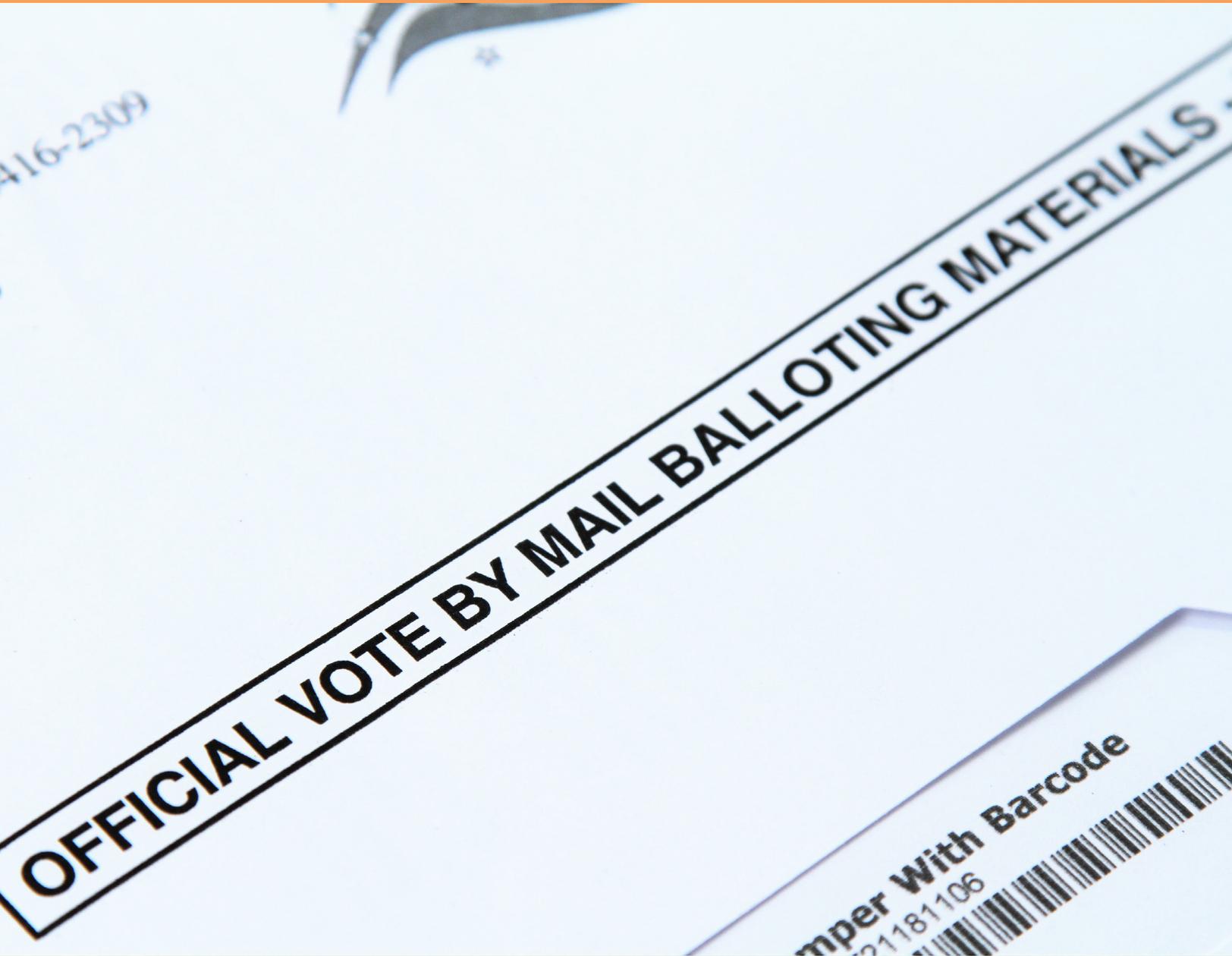


# MAKING VOTE BY MAIL WORK FOR EVERYONE

June 2020



movement advancement project ▶

## This report was authored by:

### **Movement Advancement Project**

MAP's mission is to provide independent and rigorous research, insight and communications that help speed equality and opportunity for all people. MAP works to ensure that all people have a fair chance to pursue health and happiness, earn a living, take care of the ones they love, be safe in their communities, and participate in civic life. For more information, visit [www.mapresearch.org](http://www.mapresearch.org).

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## INTRODUCTION

In fewer than five months, tens of millions of Americans will cast votes in the November 2020 election. Judging from primary election numbers in the early states, voter participation in November could be larger than in 2016.<sup>1</sup> Yet the spread of the novel coronavirus (COVID-19) and its devastating impact has led to chaos and cast uncertainty over nearly all aspects of life in the United States—raising questions about how elections will be conducted and what it means for our democracy. For example, states that held elections in March have seen confusion and hesitancy on the part of voters—and at least 21 primary elections, special elections, and/or local city or county elections were postponed out of very real public health concerns.<sup>2</sup> With public health officials advising physical distancing and avoiding groups of people—and with cycles of outbreaks and distancing likely to continue for months—millions of Americans are left wondering how voters will be able to safely cast their ballots and make their voices heard—especially, if, as expected, the pandemic worsens later this fall.

Elections are the cornerstone of American democracy, and it is critical that elections are administered fairly and in ways that protect access to voting for every eligible American. Now is the time for states to prepare for the November 2020 election and to take actions that provide voters with certainty that every eligible American who plans to cast a vote in November will be able to do so safely and securely. There are many steps necessary to do this.<sup>a</sup> **A central need at this moment is establishing systems that allow voters to vote by mail or by dropping a ballot they received in the mail in a secure drop-off location.** A vote by mail option in all states would enable every eligible voter, regardless of the state they live in or the status of the pandemic in their area, to be able to safely cast their vote in November.

**Millions of U.S. voters regularly vote by mail.** For example, in the November 2018 election, 23% of voters nationwide voted by mail, according to federal data—with 65% of voters in the West voting by mail, where all five of the states that conduct elections by mail are located.<sup>3</sup> These states provide models for the rest of the country and important lessons for establishing vote by mail systems that are robust and inclusive.

**Yet vote by mail/secure ballot drop-off is not, by itself, the solution,** as evidenced by the experience of



**23%** of voters nationwide voted by mail, according to federal data

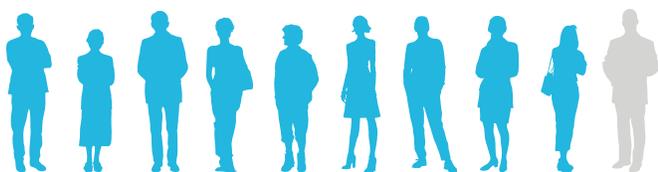
**65%** of voters in the West voting by mail, where all five of the states that conduct elections by mail are located

these states, where a complementary set of in-person voting options also exists.<sup>4</sup> In addition to those who prefer an in-person voting option, certain voters need early, in-person and/or assisted voting options. These include:

1. Native American voters who live on reservations that may be geographically dispersed and others who live in places where mail service is unreliable;
2. Voters who do not have a permanent home address, are experiencing homelessness, or use a post office box as their mailing address;
3. Voters with disabilities (e.g., blindness) who may need assistive technology (e.g., audio ballots) available at polling places in order to vote; and
4. Voters who need language assistance.

We need an election system that allows everyone to vote—whether we're still engaged in physical distancing or not. In a recent poll of voters taken during the current health crisis, incredibly high percentages of voters, regardless of party affiliation, supported robust voting options: 93% of voters supported providing more early voting options so crowds can be spread out, and 89% of voters supported both moving in-person polling places away from locations with high-risk populations such as residential living facilities and giving all eligible voters the option to vote by mail.<sup>5</sup>

<sup>a</sup> These include protections for the health and safety of poll workers and voters, expanded registration options, expanded early voting to prevent lines and crowded polling places where people could be exposed to the virus, and vote by mail. To learn more about the various necessary steps, among them voting by mail, but also others that need to be taken to ensure access to voting in November 2020, see "How to Protect the 2020 Vote from the Coronavirus" from the Brennan Center. This report focuses on vote by mail as a vital aspect of these efforts.



## 9 out of 10 voters support giving all voters the option to vote by mail while also moving polling places to safer locations

Given the likely resurgence of the pandemic this fall, there is an urgent need to modernize our election system through vote by mail/secure ballot drop-off options so we can both protect our democracy and our public health while also creating more certainty for Americans during uncertain times. Simultaneously, we must work to minimize crowds and take pressure off of in-person voting locations by allowing for vote by mail, expanding early voting periods, and ensuring in-person polling locations are operated in a manner that supports both the fundamental right to vote and the health and well-being of the communities they serve.

These goals are compatible. There are ways to extend vote by mail access to every voter in the United States, while simultaneously protecting the right of individuals who use in-person options and support in order to vote. This brief provides an overview of ways to instill confidence, promote security for voters, and empower them to make important decisions about how and when they vote.

### HOW VOTE BY MAIL WORKS

Several states currently conduct elections largely by mail, while ensuring that in-person voting options are available. While each state's system is a little different, there are several key features that ensure that eligible voters can cast their ballots safely and securely:

1. Before an election, elections officials mail a ballot to every registered voter. In some states, registered voters may receive an application that they must return prior to receiving a mail ballot.
2. Ideally, ballots are easy to understand, well-designed, and available in multiple formats and languages. States usually offer telephone and in-person assistance in completing and submitting

ballots for all voters, especially to those with disabilities or language assistance needs.

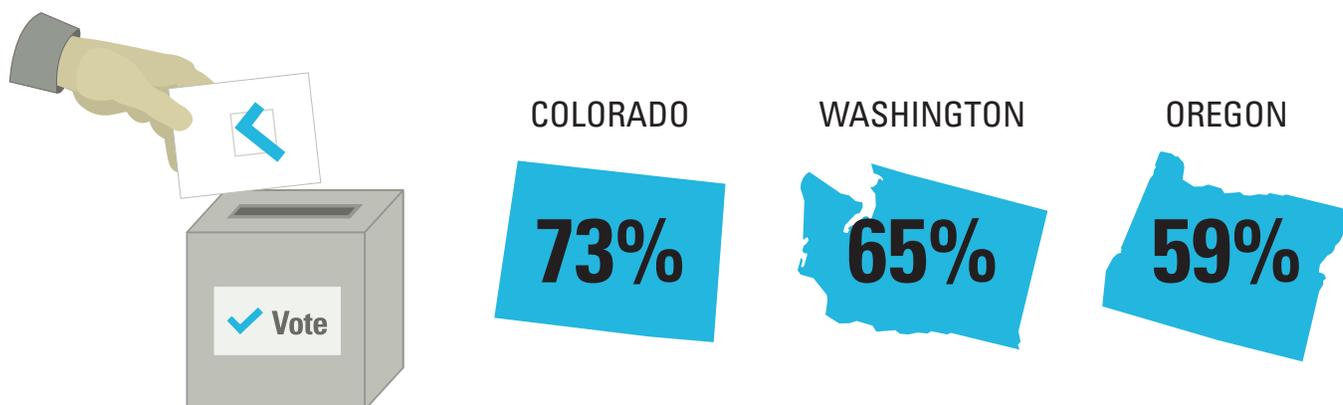
3. After the ballot is filled out, the voter puts it into a self-sealing envelope, ideally with pre-paid postage. Most states require that the voter then sign the outside of the envelope, affirming that they are the eligible voter to whom the ballot was mailed.
4. Voters can then return the ballot via mail, deposit it into a 24-hour, tamper-proof drop-box (sometimes available via a drive-thru or curbside ballot drop off) or return it to a local election office or polling location up to and including on Election Day. In some states, voters can also deliver the ballot to their polling place and deposit it in a secure drop-box. In most states, voters can designate an individual who can drop off the sealed and signed ballot on their behalf.
5. Voters can still go to a voter center to get a replacement ballot, update their registration, and/or vote in person.
6. In many states, voters can track ballots electronically and check the status of their ballot, for example, by receiving an email or text letting them know their ballot was received. The U.S. Postal Service has worked with election officials to develop systems to identify and track ballots as they are sent to voters and then are returned to election offices.
7. Once it is received, election officers typically process the ballot by verifying the voter's signature and then tallying the ballots. If there are any issues with a voter's ballot, election officials notify the voter, who then has the opportunity to remedy their ballot. This may occur near or on Election Day, depending on the state.

### Security of Vote by Mail



All election systems have critical security policies and procedures. These are necessary to maintain the integrity of elections and the public's confidence in their results. In the five states that have implemented vote by mail, election officials report that elections have been secure and successful. For example, Oregon, which has distributed more than 100 million ballots to voters by mail since 2000, has documented only a dozen cases of

**Figure 1:** In 2016, Most Voters Returned Ballots to a Physical Location, Rather Than by Mail



Source: 2016 Survey of the Performance of American Elections. Analysis by MIT Election Data + Science Lab.

### Vote by Mail, Secure Ballot Drop-Off, Vote at Home, No-Excuse Absentee: What's the Difference?

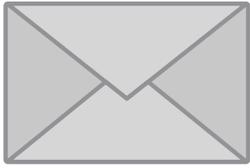
There are many terms used by election officials, policymakers, experts and voting advocates when talking about how individuals can vote using a ballot they complete at home.

**Absentee Voting:** Most states, as shown in *Figure 2* on page 8, allow voters who cannot vote in-person on an Election Day to cast an absentee ballot. In some states, any eligible voter can request an absentee ballot (“no-excuse absentee”). In other states, voters must provide a reason for requesting an absentee ballot (“excuse-required absentee”).<sup>6</sup> These “excuses” could include being out of the county on Election Day or having an illness or disability that makes voting in person on Election Day difficult or impossible. Less common “excuses” include being age 65 or older, having working hours during voting hours, serving as a poll worker, or having jury duty on Election Day. Generally, in both of these scenarios, voters must request an absentee ballot days or weeks ahead of Election Day in order to receive their ballot via mail. There are several states that have expanded the availability of absentee ballots during the current COVID-19 pandemic; in some cases the excuse requirement is being waived (or COVID-19 health concerns are an acceptable excuse), and in others all registered voters are receiving a ballot without having to request one. There are also states that offer “permanent absentee” voting, where voters can request to receive an absentee ballot by mail not only for the current election, but also for future elections. In response to COVID-19, some states have mailed absentee ballot request forms to all registered voters allowing them to request a vote by mail ballot for an upcoming election.

**Vote by Mail:** In states with vote by mail, every registered voter automatically receives a ballot by mail for every election. Data from the states that have vote by mail show that the majority of voters drop off their ballots at a secure physical drop-off location rather than mailing them back (as shown in *Figure 1* above), so the defining feature of this type of voting is more accurately “receive ballot by mail.”

For more about these options, visit the National Vote at Home Institute’s [Vote at Home](#) report. For a state-by-state listing of how to obtain an absentee ballot, see Turn Out 2020’s [Absentee ballot rules](#).

# HOW VOTE BY MAIL WORKS



## 1 ALL REGISTERED VOTERS RECEIVE A BALLOT IN THE MAIL

Ballots are easy to understand, well-designed, and available in multiple formats and languages.

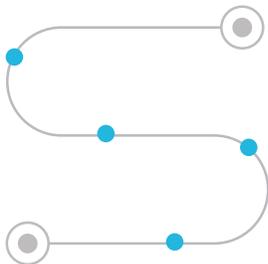
States usually offer telephone and in-person assistance in completing and submitting ballots for all voters.



## 2 VOTERS RETURN THEIR COMPLETED BALLOTS

Anytime between when they receive a ballot and Election Day, voters complete their ballot, using the self-sealing envelope, and sign the outside of their ballot.

Voters can return the ballot via mail, deposit it into a 24-hour, tamper-proof drop-box (sometimes available via a drive-thru or curbside ballot drop off) or return it to a local election office or polling location. Voters can still go to a voter center and get a replacement ballot, update their registration, and/or vote in person.



## 3 VOTERS CAN TRACK THEIR BALLOT AS IT MOVES THROUGH THE SYSTEM

Voters can track ballots electronically and check the status of their ballot, for example, by receiving an email or text letting them know their ballot was received by the election's office.



## 4 ELECTION OFFICIALS PROCESS MAIL BALLOTS

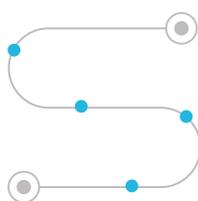
Election officers process the ballot by verifying the voter's signature and then tallying the ballots. If there are an issues with a voter's ballot, election officials notify the voter, who then has the opportunity to remedy their ballot.

Election officials then tally the ballots and certify election results.

tampering.<sup>7</sup> Colorado, which implemented vote by mail in 2013, tops the country in terms of election security according to outside experts and the U.S. Department of Homeland Security.<sup>8</sup>

A number of processes are in place to ensure the security of vote by mail. These include secure drop-off locations and drop boxes, harsh penalties for vote tampering, and post-election audits that allow election officials to identify irregularities.<sup>9</sup> States have also developed procedures for verifying that a voter's ballot has been counted, and that the ballot was cast by the voter and not by another individual.

### Ballot Tracking



A critical part of any election system is that voters trust that their ballots will be counted. Thus creating systems for voters who cast ballots by mail to track their ballots as they move through the postal service (if they are mailed) and through the election processing systems is critical. Some states have systems where voters enter information and can receive email, text alerts, or an automated phone call updating them on the status of their ballots, including when it was delivered to election officials and if the ballot has been verified and counted.<sup>b</sup> Other states allow voters to see whether a vote by mail ballot has been mailed to them, which would allow them to contact election officials if there is an issue.



### Signature Verification

Some states have procedures to verify the identity of voters submitting a ballot received by mail. Signature verification allows election officials to check that only those individuals eligible to vote have their vote counted. The most common way to check that a returned ballot came from the intended voter is through signature verification. Voters are asked to sign an affidavit on the ballot envelope asserting that they are who they say they are, and that they are eligible to complete the enclosed ballot. Election officials then utilize a multi-step process to check the signature on the envelope against an individual's signed voter registration application. If there is a substantial discrepancy identified by election officials, they are required to provide notice and remedy options to the voter. Colorado, for example, has a detailed guide

for election officials to distinguish between common variations in individual's signatures and potential flags for fraud.<sup>10</sup> In Denver, Colorado, election officials utilize signature verification software that verifies 30-45% of signatures.<sup>11</sup> A team of bipartisan election judges review the remainder. For those that were flagged, a second team reviews if there are still concerns. Only if after this third review there remains a question is a voter contacted by email or text and also by mail.

**States with vote by mail elections include options for voters to "cure" a ballot.** If a voter's signature on a ballot envelope is flagged as a potential mismatch, election officials are required to contact the voter and ask them to verify information. Verification is required before the ballot is counted.

- In California, election officials are required to notify voters with mismatching signatures prior to the certification of the election (no later than 38 days after an election). All counties in the state use mail to notify voters, but half of counties surveyed in a 2020 study reported using mail, email, and phone to reach voters. As part of the state's ballot tracking system, voters are able to provide email, text, and phone contact information, which may help election officials contact them in the case of a discrepancy.
- Colorado law requires that voters with a signature mismatch be notified by mail within three days of receipt of a ballot or within two days after an election, and a verification form must be returned within eight days of Election Day.
- Oregon voters receive a notice by mail and have 14 days after an election to complete and return a certified statement.
- Voters in Utah must be notified within two days if the mismatch flag occurs before Election Day and within seven days if it occurs on or after Election Day. Voters must sign a new affidavit statement.
- In Washington, voters are notified by mail if there is an issue with their signature, and they have three weeks after Election Day to return a "curing statement." If election officials have not heard from voters during this period and it is three days before the election is certified, they are required to attempt to contact the voter by phone.

<sup>b</sup> See, for example, [Ballot Scout](#) from Democracy Works, which allows election officials and voters to track ballots electronically.

Providing voters who submit a mail ballot the opportunity to cure their ballots and have their votes counted is critical. Failing to have a transparent, robust, and clear process deprives voters of their ability to vote. Litigation in Louisiana and New Jersey, for example, are challenging the lack of a process for notifying voters and giving them the opportunity to cure their ballots.<sup>12</sup>

Research shows that some voters are more likely to have their ballots flagged for mismatch than others,<sup>13</sup> and these voters are the same voters who often face other challenges to voting either in person or by mail: voters with disabilities, young voters, older voters, voters who require language assistance, and voters of color.<sup>14</sup> There are reasons that a signature may be flagged. For example, a voter's signature may change over time because of a disability or with age. People may not sign their ballot with the same name they used to register initially because they changed their last name upon getting married or because they are transgender. In the 2018 general election in Florida, Pinellas County received more than 241,000 vote by mail ballots. Of those initially flagged for signature mismatches (roughly 600), the majority were resolved after a secondary review or by having voters submit identification and a signed affidavit. Roughly 0.025% of all vote by mail ballots cast were ultimately rejected for signature mismatch. The ballots of Black and Hispanic voters, as well as younger voters, were more likely to be rejected—and less likely to be remedied related to a number of flagged issues—resulting in their ballots not being counted.<sup>15</sup>

Critical to developing security procedures that both preserve the integrity of the election and allow every valid ballot to be counted are several best practices:

- Developing a robust, uniform, and transparent process for signature matching across a state;
- Contacting voters who need to remedy their ballots in their preferred language;
- Include postage-paid return envelopes for voters to return verification forms;
- Contacting voters a second time if the initial outreach is unsuccessful to provide ample opportunity to remedy their ballot;
- Developing voter registration database systems that allow for voters to update their signature or to catalog signatures over time; and
- Allowing voters to include their email or phone

number during voter registration processes to provide election officials with contact options besides mail. This is particularly critical for voters who may have unreliable mail service.

### Other More Burdensome Procedures Used in States that Do Not Have Vote By Mail

The states above have implemented vote by mail, in which every registered voter receives a ballot by mail and can choose to complete it and return via mail or secure drop off or to vote in-person at a voter center. These states rely on signature verification to confirm that only eligible voters completed ballots.

Other states have options for people to cast an “absentee ballot,” though typically the people who are eligible to vote this way may be limited or voters must apply to receive a ballot by mail. Many of these states utilize burdensome and problematic verification procedures. Some of these requirements are particularly burdensome to people who live alone, low-income people, people with disabilities, those with limited English proficiency, those without reliable mail or phone access, and those experiencing homelessness or lack a permanent mailing address. In the United States, these people are disproportionately people of color, who already face additional barriers to voting. Rather than using these unnecessary and burdensome requirements, states should rely on the proven signature verification processes outlined above to ensure the security and integrity of vote by mail ballots.

#### Identity Documents



Arkansas and Alabama require that absentee ballots be submitted with a photocopy of an identification document. Requiring voters to return a photocopy of an identification document creates a barrier for any voter who lacks an at-home copy machine, those who may not have access to a retail location that provides photocopy services, and those who are low-income. Again, these barriers are disproportionately likely to impact people of color, who are both less likely to have a photo identification and are more likely to be low-income.<sup>16</sup> During the current pandemic, facilities that offer photocopy services may not be open, making it even more difficult for people to provide this documentation. What's more, medically vulnerable voters or voters with disabilities, as well as

those who are sick, may have to jeopardize their own safety or the safety of others if they are required obtain a photocopy—a particular problem during a pandemic.



### Witnesses or Notarization

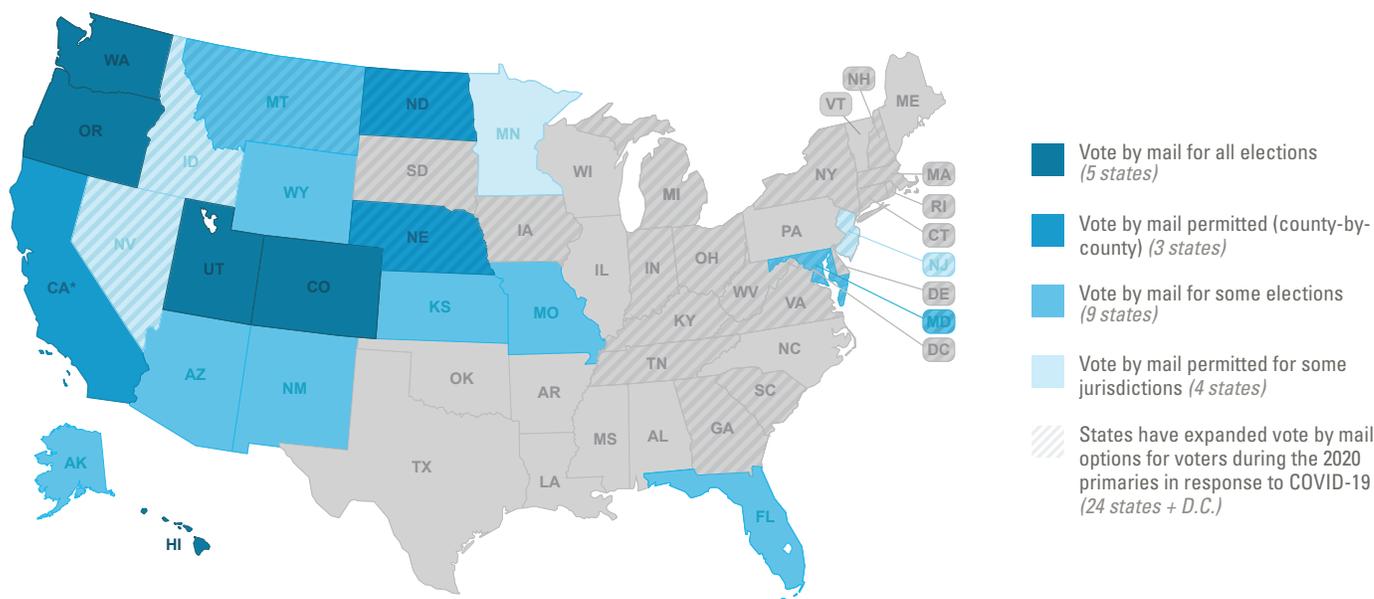
Eleven states, including Alabama, require that voters have their absentee ballot envelopes notarized or have witnesses (most often one, but sometimes two) sign their ballots. A number of other states require a witness signature only if the voter signs their ballot envelope with a mark rather than signature. Witness requirements are particularly onerous for individuals who live alone. Requiring notarization creates an added burden for people who may have a challenge leaving their homes or paying for notarization. Particularly during the current health crisis, requiring a sick voter to obtain a witness or notary public for their ballot may put their own or others' health at risk—and a notary may not be willing or able to provide that service if it requires them to enter the home of a person who is ill. Litigation is underway in several states, including in Minnesota, challenging the witness requirement for vote by mail ballots.<sup>17</sup>

## HOW STATES HAVE MADE VOTE BY MAIL WORK FOR DIVERSE COMMUNITIES

Since our nation's founding, access to the ballot box has been contested and exclusionary. In the past, states have limited the right to vote to people who own land, to men, to people who can pass a literacy test, to white people, to those who can afford to pay a poll tax, and more. Similar barriers still exist, albeit in different ways, to this day.

Changes to voting eligibility and systems often disproportionately limit access for certain voters. In many instances, the same voters time and again face new barriers to the franchise. For example, strict voter identification requirements have been shown to limit the ability of low-income voters, seniors, and voters of color—all of whom may have greater difficulty obtaining the kind of official ID required to vote. A law on the books in Montana until 1975 required that voters pay local taxes—and because Native Americans living on reservations in the state were exempt from some local taxes, they were unable to vote.<sup>18</sup>

**Figure 2:** A Growing Number of States Are Expanding Vote By Mail or Secure Drop-Off Options



Source: National Council of State Legislatures. March 2020. [All-Mail Elections \(aka Vote-By-Mail\)](#); Ballotpedia. [Changes to absentee/mail-in voting procedures in response to the coronavirus \(COVID-19\) pandemic, 2020.](#)

\*California is moving from county-by-county to statewide vote by mail in 2020.

That's why it is critical to acknowledge the challenges that many eligible Americans have faced, and continue to face, when it comes to voting. Any solution to address access to the ballot must be inclusive of these communities and be implemented in ways that address the substantial barriers that still exist. No single voting system meets the needs of every voter, which is why elections officials in states that have moved to vote by mail have taken a multiprong approach to ensuring that everyone who has the right to vote can cast a ballot and make their voice heard.

## Nearly One-Quarter of U.S. Voters Vote by Mail or Secure Ballot Drop-off

The West leads the nation in vote by mail, with five states using vote by mail for all elections: Colorado, Hawaii, Oregon, Washington, and Utah, as shown in Figure 2 on the following page. In these states, every registered voter receives a ballot by mail and either mails it back or drops the ballot at a secure location. An additional three states (California, Nebraska, and North Dakota) permit counties to conduct all-mail elections under certain conditions, and California is moving from county-by-county to statewide vote by mail in 2020. In response to the COVID-19 pandemic, other states have implemented vote by mail, including Ohio for its April 2020 primary election.

## Lessons from States with Vote by Mail

**Vote by mail exists side-by-side with in-person voting options; every state that conducts elections by mail also provides in-person voting options leading up to and through Election Day.** Voter services and in-person polling centers provide an integral point of contact for eligible and registered voters. People can register to vote, drop off their ballot, and/or vote in person. Importantly, these centers are where voters can receive assistance, whether related to a disability or limited English proficiency, or turn in a ballot that has been spoiled (in other words, accidentally filled out in error) and obtain a new one. States have developed a number of approaches for these voting centers; for example:

- In Colorado, legislation modernizing the state's election system set up a population-based calculation for how many voting centers are required based on the number of registered voters<sup>c</sup> and mandated that the placement of such centers take into consideration the needs of the community, including access via public transit and parking.<sup>d</sup>

- In Hawaii, voter service centers open 10 days prior to each election, and voters can visit any center within their county. At the centers, voters can drop off mail-in ballots, receive assistance with voting, complete same-day registration and voting, and receive other election services.<sup>19</sup>
- In Washington, voting centers open 18 days prior to the election and are required to provide registration materials, ballots, provisional ballots, disability access voting units, sample ballots, instructions, ballot drop box, and voter pamphlets.
- Utah has election centers that are open leading up to and on Election Day, while Oregon's county election offices are open on Election Day.

## Added Considerations Are Needed for Some Populations of Voters

Vote by mail is essential for modernizing our nation's election systems. And in this moment of uncertainty and substantial health risks for in-person gatherings, vote by mail options would provide needed reassurance, safety and accessibility. That said, as states adopt vote by mail, it is critical that communities who often face challenges in voting, whether because of where they live, their access to mail service, or the assistance they need in order to cast a vote, are consulted so that state election systems can truly protect every citizen's right to vote. Many of those who face barriers to voting in the United States, both for in-person and vote by mail, are voters of color and especially Native American voters, voters with disabilities, and voters who are experiencing homelessness or housing insecurity. Specifically, receiving a ballot by mail may not be without complications and challenges, especially for:

- Native American voters who live on geographically disperse reservations where mail service is unreliable. Many Native Americans have experienced attempts to weaken their ability to vote through efforts to limit in-person voting options and reduce language assistance;

<sup>c</sup> In Colorado, counties with 25,000 or more active voters must have at least one voter service and polling center per 30,000 active voters, with a minimum of one center in each county for early voting. On Election Day, there must be at least one voter service and polling center per 15,000 active voters, with a minimum of three centers in each county. Counties with between 10,000 and 25,000 active voters must have one center during early voting and three centers on Election Day. Counties with fewer than 10,000 active voters must have at least one center during early voting and on Election Day.

<sup>d</sup> In Colorado, placement of voter service and polling center must take into account proximity to public transit lines and parking; access for people with disabilities; facilities and equipment for persons with disabilities, including direct record electronic voting machines or other voting systems accessible to electors with disabilities.

- Voters who do not have a permanent address or use a P.O. box as their mailing address and may not reliably receive mail;
- Voters who are experiencing homelessness and who may not have a consistent place to receive mail;
- Voters with disabilities who may require assistive technology to vote; and
- Voters requiring language assistance.

What's more, some states have mail ballot processing systems that research shows may result in incorrectly discarded ballots. Fortunately, states that have implemented vote by mail have wrestled with these challenges and have worked with impacted communities to make sure that all those who have the right to vote can vote. Their experiences provide a roadmap for creating modern and safe election systems.

### Ensuring Native Americans Can Vote

There are millions of Native Americans living in tribal communities across the country. Many homes on reservations lack addresses or have addresses that are “non-traditional.” Mail service is not often available to these homes and may be spotty beyond that, making reliance on the U.S. Postal Service to receive election materials and ballots—and to return those ballots—a challenge. What's more, access to post offices in some rural tribal communities can be challenging, with roundtrip distances reaching 140 miles and no public transit options available.

**States provide models for how vote by mail can be supplemented by complementary systems that allow tribal buildings to be used as mailing addresses and make available in-person vote centers.** In Washington, which began expanded vote by mail in 2005, a 2019 law outlined specific ways for Native Americans on tribal lands to vote, ensuring they can do so in all elections conducted by mail.<sup>20</sup> In that state, people living on reservations or tribal lands can list an “unmarked home” or “a nontraditional residential address” when they register to vote. An eligible individual can then list a tribally designated building to be used as a physical location for them to pick up their ballot. Additionally, ballot collection boxes must be accessible via public roads to allow voters to return them safely and securely.

Similarly, in 2013, Colorado implemented vote by mail elections. In 2019, the state passed legislation

designed to extend voting options for Native Americans and people with disabilities. Under the 2019 law, Native Americans who do not have recognized street addresses can use those addresses, a tribal council headquarters, or another address approved by the tribal council to register to vote. And the state is required to provide voter service and polling centers if requested by a tribe.

The Native American Rights Fund outlines other key components of a robust election system, including having on-reservation polling sites that are open consistently prior to and through Election Day where voters can access Native language materials such as voter registration forms, voting information, ballots, and instructions.<sup>21</sup> These voting centers could also be places where eligible individuals are able to vote in person on Election Day or return a vote by mail ballot. Such locations could be geographically located such that no voter must travel more than 20 miles either to return a ballot, to receive assistance, or to vote in-person.

### Ensuring Eligible Americans Can Vote Even if They Lack a Permanent Mailing Address, Are Experiencing Homelessness, Receive Their Mail at a Post Office Box, or Are Moving During an Election

Many people move frequently or lack a consistent place to receive mail. And millions of others receive mail at a post office box. Research finds that many of the people who lack a permanent mailing address or who use post office boxes are people with low incomes, including people of color<sup>22</sup> and those who are experiencing homelessness. Steps must be taken to guarantee that those who cannot reliably receive mail in a single location are nevertheless able to vote.

**In states with elections occurring by mail, there are several options for people who lack a permanent address, have inconsistent mail delivery, or use a post office box.** For example: in Oregon, anyone who lacks a permanent physical address, including those living in shelters, parks, motor homes, and marinas, can list the county clerk's office as their mailing address for voting and receive a vote by mail ballot there. When voters register, they list their residence address—which may not include a street address, but is used to identify their physical location—and then can list the clerk's office for the address at which they would receive their ballot. A vote by mail ballot would be held at the clerk's office for such voters.

## Ensuring Voters with Disabilities and Those with Limited English Proficiency Can Vote

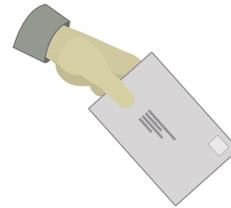
Research shows that vote by mail can help some voters with disabilities vote because they no longer have to travel to polling places on Election Day. That said, there are some voters who rely on disability-accessible voting locations. These are particularly critical for voters with visual impairments or physical disabilities that can make voting via a marked paper ballot difficult or impossible.

**In states that have shifted primarily to voting by mail, voter centers provide a vital opportunity for voters with disabilities and those who need assistance in languages other than English to still be able to cast a ballot.** In Hawaii, for example, voters with disabilities or who otherwise need assistance can go to a county voter service center. What's more, voters with disabilities can also request a ballot be forwarded by electronic transmission at any time. This may allow them to use assistive technology, such as screen readers, at home to complete their ballot screen. In Washington, voting centers are required to be accessible and to have at least one unit certified by the secretary of state to assist individuals who are blind or visually impaired so that they can vote with privacy and independence. As part of a series of voting access bills passed in Colorado in 2019, voters with certain disabilities can request a ballot be sent to them electronically and they must also have access to an electronic voting device that allows them to vote using nonvisual access, low-vision access, or other assistive technology.<sup>23</sup>

Particularly during a pandemic, giving eligible voters the option to vote by mail will ease crowds and waiting time at voting centers. This helps ensure that people with disabilities—as well as older voters and voters who are immunocompromised or have chronic health conditions—who may be more vulnerable to serious COVID-19-related complications, can still vote while avoiding crowds that could put their health (and potentially the health of others) at risk.

## BENEFITS OF VOTE BY MAIL

Voting by mail or secure ballot drop-off provides several important benefits for voters, state and local governments, and taxpayers. Among them:



**Vote by mail allows every eligible American to exercise their right to vote in a safe and healthy manner and it protects public health by preventing further spread of the coronavirus.** By giving voters the flexibility to vote

without being constrained to a single day of in-person voting, vote by mail helps ensure that no eligible citizen has to choose between exercising their constitutional right to vote and protecting their health. It is also important, in the current environment for those who may have COVID-19, including both those who are sick and those who are asymptomatic, to be able to fill out their ballots at home so they are not forced to put their neighbors and community members at risk in order to exercise their fundamental right to vote. Nobody should lose their right to vote just because they're sick and don't want to put their fellow citizens at risk by going to a polling place. Similarly, vulnerable citizens, like older adults and many others, should not have to risk their health to vote. Vote by mail options also ensure that states don't have to choose between protecting our democracy and our public health. The U.S. Centers for Disease Control and Prevention (CDC) and other public health officials have recommended that all states adopt this approach to protect public health and minimize community spread of COVID-19.<sup>24</sup>



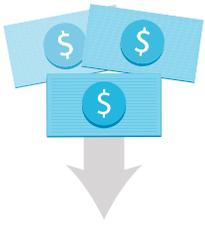
**Vote by mail gives voters flexibility in when and how they vote.** A vote by mail option allows all eligible voters the flexibility to vote in-person—either on Election Day or during early voting—or to return their ballot by mail or to a

secure ballot drop-box. This benefits people with inflexible work or child-care schedules, voters with disabilities for whom travel may be challenging, and those who may be sick or otherwise unable to go to a polling place on Election Day. It also makes voting more accessible to the people who are most vulnerable to coronavirus like seniors and people with chronic medical conditions, as well as our front-line medical workers who might be too busy to vote otherwise.



**Vote by mail protects the integrity of the election.** Unlike electronic voting systems, paper mail-in ballots create a strong physical paper trail for vote tabulation and risk-limiting audits. In addition, vote by mail

systems feature robust security features like signature verification and ballot tracking that allows voters to monitor the status of their ballot after it is returned.



**Vote by mail saves money over the long term.** While there are costs associated with the transition to vote by mail, jurisdictions that have added a mail voting option report cost savings. For example, an analysis

of the election modernization that occurred in Colorado in 2013 and 2014 found that there was an average 40% reduction in election-related costs for the 2014 general election compared to the 2008 general election.<sup>25</sup>

## THE TIME TO PREPARE IS NOW

Daily life has been interrupted in the United States in a truly unprecedented manner. With schools closed, businesses shuttered, and tens of millions of people staying home, questions about what this new normal means for our democracy and elections are coming to the fore. It is critical, not only for this election but also for the strength of our democracy moving forward, that voters have confidence that they will be able to exercise their fundamental right to vote without jeopardizing their own health and safety—or, for those who are sick, that they can vote without jeopardizing the health and safety of others.

States that had primaries in late March and early April were unprepared for the current crisis and what it would mean for their elections. Election workers in some states refused to report to work because they feared for their own health and safety.<sup>26</sup> In Milwaukee, the number of polling locations was reduced from 180 to just five, disproportionately limiting the ability of the city's residents, who comprise 60% of the state's Black voters and 30% of the state's Hispanic voters, from voting.<sup>27</sup> Given the need for strict precautions that keep voters and poll workers safe, being understaffed is particularly troubling. Ideally, even more polling places and poll workers would be needed to guide voters in

physical distancing protocols and maintain a high level of hygiene (e.g., by sanitizing voting machines between uses). In past elections, millions of Americans have waited in long lines to vote in crowded polling places, conditions that are currently unsafe and pose a threat to public health given the pandemic, especially for older voters and those who have underlying health conditions.

At this very moment, states are finding ways to help make sure that their elections will be safe, secure and successful—and these innovations should continue beyond this crisis moment. For example, in Michigan, every registered voter received a vote by mail application for the May 2020 primary election—a departure from the state's recently updated “no excuse” absentee ballot requirement in which voters must apply for a ballot by mail. Vote by mail or via secure ballot drop-off location holds promise far beyond today's crisis; it is an important advancement to safeguard the accessibility and security of our elections. The states that have implemented vote by mail provide important lessons for how to create a robust system in which vote by mail works in tandem with other voting options that ensure communities of color, who are both hardest hit by COVID-19 and often face high barriers to voting in any election system, can cast a ballot. These solutions show that there are ways to ensure that every eligible voter has a fair chance to make their voice heard, and safeguard the strength of our democracy.

# CHECKLIST FOR ADOPTING VOTE BY MAIL AND MAKING IT WORK FOR EVERYONE

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As states modernize their election systems, especially in response to the serious health concerns presented by COVID-19, implementing a vote by mail option has become vitally important. Vote by mail provides eligible citizens with the ability to safely and securely decide when and how to vote, while giving them confidence that their vote will be counted. Working in close consultation with election experts, advocates, and communities themselves who are too often left out of decision-making about voting is critical.

While not an exhaustive list, here are some important considerations and priorities when expanding vote by mail options as part of a robust election system:

## ENSURING ALL ELIGIBLE VOTERS CAN REGISTER AND RECEIVE A VOTE BY MAIL BALLOT

- ✓ As part of voter registration, allow voters the option to provide a mailing address other than their physical living location where they can reliably receive mail—including their mail ballot.
- ✓ As part of voter registration, remind voters that they must provide both a physical living location and a mailing address, but they need not be the same.
- ✓ Consult with tribal communities to make sure that options for registration and mailing of ballots are inclusive and take into account the real challenges in reliably receiving mail, the need for assistance in languages other than English, and geographic isolation. For example, permit Native Americans living on tribal lands to list a designated tribal building as a mailing address.
- ✓ Consult with individuals experiencing homelessness and advocates and service providers to develop systems to ensure that they can reliably receive a mail ballot and have information about where they can vote in person.
- ✓ Expand voter registration opportunities to include automatic voter registration when people interface with other government services such as departments of motor vehicles and to permit voter registration up to and including on Election Day.

## PROVIDE MULTIPLE ACCESS POINTS FOR VOTING LEADING UP TO AND ON ELECTION DAY (continued on next page)

- ✓ Send a voter registration application and vote by mail ballot application to all inactive eligible voters at least 30 days before any remaining registration deadline. All inactive eligible voters who return the form should be returned to active status and sent vote by mail ballots.
- ✓ Mail ballots to all registered voters well in advance of Election Day, with clear reminders that voters can mail them in, return them to secure drop-off locations, or deposit them at an election office or polling place prior to and on Election Day. If they make a mistake in filling out their ballot, remind voters that they can cast a ballot on Election Day.
- ✓ Eliminate requirements that a witness or notary sign a voter's ballot before it is valid, so that people who live or are quarantining alone are not endangered or disenfranchised. Similarly eliminate requirements that voters send a copy of their photo ID with their ballot.

# CHECKLIST FOR ADOPTING VOTE BY MAIL AND MAKING IT WORK FOR EVERYONE

## PROVIDE MULTIPLE ACCESS POINTS FOR VOTING LEADING UP TO AND ON ELECTION DAY (continued from previous page)

- ✓ Operate voter service centers in the weeks leading up to an election and on Election Day. Notify all voters that these centers are places where they can get a replacement ballot, receive assistance, and vote in person if they wish to do so.
- ✓ Place ballot drop-boxes in accessible locations to give voters more options for returning ballots.
- ✓ Consult public health officials and official recommendations about how best to safely operate voter service centers to safeguard public health, including limiting the number of people permitted in the building at a given time, sanitizing protocols, physical distancing guidelines, and more.

## CREATE SYSTEMS TO ENSURE ALL BALLOTS ARE COUNTED AND THE PUBLIC HAS FAITH IN THE ELECTION

- ✓ Create systems that permit voters to track their vote by mail ballots, including allowing voters to sign up for text or email notifications as their ballots move through the system.
- ✓ Establish clear and efficient protocols for addressing signature discrepancies, missing signatures, or other issues with their ballots and how to notify voters in a timely fashion so they can remedy their ballots. Contact methods should include both mail and other contact options, especially for communities that have unreliable access to mail service.
- ✓ Accept vote by mail ballots postmarked through Election Day and received within 10 days after Election Day.

### FOR MORE DETAILED RECOMMENDATIONS AND BEST PRACTICES, SEE:

[“Vote by Mail in Native American Communities”](#) from the Native American Rights Fund

[“Statement on Elections Accessibility during the COVID-19 Pandemic”](#) by the National Disability Rights Network

[“How to Build a Racially Inclusive Democracy During COVID-19 and Beyond”](#) from Demos

[“In Expanding Vote by Mail, States Must Maintain In-Person Voting Options During the Corona Pandemic”](#) from the Center for American Progress and the NAACP

## Endnotes

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