

Plan for Conducting the April 28, 2020 Presidential Primary Election During the COVID-19 Pandemic

At present, there has been no emergency declaration regarding the conduct of the April 28, 2020 Presidential Primary Election and there is no change in the schedule of duties that the staff of the Board of Elections are required to perform.

Hand sanitizer and Clorox wipes are located throughout the building along with posters reminding staff to wash their hands frequently. Workstations have been rearranged to ensure 3-6 feet of social distancing in all areas of the building.

The Office of Human Resources has directed at-risk employees to self-identify and apply for telework and/or liberal use of leave as needed. All supervisors and senior professional staff have been designated as essential.

All outreach events have been cancelled.

Future Vote training classes are cancelled and will not be available for the Primary Election.

No Board of Elections staff are currently approved for full-time or part-time telework, although the Information Technology Division is testing laptops to allow VPN access into MDVoters, with the expectation that some staff will begin telework this week. Staff is working with SBE to seek the permission to VPN work with the Maryland State Voter Registration database.

Upcoming deadlines include:

- April 7 - voter registration and party affiliation deadline (in 22 days)
- April 9 - deadline to provide notice of election (in 24 days)
- April 13 - deadline to complete logic and accuracy testing (in 28 days)
- April 16 - early voting begins (in 31 days)
- April 28 - Election Day (in 42 days)

On March 15, 2020, the Centers for Disease Control issued guidance recommending that gatherings of 50 or more people be suspended for the next eight weeks (56 days).

The lowest voter turnout in recent memory occurred in the 2012 presidential primary election, when more than 76,000 voters cast ballots on Election Day and another 10,000 voters cast ballots during Early Voting.

Encouraging Vote by Mail

The Board has begun aggressively marketing themes such as “Avoid Crowds-Vote at Home” and linking voters to the Absentee Ballot Request page that updates registration or registers the voter and includes an absentee ballot application.

On February 21, the Board’s public information officer began advertising the option to text “VBM” to 77788 to request an absentee ballot. This option was included in a variety of materials developed to advertise the three choices for how to vote – also including early and on Election Day – but it has become the primary emphasis of the Board’s social media messaging in the last few days as a means of social distancing and reducing the public health risks of mass gatherings at early voting sites and polling places.

Election Judge Training

All Future Vote Training has been cancelled.

Class sizes have been reduced to no more than 16 Election Judges in the classroom and many hands-on activities have been replaced with trainer demonstration to avoid multiple hands touching equipment and materials. After each class, trainers are wiping down every surface including chairs, tables, voting equipment and the touch screen surfaces of electronic pollbooks.

The confirmation notices that Election Judges receive prior to their training class have been revised to include the following text:

If you become ill for any reason, regardless of whether you were exposed to COVID-19, do not attend your class. Election workers who are exhibiting symptoms will be denied entry.

Follow the instructions to reschedule your class if you:

- *Have traveled outside of the country within the last 14 days*
- *Believe that you may have been exposed to COVID-19*
- *Have flu-like symptoms (such as a runny nose, headache, cough, sore throat or fever)*

Management is reviewing options for the use of online training software to communicate potential last-minute information or supplemental training to Election Judges.

Early Voting and Election Day

Board staff is working with every polling place to ensure that bathrooms are available and well stocked with soap and paper towels. Signage will also be posted at every polling place urging voters to make sure that their hands are clean and dried before entering the voting room, to avoid touching their face prior to washing their hands again, and to make sure that their hands are dry before handling their voter authority card or ballot.

The sample ballot includes a recommendation that voters bring their own pen to the polls. Pens that are provided for voter use will be wiped periodically with Lysol and paper towels.

Election Judges will be assigned pens for their exclusive use and will be directed to use only the stylus, not fingers, on the screens of electronic pollbooks. A sufficient number of gloves in multiple sizes have been ordered to be provided for use by all Election Judges.

Election Judges will also be provided pencils with erasers to bring up the correct ballot style for voters on the Ballot Marking Device to avoid touching the screen with their fingers. Election Judges will also be provided lint-free cloths and alcohol wipes as recommended by the manufacturer to wipe down the touch screens of the Ballot Marking Devices, the electronic pollbooks, and the scanner periodically.

County and city facilities and all early voting sites will have hand sanitizer available for use by voters. The Board is not able to acquire sufficient hand sanitizer to provide for all voters on Election Day, but will provide sufficient hand sanitizer for use by Election Judges during the day.

Chief Judges will be instructed to ask whether any Election Judges feel ill upon arrival, to send them home if they do, and to make every effort to ensure at least 3-6 feet of social distancing between Election Judges and voters at all times.

Canvass and Post-Election Audit

The canvass will be moved to the warehouse area where the hand recount was conducted after the 2018 primary election. Every effort will be made to achieve as much social distancing as possible. Canvassers will be asked whether they feel ill upon arrival and will be sent home if they do.

The Centers for Disease Control has officially indicated that no additional precautions are recommended for storage or handling of ballots. Lysol and other disinfectant sprays are not suitable for use. However, gloves will be made available to personnel handling ballots and Board staff are looking into whether additional precautions can be taken such as subjecting incoming mail to ultraviolet light.

Considerations in Recommending Vote by Mail

Conducting the April 28, 2020, presidential primary election in the traditional precinct-based manner poses a threat to the health and safety of the community. Mailing every voter a ballot for the election by mail would:

- Be consistent with CDC recommendations for life and safety of all involved;
- Reduce person-to-person contact and promote voting at home instead of gathering in public, endangering neighbors and Election Judges by spreading COVID-19;
- Mitigate the increased congestion and longer wait times otherwise expected due to polling place consolidation as a result of closing polling places at senior living communities and other facilities with a high concentration of at-risk voters;
- Allow employees to insure their health and safety while setting up Telework for registration and absentee processing
- Allow the Board of Elections to cancel remaining Election Judge training classes to protect the health of employees and Election Judges.
- Sample ballot could be used as an educational document for ballot by mail

Voting by mail does involve a significant cost to:

- Print additional ballots. Few of the ballots that were already printed would be mailed. Rather due to the high volume of ballots and the requirements of high-speed equipment to print, fold, assemble and mail ballots, new ballots would be printed specifically for the purpose. Some ballots would still be mailed from our existing inventory by Board personnel, particularly to voters who did not receive their ballot.
- Pay the pre-paid postage for outgoing and return envelopes for ballots.
- Conduct the post-election canvass. However, some of these costs would be reduced because personnel could be shifted from other duties.
- Conduct some in-person voting at a limited number of sites.
- Legal guidance needed for ballots already voted using the Absentee process currently described in the MD Election Code.
- Need clarification of opening process of the returning ballots and which nt database would be used in ElectionWare.
- Manage expectations of Election Results will take longer to report.

In the long run, Montgomery County could see some benefits from the increase in voting by mail that may occur after this election. This could:

- Mitigate wait times for voters during early voting and on Election Day;
- Allow for a reduction in the number of Election Judges needed (and the cost of Election Judge stipends);
- Allow for a reduction in the number of polling places needed (and the costs of site rental fees);

- Reduce the amount of voting equipment needed with vote centers;
- Reduce the number of temporary employees needed for such assignments as Election Judge training and equipment maintenance;
- Reduce the risk exposure of the Board of Elections to circumstances beyond our control such as equipment failure or Election Judges not showing up on Election Day;
- Pave the way for other improvements in the way that elections are conducted in Maryland such as opening absentee ballots before Election Day.

Concern:

- Monies expended now for training and recruiting Election Judges that could be shifted to pay for vote by mail.
- Staff continues to prepare voting equipment and Local County Government is required to pay the cost for equipment that may not be used.
- Inactive Voters will face some confusion.
- Burden to Local Board Staff to fulfill the requests for 2nd issue, if any, in a timely manner.
- Quorum of Board of Canvasser need to be available during the opening of ballots.
- Prevention of delay of election results, recommend that ballots need to be processed, opened and tabulated as soon as possible. Results held until Election Day then uploaded similar to process with Early Voting and recommend daily updates during the tabulation of the balance.

MOVE ELECTION to ANOTHER DATE

- Nothing changes – same level of risk to all personnel and voters described by the CDC exists with a May or June Election. No authority to guarantee otherwise.
- Democrats need election certified by early June for National Convention and June election is no possible for certification.
- Start all over with beginning to recruit Election Judges and Election Workers will attend some training to conduct election with half the judges necessary for the precinct vote on Election Day.
- Early Voting locations are not guaranteed.
- Election Day Polling Places are not guaranteed.
- Voting Equipment will need to be completely redone incurring significant overtime costs.
- Will ballots need to be re-printed or will software accept or be programmed to accept the ballots for tabulation?

- Impact to potential candidates is unknown.