreation building).
 1. Post sign at the inaccessible driveway at Calera Road directing voters to the baseball field entrance. Post signs noting the accessible site entry starting at the home plate of the baseball field directing voters up to 2nd gate. Post another sign at the 2nd gate directing voters to side entrance of the recreation building.

POLLING PLACES THAT ARE INACCESSIBLE AND SHOULD BE RELOCATED

The following polling places have been surveyed by the third party and have been determined to be inaccessible under the standards agreed to in this case. The third party has further determined that temporary measures cannot be implemented to make the polling places accessible on election day. For this group of polling places, we recommend that each polling place be relocated to an existing polling place location or to another site. If the City determines that the relocation of a particular division is not possible, then the third party will continue to work with the City to locate an alternative location for the division.

From the interpretation of the meeting held October 14, 2009 that included representatives of both sides of the Kerrigan agreement, the US Justice Department and the Third Party, only accessible sites are being presented for this reporting period (and the previous reporting period) since an agreed upon procedure for reporting relocation recommendations for inaccessible sites by the Third Party hadn't been resolved at the time report #2 and report #3 were prepared.