



NATIONAL TASK FORCE ON ELECTION CRISES

Lessons Learned from the Primaries:
Recommendations for Avoiding a Crisis in November

Lessons from the Primary Elections — Executive Summary

The 2020 presidential primary season was among the most challenging in recent history. State and local officials were required to conduct elections under extraordinary circumstances, including a global pandemic, a related economic crisis, and in the latter part of the primary season, widespread civil unrest. Many state and local officials rose to the occasion and managed to conduct primary elections with relative success. There were also significant failures that left voters disenfranchised and risked the health of voters and election workers alike.

The National Task Force on Election Crises is a diverse, cross-partisan group of experts formed to ensure a free and fair 2020 presidential election. In order to learn from the experiences during the primaries and improve for the general election, the Task Force has issued this report with analysis of what worked well—and what didn't—during the primaries, along with recommendations for November. The goal is to help state and local officials, as well as the media, prepare for what is likely to be a historic general election.

EARLY VOTING WAS AN IMPORTANT ELEMENT OF MAKING VOTING SAFER AND MORE ACCESSIBLE.

Early voting is critical to lessening the pressure and risks associated with in-person voting on Election Day, and offers an alternative to voters who are not willing or able to vote by mail. Challenges during the primaries included insufficient early voting periods and other restrictions, as well as problems of poll worker recruitment and retention. For November, election officials should ensure reasonable early voting periods, eliminate unnecessary restrictions, and promote the availability and benefits of early voting widely.

ABSENTEE VOTING PLAYED A CENTRAL ROLE IN VOTING DURING A PANDEMIC.

Record numbers of people voted by mail during the primaries, which was in a sense itself a success. But it also led to serious challenges, including ensuring timely ballot delivery and return, accommodating voters with differing needs, and high rates of ballot rejection. For November, election officials should prepare for continued wide-scale voting by mail, including by eliminating or modifying excuse requirements, making it easier for voters to request and return absentee ballots, investing in ballot tracking technology, allowing ballot return through secure drop-boxes and other means, and processing mailed ballots before Election Day.

IN-PERSON VOTING ON ELECTION DAY CONTINUED TO BE A CRUCIAL OPTION FOR MANY VOTERS.

Eliminating or restricting in-person voting options can lead to disproportionate burdens on certain communities, which was a significant problem during the primaries. In addition to jurisdictions that cancelled in-person Election Day voting entirely, the challenges included poll worker recruitment, retention, and training, polling place closures, long lines to vote, and insufficient communication with voters and poll workers. Success in November will depend on early and aggressive poll worker recruitment, ensuring adequate training and supplies, and other measures to anticipate and mitigate these problems.

OFFICIAL COMMUNICATIONS AND MEDIA COVERAGE WERE CRITICALLY IMPORTANT.

Before, during, and after Election Day, election officials and the media should ensure that voters are informed of any changes to their rights or obligations in a timely fashion. It will also be important to educate the public on the mechanics of the election, and to manage expectations around the likely time frame for counting votes and reporting results. And the media should take care to provide context when reporting on election results, including any alleged irregularities, while also avoiding “calling” the election before the results are certain.

The National Task Force on Election Crises specifically recommends the following:

RECOMMENDATIONS FOR ELECTION OFFICIALS:

Early Voting

- ✓ Maximize the early voting period
- ✓ Eliminate restrictions on early voting
- ✓ Promote early voting widely

Absentee/Mail Voting

- ✓ Qualify the COVID-19 pandemic as an “excuse” for absentee voting
- ✓ Proactively mail absentee applications to voters
- ✓ Make it easier to request absentee ballots
- ✓ Send absentee voting applications and ballots with postage prepaid
- ✓ Waive witness and notary requirements
- ✓ Allow voters to apply for absentee ballots as early as possible
- ✓ Extend deadlines for returning absentee ballots
- ✓ Expand and promote the use of ballot drop-boxes
- ✓ Promote early absentee voting applications and ballot returns
- ✓ Begin processing ballots as early as possible
- ✓ Recruit additional personnel to process ballots
- ✓ Extend canvassing and certification deadlines
- ✓ Ensure that volunteers and staff are adequately trained
- ✓ Invest in ballot-tracking and USPS barcodes
- ✓ Coordinate with the U.S. Postal Service in advance

In-Person Voting on Election Day

- ✓ Plan ahead for safe and equitable polling place locations
- ✓ Keep as many polling places open as possible
- ✓ Consider carefully consolidated voting centers when necessary
- ✓ Keep polling places open as long as possible
- ✓ Develop and advertise health and safety protocols in advance
- ✓ Aggressively (and creatively) recruit poll workers
- ✓ Ensure poll workers are adequately informed and trained
- ✓ Maximize check-in locations and create dedicated lines for voters with absentee ballot problems
- ✓ Expand curbside or drive-up voting
- ✓ Prepare for increased provisional voting
- ✓ Utilize the national guard only if necessary
- ✓ Exempt voting activities from curfew orders

Official Communications

- ✓ Keep voters informed
- ✓ Manage the public's expectations
- ✓ Educate the public on election procedures and processes

RECOMMENDATIONS FOR THE MEDIA:

- ✓ Prioritize experts and election officials as sources
- ✓ Educate the public on how presidential elections work
- ✓ Distinguish between absentee voting and universal vote-by-mail
- ✓ Avoid speculating about absentee voting preferences
- ✓ Report critical election information and prioritize local coverage
- ✓ Manage public expectations about the timing of election results
- ✓ Avoid speculating about the reasons for long lines on Election Day
- ✓ Ensure accurate coverage on election night and thereafter
- ✓ Provide context when reporting on irregularities
- ✓ Avoid calling the election until the outcome is clear

Lessons from the Primary Elections: Recommendations for Avoiding a Crisis in November

The 2020 presidential primary season was among the most challenging in recent history. State and local officials were required to conduct elections under extraordinary circumstances, including a global pandemic, a related economic crisis, and in the later part of the primary season, widespread civil unrest. Of course, these challenges were also borne by voters, who had to make difficult decisions about exercising their fundamental right to vote in the face of significant public health threats, while also navigating a landscape of rapidly changing election rules and processes. Many state and local officials rose to the occasion and managed to conduct elections in which record numbers of voters participated in person and/or voted by mail with relative success.¹ There were also significant failures that left voters disenfranchised and risked the health of voters and election workers alike.

The nation has an opportunity to learn from its experiences during the primaries and improve for the general election. In fact, it is imperative that we do so in order to ensure safe and secure participation in the election and maximize confidence in the outcome. While we cannot know precisely what challenges November will bring, or predict what else might happen between now and then, it is imperative that we prepare for the worst. But with Election Day just months away (and early and absentee voting starting soon in many places), there is no time to waste.

The National Task Force on Election Crises is a diverse, cross-partisan group of more than 50 experts in election law, election administration, national security, cybersecurity, voting rights, civil rights, technology, media, public health, and emergency response. We offer the following analysis of the primary elections and recommendations for November with the goal of helping state and local officials, as well as the media, prepare for what is likely to be a historic general election.

LESSONS-LEARNED AND RECOMMENDATIONS²

We divide our analysis into several sections: (I) Early Voting; (II) Absentee/Mail Voting; (III) In-Person Voting on Election Day; (IV) Official Communications & Media Coverage; (V) Accepting the Outcome; and (VI) Other Challenges & Opportunities. In each section, we identify specific challenges that many jurisdictions faced during the primaries, along with what worked well in some jurisdictions, and we offer recommendations for November.³ These recommendations build on those included in the Task Force's initial [COVID-19 Election Guide](#).

As we explained in the Guide, many of these recommendations can be implemented by state and local officials at their discretion or as part of the lawful exercise of emergency authorities.⁴ If, however, a state's ordinary and emergency election laws are insufficient to allow election officials to implement these recommendations in connection with the general election or to otherwise respond effectively to a continued coronavirus pandemic,

¹ See, e.g., Brianne Pfannenstiel, [Iowa Sets New Primary Election Turnout Record After Mail-In Ballots Surge](#), Des Moines Register (June 3, 2020); Colorado Secretary of State, [Colorado's Record-Breaking State Primary Proves Vote-by-Mail Model is Successful](#) (July 1, 2020); Colleen Knudsen, [Record High of Mail In - Absentee Ballots for PA Primary](#), WTAJ (June 2, 2020); Tim Scott, [South Carolinians Voting-by-Mail in Record Numbers Ahead of June Primary](#), ABC Columbia (June 2, 2020); Mike Dennison, [Montana's Primary Election Turnout Busts Record; All Ballots Due by 8 Tonight](#), Missoula Current (June 2, 2020). Overall turnout varied significantly between states—ranging from 3% to 46%—and was generally highest in states that embraced voting by mail most aggressively. This reflects significant increases in many states, but decreases in others, as compared to the 2016 primaries. See Nathaniel Rakich, [There Have Been 38 Statewide Elections During The Pandemic. Here's How They Went.](#), FiveThirtyEight (Aug. 3, 2020); Igor Derysh, [States That Expanded Mail Voting Already Seeing Turnout Spike in Primary Elections](#), Salon (June 13, 2020). These figures are particularly striking in light of the fact that voter registration was down in many places as a result of the pandemic. See *infra* p.16.

² The recommendations in this report are intended to apply only to the November general election and should not be interpreted as reflecting individual or collective Task Force views on longer-term election reforms.

³ The “challenges” and “what worked well” sections are not intended to be exhaustive, but rather to highlight some of the more important elements of the primary elections.

⁴ See also, National Conference of State Legislators, [Election Emergencies](#) (Updated April 7, 2020); Michael T. Morley, [Election Emergencies: Voting in the Wake of Natural Disasters and Terrorist Attacks](#), 67 Emory L.J. 545 (2018).

state legislatures should consider amending them (even temporarily) in advance of the election to minimize potential legal and constitutional problems.⁵ The objective of these recommendations is to ensure that election officials are prepared for a range of contingencies and have sufficient options available to allow them to tailor their responses to the circumstances, including worst-case scenarios.

Finally, implementing many of these recommendations will be costly. States should increase election funding to the extent they can, and Congress should make substantial federal funding available to states and localities as soon as possible.

I. Early Voting⁶

Early voting is an important element of making voting safer and more accessible, particularly during a public health crisis. Ensuring early voting options can help spread out voting and reduce the pressure (and risks) of long lines, crowded polling places, voter confusion, and poll worker fatigue on Election Day. It also offers a safer alternative to Election Day voting for voters who are either unable to vote by mail or uncomfortable doing so. For those reasons, several states expanded early voting during the primary season.⁷ Overall, when fully implemented, early voting served its purpose, but there were also some challenges.

CHALLENGES

Insufficient Early Voting Periods—Jurisdictions with little or no early voting obviously were not able to take full advantage of its benefits—namely that every vote cast early (or absentee) means one less person in line on Election Day. This includes jurisdictions that offered early voting only for a few days and/or did not include at least one weekend in the early voting period.

Restrictions on Early Voting Eligibility—Restrictions on early voting—such as requiring an appointment to vote before Election Day—made it less accessible in those jurisdictions with such restrictions and therefore less effective at reducing Election Day risks.⁸

Difficulty Securing Adequate Facilities—Securing adequate facilities to conduct early voting is a challenge during any election but was particularly difficult during the primaries as a result of the coronavirus pandemic. Many owners and operators were uncomfortable allowing their facilities to be opened to large numbers of people over long periods of time.⁹

Poll Worker Recruitment & Retention—As on Election Day, early in-person voting often depends on members of the local community to serve as poll workers. As discussed further below, the shortage of reliable volunteers resulting from the pandemic has been a significant problem for election administrators, limiting their

⁵ It is also possible that some changes will be ordered by the courts in the context of litigation, or alternatively, that the courts will prohibit some changes absent legislative action. The primary season saw particularly active election litigation. In fact, there have already been over 190 lawsuits filed in state and federal courts throughout the country that specifically address the conduct of elections during the coronavirus pandemic. See Justin Levitt, [List of COVID-19 Election Cases](#), Election Law Blog (Updated Aug. 11, 2020). Many of those lawsuits are still ongoing.

⁶ As used here, “early voting” refers to early in-person voting, which is distinct from both mail-based and in-person absentee voting. See National Conference of State Legislatures, [State Laws Governing Early Voting](#) (Updated Aug. 2, 2019). A number of states did not offer full early voting during the primaries, but instead offered what is essentially in-person absentee voting before Election Day. See, e.g., Jonathan Lai, [Pennsylvania is Getting a Different Kind of ‘Early Voting’ in Time for the 2020 Election](#), Philadelphia Inquirer (Jan. 14, 2020). The primary differences are that “excuse” requirements still apply to in-person absentee voting (in states that have such requirements), and in-person absentee votes generally are not processed and counted until Election Day or after.

⁷ See, e.g., Alex Ura, [Texas Doubles Early Voting Period for July Primary Runoff Elections](#), The Texas Tribune (May 11, 2020); Allison Ross, [Some Florida Counties Offer Expanded Hours, Location for Early Voting in August Primary](#), Tampa Bay Times (July 22 2020).

⁸ For example, Lexington, Kentucky, which required an appointment to vote early, experienced significantly longer lines on Election Day than Louisville, Kentucky, which did not require an appointment. See Jon Hale, [Lexington Voters Wait More Than an Hour in Line at Kroger Field on Election Day](#), Louisville Courier Journal (June 23, 2020).

⁹ See, e.g., Jonathan Lai, [Pennsylvania’s Nightmare 2020 Voting Scenario — And How to Prevent It](#), The Philadelphia Inquirer (June 28, 2020).

ability to keep polling places open and running effectively.

WHAT WORKED WELL

Aggressive Promotion of Early Voting—In many jurisdictions, election officials¹⁰ coordinated with local community groups, including voting rights groups, to maximize early voting by promoting it to the public and explaining its benefits and overall importance. The promotion of early voting options on official websites and in the media was particularly helpful.¹¹

Including Early Votes in Reports of Initial Results—One benefit of early voting, particularly as compared to absentee voting, was that those early votes could be included in the Election Night reporting of initial results along with votes cast in-person on Election Day.

Identifying Glitches Early—Although not the main purpose, early voting helped election administrators to identify and resolve issues with ballots, voting machines, and other technology, as well as voter instructions and poll worker training, before Election Day.

RECOMMENDATION FOR NOVEMBER

Maximize the Early Voting Period—Election officials should provide as many opportunities to vote early as reasonably possible, spreading the early voting period out over as many days as state law permits, including at least one weekend.

Eliminate Restrictions on Early Voting—Election officials should eliminate unnecessary restrictions on early voting, including requirements that voters have an “excuse” to vote early and the need for appointments.

Promote Early Voting Widely—Together with community groups, schools, and other civic organizations, election officials should publicly promote the availability and benefits of early voting.

NEBRASKA. Nebraska's May 12 primary election proceeded relatively smoothly, even without any postponement. The vast majority of voters cast their ballots early—in fact, more than 75% voted early by mail. Those who voted in person on Election Day were able to do so relatively safely. As Nebraska Secretary of State Bob Evnen explained it, “In the midst of this pandemic, in cooperation with the counties, we notified every Nebraska voter of their already existing right to request an early ballot. Every voter was sent an early ballot application that they could fill out and return to their county clerk or election commissioner. We also took out radio and newspaper advertisements across the state, and we used social media to spread the word that voters who did not wish to vote at the polls for this election could do so early by mail. . . We recruited new poll workers with the support of the Nebraska State Bar Association, the Nebraska Board of Public Accountancy, the Nebraska Society of Certified Public Accountants and the Nebraska REALTORS Association and the Nebraska National Guard. The Nebraska Department of Health and Human Services and the Nebraska Family Alliance provided us with production support for radio spots, and the Nebraska Broadcasters Association provided us with advertising access to stations all across the state.”¹²

II. Absentee/Mail Voting¹³

Due in large part to the coronavirus pandemic, record numbers of people voted by mail during the primaries. For example, as compared to the 2016 primaries, absentee voting increased by 27 times in Rhode Island, 24 times in Maryland, seven times in Idaho, five times in South Dakota, and five times in New Mexico.¹⁴ All but five states (as of August 3, 2020) had at least 20% of their ballots cast through the mail; in at least 25 states, a

¹⁰ For the sake of simplicity, unless indicated otherwise, we use the term “election officials” to refer generally to state and local officials who have a role in conducting elections or establishing applicable rules.

¹¹ See, e.g., JoAnne Young, *Early Voting 'Unprecedented,' Nebraska Election Officials Say*, Lincoln Journal-Star (June 12, 2020); Neal Earley, *Illinois Voter Turnout Not Among the Casualties of COVID-19*, Chicago Sun-Times (April 17, 2020).

¹² Bob Evnen, *Midlands Voices: Here's How Nebraska Achieved Election Success Amid the Virus Threat*, Omaha World-Herald (June 11, 2020).

¹³ Though some jurisdictions distinguish between “absentee” and “vote-by-mail” ballots (or perhaps use another term altogether), in this report we use the term “absentee ballot” to refer to all ballots that are mailed to voters, regardless of how those ballots are returned. We note, however, that there is a distinction between absentee voting and universal vote-by-mail, which has only been adopted in five states: Colorado, Hawaii, Oregon, Washington and Utah. See National Conference of State Legislators, *Voting Outside the Polling Place: Absentee, All-Mail, and Other Voting at Home Options* (Updated July 10, 2020).

¹⁴ See, Nathaniel Rakich and Geoffrey Skelley, *What The June 2 Primaries Can Tell Us About November*, FiveThirtyEight (June 8, 2020).

majority of primary voters used a mailed ballot.¹⁵ This is also in stark contrast to the numbers of voters who voted absentee or otherwise by mail in the 2018 midterm elections. In those elections, returned mailed ballots accounted for less than 30% of turnout in most states, and less than 10% in more than half of states.¹⁶

Election officials must be prepared for significantly higher overall turnout in November, as well as similar—or perhaps even increased—rates of absentee voting. In fact, by November, the vast majority of eligible voters in the country will have the option of voting my mail.¹⁷ There are a number of lessons to be learned from the primary elections as officials prepare for the general election.

CHALLENGES

Timely and Effective Voter Education—Communication with voters is critical in any election, but especially during a crisis or emergency. The primary season was characterized by a rapidly changing landscape of rules and processes as election officials grappled with the coronavirus pandemic—including, for example, changes to “excuse” requirements, mail and receipt deadlines, and notary and signature requirements. Those changes were

not always communicated to voters in a timely or effective manner (including, in some cases, insufficient or unclear instructions included with absentee ballots), leading at times to unnecessary voter confusion and disenfranchisement.¹⁹

Ensuring Ballots Reached All Voters Who Made Timely Requests

—Not all voters who timely requested absentee ballots during the primaries received them; in fact, in some jurisdictions, this was a significant problem. Election officials often struggled to meet the increased demand for absentee ballots and sometimes were unable to process requests and mail ballots to voters in a timely fashion. In some cases, this led to finger-pointing between election officials and the outside vendors they used to handle absentee ballots. Regardless of who was at fault, the result was the same for voters—many did not receive their absentee ballots in time to mail them back by applicable deadlines and were then forced to either vote in person or not vote at all.²⁰

Complications with Timely Ballot Returns—The return of absentee ballots in time to be counted was a significant challenge during the primaries. As described above, in some cases this was the result of voters not receiving their ballots

OHIO. Ohio’s primary election was afflicted by pandemic-induced confusion and disagreement. Absentee and early voting began weeks before the original primary date of March 17. On March 16, Governor Mike DeWine announced that the pandemic prevented in-person voting as scheduled, though that decision was the subject of last-minute litigation before it became final just hours before polls were scheduled to open. Secretary of State Frank LaRose then announced a rescheduled in-person primary date of June 2, but the state legislature intervened to require an almost exclusively mail-in completion of the primary by April 28 (excluding only voters with disabilities or without mailing addresses, who were still allowed to vote in-person, and those who voted in March and were not required to vote again). The legislature also prevented the Secretary of State’s office from sending absentee voting applications to all voters, allowing only informational postcards. In the end, nearly 2 million voters requested absentee ballots, approximately four times the last presidential primary. But overall turnout during the primary was the lowest in recent history. And although the exact numbers are unclear, reports suggest that thousands of voters did not receive their absentee ballots as requested. Those voters had the choice of potentially risking their health by casting a provisional ballot in person on April 28 or not voting.¹⁸

¹⁵ Rakich, *supra* n. 1.

¹⁶ Brennan Center for Justice, *Preparing Your State for an Election Under Pandemic Conditions* (Updated July 29, 2020).

¹⁷ Kate Rabinowitz and Brittany Renee Mayes, *At Least 76% of Voters Can Cast Ballots by Mail in the Fall*, Washington Post (Aug. 11, 2020).

¹⁸ Nathaniel Rakich, *What Went Down In Ohio’s Primary*, FiveThirtyEight (May 7, 2020); Darrel Rowland and Rick Rouan, *After a Problem-Plagued Primary, Ohio Leaders Disagree About November Election Plan*, The Columbus Dispatch (April 28, 2020); Julie Carr Smyth, *Ohio Sets All-Mail Primary April 28; In-Person Voting Off*, AP News (March 27, 2020).

¹⁹ See, e.g., Amy Gardner, Elise Viebeck and Natalie Pompilio, *Primary Voters in 8 States and D.C. Faced Some Confusion, Long Lines and Poor Social Distancing*, The Washington Post (June 2, 2020); Elise Viebeck and Michelle Ye Hee Lee, *Tens of Thousands of Mail Ballots Have Been Tossed Out in This Year’s Primaries. What Will Happen in November?*, The Washington Post (July 16, 2020); Yelena Dzhanova, *Election Officials Fear Voting Changes Will Confuse Voters in November*, CNBC (July 11, 2020).

²⁰ See, e.g., Elise Viebeck, Annie Gowen, and Kayla Ruble, *Anxieties About Mail Ballots on Display in Latest Round of Primaries, Highlighting Worries For Fall*, The Washington Post (Aug. 4, 2020); Rakich, *supra* n. 1; Jeffery C. Mays, *Primary Voters in New York City Face Scattered Problems*, New York Times (June 23, 2020); CBS Baltimore, *Election Officials Blame Vendor For Maryland Primary Ballot, Voting Issues* (June 16, 2020); Nick Corasaniti and Michael Wines, *Beyond Georgia: A Warning for November as States Scramble to Expand Vote-by-Mail*, New York Times (June 10, 2020); C. Moon Reed and John Sadler, *In Las Vegas, Long Lines Bring Seven-Hour Wait to Vote in Primary*, Las Vegas Sun (June 10, 2020).

in a timely fashion or confusion over changing deadlines. But there were other challenges as well:

- In some jurisdictions, the U.S. Postal Service failed to postmark returned ballots, leading to confusion over whether ballots were timely and should be counted.²¹
- There were locations in which significant numbers of voters reported that they had timely returned their ballots, but those ballots either did not reach election offices at all or were discovered late.²²
- Not all jurisdictions had sufficient tracking systems to let voters know if or when election officials received their request for an absentee ballot or the ballot itself.²³

Accommodating Voters with Differing Needs—Ideally, voting by mail should be accessible to all voters, including those who face particular obstacles, such as voters with disabilities, Native American voters, and voters with limited English proficiency. But that was not always the case during the primaries.

- In many jurisdictions, absentee ballots (and ballot marking options) were not accessible to blind, low-vision, or other print-disabled voters, therefore limiting their ability to vote absentee in a private and independent manner.²⁴
- Many Native American voters live on reservations that do not have easy or reliable access to traditional postal services, or speak languages that either rarely appear on ballots or are largely unwritten, and therefore could not take advantage of absentee voting to the same extent as other voters.²⁵
- Some voters with limited English proficiency need in-person language assistance, particularly where voting instructions are insufficient or not available in their primary language, and therefore also could not take full advantage of absentee voting.²⁶

For many of these voters, notary, identification, and signature requirements only further complicated their ability to vote by mail.

High Rates of Rejection—Election officials rejected tens of thousands of absentee ballots during the primaries, often at higher rates than previous elections. These rejections occurred for a variety of reasons, including, among other things, questions about timeliness, missing signatures, and signature verification problems (i.e., signature mismatches).²⁷ This is consistent in many respects with experience from previous elections, in which absentee ballots were rejected at nearly twice the rate of in-person ballots,²⁸ and where

²¹ See, e.g., Jesse McKinley, *Disputed Ballots Must Be Counted in N.Y. Congressional Race, U.S. Judge Rules*, New York Times (Aug. 3, 2020); Patrick Marley, *Absentee Ballots Didn't Get Counted Because of Late Delivery, Misdelivery and Bad Postmarks, Post Office Says*, Milwaukee Journal Sentinel (July 10, 2020).

²² See, e.g., Pam Fessler and Elena Moore, *Signed, Sealed, Undelivered: Thousands Of Mail-In Ballots Rejected For Tardiness*, NPR Morning Edition (July 13, 2020).

²³ See, e.g., Todd Richmond, *Wisconsin Official Outlines Absentee Ballot System Upgrades*, Wisconsin State Journal (July 31, 2020); Talib Visram, *'Track Your Ballot Like a Package': How Technology Will Smooth the Way for November's Mail-In Ballot Surge*, Fast Company (May 7, 2020).

²⁴ See, e.g., Will Doran, *Blind Voters Are Being Disenfranchised, NC Lawsuit Says, and Coronavirus Doesn't Help*, The News & Observer (July 29, 2020); Peter Slatin, *Disability Equals Disenfranchisement Lawsuit Says*, Forbes (May 27, 2020).

²⁵ See, e.g., Sophia Danielpour, Joven Hundal, Zahavah Levine, Mike Norton, and Rebecca Smalbach, *Arizona's 2020 Elections in the Wake of the Coronavirus*, Lawfare (July 31, 2020); Ella Nilsen, *For Native Americans, Voting Rights Were Hard-Won. Mail-In Voting Could Undo the Gains*, Vox (June 22, 2020).

²⁶ David Daley, *Coronavirus Could Normalize Voting by Mail. That Will Create Other Problems*, The Washington Post (March 12, 2020).

²⁷ See, e.g., Jane C. Timm, *States Reject Tens of Thousands of Mail Ballots in This Year's Primaries, Setting Off Alarm Bells for November*, NBC News (July 18, 2020); Kristyn Leonard, *Thousands of Votes Could Not be Counted Because of Invalid Signatures and Improperly Submitted Ballots*, The Nevada Independent (June 23, 2020).

²⁸ Charles Stewart III, *Reconsidering Lost Votes by Mail*, SSRN (July 25, 2020).

minority and first-time voters were mostly likely to have their ballots rejected.²⁹

WHAT WORKED WELL

Eliminating or Modifying “Excuse” Requirements for Absentee Voting—The decision by many states to temporarily suspend or eliminate the requirement of an excuse for absentee voting, or to qualify COVID-19 as a generally applicable excuse, made it easier for many more people to vote safely by mail.³⁰

Proactively Mailing Absentee Ballot Applications/Request Forms—Mailing absentee voting applications or request forms to all registered voters in some states not only made it easier for those voters to ultimately vote safely by mail, but also helped ensure that, once requested, absentee ballots were sent to the requesting voter at the correct address.³²

PENNSYLVANIA. In many respects, Pennsylvania’s June 2 primary was typical of the season—the election was not disastrous, but there were significant problems. Recent legal changes expanding the availability of remote voting options, plus the pandemic, led to a massive increase in voting by mail that exceeded election officials’ expectations (and preparations), and the resulting long process of counting those ballots led to longer-than-usual timeframes for reporting results. The situation was made worse by the fact that state law does not allow mail ballots to be opened until Election Day and, in practice, some places like Philadelphia do not start counting mail ballots until the day after the election. This contributed to a “blue-shift” in which the state’s Election Night results were more favorable toward Republicans than the final results—something that is of increasing concern for November because it can lead to unfounded claims of fraud. In addition, the state’s deadlines for requesting and returning mail ballots are tight, and despite warnings by election officials, tens of thousands of mail ballots arrived after the Election Day deadline for receipt. At the same time, due in large part to a lack of poll workers, the primary proceeded with fewer polling places than usual—77% fewer in Philadelphia, 60% fewer in Montgomery County.

Finally, regional civil unrest also affected the election, prompting Governor Tom Wolf to issue an executive order extending the deadline for receipt of mail-in ballots in six counties.³¹ Any one of these issues could resurface in November.

Secure Ballot Drop-Boxes—Jurisdictions that allowed voters to return their absentee ballots to secure drop-boxes or early voting sites, rather than sending them through mail, offered a relatively low-risk option for voters to participate remotely (i.e., other than voting in person on Election Day) while also avoiding some of the challenges with voting by mail discussed above.³³

Encouraging Voters to Act Early—Jurisdictions that were proactive about communicating with voters—especially encouraging voters to request and return absentee ballots as early as possible—generally experienced fewer delays and difficulties in processing returned ballots.

Processing Mailed Ballots Before Election Day—States that allowed election officials to begin processing mailed ballots as they arrived, or at least before Election Day, were able to

avoid some of the delays associated with having to wait to process and count them all at once on (and after) Election Day.³⁴

RECOMMENDATIONS FOR NOVEMBER

Qualify the COVID-19 Pandemic as an “Excuse” for Absentee Voting—In states with excuse-based absentee voting, to the extent permitted by law, the governor or chief election official should make a public

²⁹ See, e.g., Fessler and Moore, *supra* n. 22.

³⁰ See, e.g., Rakich, *supra* n. 1.

³¹ See, e.g., Lai, *supra* n. 9; Jan Murphy, *Pa. Lawmakers Question Gov. Wolf’s Authority to Extend Mailed Ballot Deadline in 6 Counties*, Penn Live (June 1, 2020).

³² See, e.g., Isabella Murray, *GOP Legislators Reverse Course, Allow Statewide Absentee Mailer*, Iowa Starting Line (July 17, 2020); Evnen, *supra* n. 12; see also, Rakich, *supra* n. 1.

³³ See, e.g., Michelle Ye Hee Lee, *More States are Using Ballot Drop Boxes for Absentee Voters. But the Boxes are Already Drawing Skepticism*, The Washington Post (Aug. 6, 2020); Mary E. O’Leary, *There’s a New Drop Box in Town; Find Out Why You’ll See Them All Over CT*, The Litchfield County Times (July 21, 2020).

³⁴ States like Utah and Colorado, which allow officials to begin processing ballots before Election Day, saw results announced relatively early on Election Night. See, e.g., James Arkin and Ally Mutnick, *Hickenlooper Rolls to Victory in Colorado Senate Primary*, Politico (July 1, 2020); Lisa Riley Roche and Kyle Dunphey, *Utah Called for Bernie Sanders in State’s First Super Tuesday Primary*, Deseret News (March 3, 2020).

declaration as early as possible specifying that the threat of the coronavirus is deemed a legally sufficient “excuse” to enable absentee voting by all eligible voters within the state, without any requirement of an individualized demonstration of symptoms or risk factors. Alternatively, officials should consider seeking an opinion from the state attorney general or an advisory opinion from the state supreme court (where available) confirming that the risks posed by the coronavirus qualify as an excuse.

Proactively Mail Absentee Voting Applications to Voters—In jurisdictions where election officials are required to receive an application or request from a voter before sending an absentee ballot, election officials should proactively mail application forms to all voters within the jurisdiction.³⁵ The forms should be mailed to the address at which each voter is registered either 45 days prior to Election Day or at the earliest subsequent date permitted by law.

Make it Easier for Voters to Request Absentee Ballots—Election officials should ensure that downloadable PDF versions of absentee voting applications are available on their websites, and should also send them to any voter who requests one by telephone or email. In addition, where permitted by law, election officials should allow voters to submit applications either in person, by mail, over the phone, or by email or other electronic means—including online portals available on mobile devices.

Send Absentee Voting Applications and Ballots with Postage Prepaid—Voters should not have to incur additional costs to vote by mail. Election officials should send absentee voting applications, and absentee ballots, with postage prepaid return envelopes.

Waive Witness and Notary Requirements—If election officials have discretion under state law to waive requirements that either absentee voting applications, or absentee ballots themselves, be notarized or witnessed, they should do so. Otherwise, state legislatures should amend any laws imposing these requirements for the November election. If changes to the requirements are not possible, election officials should consider issuing guidance on how voters can most safely satisfy them (e.g., in a manner that is consistent with social distancing).

Allow Voters to Apply for Absentee Ballots as Early as Possible—In order to maximize the time that election officials have to process applications and mail out ballots, voters should be permitted to apply to vote absentee as early as practically possible. If election officials do not have this discretion, state legislatures should amend applicable laws governing the timeframe for such applications.

Extend Deadlines for Returning Absentee Ballots—If they have the discretion to do so under state law, the chief election official or other appropriate state election authority should interpret the deadline for receiving absentee ballots as requiring that absentee ballots be mailed, rather than actually received by election officials, by Election Day (which can be verified by postmarks or alternate forms of tracking). Otherwise, state legislatures should consider amending their laws to make this change for the November election, while also including a specific timeframe for receipt of ballots after Election Day.

NEW YORK. New York provides an example of some of the most concerning scenarios in terms of delays in determining and announcing results. Following the state’s June 23 primary, ballot counting continued for weeks (or longer) before some winners were declared. In the races for the Democratic nomination in the 12th and 15th Congressional Districts, the counting continued for six weeks and has been the subject of litigation over, among other things, late-returned ballots.³⁶ Some initial results from the New York primary also shifted considerably as mailed ballots were counted in the days and weeks that followed. In the special election in New York’s 27th Congressional District, for example, the leader on Election Night enjoyed a 31-point margin but saw that edge narrow to fewer than 9 points a few weeks later.³⁷ Overall, New York’s example has heightened concerns (even if unfounded) that voting by mail is not secure and is a warning sign for the many things that could go wrong in November if officials do not learn from the mistakes of the primaries.³⁸

³⁵ The Task Force takes no position on whether proactively sending ballots to all registered voters should be further authorized or undertaken in connection with the 2020 general election.

³⁶ McKinley, *supra* n. 21; Lissandra Villa, *After a Chaotic Primary, New York Scrambles to Reset for the 2020 Election*, TIME (Aug. 1, 2020); Jada Yuan, *A Month Later, This New York City Primary is Still a Train Wreck and a Warning to Us All*, The Washington Post (July 25, 2020).

³⁷ Jerry Zremski, *Absentee Ballots in NY-27 Pull McMurray Within 8.9 Points of Jacobs*, The Buffalo News (July 9, 2020).

³⁸ Jesse McKinley, *Why the Botched N.Y.C. Primary Has Become the November Nightmare*, New York Times (Aug. 3, 2020).

Expand and Promote the Use of Ballot Drop-Boxes—Election officials should expand the use of secure, 24-hour ballot drop-boxes (along with other drop-off options, like early voting sites) throughout the state before and during Election Day. Such drop-boxes should be located equitably, with a particular focus on areas where there has been significant polling place consolidation, and should be monitored and serviced regularly to prevent tampering, theft, or destruction. To the extent possible, they should not be placed in locations that are likely to make some voters uncomfortable, such as police or sheriff's stations. Drop-boxes also should be promoted as an alternative for voters who do not feel safe voting on Election Day but are also uncomfortable mailing their ballots.

Promote Early Absentee Voting Applications and Ballot Returns—Election officials at the state and local levels should undertake public education campaigns to encourage voters to both request and return absentee ballots as early as possible, in order to reduce the burden on election administrators on and after Election Day.

Begin Processing Ballots as Early as Possible—County and local election officials should make sure they are in a position to confirm the validity of absentee ballots and to process those ballots as early as possible prior to Election Day, in order to avoid unnecessary delays in handling the anticipated surge of absentee ballots after the election. If necessary, state legislatures should amend laws preventing early processing.

Recruit Additional Personnel to Process Ballots—Election officials should make a special effort to recruit additional temporary workers to assist with processing higher than usual numbers of absentee ballots. (See below for more information on recruiting poll workers.)

Extend Canvassing and Certification Deadlines—To the extent it is within their discretion to do so, election officials should consider extending canvassing and certification deadlines to account for the additional time it will take to process and count mail ballots, while still ensuring that these steps (and any subsequent steps or processes) are completed within the timeframe required by federal law.

Ensure that Volunteers and Staff are Adequately Trained—Election officials should ensure that anyone accepting or processing ballots (including absentee ballots returned in person on Election Day) is adequately trained on all applicable rules and processes, including the jurisdiction's signature verification rules and rules related to curing.³⁹

Invest in Ballot-Tracking and USPS Barcodes—State and local governments should invest in electronic ballot-tracking services, including USPS intelligent barcodes, that allow voters and election officials to track absentee ballots throughout the voting lifecycle: ballot requests, delivery to voters, and then return to election offices and subsequent processing and counting by election administrators. These tracking systems improve transparency and voter confidence in the process of voting by mail.

Coordinate with the U.S. Postal Service in Advance—Election officials should establish or strengthen existing working relationships with their local USPS election mail coordinators well in advance of Election Day so that they can ensure election mail is properly designed and designated, identify possible problems and solutions early, and more easily address unexpected disruptions in mail processing and delivery as they arise.

III. In-Person Voting on Election Day

It is critical that in-person voting remain an option, and that it be as safe and accessible as reasonably possible. Eliminating in-person voting options harms voters who cannot easily utilize other methods of voting and may lead to disproportionate burdens on certain historically disenfranchised communities, including Native American voters who lack reliable postal services, some voters with disabilities, and voters with language access needs (for example, Spanish speakers with limited English proficiency). But maintaining adequate, safe in-person voting options was a significant challenge for many jurisdictions during the primaries.

³⁹ The Task Force takes no position on the appropriate scope of signature verification rules or policies, or whether changes thereto are appropriate.

CHALLENGES

Cancelling In-Person Voting Entirely—Some jurisdictions cancelled in-person Election Day voting entirely, or with only limited exceptions. While perhaps well-intended, doing so likely had a disproportionate effect on some communities for whom mail-based voting is more difficult.⁴⁰

Poll Worker Recruitment & Retention—Election officials often have difficulty recruiting sufficient numbers of poll workers for Election Day. This difficulty increased significantly during the primaries as a result of the pandemic, to the point of becoming a critical failure in some states. Many people who typically can be counted on to work at the polls, such as retirees and older adults, are among the most vulnerable to the coronavirus and were understandably reluctant to volunteer during much of the primary season. Likewise, many poll workers withdrew at the last minute or failed to show up on Election Day.⁴¹

Polling Place Closures—In many jurisdictions, election officials were not able to keep as many polling places open as they normally would, making it more difficult for many voters to get to polls. This was due in large part to the fact that there simply were not enough poll workers available to keep some polling places operational. In

WISCONSIN. Wisconsin's April 7 primary election was particularly dramatic, including a frenzy of litigation that reached the Supreme Court. Governor Tony Evers wanted to send an absentee ballot to every voter in the state, but the state legislature refused to allow it. Just days before the election, Governor Evers called an emergency session of the legislature in order to postpone the election, but the legislature again refused. Then the day before the election, Governor Evers issued an executive order rescheduling the primary to June 9, only to be blocked by the Wisconsin Supreme Court. When the election finally proceeded on April 7, the state faced a particularly severe shortage of poll workers, leading to polling place closures. Perhaps most notably, the number of polling places in Milwaukee dropped from 182 to just five. Among other things, the resulting consolidation of in-person voting included long lines and significantly reduced turnout, especially among Black voters. Reports also indicate that dozens of voters and poll workers who participated in voting in-person on Election Day developed the coronavirus in the weeks after.⁴²

addition, some traditional voting locations, such as senior centers or retirement facilities, have been at particular risk during the pandemic and could not safely continue to serve as polling places. Importantly, in many jurisdictions, polling place closures occurred disproportionately in communities of color. Making matters worse, polling place closures and changes were not always communicated to the public in a timely fashion or at all.⁴³

Polling Places Opening Late—In some jurisdictions, polling places opened late due to poll worker shortages and other last-minute changes. This caused confusion and frustration

for voters. In some cases, but not all, officials compensated for the late openings by extending closing hours.⁴⁴

Insufficient or Unclear Health and Safety Measures—Health and safety measures in and around polling places, including sanitizing and social distancing protocols, were not always clearly developed or

⁴⁰ See Rakich, *supra* n. 18. While there are multiple factors behind the low turnout in elections without in-person Election Day voting, there is substantial evidence that minority, youth, and low-income voters are generally less likely to vote by mail. See, e.g., John Whitesides, *Black Voters Don't Trust Mail Ballots. That's a Problem for Democrats*, Reuters (May 29, 2020); Kevin Morris, *Who Votes by Mail?*, Brennan Center for Justice (April 15, 2020).

⁴¹ See, e.g., Carrie Levine, *Elderly workers Run Elections. But COVID-19 Will Keep Many Home*, The Center for Public Integrity (May 13, 2020); Michael Wines, *From 47 Primaries, 4 Warning Signs About the 2020 Vote*, The New York Times (June 27, 2020); Kristina Webb et al., *Voting: At 5 p.m. Some Precincts Still Without Poll Workers Due to Coronavirus Fears*, The Palm Beach Post (Updated March 17, 2020); Steve Sadin, *Barrington-Area Polling Place Openings Delayed After Election Workers Fail to Show Up*, Barrington Courier-Review (March 17, 2020).

⁴² Kevin Morris, *Did Consolidating Polling Places in Milwaukee Depress Turnout?*, Brennan Center for Justice (June 24, 2020); Nicholas Reimann, *Coronavirus Infections Spiked in Wisconsin After In-Person Election, Study Says*, Forbes (May 19, 2020); Shruti Banerjee and Dr. Megan Gall, *COVID-19 Silenced Voters in Wisconsin*, All Voting is Local, (May 14, 2020).

⁴³ See, e.g., Beth LeBlanc, *Detroit Vote Results Sputter as Michigan Election Called 'Great Success'*, The Detroit News (Aug. 4, 2020); Kevin Morris and Peter Miller, *Voting in a Pandemic: COVID-19 and Primary Turnout in Milwaukee, Wisconsin*, Brennan Center for Justice (June 23, 2020); Carrie Levine and Pratheek Rebala, *'I Wanted My Vote to Be Counted': In South Carolina, a Peek at COVID-19's Impact on Elections*, The Center for Public Integrity (June 22, 2020).

⁴⁴ See, e.g., LeBlanc, *supra* n. 43; Nick Corasaniti, Stephanie Saul, Matt Stevens, and Reid J. Epstein, *Illinois Stumbles as States See Light Voter Turnout, With Many Ballots in the Mail*, New York Times (March 17, 2020).

communicated, which was a source of stress for voters and poll workers and risked their health.⁴⁵

Introducing New Technology with Inadequate Training—Implementing new technology (such as new poll books and/or voting machines), particularly during the pandemic, proved to be a challenge in some jurisdictions, especially when those jurisdictions failed to adequately train poll workers or instruct voters on how to use the technology. The results of this lack of preparedness included unnecessarily long lines and other delays, as well as diminished voter confidence in the integrity of the election.⁴⁶

Long Lines to Vote—Long lines of voters were not new during this primary season, but they were worse than usual in some places and a new problem for some jurisdictions. The long lines were a result of many of the problems described above, including insufficient numbers of poll workers and polling places, together with confusion over how to use new voting technology, insufficient ballot supplies, and other difficulties. And again, these problems combined in some places to the disproportionate detriment of voters in communities of color.⁴⁸

GEORGIA. Georgia experienced significant failures during its primary election on June 9, resulting in hours-long lines and widespread disenfranchisement, especially in Fulton County, the state's most populous county. Some factors were common across many states: not enough poll workers, funding, or preparation. But, according to multiple analyses, the heart of the problem was the state's adoption of a new high-tech voting system—a system that is particularly complex in that it involves multiple different components for checking in voters, casting votes, printing ballots, and scanning ballots. Among other things, poll workers were not adequately trained on the new technology, and despite the fact that voter turnout was expected to be high, the state deployed an average of only one technician per county, and at most polling sites had only a single scanner. Making matters worse, there are concerns that the new technology failed to count thousands of mail-in ballots because of the way they were marked.⁴⁷

Insufficient Provisional Ballot Supplies—The combination of late changes to rules and processes during the primaries, together with the difficulties with absentee voting (described above), resulted in more voters than usual needing to vote provisionally in some places. Not all jurisdictions had sufficient supplies of provisional ballots or envelopes to meet this increased demand.⁴⁹

Ensuring All Voters in Line When Polls Closed Were Able to Vote—Generally speaking, voters who are in line when polls officially close must be permitted to vote. In some places during the primaries, voters who drove to their polling places had to wait in line just to enter the parking lot and then walk relatively long distances from the parking lot to the standing line of voters waiting to vote. Or they simply waited in their cars because of long lines. This sometimes led to confusion as to which voters were eligible to vote when polls closed.⁵⁰

Voting in Cities with Curfews—During some of the later primaries, widespread civil unrest led cities and states to impose curfews. In a few cases, those curfews conflicted with voting hours, leading to confusion among voters (and some officials) as to whether voting was an allowed exception to the curfew. Moreover, there were reports in some places of local police ordering voters waiting in line at polling places to return home

⁴⁵ See, e.g., Alex Ura, *Runoff Elections Show Texas Not Quite Ready for November's Main Event*, Texas Tribune (July 15, 2020); John Keilman, *After Chicago Poll Worker Dies From COVID-19 and Others Test Positive, City Warns Voters They Might Have Been Exposed to Virus at Polling Places*, Chicago Tribune (April 13, 2020); Molly Hensley-Clancy, Rosie Gray, and Ryan Brooks, *The Coronavirus Outbreak Has Made Voting in Illinois Today A Full Mess*, BuzzFeed News (March 17, 2020).

⁴⁶ See, e.g., Danny Hakim, Reid J. Epstein and Stephanie Saul, *Anatomy of an Election 'Meltdown' in Georgia*, The New York Times (July 25, 2020); Kim Zetter, *L.A. County Has Found the Cause of Its Hourslong Poll Lines. It Wasn't the New Voting Machines.*, Politico (June 23, 2020).

⁴⁷ Hakim, Epstein, and Saul, *supra* n. 46.

⁴⁸ See, e.g., Rakich, *supra* n. 1; Alexa Corse, *Long Voting Lines Are Latest Hurdles for Officials Prepping for November Polls*, The Wall Street Journal (June 18, 2020); Julie Zauzmer, Jenna Portnoy, and Erin Cox, *Voting Problems in D.C., Maryland Lead to Calls for Top Officials to Resign*, The Washington Post (June 3, 2020); Hannah Klain, Kevin Morris, Max Feldman, and Rebecca Ayala, *Waiting to Vote*, Brennan Center for Justice (June 3, 2020).

⁴⁹ See, e.g., Mark Niesse et al., *Election Day Live Updates*, Atlanta Journal-Constitution (June 9, 2020); Jan Murphy, *Voter Confusion Abounds in Places Around Pennsylvania Due to Consolidated Polling Places*, Penn Live (June 2, 2020).

⁵⁰ See, e.g., Morgan Watkins and Matt Mencarini, *Charles Booker Injunction Request Helps Reopen Louisville Polls as Voters Pound on Doors*, Louisville Courier Journal (June 23, 2020); Ivey DeJesus, *In Communities of Color, Pa. Primary Was Marred by Irregularities, Including Voters Intimidation, Advocates Say*, PennLive (June 3, 2020).

before they had an opportunity to vote—even when voting had been deemed an exception.⁵¹

WHAT WORKED WELL

Consolidated Voting Centers—Although not an effective (or equitable) solution in all circumstances, particularly where public transportation is limited, consolidated voting centers did work well in some places during the primaries. These centers were able to accommodate large numbers of voters, while also allowing for social distancing and other health and safety measures. Thoughtful consolidation also helped avoid some of the problems voters encounter when they go to the wrong polling place and, relatedly, relieved some of the need for provisional voting.⁵²

Aggressive Poll Worker Recruitment—Those jurisdictions that engaged in early, aggressive recruiting of poll workers in advance of their primary elections fared better than others.⁵³

RECOMMENDATIONS FOR NOVEMBER

Plan Ahead for Safe and Equitable Polling Place Locations—Election officials should plan ahead to ensure the safe and equitable location of polling places, including making contingency plans in case of last-minute problems. As part of the planning process, officials should seek input from affected communities, such as African American, Latino, Asian, and Native American voters, language minority voters, voters with disabilities, and students.

Keep as Many Polling Places Open as Possible—Generally speaking, election officials should maximize the number of polling places. A greater number of polling places means fewer voters are assigned to each polling place, reducing the likely size of any crowds or number of people standing in line. It also means that voters are more likely to be able to vote reasonably close to home. Among other things, election officials might achieve this goal by declining to consolidate polling places simply because they had low numbers of in-person votes in previous elections.

KENTUCKY. In the days before Kentucky's June 23 primary, the state faced widespread fears of an electoral disaster—with critics particularly concerned about a statewide plan to consolidate each county's polling places into a single, large voting center. The plan seemed poised to cause long lines and disenfranchise thousands of voters, particularly those in urban centers and without access to transportation. In the end, though, the state's primaries went relatively smoothly and broke turnout records. With rare exceptions, the consolidated polling places mostly avoided long lines and delays. Importantly, in the run up to the election, bipartisan cooperation between Secretary of State Michael Adams (a Republican) and Governor Andy Beshear (a Democrat) resulted in significant expansion of absentee voting, which ultimately accounted for approximately 75% of the turnout. State officials were also aggressive about encouraging Kentuckians to vote early or absentee, lessening the pressure on Election Day. The result was an imperfect but manageable primary election.⁵⁴

Consider Carefully Consolidated Voting Centers When Necessary—When it is absolutely necessary to close polling places, consolidating them into large “supercenter” facilities that can accommodate a large number of voters while also allowing for more distance between voting machines/booths, poll workers, voters, etc., may offer a good alternative. To the extent possible, these centers should be located near public transportation and should be located equitably to avoid unnecessarily disadvantaging certain communities.

Keep Polling Places Open as Long as Possible—To reduce the likelihood of long lines and the number of voters at a polling place at any one time, election officials should exercise any discretion they have under existing law (including emergency authorities) to allow polling places to remain open for as long as possible.

Develop and Advertise Health and Safety Protocols in Advance—Election officials should outline health and safety protocols for all polling places in advance. This includes plans for sanitizing polling places throughout the day and ensuring that voters and poll workers follow social distancing and other hygiene

⁵¹ See, e.g., Mark Joseph Stern, *D.C.'s Election Was an Unmitigated Disaster*, Slate (June 3, 2020); DeJesus, *supra* n. 50.

⁵² See, e.g., Wines, *supra* n. 41.

⁵³ See, e.g., Leada Gore, *No Issues Recruiting Poll Workers Despite Coronavirus, Secretary of State's Office Says*, AL.com (July 10, 2020); Evnen, *supra* n. 12.

⁵⁴ Zach Montellaro, *Coronavirus Threatened to Make a Mess of Kentucky's Primary. It Could Be a Model Instead*, Politico (July 4, 2020).

etiquette. Officials should ensure that they have adequate supplies to implement these plans, and that applicable rules are posted at the entrance and throughout each polling place. Voters should also be informed of these protocols in advance, particularly where the protocols depend heavily on voter cooperation (such as wearing a mask or other face covering).⁵⁵

Aggressively (and Creatively) Recruit Poll Workers—Election officials will have to be both aggressive and creative about recruiting poll workers. Officials should recruit widely from different demographic groups, and coordinate with public and private organizations in a position to help, including business groups or associations, sports leagues, high schools, and colleges and universities. Officials might also consider advertising for poll workers through unemployment offices, employment agencies, and other government offices. Finally, it may be possible to offer poll workers school credit or forms of professional accreditation in exchange for their time. Importantly, these efforts should be coordinated with election officials to ensure that they are meeting local needs.

Ensure Poll Workers Are Adequately Informed and Trained—It will be critical that poll workers are adequately trained on all aspects of voting on Election Day, including using poll books and voting machines, sanitizing and social distancing protocols, provisional voting, polling place changes and closures (and what to tell voters who report to the wrong polling place), and absentee ballot returns (including the options available to voters who never received their absentee ballots).

Maximize Check-In Locations and Create Dedicated Lines for Voters with Absentee Ballot Problems—Maximizing the number of check-in locations will help alleviate congestion and resulting long lines. Likewise, establishing dedicated lines for voters who are dropping off absentee ballots, or have experienced problems obtaining or returning their absentee ballots, will ensure that those voters receive the help they need without slowing down other voting.

Expand Curbside or Drive-Up Voting—Election officials should provide additional opportunities for voters (especially, but not exclusively, elderly voters and voters with disabilities) to take advantage of curbside or drive-up voting.

Prepare for Increased Provisional Voting—It is likely that polling places will be asked to accept more provisional ballots than is typical, whether due to voter confusion over polling place closures or relocations, problems with absentee voting, or other reasons. Election officials should ensure that poll workers are sufficiently trained in applicable rules and procedures, and have the supplies needed.

Utilize the National Guard Only if Necessary—Given the extraordinary circumstances that may characterize the general election in November, it may be appropriate for states to utilize the National Guard in limited ways. The National Guard can be helpful to election officials *in advance* of the election (after other resources have been exhausted), particularly in obtaining and distributing supplies of cleaning and sanitizing products and personal protective equipment. There may also be ways that the National Guard may serve as a helpful resource on Election Day. Servicemembers may be particularly well suited to assist with things like setting up polling places and traffic control. They may also serve as poll workers (under the supervision of election officials), but only if absolutely necessary in order to compensate for shortages that might otherwise lead to voter disenfranchisement. And under no circumstance should the National Guard be present at or around the polls armed or in uniform. Finally, utilizing the National Guard in any way will require advance planning and coordination.⁵⁶

⁵⁵ For more information, the CDC has issued [*Recommendations for Election Polling Locations and Voters*](#) (Updated June 22, 2020).

⁵⁶ To be clear, this recommendation is specific to the National Guard while under the control of state authorities and is not meant to include any use of the Guard in any other duty status. Nor is it meant to include other military personnel. In fact, federal law prohibits the use of the military to conduct or interfere with elections. See 18 U.S.C. § 592 (prohibiting the presence of “troops or armed men” at the polls); § 593 (prohibiting any member of the Armed Forces from “prevent[ing]” any voter from “fully exercising the right of suffrage.”); § 1385 (prohibiting the military from enforcing civilian law except where “expressly authorized,” also known as the Posse Comitatus Act).

DISTRICT OF COLUMBIA. The District of Columbia held its primary on June 2nd, at the height of national protests over the death of George Floyd. The mayor initially ordered a curfew of 7 p.m., even though polls were open until 8 p.m., without addressing the discrepancy. In response to media inquiries, the mayor's office clarified that voting was exempt from the curfew, but it did not explain how voters should demonstrate to law enforcement that they were traveling to or from the polls. Moreover, according to press and social media reports, multiple police officers attempted to disperse voters waiting in line at polling places despite the exemption. Even without this policy activity, concerns over the curfew likely discouraged some number of voters from participating.⁵⁷

Exempt Voting Activities from Curfew Orders—It is possible that curfew orders by city or state authorities could affect voting during the general election. Except in extreme circumstances in which, for example, it is not safe to keep particular polling places open, those curfew orders should expressly exempt voting-related activities (by voters and poll workers)—including traveling to/from a polling place and engaging in the act of voting at a polling

place—during voting hours. This includes exempting any voter waiting in line at a polling place as of its designated closing time (because the law generally requires that any voter in line at the close of polling place hours be allowed to vote). The exemption should be publicized widely to the public and, importantly, to law enforcement as soon as any curfew is ordered.

IV. Official Communications & Media Coverage

Both public communication by election officials and media coverage played an important role during the primaries and likely will be even more critical in November.

OFFICIAL COMMUNICATION WITH VOTERS

Effective communication with voters and the general public is a critical element of navigating any form of election emergency. As noted above, timely and accurate communication was sometimes a challenge for election officials during the primaries, particularly in the context of a rapidly changing—and sometimes confusing—landscape. It will therefore be important for election officials to improve communication with voters in November. In addition to the foregoing, the Task Force recommends the following:

Keep Voters Informed—Officials should make sure that voters are informed of any changes to their rights or to election procedures or processes as early as possible, as frequently as possible, and in as many forms as possible (e.g., newspapers, television news, social media, government websites, etc.). Government websites should be updated in real time. And all information should be made available in multiple languages. Among other things:

- Voters should be encouraged to verify and/or update their registration information.
- Voters need to know when and where early voting is available. And voters should be encouraged to vote on days or at times that are typically less busy in order to avoid crowds and help reduce the lines during the busiest times.
- Voters should be encouraged to submit absentee voting applications as early as possible. They should also be informed of any deadlines or other time constraints that may apply to both requesting and returning absentee ballots.
- Voters should be informed when rules related to things like notary and witness requirements are changed or waived.
- Voters should know their options for returning absentee ballots. Election officials should publicize these alternatives on their websites and in public communications concerning the election—particularly in the week before Election Day when it may be too late to have an

⁵⁷ Stern, *supra* n. 51.

absentee ballot mailed to a voter and then completed and returned by mail on time.

- Voters need to know how to track their absentee voting applications and/or ballots when such tracking is available, or alternatively, how else to confirm that their ballot has been received and counted.
- Voters need to understand what options they have if they requested an absentee ballot but did not receive it in time to return it within applicable deadlines, including their rights with respect to provisional voting.
- Polling place locations should be decided and publicized early, with as much notice to voters as possible, including in an individualized manner (i.e., with notice tailored to registered voters by precinct). When emergency closures or relocations are necessary, voters should be informed as soon as possible.

Manage the Public's Expectations—To help ensure public confidence in electoral outcomes, election officials must communicate clearly—well in advance of the November election—that it may take days (or even longer) to report vote totals given the processing time associated with the high volume of absentee voting. And officials should take special care in reporting results on and after Election Day. As results from localities are reported after the polls close, in addition to publicizing information about vote tallies and the percentage of precincts reporting, election officials should also repeatedly emphasize—particularly to the news media—the number of absentee and provisional ballots they have received, and the number of those ballots yet to be processed and/or counted.

Educate the Public on Election Procedures and Processes—Likewise, public officials can maximize public confidence in electoral outcomes by educating the public on the basic procedures and processes already in place for counting (and recounting) votes, as well as for resolving election disputes.

MEDIA COVERAGE OF THE ELECTION

The media plays an equally important role in informing voters and managing public expectations regarding the election. During the primary season, the professional press found itself on a learning curve. At the outset of the primaries, COVID-19 was still more than a month from being declared a global pandemic and the press was focused on the technical problems plaguing Iowa's first-in-the-nation caucus. But as the coronavirus spread, shut down the economy, and upended in-person voting, journalists began to adapt to the changing landscape. Journalists began focusing more attention on the process of voting by mail, along with some of its complications, including the likelihood that the country is unlikely to see a presidential winner announced on Election Night. The media is still experiencing a learning curve (along with the rest of the country) but is well positioned to be effective in reporting on the general election.

The Task Force recommends the following for effective and accurate media coverage before, during, and after the general election.

Prioritize Experts and Election Officials as Sources—The media should prioritize interviewing and quoting experts, including state and local election officials, over partisan actors.

Educate the Public on How Presidential Elections Work—The media should help the public understand how the general presidential election works from start to finish, both in their jurisdiction and nationwide, including through process stories that address: how ballots are actually submitted, verified and counted; the timeframe for accepting and counting absentee ballots; the rules and processes for confirming and certifying election results, including recounts; how and when presidential electors are chosen and cast their votes; and how the overall winner of the general election is confirmed.

Distinguish Between Absentee Voting and Universal Vote-By-Mail—Most states have expanded absentee voting as a result of the coronavirus pandemic, including by removing or modifying “excuse” requirements. This differs from instituting a universal vote-by-mail program (as exists in Colorado, Hawaii, Oregon, Utah, and Washington), and the media should take care not to conflate the two.

Avoid Speculating About Absentee Voting Preferences—The media should avoid speculation about which voters are most likely to vote absentee or which candidates are likely to benefit. Existing research does not conclusively demonstrate that members of one party are more or less likely to vote absentee.

Report Critical Election Information and Prioritize Local Coverage—The media should report key facts regarding the election in the lead-up to November 3rd, including applicable rules and deadlines, especially when those change. In doing so, the media should cite local election officials or offices, and should prioritize local coverage. Different jurisdictions have different rules and requirements, so tailoring information for audiences as specifically as possible will provide the most effective coverage.

Manage Public Expectations About the Timing of Election Results—The media should plan now for potential “Election Week” coverage as opposed to “Election Night” coverage. While Election Night results have become a norm and are still possible in some jurisdictions, the media should help prepare the public for the possibility that it might take days (or longer) to know the winner of the general election. Importantly, news outlets should help the public understand that a lack of immediate results does not indicate wrongdoing or other problems with election integrity.

Avoid Speculating About the Reasons for Long Lines on Election Day—News outlets should avoid speculating about the causes of long lines and, in particular, reporting on others’ speculation. The media should recognize that the reasons for long lines are likely to be different in different places, and sometimes are the result of several factors.

Ensure Accurate Coverage on Election Night and Thereafter—The media should take care that its reporting on Election Night and thereafter includes what is both known and unknown about election results. In particular, the media should:

- Focus on information reported by election administrators (including numbers of requested and returned absentee ballots and the volume of in-person voting) and avoid overreliance on exit polling.
- Present election data clearly and provide context, including through data visualizations that include unknown data such as the number of uncounted mail ballots versus in-person vote tallies. Important context also includes turnout in previous elections (including primaries) and the number of requested and expected mail ballots.
- Always accompany “X% reporting” coverage with disclaimers or additional information—e.g., X% of in-person, absentee, or provisional ballots. When in doubt, the media should confirm with election officials what their reported numbers actually mean.
- Recognize that a large number of provisional ballots may also contribute to delays and report on numbers of provisional ballots cast. In a fraught political environment, covering one category of late-counted ballots (absentee ballots) without also highlighting another (provisional ballots) could confuse or mislead the public.
- Emphasize that even in previous years, Election Night results are never the official results and are always subject to change as all votes are processed and counted.

Provide Context When Reporting on Irregularities—No election is perfect. The media should be particularly careful to provide context when reporting irregularities (including making clear that irregularities do not necessarily equal fraud or other misconduct) so these standard election concerns are not exploited to fuel spurious claims about the legitimacy of the election. For example, there is an important difference between problems with voting machines themselves and inadequate poll worker training on the machines. Similarly, there

is a difference between problems with voting machines and poll books (the latter is more common and is less likely to affect the security of votes cast). Nor do all (or most) problems with voting technology suggest hacking. Likewise, provisional voting is common and not an indication of voter fraud. In fact, while it does happen on occasion, voter fraud is extremely rare overall and very likely to be detected by election administrators.

Avoid Calling the Election Until the Outcome is Clear—In general, the media should avoid “calling” the election on Election Night absent overwhelming data in support of the outcome. News outlets should also apply the same standard to claims by candidates or political parties that they have won the election.

V. Accepting the Outcome

Notwithstanding the many challenges outlined above, very few candidates used the extraordinary circumstances surrounding the primary elections to seed doubt in the final outcomes, including by making unsubstantiated allegations of fraud or other irregularities. Rather, even where the results took days or weeks to determine because of the high volume of mail-in ballots (as was the case in the Democratic U.S. Senate primary in Kentucky⁵⁸ and the Republican gubernatorial primary in Utah⁵⁹), or where there were technical problems with the tabulation and reporting of the results (as was the case with the Baltimore mayoral primary⁶⁰), the candidates ultimately accepted the results. In this respect, the primaries should serve as a model for the general election. That is not to say that candidates should not utilize appropriate administrative or legal processes to ensure that the final results of elections are accurate—which also happened during the primaries—but no candidate should exploit potentially difficult circumstances in November in order to undermine confidence in the ultimate outcome of the general election.

VI. Other Challenges & Opportunities

MAXIMIZING VOTER REGISTRATION

During the primary season, rates of new voter registration actually decreased significantly nationwide as a result of the coronavirus—in some places plummeting as compared to 2016 rates beginning in March.⁶¹ For example, rates of new voter registration in Illinois, Maryland, Delaware, and the District of Columbia dropped by more than fifty percent, and by more than seventy-five percent in Texas and California.⁶² The reason is that the pandemic rendered some of the most common and effective forms of registration, including third-party registration drives and “motor voter” registration, unsafe or impossible. This is likely to continue to be a challenge leading up to November. In addition, options like same-day voter registration may be less effective if in-person voting is not safe or sufficiently accessible.

Accordingly, state and local officials should consider expanding voter registration opportunities. And because increases in voting by mail make it even more important that voter registration data be kept up to date, election officials should encourage voters to verify and update their registration information as soon as possible.

UNDERSTANDING & PLANNING TO INVOKE EMERGENCY AUTHORITIES

During the course of the primaries, election officials in many states were required to contend with both general and election-specific emergency authorities. The coronavirus pandemic exposed the extent to which many

⁵⁸ Morgan Watkins, *Kentucky US Senate Primary: Amy McGrath Squeaks Out Win Over Charles Booker*, USA Today (June 30, 2020).

⁵⁹ Taylor Stevens, *Spencer Cox Wins Republican Primary Race for Utah Governor Over Jon Huntsman*, The Salt Lake Tribune (July 7, 2020).

⁶⁰ Emily Opilo and Talia Richman, *Vote-Counting in Baltimore Mayor’s Race Delayed as Election Officials Focus on One City Council District*, The Baltimore Sun (June 4, 2020); Talia Richman, *Sheila Dixon Concedes Democratic Primary for Baltimore Mayor, Congratulates Brandon Scott*, The Baltimore Sun (June 13, 2020).

⁶¹ Joey Garrison, *US Voter Registration Plummets During Coronavirus Pandemic, Challenging Both Parties*, USA Today (June 11, 2020); Pam Fessler, *Pandemic Puts A Crimp On Voter Registration, Potentially Altering Electorate*, NPR (May 26, 2020).

⁶² *Id.*

officials were unfamiliar with those authorities and how to use them most effectively.⁶³ The results ranged from confusion among voters to litigation by and against election officials. There will be much less room for trial and error in November, and the stakes will be higher.⁶⁴

Accordingly, well in advance of the November election, the governor and/or chief election official in each state should disseminate guidance to county and local election officials (and, ideally, to the media) to clarify: (1) who has authority to approve modifications to, or deviations from, standard election rules, requirements, and procedures; (2) what types of deviations may be authorized; (3) when such deviations may occur; and (4) what types of election modifications or deviations are prohibited.

Every state and county should also establish and publicize a contingency plan addressing the various steps that will be taken in response to emergencies that may impact the election, including a continued or renewed coronavirus pandemic, based on the authority state law grants them under such circumstances. Election officials at all levels should ensure they have the resources and personnel necessary to implement such emergency plans if needed.

AVOIDING INTERNET VOTING AS A SOLUTION

The internet does not offer a secure method of casting ballots and is not likely to be a reliable option any time soon.⁶⁵ Election officials should not turn to internet voting as an alternative to absentee or in-person voting, even in response to the coronavirus pandemic.

There is an important distinction, however, between electronic ballot returns (what we generally think of as voting) and electronic ballot delivery and marking. Electronic ballot delivery refers to the process by which a blank ballot is either emailed to a voter or downloaded from a website. Electronic ballot marking refers to the processes by which voters may mark those ballots with the assistance of computer software or a phone/tablet application. Electronic ballot return, on the other hand, refers to the process by which a voter returns a marked ballot to election officials online or by email—in other words, the process of actually casting a ballot.

These different components of internet voting carry different levels of risk in terms of vulnerability to hacking or other interference.⁶⁶ Electronic ballot delivery is the least risky of the three processes, while electronic ballot marking carries moderate risk (depending on the particular method used). Electronic ballot return is a high-risk process.

Accordingly, election officials generally should not allow electronic ballot returns for domestic voters (i.e., people not covered by the Uniformed and Overseas Citizen Absentee Voting Act). While officials may consider electronic ballot delivery and marking for voters who need special accommodations, especially voters with disabilities, officials should proceed with caution in utilizing these technologies and should not use them more widely than necessary.⁶⁷

⁶³ See, e.g., Jessica Huseman, *Who Has Emergency Authority Over Elections? Nobody's Quite Sure*, ProPublica (April 6, 2020)

⁶⁴ It is worth noting that resorting to courts to achieve emergency changes to the rules for conducting the election may not be successful. During the primaries, the Supreme Court made it clear that it disfavors last-minute judicial remedies of this sort. *Republican Nat'l Comm. v. Democratic Nat'l Comm.*, 140 S. Ct. 1205 (2020) (per curiam) (overturning district court's last-minute, *sua sponte* extension of deadline to mail in absentee ballots during 2020 Wisconsin primary election); see also *Purcell v. Gonzalez*, 549 U.S. 1, 4–5 (2006) ("Court orders affecting elections, especially conflicting orders, can themselves result in voter confusion and consequent incentive to remain away from the polls. As an election draws closer, that risk will increase.")

⁶⁵ See generally, Eric Geller, *Some States Have Embraced Online Voting. It's a Huge Risk.*, Politico (June 8, 2020).

⁶⁶ See, e.g., U.S. Election Assistance Commission, National Institute of Standards and Technology, Federal Bureau of Investigation, and Cybersecurity and Infrastructure Security Agency, *Risk Management for Electronic Ballot Delivery, Marking, and Return* (May 2020).

⁶⁷ The Task Force recognizes that this is a more nuanced recommendation than the one we included in our COVID-19 Election Guide. We include it here in recognition of the particular difficulties that some voters with disabilities experience with mail-based voting.

CONCLUSION

Free and fair elections are the cornerstone of our democracy. No citizen should have to choose between exercising their right to vote and protecting their health or safety. Yet the general election may force exactly that choice if we do not act soon to mitigate the potential for a crisis. With November fast approaching, there is no time to waste. State and local officials should be preparing now to conduct the general election in a way that ensures safe and secure participation by all eligible voters and maximizes confidence in the outcome. The National Task Force on Election Crises is available as a resource.

About the National Task Force on Election Crises

The National Task Force on Election Crises is a diverse, cross-partisan group of more than 50 experts in election law, election administration, national security, cybersecurity, voting rights, civil rights, technology, media, public health, and emergency response. The mission of the nonpartisan National Task Force on Election Crises is to ensure a free and fair 2020 presidential election by recommending responses to a range of potential election crises. The Task Force does not advocate for any electoral outcome except an election that is free and fair. The recommendations of the Task Force are the result of thoughtful consideration and input from all of its members and therefore do not fully reflect any individual Task Force member's point of view—they are collective recommendations for action. More information about the Task Force, including its members, is available at <https://www.electiontaskforce.org/>

APPENDIX A: STATE-BY-STATE INFORMATION

State	No-Excuse Absentee/Mail Voting in November (Or COVID-19 Excuse)?	Do Absentee/Mail Ballots Need to be Received or Postmarked by Election Day?	No-Excuse, Early Voting (In-Person) in November?
AK	Yes	Postmarked	Yes
AL	Yes	Received by Noon	No
AR	Yes	Received	Yes
AZ	Yes	Received	Yes
CA	Yes*	Postmarked	Yes
CO	Yes*	Received	Yes
CT	No	Received	No
DC	Yes	Postmarked	Yes
DE	Yes	Received	No
FL	Yes	Received	Yes
GA	Yes	Received	Yes
HI	Yes*	Received	Yes
IA	Yes	Postmarked Day Before	Yes
ID	Yes	Received	Yes
IL	Yes	Postmarked	Yes
IN	No	Received	Yes
KS	Yes	Received	Yes
KY	No	Received	No
LA	No	Received Day Before	Yes
MA	Yes	Received	Yes
MD	Yes	Postmarked	Yes
ME	Yes	Received	Yes
MI	Yes	Received	Yes
MN	Yes	Received	Yes
MO	Yes	Received	No
MS	No	Received	No
MT	Yes	Received	Yes
NC	Yes	Postmarked	Yes
ND	Yes	Postmarked Day Before	Some Counties

NE	Yes	Received	Yes
NH	Yes	Received	No
NJ	Yes	Postmarked	Yes
NM	Yes	Received	Yes
NV	Yes*	Postmarked	Yes
NY	No	Postmarked	Yes
OH	Yes	Postmarked Day Before	Yes
OK	Yes	Received	Yes
OR	Yes*	Received	Yes
PA	Yes	Received	Yes
RI	Yes	Received	No
SC	No	Received	No
SD	Yes	Received	Yes
TN	No	Received	Yes
TX	No	Postmarked & Received Day After	Yes
UT	Yes*	Postmarked Day Before	Yes
VA	Yes	Received	Yes
VT	Yes*	Received	Yes
WA	Yes*	Postmarked	Yes
WI	Yes	Received	Yes
WV	Yes	Postmarked or Received Day After	Yes
WY	Yes	Received	Yes

* All registered voters will receive a general election ballot by mail automatically.

For more detailed state-by-state information, please visit:

- Brennan Center for Justice, [Preparing Your State for an Election Under Pandemic Conditions](#).
- Center for Secure and Modern Elections, [We Can Vote](#).
- RAND Corporation, [Are States Ready for a COVID-19 Election?](#).

APPENDIX B: ADDITIONAL RESOURCES

- All Voting is Local, [*Vote Centers: Potential Benefits for Voters, but Standards and Protections Must Be In Place.*](#)
- Brennan Center for Justice, [*Preparing Your State for an Election Under Pandemic Conditions.*](#)
- Brennan Center for Justice, [*Responding to the Coronavirus.*](#)
- Brennan Center for Justice & Infectious Disease Society of America, [*Guidelines for Healthy In-Person Voting.*](#)
- Brookings Institution, [*Vote by Mail in a Pandemic: A State-by-State Scorecard.*](#)
- Center for Civic Design, [*A Tool Kit of Resources for Scaling Up Vote by Mail.*](#)
- Center for Tech and Civic Life, [*Communicating Trusted Election Information.*](#)
- Center for Tech and Civic Life, [*Free Vote at Home Webinars for Election Officials.*](#)
- Center for Tech and Civic Life, [*50 Ideas for Recruiting and Retaining Election Workers.*](#)
- MapLight, [*Election in Peril: Procedural Risks to the 2020 Presidential Election.*](#)
- National Conference of State Legislators, [*Election Emergencies.*](#)
- National Conference of State Legislators, [*Voting Outside the Polling Place: Absentee, All-Mail, and Other Voting at Home Options.*](#)
- National Vote at Home Institute, [*Vote at Home Scale Plan.*](#)
- RAND Corporation, [*Are States Ready for a COVID-19 Election?*](#)
- Stanford-MIT, [*Healthy Elections Project.*](#)
- Unite America Institute, [*Voting at Home: How Democracy Survives a Pandemic.*](#)
- United States Postal Service, [*Election Mail.*](#)
- University of California, Irvine School of Law, [*Fair Elections During a Crisis: Urgent Recommendations in Law, Media, Politics, and Tech to Advance the Legitimacy of, and the Public's Confidence in, the November 2020 U.S. Elections.*](#)
- Verified Voting, [*COVID-19 and Trustworthy Elections.*](#)