

## Findings from Survey of Baltimore City Voters

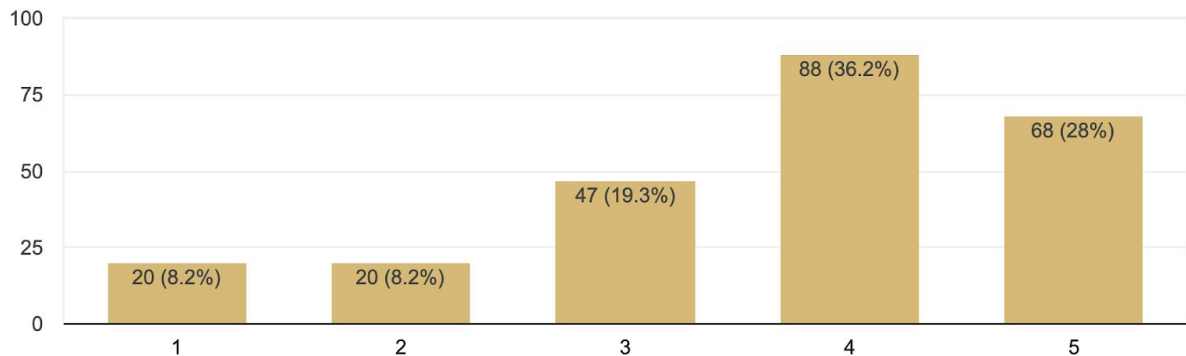
After the June 2 Primary Election, Baltimore Votes conducted a survey to collect information on voter experiences. As of 6/29, 346 voters have responded, 243 of whom voted in Baltimore City.

### Summary

While there were a series of problems that took place during the Baltimore Primary Election, the majority of survey respondents reported that they did not encounter any significant problems, and that they rated their experience highly overall.

How would you rate your overall voting experience during the 2020 Baltimore Elections?

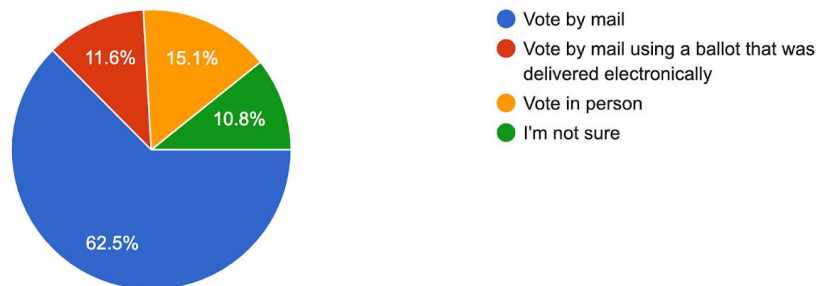
243 responses



A majority of respondents also stated that they want to vote by mail in the upcoming November election.

How would you like to vote in the November General Election?

251 responses



Based on the responses to questions, as well as the survey overall, Baltimore Votes strongly urges the State Board of Elections to recommend that the General Election in November be conducted primarily by mail, with expanded in-person voting options. We also strongly encourage the SBE to adopt the following measures to improve the next election:

Baltimore Votes calls on the State Board of Elections to implement the following changes before the 2020 General Election:

- Form a task force that includes voting advocates, community organizations, and voters
- Allow and encourage all registered voters to vote by mail by sending them ballots
- Allow early voting and increase the number of polling stations
- Increase the number of drop box locations
- Increase voter education
- Improve the tracking tool on the SBE website
- Ensure that voters can quickly find the necessary deadlines and information on the website and their mail-in ballots
- Don't rely on online communication for voter education

## Getting a ballot

The first section of the survey asked voters about their experience getting their ballot. 73.9% of Baltimore City voters reported that they did not encounter any problems with the process. Of the 26.1% of respondents who encountered problems, the top concerns shared were:

- Ballots arrived later than expected, with several respondents stating that their ballot arrived a few days before the election.
- Ballots not arriving at all, including after contacting the board of elections and requesting a ballot.

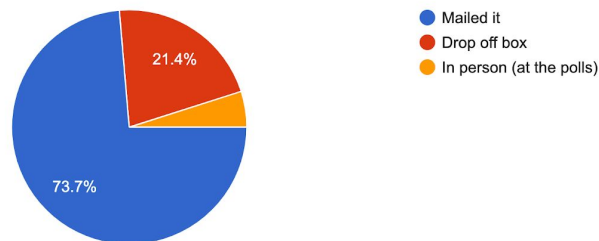
One survey taker wrote: "Ballot arrived 5/30 - before election but too late to mail it back." In fact, that voter could have returned their ballot in the mail and still gotten it in before the postmark deadline. This misunderstanding could be addressed through wider voter education outreach or clearer instructions included with the ballot.

Voters who received their ballots electronically noted barriers related to printer access and the online ballot request service not working.

## Returning the ballot

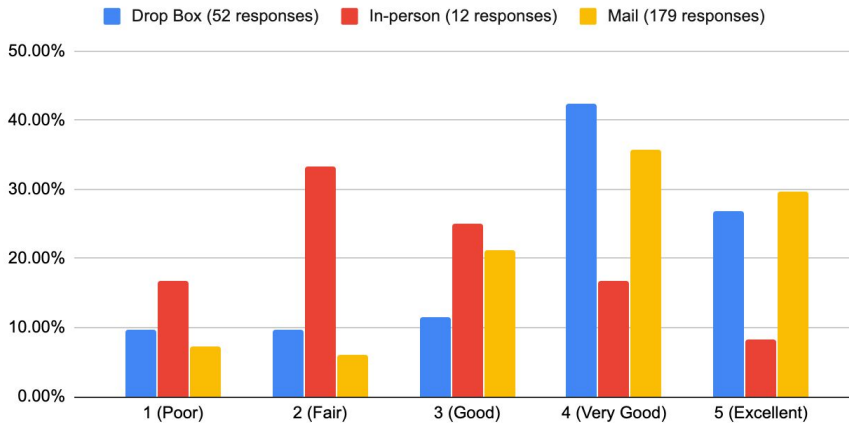
A majority of respondents cast their vote by mail, with over 90% choosing to vote by mail or by using the drop box option.

How did you cast your ballot?  
243 responses



Those voters were also more likely to rate their overall experience as being more positive than voters who went in person.

How would you rate your overall voting experience during the 2020 Baltimore Elections? (by ballot return method)



### Drop Boxes

Of the 52 respondents who used a drop box, 82.7% of respondents drove to the dropbox site, while the remaining respondents walked. No one reported taking public transportation. Just over 90% said that it took less than 20 minutes to reach the ballot drop box. Several respondents noted that the decision to close the drop box at the Board of Elections Office due to protests downtown inconvenienced voters.

Recommendations for improving drop boxes:

- Increase the number and range of locations (one respondent suggested “Place them at locations people already encounter during this time like grocery stores, gas stations, etc.”, while another suggested that drop boxes be added to senior living centers)
- Add more signage to help voters find the dropboxes
- Ensure that cars don’t park in front of the drop box

### In person

While only 12 respondents reported voting in person, a key finding to highlight is that 8 of them chose this option because they hadn’t received a ballot in the mail. 4 stated that they chose this option because they enjoy voting in person. 2 respondents reported that they did not feel that their mailed ballot would be secure. (Respondents were able to select more than one answer.)

Transportation was a bigger problem for voters who went in person than for voters who used a drop box. Around 41.7% reported that it took over 20 minutes to reach their voting center, with 16.7% stating that they had to travel more an hour. After driving, the second most used method of transportation to get to the in-person voting center was public transportation.

Recommendations for improving in-person voting:

- Add early voting and more polling centers could have cut down on lines
- Increase the number of polling location in order to cut down on lines
- Directing voters to other, less crowded polling centers when appropriate (one respondent noted that the Edmondson site had a multi-hour long line, but the Carter G. Woodson site was barely seeing people all day.)

## **Vote by Mail**

179 respondents returned their ballot in the mail.

Suggestions for improving the process fell into a few main categories:

- More voter education
- Send ballots earlier
- Improve website tracking tool
- Public acknowledgement of problems and how they are being addressed in real time
- Better customer service
- I know people who did not receive a ballot. They could email all registered voters to confirm their address, send out postcards to residents to confirm voter addresses ahead of sending ballots, and be more proactive about communicating what to do if you do NOT receive one. This includes keeping many in-person voting places open to ensure alternatives.
- More information and updates given to community members in real-time.
- More public advertisements around town for people to expect their ballots soon. Plaster it on buses, put it on billboards, make radio advertisements.
- Black pen confusion
- 
- This is a complex question. A thorough investigation must be undertaken to find out what went wrong and what steps need to be taken to ensure this never happens again.
- Use a local, Baltimore City printer to produce the ballots. Have multiple layers of elections office staff review all information on the ballots before signing off to have them printed. Have ballots for all Maryland jurisdictions mailed at least 3 weeks before election day. All ballots, including those marked for Baltimore City residents.

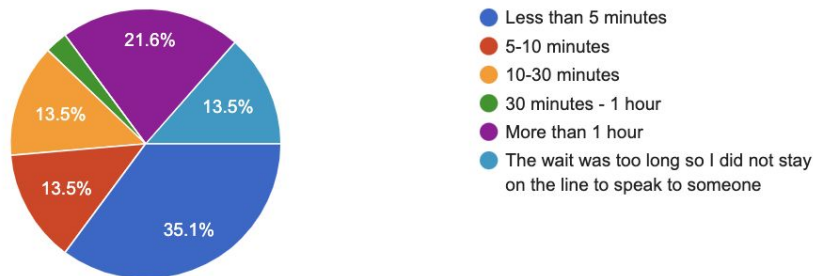
## **Getting Help**

### **Board of Elections Call Center**

37 respondents reported that they contacted the Board of Elections with a question about the election. More than a third of respondents said that they had to wait for over 30 minutes before speaking with someone, or that they had to wait for too long and ended up hanging up before they spoke with anyone.

How long did you wait before you spoke to someone?

37 responses



Feedback from respondents about their experience calling the Board of Elections call center:

- They were supposed to call me back and never did
- Only on the final day did I speak to someone who could help me. The other days I got transferred and or the phone hung up when I was transferred
- I called to confirm the expanded ballot locations (Hamden) and what the hours would be etc. the person was nice and responsive but was unaware of the expanded list on the website. She said she would check with Annapolis.
- The wait was too long so I hung up
- The online ballot checking tool continues to say "received" not "accepted". I don't know if my vote was counted.
- I had to call them 3 times, once to track my ballot, and then twice for an additional issue, but the first time the wait was too long so I hung up. The second time I got to talk to them after around 15 minutes. I noticed as it got closer to the election the wait line was much longer, so I think more people should be hired around the election to fulfill the demand.

## Looking forward to the 2020 General Election

Baltimore Votes calls on the State Board of Elections to implement the following changes before the 2020 General Election:

- **Form a task force that includes voting advocates, community organizations, and voters.** They have strong ties in their communities and can help to disseminate information about changes to the election process. Organizations such as Common Cause MD, Disabilities Rights MD, ACLU, Out For Justice, League of Women Voters and others have also identified many of the problems that took place in this election, and could have helped to circumvent them. Bring them into the conversation much earlier.
- **Allow vote by mail:** We strongly recommend that Maryland proceeds with the November General Election through vote-by-mail, as 74.1% of respondents indicated that this is their preferred method of voting in the November General Election.
- **Allow early voting and increase the number of polling stations:** Survey respondents who voted in person rated their experience much lower than counterparts who voted by mail or using a dropbox. In-person voting locations had long lines and many who went in-person reported that they had not received their ballots in the mail. Early voting and

more polling stations will help lessen congestion, decrease wait times, and ensure that voters can go at a time that is more convenient for their schedules.

- **Increase the number of drop box locations:** Increase the number and range of locations of drop boxes, along with signage leading to these locations. Ensure that these locations are at convenient, non-congested areas. Ensure voter trust in the security of drop boxes by informing the public about how their ballots are being secured.
- **Increase voter education:** Invest more resources in educating voters about changes to the election. Partner with local organizations and community based groups to support their GOTV efforts. This could be done by allocating grants. Also, expand beyond radio, tv, and online advertisements by putting notices in frequently visited locations such as buses and grocery stores.
- **Improve the tracking tool on the SBE website:** There was a great deal of confusion about when the tracking tool on the website would update ballot status from “received” to “accepted.” This could be addressed with a clear explanation on the website. (From a respondent: “As of 6pm June 10, 2020 the status of my ballot and my husband's are "received." I'm concerned that our ballots have not been counted.”)
- **Ensure that voters can quickly find the necessary deadlines and information on the website and their mail-in ballots:** Update the website frequently and work with the Center for Civic Design to improve ballot delivery and return envelopes.
- **Don't rely on online communication:** As one respondent wrote: “It was difficult to get locations of Drop boxes. Radio, newspapers, tv all said ‘consult the website for [a] list of locations.’ They should have given us the list! The assumption that everyone has easy access to the web is disenfranchising people.”



June 26th, 2020

The Honorable Larry Hogan  
Governor, State of Maryland  
100 State Circle  
Annapolis, MD 21401

cc: Members, Maryland State Board of Elections and Linda H. Lamone, Administrator

Dear Governor Hogan,

Thank you for instructing the State Board of Elections (SBE) to shift our June primary to vote-by-mail to ensure Marylanders could safely participate in the election. **We write to request that you instruct SBE to conduct November's Election through vote-by-mail with in-person early voting options and expanded in-person voting locations on Election Day for those who need to vote in-person.**

Most Maryland voters were able to safely participate in the June primaries through vote-by-mail. However, the very short timeline to shift to a completely new voting process as well as an insufficient number of in-person voting options led to numerous avoidable problems. The state should learn from those mistakes, and one critical first step to protect Marylanders' right to safely participate in our democracy is a clear direction from you to the SBE *now* on how to start planning and preparing for the November election.

Because of the ongoing COVID-19 public health crisis, we cannot assume it will be safe to run our November elections with predominantly in person voting. We do know that delaying the decision will jeopardize SBE's ability to run a safe, secure and efficient election process, and could lead to even more problems than those experienced in the Primary Election.

We strongly urge you to immediately instruct SBE to mail every active voter a ballot and expand in-person and early voting options.

Vote-by-mail is a safe, secure way for eligible voters to participate in elections during the COVID-19 pandemic. However, as was evidenced by the June primary turnout, we need more in-person voting options for people who are unable to vote by mail because they need assistance, need to register to vote, or did not receive their ballot.

Our groups have a series of additional suggestions to ensure our November elections are accessible and secure; but the most important thing you can do now is to instruct the SBE to mail every active voter a ballot and expand in-person and early voting options.

Sincerely,

Emily Scarr, Maryland PIRG  
Joanne Antoine, Common Cause Maryland  
Reverend Kobi Little  
Dana Vickers Shelley, ACLU of Maryland  
Lois Hybl & Richard Willson, League of Women Voters of Maryland  
David Prater, Disability Rights Maryland



## MARYLAND SENATE REPUBLICAN CAUCUS

**MINORITY LEADER**  
Senator J. B. Jennings  
*District 7*

**MINORITY WHIP**  
Senator Stephen S. Hershey, Jr.  
*District 36*

**MEMBERS**  
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Senator Mary Beth Carozza  
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Senator Robert Cassilly  
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Senator Adelaide C. Eckardt  
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*District 1*

Senator Jason C. Gallion  
*District 35*

Senator Michael J. Hough  
*District 4*

Senator Justin Ready  
*District 5*

Senator Edward R. Reilly  
*District 33*

Senator Johnny Ray Salling  
*District 6*

Senator Andrew A. Serafini  
*District 2*

Senator Bryan W. Simonaire  
*District 31*

Senator Christopher West  
*District 42*

June 25, 2020

Michael R. Cogan, Esq., Chairman  
Linda H. Lamone, Esq., State Administrator  
P.O. Box 6486  
151 West St., Suite 200  
Annapolis, MD 21401-2019

Dear Chairman Cogan and Administrator Lamone:

The Senate Republican Caucus is closely following the postmortem of the June 2<sup>nd</sup> Primary Election and the planning process for November's General Election. We read with great interest the July 23<sup>rd</sup> letter sent to you from Senate President Ferguson and Chairman Pinsky. Our members also thank you for your participation in the Education, Health & Environmental Affairs Committee hearing earlier this month and understand the extraordinary circumstances affecting the State and Local Election Boards' ability to conduct elections during the COVID-19 pandemic.

Despite these and any challenges, free and fair elections are the foundation of our civil society and recent and continued missteps, failures and lack of accountability have shaken the public's confidence in Maryland's election process. This confidence must be restored by November's General Election.

We appreciate the proactive approach presented by the Senate President and Chairman Pinsky in their June 23<sup>rd</sup> letter and agree with their emphasis on improved accountability, communication and transparency. However, we strongly object to their recommendation for a "hybrid mail-in preferred election... that would require the Board [of Elections] to mail General Election ballots to all registered voters in Maryland."

We learned from the June 2<sup>nd</sup> primary that a more complicated process leads to more opportunities for error and fraud. For the primary, ballots were mailed to all registered voters in Maryland, and chaos resulted. Ballots were mailed to individuals who had died and who were gravely infirm and incapable of voting. Thousands of ballots were undeliverable. Many voters called and complained that their ballots had not arrived, and then they received multiple ballots. In one situation that came to our attention, an individual received both a Republican primary ballot and a Democrat primary ballot.



In addition, voters were given inconsistent information, ballots were printed with incorrect dates, ballots were not mailed at the same time across jurisdictions, and voter signatures were exposed, among other deeply concerning errors and oversights. Nearly a month later, the Baltimore County election still has not been certified. It would be foolish to repeat the same failed and expensive process for the larger General Election.

Sending thousands of unsolicited ballots to voters who have moved since they last voted will litter the state with unclaimed ballots and create serious opportunities for voter fraud. The sight of unclaimed ballots strewn about is enough to undermine public confidence in the integrity of our elections at a time when we already appear to have a crisis in public confidence in government.

The State of Maryland already has an established mail-in election option – the absentee ballot. Voters who are uncomfortable or unable to vote in person, due to COVID-19 or any other reason, may request and return an absentee ballot. The absentee voting process was put in place for exactly this reason and has been an important and successful component of the Maryland’s elections for decades.

Given the extenuating circumstances of this pandemic, our members would support moving-up the deadline to request an absentee ballot in order to give the Board of Elections enough time to respond to a greater demand and ensure that the entire process moves forward fairly and efficiently. We also recommend additional communication and marketing strategies to educate voters about the absentee voting process and necessary deadlines.

Again, we understand the new and complicated demands this pandemic has placed on the State and Local Election Boards and share President Ferguson and Chairman Pinsky’s commitment to support and assist you in any way we can. We look forward to your response as well as your report to Governor Hogan at the end of the month.

Sincerely,



Senate Minority Leader J.B. Jennings



Senate Minority Whip Steve Hershey

# Looking to November 2020

Voter turnout is expected to be very high in November, and election officials are already planning and performing for the upcoming election. Knowing how the November 3 election will be conducted is critical for efficient and effective planning. However, we cannot know the public health concerns which may be extant in late October and early November. If those concerns are high, we expect greater use of mail-in ballots. If they are low, we expect more in person voting. Options 2 and 3 attempt to address those two scenarios.

There are three basic options for the November 3 election.

1. Option 1: It can be a “traditional” election - that is, there is in-person voting during early voting and on election day and voters who wish to vote by mail request a ballot.
2. Option 2: The election has extensive - although not precinct level - in-person voting at vote centers up to and including election day. Voters are sent applications for mail-in ballots and strongly encouraged to use them.
3. Option 3: The election is a primarily vote-by-mail election like the June 2 election with vote centers for in-person voting.

## Option 1: Traditional” Election

With a “traditional” election, voters can vote in person during early voting and on election day. There would be 78 early voting centers open from October 22 through October 29 from 8 am to 8 pm each day. There would be about 1,600 polling places open on November 3 from 7 am to 8 pm. These voting locations would be staffed by over 20,000 pollworkers.

- A. Advantages. The State Board, the local boards, and voters are familiar with this type of an election. The voting locations should reasonably be expected to be as safe as grocery stores.
- B. Disadvantages. If the public health emergency will continue through the fall, conducting a traditional election will be challenging for the following reasons:
  1. Recruiting pollworkers who are willing to serve in the midst of a public health emergency. The local boards are not confident they can staff all precinct level locations.
  2. We are uncertain whether sufficient facilities that serve as early voting centers and election day polling places will be available for use. Some facilities have already notified the local boards of elections that they cannot, at this time, agree to serve as an early voting center or election day polling place. We are concerned that public health events - real or perceived - may cause facilities to be withdrawn at the last moment.

3. The local boards of elections do not have the capacity to handle the expected, significant increase in the number of requests for mail-in ballots while also planning to conduct in-person voting in 1,700 voting locations.
4. More pollworker training sessions to incorporate social distancing requirements. The process to train will take longer, will limit the ability of trainers to support other preparation activities, and change training space requirements.
5. Although the ability to obtain large quantities of personal protective equipment has improved, the quantity of this equipment and other related supplies would be significant to support over 20,000 pollworkers working at over 1,700 voting locations.

Concerns regarding the capacity of the local boards to process an increased number of requests for mail-in ballots in Option 1 cannot be overstated. The recent primary election cycle has shown that election officials across the country struggled to meet the increased demand for mail-in ballots. While State and local election officials can and will add more resources to this effort, adding capacity may not occur overnight. The additional staff need access to a computer and have completed a criminal background check to access the database used to manage this process.

While many counties are authorized under section 10-301.1(b)(7) of the Election Law Article to add one additional early voting center, it requires approval by the governing body of the county. Although the State Board and others can recommend the additional early voting center, there is no assurance that an additional early voting center will be added in counties where there have been lines during early voting in past elections.

## **Option 2: Extensive in-person voting and mail all eligible voters a form to request a ballot by mail**

This mailing will include an application for a mail-in ballot with return envelope. This option will add as many vote centers up to and including election day as each local board of elections can support. We anticipate that this option will have more vote centers than Option 3.

### **A. Advantages:**

1. The State Board, the local boards, and voters are generally familiar with this type of an election, although not all neighborhood polling places will be available on election day.
2. By sending each eligible voter a form to request a ballot by mail, we will be encouraging voters to vote by mail.
3. The local boards will offer as many vote centers as they can reserve, staff, train, supply, and support.

- B. Disadvantages: If real or perceived public health issues arise and voters move to mail-in ballots, the election process will be overstaffed on vote centers and understaffed for mail-in ballot processing capability, resulting in an inordinately long canvassing period. This could create constitutional issues in possibly delaying certification of the election and subsequent convening electors for the presidential election. Additionally, conducting an extensive in-person election could seriously impair the local boards of elections because they do not have the capacity to handle the expected increase in the number of requests for mail-in ballots while also planning to conduct extensive in-person voting and timely canvassing of mail-in ballots.

### **Option 3: Limited in-person voting with ballots sent to all eligible voters**

This will include a return envelope with pre-paid postage included with ballots delivered by mail. It will offer more in-person voting centers than were available in the June 2 election.

A. Advantages:

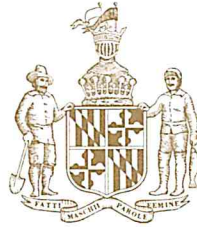
1. Hundreds of thousands of voters voted this way for the June 2 election.
2. State and local election officials are now experienced with conducting this type of election and have identified improvements that can be implemented for the November 3 election.
3. With more vote centers, it will be more convenient and safer for voters who need to vote in person.
4. Because there are fewer pollworkers to recruit and train and fewer facilities to identify and support, the local boards can support an election in which most voters will vote by mail.

B. Disadvantages:

1. State and local election officials rely on voters themselves and certain other trusted sources of information to provide updated information on addresses. Many ballots sent to voters are misdelivered but not missed by the intended recipients.
2. State and local election officials rely on the USPS to deliver ballots.
3. We will be sending out over two million “live” ballots. Anecdotal information and media reports indicate that a number of these ballots will be discarded or may be intercepted.
4. If substantial numbers of voters decline the use of mail in ballots and decide to vote in person, there may be extraordinary lines at vote centers, as there will be no time or resources to “pivot” to an in-person voting system.

ANNE R. KAISER  
Legislative District 14  
Montgomery County

Chair  
Ways and Means Committee



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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

June 29, 2020

Mr. Michael R. Cogan  
Chair, Maryland State Board of Elections  
Ms. Linda H. Lamone  
Administrator, Maryland State Board of Elections  
151 West Street, Suite 200  
Annapolis, MD 21401

Dear Mr. Cogan and Ms. Lamone:

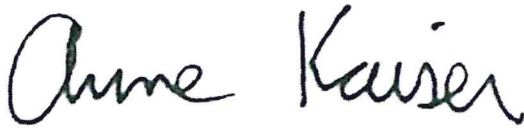
Thank you for participating in the joint hearing before the Ways and Means Committee and Education, Health, and Environmental Affairs Committee on June 16 concerning the conduct of the June 2, 2020 primary election. The hearing improved the General Assembly's understanding of what went wrong in the administration of the election and how the State Board of Elections plans to make improvements in the future. However, due to time limitations, there were many questions that could not be asked at the June 16 hearing. The members of my committee remain concerned about the integrity of the November 3, 2020 general election and would appreciate answers to the questions below to gain greater confidence that all voters will be able to exercise their fundamental right to vote in a safe and convenient manner.

The set of questions concern preparations for the general election and should be considered urgent. We request your written responses to these questions no later than July 17. We may choose to hold another hearing after receiving your written responses to all questions so that the members of the committee may obtain answers to any additional questions they may have. You can also expect a second set of questions in the coming months that will address the administration of the June Primary. This will allow committee members to be best equipped with the necessary information in time for the next legislative session.

In your response by July 17, in addition to answering the questions below, please also describe any other important changes you are planning in the administration of the general election, whether there is sufficient time to implement your plans, and how you plan to collaborate with the local boards of elections and other stakeholders to implement your plans.

Thank you very much for your attention to this important matter. I look forward to continuing to work with you to improve our State's election system.

Sincerely,



Anne R. Kaiser  
Chair, Ways and Means Committee



Alonzo T. Washington  
Vice Chair, Ways and Means Committee

**Questions Concerning Preparations for the General Election**

(Response Requested by July 17)

1. Is SBE confident that it has the staff in place to manage the general election? Has SBE considered bringing in outside assistance or consulting to help it administer the general election? Are structural changes needed within SBE to ensure better performance in the general election?
2. What quality control checks could be performed internally at SBE to prevent simple administrative errors, such as the incorrect information regarding postage that was included in the ballot materials for the April 28 special congressional election?
3. How does SBE plan to address the overloaded call center phone lines for voters trying to learn how to vote or to find or track their ballot?
4. Has SBE considered a more expedited process for requesting an absentee ballot through the online portal? Many constituents complained about the multi-step process. How could SBE make it easier to verify voting information and request a ballot?
5. How much would it cost to mail every voter a vote by mail ballot request form in September?
6. What steps must the state take to secure enough personal protective equipment (PPE) for election workers in the event all precincts were open on Election Day?

**List maintenance procedures:**

1. What specific actions does SBE plan to take to improve list maintenance before the general election? Is it possible for SBE to perform expedited list maintenance either in-house or through a vendor?
2. Has SBE considered using a National Change of Address database to target voters and update voter registrations?

### **Relationship with mail vendor:**

1. Will you require the mail vendor for the general election, whether it is SeaChange or another vendor, to undergo an on-site inspection by state officials or an independent audit to ensure quality control?
2. Will you require the mail vendor for the general election, whether it is SeaChange or another vendor, to provide ample documentation of their work and proof that the ballots were mailed on time?

### **Outreach to “inactive” voters and voters with “undeliverable” addresses**

1. The state did not send ballots to “inactive” voters for the primary. However, some “inactive” voters are still Maryland residents and have the right to vote. Please describe the customized mailings SBE is considering sending to “inactive” voters in the general election. Would SBE consider sending “inactive” voters instructions on how to request an absentee ballot or an absentee ballot request form, as other states are doing?

### **Process to determine the number of vote centers and ballot drop off locations**

1. Will the State Board consider opening many more polling places in the general election, considering that many businesses have now reopened and many states have opened many or all of their usual polling places during the pandemic? Will the Board especially consider opening more polling places in jurisdictions where demand for in person voting was particularly high in the primary, such as Prince George’s County and Baltimore City?
2. The ballot drop boxes were popular with voters. Parking lots became jammed at some drop boxes on primary day and some voters were unable to drop off their ballots in time. In permanent vote by mail states, the large majority of voters choose to drop off their ballots in person rather than mailing them. The federal Cybersecurity and Infrastructure Security Agency’s Joint COVID Working Group on elections recommends one ballot drop box for every 15,000 to 20,000 registered voters. That would require at least 179 drop boxes statewide in Maryland, but there were only 66 drop boxes in the primary election. Will SBE add more drop boxes for the general election, and if so, how many? If large metal drop boxes are not available in sufficient numbers, would SBE consider using smaller, less durable drop boxes that could be set up and staffed by election workers during daylight hours only, as is done in other states?

### **Ballot canvassing process**

1. How can the public observe the canvass when they can’t be there in person and the livestreams are showing the canvass from a distance so that it isn’t possible to clearly see what is going on? How will this be improved for the general election? Will SBE allow limited in person observation of the canvass in the general election, perhaps by one representative per campaign? Will problems with the quality of the livestreams be corrected by the general election? Will SBE ensure that all the local boards follow

uniform policies on public observation of the canvass, in keeping with the State's general strong policy preference for uniformity in election administration?

2. For the general election, would SBE consider having bipartisan teams open each ballot and make an initial determination of whether the ballot should be accepted, as has been done in past elections before social distancing became a priority?
3. Are there any plans to modify the process regarding missing signatures for the general election?
4. Voters can look up on the State Board's website whether their ballot has been received and counted. However, this information is difficult to find. It is under a link called "Look up your voter information" in the lower left corner of the State Board's homepage. Can the link be put in a more prominent place and more clearly labeled as "Ballot status information"? Also, the information on whether a ballot has been counted is not updated until many days after the election even if the ballot was counted early in the canvass. Why isn't this information updated in real time?

#### **Miscellaneous**

1. The state's call center erroneously told some voters that in addition to signing the oath on the ballot envelope, they also had to print their name below their signature, on a preprinted line labeled "Printed Name of Voter". This caused anxiety for some voters who forgot to print their name. Since the printed name is not actually required and serves no real purpose, why not remove the "Printed Name of Voter" line from the ballot envelopes to avoid confusion.





## MARYLAND HOUSE REPUBLICAN CAUCUS

6 Bladen Street, Room 212 · Annapolis, Maryland 21401 · Phone 410-841-3401 · Fax 410-841-3451

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### Minority Leader

Delegate Nicholas R. Kipke, District 31B

### Minority Whip

Delegate Kathy Szeliga, District 7

June 11, 2020

### ***Sent Via Electronic Communication***

The Honorable Lawrence J. Hogan, Jr.  
Governor of Maryland  
State House  
Annapolis, MD 21401

Dear Governor Hogan,

A fair, transparent election process is vital to our democracy. We know you share this value, and we write to alert you to some serious problems our constituents encountered during the 2020 Presidential Primary.

We have been contacted by numerous constituents reporting a wide variety of troubling problems with the vote-by-mail system. These include:

- A family who received a ballot for a son who had not lived at home in 13 years and had re-registered in another state.
- A family with four registered voters, but only two received ballots. The other two adult children's ballots were sent to their college addresses even though they moved home and had voted here in the previous election.
- Many in-person voting sites across the state saw long lines with voters waiting hours to cast their ballots. For example, the Honeygo Community Center in Baltimore County had a line of people voting until almost 11 PM on Election Day.
- The ballots in Baltimore City's 1st council district had a printing error.
- The state mailed out millions of ballots that were labeled with the wrong election date.
- A family whose adult children moved away in 1999 and 2004 but still received ballots even after notifying the Board of Elections of their moves more than once.
- A family who received ballots for the previous owner of their home who had moved to North Carolina in 2009.
- A number of people simply never received a ballot.
- The most egregious example is the family who received a ballot for their parent who had died in 2012 and had never lived at their address.

These problems appear to be widespread across the state. While we appreciate that the State Board of Elections was operating under unprecedented circumstances, they failed in their duty to provide a secure and accessible election for the citizens of Maryland utilizing a vote-by-mail system. Based on the Election Administrator's tepid response to the myriad of issues, we have no faith that the necessary improvements will be made in time by the

General Election in November. We support your call for the General Assembly to hold investigative hearings on the wide variety of problems encountered in the Primary Election.

It is imperative that we take any and all steps necessary to safeguard the free and fair elections that are paramount to our democracy. **We are adamantly opposed to the use of vote-by-mail system in the General Election in November.** Through Maryland's Early Voting and no-excuse absentee balloting, along with voting on Election Day, there will be plenty of opportunities for Marylanders to cast their votes in a secure and accessible manner that still addresses any COVID-19 concerns that may be present in November.

We know you stand with all Marylanders in support of elections that are accessible but also secure. Every voter should feel confident that our election system is trustworthy and accurate. Thank you for providing the leadership we need to solve these problems.

Sincerely,



Nic Kipke  
Minority Leader



Kathy Szeliga  
Minority Whip



# Maryland Association of Election Officials

Representing the Local Election Boards of the State of Maryland

## MEMORANDUM

**To:** The Honorable Lawrence J. Hogan, Governor  
The Honorable Bill Ferguson, President, Maryland State Senate  
The Honorable Adrienne A. Jones, Speaker of the House, Maryland House of Delegates  
J.B. Jennings, Senate Minority Leader  
Steve Hershey, Senate Minority Whip  
Nicholaus Kipke, House Minority Leader  
Kathy Szeliga, House Minority Whip  
Linda Lamone, Esq., Administrator, Maryland State Board of Elections  
Michael Cogan, Chairman, Maryland State Board of Elections

**From:** David Garreis, President  
Maryland Association of Election Officials (MAEO)

**Date:** June 26, 2020

**Re:** November 3, 2020 Presidential General Election

The members of MAEO - the professional election administrators in the State - write to urge that the 2020 Presidential General Election be conducted primarily by mail, with more in-person vote centers available than in the Primary Election. This is critical in order for the local boards of elections (LBEs) to successfully facilitate the November 3, 2020 Presidential General Election. Since the Primary Election was conducted by mail, the LBEs have gained valuable lessons learned. There is adequate time to implement these solutions for the General Election if we act immediately. In our opinion, a Vote by Mail election with more in-person Vote Centers is the best method for conducting the General Election given the current uncertainty surrounding the COVID-19 public health crisis. The local election directors are in agreement that we are past the point of having sufficient time to prepare for a “normal” in-person election. MAEO is therefore strongly in favor of a “hybrid vote-by-mail election with extended in-person vote centers.”

### CHALLENGES FOR A TRADITIONAL ELECTION

- **ELECTION JUDGES:** The greatest challenge for LBEs in any election is recruiting enough Election Judges for the polling places. Maryland requires more than 25,000 Election Judges to staff all polling places statewide. The LBEs are gravely concerned it is not possible to recruit, train, and retain 25,000 Election Judges for the November General Election. This task has become impossible during the COVID-19 crisis. The Presidential General Election will fail due to an insufficient number of Election Judges who are willing to manage the enormous task of conducting an Election during a pandemic.

Additionally, it will be difficult to properly train more than 25,000 Election Judges for the General Election given the need for the smaller class sizes required for adequate social distancing. In order to sufficiently prepare the Election Judges, large LBEs would need to begin Election Judge training in early July for the November Election in order to schedule enough training classes while maintaining social distancing and group size requirements. Many LBEs do not have enough staff and space to manage more training sessions

- **POLLING PLACES:** Many of our polling places are not prepared to host an election during a pandemic. Due to COVID-19, some polling places will not be available to be utilized, as they are in senior living centers which have not been opened to the public. Most polling places are in schools, and it is unknown at this time whether they will agree to allow a large number of in-person voters in one location. Some counties cannot use current polling places as the polling rooms are small and fully staffing them with election judges and voters while maintaining social distancing would be impossible. There is an insufficient amount of time to select new polling places, a limited number of acceptable buildings/spaces, and not enough time to notify voters of polling place changes.
- **ADEQUATE PPE and SAFETY EQUIPMENT:** In order to safely conduct the election, the LBE will need more safety equipment and personal protective equipment (PPE), including plexi-glass shields, hand sanitizer, gloves, disinfectant wipes, face masks and face shields. There is no guarantee that these supplies will be available in the extraordinary quantities needed for nearly 2,000 polling places in the state of Maryland. If it is available, it may be left to the counties to fully fund. This expense is not included in the LBEs FY21 budgets. It would also be expected that the election workers manage set-up of the plexi-glass screens and sanitizing stations. Since plexi-glass screens are not a part of the normal transportation of voting equipment, therefore we foresee an increase in the cost of transportation.

#### SOLUTIONS FOR THE 2020 GENERAL ELECTION

1. All registered voters who are active, pending and inactive in Maryland's voter registration system should be sent a postcard by the State Board of Elections (SBE) no later than July 31, 2020. This will notify the voters there will be a vote-by-mail option. For active and pending voters, this will be non-forwardable mail, so the LBEs can review the undeliverable addresses in advance of the election. For inactive voters, this notice will be a forwardable piece of mail notifying the voter that they are not going to be sent a ballot to the address that the LBE has on file.
2. Since this would be a hybrid election, vote-by-mail applications should NOT be sent to every registered voter. Sending an application will cause voter confusion and the LBEs who do not have enough personnel to manage processing all Vote by Mail requests will face a significant burden while preparing for the General Election. Many LBEs do not have additional funding available to hire staff to process a large increase in Vote by Mail requests.
3. In-person voting should be available at each jurisdiction's normal number of early voting locations beginning Thursday, October 29 through Election Day, Tuesday, November 3 from 7:00am - 8:00pm each day. Voters should be notified of these locations in an LBE customized insert that is mailed with the vote-by-mail ballot.
4. Drop boxes should be made available at locations selected by each LBE which will include, but not be limited to, each early voting center and the LBE office. Voters should be notified of these locations in an LBE customized insert that is mailed with the vote-by-mail ballot. Drop boxes should be available at all locations from October 6, 2020 through November 3, 2020.

5. The deadline for address changes to a voter's record should be moved to Tuesday, October 20, 2020. It should not be moved any closer than fourteen (14) days prior to the election. Since there is same day registration, voters can update their address or register to vote during in-person voting. Address changes that are performed closer to Election Day cause voters to receive multiple ballots to multiple addresses leading to voter confusion and misunderstandings of the electoral process.
6. Ballots must be sent from a vendor that is accurately able to account for the ballots and see that there is a timely delivery. All voter ballots must be sent to meet the September 19, 2020 45-day overseas ballot deadline to provide enough time for the postal service and the LBEs to process the ballots when they return as voted.
7. The envelope the voter uses to mail the ballot back should remain the same for this election-cycle. A perforated privacy flap could be added to the envelope to cover the oath and voter signature.
8. Precinct-level results must be managed at the State level when preparing the ballots and it should not be expected that the LBE will sort thousands of ballots by ballot style upon return. LBEs do not have enough space or staff to manage such a task and canvass the ballots in a timely manner.
9. LBEs must be allowed to begin canvassing ballots as soon as they begin receiving voted ballots, which could be as early as September 20, 2020. All results will be embargoed until Election Night, but it is critical that the LBEs manage their received ballots on a daily basis to maximize election results totals on Election Night.
10. Voter outreach must be expanded to ensure that voters in every jurisdiction in the state receive the necessary elections related-information. In addition, the outreach campaign must begin no later than Friday, August 21, 2020.

Everyone at the LBEs work tirelessly to make sure that every voters vote is counted. We are the foundation of democracy and it is critical that we ensure the trust of Maryland's citizens in our voting process. All stakeholders of the electoral process must allow us - the LBE election administrators - to have a voice in determining how the election will be managed in this unprecedented time. The election officials in the State of Maryland need adequate time to implement policies, processes and procedures for the November 3, 2020 General Election. We have provided our roadmap to success, and we urge all involved parties to make all decisions by July 10, 2020 so the LBEs can conduct a fair and efficient Election for all voters.

cc: County Executives  
County Commissioners  
Mayor, Baltimore City  
Michael Sanderson, Executive Director, Maryland Association of Counties