



**Our Vote 2020:
20 Ways to Secure a Full and Fair Election During the
Coronavirus Pandemic**

Prepared for Chairman Jamie Raskin

Staff Report

**Committee on Oversight and Reform
Subcommittee on Civil Rights and Civil Liberties
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#OurVote2020



20 Ways to Secure a Full and Fair Election

Five actions VOTERS and EMPLOYERS can take...



Individual Voters

1. Check Registration Status
2. Request Absentee Ballot ASAP
3. Return Materials in Person
4. Volunteer as a Poll Worker
5. Plan for Long Lines, Practice Social Distancing, Wear a Mask



Employers

1. Provide Paid Leave for Election Day
2. Offer Civil Duty Pay for Poll Workers
3. Support Voter Education and Registration Drives
4. Help Officials Recruit Poll Workers
5. Volunteer Premises and Resources for Election Purposes

Five actions GOVERNMENTS can still take to protect the vote...



Local Governments

1. Protect In-Person Voting w/ Public Health Mandates
2. Increase Use of Ballot Drop Boxes
3. Recruit Younger Poll Workers
4. Maximize Number of Polling Places
5. Provide Absentee Ballot Applications to Voters



State Governments

1. Expand Early Voting
2. Eliminate Barriers to Mail-in Voting
3. Expand Online Registration
4. Extend Deadlines
5. Launch Voter Education Initiatives



*Prepared by the Subcommittee on Civil Rights and Civil Liberties
House Committee on Oversight and Reform*

SUMMARY

The 2020 General Election is just over a month away. As the ongoing coronavirus pandemic jeopardizes the safety of in-person voting and President Trump raises unfounded objections to absentee voting, the American promise of free and fair elections is under threat. This report outlines 20 things that individual voters, employers, local governments, and state governments can still do *now* to secure the upcoming election.

I. WHY THIS ELECTION IS UNDER THREAT

Since the coronavirus pandemic engulfed the United States, its potential impact on voter safety and voter turnout in November's election has been a source of concern. In most states, voters typically cast their ballots in person on Election Day; in 2016, over 60% of ballots were cast in-person on Election Day.¹

In response to the public health threat posed by the pandemic, many states have tried to encourage voters to cast their 2020 ballots by mail.² For instance, in Michigan, Governor Gretchen Whitmer signed an executive order in March that required counties to send absentee ballots to all new voters in all jurisdictions that chose not to delay their May elections.³ In Nevada, the state legislature approved a plan to send absentee ballots to all active voters before November.⁴

President Trump, in turn, has repeatedly undermined the legitimacy of mail-in voting. Since efforts to expand mail-in voting gained steam in the early weeks of the pandemic, the President has repeatedly claimed that mail-in voting has “tremendous potential for voter fraud” and has declared, “Mail ballots, they cheat. Mail ballots are very dangerous for this country because of cheaters. They go collect them. They are fraudulent in many cases.”⁵ He even briefly threatened to “hold up” funding for Michigan and Nevada and denounced their efforts to expand absentee ballot programs as “a great Voter Fraud scenario.”⁶

¹ *Coronavirus Emerges as Major Threat to U.S. Election Process*, Reuters (Mar. 27, 2020) (online at www.reuters.com/article/us-health-coronavirus-usa-election-insig-idUSKBN21E2XS).

² *Trump Vents as More States Move to Expand Vote-by-Mail Ahead of November Election*, CNN (May 20, 2020) (online at www.cnn.com/2020/05/20/politics/vote-by-mail-trump/index.html).

³ *Whitmer to Clerks: Send All New Registrants an Absentee Ballot for May 5*, Detroit News (Mar. 28, 2020) (online at www.detroitnews.com/story/news/local/michigan/2020/03/28/whitmer-clerks-send-all-new-registrants-absentee-ballot-may-5-vote/2932411001/).

⁴ *Nevada Approves Plan to Mail Ballots to All Registered Voters*, CNN (Aug. 5, 2020) (online at www.cnn.com/2020/08/03/politics/nevada-mail-ballots-registered-voters/index.html).

⁵ Donald J. Trump, *Twitter* (Apr. 8, 2020) (online at <https://twitter.com/realDonaldTrump/status/1247861952736526336>); *Trump is Pushing a False Argument on Vote-by-Mail Fraud. Here Are the Facts*, New York Times (Sept. 4, 2020) (online at www.nytimes.com/article/mail-in-voting-explained.html).

⁶ *Trump Slams Michigan, Nevada for Expanding Voting by Mail, But Drops Funding Threat*, Reuters (May 20, 2020) (online at www.reuters.com/article/us-usa-election-michigan/trump-slams-michigan-nevada-for-expanding-voting-by-mail-but-drops-funding-threat-idUSKBN22W1PV).

In late July, the President escalated his attacks, threatening to delay the election because, he argued, “Universal Mail-In Voting” would render the election “the most INACCURATE & FRAUDULENT Election in history” and “a great embarrassment to the USA.”⁷

Prominent Republicans, including Senate Majority Leader Mitch McConnell, rejected the President’s suggestion to delay the election.⁸ Moreover, despite the President’s attacks, Republican state officials have largely ignored the President’s arguments and have worked to strengthen absentee voting programs.⁹

Numerous studies have concluded that absentee voting does not increase the likelihood of voter fraud, and U.S. senior intelligence officials have explicitly refuted the idea that foreign countries would seek to exploit absentee voting as part of election interference campaigns.¹⁰

Against this backdrop, states must also contend with the implications of potential mail slowdowns resulting from recent operational changes at the United States Postal Service (USPS).¹¹ In August, the House of Representatives approved \$25 billion requested by USPS and supported by the Postal Service Board of Governors on a bipartisan basis to help USPS navigate the coronavirus crisis, but this legislation has failed to receive consideration in the Senate or support from the White House.¹²

The President has spoken in partisan terms about the rescue package, claiming that Democrats “need that money to make the Post Office work so it can take all of those millions and millions of ballots,” and that if additional funding was not approved, “you can’t have universal absentee voting because they’re not equipped to have it.”¹³

⁷ Donald J. Trump, *Twitter* (July 30, 2020) (online at <https://twitter.com/realDonaldTrump/status/1247861952736526336>).

⁸ *Trump Encounters Broad Pushback to His Suggestion to Delay the Nov. 3 Election*, Washington Post (July 30, 2020) (online at www.washingtonpost.com/politics/trump-floats-idea-of-delaying-the-november-election-as-he-ramps-up-attacks-on-voting-by-mail/2020/07/30/15fe7ac6-d264-11ea-9038-af089b63ac21_story.html).

⁹ *Republicans Quietly Push Mail-In Voting Despite Trump Claims*, Politico (Aug. 19, 2020) (online at www.politico.com/news/2020/08/19/republicans-mail-in-voting-trump-398774).

¹⁰ See, e.g., Brookings Institute, *Low Rates of Fraud in Vote-by-Mail States Show the Benefits Outweigh the Risks* (June 2, 2020) (online at www.brookings.edu/blog/fixgov/2020/06/02/low-rates-of-fraud-in-vote-by-mail-states-show-the-benefits-outweigh-the-risks/); *U.S. Intelligence Officials Say There’s No Evidence to Back up Trump’s Claims About Threats to Absentee Voting*, CNN (Aug. 26, 2020) (online at www.cnn.com/2020/08/26/politics/election-security-officials-absentee-voting-trump/index.html).

¹¹ *Trump, While Attacking Mail Voting, Casts Mail Ballot Again*, National Public Radio (Aug. 19, 2020) (online at www.npr.org/2020/08/19/903886567/trump-while-attacking-mail-voting-casts-mail-ballot-again); *Trump Admits He is Undermining USPS to Make it Harder to Vote by Mail*, The Guardian (Aug. 13, 2020) (online at www.theguardian.com/us-news/2020/aug/13/donald-trump-usps-post-office-election-funding).

¹² *House Passes USPS Rescue in Bid to Thwart Trump Attacks on Mail-In Voting*, Politico (Aug. 22, 2020) (online at www.politico.com/news/2020/08/22/democrats-postal-service-rescue-400188).

¹³ *Trump Says He Opposes Funding USPS Because of Mail-In Voting*, CNN (Aug. 13, 2020) (online at www.cnn.com/2020/08/13/politics/trump-usps-funding-comments-2020-election/index.html).

Under President Trump’s newly appointed Postmaster General, Louis DeJoy, USPS has implemented changes that have slowed mail delivery, including removing high-speed letter sorters and blue collection boxes; prohibiting carriers from handling late arriving mail; and warning election officials that absentee ballots will not automatically be considered priority mail.¹⁴ These changes pose additional hurdles to ensuring effective and timely absentee ballot programs, which rely on USPS service.

This confluence of events—a raging pandemic and systemic slowdowns in mail delivery—makes it necessary for states to use their power under the Constitution to fortify their elections.¹⁵ At this late stage before the election, it is also critical to remember that individual voters, businesses and employers, and local governments can still take action on their own to ensure a free and fair election.

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20 Ways to Secure a Full and Fair Election

Individual Voters



1. Check Registration Status
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5. Plan for Long Lines, Practice Social Distancing, Wear a Mask

II. INDIVIDUAL VOTER ACTIONS

1. Check Registration Status Early

The *most important* action that all voters can take is to check their registration status as soon as possible. This year, it is especially critical for voters to send in registration materials

¹⁴ *With Slower Mail and Election Concerns, Trump’s Postmaster General is in the Hot Seat*, CNN (Aug. 20, 2020) (online at www.cnn.com/2020/08/16/politics/dejoy-post-office-hot-seat-election-2020/index.html).

¹⁵ *USPS Woes and State Deadlines Could Leave Voters Without Time to Return Mail-In Ballots*, Salon (Aug. 23, 2020) (online at www.salon.com/2020/08/23/usps-woes-and-state-deadlines-could-leave-voters-without-time-to-return-mail-in-ballots_partner/).

well in advance of the deadline.¹⁶ According to the Election Assistance Commission, more than 77.5 million voter registration applications were submitted in the period between the 2014 and 2016 elections, and over 80% of those were in-person registrations.¹⁷

Voters can check their registration status [here](#), register [here](#), and look up their state’s voter registration deadlines [here](#).

In some cases, voters will not be able to request absentee ballots until they have successfully registered to vote. Last-minute registrants risk receiving an absentee ballot too late.¹⁸

2. Request Absentee Ballot As Soon As Possible and Carefully Read Instructions

Registered voters should request their absentee ballots as soon as possible, follow directions carefully, and return them as early as possible. During this year’s primary elections, more than 550,000 absentee ballots were rejected, far more than the 318,728 ballots that were rejected in the 2016 general election.¹⁹ These ballots were rejected for alleged defects or because they were received by election officials past the deadlines set out by state law.²⁰

Voters can start the process of requesting an absentee ballot [here](#).

More than 5% of absentee ballots submitted in Virginia’s primary election were rejected for missing the deadline, and over 1% of ballots in Pennsylvania and Nevada were rejected for the same reason.²¹ In Wisconsin’s April primary, *over 80,000 ballots* were received after the deadline—and most were only counted because of an emergency measure that allowed late ballots to be counted due to the pandemic.²²

¹⁶ *COVID-19 Changed How We Vote. It Could Also Change Who Votes*, New York Times (June 14, 2020) (online at www.nytimes.com/2020/06/14/us/voter-registration-coronavirus-2020-election.html).

¹⁷ U.S. Election Assistance Commission, *The Election Administration and Voting Survey 2016 Comprehensive Report* (2017) (online at www.eac.gov/sites/default/files/eac_assets/1/6/2016_EAVS_Comprehensive_Report.pdf).

¹⁸ National Conference of State Legislatures, *Voting Outside the Polling Place: Absentee, All-Mail and Other Voting at Home Options* (July 10, 2020) (online at www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx).

¹⁹ *More Than 550,000 Primary Absentee Ballots Rejected in 2020, Far Outpacing 2016*, National Public Radio (Aug. 22, 2020) (online at www.npr.org/2020/08/22/904693468/more-than-550-000-primary-absentee-ballots-rejected-in-2020-far-outpacing-2016).

²⁰ *Signed, Sealed, Undelivered: Thousands of Mail-In Ballots Rejected for Tardiness*, National Public Radio (July 13, 2020) (online at www.npr.org/2020/07/13/889751095/signed-sealed-undelivered-thousands-of-mail-in-ballots-rejected-for-tardiness).

²¹ *Id.*

²² *Id.*

*In Florida’s 2020 primary, absentee ballots from younger, first-time, Black, and Hispanic voters were **nearly twice as likely to be rejected.***

Complications with absentee ballots predominately disenfranchise minority communities and younger voters. A study by the Stanford-MIT Healthy Election Data and Science Lab found that at least 18,504 absentee ballots were rejected in Florida’s March primary, approximately 1.34% of all submitted. The study found that the rate of rejection for

absentee ballots cast in Florida’s primary were nearly twice as high for younger voters, first time voters, Black voters, and Hispanic voters compared to the rejection rates for the general population.²³

It is equally important for voters to *carefully read* ballot instructions, since the most common reason for rejection of absentee ballots—aside from late arrival—is a missing signature, an unverified signature, or a missing signature from a witness or notary.²⁴ In April, *14,000 ballots* were rejected in Wisconsin because of issues with certification, including a lack of voter signature, witness signature, or a missing address.²⁵ Voters should be especially wary of their state’s requirements regarding signature matches; many ballots are rejected because of a “perceived signature mismatch” in which the signature on the ballot does not sufficiently match the signature on file with election officials.²⁶ Mismatched signatures are a particularly dangerous for groups of voters whose signatures may have changed since they registered to vote—including women, trans and gender-nonconforming people—people with disabilities, and elderly voters.²⁷

In New York, more than 84,000 absentee ballots were disqualified in this year’s presidential primary—nearly one in every four cast—which underscores how crucial it is for voters to have the opportunity to cure any defects in their absentee ballots before it is too late.²⁸

***Fewer than 20 states** let voters fix a missing or mismatched signature on an absentee ballot.*

²³ Stanford-MIT Healthy Elections Project, *Florida Election Analysis* (June 24, 2020) (online at <https://healthyelections.org/sites/default/files/2020-06/Florida%20Election%20Memo.pdf>).

²⁴ *Why Some Mail-In Ballots Are Rejected and How to Make Sure Your Vote Counts*, CBS News (Aug. 4, 2020) (online at www.cbsnews.com/news/why-mail-in-ballot-rejected-voting-counts/).

²⁵ *Id.*

²⁶ American Civil Liberties Union, *Signature Match Laws Disproportionately Impact Voters Already on the Margins* (Nov. 2, 2018) (online at www.aclu.org/blog/voting-rights/signature-match-laws-disproportionately-impact-voters-already-margins); National Conference of State Legislatures, *How States Verify Voted Absentee Ballots* (Apr. 17, 2020) (online at www.ncsl.org/research/elections-and-campaigns/vopp-table-14-how-states-verify-voted-absentee.aspx).

²⁷ American Civil Liberties Union, *Signature Match Laws Disproportionately Impact Voters Already on the Margins* (Nov. 2, 2018) (online at www.aclu.org/blog/voting-rights/signature-match-laws-disproportionately-impact-voters-already-margins).

²⁸ National Task Force on Election Crises, *Lessons Learned from the Primaries: Recommendations for Avoiding a Crisis in November* (2020) (online at <https://static1.squarespace.com/static/5e70e52c7c72720ed714313f/t/5f35d6013a04c51705b49440/1597363715426/>).

Voters should be extremely careful to complete their ballots correctly the first time. According to the Brennan Center, fewer than 20 states provide an opportunity for voters to cure defects if signatures are missing or mismatched.²⁹

Voters should return their absentee ballots as early as possible. Longer-than-typical processing times for absentee ballots are likely, especially in jurisdictions that have seen recent declines in USPS service.³⁰

The earlier that voters send in their absentee ballots, the more time they will have to cure any defects with their ballots. Focusing on early submission of absentee ballots is enormously important to effectively mobilize young voters, since voters who are using absentee ballots for the first time are more likely to have their ballots rejected due to errors.³¹

3. If Possible, Return All Voting Materials in Person to Avoid Postmarking Issues

When possible, absentee voters should return their ballots in person. Many state deadlines for submission of voter registration materials, absentee ballots applications, and absentee ballots are based on the date that materials are postmarked. In other states, the deadlines are based on the date on which materials are received by local election officials.³²

To find out more about their options for returning ballots, voters should check [here](#).

The deluge of absentee ballots and reduced capacity at USPS could mean that election materials will not be postmarked on the same day that voters place them in the mail. In Wisconsin, this problem led to massive voter disenfranchisement in the April primary.³³ Voters

PostPrimaryReport.pdf); *Over 80,000 Absentee Ballots Disqualified in NYC Primary Mess*, New York Post (Aug. 5, 2020) (online at <https://nypost.com/2020/08/05/84000-absentee-ballots-disqualified-in-nyc-primary-election/>).

²⁹ Brennan Center, *Preparing Your State for an Election Under Pandemic Conditions* (Aug. 27, 2020) (online at www.brennancenter.org/our-work/research-reports/preparing-your-state-election-under-pandemic-conditions#t4).

³⁰ *Postal Service Warns 46 States Their Voters Could Be Disenfranchised by Delayed Mail-In Ballots*, Washington Post (Aug. 14, 2020) (online at www.washingtonpost.com/local/md-politics/usps-states-delayed-mail-in-ballots/2020/08/14/64bf3c3c-dcc7-11ea-8051-d5f887d73381_story.html).

³¹ *Signed, Sealed, Undelivered: Thousands of Mail-In Ballots Rejected for Tardiness*, National Public Radio (July 13, 2020) (online at www.npr.org/2020/07/13/889751095/signed-sealed-undelivered-thousands-of-mail-in-ballots-rejected-for-tardiness).

³² *Another Post Office Election Challenge: Making Sure Ballots Are Postmarked*, National Public Radio (Aug. 18, 2020) (online at www.npr.org/2020/08/18/903490612/another-post-office-election-challenge-makingsure-ballots-are-postmarked).

³³ U.S. Postal Service, Office of Inspector General, *Management Alert: Timeliness of Ballot Mail in the Milwaukee Processing & Distribution Center Service Area* (July 7, 2020) (online at www.uspsoig.gov/sites/default/files/document-library-files/2020/20-235-R20.pdf); *Absentee Ballots Didn't Get Counted Because of Late Delivery, Misdelivery, and Bad Postmarks, Post Office Says*, Milwaukee Journal-Sentinel

should deposit absentee materials at post offices and watch as postal workers stamp their submission, which will guarantee that election workers do not reject materials as untimely. If permissible under state law, they should drop off the ballots directly with election officials.³⁴

According to the National Conference of State Legislatures, voters in almost all states can deposit a completed absentee ballot at their county official's office. At least eleven states—Arizona, California, Colorado, Hawaii, Kansas, Montana, New Mexico, North Carolina, Oregon, Utah, Washington—and the District of Columbia allow voters to drop off ballots in other locations, such as early voting sites.³⁵

4. Volunteer as a Poll Worker

One of the most daunting challenges of holding this election during the coronavirus pandemic is the expected shortage of poll workers. According to the U.S. Election Assistance Commission, 58% of poll workers in the 2018 general election were over 60.³⁶ It is critical for local governments to recruit additional poll workers from a younger pool of volunteers who are at a much lower risk of severe illness due to coronavirus.

Polling sites will need a large influx of poll workers, especially those who are at lower risk from coronavirus, to ensure that voting proceeds without major delays and public health guidelines can be enforced.³⁷

5. Plan for Long Lines on Election Day and Practice Social Distancing

Any voters who plan to vote in person should expect longer-than-normal wait times due to decreased capacity at polling sites and additional precautions, such as sanitizing stations and

(July 10, 2020) (online at www.jsonline.com/story/news/politics/2020/07/10/wisconsin-absentee-ballots-didnt-get-counted-because-late-delivery-misdelivery-and-bad-postmarks-pos/5417084002/).

³⁴ Marc Elias, *Four Ways to Safely Cast Your Ballot Without USPS*, Democracy Docket (Aug. 6, 2020) (online at www.democracymatters.com/2020/08/usps-delays/).

³⁵ National Conference of State Legislatures, *Voting Outside the Polling Place: Absentee, All-Mail and Other Voting at Home Options* (July 10, 2020) (online at www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx#permit).

³⁶ *Ballot Drop Boxes Become Latest Front in Voting Legal Fights*, National Public Radio (Aug. 11, 2020) (online at www.npr.org/2020/08/11/901066396/ballot-drop-boxes-become-latest-front-in-voting-legal-fights).

³⁷ John Fund, *Another Potential Election Fiasco: Vanishing Volunteers at the Polls*, National Review (Aug. 23, 2020) (online at www.nationalreview.com/2020/08/another-potential-election-fiasco-vanishing-volunteers-at-the-polls/).

Learn more about volunteering as a poll worker [here](#).


All Voting is Local has been recruiting poll workers “to safeguard our electoral process and ensure every voter has a voice.”

Sign up [here](#).

social distancing. During the initial coronavirus outbreaks in March and April, primary voters experienced unprecedented lines in places like Milwaukee.³⁸



Voters should also prepare to comply with public health guidance in their jurisdictions to limit the spread of coronavirus and ease the burden on poll workers. This includes bringing a comfortable mask to the polls, practicing social distancing, and carrying hand sanitizer.³⁹

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Employers

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III. EMPLOYER ACTIONS

1. Provide Paid Leave for Election Day or Early Voting

The best way that employers can ensure full participation in elections is to provide paid leave for employees to vote. Even if employers are not obligated to give time off, they should consider making Election Day a paid holiday or offering limited paid leave on their own. Long lines deterred at least 730,000 Americans from voting in 2012, and that problem looms especially large for “low-income people and people of color who are less likely to have flexible employment and childcare options” to accommodate the waiting time.⁴⁰ Over 700 businesses

³⁸ *Wisconsin Voters Face Long Waits, Lines Amid Coronavirus Outbreak*, NBC News (Apr. 7, 2020) (online at www.nbcnews.com/politics/2020-election/wisconsin-set-vote-national-guard-called-out-many-polling-places-n1178206).

³⁹ Brennan Center, Infectious Diseases Society of America, *Guidelines for Healthy In-Person Voting* (Aug. 12, 2020) (online at www.brennancenter.org/sites/default/files/2020-08/2020_08_Guide%20for%20Healthy%20In%20Person%20Voting_Finalv2.pdf)

⁴⁰ Center for American Progress, *Voter Suppression Laws Cost Americans Their Voices at the Polls* (Nov. 11, 2016) (online at www.americanprogress.org/issues/democracy/reports/2016/11/11/292322/voter-suppression-laws-cost-americans-their-voices-at-the-polls/).

have joined the “Time to Vote,” a nonpartisan coalition that requires company leadership to pledge to ensure that employees “have the time off they need to cast their ballots.”⁴¹

Over 700 businesses have pledged to give employees time off to vote.

In a year when pandemic conditions will lengthen wait times at the polls, it is even more essential for employers to give their workers sufficient time to vote without forcing them to sacrifice their paychecks.⁴²

Make the “Time to Vote” pledge [here](#).

2. Offer Civic Duty Pay for Poll Workers

Working-age individuals will be crucial this year to serve as poll workers. Employers should consider offering paid leave to workers who volunteer as poll workers, either during the early voting period or on Election Day. At the very least, employers should set out a policy that excuses absences by employees who are serving as poll workers in order to make it easier for younger, non-retired individuals to serve.

Employers should familiarize themselves with their obligations under state law to provide time for their employees to vote.

Many states require voters be given time off to have the chance to vote.

Take a look at each state’s requirements [here](#).

Some municipal employers, like Cuyahoga County in Ohio, have already allowed employees to serve as poll workers to offset shortages.⁴³ On September 1, Old Navy announced that it will pay store employees for a full eight hours of work if they serve as poll workers for the 2020 elections—in addition to whatever compensation they are given from the jurisdiction.⁴⁴ Other employers should follow suit.

3. Promote Voter Registration, Absentee Ballot Applications, and Public Education Initiatives

In many states, third-party organizations are able to participate in activities to promote voter participation initiatives, including voter education, voter registration drives, and absentee

⁴¹ Time To Vote, *Homepage* (online at www.maketimetovote.org/).

⁴² Sendhil Mullainathan, *For Racial Justice, Employees Need Paid Hours Off for Voting*, *New York Times* (June 12, 2020) (online at www.nytimes.com/2020/06/12/business/for-racial-justice-employees-need-paid-hours-off-for-voting.html).

⁴³ *Cuyahoga County Allowing Employees to Serve as Poll Workers to Offset Shortage in November*, *Cleveland.com* (Aug. 4, 2020) (online at www.cleveland.com/news/2020/08/cuyahoga-county-allowing-employees-to-serve-as-poll-workers-to-offset-shortage-in-november-election.html).

⁴⁴ *Old Navy to Pay Store Employees to Work Election Polls in November*, *CNN* (Sept. 1, 2020) (online at www.cnn.com/2020/09/01/business/old-navy-employee-pay-election-poll-workers/index.html).

ballot application drives.⁴⁵ Employers—especially those who serve non-profit entities like churches, charities, or schools—should get in contact with their local election officials to see how they can help encourage voter participation.

Some states have placed burdensome restrictions on participation in voter registration drives, so it is especially important for local organizations to give voters the opportunity to submit their registration materials well before state deadlines.⁴⁶

However, companies—whether brick-and-mortar stores or web-based apps like Spotify, Twitter, or Snapchat—can use their platforms to advertise election-related deadlines, direct customers and employees to online voter registration options, and provide further information on early voting and voting-by-mail. In some states, it may even be possible for employers to provide absentee ballot applications to employees or customers.⁴⁷

4. Help Election Officials Recruit Poll Workers

Similarly, employers should contact their local election officials to find out how they can partner with them to recruit additional poll workers. This would be an especially useful step for colleges, since they have an easily accessible network of young people who are at a lower risk from coronavirus and who therefore may be more willing to serve as poll workers.⁴⁸

After shortages of poll workers resulted in extremely long lines in Milwaukee earlier this year, the city government announced partnerships with local educational institutions to recruit younger poll workers in advance of the November general election.⁴⁹ Employers should act now to join such partnerships.

Nonprofits and businesses can join “Power to the Polls” to help recruit poll workers in.

[Join here.](#)

⁴⁵ Brennan Center, *State Restrictions on Voter Registration Drives* (Nov. 30, 2012) (online at www.brennancenter.org/sites/default/files/legacy/publications/State%20Restrictions%20on%20Voter%20Registration%20Drives.pdf).

⁴⁶ Demos, *Millions to the Polls: Voter Registration Drives* (Feb. 18, 2014) (online at www.demos.org/policy-briefs/millions-polls-voter-registration-drives).

⁴⁷ Center for American Progress, *17 Ways Companies Can Help Americans Vote Safely* (Sept. 9, 2020) (online at www.americanprogress.org/issues/democracy/reports/2020/09/09/490167/17-ways-companies-can-help-americans-vote-safely/).

⁴⁸ America’s Rush for Young Poll Workers, *Axios* (Aug. 6, 2020) (online at www.axios.com/poll-workers-coronavirus-elderly-young-people-b50c1c36-385c-49dc-9585-06fdd9b729c6.html).

⁴⁹ *After Milwaukee Had Just 5 Voting Sites in April Election, Officials Recruiting More Poll Workers So It Won’t Happen in November*, *Milwaukee Journal-Sentinel* (June 8, 2020) (online at www.jsonline.com/story/news/local/milwaukee/2020/06/08/milwaukee-polling-places-more-workers-recruited-november-election/3124855001/).

A coalition of nonprofits and businesses, including Levi Strauss & Co., Patagonia, Comedy Central, Viacom, MTV, and Uber, have all signed on to “Power the Polls,” a nationwide effort to recruit poll workers in advance of Election Day.⁵⁰

5. Volunteer Premises and Resources for Election Purposes

Finally, employers should contact their local election officials to see if they can volunteer their premises to be used as polling places or as sites for voter registration drives. Many states give local governments flexibility in designating polling places, so the more premises that are available for use, the easier it will be for local officials to make plans that comport with state laws and public safety requirements.⁵¹ If businesses are not able to volunteer their

A vast network of businesses have already become involved in the nonpartisan VoteSafe coalition’s efforts to support safe election administration, including by donating PPE.

[Sign up here.](#)

For more information on state regulations on what organizations can volunteer their premises as polling places, check [here](#).

In Orange County, California, the Dodgers and the California Secretary of State announced an agreement to use Dodger Stadium as a voting site in November as part of a joint endeavor between the Dodgers and the nonprofit coalition of Black athletes and artists, “More Than a Vote.”⁵² The National Basketball Association recently announced an initiative to work with local election officials to use some of its arenas as polling locations as well.⁵³

These opportunities exist for businesses at a much smaller scale as well. A coalition of artistic non-profits, Arts for LA, set up a partnership with the Los Angeles County Registrar-Recorder’s office “to encourage arts and culture sites to serve as polling places,” and published a webinar to help inform small businesses about the procedures involved.⁵⁴

If businesses cannot volunteer their premises, they can still volunteer resources to ensure a safe election. Business for America is a network of “civic-minded businesses” who have joined the nonpartisan VoteSafe coalition and pledged to support safe election administration during the pandemic. As part of this effort, member organizations are pledging not only to

⁵⁰ Power to the Polls, *Partners* (online at www.powerthepolls.org/partners).

⁵¹ National Task Force on Election Crises, *Lessons Learned from the Primaries: Recommendations for Avoiding a Crisis in November* (2020) (online at <https://static1.squarespace.com/static/5e70e52c7c72720ed714313f/t/5f35d6013a04c51705b49440/1597363715426/PostPrimaryReport.pdf>).

⁵² *Dodger Stadium to Be Used as Polling Site for the Election in November*, Orange County Register (Aug. 13, 2020) (online at www.ocregister.com/2020/08/13/dodger-stadium-to-be-used-as-polling-site-in-november/).

⁵³ *N.B.A. and Players’ Union Agree to Resume Play*, New York Times (Aug. 28, 2020) (online at www.nytimes.com/2020/08/28/sports/basketball/nba-playoffs-resume.html).

⁵⁴ Arts for LA, *Non-Profit Polling Places* (online at www.artsforla.org/non_profit_polling_places).

provide their premises for polling places or drop boxes, but also to donate personal protective equipment, hand sanitizer, and even office supplies to ensure smooth and safe election administration.

#OurVote2020



20 Ways to Secure a Full and Fair Election

Local Governments



1. Protect In-Person Voting w/ Public Health Mandates
2. Increase Use of Ballot Drop Boxes
3. Recruit Younger Poll Workers
4. Maximize Number of Polling Places
5. Provide Absentee Ballot Applications to Voters

IV. LOCAL GOVERNMENT ACTIONS

States rely on county clerks and supervisors to implement election rules. These local officials can make voting safer and easier and often have the power to do so without legislation at the state level.

1. Ensure Safe In-Person Voting Through Public Health Measures

Even in the absence of state action, county and local officials work to protect polling places and build on suggestions issued by the Centers for Disease Control.⁵⁵ Local officials should consider issuing guidance to encourage safe conditions at polling places, including social-distancing and hand sanitizing stations.⁵⁶ Officials should also select polling locations that are likely to reduce the spread of coronavirus, such as large venues that provide for open-air areas where voters can

*Jurisdictions considering consolidating polling places **must ensure** that Black and Brown communities are not disenfranchised as a result.*

⁵⁵ Centers for Disease Control and Prevention, *Considerations for Election Polling Locations* (June 22, 2020) (online at www.cdc.gov/coronavirus/2019-ncov/community/election-polling-locations.html).

⁵⁶ Brennan Center, Infectious Diseases Society of America, *Guidelines for Healthy In-Person Voting* (Aug. 12, 2020) (online at www.brennancenter.org/sites/default/files/2020-08/2020_08_Guide%20for%20Healthy%20In%20Person%20Voting_Finalv2.pdf);

wait to cast their ballots.⁵⁷ As noted earlier, localities will likely have to hire additional poll workers to ensure compliance with these safety measures.

County officials should also consider their power under state law to allow individuals who are at high-risk for serious complications from coronavirus to take advantage of “curbside voting” to minimize their exposure.⁵⁸

Officials in Travis County, Texas, have approved funds to implement changes for the upcoming election, including stringent safety measures for in-person voting, drive-thru ballot delivery options, and curbside voting.⁵⁹ Voters who choose to cast their ballots in person may be required to “wear finger coverings when touching the voting machines,” and the county is planning to implement a mask mandate.⁶⁰

Los Angeles County has released guidance for a “Safe Presidential Election Plan” that set out the minimum requirements for host voting centers. The guidelines provide for sites to have a minimum 2,220 square feet of space to ensure physical distancing, give model layouts that allow for “one-directional traffic patterns,” and set requirements for the use of personal protective equipment like masks and gloves.⁶¹

It is important to recognize that a shift towards larger venues, while potentially helpful in mitigating the dangers of coronavirus, could pose other challenges for voter participation and accessibility. According to a report by the NAACP Legal Defense and Educational Fund, the closure or consolidation of polling places in the last decade has disproportionately affected majority-Black communities, increasing wait times and requiring voters to travel much farther to their polling places.⁶²

⁵⁷ National Task Force on Election Crises, *Lessons Learned from the Primaries: Recommendations for Avoiding a Crisis in November* (2020) (online at <https://static1.squarespace.com/static/5e70e52c7c72720ed714313f/t/5f35d6013a04c51705b49440/1597363715426/PostPrimaryReport.pdf>); Brennan Center, *How to Protect the 2020 Vote from the Coronavirus* (Mar. 16, 2020) (online at www.brennancenter.org/our-work/policy-solutions/how-protect-2020-vote-coronavirus).

⁵⁸ Brennan Center, *How to Protect the 2020 Vote from the Coronavirus* (Mar. 16, 2020) (online at www.brennancenter.org/our-work/policy-solutions/how-protect-2020-vote-coronavirus).

⁵⁹ *Travis County Plans for Drive-Thru Voting Drop-Off for Mail-In Ballots*, Austin Monitor (Aug. 26, 2020) (online at www.austinmonitor.com/stories/2020/08/travis-county-plans-for-drive-thru-voting-drop-off-for-mail-in-ballots/).

⁶⁰ *Id.*

⁶¹ *LA County Releases Requirements, Plans for Voting Centers*, Spectrum 1 News (Aug. 27, 2020) (online at <https://spectrumnews1.com/ca/orange-county/2020-elections/2020/08/26/1-a--county-releases-requirements--plans-for-voting-centers>).

⁶² NAACP Legal Defense and Educational Fund, *Democracy Diminished* (June 9, 2016) (online at https://tminstituteldf.org/wp-content/uploads/2017/08/Democracy-Diminished-State-and-Local-Voting-Changes-Post-Shelby-v.-Holder_4.pdf).

Therefore, local governments must consider the location of any larger, consolidated voting centers relative to Black, Brown, and Indigenous communities. Election officials should also inform voters about which voting locations are accessible through public transportation and which comply with Americans With Disabilities Act (ADA) guidelines.⁶³

The Center for Disease Control has published a comprehensive set of guidelines to minimize the spread of COVID-19 during in-person voting.

[Read the guidance here.](#)

2. Set Up Additional Drop Boxes to Protect Absentee Voting

To the extent permissible under state law, local jurisdictions should set up as many drop-off locations for absentee ballots as is financially feasible.⁶⁴ These secure drop boxes could be placed at early vote locations or other government centers, be open for use during regular business hours, and would assure voters that their ballots would count.⁶⁵

In the last presidential election, about 16% of voters nationwide used drop boxes, mainly in states that are almost entirely vote-by-mail.⁶⁶ With more voters than ever expected to use absentee voting, counties should prioritize setting up these secure drop boxes to accommodate the surge of voters who can use them.

⁶³ Center for American Progress, *20 Ways Cities Can Promote Safe and Effective Elections in November* (Aug. 17, 2020) (online at www.americanprogress.org/issues/democracy/reports/2020/08/17/489534/20-ways-cities-can-promote-safe-effective-elections-november/).

⁶⁴ *Ballot Drop Boxes Are Emerging as a Vote-by-Mail Alternative—But They Have Critics, Too*, Time (Aug. 20, 2020) (online at <https://time.com/5881310/ballot-drop-boxes-usps/>); *Use of Absentee Ballot Drop Boxes in Wisconsin is Expanding as Concerns Over Mail Delivery Mount*, Milwaukee Journal-Sentinel (Aug. 24, 2020) (online at www.jsonline.com/story/news/politics/elections/2020/08/24/mail-worries-bring-expansion-absentee-ballot-drop-boxes-wisconsin/3414319001/1).

⁶⁵ *Election Officials Look to Bypass Postal Service with Ballot Drop Boxes*, HuffPost (Aug. 18, 2020) (online at www.huffpost.com/entry/election-officials-look-to-ballot-drop-boxes_n_5f3c2ab9c5b6835236030a48); *More States Are Using Ballot Drop Boxes for Absentee Voters, But the Boxes Are Already Drawing Skepticism*, Washington Post (Aug. 6, 2020) (online at www.washingtonpost.com/politics/more-states-are-using-ballot-drop-boxes-for-voters-who-dont-trust-the-mail-but-the-boxes-are-already-drawing-skepticism/2020/08/06/4165e7c4-d68a-11ea-930e-d88518c57dcc_story.html).

⁶⁶ *Ballot Drop Boxes Become Latest Front in Voting Legal Fights*, National Public Radio (Aug. 11, 2020) (online at www.npr.org/2020/08/11/901066396/ballot-drop-boxes-become-latest-front-in-voting-legal-fights).

The Elections Assistance Commission has released a roadmap for using ballot drop boxes, including potential cost concerns, timelines, and next steps.

[Read the full report here.](#)

For example, in Bexar County, Texas, the Election Administrator has been granted broad powers by the County Commissioners' Court to make sweeping changes to accommodate pandemic voting, including 24-hour early voting sites, multiple drop-off locations for absentee ballots, and machines for curbside voting. The county set aside \$6 million for the expenses.⁶⁷

In states where ballot drop-boxes are allowed, local governments should contact community organizations—like local libraries, churches, civic groups, and even businesses—to find out if they could set up secure drop boxes *now*.⁶⁸ Drop boxes at these locations, like drop boxes at early voting sites and government buildings, have a distinct advantage over standalone drop boxes: because they are manned by staff members, they are far less costly than unstaffed, 24-hour drop boxes and do not require expensive security measures like video surveillance.⁶⁹

In Maryland, the Montgomery County Board of Elections has asked the state to approve a plan that calls for 40 drop boxes, a significant increase from two or three in a normal year. Montgomery County plans to install these drop boxes at early voting centers, public high schools, municipal buildings, the election board building, and a large retirement community. Neighboring Prince George's County requested 36 additional drop boxes from the state.⁷⁰

At this point in the election cycle, it may be too late to install these more expensive, unmanned drop boxes in many states, so jurisdictions should focus on setting up temporary drop boxes that are secured by trained staff during regular operating hours.⁷¹

President Trump has already initiated legal action to prevent states from setting up absentee ballot drop boxes, citing unsubstantiated claims of voter fraud.⁷² Local election

⁶⁷ *Bexar Elections Chief Gets Virtual Blank Check to Expand Access, Ensure Voting Safety in November*, San Antonio Express-News (Aug. 14, 2020) (online at www.expressnews.com/news/local/article/Bexar-County-considers-numerous-ways-to-increase-15484744.php).

⁶⁸ Marc Elias, *We Need More Ballot Drop Boxes*, Democracy Docket (Aug. 14, 2020) (online at www.democracymatters.com/2020/08/more-drop-boxes/).

⁶⁹ Elections Assistance Commission, *Ballot Drop Boxes* (online at www.eac.gov/sites/default/files/electionofficials/vbm/Ballot_Drop_Box.pdf).

⁷⁰ *Amid Postal Service Concerns, D.C. Region Dramatically Expands Ballot Drop Boxes*, Washington Post (Aug. 18, 2020) (online at www.washingtonpost.com/local/md-politics/maryland-virginia-dc-voting-drop-boxes/2020/08/18/8196243e-e0d6-11ea-b69b-64f7b0477ed4_story.html).

⁷¹ Stanford-MIT Healthy Elections Project, *The Use of Ballot Drop Boxes During COVID-19* (Aug. 23, 2020) (online at https://healthyelections.org/sites/default/files/2020-08/ballot_drop_box_memo.pdf).

⁷² *U.S. Judge Places Hold on Trump Campaign Lawsuit Over Pennsylvania Mail-In Ballot Boxes*, Business Insider (Aug. 23, 2020) (online at www.businessinsider.com/judge-places-hold-on-trump-lawsuit-over-pennsylvania-mail-voting-2020-8).

officials should not be distracted by these claims, since setting up these drop off locations will make it easier for them to safely process the influx of ballots and have not been shown to increase voter fraud.⁷³

In Allegheny County, Pennsylvania, officials have staffed drop box sites with poll workers to secure ballots.⁷⁴ Municipalities should consider taking such steps to protect drop box operation through Election Day.

3. Recruit Additional Younger Poll Workers

As mentioned earlier, the coronavirus pandemic has devastated the ranks of poll workers who have long served as the lifeblood of local election operations. Even though the percentage of voters casting their ballots in-person will likely be lower this year, a robust poll worker operation will still be required to staff early vote locations and enforce public health guidelines at polling locations on Election Day.⁷⁵

During Wisconsin's Presidential primary, the city of Milwaukee only opened *five* polling places due to labor shortages—leading to long lines and unnecessary voter exposure to coronavirus. To ensure this problem does not recur, city officials are recruiting through colleges and youth organizations.⁷⁶ Localities should consider similar partnerships in order to ensure that polling locations are adequately staffed. They should also ensure that these poll workers have all the necessary protective equipment to avoid exposure to coronavirus.⁷⁷

In Hamilton County, Ohio, the Board of Elections has created several programs to incentivize poll worker recruitment. There is a “Youth at the Booth” program to attract high school seniors to volunteer; a “Partners in Democracy” program that involves partnerships with public and private entities who make it easier for their employees to be poll workers on Election Day; a program that suggests poll workers donate their Election Day pay to a nonprofit of their choice; and an offer to provide free legal education credits to volunteer attorneys.⁷⁸ Other local governments should consider a similar slate of partnerships to help boost recruitment.

⁷³ *Ballot Drop Boxes Are Latest Battleground in U.S. Election Fight*, Reuters (Aug. 20, 2020) (online at www.reuters.com/article/us-usa-election-dropboxes/ballot-drop-boxes-are-latest-battleground-in-us-election-fight-idUSKBN25G14I).

⁷⁴ Eric Cortellessa, *How to Save Ballot Drop Boxes*, Washington Monthly (Sept. 16, 2020) (online at <https://washingtonmonthly.com/2020/09/16/how-to-save-ballot-drop-boxes/>).

⁷⁵ Center for Public Integrity, *Elderly Workers Run Elections. But COVID-19 Will Keep Many Home* (May 13, 2020) (online at <https://publicintegrity.org/politics/elections/democracy-2020/elderly-workers-run-elections-but-covid-19-will-keep-many-home/>).

⁷⁶ *After Milwaukee Had Just 5 Voting Sites in April Election, Officials Recruiting More Poll Workers So It Won't Happen in November*, Milwaukee Journal-Sentinel (June 8, 2020) (online at www.jsonline.com/story/news/local/milwaukee/2020/06/08/milwaukee-polling-places-more-workers-recruited-november-election/3124855001/).

⁷⁷ Centers for Disease Control and Prevention, *Considerations for Election Polling Locations* (June 22, 2020) (online at www.cdc.gov/coronavirus/2019-ncov/community/election-polling-locations.html).

⁷⁸ Board of Elections, Hamilton County, Ohio, *Become a Poll Worker* (online at <https://votehamiltoncountyohio.gov/become-poll-worker/>).

4. Maximize the Number of Polling Locations

To the extent permissible under state law, local officials should open as many polling places as possible. This is especially important in Black and Brown communities that have been disproportionately affected by the coronavirus crisis and, even in normal times, face unacceptably long lines at the polls.⁷⁹

Marion County, Indiana recently approved a plan to have 188 voting locations for the November elections. Though still fewer than in a typical election, county officials managed to dramatically increase the number of locations from the spring primary, which was hamstrung by the pandemic, when only 22 locations were open.⁸⁰

Even if election officials are choosing to shift towards larger voting centers to accommodate concerns about coronavirus, local election officials should endeavor to keep open as many smaller polling locations as resources permit, especially in urban areas where their closures are likely to make it more difficult to vote.⁸¹ This makes it even more important for localities to redouble their efforts to recruit an adequate number of poll workers.⁸²

If a shortage of poll workers necessitates a shift to larger, countywide voting centers, election officials have an obligation to inform voters of consolidated polling places and, as noted, to consider whether the location of the new voting centers will have a disenfranchising impact on voters of color and other marginalized communities.⁸³

If the 10 most populous counties in Florida and Pennsylvania sent ballot applications to all registered voters, more than 50% of voters in each state would receive one.

5. Make it Easier to Vote Absentee by Providing Absentee Ballot Applications

To the extent permissible under state law, counties should send out absentee ballot *applications* to all registered voters before the absentee ballot request deadline, even if state law

⁷⁹ Freedom House, *COVID-19 is Poised to Deepen Racial Disenfranchisement in November* (June 22, 2020) (online at <https://freedomhouse.org/article/covid-19-poised-deepen-racial-disenfranchisement-november>).

⁸⁰ *Indianapolis Expands Voting Locations for November Elections*, Indianapolis Star (Aug. 26, 2020) (online at www.indystar.com/story/news/local/marion-county/2020/08/26/indiana-elections-2020-marion-county-expands-voting-locations/3441876001/).

⁸¹ Jocelyn Benson, Lauren Underwood, Mike Firestone, and Quentin Palfrey, *Protecting Voters in November Means Keeping Polling Places Open*, The Fulcrum (Aug. 3, 2020) (online at <https://thefulcrum.us/voting/polling-locations>).

⁸² *Shortage of Poll Workers Forces Voters to Scramble to Alternative Sites*, South Florida Sun Sentinel (Mar. 18, 2020) (online www.sun-sentinel.com/coronavirus/fl-ne-south-florida-votes-20200317-xpfhfymx5rdwfgj32w6zxtsuzu-story.html).

⁸³ All Voting is Local, *Vote Centers: Potential Benefits for Voters, But Standards and Protections Must Be in Place* (Feb. 25, 2020) (online at <https://allvotingislocal.org/wp-content/uploads/2020/02/Vote-Centers-Report-9x12.pdf>).

does not permit the automatic mailing of the ballots themselves.⁸⁴ Doing so would significantly increase the potential that voters in those counties will take advantage of absentee voting.⁸⁵ These applications could include prepaid return postage. In Pennsylvania, for example, two counties have decided to send out absentee ballot applications to all 800,000 registered voters.⁸⁶

According to an analysis by the Center for American Progress, if county officials in the 10 most populous counties in Florida and Pennsylvania decided to send out ballot applications to all registered voters, over 50% of voters in each state would receive one, demonstrating the enfranchising potential of this policy.⁸⁷

In addition, if counties quickly take the lead and send out absentee ballot applications to their constituents, state leaders may follow suit, as occurred in Wisconsin after Milwaukee announced that it would mail applications to the city's 300,000 registered voters.⁸⁸

⁸⁴ Center for American Progress, *Local Governments Can Lead on Vote by Mail* (July 9, 2020) (online at www.americanprogress.org/issues/democracy/news/2020/07/09/487462/local-governments-can-lead-vote-mail/).

⁸⁵ *Id.*; Center for American Progress, *20 Ways Cities Can Promote Safe and Effective Elections in November* (Aug. 17, 2020) (online at www.americanprogress.org/issues/democracy/reports/2020/08/17/489534/20-ways-cities-can-promote-safe-effective-elections-november/).

⁸⁶ Center for American Progress, *Local Governments Can Lead on Vote by Mail* (July 9, 2020) (online at www.americanprogress.org/issues/democracy/news/2020/07/09/487462/local-governments-can-lead-vote-mail/).

⁸⁷ *Id.*

⁸⁸ *Milwaukee Common Council Votes to Mail Absentee Ballot Applications to City's Registered Voters*, Milwaukee Journal-Sentinel (Apr. 21, 2020) (online at www.jsonline.com/story/news/politics/elections/2020/04/21/milwaukee-council-votes-mail-absentee-ballot-applications/2995101001/); *Wisconsin Elections Commission Approves Sending 2.7 Million Absentee Ballot Request Forms to Voters*, Milwaukee Journal-Sentinel (June 17, 2020) (online at www.jsonline.com/story/news/politics/2020/06/17/wisconsin-elections-commission-finalize-mailing-absentee-ballot-request-forms/5329007002/).

#OurVote2020



20 Ways to Secure a Full and Fair Election



State Governments

1. Expand Early Voting
2. Eliminate Barriers to Mail-in Voting
3. Expand Online Registration
4. Extend Deadlines
5. Launch Voter Education Initiatives

V. STATE GOVERNMENT ACTIONS

Under the Constitution, the states have the authority to administer federal elections. According to Article I, Section 4: “The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof.” Perhaps more than at any previous time, state governments should assert their authority to ensure that all voters can safely vote during the pandemic.

At this late date in this election cycle, there is not enough time for state governments to effectively pass and implement new legislation. This section lays out actions that governors and secretaries of state can still take using their powers during a public health emergency in order to ensure maximum participation in the election, as leaders of both parties have done throughout the pandemic.⁸⁹ States should continue to explore options that are still feasible at this stage of the election. The situation will differ greatly from state to state given the varying degrees of flexibility granted on election-related issues.⁹⁰

1. Expand Early Voting Options

Wherever possible, expanding early voting will lessen the risk of long lines on Election Day and make it easier to process large volumes of voters without breaking social distancing guidelines. Since the beginning of the pandemic, some states have expanded early voting by

⁸⁹ National Conference of State Legislatures, *COVID-19 and 2020 Primary Elections* (July 2, 2020) (online at www.ncsl.org/research/elections-and-campaigns/state-action-on-covid-19-and-elections.aspx).

⁹⁰ National Conference of State Legislatures, *Election Emergencies* (Sept. 1, 2020) (online at <https://www.ncsl.org/research/elections-and-campaigns/election-emergencies.aspx>).

extending the early voting period, increasing the number of early voting sites, or giving voters the option to drop off their absentee ballots in person.⁹¹ In addition to providing up to two weeks for in-person early voting, some states have opened more polling sites during early voting, increased the number of hours per day those sites will remain open, and authorized early voting on weekends.⁹²

Early voting is an especially critical component to ensuring full electoral participation by Black, Brown, and Indigenous communities, who are most likely to face long lines on Election Day and who are most affected by potential problems with a shift to absentee voting.⁹³ Given that most state legislatures are not currently in session, governors and election officials should look into whether they can use preexisting emergency powers to expand certain aspects of early voting, as Governor Greg Abbott did in Texas this summer.⁹⁴

On July 17, the Executive Director of the North Carolina Board of Elections used emergency powers granted under state law to issue an order requiring each county board of elections to have at least one-stop early voting site in their county open for at least 10 hours each weekend during the early voting period, and requiring each county to open at least one one-stop early voting site for every 20,000 registered voters in the county.⁹⁵

*As of June 2020, about **1.9 million** Pennsylvania voters requested absentee ballots.*

On August 14, Kentucky Governor Andy Beshear issued an executive order expanding early voting without further legislative action and requiring early voting sites to be open on the weekend.

*That's about **18 times** the number of requests in 2016.*

⁹¹ *Early In-Person Voting Seen as Strong Option for Concerned Voters*, ABC News (Aug. 14, 2020) (online at <https://abcnews.go.com/Politics/early-person-voting-strong-option-concerned-voters/story?id=72248475>); *Bill to Expand Absentee Voting, Early Voting Signed into Law*, Associated Press (July 6, 2020) (online at <https://apnews.com/ae79b71d835d796ceb7538fd71876f95>).

⁹² Center for American Progress, NAACP, *In Expanding Vote by Mail, States Must Maintain In-Person Voting Options During the Coronavirus Pandemic* (Apr. 20, 2020) (online at www.americanprogress.org/issues/democracy/news/2020/04/20/483438/expanding-vote-mail-states-must-maintain-person-voting-options-coronavirus-pandemic/); Brennan Center, *Early Voting: What Works* (Oct. 2013) (online at www.brennancenter.org/sites/default/files/2019-08/Report_VotingReport_Web.pdf)

⁹³ Center for American Progress, *In Expanding Vote by Mail, States Must Maintain In-Person Voting Options During the Coronavirus Pandemic* (Apr. 20, 2020) (online at www.americanprogress.org/issues/democracy/news/2020/04/20/483438/expanding-vote-mail-states-must-maintain-person-voting-options-coronavirus-pandemic/)

⁹⁴ *Gov. Greg Abbott Extends Early Voting for November Election by Six Days, Starting Oct. 13*, Texas Tribune (July 27, 2020) (online at www.texastribune.org/2020/07/27/texas-greg-abbott-early-voting-november/); National Conference of State Legislatures, *2020 State Legislative Session Calendar* (Aug. 27, 2020) (online at www.ncsl.org/research/about-state-legislatures/2020-state-legislative-session-calendar.aspx).

⁹⁵ North Carolina State Board of Elections, *Emergency Order: Administering the November 3, 2020 General Election During the Global COVID-19 Pandemic and Public Health Emergency* (July 17, 2020) (online at https://s3.amazonaws.com/dl.ncsbe.gov/State_Board_Meeting_Docs/Orders/Executive%20Director%20Orders/Emergency%20Order_2020-07-17.pdf).

The order also allows all Kentuckians to vote by mail if they cite concern about contracting or spreading coronavirus.⁹⁶

2. Eliminate Barriers to Absentee Voting

Absentee voting is an essential component of maximizing voter participation during the pandemic. To the extent permissible under state law, governors and secretaries of state should look for ways to make it easier for voters to obtain absentee ballots as quickly as possible and to allow election officials to process these results as effectively as possible. At this stage of the election, the latter category may be more feasible. Voters are already shifting towards absentee ballots because of the pandemic. According to the Brennan Center, in Georgia, 1.1 million requests for absentee ballots have been returned so far, compared to 220,000 in the 2018 general election; in Pennsylvania, approximately 1.9 million voters requested absentee ballots, about 18 times the number of requests in 2016.⁹⁷

Specific measures that states can take include:

- waiving witness requirements that may be burdensome during quarantine;
- extending the deadline for voters to request an absentee ballot;
- mailing out ballots or ballot applications to all eligible voters; and
- instituting no-excuse absentee voting.⁹⁸

Many states have already increased access to absentee ballots using powers under existing law.⁹⁹ One such reform is providing ballots to all eligible voters, which has proven to be an effective method to increase voter participation in vote-by-mail jurisdictions, as shown by the surge in voter turnout in Colorado.¹⁰⁰ Just this month, California Governor Gavin Newsom decided to mail out ballots to all eligible voters.¹⁰¹ On August 14, New Jersey Governor Phil Murphy issued an executive order directing election officials to automatically deliver absentee

⁹⁶ Governor Andy Beshear, Executive Order 2020-688, *State of Emergency Relating to Kentucky Elections* (Aug. 14, 2020) (online at <https://governor.ky.gov/attachments/2020.08.14GeneralElection.pdf>).

⁹⁷ Brennan Center, *To Protect Democracy, Expand Vote by Mail* (June 30, 2020) (online at www.brennancenter.org/our-work/analysis-opinion/protect-democracy-expand-vote-mail).

⁹⁸ *Need a Witness for Your Mail-In Ballot? New Pandemic Lawsuits Challenge Old Rules*, National Public Radio (June 1, 2020) (online at www.npr.org/2020/06/01/865043618/need-a-witness-for-your-mail-in-ballot-new-pandemic-lawsuits-challenge-old-rules).

⁹⁹ *Ignoring Trump and Right-Wing Think Tanks, Red States Expand Vote by Mail*, Pro Publica (May 12, 2020) (online at www.propublica.org/article/ignoring-trump-and-right-wing-think-tanks-red-states-expand-vote-by-mail#952484).

¹⁰⁰ Gilad Edelman and Paul Glasris, *Letting People Vote at Home Increases Voter Turnout. Here's Proof*, Washington Post (Jan. 26, 2018) (online at www.washingtonpost.com/outlook/letting-people-vote-at-home-increases-voter-turnout-heres-proof/2018/01/26/d637b9d2-017a-11e8-bb03-722769454f82_story.html).

¹⁰¹ *Gov. Gavin Newsom Signs Bill Sending Mail Ballot to Every Active California Voter*, San Francisco Chronicle (June 18, 2020) (online at www.sfchronicle.com/politics/article/Bill-to-send-a-mail-ballot-to-every-active-15349881.php).

ballots to all active registered voters before the election.¹⁰² In Montana, Governor Steve Bullock is allowing counties to automatically send ballots to registered voters.¹⁰³

Many other state leaders have taken similar steps to eliminate barriers to absentee voting. New York Governor Andrew Cuomo signed a bill to allow voters to request absentee ballots due to fear of contracting or spreading coronavirus at a polling place.¹⁰⁴ In Michigan, the Secretary of State plans to send absentee ballot applications to all registered voters. On August 26, a state court dismissed a case challenging the plan.¹⁰⁵ The Minnesota Secretary of State has agreed to drop the witness requirement from its absentee voting process for the 2020 election cycle, as well as to unilaterally extend the deadline for receiving absentee ballots to *one week* after 8:00 p.m. on Election Day, as opposed to the usual deadline of 8:00 p.m. on Election Day. A federal judge upheld these changes, citing coronavirus.¹⁰⁶

In addition, states can consider measures to ensure that all absentee ballots are counted and processed in time for them to be included in the final results. In Pennsylvania, the Department of State issued guidance directing counties not to set aside ballots based on their signature analysis to prevent thousands of absentee votes being nullified because of haphazard analyses of signature mismatches.¹⁰⁷ Maine Governor Janet Mills has also issued an executive order allowing election officials to begin processing absentee ballots up to seven days before the general election to accommodate increases in absentee voting.¹⁰⁸ As

The National Task Force on Election Crises has made comprehensive recommendations for election officials based on the 2020 primaries.

Expansion of absentee voting is one of the chief recommendations.

Read the entire report [here](#).

¹⁰² Governor Philip S. Murphy, Executive Order No. 177 (Aug. 14, 2020) (online at <https://nj.gov/infobank/eo/056murphy/pdf/EO-177.pdf>).

¹⁰³ *Bullock Directive Allows to Conduct All Mail Ballots During Election*, Montana Public Radio (Aug. 7, 2020) (online at www.mtpr.org/post/bullock-directive-allows-conduct-all-mail-ballots-general-election).

¹⁰⁴ *New Yorkers Can Mail in Ballots, But Will the Vote Go Smoothly?*, New York Times (Aug. 21, 2020) (online at www.nytimes.com/2020/08/21/nyregion/absentee-voting-nyc.html).

¹⁰⁵ *Judge: Benson Has Power to Mail Absentee Ballot Applications*, Detroit News (Aug. 26, 2020) (online at www.detroitnews.com/story/news/local/michigan/2020/08/26/michigan-judge-benson-had-authority-mail-absentee-ballot-applications/3442877001/).

¹⁰⁶ *Minnesota Extends Absentee Deadline and Drops Mail-In Voting Witness Requirement Ahead of November Election*, CNN (Aug. 4, 2020) (online at www.cnn.com/2020/08/03/politics/minnesota-vote-by-mail-witness-requirement/index.html).

¹⁰⁷ *Pennsylvania: Mail Ballots Can't Be Discarded Over Signature*, Associated Press (Sept. 15, 2020) (online at <https://apnews.com/fc464c287c18823ff57fedc13facf7e5>).

¹⁰⁸ Governor Janet T. Mills, *An Order to Facilitate the November 2020 General Election, To Ensure the Integrity of the Ballot and to Protect the Public Health During the COVID-19 Emergency* (Aug. 26, 2020) (online at www.maine.gov/governor/mills/sites/main.gov.governor.mills/files/inline-files/An%20Order%20to%20Facilitate%20the%20November%202020%20General%20Election%2C%20to%20Ensure%20the%20Integrity%20of%20the%20Ballot%20and%20to%20Protect%20the%20Public%20Health%20During%20the%20COVID-19%20Emergency.pdf).

noted earlier, this is likely a more feasible option for states to explore given that absentee voting has already begun in many states.

3. **Expand Online Voter Registration**

With in-person voter registration opportunities severely curtailed by the pandemic, states should explore options to allow more ways for citizens to register to vote online. Because most states already have online voter registration systems in place, it is likely that governors and secretaries of state could expand online registration without further legislative action by making existing systems accessible on various state websites.¹⁰⁹ This can still be done to varying degrees in the many states' registration deadlines are a few weeks away.¹¹⁰

The National Conference of State Legislatures has compiled an overview of all states' online voter registration systems.

States should advertise their online voter registration system on other government websites and provide opportunities for registration when voters interact online with state agencies, including to ensure that voters can access the registration system even without department of motor vehicle records.¹¹¹

Review each state's system [here](#).

There are currently only nine states—Arkansas, Maine, Mississippi, Montana, New Hampshire, North Dakota, South Dakota, Texas, and Wyoming—that do not have online voter registration systems or plans to implement them.¹¹² These states should explore whether it is still feasible to create opportunities for online registration before the registration deadline. If not, it would still be worthwhile to prominently display links to the voter registration application form on various government websites to ensure maximum exposure in advance of states' registration deadlines.¹¹³

¹⁰⁹ Pew Charitable Trusts, *Online Voter Registration: Trends in Impact and Development* (May 2015) (online at www.pewtrusts.org/~media/Assets/2015/05/OVR_2015_brief.pdf?la=en); ACLU, *The Costs of Modernizing Voter Registration Systems* (Dec. 2013) (online at www.aclu.org/sites/default/files/field_document/022415-aclu-voterregcostsonline_0.pdf).

¹¹⁰ Vote.org, *Voter Registration Deadlines* (online at www.vote.org/voter-registration-deadlines/).

¹¹¹ Brennan Center, *How to Protect the 2020 Vote from the Coronavirus* (Mar. 16, 2020) (online at www.brennancenter.org/our-work/policy-solutions/how-protect-2020-vote-coronavirus); *Online Voter Registration Options Expanded in North Carolina* (Mar. 31, 2020) (online at <https://apnews.com/adb690b85bd53269bfaca5bfb694ec8e>).

¹¹² National Conference of State Legislatures, *Online Voter Registration* (Aug. 19, 2020) (online at www.ncsl.org/research/elections-and-campaigns/electronic-or-online-voter-registration.aspx); ACLU, *States with Online Voter Registration* (Nov. 16, 2018) (online at www.aclu.org/issues/voting-rights/promoting-access-ballot/states-online-voter-registration).

¹¹³ National Conference of State Legislatures, *Online Voter Registration* (Aug. 19, 2020) (online at www.ncsl.org/research/elections-and-campaigns/electronic-or-online-voter-registration.aspx).

4. Extend Deadlines

One of the most helpful steps that governors can still take to secure maximum voter participation in the election is to extend the deadlines for registering, requesting an absentee ballot, and turning in absentee ballots to election officials.¹¹⁴ Flexible registration deadlines are an effective way to deal with expected USPS delays, reduced capacity of in-person and online registration services, and other pandemic era slowdowns.

State officials should issue guidance that allows for same-day registration for voters whose registrations did not reach election officials in time due to disruptions in mail service and should commit to counting all provisional ballots cast by voters whose registrations were delayed by mail disruptions, regardless of postmark dates.¹¹⁵ Depending on state law, election officials should also consider extending deadlines for returning absentee ballots.¹¹⁶

For example, to account for USPS slowdowns, Pennsylvania officials are seeking to extend the deadline for receiving absentee ballots so that ballots mailed by 8:00 p.m. on Election Day will be counted so long as they are received up to *three days* after the election.¹¹⁷ On August 27, Maine Governor Janet Mills issued a far-ranging executive order that allowed voter registration applications to be mailed a week later than usual.¹¹⁸

Some of these kinds of changes can still be implemented at this stage of the election. In South Carolina, for example, Governor Henry McMaster signed a bill in mid-September that expanded absentee voting and set deadlines for the in-person and mail receipt of ballots.¹¹⁹

The U.S. Vote Foundation keeps an updated list of election-related deadlines that voters can use to stay informed about deadlines in their states.

Take a look at the database [here](#).

¹¹⁴ Brennan Center, *How to Protect the 2020 Vote from the Coronavirus* (Mar. 16, 2020) (online at www.brennancenter.org/our-work/policy-solutions/how-protect-2020-vote-coronavirus).

¹¹⁵ *Id.*

¹¹⁶ National Task Force on Election Crises, *Lessons Learned from the Primaries: Recommendations for Avoiding a Crisis in November* (2020) (online at <https://static1.squarespace.com/static/5e70e52c7c72720ed714313f/t/5f35d6013a04c51705b49440/1597363715426/PostPrimaryReport.pdf>).

¹¹⁷ *Pennsylvania Asks Court to Extend Mail-In Voting Deadlines*, Associated Press (Aug. 13, 2020) (online at <https://apnews.com/129185cec67f0f66b4a1c15dec3f735c>).

¹¹⁸ Governor Janet T. Mills, *An Order to Facilitate the November 2020 General Election, To Ensure the Integrity of the Ballot and to Protect the Public Health During the COVID-19 Emergency* (Aug. 26, 2020) (online at www.maine.gov/governor/mills/sites/maine.gov/governor.mills/files/inline-files/An%20Order%20to%20Facilitate%20the%20November%202020%20General%20Election%2C%20to%20Ensure%20the%20Integrity%20of%20the%20Ballot%20and%20to%20Protect%20the%20Public%20Health%20During%20the%20COVID-19%20Emergency.pdf).

¹¹⁹ *All SC Voters Can Vote Absentee in November, as Gov McMaster Seals New COVID-19 Law*, The State (Sept. 16, 2020) (online at www.thestate.com/news/coronavirus/article245780140.html).

5. Launch Voter Education Initiatives Emphasizing Earliest Day

Given the uncertainty around the state of in-person and absentee voting, states should redouble their efforts to inform citizens about the relevant dates, deadlines, and procedures well in advance of Election Day. Ideally, state voter education initiatives should not focus solely on the *final* day it is possible to do something—vote early, request an absentee ballot, register, etc.—but also emphasize the *earliest* date to act.¹²⁰ States should also be clear about changes to voting rules and take steps to combat disinformation about how the pandemic will affect the election.¹²¹ This kind of education campaign can and should continue until the time polls close on Election Day.

VI. CONCLUSION

With just a few weeks before the 2020 General Election, the ability to ensure a free and fair election in these times of uncertainty is in the hands of the people of the United States. This report should serve as a guidebook for civic activism for individual voters, employers, and community leaders who are looking for ways to defend our democracy in the next few months. The action items laid out in this report provide important ways for each of us to ensure that the American people can have their voices heard loudly and clearly in November.

The future of our democracy depends on it.

¹²⁰ *Id.*

¹²¹ Brennan Center, *How to Protect the 2020 Vote from the Coronavirus* (Mar. 16, 2020) (online at www.brennancenter.org/our-work/policy-solutions/how-protect-2020-vote-coronavirus).