

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

How to Maintain Election Integrity in a Pandemic

Blair E. Campbell

Villanova University

Author Note

This project is being submitted on July 25, 2020, for Dr. Catherine Wilson, MPA 8012, Individual Research I.

Correspondence concerning this project should be addressed to Blair E. Campbell, Department of Public Administration, Villanova University, Villanova, PA 19085.

Email: bcampb18@villanova.edu

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Introduction

During the early 21st century, there has been an increase in natural disasters, weather events, terrorist attacks, and public health crises. These events have occurred throughout the U.S. and have consequently led to election provisions. During the Civil War, World War I, and World War II, Americans held presidential elections. However, recently, elections have been postponed or cancelled both domestically and globally. For example, on September 11th, the New York state primary was postponed. Regarding the pandemic, the presidential election cannot be cancelled. While congressional actions could delay the November 3rd election in the U.S., states hold the greatest election power. Consequently, a delayed 2020 presidential election would require coordination with states and counties to determine whether all elections would be postponed. Since election law requires the states to send their election results to Congress by December 23rd, the election could not be postponed indefinitely (Bomboy, 2020).

This research study will focus upon the voting process as well as the maintenance of election integrity during a global pandemic. The term, election integrity, means that the election process must be free and fair for all citizens. Furthermore, election integrity means that the results of the election are upheld as voted upon by the citizens (Ham, 2013). With increased election interference and fraud, election integrity can also be defined as promoting citizens' trust in the electoral system. For example, a component of election integrity includes safeguarding the electoral process through oversight (Ham, 2015). Other components of election integrity include targeting abuses that threaten election security and curbing fraud or misconduct without discouraging or disenfranchising eligible voters (Pérez, 2020).

This project will research how to maintain election integrity amid new norms such as social distancing. Additionally, since voter turnout is higher for presidential elections, our current

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

health crisis complicates our electoral system. Furthermore, a greater percentage of Americans historically vote in-person on election day.

The questions guiding this research study are the following:

- Has voting in America ever been postponed?
- Has global voting ever been prevented due to unprecedented factors?
- Who has the power in the U.S. to make the decision to postpone an election?
- Who has the power to encourage or sway election outcomes?
- What is the role of public administrators to support U.S. elections?
- Does the public administrator have a different role in elections outside of the U.S.?
- Will public administrators' roles change in our current pandemic?

In the end, this research study will reflect upon history as well as the roles of nonprofit organizations and public administrators to facilitate elections. It will seek to answer who has the decision-making power to shift the voting methods or to postpone an election. Also, the research will look for lessons from the past to inform the current challenges we face in this national election year. Through scholarly research, this research study will seek to reflect upon the nation's voting process to determine what actions states, nonprofits, and public administrators must take to maintain election integrity during a pandemic.

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Literature Review: An Analysis of Public Administration and the Voting Process in a Pandemic

State and Federal Election Powers in the U.S.

Michael Morley's research outlines who has decision-making power during election emergencies. Through his studies of elections and states' powers in the early 21st century, Morley's research found that states can engage in election modification, postponement, or cancellation. His research outlined three election emergencies of the early 21st century: September 11th, Hurricane Katrina, and Hurricane Sandy.

As Morley argues, states have powers to protect human life and to prevent collateral damage; however, states do not have explicit election power. Morley's findings presented cases in which elections were postponed and cancelled. New York state postponed its Tuesday primary which was on the same day as the terrorist attacks of September 11th. In contrast, New Orleans cancelled its election after Hurricane Katrina. According to Morley's research, the difference in reaction to such events is because each state has different emergency power statutes.

Morley noted that the federal government is limited in its election emergency powers as a result of the Due Process Clause and the Equal Protection Clause. Furthermore, Morley argues that the Constitution prevents the federal government from making decisions about the election process. Also, the federal government cannot increase time for voting on election day or extend voting related deadlines. Morley's research parallels other studies; his research provides examples of past elections and the decisions which occurred when human life was at stake. This background research on who has the decision-making power affecting elections is helpful in 2020, an election year during a global pandemic (Morley, 2020).

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Similar to Morley's findings, L. Paige Whitaker's work focuses primarily on the power of the states and the election process. Specializing in law, Whitaker has over 25 years of experience as a legislative attorney for the Congressional Research Service of the Library of Congress. Whitaker's research focuses upon seven states that have established laws for emergency disasters and terrorist attacks. Of these seven states, Louisiana and New York will be discussed for research purposes. In Louisiana, Whitaker argues that the governor has the power to declare a state of emergency to prevent an election if the Secretary of State certifies the risk. Under this statute, there is not a specific timeframe to reschedule the election in Louisiana. As noted in Morley's research, this law was used to cancel the election after Hurricane Katrina. In New York, there is a sequential process to postpone the election through the county board of elections. Furthermore, the New York election must be rescheduled in less than 20 days from the original date. As to the legality of rescheduling the primary election after the terrorist attack, Whitaker's findings for New York coincide with Morley's research. Whitaker's research supports Morley's argument that many states lack emergency election laws for crisis response. As the nation's election approaches and the pandemic escalates, this lack of explicit power could have dire consequences (Whitaker, 2004).

Comparative Research

Raj Chari, a political science professor with a background in political parties and elections, examined the Spanish government's reaction to its 2004 terrorist attack and how it affected the election. The Al Qaeda attack was the deadliest terrorist attack Europe had experienced in seven years. As Chari's work found, Spanish citizens were growing increasingly suspicious because of the government's lack of transparency. This perceived lack of transparency angered citizens and led to an unprecedented increase in voter engagement. After

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

the terrorist attack, the government chose to hold its election on the original date. Consequently, the election was held only three days after the terrorist attack. Chari's research notes that because of these actions, the party in power lost the election. Since New York state's primary election was postponed after a terrorist attack, Morley's research contrasts Chari's findings. Therefore, should the election continue with no amendments, Chari's research could heed as a warning to those in power. If the government is willing to risk human lives to continue an election, their position in power could be lost (Chari, 2010).

Joshua McDermott is a teaching assistant for the University of Pittsburgh's Department of Sociology; he has a background in police militarization and political science. McDermott studied the ruling party in Sierra Leone during the Ebola outbreak. His research noted that the party in power postponed the country's 2017 elections following the 2014-2015 outbreak. This decision by the ruling party was under the pretext that the crisis had undermined the agenda of President Koroma. However, McDermott noted this authoritarian election decision mirrors the country's authoritarian past. Since the presidential administration was moving towards amending Sierra Leone's constitution to allow the president a third term, McDermott's research serves as a warning against election postponement. Additionally, McDermott's findings echo Chari's research in which the ruling party appeared to be focused upon power and not the welfare of its citizens (McDermott, 2017).

Lessons Learned from the 1918 Influenza

Jason Marisam's research on the mid-term elections during the 1918 Great Influenza epidemic offer insight into voting during a pandemic and the election reforms which must occur. His findings note that during the worst public health crisis in American history, the 1918

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

mid-term election occurred with minimal provisions. Similar to today, public gatherings and campaign events leading up to the election were banned. Voting occurred in-person and the citizens as well as the workers were required to wear masks. However, low voter turnout occurred. Marisam's research noted that voter turnout was 40% in 1918, 10.1% lower than the 1914's mid-term. His data supports that neither political party had significant gains or losses by holding the election as planned since both sides saw low voter turnout. Also, there is limited data collection of voter turnout for specific demographics during the 1918 mid-term.

Marisam's research of the 1918 election outlined an example as to the need for impartiality during the election process. For example, in the case of *Harper v. Dotson*, teachers and students were quarantined and unable to participate in the mid-term. So, officials provided voting booths so they could participate. However, the courts later ruled in 1920 their votes could not be counted, and this led to flipped election results. From this example in Marisam's research, the need for neutral election administration is highlighted. Furthermore, Marisam argues that when an election is held during an emergency, administration officials, and political actors must adapt to the circumstances to maintain the integrity of the election. Furthermore, Marisam conducted international studies to compare the U.S. to other nations like Canada. This research found that Canada is ahead of the U.S. because its elections grant emergency powers to officials and most importantly, it employs independent election officials. This contrasts with the U.S. whose officials are overtly partisan. Marisam's research outlines a gap in our election system and a need for public administrators to fill this void. Furthermore, upon researching the responsibilities of public administrators in elections, evidence supports the position that partisan leaders have the power, not independent public administrators.

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Lastly, Marisam's work compared the election turnout in 1918 to the postponed New York state primary election. While both led to lower voter turnout, Marisam's findings noted that in 1918, American citizens were in a prolonged nationwide pandemic. Despite the risks of voting in-person, 40% of Americans did just that. This is most likely due to the nation's wartime status. In comparison, the governor of New York has the power to suspend an election statewide. Additionally, as Marisam argues, the New York terrorist attacks were mostly confined to just the city. For this reason, low voter turnout only occurred in the city, not statewide or nationwide. This is in stark contrast to the 1918 pandemic which affected the entire nation. Therefore, as our nation faces another global pandemic during a presidential election, low voter turnout is a significant possibility. Consequently, governmental officials including public administrators must develop comprehensive and innovative solutions to combat this election emergency (Marisam, 2010).

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Research Methodology

To sustain election integrity, Americans must understand how the coronavirus pandemic affects the upcoming 2020 presidential election. For example, voting practices will need to be amended to mitigate health risks since our nation will still be combatting this virus.

Consequently, we must find out if the voting process has ever been postponed or cancelled in the past. Who has the power in the U.S. to decide to postpone an election? Likewise, who has the power to encourage or sway election outcomes through voter education? What is the current role of public administrators to support and facilitate elections? Will their role evolve during a pandemic? To best answer these questions, interviews were conducted with individuals from a Democratic state office, a Republican state office, and a nonpartisan organization. These politically diverse interviewees ensured that during a time of divisiveness, all sides were surveyed. The interviews occurred by phone or via Zoom to facilitate honest and detailed responses using prepared interview questions (see Appendix A). These conversations lasted approximately twenty minutes. As opposed to a questionnaire, the interviews were selected so as to produce more accurate qualitative findings and in-depth answers. Additionally, the interviewees' identities will remain anonymous. This will be executed to properly align with the procedures of the IRB.

While preparing for the qualitative analysis of my subjects, I will keep in mind the approaches of critical research and grounded theory. Through critical research, I will use the interviews to gain more descriptive analysis' while primarily focusing on the context, not the subjects. As a result, I will understand the history and underlying issues affecting election integrity during a pandemic. Additionally, critical research highlights connections and patterns which can lead to the development of future steps in the research process (Carroll, 2004, p. 193).

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

For instance, the Democratic subject discussed the need to expand voting beyond the limited window of one weekday. Consequently, this led to the research of an organization called Why Tuesday. In addition to critical research, the interviews will lead to a grounded theory of my own or coincide with my previous research. Grounded research means analyzing and developing theories after collecting data. To adhere to the principles of grounded theory, it is best if the researcher has limited knowledge of the topic before conducting an interview. As a result, the researcher can form a novel point of view and avoid narrowed research or implicit bias (Backman, 2002). At the beginning of my research, I had little knowledge about elections during unforeseen times. However, as I conducted the literature review and utilized the guiding questions of my research, I was able to produce effective interview questions. This research may determine that the nation has not established roles for public administrators to maintain election integrity. Therefore, the country is unprepared for these unprecedented times and the 26th Amendment for voter protections must be monitored.

To conduct the interviews, I contacted individuals by email to determine if they were willing to participate. To limit bias, it was important to interview those with different political backgrounds. I have contacted and met with Villanova's IRB Department and received confirmation that my interviews do not require IRB approval. This is because I am only interviewing three individuals. I did, however, execute a formal IRB application to provide confirmation that I went through the process. The prospective interviewees were between the ages of 30-60. While these ages are far apart, I wanted to ensure that the subjects are as diverse as possible i.e. age, profession, political party, race, gender, etc.

To ensure my findings are conclusive and not politically biased, I chose to interview three volunteer participants. Since in-person interviews could not be conducted at this time, the

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

interviews were conducted individually by phone or via Zoom. Subjects had the option of either method. Prior to beginning my interview, I reiterated that these interviews will only be used for this research project and will be shared anonymously with the Chair of the Department of Public Administration. To allow time to communicate and to record necessary information about our debriefs, the interviews were spaced out. To maintain consistency during the interview process, I conducted the interviews in late June 2020 to early July 2020.

Through phone or Zoom interviews, there is still a possibility for error. My first concern was whether the interviewees will provide honest responses. Since these are professionals in the field, this may occur if they are worried about being too honest, especially if I do not protect their responses. If I do not receive honest responses, my data will be inaccurate. Another concern was that error could occur because of the questions that I choose to ask. At times, the questions could be too narrow or too broad. These are questions with intended and specific responses. Thus, I could be narrowing down their responses. Another key aspect of qualitative analysis was whether I accurately capture the subjects and their statements. Furthermore, I conducted interviews through Zoom or by phone because I wanted my subjects to feel as comfortable as possible. Additionally, errors could occur should I misunderstand the subjects' responses. To prevent this, I asked for clarification from the participants.

Upon completion of the interviews, I was surprised that the three subjects, regardless of their political affiliation, had similar concerns about the upcoming election. For example, the three interviewees had reservations about disenfranchising voters, the significant increase in vote by mail and the preparedness of states for these changes. All agreed that the decision makers in the electoral process are state level and are headed by the Secretary of State. However, the Republican subject noted fears of unilateral decisions from governors if there is no input from

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

legislatures. Additionally, when asked if the election results were in jeopardy, each interviewee had a different response. The Democrat subject believed that if less citizens vote, our democracy is less robust. In contrast, the Republican subject was not worried about the election because she trusted our electoral system. However, she was concerned that the outcome of the presidential election could be delayed by weeks or even months. She noted that this delay could incite increased division along party lines and diminish our standing on the international stage. As a result of the pandemic, the nonpartisan subject believed the outcome could be swayed to either political party's advantage. When asked about changes to the election process, both the Democrat and the nonpartisan subjects noted the need to expand voting practices such as early voting and vote by mail. In contrast, the Republican subject was concerned that vote by mail would not be a viable solution due to the increased ballots and possible delays in counting votes. As a solution, she argued that states and counties should provide early training and preparation.

This project allowed me to breakdown some of my personal partisan barriers as well as strengthen my active listening skills. Both are key traits and necessary skills of a public administrator. Furthermore, I gained great insight from conducting the interviews and establishing these connections. Additionally, during my interview with the nonpartisan individual, he echoed themes from Financial Management. For example, he argued that city and state governments must balance their budgets annually. Therefore, with state-wide closures to mitigate health risks, states' revenues have decreased. Consequently, states must determine how to safely hold the presidential elections by providing costly protection such as PPE for poll workers.

As our nation continues to combat the pandemic, it is essential to delve deeper into election integrity to reflect upon the past and see if any lessons can be applied today. To learn

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

more about this upcoming presidential election, I have interviewed individuals in the field of public service as well as have recorded my findings. Only then can we begin to search for a common solution. As a nation, how can we combat an issue if we cannot understand the roles of those in the decision-making process? To protect the 26th Amendment, we must reflect upon past elections to seek solutions for this year's voting process. Lastly, these solutions must be used for future elections.

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Recommendations: Advocacy Proposal for Maintaining Election Integrity

As our nation combats the coronavirus pandemic, preparations for the 2020 presidential election in November are already underway. While it is unprecedented to face such unknowns during a presidential election year, the nation has dealt with hurricanes, terrorist attacks, and previous pandemics. In 1918, the mid-term elections took place during the Spanish Flu. Consequently, Americans had to vote in-person wearing a mask. As November approaches, much uncertainty about our election exists. This uncertainty is due to our decentralized electoral system since election power remains with the states. Assuming that our nation will still be combatting the coronavirus in November, it is important for leaders to prepare a strategy for this year's election. This year's presidential election faces many unknowns and consequently, election integrity must be protected.

As November approaches, it is important that President Trump does not use Executive Office power to postpone or cancel the election. If President Trump makes a unilateral decision to postpone the election amid the pandemic, future leaders could potentially use this power to their advantage. In the past, postponing elections globally has led to a rise in authoritarianism such as Sierra Leone's response to Ebola. As of April 2020, Axios reported that 47 countries had postponed or cancelled elections due to the virus. In contrast, South Korea held an election in April 2020, but the country took proper steps to protect its citizens. These steps included mandatory masks, temperature checks, gloves to use the machines, and two days of early voting (Lawler, 2020). Since our election is less than four months away, leaders must begin to implement short-term and long-term changes to maintain election integrity.

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

In October 2019, Governor Wolf signed Act 77 into law. This act provided PA citizens with the most comprehensive election improvements. Act 77 provided no excuse absentee ballots, increased voter registration time, and changes in the voting system to maintain election integrity. Following the 2016 Russian interference, these changes were deemed necessary to protect the election against outside influence. For example, Act 77 provided \$90 million in funds for new voting systems (Act 77 Makes Historic Changes to PA Election Code, 2020).

The interviewees echoed the need for urgency from local leaders to prepare for November's election. Also, the interviewees discussed how Act 77 will affect this upcoming election. This act will help decrease the number of PA citizens voting in-person and lessen concerns of the virus' spread. However, since no excuse voting is still newly introduced, it has had some negative effects. These negative effects include delayed primary ballot results. Furthermore, primary race results were delayed by a month. With such an increase in absentee ballots, the state was unprepared for the coordination needed to mail them out, send them back to their proper districts, and then to count them. Additionally, election education is needed for both voters and the election board members. With the passage of Act 77, new machines and techniques were introduced. However, since many PA residents voted absentee, the new machines were not used. Therefore, on November 3rd there may be many unexpected issues with these machines. Due to the expectation of long lines as well as social distancing, the poll workers must be properly trained to handle these issues quickly and prevent voter disenfranchisement. States must decide if they will encourage absentee voting to mitigate health risks or if they will require citizens to vote in-person. Both methods will require increased training as well as volunteers to either mail out and count the ballots or to work the polling booths. Additionally, if states require in-person voting and block absentee ballots, they must provide personal protective

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

equipment (PPE) for these workers. Contrary to this protocol, Wisconsin and Texas prevented no excuse voting and their citizens could only vote in-person for the 2020 primary election (Morley, Foley, & Rosen, 2020). This led to long lines, discouraged voters, and an increase in covid cases. To prevent voter disenfranchisement and to protect the 26th Amendment, states must begin to execute preparations for the presidential election by expanding early voting and vote by mail options.

The literature review outlined many unforeseen events which led to changes in the voting process, both nationally and internationally. These instances are not widely known; only the nonpartisan interviewee was aware of the postponement of the election on September 11th. While we have not previously experienced a pandemic during a presidential election year, Americans did vote in a mid-term election during the 1918 pandemic. Similar to Americans 102 years ago, some citizens will have to vote in a mask if mail-in ballots are not available. Also, both the literature reviews and the interviewees noted that the decision-making power is greatest at the state level. Lastly, the literature review and the Democrat subject supported the need for nonpartisan oversight in our electoral system to maintain election integrity.

For long-term election integrity, the U.S. must implement greater accountability measures to oversee the election process. The U.S. needs to utilize public administrators to maintain election integrity and to support the election process in our nation. Furthermore, the U.S. is one of the few democracies that does not use public administrators in this fashion. For instance, like most of the world's democracies, Canada has independent election officials. However, our current system utilizes overtly partisan individuals and a skewed judicial system. Similar to the Secretary of State, the individuals who have election decision-making powers are political appointees. In the U.S., those with election decision-making powers are often untrained

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

and unprepared for unforeseen election emergencies. Also, since our system is decentralized, each state has different responses to crises such as the pandemic. In contrast, there are established election rights to grant emergency election powers to officials in Canada (Marisam, 2010). Similarly, our voting system must be more robust with greater alternatives to ensure the 26th Amendment is protected (Morley, Foley, & Rosen, 2020).

Also, nonprofit and nonpartisan organizations play a key role in elections. The Brennan Center for Justice, an independent nonpartisan organization, works for an America that is democratic, just, and free for all (Brennan Center for Justice, 2020). For this upcoming presidential election, the Brennan Center's focus is to ensure election integrity. To maintain this, the center notes the need for updated election infrastructure to prevent foreign interference. In response to covid, the Brennan Center outlines five necessary steps to ensure the 2020 election is fair, accessible, and secure. These five steps include: (1) polling place modification and preparation, (2) early voting expansion, (3) universal vote-by-mail, (4) voter registration modification and preparation (to include online registration), and (5) voter education (see Appendix B).

Similarly, Why Tuesday, another nonpartisan organization strives to move the election date from the first Tuesday in November to a weekend more accessible for Americans. In 11 states, early voting is not available and absentee ballots are not permitted without an excuse. Therefore, single parents and, students, for instance in those states are at a disadvantage to exercise their constitutional right to vote. As Why Tuesday notes, America's voter turnout ranks 138th of 172 nations. The U.S. Census data found that in 2010, 27% of nonvoters were too busy or could not get time off to vote. Furthermore, there is support across the aisle to make these changes. As Democratic Ambassador Andrew Young states, "If Congress can move President's

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Day, Columbus Day and alas Martin Luther King's Birthday celebration for the convenience of shoppers, shouldn't they at least consider moving Election Day for the convenience of voters?".

However, there are Republicans who are against such a change to our voting system. For example, Senator Mitt Romney (R-UT) states, "Each state, the people of the state, are able to make a decision as to how they want to vote" (Why Tuesday, 2020).

Lastly, the National Task Force on Election Crises is a nonpartisan organization to ensure a free and fair 2020 presidential election. The task force has over 40 experts in election law, voting rights, public health, emergency response, etc. (National Task Force on Election Crises, 2020). In a memo prior to the November 2020 election, the National Task Force outlined steps for governments to establish wide-scale vote by mail protocol, safe voting practices, proactive communication as well as voter transparency (see Appendix C).

Due to the pandemic, election integrity faces great obstacles during this presidential election. In our current system, overtly partisan individuals in governor's cabinets have the decision-making power during elections. When compared to other global democracies which utilize nonpartisan individuals during election emergencies, our system has not progressed in comparison to other nations as supported by literature review findings and interviews (see Appendix D). Our nation continues to be divided by our political ideologies and partisanship. In the future, public administrators must be utilized to maintain fair and just elections. In the meantime, as the 2020 presidential election approaches, our current leaders must take steps to prepare for the election during the pandemic. Whether state leaders expand no excuse absentee ballots or require citizens to vote in-person, leaders must safeguard election integrity by proactively preparing for the election.

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Conclusion

This independent study researched how to maintain election integrity amid a health crisis. Through my research, I found a great need for public administrators to oversee our electoral system since our current process is highly partisan. In the electoral system, the greatest power is held by the states, particularly by one individual, the Secretary of State. Since the power remains with political appointees, organizations outside of the government such as nonprofits do not have any direct influence on the election. Instead, nonprofits advocate for equal voter access. As I reflect upon this project, I am reminded of themes from the MPA program which include reflection, accountability, collaboration, and communication. Our electoral system and their leaders will need these skills for the 2020 presidential election in November. Furthermore, they will require greater accountability and widespread oversight from nonpartisan individuals such as public administrators. To maintain a fair and just election, the electoral system and those managing the election process must be nonpartisan.

Local and state leaders will need to overcome partisanship as well as collaborate with nonprofits, business owners, and public administrators to establish safe voting practices. These practices include providing PPE for the poll workers and larger spaces for in-person voting. Likewise, strong communication skills will be of utmost importance. Also, communication will be necessary to train the poll workers, to educate the voters about their options, and to prepare election boards as well as county judges for an influx of mail in ballots. Also, election boards will need to communicate with the health care industry to establish safe practices. Lastly, leadership accountability for this election is vital since any preparation or lack of preparation will be measured in human cost. At this time, leaders must utilize preparation, communication, and collaboration to prepare for the presidential election on November 3rd.

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

References

- Act 77 Makes Historic Changes to PA Election Code*, (2020). Retrieved from Votes PA: <https://www.votespa.com/About-Elections/Pages/Voting-Reforms.aspx>
- Backman, K. (2002, January 4). *Challenges of the Grounded Theory Approach to a Novice Researcher*. Retrieved from Wiley Online Library https://onlinelibrary.wiley.com/doi/full/10.1046/j.1442-2018.1999.00019.x?casa_token=0EwEGITIPR0AAAAA%3APs5jIUyCm7XefhXRuxwLYs4jakcDXRL3tbiWQOINwueeTW-aIZ5Qchg9O74SoevBu2XIK5pE-KEHbqo
- Bomboy, S. (2020, April 10). *Does the Constitution Allow for a Delayed Presidential Election?* Retrieved from the National Constitution Center: <https://constitutioncenter.org/blog/does-the-constitution-allow-for-a-delayed-presidential-election>
- Brennan Center for Justice*. (2020). Retrieved from the Brennan Center for Justice: <https://www.brennancenter.org/>
- Carroll, W. (2004). *Critical Strategies for Social Research*. Toronto: Canadian Scholars' Press.
- Chari, R. (2010, September 8). *The 2004 Spanish Election: Terrorism as a Catalyst for Change?* Retrieved from Taylor and Francis Group: https://www.tandfonline.com/doi/pdf/10.1080/0140238042000283247?casa_token=w6mPsf0jLgAAAAA%3AkAzXyIjkCrEWUIRgkUvKFMX1Nj9ofAqNRjU93EpbqIGvkbNZ8pWZzsWf3GpQWIFL6XqiR8BvT7Ux&
- Ham, C. (2013, August 1). *Getting Elections Right? Measuring Electoral Integrity*. Retrieved from Taylor and Francis Group: https://www.tandfonline.com/doi/full/10.1080/13510347.2013.877447?casa_token=SfcLpxuuFMIAAAAA%3AebFbxeAVSAIXdPI0GgidCO_Q4Qd-TBhHuty27kj3AOXNBtQACrLYtHcRIHHCNg4caXYZeb_CNz0P
- Ham, C. (2015, October 23). *When Guardians Matter Most: Exploring the Conditions Under Which Electoral Management Body Institutional Designs Affects Election Integrity*. Retrieved from Taylor and Francis Group: https://www.tandfonline.com/doi/full/10.1080/07907184.2015.1099097?casa_token=znAc4Gu5qx0AAAAA%3Aq_aR7QsTWdwvd1uZN-L7p-fFsKgc4LhGay4cHF--POu_mF1a8KkvshzEDBjYJ8boqOosVjIYNOQd
- Lawler, D. (2020, April 13). *Countries Grapple with How to Hold Elections During Coronavirus*. Retrieved from Axios Media: <https://www.axios.com/elections-coronavirus-2020-postoned-a662197b-89b7-4c26-8927-aef8c3d2529a.html>
- Marisam, J. (2010). *Judging the 1918 Election*. Retrieved from Election Law Journal: <https://www.liebertpub.com/doi/pdf/10.1089/elj.2009.0052>

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

McDermott, J. (2017, November 8th). *The Social Practice of Human Rights: Charting the Frontiers of Research and Advocacy*. Retrieved from University of Dayton Human Rights Center:

https://ecommons.udayton.edu/cgi/viewcontent.cgi?article=1249&context=human_rights

Morley, M. (2020). *Election Emergencies: Voting in the Wake of Natural Disasters and Terrorist Attacks*. Retrieved from Emory Law Journal: <https://law.emory.edu/elj/content/volume-67/issue-3/articles/election-emergencies-voting-natural-disasters-terrorist-attacks.html>

Morley, M., Foley, E., & Rosen, J. (2020, May 28). *Voting, Coronavirus, and the Constitution*. Retrieved from the National Constitution Center:

<https://constitutioncenter.org/interactive-constitution/podcast/voting-coronavirus-and-the-constitution>

National Task Force on Election Crises. (2020). Retrieved from National Task Force on Election Crises: <https://www.electiontaskforce.org/>

Pérez, M. (2020). *Election Integrity: A Pro-Voter Agenda*. Retrieved from the Brennan Center for Justice:

https://www.brennancenter.org/sites/default/files/publications/Election_Integrity.pdf

Whitaker, L.P. (2004, September 22). *State Election Laws: Overview of Statutes Regarding Emergency Election Postponement Within the State*. Retrieved from Massachusetts Institute of Technology: <http://web.mit.edu/supportthevoter/www/files/2013/08/CRS-Report-on-Suspending-Elections.pdf>

Why Tuesday. (2020). Retrieved from Why Tuesday: <https://whytuesday.org/>

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Appendix A

Interview Questions

1. Are you aware of any times in the past when voting was affected by unforeseen circumstances like terrorism, natural disaster, past pandemics, etc.?
 - a. If yes, can you think of any lessons from history that we as Americans should use as the presidential election approaches?
2. Do you have any reservations about the upcoming election?
 - a. If yes, what are they?
3. Who are the decision-makers of the election process?
4. Who has the power to make the necessary changes to the election?
5. Do you think the outcome of this election is in jeopardy because of the pandemic?
6. What changes do you think should occur to protect election integrity?
7. Do you think anything will change in our voting process from this pandemic?

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Appendix B

Part of the Brennan Center's Response to the Coronavirus

This document benefited from the input of multiple election officials and voting rights experts and may be updated to account for new developments and comments.

The coronavirus disease 2019 (Covid-19) presents a difficult and novel challenge to the administration of the 2020 general election. Recent election emergencies have largely been caused by catastrophic weather events, and our country has done little election planning for pandemics. Unlike a hurricane, a pandemic does not have a discrete and relatively predictable end point. And avoiding large-scale social contact is a central feature of combating the crisis. These elements create distinct challenges for election officials on top of the significant and ongoing threats to the security of our election infrastructure.

Given the scope of the challenge, large-scale preparation, backed by the concerted support of the government and the public, is needed immediately to ensure that the 2020 election is free, fair, accessible, and secure. We will need substantial modifications to our election procedures, substantial flexibility, and a substantial infusion of resources to ensure that every eligible American can register and vote safely, securely, accessibly, and as conveniently as possible; to ensure that every ballot cast by an eligible voter counts; to maintain the security of the election; and to ensure the safety of election workers. Below we outline the critical changes needed to ensure the election works.

The key recommendations fall into five categories: (1) polling place modification and preparation; (2) expanded early voting; (3) a universal vote-by-mail option; (4) voter registration modification and preparation, including expanded online registration; and (5) voter education and manipulation prevention. We recommend that each state government establish an election pandemic task force to determine how best to implement relevant policy recommendations in their state. State and local officials must understand the laws and [emergency rules](#) applicable to their jurisdictions and consider appropriate adjustments to ensure that election officials have the authority needed to accomplish these modifications. For its part, Congress should immediately appropriate funds to ensure that election officials have the resources needed to make the needed adjustments to their voting systems. Congress should also establish baseline national rules to ensure that every eligible American can vote safely, securely, and accessibly in the midst of the pandemic. In the absence of Section 5 of the Voting Rights Act, care must be taken to ensure that changes are nondiscriminatory and do not negatively impact access for communities of color.

1. Polling Places

People without Internet and mail access, those who need language assistance to vote, and people with disabilities who rely on voting machines to cast a private and independent ballot may be disenfranchised if polling places are closed. To ensure that everyone can vote, jurisdictions should do their best to keep polling places open and safe for voters and election workers alike, and they should take steps to guard against long lines and mass confusion.

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Polling place siting

- To the extent permissible under public health mandates, jurisdictions that offer polling place voting must continue to do so. Many people do not wish to, do not know how to, do not have access to, or cannot use mail voting.
 - In particular, Native American tribes should be permitted to designate buildings on reservations that can be used to register to vote and pick up and submit ballots (as would be provided by the Native American Voting Rights Act).
 - Polling sites are also critical for the operation of same-day registration, real-time address updates, and provisional balloting for certain individuals.
- Preparations should be made now to modify polling place siting decisions to account for Covid-19.
 - Polling places are routinely sited in buildings that primarily serve communities identified as high risk for serious Covid-19 illness, like senior care facilities. Alternative locations should be immediately identified in case the health risk is too great to use those locations in November and, in the event of a change, voters should immediately be given individualized notice of the change, with a second notice to be given within weeks of the November election. Funding should be provided to account for increased rental costs and costs associated with making new polling sites accessible to people with disabilities.
 - If polling places are moved out of senior care facilities or other residential sites, plans should be implemented to ensure that the residents of those facilities are able to cast a ballot.
 - In determining modifications to polling location plans, election administration officials must assess the impact of voting changes on vulnerable communities and ensure that polling place location changes increase, not limit, accessibility for racial and language minority voters as well as students and voters with disabilities.
- Where there is insufficient access to polling places, states should add vote centers where every ballot in a jurisdiction is available on demand. This will require immediate funding to set up the necessary technology.

Healthy polling places

- Polling places will need to be sanitized to prevent transmission of the virus, in compliance with the guidance issued by government health agencies.
 - The Centers for Disease Control and Prevention (CDC) has issued [guidance](#) for preventing transmission of Covid-19 at polling places, including that poll workers should stay home if they are sick, clean frequently touched surfaces, disinfect potentially contaminated surfaces after cleaning, wash hands frequently, and clean and disinfect voting machines and other equipment.

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

- The U.S. Election Assistance Commission (EAC) has posted [guidance](#) from vendors regarding the cleaning of voting machines.
 - Polling places should be equipped with soap, water, and drying materials and an alcohol-based hand sanitizer.
 - Procedures should be established to ensure that hand sanitizer use does not jam ballot scanners.
 - Ballot-marking procedures should be established to minimize viral transmission. For instance, where possible, voters should be provided with disposable pens to mark paper ballots and should also be encouraged to bring their own pens to the polling place. Election officials should consult with their machine vendors to determine whether Q-tips or other disposable devices can be used to mark votes, instead of voters using their fingers.
- To comply with government health organizations' recommended social distancing policies, polling places will require reconfiguration to allow substantial space between voting privacy booths, distance between poll workers, etc.
 - Increased funding and preparation will be needed for resources such as additional machines, additional staff, and larger voting spaces.
 - Reconfiguration plans should account for voters with disabilities to ensure these voters do not face extra burdens by the placement of voting equipment and check-in stations.
- Adequate polling place resources, including voting machines, ballots, and poll workers, should be provided to minimize lines, since crowds and exposure time are key determinants of the likelihood of contracting viruses, and since long lines are in part a function of inadequate election day resources. (This is particularly critical since the CDC recently [recommended](#) canceling gatherings of 50 people or more for eight weeks.)
 - Increased funding for and deployment of polling place resources is needed to minimize lines.
 - Resource plans should include recruitment of additional poll workers to account for potential absences due to sickness or fear of Covid-19.
 - Plans may include recruiting workers who were displaced or laid off due to the effects of Covid-19 and nonessential federal, state and local workers (who do not have a conflict of interest), expanding student and bilingual poll worker programs, using temporary staffing agencies, and relaxing poll worker qualifications.
 - Funding should be provided to increase incentive compensation for poll workers and to pay overtime to poll workers working to process lines that remain after poll closing hours.
 - Jurisdictions should also consider recruiting additional poll workers who can serve as “greeters” to triage different types of voters — for example, identifying voters who are there to drop off a ballot as opposed to casting a ballot on a machine, or those who need language assistance.
 - Resource plans should also account for online or webinar-based trainings of poll workers.
 - Jurisdictions that are required to provide language assistance in languages other than English should hire professional interpreters to offer assistance by phone at any stage of the voting process where translation is needed.
 - Curbside voting options should be made available, especially for voters with disabilities or illnesses who may not be able to leave their vehicles. (Note that as a general matter, curbside voting is not a legal cure to inaccessible polling locations.)

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

- Jurisdictions should prepare for a surge in provisional voting due to delays in processing of voter registration applications, voter confusion resulting from polling site closures and consolidation, and unfamiliarity with absentee voting.
 - Poll workers must receive additional training on provisional voting procedures, including training to ensure that every person who presents themselves as eligible to vote has a right to cast a provisional ballot.
 - Election officials should stock extra provisional envelopes, provisional voter affidavits, and provisional voter notices of rights in all languages the jurisdiction is required to offer under Section 203 of the Voting Rights Act.
 - To account for anticipated concerns about the safety of certain polling places in states that have strict precinct voting requirements, provisional ballots cast by voters registered in the jurisdiction, but cast in the wrong precinct, should count for the races on which the voter is eligible to vote, and states should suspend restrictions that would prevent voters' ballots from counting.

2. Early In-Person Voting

- States should expand early voting options to reduce long lines and administrative stress on Election Day.
 - States that do not offer early in-person voting should implement it for this year — either by creating an early voting program or by modifying their existing absentee voting program to allow voters to cast absentee ballots in person.
 - States that offer early in-person voting should expand the number of locations at which it is offered and extend the days and hours on which it is offered.
 - Ideally, states should offer at least two weeks of early in-person voting, but states should offer a minimum of five days, including at least one Saturday and one Sunday.
 - Voters should be encouraged to vote in advance of Election Day to minimize crowding of polling places.
- A significant infusion of resources is needed to expand flexible early voting, allow for ballots on demand in states that choose to offer early voting at vote centers, and implement technologies, like online wait time apps, that can help direct voters to locations with the shortest lines.

3. Mail Voting

Mail voting option for all, at no cost

- Mail-in ballot options should be extended to all voters.

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

- All voters should be offered the option to cast their ballot by mail (with multiple submission options, as provided below), so as to enable voters to avoid lines at the polls and exposure to Covid-19.
 - However, in-person voting options consistent with public health must also be maintained.
 - Inactive and recently purged voters (who may have been improperly removed from the rolls) should be sent provisional ballots by mail if they request a mail ballot.
 - In the few states that have appropriate voter list and election infrastructure and widespread mail voting, it may be appropriate for election authorities to arrange to automatically send mail ballots to every registered voter, while maintaining in-person options for those who cannot vote by mail.
 - Given that mail-in voting may be the only option for people who need assistance or are immune-compromised to cast a ballot, states must allow voters who cannot vote in person — particularly people with disabilities, illness, or language assistance needs — to obtain assistance completing and submitting ballots from individuals they designate.
 - An immediate infusion of resources is needed for mail ballot tracking software, as well as for additional facilities costs for mail ballot processing and ballot duplication efforts.
- Voters should not bear the return postage cost for absentee ballots.
 - In addition, absentee ballots without postage should be delivered by the U.S. Postal Service.
 - Jurisdictions should order adequate paper ballots and absentee ballot envelopes to account for the potential need to mail ballots to every registered voter.
 - At a minimum, enough paper ballots and absentee ballot envelopes should be printed to cover 120 percent of the number of registered voters in the jurisdiction at the time the ballots and envelopes are ordered. This will account for the anticipated surge in voter registrations before the presidential election and should accommodate spikes in turnout for voters changing their minds and deciding to vote in person during early voting periods or at a polling place on Election Day.
 - Jurisdictions that are required to provide language assistance under Section 203 of the Voting Rights Act must provide ballots and other voting materials, including updates about the changes to election procedures, in all required languages. These jurisdictions should also offer language assistance by phone.
 - Covid-19 could unexpectedly impact printing vendor capacity, and officials should order ballots as soon as possible.
 - Voting system vendors should ensure there are enough commercial printers that know the vendor ballot specifications to meet additional demand and that election officials have the specifications so they too can print ballots as needed.
 - Where possible, states should use no-glue envelopes and instruct voters not to lick envelopes.

Requesting, receiving, and returning mail ballots

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Options for requesting, receiving, and returning mail-in ballots should be expanded, while maintaining the security of the voting system.

- States should offer multiple methods of requesting mail-in ballots, including online, in person, by phone, and by mail.
 - States generally allow voters to request mail-in ballots in person or through the mail, but a number of states supplement these request methods. At least one supplemental method should be offered to voters in affected jurisdictions.
 - Jurisdictions should consider establishing secure processes by which voters who are unable to leave their homes can be offered an option to receive a blank ballot electronically.
 - In states that have tabulators that work only with certain ballots, email printed ballots should be an option of last resort (and will have to be counted by hand or duplicated before scanning).
 - Funding should be provided for this purpose, including for the duplication of ballots and the implementation of secure electronic technology for transmittal of blank ballots.
 - Web portals for online absentee ballot requests should be screen-reader compatible for voters with visual impairments.
- Secure options for returning ballots should be expanded.
 - States should offer voters drop boxes in accessible locations, if they are able to do so securely. Outside of government offices, drop boxes should be equipped with secure cameras.
 - Voters should also be offered secure curbside drop-off options at polling places.
 - States should allow voters who are unable to leave their homes to designate individuals to return their completed ballots.
- Deadlines for mail-in ballots to be requested and returned should be relaxed.
 - Voters in jurisdictions affected by Covid-19 should be permitted to request a mail-in ballot as close as possible to Election Day.
 - Mail-in ballot receipt deadlines should be extended to account for delays in U.S. Mail, ballot drop box retrieval, or other administrative processing delays caused by Covid-19. The receipt deadlines must not be extended so far as to prevent compliance with the federal Electoral College deadlines, though Congress should extend those deadlines.

Processing and counting mail ballots

- Election canvassing and certification deadlines should be extended to account for delays in receiving and processing mail-in ballots, and ballot processing times should be adjusted.

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

- Election canvassing and certification deadlines should be extended to account for broader use of vote by mail, extended mail-in ballot deadlines, and disruptions to U.S. Mail service, while remaining consistent with (also extended) federal Electoral College deadlines.
 - In addition, while the CDC has stated, with respect to packages from China, that “there is likely very low risk of spread from products or packaging that are shipped over a period of days or weeks at ambient temperatures,” it is conceivable that election officials will decide to quarantine mail-in ballots prior to canvassing them. Deadlines should be extended further to account for that.
 - Election officials should be permitted to begin processing mail-in ballots prior to the close of polls on Election Day, in order to save time and reduce the overall administrative burden.
 - While it would be completely inappropriate to move Election Day either nationally or in a particular state, the deadlines for counting ballots and resolving election disputes can and should be extended to ensure a fair and accurate count before the end of the year. Specifically, Congress should extend the Electoral College deadlines, merging or moving closer together the December 8, 2020 “safe harbor” deadline for states to resolve controversies over the appointment of electors and the December 14 meeting of the electors, and extending these deadlines to occur closer to the end of the calendar year.
- Reasonable, uniform processes for evaluating the validity of mail ballots should be implemented to prevent widespread disenfranchisement as a result of an uptick in mail ballots.
 - Uniform processes for signature matching should be implemented and funding for signature matching software should be provided. Because signature matching can lead to voter disenfranchisement, especially for voters with disabilities and illnesses, voters whose signatures are found not to match should be offered timely notice and a meaningful opportunity to cure or prove that they personally cast the ballot.
 - Ballots should not be rejected based on technical defects that do not substantially relate to ensuring that the ballot was actually completed and cast by the voter.
 - Mail ballot requirements that necessitate in-person interaction — such as getting an absentee ballot notarized or witnessed, or curing defects with an absentee at a government office — should be modified.
- Mail ballot processing and administrative capacity should be expanded.
 - An immediate infusion of funding is needed to expand capacity to process a surge in the number of mail ballots, including purchasing high-speed ballot scanners and automated mail sorting systems, securing additional warehouse space to store the additional equipment and supplies needed for mail balloting, and increasing election staff to process mail ballots and ballot applications.
 - In jurisdictions that are required to provide language assistance pursuant to Section 203 of the Voting Rights Act, language assistance hotlines should be set up to provide general information and answer questions in mandated languages.

4. Voter Registration

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Covid-19 may severely disrupt the ability of Americans to register to vote and elections officials to process registration applications. Quarantines, illnesses, and social distancing will likely reduce access to government offices that provide voter registration services or lead to postal service disruptions, particularly in the critical weeks leading up to voter registration deadlines, when most registrations typically occur.

Bolster online registration

- Online voter registration (OVR) systems must be bolstered to ensure they can accommodate a surge in use.
 - OVR systems should be tested and their capacity bolstered to ensure that they can handle surges in web traffic.
 - In the jurisdictions that manually process online registrations, OVR systems should be automated end to end, so that both the submission and the processing of registration applications occur electronically.
 - This will require a significant infusion of resources immediately
 - If registration processing is still manual, then jurisdictions will need a significant increase in staffing to process registrations, and contingency plans will be needed to ensure that registrations are processed if government offices close.
- States that link OVR systems to department of motor vehicle (DMV) databases should ensure that citizens without DMV records can still register online.
 - Ideally, states should ensure that the existing OVR system is capable of processing online registrations for registrants without DMV records (capturing signatures from other government databases or allowing voters to provide signatures when they first vote).
 - Alternatively, states should provide a secure alternative electronic method to register to vote for those who cannot access the OVR system.
- States that do not have OVR should work to set up such a system immediately.
 - This will require a significant infusion of resources in the short term.
 - If that is not achievable, states should set up alternative electronic systems for registration.

Increase staffing

- Voter registration processing capacity should be enhanced with additional staffing to address a surge in voter interest and major disruptions to normal processes.

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

- States that offer same-day registration (SDR) should prepare for an even greater surge in same-day registrations, if voters were unable to register in advance due to government office closures.
- States without SDR should anticipate needing additional polling place staffing on Election Day to accommodate emergency addition of an SDR option.

Flexible registration deadlines

- States should prepare to extend voter registration deadlines in light of anticipated government office shutdowns, online access difficulties, and breakdowns in other voter registration systems.
 - An extension should be mandatory if large numbers of voters are unable to leave their homes, if government registration offices close, or if there are disruptions to online service as the voter registration deadline approaches.
 - If disruptions continue beyond the extended voter registration deadline, states should offer same-day registration and voting for voters affected by disruptions.
- Voters who submit timely registrations should be permitted to vote and have their votes counted, even if mail disruptions prevent their registrations from reaching election officials. To accomplish this, states should adopt one of the following options:
 - allow SDR for all voters in this election;
 - offer SDR (with a regular ballot) for voters who affirm that they submitted timely registrations or were unable to do so due to Covid-19; or
 - provide a provisional ballot to voters who affirm that they submitted timely registrations and ensure that those ballots are counted in a manner that does not penalize registrants for disruptions to the mail delaying receipt of voter registrations.
 - States should also count all provisional ballots cast by voters whose registrations were delayed by mail disruptions. In the event of mail disruptions, postmark dates alone should not be considered dispositive of timeliness, and election officials should accept other indications by the U.S. Postal Service that the ballot was mailed on or before the close of polls on Election Day.

5. Voter Education and Manipulation Prevention

Fear and confusion around a pandemic create a fertile environment for disinformation and efforts to manipulate the electoral process for improper purposes and partisan gain. State officials, advocates, and citizens should take steps to guard against the use of Covid-19 to suppress voters or otherwise manipulate the election.

- States and localities should be clear and transparent about changes to voting rules.

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

- Aggressive public education campaigns must be mounted to inform voters regarding changes to voting rules and options.
 - Enhanced advertising in languages other than English should be provided to ensure that all voters understand changes to voting rules and options.
 - Election websites should be made fully accessible to voters with disabilities.
 - Funding will be needed to reach large numbers of voters affected by changes to voting rules and options.
- States will also need to plan to combat disinformation about voting rules changes, including strengthening the resiliency of tools for voter information like polling place lookup websites.

Brennan Center for Justice (2020). Retrieved from Brennan Center for Justice:
<https://www.brennancenter.org/our-work/policy-solutions/how-protect-2020-vote-coronavirus>

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Appendix C

Nation
al
Task
Force
on
Electio
n
Crises
Letter
to
States



April 29, 2020

SENT VIA EMAIL

Dear Governors, Legislative Leaders, Secretaries of State, and State Election Directors:

The National Task Force on Election Crises writes to urge you to accelerate preparations in your state to conduct the 2020 general election safely with the possibility of a continued, or renewed, COVID-19 pandemic.¹ In light of the challenges posed by COVID-19, it is imperative that your state mount an immediate effort to prepare for the worst in November and take action to protect the health of your citizens as they participate in the general election. As the executive, legislative, and electoral leaders of all 50 states and the District of Columbia, your work is critical to ensuring that all eligible voters can vote as safely as possible in the midst of a global health crisis.

We are a cross-partisan group of experts formed to ensure a free and fair 2020 presidential election by recommending responses to a range of potential election crises that could threaten the integrity of the election. COVID-19 presents such a threat — one that will likely exist in November.² The Task Force's COVID-19 Election Guide (attached) is designed to help state and local policy makers and election officials take the steps necessary for a safe general election, including: maximizing early voting, expanding voting by mail, and instituting safe in-person voting and alternate forms of voting like curbside voting.³ **We ask that you implement the Task Force's recommendations, accelerate planning for the general election, and request additional funding from the federal government if necessary to fund the new initiatives your state will need to undertake for the November election.**

Already, the pandemic primary season has demonstrated that voters and poll workers are at risk under current election systems. In Wisconsin, at least forty voters and poll workers likely contracted COVID-19 on election day.⁴ A poll worker from Illinois's 2020 primary has died and several more have tested

¹ The National Task Force on Election Crises is a diverse, cross-partisan group of more than 40 experts in election law, election administration, national security, cybersecurity, voting rights, civil rights, technology, media, public health, and emergency response. The mission of the cross-partisan Task Force is to ensure a free and fair 2020 presidential election by recommending responses to a range of election crises. The only electoral outcome the Task Force advocates is that the election is free and fair. Read more at: <https://www.electiontaskforce.org/about>.

² Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases, said on April 22, "We will have coronavirus in the fall. I am convinced of that." Savannah Behrmann, 'Convinced': Fauci Says There Will Be Coronavirus in the Fall after Trump Says 'It May Not Come Back', USA Today (updated Apr. 23, 2020), <https://www.usatoday.com/story/news/politics/2020/04/22/coronavirus-dr-anthony-fauci-says-i-am-convinced-second-wave/3009131001/>.

³ National Task Force on Election Crises, *COVID-19 Election Guide* (updated Apr. 17, 2020), <https://static1.squarespace.com/static/5e70e52e7e72720ed714313f0/5e9a7bbb56774a007cb56028/1587578501423/COVIDguidance>. The COVID-19 Election Guide transcends party and ideology and is intended specifically for the 2020 election. *Id.* at 1.

⁴ Teran Powell, *40 Coronavirus Cases In Milwaukee County Linked To Wisconsin Election, Health Official Says*, WUWM (Apr. 24, 2020),

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

~~www.electiontaskforce.org~~

www.electiontaskforce.org

creating applications for absentee ballots, sending ballots to voters, and processing completed ballots.⁷ Safe early voting and in-person voting will similarly require advance planning to recruit poll workers who are less vulnerable to the virus, prepare for sanitizing polling places, and enforce social distancing, among other implementation hurdles. The timeline for these measures is tight; that work must start today.

Instituting wide-scale voting by mail and safe in-person voting in time for November will be costly and require significant resources from the federal government. The CARES Act has allocated \$400 million of much needed election assistance for states, but additional funds are needed. States must demand additional funds from Congress to cover the high cost of conducting the general election during a public health crisis.

A shift to wide-scale voting by mail and safer in-person voting will require herculean coordination efforts among federal, state, and local officials. Please let us know if the Task Force, or an individual member of the Task Force, can be helpful as you make these changes. With advance planning and additional funding, it is possible to ensure a free and fair election despite the unprecedented challenges we now face as a country. Our democracy depends on it.

Sincerely,

The National Task Force on Election Crises

⁷ Election Assistance Commission, *Vote By Mail Project Timeline*, <https://www.eac.gov/sites/default/files/electionofficials/vbm/VBMPProjectTimeline.pdf> (last visited Apr. 24, 2020).

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

National Task Force on Election Crises. (2020). Retrieved from National Task Force on Election

Crises: <https://www.electiontaskforce.org/>

HOW TO MAINTAIN ELECTION INTEGRITY IN A PANDEMIC

Appendix D

Venn Diagram for Literature Review and Research Findings

Research Findings**Literature Review Findings**

- Subjects unaware of past elections that were postponed or cancelled
- With long lines on election day, subjects fearful of voter disenfranchisement
- Voter education is essential
- Fearful of the outcome of the election with a president already undermining election results
- Voting locations likely to be consolidated, more chance for disenfranchisement
- If president loses election and results are delayed, the president may attempt to interfere with peaceful transition

- Greatest election power is with state governments (decentralized)
- All levels of government play important roles in upholding our democracy
- Under Constitution, congress has limited and defined election powers
- To protect election integrity, accountability and oversight are necessary for those involved in the voting process
- Like the 1918 pandemic, Americans are likely to vote in-person with a mask or not at all

- In past 100 years, there have been times when national and international elections were postponed or cancelled
- During crisis, leadership can abuse power
- During Hurricane Sandy, voter disenfranchisement occurred when polling locations were consolidated
- Leaders in the past have used crises to expand power such as Sierra Leone in response to the Ebola crisis



Blair Campbell received a B.A. in International Relations from West Chester University and completed an internship with Mayor Comitta of West Chester. Passionate about the protection of human rights, she moderated a panel on the awareness and prevention of human trafficking. Interested in leadership ethics and public policy, Blair received an M.A. in Public Administration from Villanova University and is a member of the national honor society, Pi Alpha Alpha. During her graduate studies, she participated in Villanova on the Hill, a weeklong immersion program in Washington DC. Inspired by this experience, Blair is seeking a career change to work in the public sector. Most recently, she completed her capstone project about the maintenance of election integrity during a pandemic.