Polling Place Management in the 2020 General Election

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Abstract:

During the spring and summer primaries, many election officials and voters faced challenges as coronavirus cases surged: long voter lines, closed polling places, and increased demand for mail and early voting. But administrators were largely able to scale election infrastructure quickly, find suitable locations for voting, and ensure that the November general election proceeded safely and securely. Despite the potential for catastrophe, polling places largely exceeded safety expectations and in-person voting proceeded smoothly in most jurisdictions.

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This report draws on memos previously published on HealthyElections.org:

- "Mask Rules for In-Person Voting," Ann Bancho, Lane Corrigan, Evie Freeman, Mikaela Pyatt, Brooke Bumpers, Craig Smith, Tom Beimers, Kathleen Peterson, Christopher Schott, Olivia Molodanof, Stephanie Biggs, Sheree Kanner, Helen Trilling, James Deal, Mahmud Brifkani, Boyd Jackson (October 25, 2020).
- "<u>Vote Intention in November: Evidence from an Early September Survey</u>," Charles Stewart III (September 20, 2020)

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I. Introduction

The onset of the coronavirus pandemic in March 2020 sent states scrambling to address concerns surrounding in-person voting safety during the primary elections. Across the country, states <u>struggled</u> with closed polling places, poll worker shortages, long lines at the polls and surges in mail ballot requests. In light of these challenges during the primaries and an escalating public health crisis, many voters and officials expressed concerns over polling place administration and safety for the 2020 general election. Media coverage throughout the summer foretold an uphill battle, with some predicting voting during the general election could lead to a "November nightmare," "chaos and distrust," "catastrophe," or a "meltdown."

Most jurisdictions <u>effectively scaled up</u> mail voting, but <u>millions</u> of voters were, nevertheless, expected to cast their ballots in-person for the November general election. These expectations proved accurate: Fears of <u>postal delays</u>, as well as other factors, such as <u>habit and convenience</u>, prompted over 90 million Americans to cast their ballots in-person, either on Election Day or during early voting.

A salient concern leading up to the November election was the safety of voters and poll workers. States had vastly <u>different</u> coronavirus protocols, but faced a universal challenge: safely administering in-person voting as cases <u>surged</u> nationwide. Most states developed new guidelines for in-person voting, to protect voters and staff alike from contracting the coronavirus. It was a tricky task, as public health officials learned early on that <u>people without any symptoms</u> can spread the virus. Many jurisdictions had to locate long-standing polling places to new locations that would be large enough to allow for social distancing. Others had to develop training protocols for how poll workers should handle coronavirus-related incidents (such as a voter refusing to comply with mask mandates or voter lapses in social distancing while waiting in lines). Still, other stakeholders feared that protocols to protect voters from the pandemic could discourage voter turnout, exacerbate long lines, or place other burdens on voters.

Provisional ballots also posed a potential concern at polling places. During the months preceding the November election, <u>false information circulated</u> about the mail-voting process, which in turn spurred fear that many voters would <u>abandon</u> their mail ballots and vote in-person, triggering a potential surge in provisional ballots. (In many states, if a voter requests an absentee ballot but later decides to vote in-person, the voter must relinquish their original ballot or vote provisionally, sometimes both.) For nearly two decades, provisional ballots <u>have been</u> a source of confusion and mistrust, given their relative newness in elections. Thus,

because of their potential for delaying a final vote count or spurring post-election litigation, provisional ballots could have been a source of controversy in 2020 elections. The considerable variations among states on the legal rules around when and how to use provisional ballots only furthered such agitation.

Despite the ample potential for disaster, in-person polling proved to be primarily a source of triumph. Most jurisdictions exceeded safety expectations and effectively managed provisional voters, ensuring that the November general election proceeded safely and securely.

II. Safety Issues and Incidents

As coronavirus cases increased through the fall, election officials had to stretch limited resources to conduct the November election effectively and safely. Experts were clear that no vaccine would be approved and available prior to November 3, and fears mounted that in-person voting could not be conducted safely given the ferocity of the pandemic. Activists were concerned that fear of getting sick from in-person voting could drive down voter turnout and that long lines or the reduced number of polling places in some jurisdictions could make voting less accessible. There were also concerns that a lack of social distancing and/or inadequate protective equipment at polls could lead to outbreaks of coronavirus cases. But such fears were largely unrealized, though there were some reports of poll workers contracting coronavirus infection after staffing polling locations.

A. Turnout

Despite the immense challenges of conducting an election during a pandemic, safety obstacles did not significantly hamper turnout, nor did it deter most voters from voting in-person. Data from the Pew Research Center indicated that roughly a quarter of voters cited catching or spreading the coronavirus as a major influence on how they chose to cast their ballots. The same study indicated that convenience, habit, and level of trust in mail voting were stronger influences on what method of casting a ballot voters chose to use. Among voters who chose to vote in-person on Election Day, 76% said that they did so because that was the way they had always voted. Among in-person early voters, 72% cited convenience as having a major influence on their choice. Furthermore, over half of in-person voters—both early (53%) and Election Day (52%)—cited concerns about voting by mail as fueling their decisions to vote in-person. A Stanford-MIT Healthy Elections Project survey of the battleground states (Arizona, Florida,

Michigan, North Carolina, Ohio, Pennsylvania, and Wisconsin) conducted in September 2020 indicated that party affiliation also influenced perception and selection of different voting methods.

Whatever methods they chose, voters indicated that they encountered few problems casting a ballot. Pew Research data showed that 94% of voters who cast ballots in the November 2020 election said that voting was somewhat or very easy for them, while just 6% of voters said that they encountered difficulties. Of those 6%, 51% cited logistical concerns, such as long lines or coronavirus safety concerns at polls, as making voting difficult.

The total turnout in the 2020 general election hit a record high. According to the United States Elections Project, <u>159,690,457</u> total votes were cast during the 2020 general election. Voters cast <u>65,642,049</u> mail ballots (41.1%). The majority of voters (94,048,408, or 58.9%) cast their ballots in-person—35,811,062 voted early in-person (22.4%), with the remaining 58,237,346 ballots cast on Election Day (36.5%).

B. Polling Place Consolidation

Polling place availability posed another <u>challenge</u> to officials administering an election during the coronavirus pandemic. Many traditional polling places, such as nursing homes and schools, could no longer serve as polling locations. Nursing homes were at the epicenter of outbreaks and their residents among the most vulnerable to COVID-19. Many schools holding in-person classes restricted public access in order to keep students safe. Other small community buildings that served as polling places under normal conditions did not offer sufficient square footage for social distancing during a pandemic. Poll worker shortages during the primaries also forced <u>polling place closures</u>, and many feared similar closures might have been warranted in November.

Election officials had to rapidly acquire new spaces and reconfigure layouts for in-person voting, while communicating changes to voters. In March, the Wisconsin Elections Commission granted localities more <u>flexibility</u> to find polling places, allowing them to relocate voting locations away from nursing homes and other facilities. In Maricopa County, Arizona, election officials <u>surveyed</u> polling places in March and found that much of the county's 500 voting locations were too small to allow for adequate social distancing. For the November election, Maricopa switched to a "vote center" model, in which 175 voting centers—hosted in large spaces, such as convention centers and shopping malls—replaced traditional polling locations. Around 80 were open for the 27-day early voting period and provided convenience for voters:

Vote centers were open to any voter within the county, whereas traditional polling places had served only voters within their specific precinct. All told, 17 states utilized <u>vote centers</u> during the 2020 election. And to avoid voter confusion on Election Day, some states, such as Pennsylvania, aimed to have counties <u>notify</u> voters of final polling locations no less than two weeks before the election.

Through these adaptations, election officials were largely able to avoid the mass consolidations and closures seen during the 2020 primaries for the November general election. However, there were still nearly 21,000 fewer polling places in the United States in the 2020 general election than the 2016 general election—a 20% decrease. While such consolidation may have been driven in large part by the pandemic, the trend is not new: There were 3,000 fewer polling places in 2016 than 2012. And while the impact of these consolidations may have been offset by innovations in election infrastructure, such as universal mail voting or vote center models, advocates <u>urged</u> against consolidation. They said consolidation could <u>disproportionately impact</u> low income and minority communities. For example, in the key swing state of Georgia, 10% of polling places were <u>closed</u>, affecting mostly communities of color.

C. Voting Lines

Long lines posed an obstacle to social distancing in several jurisdictions during the November election. The longest lines were largely in densely populated cities, such as Atlanta, New York City, and Chicago. Election officials attributed these long lines to three main causes: record turnout overwhelming state election infrastructure, an insufficient number of polling places, and problems with voting equipment at polling sites.

Early voter turnout exceeded expected numbers in many states around the country, contributing to long lines in some jurisdictions. For example, in Fairfax County, Virginia, long lines were reported outside of the Fairfax County Government Center on the first Saturday of early voting. The precinct experienced a higher turnout that Saturday than on any individual day of early voting in 2016; the milestone was reached in early October and was particularly significant given that early voting numbers had swelled closer to Election Day in 2016. Similar turnout records were observed in Georgia, with nearly 130,000 voters showing up to cast ballots on Monday, October 12, the first day of early voting for the general election. The surge of early voters led to wait times as long as five to 11 hours. Georgia election officials suggested that the long lines could also be explained by equipment problems at some polling sites and an insufficient number of polling sites, in addition to high turnout. Polling places in Chicago, Illinois, also experienced long lines because of equipment problems, with one voter reporting

only six of nine voting machines working at her polling site when she went to vote. Coronavirus safety regulations also <u>limited the capacity</u> inside many polling places in Chicago and other states around the country, contributing to longer wait times.

Some Election Day voters also experienced long wait times, despite the large turnout for early voting and the increased use of mail voting nationwide. <u>Cities across the country</u>, which historically have more racially diverse populations, were epicenters for long lines. In densely populated areas, such as <u>San Bernardino County</u>, <u>California</u>; <u>Polk County</u>, <u>Florida</u>; and <u>Pittsburgh</u>, <u>Pennsylvania</u>, voters reported lines that were longer than usual for these areas. Long lines were also reported in other <u>cities</u>, including Albuquerque, New Mexico, Chattanooga, Tennessee, Sarasota, Florida, Atlanta and Marietta, Georgia, and Columbus, Ohio. In many cases, <u>long lines</u> were caused by increased voter turnout, technical difficulties at the polls, and too few polling places.

Notably, in some smaller counties, such as <u>Council Bluffs, Iowa</u>; <u>Madison County, Indiana</u>; and <u>Hartford, Connecticut</u>, some Election Day voters waited two hours or more to cast a ballot. But longer wait times were not a universal experience. Some states, like Georgia, saw considerably <u>more manageable lines</u> and wait times on Election Day, compared to the lines during early voting or the primaries. The decrease in wait times in Georgia can largely be explained by high rates of early voting and mail voting: Nearly four million of the five million Georgians who voted in the 2020 election <u>had cast</u> their ballots before Election Day.

Nationally, most voters (62%) reported waiting in line for <u>10 minutes</u> or less. For comparison, the average wait time for voters across the nation in 2016 was <u>11 minutes</u>. Still, for the 2020 general election, 16% of in-person voters waited in line for more than <u>30 minutes</u> and 6% were in line for more than an hour.

D. Social Distancing at Polling Places

During the height of the coronavirus pandemic, including the 2020 election cycle, the <u>U.S.</u> <u>Centers for Disease Control and Prevention (CDC)</u> recommended that people keep at least six feet of distance between themselves and people from different households. To conduct safe in-person voting during the pandemic, election officials had to adjust polling place locations to maintain that spacing. Many reconfigured polling places and used polling place <u>signage</u> to maintain social distancing inside and in line.

In order to allow for <u>social distancing</u>, some cities converted professional sports arenas and stadiums, convention centers, and large hotels into polling places. These spaces were already designed to handle large crowds, and their size and layouts enabled <u>tens of thousands</u> of people to vote safely. In the State Farm Arena in Atlanta, home of the Atlanta Hawks, officials <u>installed</u> voting machines throughout the 100 levels of concourse and on the arena floor. Atlanta officials also divided the arena into three "<u>voting districts</u>"—one for voters who drove, one for voters with disabilities, and one for voters who took public transportation. Employees of the Atlanta Hawks <u>assisted</u> with the voting process. Other sports teams offered their employees and their arenas and stadiums to <u>assist</u> with voting. These voting "<u>super centers</u>" were available in many of the country's more densely populated areas, where they contributed to maintaining voting accessibility, voter and worker safety, and reduced crowds and wait times.

Despite the reconfiguration of voting locations for the November election, several poll workers reported being unable to maintain the recommended six feet of social distancing between themselves and voters or other poll workers. In <u>Visalia, California</u>, a poll worker reported that she was "shocked" to be stationed next to another poll worker back-to-back, but was otherwise comfortable with the safety precautions, including plexiglass barriers. Nevertheless, a poll worker stationed at that same polling location tested as "presumptive positive" on a rapid coronavirus test after the election. Similarly, in <u>Richmond, Virginia</u> and suburban Henrico County, the health director "consistently heard stories" that people were unable to maintain six feet of distancing from other people within the polls. After the election, over 90 percent of the Richmond registrar's office was under quarantine for possible coronavirus exposure.

Some voters also found themselves unable to socially distance in polling places. Across New Hampshire, voters reported long lines and a complete lack of social distancing at the polls on Election Day. More than a week after the election, New Hampshire Governor Chris Sununu recommended that anyone who waited in line at the polls on Election Day monitor themselves for symptoms of coronavirus, regardless of their polling location within the state. And, in the first few days of early voting, voters in Marion County—Indiana's largest county—reportedly could not stand more than two feet apart from one another once inside the county's only open polling place.

E. Mask Protocol Observance

Compliance with mask mandates was generally high in states where voters were required to wear masks. Few incidents related to mask wearing were reported during the general election

overall, but many complaints that did arise came from Texas and Pennsylvania—both of which were states that exempted voters from wearing masks.

In Texas, Governor Greg Abbott issued an order requiring masks in most public locations but <u>exempting</u> voters, poll workers, and election officials at voting sites. On Election Day, there were complaints that an election judge in Dallas <u>refused to wear a mask</u> inside the polling place, and an election director in Howard County <u>observed that just half of all voters</u> and poll workers were wearing masks. Likewise, in Northampton County, Pennsylvania, voters and poll workers were reportedly not wearing masks on Election Day.

In states that mandated masks in polling places, cases of noncompliance occurred but were exceedingly rare. One of the few reported cases resulted in a man <u>arrested in Maryland</u> for trespassing—after he repeatedly refused election officials' requests to wear a mask (provided to him by officials) and subsequently refused to vote in a designated area for those who did not comply with mask requirements. These designated areas were utilized in many other states as well, but most voters who refused to wear masks were amenable to voting in separate areas.

F. Coronavirus Cases Among Election Workers

Through the November election and the weeks that followed, some election workers tested positive for coronavirus infection. However, in most cases, it was hard to confirm whether the election workers had become infected before working the polls, while working the polls, or in the days after.

During early voting in Okaloosa County, Florida, the supervisor of elections and at least one other election worker tested positive for coronavirus infection. In a news release, the county announced it would close one of its election offices "out of an abundance of caution and concern for public safety," and directed voters to other early voting locations in the county. At the time of the office closure, the deadline to request a mail ballot in Florida had not yet passed; the news release also stressed mail ballot drop off options.

In Virginia, two poll workers in <u>Carroll County</u> tested positive after working the polls on Election Day. In <u>Richmond City and suburban Henrico County, Virginia</u>, 16 poll workers tested <u>positive</u> for coronavirus after Election Day. Though poll workers were wearing masks, as was highly recommended but not mandated by the state, the head of the Richmond and Henrico Health Department believed a lack of sufficient physical distancing may have been responsible for <u>those cases</u>. Local election officials, however, cited the protocols to prevent community spread

at the polling stations. Chief Elections Officer Brooks Braun, <u>elaborating on the safety practices</u>, said, "we were taking ballots using gloves and changing gloves, sanitizing our hands and we had protective screens up so that we weren't sharing direct air with voters."

Polling locations across New York also reported coronavirus cases among poll workers, in Putnam County, Suffolk County, and Dutchess County. In Pennsylvania, a local election office in Greene County declined to release the information to voters, "citing medical privacy laws," despite four out of five poll workers at one precinct testing positive after Election Day. The infected poll workers were in contact with the Pennsylvania Department of Health, and at least one poll worker posted information on social media about infections. Multiple poll workers in Crawford County, Pennsylvania; Cleveland, Ohio; and Marion County, Arkansas, tested positive for coronavirus infection after the election. A poll worker in Visalia, California, tested "presumptive positive" after a rapid coronavirus test but refused to cooperate with county officials and confirm the diagnosis via a more accurate laboratory test. In Midland County, Texas, two poll workers from different polling locations tested positive after Election Day. Neither of the workers showed symptoms on November 3. A Sarpy County, Nebraska, poll worker believed he was infected with coronavirus while working the polls on Election Day. In Scott County, Iowa, a poll worker was hospitalized with COVID-19.

A poll worker in St. Charles County, Missouri, <u>tested positive</u> on October 30, less than a week before the election. She decided to break the <u>county-mandated</u> quarantine to work the general election, without notifying her co-workers or the election officials. She died from complications of COVID-19 on November 4, the day after working the election. St. Charles County Board of Elections Director Kurt Bahr made a <u>statement</u> after the worker died, assuring the public that masks and face shields had been mandatory for all election workers.

III. Provisional Ballots

Some elections experts expressed <u>concerns</u> before the election that the rapid expanse of absentee and mail ballot requests could lead to a surge in provisional ballots at the polls. States had different rules governing whether voters who requested mail ballots but later decided to vote in person were required to cast provisional ballots in the 2020 election. Provisional ballots are a relatively new voting method—the federal government <u>first required</u> states to offer provisional ballots in 2002. Provisional ballots are generally counted last in most jurisdictions, both because they are more labor-intensive to process and because counting them last acts as a safeguard for catching attempts to double vote. Because of their relative newness and the

special processing procedures they require, a large number of provisional ballots could have delayed final election results or spurred post-election litigation and other challenges. However, for the most part, provisional ballots were smoothly and swiftly handled by states.

A. General Election

In 2020, the number of provisional ballots rose in some states but fell in others. Large increases in the number of provisional ballots were sometimes driven by new mail-voting procedures. For example, in New Jersey, all registered voters were sent mail ballots; thus, because of state law, *all* in-person votes had to be treated as provisional ballots because all voters had received absentee ballots. About 300,000 votes, or 6% of total votes, were cast in-person using provisional ballots. New Jersey's statewide races were called on election night, but the results of a close U.S. House race and local races were delayed, in part, because of the high number of provisional ballots. In Pennsylvania, confusion surrounding state policy on absentee ballot requests and provisional ballots contributed to nearly 100,000 votes being cast provisionally.

Other states saw a decrease in the number of provisional ballots, though the cause of the decrease varied by state. <u>California</u> processed one-third the number of provisional ballots in 2020 compared to 2016. Officials <u>attributed</u> the decrease in provisional ballots to increased usage of vote centers, which allowed voters to vote at any location in their county rather than having to vote in their precinct specifically. Under a precinct model, voters who arrive at the wrong location to vote must cast provisional ballots; the greater flexibility afforded by vote centers thus also reduced a major cause of provisional votes. North Carolina also saw a decrease in provisional ballots, from approximately <u>60,000</u> in 2016 to more than <u>40,000</u> in 2020, <u>potentially due to expanded online registration options and increased early voting</u>.

In general, vote tallies were not significantly delayed by provisional ballots. However, in Pennsylvania, the large number of provisional ballots may have <u>further delayed the announcement</u> of final election results. A state court ruling November 6 in <u>Hamm v. Boockvar</u> required that provisional ballots cast on Election Day be separated from other provisional ballots, though this was already common practice throughout much of the state.

B. Litigation

Cases specifically litigating provisional ballots were primarily concentrated in Pennsylvania. In addition to *Hamm v. Boockvar*, there were two lawsuits related to provisional ballots, both filed by a candidate for the Pennsylvania state senate, Nicole Ziccarelli. *Ziccarelli v. Westmoreland*

<u>County Board of Elections</u> and <u>Ziccarelli v. Allegany County Board of Elections II</u> were filed to challenge county board certification of a small number of provisional ballots (roughly 250 in each of the two counties) on the basis of administrative or voter error. <u>Ziccarrelli v. Westmoreland County</u> resulted in 204 provisional ballots invalidated. In <u>Ziccarelli v. Allegheny</u>, plaintiffs won on appeal, with the state appellate court ruling that 270 provisional ballots (which had one rather than the required two signatures) could not be counted. However, these invalidated ballots were not enough to change the ultimate victor of the state senate race.

Other lawsuits included allegations regarding provisional ballots, but the ballots were not the primary focus of the suits. For example, plaintiffs in the Nevada case *Law v. Whitmer* alleged that the consequences of a provisional vote were not fully explained to voters, but most of the complaints in the suit were unrelated to provisional ballots. *Law v. Whitmer* alleged illegal voting behavior, including claims that 1) out-of-state voters were allowed to vote illegally; 2) voting drives were held in Nevada depicting Biden-Harris promotional material and encouraging Native Americans to vote; and 3) that certain electronic voting machines had malfunctioned. All allegations, both those relating to provisional ballots and other topics, were dismissed.

All told, fears of potential issues surrounding provisional ballots did not materialize: Preparation by election officials, coupled with voting innovations (such as vote centers and extended early voting), resulted in few challenges. And provisional ballots were not at the center of post-election controversy: The few legal challenges pertaining to provisional ballots resulted in a change of only a few hundred votes and did not affect the results of the presidential contest or pertinent state senate race.

IV. Conclusion

The coronavirus pandemic posed polling place challenges for election officials, state leaders, advocates, and campaigns, as they sought to promote safety *and* turnout in the November election. Officials had to procure larger and new spaces to accommodate social distancing. They also had to navigate mask protocols and compliance and anticipate potential provisional ballot surges depending on relevant laws in their state. In addition to these safety concerns, they also had to communicate changes to voters and respond to long lines and delays. Yet election officials across the country were largely able to overcome these challenges. To be sure, in-person voting in the general election faced some tumult—primarily marked by long lines in urban areas and nationwide spikes in coronavirus infections. Yet on the whole, in-person polling was marked by innovative polling place adjustments and limited controversy

surrounding provisional ballot use. In-person voting was, on the whole, successful and healthy, and contributed to achieving the <u>highest</u> voter turnout in modern American history.	