Preparing for the 2020 Elections and Beyond

Thursday, June 11, 2020 | 10:00 – 11:00 am CDT

MODERATOR
Sen. Elaine Bowers, Kansas

PRESENTERS
Sean Morales-Doyle
Brennan Center for Justice

Tim Harper
Bipartisan Policy Center
BACKGROUND & GOALS

• This webinar series grew out of the desire by the MLC leadership to continue to provide our members with information on ongoing challenges that Midwestern state and provincial legislators are facing in light of the pandemic.

• Goals

  o Explore institutional, organizational and policy challenges posed by the continuing pandemic.
  o Identify the long-term impacts on Midwestern states and provinces.
  o Highlight state and provincial approaches to addressing these new challenges.
Six live, web-based teleconferences that will be made available to a wide audience of state officials, policy experts and interested stakeholders.

In addition to the live webinars, each will be recorded and made available on the CSG Midwest website.

1. Preparing for the 2020 Elections & Beyond
2. Remote Legislative Sessions
3. Legislative Oversight
4. Fiscal Impact of the Pandemic
5. Emergency Preparedness
6. Reopening the Economy
PREPARING FOR
THE 2020
ELECTIONS AND
BEYOND

MODERATOR

Sen. Elaine Bowers
Kansas
Majority Whip
Chair of the Ethics, Elections and Local Government Committee
Today’s webinar will cover:

• Best practices for holding elections during the pandemic

• How states are using their elections-related CARES Act funding to prepare for November

• Steps states can take to ensure a safe, fair elections process in November and beyond.
PREPARING FOR THE 2020 ELECTIONS AND BEYOND

PRESENTERS

Tim Harper
Senior Policy Analyst, Elections
Bipartisan Policy Center
tharper@bipartisanpolicy.org

Sean Morales-Doyle
Senior Counsel, Democracy Program
Brennan Center for Justice
Morales-doyles@brennan.law.nyu.edu

MIDWEST
Preparing for an Election Under Pandemic Conditions

Sean Morales-Doyle

June 11, 2020
Who We Are

● Democracy and Justice

● Our Model:
  • Think Tank
  • Advocacy Group
  • Public Interest Law Firm
  • Communications Hub
Four Critical Components

- Voter Registration
- Mail Voting
- In-person Voting
- Voter Education
Mail Voting

- Must be an option for all
- The process
  - Requesting
  - Receiving
  - Returning
  - Counting
In-Person Voting

- Failsafe
- Mail not an option for everyone
  - Voters with disabilities
  - Language assistance
  - Mail access
In-Person Voting

- Early in-person options
- Healthy polling places
  - Locations
  - PPE
  - Cleaning
  - Social Distancing
Preparing for the 2020 Elections and Beyond

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Preparing for 2020 Elections: States Use of CARES Act Funds

TIM HARPER
SENIOR POLICY ANALYST, ELECTIONS
THARPER@BIPARTISANPOLICY.ORG
CARES Act provided $400 million to states to “prevent, prepare for, and respond to coronavirus domestically or internationally, for the FY2020 Federal Election cycle”

This funding is in addition to a combined $805 million in HAVA funds allocated in FY2018 and FY2020.

The CARES act funding is considered to be a supplemental appropriation as authorized under Title 1 Section 101 of the Help America Vote Act of 2002.

As such, the funding is distributed through the U.S. Election Assistance Commission.
• Funds request: States are required to request funds. All states in the Midwest requested all or nearly all of their appropriated funds.

• State match: Requires a 20% match of state funds

• Reporting requirements: Requires funding must be spent during the 2020 Federal Election cycle

• Unused funds: as of December 31, 2020 will be returned to Treasury

• Funds are appropriated proportionately to state population
### CARES ACT APPROPRIATIONS – MIDWEST STATES

<table>
<thead>
<tr>
<th>State</th>
<th>Federal Share</th>
<th>State Share 20%</th>
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<tbody>
<tr>
<td>Illinois</td>
<td>13,966,097</td>
<td>2,793,220</td>
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<tr>
<td>Indiana</td>
<td>8,013,610</td>
<td>1,602,722</td>
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<tr>
<td>Iowa</td>
<td>4,859,545</td>
<td>971,909</td>
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<td>Kansas</td>
<td>4,622,500</td>
<td>924,500</td>
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<td>Michigan</td>
<td>11,299,561</td>
<td>2,259,913</td>
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<td>Minnesota</td>
<td>6,958,233</td>
<td>1,391,647</td>
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<td>Nebraska</td>
<td>3,686,252</td>
<td>737,250</td>
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<td>North Dakota</td>
<td>3,000,000</td>
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<tr>
<td>Ohio</td>
<td>12,861,311</td>
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<tr>
<td>South Dakota</td>
<td>3,000,000</td>
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<tr>
<td>Wisconsin</td>
<td>7,362,345</td>
<td>1,472,469</td>
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Source: U.S. Election Assistance Commission
• Develop the infrastructure necessary to support expanded vote-by-mail operations.
  
  – This includes: Purchasing equipment and supplies (tabulators, applications, ballots, envelopes), paying for postage, hiring and training short-term staff, renting larger/additional facilities, installing dropboxes, developing tracking software, and procuring PPE

  – Anticipate 50% + mail-voting. This is more than double the rate of absentee voting in Midwest states in 2018 (regional average = 22%).

Source: 2018 Election Administration and Voting Survey
• Prepare for modified in-person voting that protects poll workers and voters
  – Despite a surge in vote-by-mail, in-person voting will still need to go forward. Local officials struggling with poll worker shortages will need to raise salaries, rent out additional sites for polling locations, consider adding vote centers.
  – This also includes implementing social distancing, and purchasing PPE for staff, poll workers, and voters

• Double down on voter education and outreach
  – All states are likely to make changes to their election administration policies and laws. These can confuse voters, increase ballot rejection rates, and create distrust unless they are effectively communicated to voters.
### MIDWESTERN STATES USE OF CARES FUNDS: VBM

<table>
<thead>
<tr>
<th>State</th>
<th>VBM General</th>
<th>Tabulating Equipment</th>
<th>Staffing</th>
<th>Supplies (Ballots, envelopes) and Printing</th>
<th>Vote Centers and Poll Relocations</th>
<th>Machines Testing and Vendor Support</th>
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Source: Midwestern State Funds Requests, US EAC
## MIDWESTERN STATES USE OF CARES FUNDS:

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<tr>
<th>State</th>
<th>PPE and Cleaning Supplies</th>
<th>Voter Education</th>
<th>Poll workers (total # and salaries) and Training</th>
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Source: Midwestern State Funds Requests, US EAC
Accessing the Vote During a Pandemic

MAY 2020

Note and local election administrators across the country are planning for elections this summer and November general elections during the ongoing COVID-19 pandemic. These officials are guided by the deeply held belief that every eligible vote be counted safely and accurately to vote.

Election administrators are drafting realistic contingency plans for voting in-person. They do not, however, have the power to implement these plans without state policymakers who may need to adjust, at least temporarily, some important rules to allow voting during public health crises.

Policy makers need to understand the full breadth of issues that can arise throughout the remainder of the primary season and the general election campaign. Election administrators are not given the room to be flexible and act when they must.

The authors come to the situation in this document from decades of experience. Christopher Thomas was the state election director for Michigan for 26 years and served as a member of the Presidential Commission on Election Administration in 2000. Matthew Wall has served as the research mentor of the U.S. Election Assistance Commission and is the director of the Elections Project at the Bipartisan Policy Center, which is responsible for the BPC Task Force on Elections.

The Bipartisan Policy Center released a full report in January 2020 on policy recommendations that would moderate the election season. These recommendations remain relevant as states consider post- PRIMARY changes to conduct this year's unprecedented.
Contact Information

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THARPER@BIPARTISANPOLICY.ORG
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Automatic Voter Registration

- Opt out, not opt in
- Electronic transfer
- Protection for certain groups
- Avoid unfair penalties for inadvertent registration
- Public education
Rights Restoration: A Patchwork

- Permanent disenfranchisement for all people with felony convictions, unless government approves individual rights restoration
- Permanent disenfranchisement for at least some people with criminal convictions, unless government approves restoration
- Voting rights restored automatically after release from prison and discharge from parole (people on probation may vote)
- Voting rights restored upon completion of sentence, including prison, parole, and probation
- Voting rights restored automatically after release from prison
- No disenfranchisement for people with criminal convictions
Contact Information

Sean Morales-Doyle
646-292-8363
sean.morales-doyle@nyu.edu
PREPARING FOR THE 2020 ELECTIONS AND BEYOND

DISCUSSION

Questions?

Comments?
The Council of State Governments
- Ohio enlist National Guard to help with elections security (December 2019)
- Washington’s Modernized Elections System Provides One-Stop-Shop for Voters (November 2019)
- Securing the vote: Steps for states include updating voting infrastructure and holding post-election audits, but funding is a stumbling block (April 2018)

Brennan Center
- Preparing Your State for an Election Under Pandemic Conditions (June 2020)
- Ensuring Safe Elections (April 2020)
- How to Protect the 2020 Vote from the Coronavirus (March 2020)

Bipartisan Policy Center
- Accessing the Vote During a Pandemic (May 2020)
- The November Presidential Election Needs Emergency Federal Funding (March 2020)
- Logical Election Policy: Report and Recommendations of BPC’s Task Force on Elections January 2020

Other Resources
- Obstacles at Every Turn: Barriers to Political Participation Faced by Native American Voters (Native American Rights Fund)
- Vote-by-Mail Elections (Kansas Legislative Research Department, May 2020)
- Fair Elections During a Crisis (Ad Hoc Committee for 2020 Election Fairness & Legitimacy)
- National Association of State Election Directors COVID-19 resources webpage
- U.S. Elections Assistance Commission COVID-19 resources
Thank you for joining us today!

Future Webinars:

• Legislating Remotely: Experiences with Virtual Sessions
  June 18 | 10:00 am CDT

• Check & Balances in Times of Emergency: Legislative Oversight of Executive Actions
  June 25 | 10:00 am CDT

• The Pandemic’s Impact on Midwestern State & Provincial Budgets
  July 9 | 10:00 am CDT

• Lessons Learned: Preparing for the Next Public Emergency
  July 16 | 10:00 am CDT

• Back to Business: Assessing Economic Reopening Strategies
  July 23 | 10:00 am CDT

Register on the CSG Midwest website: csgmidwest.org