

The 2020 Iowa Primary

August 3, 2020

Iowa Secretary of State Paul Pate took action to address the coronavirus outbreak before the state's June 2 primary, leading to an all-time record primary turnout. Pate's office sent all of the state's two million registered voters a postcard that made it easy to request absentee ballots, with a resulting 10-fold increase in voting by mail. He also extended the early voting period from 29 to 40 days. Thus, despite closing roughly half the state's polling places due to poll worker shortages and other concerns, in-person voters still had options as to when to cast their ballot. Between mail-in and in-person voting, Iowans cast 531,131 ballots this June, compared to the prior record of 449,490 votes in the June 1994 primary. Shortly after the primary, lawmakers enacted a law effective June 24th requiring that the Secretary of State submit future proposals to change statewide election procedure to a Legislative Council made up of a select group of lawmakers from both houses of the legislature. This Legislative Council would be required to approve any proposed statewide change in advance. Should the Council not approve the Secretary of State's proposals, it is empowered to present and approve its own procedural changes. On July 17, the Council approved Secretary Pate's petition to conduct a statewide mailing of absentee ballot request forms to active voters in the general election.

Authors: Tait Anderson, Andrew Freiwald, Michael Jacobs, Jenny Liu, Kimberly Valladares

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Summary

Iowa saw record voter participation for its June 2, 2020 primary, despite having fewer than half the number of physical polling places as in the June 2018 primary. This increase in voter participation was in large part driven by the dramatic 10-fold increase in absentee voting compared to 2018.

Secretary of State Paul Pate’s decision in March to mail absentee ballot request forms to all of the approximately two million active registered voters in Iowa facilitated the unprecedented mail-in primary vote. Secretary Pate also extended the early voting period from the customary 29 days to 40 days before the election. In tandem with the effort to expand vote by mail, Secretary Pate also ordered that precincts across the state consolidate physical polling locations to decrease the need for poll workers and emergency safety measures.

For the polling locations that remain, Iowa implemented social distancing and heightened sanitation measures and proactively distributed necessary supplies, including PPE, to county auditors to be used for poll worker and voter protection. Certain counties implemented “drive-through” or “curbside” voting in which voters could vote from their cars or in outdoor spaces. These measures were largely successful, with county auditors reporting increased efforts to disinfect common areas, and further reporting that there were few crowds or lines at polling places.

Although the June primary successfully increased voter turnout, it is unclear whether the same measures can be replicated in the November election. New legislation has reined in the secretary of state’s ability to alter election procedures. Future changes to election procedures like the ones

implemented in the June primary now require the secretary of state to obtain approval from the Legislative Council. The secretary of state's power to issue centralized changes to election procedures state wide is thus more limited. Although certain counties have expressed intent to follow the successful measures from the June primary, the future of statewide measures is uncertain and Iowa may see greater variances across the counties in voting procedures for November. The Legislative Council approved Secretary Pate's statewide directive to mass-mail absentee ballot request forms to all active registered voters, lessening the financial burden on some counties to self-fund the mailers.

Key Resources:

- Iowa Secretary of State's [voters' resources page](#)
- Iowa Secretary of State's [Voter Ready campaign at-a-glance voter instructions](#)
- Iowa's [online voter registration page](#)
- [Official Iowa COVID-19 response](#) information site

Relevant Iowa Election Laws Summary ([Lawyers Committee for Civil Rights](#))

Citation to Iowa Code	Summary
§ 48A.9	<i>Voter Registration Deadline:</i> Mail-in deadline 10 days prior to Election Day. Same-day registration is permitted during in-person absentee voting and on Election Day.
§ 53.1	<i>Qualifying for Mail-In/Absentee Ballot:</i> No excuse needed
§ 53.2	<i>Absentee Application by Mail Deadline:</i> 11 days prior to Election Day
§ 53.17	<i>Absentee Ballot Submission by Mail Deadline:</i> Postmarked one day before Election Day and received six days after Election Day.
§ 53.22(3)	<i>Emergency Absentee Ballots:</i> Any voter who becomes a patient at a hospital, assisted living program or healthcare facility within three days of the election, may request an emergency absentee ballot. A bipartisan team of precinct officers will deliver the ballot to the voter.
§ 53.17	<i>Method for Returning Ballots:</i> Via U.S. mail or hand-delivery to the commissioner's office. A voter may designate a person to deliver a completed absentee ballot. If the ballot is mailed or delivered in person by a designee, it must be done within 72 hours of receipt of the ballot or before the polls close on Election Day, whichever is sooner.
§ 53.16; § 53.18	<i>Mail-in Verification:</i> No proof of identity or witness verification required. Election officials verify that the voter has signed the affidavit on the ballot envelope, and that the signature matches the signature on file for the voter. If the signatures do

	not match, or the affidavit contains another defect, the voter is immediately notified and has until 5:00 p.m. on the day before the election to cure the defect or request and vote with a replacement ballot.
§ 49.78; § 48A.7A; § 48A.10A; § 49.81	<i>In-Person ID Requirement:</i> Must have government-issued ID, photo ID with proof of residence, or attestation from another registered voter of that precinct. If ID requirement is not met, a provisional ballot may be cast.
§ 29C.6	<i>Governor’s Emergency Powers:</i> The governor may suspend the provisions of any regulatory statute relating to the conduct of state business, or the orders or regulations of any state agency, if compliance with those statutes, orders, or regulations prevents, hinders, or delays action necessary to cope with the emergency.
§ 47.1	<i>Secretary of State Emergency Powers:</i> The commissioner of elections may exercise emergency powers to alter conduct in an election during an emergency. Such a decision must be approved by the legislative council (a committee including state house and senate members). If the legislative council does not approve of the measures, it may present and approve its own election procedures. During an emergency, polling places shall not be reduced by more than 35% and must be equitably distributed in the county based on regular polling places.
§ 47.3	<i>Election Expenses:</i> Costs of conducting elections shall be paid by counties.
§ 53.10; § 53.11	<i>Early Voting:</i> 29 days prior to Election Day until 5:00 p.m. on the day before Election Day.

I. Background to Iowa’s June 2, 2020 Primary

A. Elections in Play

Iowa held its presidential caucus on February 3, 2020, before COVID-19 had significantly affected election procedures. Iowa held an additional primary election on June 2, 2020 for federal and state offices, including the U.S. Senate, U.S. House of Representatives, Iowa State Senate, and Iowa State House of Representatives. The Iowa Secretary of State’s website publishes extensive election [results and statistics for every election since 2000](#). The published results from the 2020 primaries include the [Winner List](#), [Turnout Report](#), [Official Canvass by County](#), as well as Daily Absentee Statistics ([by county](#), [by state house district](#), [by state senate district](#), and [by congressional district](#)). The results also provide a [list of offices for which no candidate was nominated](#).

B. Iowa Government's Response to COVID-19

Instead of issuing a statewide stay-at-home order in response to COVID-19, Governor Kim Reynolds took other preventative measures including ordering closures of businesses and public venues and suspending regulations to promote distributing necessary supplies across the state. Beginning on March 9, 2020, Governor Reynolds signed a series of [Proclamations of Disaster Emergency](#) ("Proclamations") implementing response measures to COVID-19. These measures initially consisted of [intensive monitoring](#) and diverting resources for COVID-preparedness and [loosening regulatory restrictions](#) to facilitate shipping of food and medical supplies. On [March 17, 2020](#), Governor Reynolds signed a proclamation declaring a state of public health disaster emergency throughout Iowa, and ordered the closure of restaurants, bars, fitness centers, theaters, casinos/gaming facilities, and senior citizen centers, as well as prohibiting mass gathering of more than 10 people at all locations and venues. Further proclamations were issued in the following weeks ordering [closure of additional venues](#), [prohibiting nonessential medical and dental services](#), and providing additional guidance and regulatory adjustments as part of Iowa's COVID-19 response. On [April 2, 2020](#), Governor Reynolds signed another proclamation to extend the previously implemented closures and responsive measures through April 30, 2020. Further closures were ordered on [April 6, 2020](#), and social distancing guidelines and limitations were issued on [April 16, 2020](#).

On [April 27, 2020](#), Governor Reynolds signed a proclamation that, while continuing the statewide emergency declaration, loosened some restrictions and permitted conditional reopening of previously closed establishments in most counties across Iowa from May 1 through May 15, 2020. Proclamations throughout May permitted additional establishments to reopen under special public health guidelines and extended the reopening to all counties (*see* proclamations issued on [May 6, 2020](#), [May 13, 2020](#), [May 20, 2020](#), and [May 26, 2020](#)). Iowa continued its process of reopening throughout June, including [permitting mass gatherings under social distancing guidelines](#). [Effective June 12, 2020](#), businesses were permitted to operate at full capacity with social distancing and public health measures, but certain restrictions remain in place for public gathering venues such as theaters, senior citizen centers, and indoor playgrounds. Currently, the statewide emergency declaration as well as guidelines and limitations on reopening are [extended through August 23, 2020](#).

Recently, Governor Reynolds and some local officials have issued conflicting directives on requirements for wearing face coverings. The mayor of Muscatine issued an order requiring residents to wear masks effective July 6, 2020. In response, [Governor Reynolds asserted](#) that local officials do not have the authority to require residents to wear masks. While the statewide disaster emergency proclamations are in place, she asserted, the governor retains the power to issue such health directives, and local directives that are inconsistent with the Governor's proclamations are inappropriate and not

in effect. Governor Reynolds' assertion is supported by an opinion issued by the [Iowa Attorney General's Office on July 7, 2020](#) finding the Muscatine order invalid. Officials in other localities, such as [Coralville](#), expressed confusion and frustration over the inability to promote increased mask-wearing in public in light of this conflict.

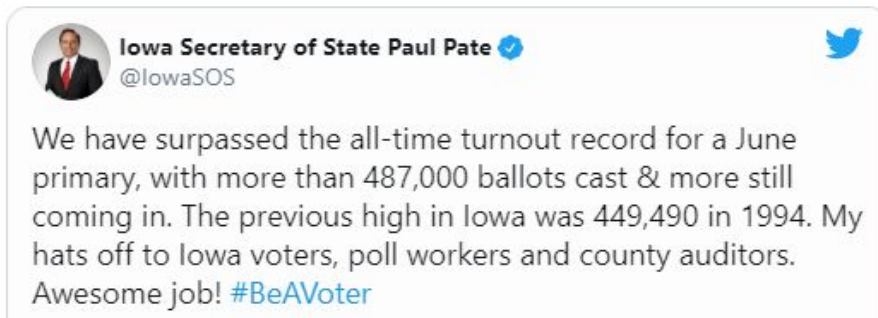
The Iowa state government set up a centralized website with [up-to-date information on Iowa's COVID-19 response](#), including COVID-19 statistics, testing locations by county, and ancillary support resources (e.g., employment guidelines and food programs). The site also links to resources related to the [Test Iowa campaign](#), in which the state partners with private entities to promote accessible COVID-19 testing. On May 21, 2020, Test Iowa expanded to offer COVID-19 testing to all Iowa residents who wanted to be tested. As of August 3, 2020, Iowa has tested 488,141 people, and 45,806 of those individuals tested positive for COVID-19. Among those Iowans who tested positive, 33,135 have recovered and 880 have died. The state [website provides downloadable Excel spreadsheets](#) with granular COVID-19 statistics, including demographic information, county-by-county infection rates, hospital data, and outcome analyses.

C. Adjustments to June 2, 2020 Primary Procedures in Response to COVID-19

Governor Reynolds' [May 26, 2020](#) proclamation included a specific section related to election activities. It disclaims that prohibitions on mass gatherings are not to be construed as limiting anyone from voting or attending training for precinct election officials, and affirms that the closure of school and certain public venues is not to be construed to prohibit the operation of a polling place at those locations.

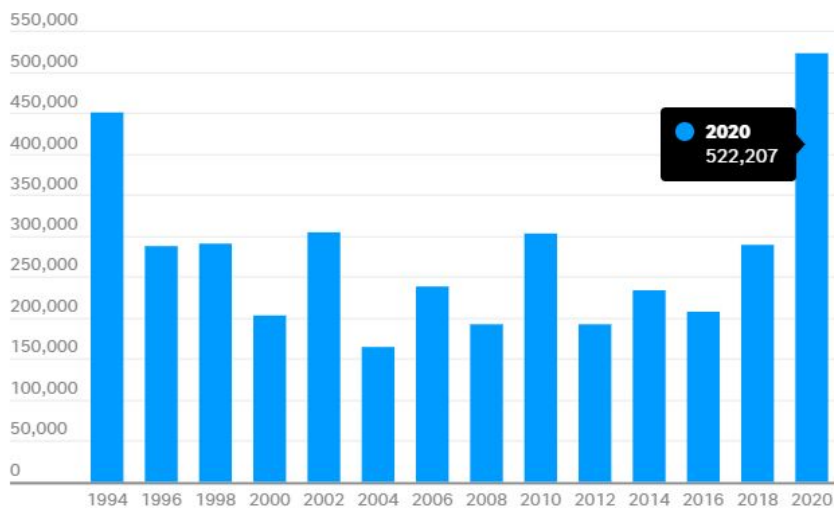
Iowa began its COVID-19 response in early March. With months to prepare for an election in the context of the COVID-19 pandemic, the government opted not to postpone its June 2, 2020 primary. Pursuant to Iowa Code § 47.1, the secretary of state may exercise emergency powers over any election affected by natural disaster or other emergency situation. On March 31, 2020, Iowa Secretary of State [Paul Pate announced plans](#) to mail absentee ballot request forms to all of the approximately two million active registered voters in Iowa as a part of an effort to reduce the risk of spreading COVID-19 related to in-person voting. Additionally, Secretary of State Pate expanded the early voting period for the June primary from the customary 29 days to 40 days. Secretary Pate further announced that eligible Iowans who had not yet registered to vote could do so online and provided relevant links to a downloadable version of the absentee ballot request form. In tandem with these steps to expand voting by mail, Secretary Pate announced that there would be consolidation of certain polling locations to reduce the need for poll workers.

In [his statement](#), Secretary Pate stated that “[t]he safety of voters while casting their ballots is our top priority” and that “[t]he June 2 primary election will go on as scheduled because it is important for Iowans to make their voices heard by voting. The safest way to vote will be by mail.” As discussed in detail below, these measures to facilitate and promote vote by mail resulted in [record voter turnout for the June primary in Iowa](#).



Iowa sets turnout record for primary election

More than half a million Iowans voted in the June 2 primary election, more than any other primary. The previous high was 449,490 in 1994.



SOURCE: Iowa Secretary of State

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In response to Secretary Pate’s decision to proactively mail ballot requests to all registered voters, the [Iowa Senate introduced a bill days after the primary](#) to prohibit the secretary of state from

mailing absentee ballots without a written voter request. The bill [underwent amendments](#) in the Iowa House of Representatives on June 11. The bill as amended requires the secretary of state to obtain approval from the Legislative Council before making changes to election procedure. Governor Reynolds [signed the bill](#) as amended into law on June 24, 2020.

II. COVID-19 Related Preparations for June 2, 2020 Primary

A. Vote-by-Mail

Iowa's Usual Vote-by-Mail and Early Voting Procedures

Iowa does not require a voter to provide an excuse to request a mail-in ballot. (Iowa Code § 53.1.) Registered voters may [request an absentee ballot](#) by filling out the [absentee ballot request form](#) and returning the signed original copy to the relevant county auditor. Requests for absentee ballots must be received in the county auditor's office [by 5:00 p.m. on the Friday eleven days](#) before the election for primaries, and by the Saturday ten days before the election for general elections. (Iowa Code § 53.2.) Voters who become a patient at a hospital or healthcare facility within three days of the election may [request an emergency absentee ballot](#). (Iowa Code § 53.22(3).)

Voters may return the absentee ballot by mail or in person at their relevant county auditor's office, and the voter may designate another person to deliver the completed absentee ballot. (Iowa Code § 53.17.) If delivered by mail, the ballot must be postmarked one day before Election Day and received six days after Election Day. (Iowa Code § 53.17.) Once submitted, voters may [track the status](#) of their absentee ballot online. There is no proof of identity or witness requirement to verify mail-in ballots; the voter's signed affidavit on the ballot envelope suffices. (Iowa Code §§ 53.16, 53.18.) Election officials will verify the signed affidavit and confirm that the signature matches the signature on file. If there is any defect in the signature or affidavit, the voter is immediately notified and has until 5:00 p.m. on the day before the election to cure the defect or vote with a replacement ballot.

Voters may not return their absentee ballots at polling locations on Election Day. In the event certain voters are unable to return their absentee ballots by the relevant deadlines, they may surrender their absentee ballots at the polls and instead [vote in person on Election Day](#), or complete a [provisional ballot](#) at the polls in the event they cannot surrender their absentee ballots.

Eligible Iowans may register to vote online or by mail up to 10 days before a general election and 11 days before a primary election. (Iowa Code § 48A.9.) In 2007, Iowa also enacted [same day registration](#) for in-person voting on Election Day.

Iowa permits early voting within 29 days prior to Election Day and until 5:00 p.m. on the day before Election Day. (Iowa Code §§ 53.1, 53.11.)


COVID-19 Response Measures for June 2, 2020 Primary

In response to the public health challenges posed by the COVID-19 pandemic, Secretary Pate [announced on March 31, 2020](#) that his office would mail an absentee ballot request form to every active registered voter in Iowa. The ballot request forms were [sent to over 2 million registered voters](#), and included prepaid postage for return mailing to relevant county auditors. Iowans could also access the ballot request form online at the Iowa secretary of state's website. Voters were able to request absentee ballots up to May 22, 2020 for the June 2 primary. County auditors began mailing ballots in response to absentee ballot requests on April 23. Secretary Pate also extended the statutory 29-day advance period for early voting to 40 days, so voters could return completed ballots for the June 2 primary as early as April 23, 2020.

The ballot request forms mailed to all registered voters included pre-paid return postage and were in the form of a postcard with no envelope enclosure (see example pictured below). This format raised some [concerns relating to treatment of personal information](#) that would be readily apparent on the face of the completed form, such as date of birth, address, ID number, and political affiliation.

STATE OF IOWA OFFICIAL ABSENTEE BALLOT REQUEST FORM		For Office Use Only
YOUR NAME AND DATE OF BIRTH	Last: _____ Suffix: _____	Revised October 2019
	First: _____ Middle: _____ Date of Birth (month, day, year): _____	
ID NUMBER Complete One	Iowa Driver's License or Non-Operator ID Number: _____ OR Four-digit Voter PIN (can be found on Voter Identification Card): _____	Voters who do not appear in the Iowa Dept. of Transportation's Driver's License or Non-Operator ID files are mailed an Iowa Voter Identification Card at the time of registration. Any voter may request a Voter Identification Card.
YOUR IOWA RESIDENTIAL ADDRESS	Home Street Address (include apt, lot, etc. if applicable): _____ City: _____ Zip: _____ County: _____ <i>You must be registered to vote in the county to receive an absentee ballot. If you are registered to vote in the county, this form will be used to update your voter registration if the information provided on this form is different than the information on your registration record.</i>	
WHERE YOUR ABSENTEE BALLOT SHOULD BE MAILED <i>If different than above</i>	Mailing Address/P.O. Box: _____ City: _____ State: _____ Zip: _____ Country (other than USA): _____	
CONTACT INFO Important	Phone: _____ Email: _____	<input type="checkbox"/> Do not add this contact info to my voter record
ELECTION DATE OR TYPE Choose only one election.	Election Date: 0 6 / 0 2 / 2 0 2 0 OR <input type="checkbox"/> General <input checked="" type="checkbox"/> Primary <input type="checkbox"/> City/School <input type="checkbox"/> Special	
PRIMARY ELECTION ONLY	Check one political party: <input type="checkbox"/> Democratic <input type="checkbox"/> Republican	
REQUESTER AFFIDAVIT Powers of attorney do not have legal authority to request an absentee ballot on behalf of another.	I swear or affirm that I am the person named above and I am a registered voter or I am entitled to register at the address listed on this form. I am eligible to receive and vote an absentee ballot for the election indicated above. Signature: X Date: _____	

A MESSAGE FROM THE IOWA SECRETARY OF STATE



In response to these concerns, the Iowa Secretary of State office explained in a statement to county auditors that the postcard-style form was recommended by the United States Postal Service and by a vendor, and that a similar format had been used many times in the past by various campaigns and advocacy groups. The secretary of state's office also provided instructions to voters on how they could fold and tape the ballot request form in such a way to hide the personal information, but cautioned that if masking tape or staples were used, the ballot request form could be rejected. It is unclear to what extent, if any, concerns about disclosure of personal information affected the number of absentee ballot requests and submissions.

B. In-Person Voting

Iowa's In-Person Voting Procedure

Iowa voters report to their designated polling location based on their current address on file. For primary and general elections, polls are open from [7:00 a.m. until 9:00 p.m.](#) statewide. The secretary of state's website provides a [centralized database](#) where voters may search for polling locations designated for their respective ZIP Codes. The information in the database is provided by

county auditors through the statewide voter registration database. For further confirmation and clarification, voters may also reach out directly to their respective county auditor; [a full list of contact information for county auditors](#) for all 99 Iowa counties is provided on the secretary of state's website.

Iowa requires voters to present identification for in-person voting. (Iowa Code §§ 49.78, 48A.7A, 48A.10A, 49.81.) Acceptable forms of identification are as follows:

- Iowa driver's license
- Iowa nonoperator's ID card
- U.S. passport
- U.S. military card or veteran's ID card
- Current, valid tribal photo ID card with a signature
- Current voter ID with a signature, issued by the state registrar

A voter who cannot present any of the above forms of ID may establish identity and residency if another person who is registered to vote in the same precinct submits a written and signed affidavit attesting to the stated identity and current residency of the no-ID voter. No person can attest to more than two non-ID voters' identities on a single day. A voter who cannot provide a qualifying ID or an attestation by another registered voter may submit a provisional ballot.

As mentioned above, Iowa permits [same day registration](#) for in-person voting on Election Day. Voters may also register in advance either online or by mail.

COVID-19 Response Measures for June 2, 2020 Primary

In tandem with his decision that absentee ballot requests would be proactively mailed to all registered voters, Secretary Pate also announced that although polling sites would remain open for the June 2, 2020 primary election, [many would be combined with other precincts](#) to decrease the number of polling places and lessen the need for poll workers. Secretary Pate also directed that curbside voting would be an option for Iowans with disabilities, those with trouble entering a polling place, and those in the CDC's at-risk groups for severe symptoms and death resulting from COVID-19.

Different counties had [varying rates of polling site consolidation](#). Some counties saw no decrease in the number of polling sites compared to 2018 (Cedar, Delaware, Henry, Jackson, and Van Buren Counties). Other counties saw a significant decrease in the number of polling locations. For example, the most populous county in Iowa, Polk County (which includes the capital of Des Moines), saw a decrease from 135 polling places to 28. Overall there were 504 polling places across Iowa for the June 2, 2020 primary, compared to 1,152 polling locations in 2018. (See Appendix A.)

Social Distancing, Heightened Sanitation, PPE Distribution, and Other Measures

In addition to decreasing the number of polling locations, counties across Iowa implemented social distancing measures at polling locations such as [stickers placed on the floor](#) to denote the appropriate distance between voters while waiting, greater space between polling booths, and plastic dividers. The state also ramped up its efforts to provide polling locations with sufficient safety supplies.



Secretary Pate's [May 19 press release](#) announced that he had partnered with Iowa Homeland Security and Emergency Management and the Iowa National Guard to [deliver personal protective equipment \(PPE\)](#) (including masks, gloves, and hand sanitizer) to polling precincts in an effort to equitably protect poll workers across the state's 99 counties.

Iowa paid for the PPE through the \$4 million in federal funds through the CARES Act, provided by Congress to help with elections during the COVID-19 pandemic. Moreover, the state provided [\\$500,000 in grants to help counties](#) prepare for the primaries. These funds were also funneled towards recruiting and [paying younger poll workers](#) who were in lower-risk categories compared to Iowa's regular poll workers who are traditionally older. For example, [Amanda Waske, Ringgold County auditor](#), said her June 2020 poll workers were a mix of college students home for the summer, teachers, and a handful of past poll workers who returned from previous years. County officials had [masks available for voters and some even bought extra pens](#) so that voters could avoid reusing and sharing touched surfaces. Poll workers were required to wear masks and [mandated to wipe down surfaces](#).

These proactive protective measures, along with the state's vote-by-mail efforts, appear to have made in-person voting in Iowa manageable and safe. For example, Suzanne Micheau, Iowa City tenth precinct Election Chairperson, stated that the majority of voters wore masks and [sanitized their hands](#). Shonda Monette, Iowa City seventh precinct Election Chairperson, [stated](#) that there were "hardly any lines of voters or concerns of crowds at the polling site." And Adam Wedmore, Cerro Gordo County Auditor, stated he [received a shipment of PPE](#) from Secretary of State Pate's office ahead of the election and that the county routinely cleaned and disinfected frequently touched surfaces, set up plastic barriers between poll workers and voters, spaced out voting booths, and added social distance markers to further prevent transmission of COVID-19.

Because of these preventative measures, it appears that Iowa’s in-person polling was not as busy compared to previous years, despite there being fewer than half of the number of polling locations available in 2018. Most [Iowa primary voters had already cast their ballot](#) through the mail before Election Day. Of the 531,131 votes cast in the June 2 primary, nearly 80 percent (420,389) were by absentee ballot; only 110,427 constituents voted in person across Iowa’s [99 counties](#).

C. Primary Preparations by County

While Iowa’s election regulations are fairly centralized through the secretary of state’s office, counties play a key role in the on-the-ground administration of elections. Elections are administered by county auditors. Registration can be completed online through the secretary of state’s website or by returning a form to the local county auditor. Absentee ballot requests are standardized across the state but must be returned to the county auditor of a voter’s designated county, and counties are responsible for funding the administration of their elections.

Counties May Lead by Example for November 3, 2020 Election

Certain county officials made an extra effort to ensure voting accessibility and safety by accommodating early in-person voting and absentee balloting. For example, in Johnson County, election officials set up a [drive-through voting booth](#) outside the county administration building where staff wearing PPE accepted ballots from voters directly from their vehicles. To add to the staff’s creative tactics, they borrowed a [speed trailer from the sheriff’s office](#) to greet voters with a flashing “voting straight ahead” sign as they entered the parking lot. In Grundy County, officials established a [ballot drop-off system](#), where voters cast their ballots curbside to county staff at the county office. Meanwhile, in Ringgold County, voters could cast their ballots in an isolated conference room located in the closed courthouse.

Impact of Polling Place Consolidation



As shown in Appendix A, the counties across the state had varying levels of consolidation of polling locations. Some counties saw significant decreases in the number of polling locations. Polk County, the most populous county in Iowa that includes the city of Des Moines, reduced the number of polling locations from 135 in 2018 to 28 in 2020. Woodbury County saw a decrease from 42 polling locations in 2018 to five polling locations in 2020. And Linn County went from 78 polling locations in 2018 to 19 polling locations in 2020. On the other hand, the number of polling locations for Cedar County (12 locations), Delaware County (12 locations), Jackson County (16 locations), and Henry County (9 locations) remained constant.

In addition to a potential impact on racial minorities, there may be further concerns surrounding decreasing the number of polling places. For example when Woodbury County election officials first announced the decision to have only two polling locations for the entire county for the June 2, 2020 primary, former Iowa State Senator Rick Bertrand [filed suit](#) against the county officials alleging that the decreased number of polling locations would disadvantage voters of a certain political affiliation. The parties resolved the lawsuit after Woodbury County agreed to [open five polling locations](#) instead.

III. Challenges in Expanding and Promoting Vote-by-Mail for November 3, 2020 Election

While Secretary Pate's decision to mail absentee ballot requests proactively to voters led to record turnout for the June 2, 2020 primary, [the state legislature indicated concern](#) that the secretary of state had unilateral power to alter election procedures. In the weeks following the June 2, 2020 primary, the [Iowa Senate passed a bill on June 5, 2020](#) that prohibited the secretary of state from mailing absentee ballots absent written requests from voters. The [bill was amended in the Iowa House of Representatives on June 11, 2020](#), and as amended the bill does not prohibit the secretary of state from taking actions to alter election procedures, but requires prior approval from the Legislative Council. The bill also limits the extent to which the secretary of state may decrease the number of polling locations across the state. Governor Reynolds [signed the amended bill](#) into law on June 24, 2020.

After the new legislation went into effect, an Iowa state senator proposed that the Legislative Council grant Secretary Pate approval to send an absentee ballot request to all registered voters for the November 3, 2020 general election—essentially repeating the process from the June 2, 2020 primary. The Legislative Council denied this proposal.

In the absence of a directive from the secretary of state, the discretion to send ballot request forms to all registered voters rested with the counties. On July 7, the [Polk County auditor](#) indicated that his office would send every registered voter an absentee ballot request form before the November election.

[Smaller counties expressed concern](#) over the financial strain of self-funding ballot request forms to all registered voters in the general election. In Benton County, a mass mailing would have siphoned up to 15 percent off the county's total general election budget. Other rural counties, including Jones, Tama, and Buchanan counties, expressed concern over the cost of mass-mailing absentee ballot request forms. Larger counties, like Black Hawk, Dubuque, Johnson, and Linn, planned to mail ballot request forms automatically despite high costs. Johnson County's election budget included \$100,000 dedicated to mailing absentee ballot request forms to all active registered voters. The fragmented county response led to involvement from [third party organizations](#) to disseminate absentee ballot request forms to alleviate resource concerns in the absence of a statewide mandate.

On July 17, 2020, Secretary Pate announced [an emergency directive](#) to conduct a statewide mailing of absentee ballot request forms to Iowa's active registered voters for the November general election. In his [announcement](#), Pate expressed his desire to protect poll workers and voters and "conduct a clean, fair, and secure election." He stated that he had consulted with all 99 county auditors and determined that the best way to conduct a safe election was to mail absentee ballot request forms to all active registered voters. Under the emergency directive, voters retain the option to cast their ballots in person and Secretary Pate provided assurance that the state would "provide resources to protect Iowans" who choose in-person voting. The Legislative Council [reviewed and approved](#) Secretary Pate's petition on July 17, 2020. The announcement came after several counties had self-funded and sent out absentee ballot request forms to their active voters.

The Republican National Committee [issued a letter on July 27, 2020](#) to Secretary Pate asking that he prohibit counties from mailing absentee ballot request forms with pre-populated information filled out. Secretary Pate has not responded to this request as of July 29, 2020, but at least two counties – Linn and Johnson counties – have mailed absentee ballot request forms with pre-populated information to voters. As of July 27, [Linn County had mailed 100,000 absentee ballot request forms](#) with pre-populated information, 13,000 of which had already been signed and returned.

There may be further disagreement and variances among counties over the information county auditors may include on ballot request forms that are mailed to registered voters. On ballot

request forms, voters must include either their Iowa driver's license number or a voter PIN. Since many voters do not know their PINs, Johnson and Linn County Auditors both [planned to include the numbers](#) preprinted on the ballot request forms they mail. However, on July 6, the director of elections for the Secretary of State office sent an email to county officials, "The ID Number field can NOT be pre-populated because it is considered a confidential record." Nevertheless, Linn County sent its mailers with voter PINs included. As of July 24, [the State had not moved to stop the county](#) from issuing mailers with PIN numbers.

IV. June 2, 2020 Primary Results Post-Mortem

A. June 2, 2020 Primary Saw a Significant Increase in Voter Turnout

In its June 2, 2020 primary, Iowa saw a significant increase in voter turnout, largely driven by increased absentee voting. The official tally for voter turnout in the primary was [531,131 votes](#), with absentee ballots comprising [420,389 votes](#). This is significantly higher than Iowa's 2018 primary voter turnout of [287,919 votes](#) with [50,610](#) absentee ballots. When absentee ballots continued to roll in on June 2, 2020, Secretary Pate [tweeted excitement](#) about the record turnout.

For the June 2, 2020 primary, [the final tally as of June 9, 2020](#), showed 490,047 absentee ballot requests received, 489,258 absentee ballots sent to voters, and 420,389 absentee ballots returned by voters. These figures represent an astounding 10-fold increase in the use of absentee ballots compared to the [June 2016 primary](#), in which only 44,016 requests were received, 43,891 ballots were sent to voters, and 38,053 completed ballots were returned. The [June 2018 absentee ballot figures](#) (55,421 requests received, 55,295 ballots sent to voters, and 50,610 ballots returned) are also an order of magnitude below those for 2020.

As for overall voter turnout, the [June 2, 2020 primary](#) saw registered Republican voters turn out at a rate of 34.99% and registered Democratic voters turn out at a rate of 38.97%. In the [2018 primary](#), the voter turnout rates were 15.52% for Republican voters and 17.09% for Democratic voters. And similarly, the [2016 primary](#) only saw a turnout of 15.48% of registered Republican voters and 15.28% of registered Democratic voters.

B. In-Person Voting Experience

With a final tally of [531,131 votes](#) cast in Iowa's June 2, 2020 primary and absentee ballots accounting for [420,389 votes](#), only 110,742 Iowans across the state opted for in-person voting. Even with the decreased number of polling locations, the significant use of absentee ballots relieved some pressure on polling places. Reports of in-person voting experiences in the primary were mostly positive and included [few lines and crowds](#), heightened [sanitation procedures, and timely allocation of PPE](#). Some counties took further steps in ensuring minimal close contact between people, such as drive-through or curbside voting, which also assisted [voters with disabilities](#) who may have had difficulty walking into polling locations.

But challenges remained for in-person voting during the COVID-19 pandemic. Certain county auditors expressed [difficulty in finding and training](#) new and willing poll workers. And while volunteers trained in COVID-19 safety measures did not report receiving negative comments from voters when they were offered hand sanitizer and masks, Iowa also does not have a mandatory mask order, and election workers could not force voters to wear masks.

Certain rural counties opted to keep only one active polling location, and some voters said that they were [not sufficiently informed](#) about the updated polling locations, and drove to their usual polling locations only to be diverted. Voter confusion in these areas may be partly attributable to the limited media outlets or publications in certain rural locations. Providing updated information only in local outlets may have been insufficient to reach voters in these areas.

C. Next Steps to Prepare for November 3, 2020

Monitor legislative changes and debates. Secretary Pate's proactive measures for the June 2, 2020 primary sparked fierce legislative debate. There will likely be additional legislation to address absentee voting procedures and operation of polling locations that affect the November election.

Examine individual counties' procedures and any updates thereof. With the new legislation in place limiting the secretary of state's ability to implement centralized measures, it will be more likely that individual counties will fashion their own solutions at the discretion of the county auditors come November. This will create a more fragmented regulatory landscape.

Keep voters informed at a localized level. With the expectation that there may be a greater degree of variance among individual counties' election procedures for the November election, it is crucial to provide voters with accurate updates of procedures applicable to their counties and precincts. In rural counties where there may be few local media outlets and publications, officials should consider

alternate conduits for disseminating new information (e.g. social media, posting flyers in local businesses, designating specific individuals to stay up to date and to inform their community).

Promote successful measures from the June primary. Officials should assess the success, applicability, and feasibility of non-traditional in-person voting procedures such as “drive-through” or “curbside” voting. Such measures can minimize indoor contact among individual voters and would likely require the least overhead in terms of PPE, poll worker training, and demand on internal space and social distancing. Employing these measures more widely may also help counties maintain more polling locations safely.

Evaluate the impact and potential bias of polling place consolidations. As discussed above, further study is needed to assess the impact of polling place consolidation and particularly to ensure no bias on the basis of race or party.

Appendix A

The following chart summarizes the number of polling locations across Iowa in 2020 compared to 2018. This chart was compiled based on information available here:

<https://www.iowawatch.org/2020/06/02/2020-and-2018-polling-sites-in-iowas-99-counties/>.

County Name	Number of Polling Locations in 2020	Number of Polling Locations in 2018
Adair	5	5
Adams	1	5
Allamakee	3	11
Appanoose	3	12
Audubon	1	2
Benton	9	19
Black Hawk	7	62
Boone	3	15
Bremer	10	13
Buchanan	3	15
Buena Vista	2	10
Butler	1	9
Calhoun	3	10
Carroll	1	13
Cass	5	13
Cedar	12	12
Cerro Gordo	10	26
Cherokee	2	7
Chickasaw	2	8
Clarke	1	7
Clay	1	7
Clayton	1	10
Clinton	5	26
Crawford	1	8
Dallas	8	34
Davis	1	6
Decatur	1	7
Delaware	12	12
Des Moines	2	16
Dickinson	1	5
Dubuque	9	35
Emmet	1	11

Fayette	2	14
Floyd	1	8
Franklin	1	12
Fremont	1	5
Greene	2	7
Grundy	3	7
Guthrie	3	8
Hamilton	2	8
Hancock	2	10
Hardin	2	8
Harrison	1	13
Henry	9	9
Howard	6	6
Humboldt	2	9
Ida	1	7
Iowa	5	8
Jackson	16	16
Jasper	6	20
Jefferson	12	12
Johnson	46	57
Jones	8	12
Keokuk	1	15
Kossuth	1	20
Lee	3	22
Linn	19	78
Louisa	3	5
Lucas	7	7
Lyon	1	7
Madison	3	8
Mahaska	2	11
Marion	5	17
Marshall	7	15
Mills	4	11
Mitchell	1	11
Monona	7	11
Monroe	4	7
Montgomery	2	7
Muscatine	6	23
O'Brien	2	9
Osceola	3	8
Page	3	8

Palo Alto	3	3
Plymouth	1	13
Pocahontas	5	7
Polk	28	135
Pottawattamie	5	40
Poweshiek	3	8
Ringgold	5	7
Sac	4	9
Scott	23	63
Shelby	5	5
Sioux	5	10
Story	10	43
Tama	8	14
Taylor	6	7
Union	3	8
Van Buren	8	8
Wapello	9	22
Warren	7	31
Washington	4	11
Wayne	4	4
Webster	3	28
Winnebago	3	10
Winneshiek	3	10
Woodbury	5	42
Worth	1	7
Wright	1	5
Total	504	1152