PREPARING FOR IN-PERSON VOTING DURING COVID-19: RESOURCE ALLOCATION

This document is one in a series created as part of the Cybersecurity and Infrastructure Security Agency (CISA) Elections Infrastructure Government Coordinating Council and Sector Coordinating Council's Joint COVID Working Group. These documents provide guidance for state, local, tribal, and territorial election officials on how to administer and secure election infrastructure in light of the COVID-19 epidemic.

OVERVIEW

❏ If your state law requires an excuse to vote absentee, evaluate state law to determine whether there is flexibility (e.g., to allow all voters to request an absentee ballot under a declared state of emergency).

❏ Remember that some voters will want to vote in-person and you must accommodate them. When evaluating your potential turnout for November, do not assume that all communities will be comfortable or able to use absentee or mail voting equally.

❏ Make clear plans to deal with voters that have COVID-19 and want or need to vote in person. Consider appointments or specialized poll workers to serve COVID positive voters.

❏ Work with USPS early. If voters who request absentee ballots do not receive them in a timely manner, they will only be able to vote in person.

❏ Leverage existing tools and data sources to determine the best places to locate and ways to design in-person locations.
　　❏ University of Southern California Center for Inclusive Democracy Voting Location Siting Tool
　　❏ Stanford-MIT Healthy Elections Project's COVID-19 Polling Place Queue Length Model

❏ Review Importance of Accurate Voter Data When Expanding Absentee or Mail Ballot Voting to plan for increased mail or absentee voting and to anticipate how to prevent issues that could lead to stressing in-person voting locations.

To best allocate resources for voting locations, election officials should model the turnout by location and day. Evaluating historical data and assumptions about November can provide a starting point but will not be highly predictive of how voters will choose to vote during the pandemic. Extra allowance should be made in models for the volatility. While many election officials and experts expect high levels of mail or absentee voting, election officials must also prepare for a high turnout of in-person voters.

Sherry Poland, Director of Elections of Hamilton County, Ohio, testified about this uncertainty to the EAC stating, "We have no history to go back to of conducting an election during a pandemic.

So, it's almost like you have to plan for close to, you know, your 80 percent turnout absentee by mail and also for an 80 percent turnout for in person on Election Day. So you have to secure the resources for worst case scenario."

The laws within each state, ongoing litigation, and the communities that are served by each in-person voting location will impact the expected turnout with the effects of COVID-19 changing expectations at different rates across localities.

Election officials should evaluate whether their state law currently allows all voters to vote by mail or absentee, or whether an excuse is required and whether concerns related to COVID have been added as an excuse. Officials are advised to be mindful of any ongoing litigation. While changes to election procedures have typically been limited in the lead up to Election Day, 2020 has featured rapid changes to procedures in some cases only hours before the opening of polls in the primary, indicating that localities must plan for all possibilities despite current regulations.

The 2020 primary has shown that, even in states with increased mail or absentee voting options, participation in in-person voting is likely to remain high in some localities. When considering volume increases, consider factors that may increase in-person demand, including state laws and voters' preferences, perceptions, and accessibility needs for voters with disabilities. Election officials must factor these in when evaluating where to place voting locations and how many voters these locations should expect to serve on Election Day.

Election officials use modeling to allocate resources and staff for election operations. The constantly evolving nature of COVID-19 has made this modeling more difficult. Where on the calendar states held elections impacted their voter's perceptions and demand for services such as mail in ballots, and consequently the state's election officials experience managing the changes. State laws that limit the use of absentee ballots will have more significant impacts on in-person voting, particularly if there are limited voting locations and a smaller election workforce.

The number of votes cast by mail in 2020 will likely eclipse all records. Issues voters face with requesting, receiving, or returning ballots may result in an increase of in-person voters presenting at a voting location after requesting an absentee ballot. In the absence of a program to address these voters, such as live connected e-pollbooks allowing voters to cast a regular ballot, these issues could potentially create an uptick in the number of provisional ballots cast in some jurisdictions. Election officials should review Importance of Accurate Voter Data When Expanding Absentee or Mail Ballot Voting to plan for increased mail or absentee voting and to manage the risk these issues can create.

PLANNING FOR VOTERS WITH COVID

Jurisdictions around the country faced the difficult question of serving voters who are attempting to vote in person after testing positive for COVID-19. Louisiana Secretary of State Kyle Ardoin

addressed the issue of turning away voters who present COVID symptoms during early voting stating, "I've got a challenge of dealing with courthouses who are doing temperature checks on people who are entering their buildings. I've got to inform them on early voting days you cannot reject someone because they have a temperature. If they present themselves to vote you have to let them vote."

James City County, Virginia, faced the question of how to respond when a voter called on Election Day asking for their voting location and informing the office that they had tested positive for COVID. Dianna Moorman, Director of Elections, highlighted to the EAC that, even with appropriate use of personal protective equipment, offices must develop a plan for how to protect workers and the voter stating "it changes your mindset once you realize that the voter does, in fact, have the virus versus whether we treat everybody as a potential of having it." One potential solution Director Moorman highlighted is the use of specialized poll workers stating, "[w]e did actually enlist volunteers from the Medical Reserve Corps, we had quite a few of those who are, actually most of them were, retired doctors to work at the polls, as well. So they would have helped in the event of that happening."

Kentucky's primary included voting by appointment, a system that could allow offices to respond to the challenge of a voter with COVID. Through calling and setting an appointment time, a voter with COVID can be offered more personalized service and ensure that voters are not congregating in line with a voter known to have COVID.