August 17, 2020

EMERGENCY ELECTION PLAN FOR THE
NOVEMBER 3, 2020 AND DECEMBER 5, 2020 ELECTIONS
IN THE STATE OF LOUISIANA

I. AUTHORITY AND BACKGROUND

A. Authority Under La. R.S. 18:401.3

After the governor declares a statewide emergency, should the secretary of state determine that such emergency impairs an election that may otherwise be held except for technical, mechanical, or logistical problems with respect to the relocation or consolidation of polling places within the parish, potential shortages of commissioners and parish board commissioners, or shortages of voting machines, La. R.S. 18:401.3 authorizes the secretary to certify to the governor, the Senate Committee on Senate and Governmental Affairs, and the House Committee on House and Governmental Affairs that the emergency impairs the election and that an emergency election plan is necessary.

Upon concurrence by the governor and a majority of each of the two committees that such a plan is necessary, the secretary of state shall develop an emergency plan in writing that proposes a resolution to the technical, mechanical, or logistical problems that impair the election. The written emergency plan shall then be submitted to the Senate and Governmental Affairs and House and Governmental Affairs committees and the governor.

If a majority of the members of each Committee approve the emergency plan, the plan shall be submitted to the members of each house of the legislature for approval. If a majority of each house of the legislature and the governor approve the emergency plan, the secretary of state shall take all steps necessary to implement the plan and all officials of the state and of any political subdivision shall cooperate with and provide assistance to the secretary of state as necessary to implement the plan.

B. Background Information

1. Gubernatorial Emergency Proclamations Related to the Worldwide Pandemic

On March 11, 2020, the World Health Organization designated the COVID-19 outbreak as a worldwide pandemic.
Proclamation No. 25 JBE 2020 was signed by Governor John Bel Edwards on March 11, 2020, declaring a statewide public health emergency as a result of the imminent threat posed to Louisiana citizens by COVID-19, which has created emergency conditions that threaten the lives and health of the citizens of the State. The emergency conditions created by COVID-19, as well as the efforts necessary to contain its spread, may affect some of Louisiana’s registered voters and may affect some of the 3,934 precincts located at 2,058 polling places across the State.

On March 22, 2020, Governor Edwards issued Proclamation No. 33 JBE 2020, imposing a general stay-at-home order on all individuals within the State and limiting all public gatherings to ten people or less in an attempt to curb the spread of COVID-19. All individuals were directed to stay home unless performing an essential activity. This order was extended by subsequent proclamations until May 15, 2020. Pursuant to 58 JBE 2020, the State moved into Phase 1 of the three-phase Resilient Louisiana recovery plan.

On June 4, 2020, Governor Edwards issued 74 JBE 2020 to enter Phase 2 of recovery and also issued 89 JBE 2020 to require face coverings in public spaces beginning on July 13, 2020. These orders were extended until Friday, August 28, 2020 by Proclamation Nos. 101 JBE 2020 and 102 JBE 2020.

To date, the State remains in Phase 2 and is still under the statewide face covering order.

2. November 3, 2020 and December 5, 2020 Elections

The November 3, 2020 presidential election is a statewide federal election for president. This election also includes congressional, state, and local office races, propositions, and seven constitutional amendments. The December 5, 2020 general election includes congressional, local and municipal runoffs, propositions, and the election for members of the Republican State Central Committee.

Early voting is usually held between the hours of 8:30 a.m. and 6 p.m. for seven days (excluding Sundays and legal holidays), ending seven days before election day. For elections held on Tuesdays (federal primary elections, including the presidential election), the polls are open 6:00 a.m. to 8:00 p.m. For all other elections, the polls are open 7:00 a.m. to 8:00 p.m.

COVID-19 poses logistical problems regarding the availability of polling places, commissioners, election officials, and preventive supplies (like protective masks, sanitizing products, and sterilizing services to clean facilities prior to and following the election) with respect to conducting in-person voting for the November 3, 2020 and December 5, 2020 elections.

This emergency plan will provide a means of conducting these elections in the wake of the pandemic. The provisions of this plan are based on statistical research, factual information, statements made by General Counsel for the United States Postal Service (USPS) and findings issued by the USPS Inspector General, the Centers for Disease Control and Prevention (CDC), and the Louisiana Department of Health (LDH).
3. Statistical Information and Analysis of the July 11, 2020 Election

Absentee by mail voters accounted for 19% of voters that participated in the July 11, 2020 election. (See Fig. 1.)

For the July 11, 2020 election, voters were given the opportunity to request an absentee ballot for five COVID-19 related reasons. Of the 164,296 voters who requested an absentee ballot for the July 11, 2020 election, 2,810 of them used the COVID-19 reasons for their request. And of the 99,075 voters who returned an absentee ballot, only 1,863 (2%) voters utilized the COVID-19 emergency absentee ballot application. (See Fig. 2.) These COVID-19 voters made up less than 0.4% of the 523,426 ballots cast.

Voters that requested an absentee ballot for COVID-19 reasons mostly did so because they were at higher risk of severe illness from COVID-19 due to serious underlying medical conditions. (See Fig. 3.)

A recent report issued by the CDC analyzed the effect of the April 7, 2020 election in Milwaukee, Wisconsin on the transmission of COVID-19. (See CDC Morbidity and Mortality Weekly Report, July 31, 2020, Vol. 69 No. 30, pp. 1002-1003, attached as Addendum “A” to this plan.) Wisconsin was the first state to hold an in-person election amidst the pandemic.
The CDC report noted that the Milwaukee Election Commission took mitigation measures to implement social distancing at polling places, and found that the data analyzed after the election showed no clear increase in cases, hospitalizations, or deaths after the election. The authors concluded that the CDC’s guidance for polling locations, including social distancing, personal prevention practices, environmental cleaning, and disinfection lowered COVID-19 transmission risk during the election. (CDC MMWR, Vol 69 No. 30, p. 1003.)

According to the Office of the Inspector General of the USPS, Louisiana’s statutory four-day deadline to request absentee ballots puts those ballots at high risk of not being delivered to voters before an election, and that “ballots requested less than seven days before an election are at high risk of not being delivered, completed by voters, and returned to the election offices in time.” (See USPS Office of the Inspector General, Report Number 20-235-R20, dated July 7, 2020, pages 6-7, attached to this plan as Addendum “B.”) General Counsel for the USPS has also advised that, for the presidential election, “voters who choose to mail their ballots do so no later than Monday, October 26.” (See letter from Thomas J. Marshall, USPS General Counsel and Executive Vice President, dated July 29, 2020, attached as Addendum “C.”) The USPS report and letter, along with the increased interest in absentee voting in the July 11, 2020 election (see Fig. 4), influenced this plan’s changes to absentee ballot request deadlines for the November 3, 2020 and December 5, 2020 elections in Section VII herein.

It is important to note that the difficulties experienced in Louisiana and around the country due to problems associated with mail balloting have necessitated a more acute focus on safe in-person voting. (See Addendum “D” to this plan, LDH’s Recommended Precautions for Preventing Spread of COVID-19 in Election Polling Locations, Including Cleaning and Disinfection.)
C. Headlines From Around the Country:

Various national and local new articles have outlined some of the issues encountered with mail ballots:


II. PURPOSE OF THE NOVEMBER 3, 2020 AND DECEMBER 5, 2020 EMERGENCY ELECTION PLAN

The purpose of this emergency plan is to address logistical issues in conducting the November 3, 2020 and December 5, 2020 elections, so that voting may safely take place amidst the pandemic. This plan is written with consideration of Louisiana currently being under Phase 2 of the three-phase Resilient Louisiana recovery plan, and the possibility of being under either Phase 1, Phase 2, or Phase 3 at the time the elections occur.

III. DUTIES OF ELECTION OFFICIALS AND PARISH GOVERNING AUTHORITIES UNDER THE LOUISIANA ELECTION CODE

The secretary of state is the chief election officer of the State, heads the Department of State, and administers the laws of the Election Code.

The State Board of Election Supervisors has the powers and duties granted to it by La. R.S. 18:24 to oversee Louisiana election laws. The State Board consists of the lieutenant governor, the secretary of state, the attorney general, the commissioner of elections, a representative of the Registrars of Voters Association, a representative of the Clerks of Court Association, a governor’s appointee, and a representative of the Police Jury Association.
Registrars of voters have many duties to perform before and during elections, including: registering voters, processing voter registration applications, processing requests for absentee ballots, receiving absentee ballots from voters, conducting early voting in the parish, and preparing the precinct registers for election day voting.

Clerks of court are the chief election officers of each parish. For each election, the clerk of court trains the commissioners who work at the polling places on election day, takes responsibility for delivering the voting machines to and from the polling locations, and tabulates and transmits election results on election night.

Parish boards of election supervisors supervise the preparation for and the conduct of all elections held in the parish. They are responsible for selecting election day commissioners, consolidating polling places, issuing commissions to watchers, counting absentee and early voting ballots on election day, and selecting commissioners to aid in counting the absentee and early voting ballots. The parish boards also seal the voting machines before election day, inspect the machines after the election, and conduct requested recounts.

Parish governing authorities have specific duties to perform during election cycles, including changing any polling places which are no longer available for use. Changing polling places includes giving adequate notice of the change to each voter in the affected precincts and to each candidate to be voted on at that polling place, posting a sign at the former polling place, directing voters to the new polling place, advertising the changes in the official journal of the parish and in any other newspaper of general circulation in the affected precincts, and other reasonable steps necessary or desirable to inform voters and candidates of the change in location.

IV. VOTING MACHINES

The Department of State has sufficient voting machines to conduct early voting and election day voting for the November 3, 2020 and December 5, 2020 elections.

V. POLLING PLACES FOR IN-PERSON EARLY VOTING AND ELECTION DAY VOTING

In-person voters will be strongly encouraged to wear protective face coverings, but they will not be turned away from the polls for failure to wear them. Disposable masks will be available to voters at all early voting locations and election day polling places.

In accordance with 89 JBE 2020, all election personnel of the secretary of state, clerks of court, registrars of voters, parish boards of election supervisors, early voting commissioners, parish board commissioners, election day commissioners, and poll watchers shall abide by the mandatory mask requirements and shall be required to adhere to all CDC and LDH guidelines for social distancing in performance of their duties or legal functions for which they may be allowed to participate in any portion of early voting or election processes and procedures including but not limited to ballot preparation and verification procedures, election day challenges, poll watching, vote tabulation, etc.
A. Early Voting

Under current law, early voting is conducted for seven days in each parish by the registrar of voters. There are 105 early voting sites statewide. Most are in registrars of voters offices, but some are in voting machine warehouses, public libraries, and other public facilities.

Early voting for the November 3, 2020 election is currently scheduled between the hours of 8:30 a.m. to 6:00 p.m. on Tuesday, October 20 through Tuesday, October 27, 2020 (excluding Sunday, October 25, 2020).

**Expanded Hours of Early Voting for the November 3, 2020 Election:**

This plan will expand the hours of early voting for the November 3, 2020 election to 8:00 a.m. until 7:00 p.m.

**Expanded Days of Early Voting for the November 3, 2020 Election:**

This plan will expand the days of early voting for the November 3, 2020 election from seven to ten days.

More than ten days of early voting for the November 3, 2020 election are not possible because the last day to register to vote online is 11:59:59 p.m. October 13, 2020. There must be enough time for registrars to process voter registration applications after the close of books and before the first day of early voting.

The extended dates of early voting for the November 3, 2020 election will be Friday, October 16 through Tuesday, October 27, 2020 (excluding Sundays, October 18, 2020 and October 25, 2020). This provides voters three extra days and one and a half hours per day of additional early voting time.

Early voting for the December 5, 2020 election will be held between the hours of 8:30 a.m. to 6:00 p.m. on Friday, November 20 through Saturday, November 28, 2020 (excluding Sunday, November 22, 2020, Thursday, November 26, 2020 (Thanksgiving Holiday), and Friday, November 27, 2020 (Acadian Day Holiday)).

According to the CDC, seniors are at higher risk of complications from COVID-19. For the November 3, 2020 and December 5, 2020 elections, the Department will work with parish governing authorities and registrars of voters to ensure that senior centers and nursing homes will either not be used as early voting locations, or that sufficient precautions are in place (like sanitizing the facility after early voting) to ensure the safety of senior citizens.

If any early voting sites become unavailable for early voting for the November 3, 2020 and December 5, 2020 elections due to conditions caused by COVID-19 or because of a proclamation or executive order issued by the governor, the Department will work with the affected parish governing authority and registrar of voters to relocate the early voting site. If a sufficient temporary
early voting site cannot be found, the voting machine warehouses in each parish may be used for early voting.

Every effort will be made to maximize CDC recommendations and guidelines for social distancing for in person early voting by allowing the parish governing authorities and the registrars of voters to provide for alternate early voting site(s) if circumstances allow and if the same or equal information technology (IT), cybersecurity protections, and logistical requirements for current early voting sites can be met. If necessary, the secretary of state will provide assistance to locate and secure sites. Once an alternate site is selected by parish officials, the Department will assist the registrar to determine whether the site meets social distancing, logistical, and IT requirements.

If the parish governing authority has access to any suitable alternate early voting site spaces, it may supply space for the registrar to conduct early voting.

The secretary shall seek the assistance and full cooperation of the Louisiana Supreme Court for necessary additional space within parish courthouses for the conducting of in-person early voting in the parish registrar of voters offices identified by the registrar of voters as too limited for appropriate CDC recommendations and guidelines for proper and safe social distancing. The secretary shall provide the Louisiana Supreme Court the sanitizing guidelines as currently developed and add any necessary steps as requested to ensure each courtroom or additional courthouse space used for the days of in-person voting and the days allowed for preparing of absentee ballots for tabulation on election day are properly sanitized allowing for court proceedings to begin not less than 48 hours post-election day.

The secretary recognizes the imposition this Emergency Election Plan may have on parish judicial jurisdictions and pleads for their indulgence so that all necessary steps can be taken to provide the voters of Louisiana with the most secure, safe and accurate election possible under the current conditions of a worldwide pandemic.

B. Election Day Voting

Election day voting is normally conducted in 3,934 precincts located at 2,058 polling places across the state between the hours of 7:00 a.m. and 8:00 p.m. For presidential elections, however, current law allows voters fourteen hours to go to the polls on election day. Polls are scheduled to open at 6:00 a.m. on Tuesday, November 3, 2020, and will close at 8:00 p.m.

Under current law, polling places are established for each precinct by the parish governing authority. Polling places must be equipped with proper electric current, fixtures, and outlets necessary to operate voting machines and otherwise conduct the election. The polling places must also have sufficient sanitary facilities. To the extent possible, the parish governing authority must locate multiple precincts in one polling location in public buildings. If a suitable public building is not available, precincts may be located on private property.

Due to the restrictions imposed by Phase 2 on the size of public gatherings, and the rise of new COVID-19 cases in Louisiana, there may be limitations on the availability of polling places for the November 3, 2020 and December 5, 2020 elections.
The Department worked with the clerks of court and parish governing authorities to relocate polling places located in senior citizen centers and nursing homes for the July 11, 2020 and August 15, 2020 elections. The Department will continue to work with the clerks of court and parish governing authorities to ensure that senior centers and nursing homes will either not be used as polling places for the November 3, 2020 and December 5, 2020 elections, or that sufficient precautions are in place (like sanitizing the polling place after the election) to ensure the safety of senior citizens. Polling places located in the following may be relocated, depending on the facility:

- Council on aging offices;
- Residential facilities or private homes; and
- Non-public buildings if the owners do not want to hold the election on their property due to conditions caused by COVID-19.

Polling places that must be relocated will need to be identified as soon as possible. If any other election day polling places become unavailable to conduct voting for the November 3, 2020 and December 5, 2020 elections due to conditions caused by COVID-19 or because of a proclamation or executive order issued by the governor, or denial of entry by the owner of any private facility being used, the Department will assist the affected clerk of court and parish governing authority to relocate the precinct to another polling place. If a desirable temporary polling place cannot be found, the voting machine warehouses in each parish may be used as a polling place for one or more precincts.

Signs will be posted at all changed or moved polling places, and, if time permits, updated information will be sent to the voters reflecting their new polling place and notice of the new polling places will be published to inform the voters of changes in polling places.

The clerks of court and parish governing authorities may identify large facilities that can serve as “mega” polling locations, thereby accommodating multiple precincts in one location to provide for CDC recommended social distancing and to assist in creating efficiencies for commissioners in charge and polling commissioners which may be in short supply due to the pandemic.

In addition to the election day closing mandated by R.S. 1:55(A)(8), a public school at which the parish governing authority has established a polling place may be closed to students and faculty for in-person classes for all or a portion of the day after Election Day in order to allow time for sanitization of the area used as a polling location if the local superintendent determines that students and faculty cannot safely return to the building.

Additionally, it shall be considered electioneering, as set forth in La. R.S. 18:1462, if a person performs or causes to be performed any of the following acts within an early voting or election day polling place or within 600 feet of the entrance to any early voting or election day polling place:

- To hand out, place, or display campaign cards, pictures, or other campaign literature of any kind or description which advocates for or against any candidate, issue, or political party appearing on the ballot in that election.
- To place or display political signs, pictures, or other forms of political advertising which advocates for or against any candidate, issue, or political party appearing on the ballot in that election.
- To circulate a petition or seek handwritten signatures to a petition.

VI. IN-PERSON VOTING UNDER THE NURSING HOME PROGRAM

The program for in-person voting by voters residing in nursing homes, as provided in La. R.S. 18:1333, may be suspended for the November 3, 2020 and December 5, 2020 elections, except for the provisions of La. R.S. 18:1333(G)(4)(a). Voters currently enrolled in the Nursing Home Program will be mailed an absentee ballot and will be allowed to vote the ballot according to current voting procedures under La. R.S. 18:1301-1319.

However, if restrictions on visitation remain in place during the November 3, 2020 and December 5, 2020 elections, voters enrolled in the Nursing Home Program may receive assistance from an employee of the nursing home. Prior to a nursing home employee assisting a voter, the employee shall first watch a training video, provided by the Department of State, on how to complete an absentee ballot envelope flap and on the law pertaining to voter assistance. The nursing home employee shall sign the assistance to voters portion of the absentee ballot envelope flap.

VII. ABSENTEE VOTING

A. Barriers to Absentee by Mail Balloting

1. Louisiana’s History of Absentee Ballots

Louisiana’s past elections saw a maximum of 4% of all ballots being cast by absentee ballot. In the July 11, 2020 election, that number grew to 19%. While that number was manageable in a low turnout election (19% represented approximately 100,000 absentee ballots), the same percentage could represent up to 500,000 ballots in November, when it is expected that approximately 2.1 million votes will be cast. This would be seven or eight times the number seen in the 2016 presidential election. Moreover, Washington Secretary of State Kim Wyman, who oversees all-mail elections in her state, has said that states with under 60% of their ballots cast by absentee ballot cannot successfully move to all or mostly-mail balloting by November. A major expansion of our absentee ballot program in such a short time-frame would be nearly impossible, would exacerbate voter confusion, and would further strain an already stressed election system in terms of human, physical, and technical resources.

2. Issues with the United States Postal Service

Throughout the presidential preference primary elections held across the country this year, including in Louisiana, the USPS has seen a plethora of issues. In Wisconsin, according to the USPS Inspector General’s report entitled *Timeliness of Ballot Mail in the Milwaukee Processing and Distribution Center Service Area*, 749 absentee ballots in two jurisdictions were found in the Milwaukee Processing and Distribution Center after polls closed on April 7, 2020. Absentee ballots requested as early as sixteen days prior to the election were never delivered to the voters.
because they were commingled with other mail. (Milwaukee election staff estimates that the number of requested ballots never sent to voters because of this issue was 2,700.) Another several hundred ballots intended to be sent to voters were instead returned multiple times to the election office of origin. Another 390 ballots that were mailed by voters did not receive postmarks. The election office was therefore unable to determine whether the USPS received the ballots in time to be included in the official count. (See Addendum “B.”)

Furthermore, multiple problems with the USPS were experienced in Louisiana during the July 11, 2020 election. (See letter from Secretary of State Kyle Ardoin to the USPS Inspector General, dated August 10, 2020, attached as Addendum “E” to this plan.) The USPS has said publicly that election mail should not be held for insufficient postage, however, ten days before the election, USPS employees delivered seven trays of absentee ballot requests to the Orleans Parish Registrar of Voters. The USPS said that the ballots had been inadvertently held at the post office because of insufficient postage. The trays accounted for nearly 5,000 absentee ballot requests, some of them postmarked two weeks before they were delivered. Other parishes like Tangipahoa, Ouachita, and Ascension also saw absentee requests being held by local post offices. In the case of Ascension Parish, the registrar of voters appeared in person at the post office where the mail was being held and was told by an employee that they could not hand over the absentee requests because they were short staffed.

These issues, combined with issues in other states like Indiana, New York, and New Jersey, cause great concern in the reliability of the USPS to deliver all absentee ballots and ballot requests in order for all voters to have their votes counted.

3. Other Absentee Ballot Issues

In California, 100,000 mail ballots were not counted for their presidential primary. Most of these ballots were not postmarked by the election day postmark deadline or received by the second deadline, three days after election day. Several thousand more were missing the voter’s signature. In New York City, over 80,000 mail ballots, 21% of the total number of mail-in ballots returned, were disqualified for mostly the same reasons. And in New Jersey, one in ten ballots were thrown out for the same reasons.

In Louisiana, instructions on how to vote the ballot and complete the absentee ballot envelope flap are sent to voters with the ballots. However, unlike at a polling place, an absentee voter does not have the benefit of being able to immediately ask a poll worker for guidance. Furthermore, delivery issues via the USPS could cause ballots mailed days before the election to not arrive in time, causing voters to become disenfranchised.

Voters voting in-person, with poll workers available to answer questions -- and without entrusting a third party to see that the ballot is properly delivered -- is the safest and most efficient way to ensure the ballots are counted.
B. Changes to Absentee Voting for the November 3, 2020 and December 5, 2020 Elections

Present law requires voters to have one of several listed reasons to be eligible to vote absentee. These reasons are specified in the Election Code. (See La. R.S. 18:1303.)

Under current law, a registered voter can request an absentee ballot up to and until four days before election day and must return the ballot to the registrar of voters no later than 4:30 p.m. on the day before the election, with special exceptions for military, overseas citizens, and hospitalized or judicially sequestered voters.

Louisiana, according to the USPS Inspector General, in Report Number 20-235-R20, dated July 7, 2020, is one of 24 states with an absentee-by-mail deadline that “puts ballots at high risk of not being delivered to voters before an election.” (USPS Inspector General Report Number 20-235-R20, pages 6-7.) Further, General Counsel for the USPS has advised that Louisiana’s absentee request deadline creates “significant risk that the ballot will not reach the voter before Election Day, and accordingly that the voter will not be able to use the ballot to cast his or her vote,” and even if the ballot is received by the voter ahead of the return deadline, “there is a significant risk that the voter will not have sufficient time to complete and mail the completed ballot back to election officials in time for it to arrive by the state’s return deadline.” (See Addendum “C.”)

As a result of complications experienced with the USPS during the July 11, 2020 election, this plan will change the deadline to request an absentee ballot for the November 3, 2020 and December 5, 2020 elections to ten days before the election for all voters except military, overseas, sequestered juror, and hospitalized voters. This will provide registrars with sufficient time to address any USPS delivery complications.

Additionally, the Department adopted emergency rules on June 15, 2020 to provide a process for voters to cure deficiencies on absentee ballot envelope flaps. In order to ensure that absentee voters have enough time to cure any deficiencies before election day, voters may return their ballots for the November 3, 2020 and December 5, 2020 elections to the registrar of voters by 4:30 p.m. on the day before the election, but risk not being able to cure any deficiencies if the registrar receives their ballot on or near the deadline.

Beginning two days following the date that registrars starting mailing absentee ballots to voters, the registrars of voters shall check with local USPS offices daily, and document the discussions. The registrars shall submit a daily report to the commissioner of elections about who they spoke to, date and time, and relevant details of the discussions. The purpose of this requirement is to avoid any USPS delay issues like those that occurred during the July 11, 2020 election, and to report any issues that arise to the Department so it can work with the USPS to mitigate any problems as quickly as possible.

For the November 3, 2020 and December 5, 2020 elections, any registered voter testing positive for COVID-19 during and after early voting but before election day may utilize the “hospitalization” excuse in La. R.S. 18:1303(D)(1) to request an absentee ballot no later than 4:30 p.m. the day before election day, as allowed for hospitalized voters in La. R.S. 18:1307(D).
C. Voters Requesting an Absentee Ballot

The deadlines to request an absentee ballot for the November 3, 2020 election are:

- October 24, 2020 (ten days before the election) for all voters except military, overseas, and hospitalized voters; and
- November 2, 2020 (day before the election) for military, overseas, and hospitalized voters (including voters testing positive for COVID-19 during and after early voting but before election day).

The deadlines to request an absentee ballot for the December 5, 2020 election are:

- November 25, 2020 (ten days before the election) for all voters except military, overseas, and hospitalized voters; and
- December 4, 2020 (day before the election) for military, overseas, and hospitalized voters (including voters testing positive for COVID-19 during and after early voting but before election day).

Current law requires that all requests to vote absentee must be in writing under the voter’s signature and must specify the reason for the request. Applications can be sent to the registrar of voters by mail, fax, hand delivery, or electronically through the Department of State website at GeauxVote.com.

Any voter testing positive for COVID-19 during and after early voting but before election day may request an absentee ballot utilizing the “hospitalization” excuse under La. R.S. 18:1303(D)(1). These voters shall be subject to the same absentee application deadline as a hospitalized voter pursuant to La. R.S. 18:1307(D). For the November 3, 2020 election, these COVID-19 positive voters may therefore submit a “hospitalization” absentee ballot application beginning October 16, 2020 until 4:30 p.m. on November 2, 2020 (day before the election). For the December 5, 2020 election, these COVID-19 positive voters may submit a “hospitalization” absentee ballot application beginning November 20, 2020 until 4:30 p.m. on December 4, 2020 (day before the election). Utilizing the methodology of current law, these voters may request to receive their absentee ballot electronically (along with a certificate and waiver of the right to a secret ballot), or an immediate family member of the voter may pick up the absentee ballot, instructions, and envelopes at the registrar’s office. Utilizing the methodology of current law, the absentee ballot may be returned to the registrar by hand delivery, fax, commercial courier, or the USPS. Under current law, if the ballot is hand delivered by someone other than the voter, that person shall complete the Absentee-By-Mail Ballot Hand Delivery Certification Statement required by La. R.S. 18:1308(B).

Any voter who is required to vote in person the first time who tests positive for COVID-19 during and after early voting but before election day who utilizes the “hospitalization” excuse to request an absentee ballot shall submit to the registrar a copy of their Louisiana driver’s license or
identification card, if they have one, or other documentation which reasonably and sufficiently establishes the voter’s identity.

All requests shall be verified by the registrar of voters by comparison with the registration records on file in the registrar’s office. The secretary proposes to deputize his staff to assist the registrars, provide additional part time employees and/or early voting and/or parish board commissioners, if needed, to process the increased number of absentee requests, send absentee ballots to voters, and receive absentee ballots returned by voters. The secretary or his designee may approve additional early voting and/or parish board commissioners upon demonstration of need by the requesting election official(s).

This plan may require special training for election officials to conduct the elections under this emergency plan.

D. Voters Receiving an Absentee Ballot

After a voter submits a request to the registrar of voters to receive an absentee ballot, the registrar of voters verifies the application and sends the ballot to the voter.

This plan may require the Department of State to assist the registrars of voters in carrying out the provisions of La. R.S. 18:1308 regarding absentee voting. The Department will assist the registrars, as needed, to mail an absentee ballot to a voter who timely submits a request.

The Department will update the GeauxVote Voter Portal to continue allowing voters to check the status of absentee ballot requests and absentee ballots.

Instructions are included with the ballot on completing the certificate on the ballot envelope flap and voting the absentee ballot. Under current law, the instructions also include how to return the ballot and how to request a replacement ballot for a spoiled ballot, if necessary.

The registrar of voters shall mail a ballot via one of the following methods to COVID-19 positive absentee voters who utilize the “hospitalization” excuse under La. R.S. 18:1303(D)(1) and who choose to have their ballot mailed:

- By first class mail if the application is received by the registrar during early voting; or
- By commercial carrier if the application is received by the registrar after early voting but before 4:30 p.m. the day before election day.

E. Voters Returning Voted Ballots

1. Deadlines to Return Absentee Ballots

The deadlines to return a voted absentee ballot for the November 3, 2020 election remain as follows:
● November 2, 2020 at 4:30 p.m. (day before the election) for all voters except military, overseas, and hospitalized voters; and
● November 3, 2020 at 8:00 p.m. (day of the election) for military, overseas, and hospitalized voters (including voters testing positive for COVID-19 during and after early voting but before election day).

The deadlines to return a voted absentee ballot for the December 5, 2020 election remain as follows:

● December 4, 2020 at 4:30 p.m. (day before the election) for all voters except military, overseas, and hospitalized voters (this allows the registrar time to contact the voter if curing a ballot deficiency is necessary); and
● December 5, 2020 at 8:00 p.m. (day of the election) for military, overseas, and hospitalized voters (including voters testing positive for COVID-19 during and after early voting but before election day).

2. **In-Person Curbside Absentee Ballot Dropoff**

For the November 3, 2020 and December 5, 2020 elections, registrars of voters may offer curbside dropoff of absentee ballots after early voting ends. The curbside dropoff stations may require additional early voting commissioners, part-time employees, and local security officers to work the week between early voting and election day. Registrar of voters staff, early voting commissioners, and security officers manning a curbside dropoff station shall be eligible to receive hazard pay at the rate of $20 per day in addition to their regular pay. Hazard pay means additional pay for performing hazardous duty or work involving physical hardship directly related to the pandemic.

For the November 3, 2020 election, curbside dropoff may be offered Wednesday, October 28, 2020 through Monday, November 2, 2020 between the hours of 8:00 a.m. and 4:30 p.m. (excluding Sunday, November 1, 2020). For the December 5, 2020 election, curbside dropoff may be offered Monday, November 30, 2020 through Friday, December 4, 2020 between the hours of 8:00 a.m. and 4:30 p.m.

Any person dropping off a ballot will be required to show identification in accordance with La. R.S. 18:1309(D). If the person is someone other than the voter whose name is on the Absentee Ballot Flap, that person shall complete the Absentee-By-Mail Ballot Hand Delivery Certification Statement required by La. R.S. 18:1308(B). (Attached to this plan as Addendum “E.”)

If a person dropping off a ballot for a voter whose name is on the ballot flap refuses to comply with the law requiring the Absentee-By-Mail Ballot Hand Delivery Certification Statement, the registrar shall accept the ballot, segregate it from other absentee ballots, and mark it as deficient for lack of the statement. The registrar shall contact the voter to notify the voter of the deficiency. The voter may cure the deficiency by signing an affidavit attesting that the voter signed the ballot envelope flap. If the ballot is not cured by 4:30 p.m. on the day before the election, the ballot shall be presented to the parish board of election supervisors for challenge.
The secretary of state is authorized under this Emergency Election Plan to implement any part of this Section [VIII(C)] utilizing the Louisiana National Guard, Louisiana State Police, the parish sheriff’s office or any local law enforcement willing to enter into an agreement with the secretary of state to support the registrar in performing the duties necessary to comply with this Section.

F. Receipt of Voted Ballots by Registrars of Voters

Except as expressly noted within this plan, all voted ballots must be received not later than the deadlines outlined under Section VII of this plan.

When the registrar receives ballots, voter records are updated each day to reflect which voters have returned voted ballots. The registrars verify ballots received from voters by comparison with the registration records and signatures on file in the Elections & Registration Information Network (ERIN), the statewide voter registration database. The lists of absentee voters who have returned a voted ballot are made public daily by the registrars of voters and are also available on the Department of State website.

The registrars of voters will continue to accept and securely store all voted ballots returned by voters until election day.

Registrars may need to hire additional early voting commissioners or part time employees to handle the increased workload of sending and receiving absentee ballots at the same time as conducting additional days and hours of early voting. Additional assistance may be granted by the secretary of state or his designee upon demonstrated need by the registrar of voters.

G. Tabulating Ballots

The parish board of election supervisors is responsible for overseeing all elections in the parish and for preparing, verifying, tabulating, and counting absentee ballots as provided in La. R.S. 18:1313. It may utilize parish board commissioners under the provisions of La. R.S. 18:1314, and may also designate additional commissioners to assist with the duties required under La. R.S. 18:1313.

Under current law, before tabulation begins, the board must reconcile the names of voters who submitted an absentee ballot against the number of absentee ballots in hand. This may require a large number of parish board commissioners.

Parishes may begin the process of preparing and verifying the absentee ballots not more than four days before election day. The parish boards of election supervisors shall meet at the discretion of the registrar of voters, the clerk of court, and the secretary of state or his designee to begin the preparation and verification process. The parish boards of election supervisors shall not count or tabulate any ballots until election day. The parish boards shall begin counting and tabulating absentee ballots not later than noon on election day unless otherwise agreed by the secretary of state or his designee, the parish clerk of court, and the parish registrar of voters.

Parish boards will receive compensation for meetings held on additional days at the rate set forth in La. R.S. 18:423(E). In addition, if this emergency plan requires a parish board to hold more than
one meeting on the same day, the parish board members in attendance at those meetings shall receive compensation at the rate set forth in La. R.S. 18:423(E) for each meeting attended, but shall not receive more than $100.00 per day.

The secretary of state is authorized to provide guidance to each registrar of voters, clerk of court, and parish board of election supervisors to facilitate any of the provisions of this emergency plan.

VIII. COMMISSIONERS

A. Early Voting and Election Day Commissioners

1. Recruitment

The Department will work with registrars of voters the week before early voting begins to assess the need for early voting commissioners, and will work with clerks of court the week of the election to assess the need for additional commissioners for precinct voting on election day.

The secretary will assist in recruiting state employees and any other available labor sources, provided these individuals receive the minimum training necessary to serve as a commissioner. Commissioners not assigned to precincts in their parish may serve as commissioners in other parishes. All commissioners will be paid in accordance with law and this plan, and may be reimbursed mileage and accommodations according to the state travel guidelines.

a. State employee voluntarily serving as election commissioner:

i) A state employee authorized to serve as an election commissioner may receive the compensation fixed by Louisiana revised statute 18:426.1 as amended by this plan provided the employee’s decision to work as an election commissioner is made freely and voluntarily without any duress or coercion, implicit or explicit by the employer. No other compensation is permitted other than reimbursed mileage and accommodations according to the state travel guidelines;

ii) A state employee authorized to serve as an election commissioner may elect to receive his regular wages as well as the special pay provided under Chapter 21 of the Civil Service rules in lieu of the compensation set forth in 18:426.1 as amended by this plan if the employee and his appointing agency agree that the employee be placed in duty status while serving as a commissioner. The employee may not receive both his regular wages, compensatory credit or overtime pay under Chapter 21 of the Civil Service rules, and the payment under Louisiana revised statute 18:426.1 as amended by this plan. He may be reimbursed mileage and accommodations according to the state travel guidelines.

b. State employees required by appointing authority to serve as election commissioner:
i) An appointing authority has the discretion to require a state employee to work beyond his regular duty hours, as well as require the employee to temporarily perform duties beyond those customarily required by his job.

ii) If required to serve as an election commissioner, a state employee shall serve in duty status. He shall receive his regular wages, and all hours worked over his regular hours would be considered overtime. Overtime hours shall be compensated in accordance with the special pay provision set forth in chapter 21 of the civil service rules. The rules permit overtime compensation via crediting of compensatory leave or payment of wages. Such crediting of leave or payment of wages shall be at the straight-time or time and one-half rate depending upon the employee's status as exempt or nonexempt, along with consideration of the number of hours the employee actually worked during the designated work week.

iii) A state employee required by his appointing authority to serve as an election commissioner may not receive the compensation set forth in Louisiana revised statute 18:426.1 as amended by this plan in addition to his regular wages, compensatory leave, or overtime wages. He may receive reimbursed mileage and accommodations according to the state travel guidelines.

c. Off-duty law enforcement officers:

Under this emergency plan, off-duty law enforcement officers will be eligible to serve as commissioners-in-charge, commissioners, and alternate commissioners for the November 3, 2020 and December 5, 2020 elections at the discretion of the secretary of state.

2. Training

New commissioners must attend a general course of instruction to receive certification prior to serving as a commissioner. This course may be taken online.

All early voting commissioners shall receive training specific to conducting early voting for the November 3, 2020 election no later than October 9, 2020.

All election day commissioners, including those who have served as a commissioner before, must attend a pre-election school for the November 3, 2020 election not less than four days prior to election day. The pre-election school covers the procedures to be used for the federal presidential election (e.g., provisional voting). This course may be taken online.

Additional funding may be required to recruit additional commissioners.

3. Compensation

For the November 3, 2020 and December 5, 2020 elections, compensation for early voting commissioners shall be $150 per day, and compensation for election day commissioners shall be
$250 per day. Commissioners-in-charge shall receive $300 per day. If a commissioner-in-charge serves at more than one precinct in a polling place, they shall receive $400 per day.

4. Selection

Current law requires parish boards of election supervisors to select election day commissioners and alternate commissioners on the 29th day prior to the primary election. For the November 3, 2020 and December 5, 2020 elections, the parish boards of election supervisors shall select election day commissioners and alternate commissioners at 10:00 a.m. on the 40th day prior to the primary election.

B. Parish Board Commissioners

1. Training and Compensation

The Department will work with parish boards of election supervisors to train and provide the necessary number of parish board commissioners. This number will include Department staff and other state and parish employees as necessary. All commissioners will be paid in accordance with law and this plan, and may be reimbursed mileage and accommodations according to the state travel guidelines.

For the November 3, 2020 and December 5, 2020 elections, compensation for parish board commissioners shall be $100 per day.

2. Selection

Current law requires parish boards of election supervisors to select parish board commissioners on the fifth day prior to the primary election. For the November 3, 2020 and December 5, 2020 elections, the parish boards of election supervisors shall select parish board commissioners at 10:00 a.m. on the tenth day prior to the primary election.

C. Authorization to enter into Memoranda of Understanding or Cooperative Endeavor Agreements

The secretary of state is hereby authorized to enter into agreements with the Louisiana National Guard, Louisiana State Police, parish sheriffs, and local law enforcement agencies to provide support to the registrars of voters, clerks of court and parish boards of elections supervisors in performance of any of their duties under Title 18 of the Louisiana Revised Statutes or this emergency plan.

IX. ELECTION RESULTS: PREPARATION, VERIFICATION, AND TABULATION OF ABSENTEE BALLOTS

This plan will require the Department to establish a method as close to the current process as possible to upload election results. Absentee results are not able to be reported by precinct, as in-person election day results are.
Any parish board of election supervisors may begin the process of preparing and verifying the absentee ballots for election day tabulation any time during the four days prior to election day. These parish boards will tabulate and count the absentee ballots only on election day.

X. ELECTION INTEGRITY AND CYBERSECURITY EFFORTS

A. Prosecution of Voter Fraud

The attorney general may receive copies of any investigation conducted by the Department of State’s election compliance unit regarding complaints of voter fraud. The attorney general and his staff may assist a parish district attorney in prosecution of voter fraud cases.

B. Continued Cooperation with Federal and State Partners

The secretary of state shall continue all department efforts of cooperation and coordination with all federal and state agency partners to protect from foreign and domestic adversaries which seek to interfere in Louisiana elections.

C. Election Integrity

The Department of State Acting Chief Information Officer, Major General (Ret.) Glenn Curtis, shall work directly with the FBI Election Integrity Workgroup, consisting of the FBI, secretary of state, attorney general, state police, the Governor’s Office of Homeland Security and Emergency Preparedness (GOHSEP), the U.S. Department of Homeland Security, and the U.S. Cybersecurity & Infrastructure Security Agency (CISA), on all efforts to secure Louisiana election infrastructure, including but not limited to, information technology, early voting sites, and election day polling locations.

XI. VOTER OUTREACH AND PUBLIC EDUCATION

The Department of State will conduct a public relations and media campaign to notify the public of the deadline to return voted absentee ballots. Additional funding may be required to advertise the deadlines.

Possible media outlets include:

1. Official parish journals, as time permits;
2. Sunday edition of major metropolitan newspapers, as time permits;
3. Department of State website and Geaux Vote Mobile App;
4. Social media;
5. Radio stations;
6. Press releases to statewide media outlets;
7. Posting signs at all polling locations;
8. Posting informational signs with the toll-free Department of State telephone number in high traffic thoroughfares if necessary; and
9. Any other reasonable means of communication as determined by the Department of State.

This effort will also require the Department of State to identify and train additional staff to man the toll-free election hotline to answer an anticipated high volume of calls. (After Hurricane Katrina, for example, the hotline logged over 27,000 calls for voting information.)

XII. SOCIAL DISTANCING AND PROTECTIVE SUPPLIES

In accordance with 89 JBE 2020, all election personnel of the secretary of state, clerks of court, registrars of voters, parish boards of election supervisors, early voting commissioners, parish board commissioners, election day commissioners, and certified poll watchers are essential workers and shall wear face coverings and shall adhere to all CDC guidelines for social distancing at polling places.

To the extent possible, the Department of State will assist the parishes to implement the CDC Recommendations for Election Polling Locations. It is imperative to supply all phases of the entire election cycle with the appropriate preventative supplies.

The Department of State proposes to supply all polling places, tabulation and meeting areas, and any other area related to the election process with preventative supplies, including hand sanitizer and gloves for commissioners and staff, all as recommended by the CDC.

Masks will also be made available to voters.

The Department of State will determine the number of protective gear and sanitary items (hand sanitizer, gloves, masks, etc.) necessary for the daily process of updating ballots, for ballot tabulation, and for in-person early and election day voting.

All election personnel shall follow recommendations from the CDC for wearing protective gear and for cleaning and disinfecting the room and all areas (including bathrooms) related to the election process. They shall also wear face coverings as required by 89 JBE 2020.

All draymen will also follow all CDC recommendations for wearing protective gear and social distancing while delivering voting machines to and from polling places.

Tape, cones, protective gear, sanitary items, cleaning supplies, and all other supplies necessary to adhere to CDC cleaning and social distancing guidelines must be purchased as soon as possible. GOSHEP shall be responsible for assisting the Department of State in purchasing preventative supplies for the November 3, 2020 and December 5, 2020 elections.
A. Supplies for Election Day Precincts and Early Voting Sites

Each precinct and each early voting site in the state will receive a bag of preventative supplies.

Each bag will contain the following:

1. Instructions on the setup and use of each item in the bag;
2. Hand sanitizer (for voters and election officials);
3. Gloves for commissioners;
4. Masks for commissioners;
5. Brightly colored flat discs or cones to mark the CDC six feet social distancing minimum requirement for polling places;
6. Disinfectant wipes to clean each voting machine between voters;
7. Disinfectant wipes to clean pens and pencils after use by voters; and
8. For early voting, disinfectant wipes to clean voter cards after use by voters.

Countertop sneeze guards may also be provided for precinct register tables.

The supplies must be ordered, delivered, and packed no later than October 1, 2020 for the November 3, 2020 election and as soon as possible following the November 3, 2020 election for the December 5, 2020 election.

The Department of State shall work with the parishes to implement and adhere to social distancing requirements.

R. KYLE ARDOIN
SECRETARY OF STATE
Deaths and Years of Potential Life Lost From Excessive Alcohol Use —
United States, 2011–2015

Marissa B. Ester, PhD; Adam Sherk, PhD; Yang Liu, MD; Timothy S. Naimi, MD,MPH; Timothy Stockwell, PhD; Mandy Stahre, PhD; Dafna Kanny, PhD; Michael Landen, MD; Richard Salit, MD,MPH; Robert D. Brewer, MD

Excessive alcohol use is a leading cause of preventable death in the United States (1) and costs associated with it, such as those from losses in workplace productivity, health care expenditures, and criminal justice, were $249 billion in 2010 (2). CDC used the Alcohol-Related Disease Impact (ARDI) application* to estimate national and state average annual alcohol-attributable deaths and years of potential life lost (YPLL) during 2011–2015, including deaths from one’s own excessive drinking (e.g., liver disease) and from others’ drinking (e.g., passengers killed in alcohol-related motor vehicle crashes). This study found an average of 93,296 alcohol-attributable deaths (255 deaths per day) and 2.7 million YPLL (29 years of life lost per death, on average) in the United States each year. Of all alcohol-attributable deaths, 51,078 (54.7%) were caused by chronic conditions, and 52,361 (56.0%) involved adults aged 35–64 years. Age-adjusted alcohol-attributable deaths per 100,000 population ranged from 20.3 in New Jersey and New York to 52.3 in New Mexico. YPLL per 100,000 population ranged from 613.8 in New York to 3,651.7 in New Mexico. Implementation of effective strategies for preventing excessive drinking, including those recommended by the Community Preventive Services Task Force (e.g., increasing alcohol taxes and regulating the number and concentration of alcohol outlets), could reduce alcohol-attributable deaths and YPLL.†

CDC has updated the ARDI application, including the causes of alcohol-attributable death, *International Classification of Diseases, Tenth Revision* codes, and alcohol-attributable fractions.‡ CDC used ARDI to estimate the average number of annual national and state alcohol-attributable deaths and YPLL caused by excessive drinking (i.e., deaths from conditions that are 100% alcohol-attributable, acute conditions that involved binge drinking, and chronic conditions that involved medium or high average daily alcohol consumption). ARDI estimates alcohol-attributable deaths by multiplying the total number of deaths (based on vital statistics) with an underlying cause corresponding to any of the 58 alcohol-related conditions in the ARDI application by its alcohol-attributable fraction. Some conditions (e.g., alcoholic liver cirrhosis) are wholly (100%) attributable to alcohol (alcohol-attributable fraction = 1.0),

INSIDE

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993 Symptom Duration and Risk Factors for Delayed Return to Usual Health Among Outpatients with COVID-19 in a Multistate Health Care Systems Network — United States, March–June 2020
999 Notes from the Field: Rebound in Routine Childhood Vaccine Administration Following Decline During the COVID-19 Pandemic — New York City, March 1–June 27, 2020
1002 Notes from the Field: Public Health Efforts to Mitigate COVID-19 Transmission During the April 7, 2020, Election — City of Milwaukee, Wisconsin, March 13–May 5, 2020
1004 Notes from the Field: Amphetamine Use Among Workers with Severe Hyperthermia — Eight States, 2010–2019
1006 QuickStats

Continuing Education examination available at https://www.cdc.gov/mmwr/mmwr_continuingEducation.html

U.S. Department of Health and Human Services
Centers for Disease Control and Prevention

Addendum "A"
Notes from the Field

Public Health Efforts to Mitigate COVID-19 Transmission During the April 7, 2020, Election — City of Milwaukee, Wisconsin, March 13–May 5, 2020

Heather Paradis, MD; Julie Katrichina, MSN; Michael Stevenson, MPH; Nicholas Tomaro, DVM; Rachel Mukai, MPH; Giselle Torres, DrPH; Sanjib Bhattacharya, PhD; Jeanette Kowalk, PhD; Karen Schlanger, PhD; Eva Leidman, MSPH

Wisconsin was the first state to hold an election with in-person voting after stay-at-home orders were issued to limit transmission of SARS-CoV-2, the virus that causes coronavirus disease 2019 (COVID-19). The statewide primary election, held on April 7, 2020, occurred fewer than 2 weeks after the statewide “Safer at Home” order became effective on March 25.

On March 3, 2020, CDC published interim guidance to prevent spread of SARS-CoV-2 at polling locations (1). Mitigation measures in line with the CDC guidance and additional measures were implemented in the city of Milwaukee (in Milwaukee County) to prevent the transmission of SARS-CoV-2 at in-person polling venues (Supplementary Table, https://stacks.cdc.gov/view/cdc/90768). In addition to the nearly 500 poll workers, election inspectors, and chief inspectors, Milwaukee city health department personnel and the Wisconsin National Guard were assigned to support mitigation efforts at each of five Milwaukee polling sites and the central count location. Mitigation measures implemented at the direction of the city health department complemented public messaging campaigns to encourage absentee voting. According to the Milwaukee Election Commission, comparing the number of persons voting in the spring of 2016 with those voting in the spring of 2020, the percentage of persons who voted by absentee mail-in ballots increased approximately fifteenfold, from 4.1% (6,874) to 68.0% (64,750) of voters; those who voted early (either in person or curbside [i.e., voting while remaining in their vehicle or at the voting place entrance]) increased by 160%, from 4.7% (7,949) to 12.2% (11,612). Although the proportion of those who voted in person on election day decreased 78%, from 91.2% (153,458) to 19.8% (18,806), local news media reported long waiting times at Milwaukee voting locations on election day. Overall, the number of persons who voted decreased 43%, from 168,281 to 95,168, and the number of polling sites decreased from 181 to five.

Laboratory-confirmed COVID-19 cases and epidemiologic data were used to characterize SARS-CoV-2 transmission from March 13, when the first case was confirmed in Milwaukee, through May 5, or 4 weeks following the election. Case counts, hospitalizations, and exposure data (including voting method ascertained using a standardized voting module) were obtained from the Wisconsin Electronic Disease Surveillance System (WEDSS). Cases were reported by date of specimen collection or report if unavailable. Fatality data were obtained from the Milwaukee County Medical Examiner.

An estimated 95% of persons with COVID-19 develop symptoms within 2–14 days after exposure (2,3); therefore, persons infected at polls would be expected to develop symptoms during April 9–21. Among 2,789 COVID-19 cases, 642 related hospitalizations, and 137 COVID-19–associated deaths reported during March 13–May 5, 572 (21%) cases were reported during this expected incubation period (i.e., April 9–21) (Figure), compared with 693 (28%) cases reported during the 13 days preceding this incubation period (i.e., March 27–April 8). Among the 572 cases reported during April 9–21, 316 (55.2%) patients did not report their voting status, and 219 (38.3%) did not vote; 37 (6.5%) reported voting. Among these 37 COVID-19 patients who voted, 17 (45.9%) reported voting using an absentee mail-in ballot, 14 (37.8%) voted in person, and six (16.2%) voted curbside. During April 17–26 (the estimated interquartile range of the interval from illness onset to death for a person infected on election day), 24 deaths were reported, 33% fewer than the 36 deaths reported during the preceding 10 days (April 7–16) (Figure) (5). After a peak in hospitalizations during the last week in March, hospitalizations gradually declined.

These data provide an initial assessment of potential impacts of public health efforts to mitigate COVID-19 transmission during an election. No clear increase in cases, hospitalizations, or deaths was observed after the election, suggesting possible benefit of the mitigation strategies, which limited in-person voting and aimed to ensure safety of the polling sites open on election day. Epidemiologic trends were likely also influenced by a relatively lower turnout of voters overall compared to spring 2016.

2 https://elections.wi.gov/docs/svr/
These data provide preliminary evidence that CDC’s interim guidance for ensuring various voting options, encouraging physical distancing, personal prevention practices, and employing environmental cleaning and disinfection lower COVID-19 transmission risk during elections (1). Further risk reduction can be achieved by fully implementing CDC interim guidance, which recommends longer voting periods, and other options such as increasing the number of polling locations to reduce the number of voters who congregate indoors in polling locations.

All authors have completed and submitted the International Committee of Medical Journal Editors form for disclosure of potential conflicts of interest. No potential conflicts of interest were disclosed.

References
"Believe that the evidence obtained provides a reasonable basis for our findings and recommendations. We have reviewed the records and conclusions based on our audit objectives. The findings and recommendations are based on our audit work and are to assist the audit in achieving its objectives. The recommendations are intended to provide guidance in addressing the issues identified. The recommendations are consistent with the overall audit objectives and are intended to enhance the organization's effectiveness.

We conducted the audit from April 7, 2020, to August 7, 2020.

The Wisconsin Revenue Department is responsible for determining the audit scope and determining the audit issues.

The Wisconsin Revolving Loan Fund (WRLF) is responsible for managing the loan fund and ensuring that the loan fund is used as intended.

This management letter presents issues identified in our review of the management of the Wisconsin Revenue Department.

Subject: Management Letter - Wisconsin Revenue Department

From: Deputy Assistant Inspector General for Mission Operations

Date: April 7, 2020

Recommendation: The management letter presents issues identified in our review of the management of the Wisconsin Revenue Department.
Attachment

Processing of the report, please contact the Director, Direct Network Management on June 10, 2020, and include your comments where applicable.

Conclusions based on our audit objective, we discussed our findings and conclusions with:

Corporale Audit Response Management
Vice President, Delivery and Field Operations
FOC: General Counsel

cc:
Introduction

Results

Appendices
Absentee ballots requested on March 22 and 23, 2020

On April 7, 2020, we received an email alerting us to the potential for fraud due to the receipt of absentee ballots on the same day. We immediately investigated and found that the ballots were not delivered on the same day. Instead, they were delivered in batches over a period of several days, leading to confusion and potential ballot stuffing.

The Milwaukee Election Office received complaints from voters about the ballots and the potential for fraud. We conducted a thorough investigation and found that the ballots were delivered to the wrong addresses, leading to a higher number of rejected ballots. We worked with the election office to ensure that all ballots were counted and that the election process was transparent and fair.

Overall, this experience highlighted the importance of careful planning and execution in election processes, and the need for robust oversight to prevent potential fraud and ensure the integrity of the electoral system.
Recommendation 1:

"Some batches being misplaced to other locations.

WPCC Personal lease extras numbers on the ballot.

TheWillageofFoxPoint,June2020"

Figure 1: Example of Ballot Sent to Voter

and election officials.

The State Election Commission worked with the Postal Service on the overall

Postal Service employees are trained to correctly address ballots.

The Milwaukee Election Office reported that receipt of about 300 voter completed

Postmarks on Absentee Ballots Returned by Voters

of postmarks.

determine the validity of the election office after the election."

"The Postal Service worked with the election office after the election to help determine the validity of postmarks. Under the election commission or hand-stamped postmarks, the Postal Service started adding a new feature to verify postmarks. "It was helpful to verify postmarks."

"Postmarks that are unclear are difficult to verify."

"Many batches being mislabeled.

WPCC Personal lease extras numbers on the ballot."

some batches being misplaced to other locations.

TheWillageofFoxPoint,June2020"
### Table 1: States with Ballot Request Deadlines Less Than Seven Days

<table>
<thead>
<tr>
<th>State</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>WA</td>
<td>9 days</td>
</tr>
<tr>
<td>CA</td>
<td>7 days</td>
</tr>
<tr>
<td>OR</td>
<td>6 days</td>
</tr>
<tr>
<td>NV</td>
<td>5 days</td>
</tr>
<tr>
<td>NM</td>
<td>3 days</td>
</tr>
<tr>
<td>WA</td>
<td>2 days</td>
</tr>
<tr>
<td>CA</td>
<td>1 day</td>
</tr>
</tbody>
</table>

### Before Election Day

- **Vote by Mail:**
  - Mail-in ballots must be received by the election office by the deadline.
  - Ballots postmarked by the deadline will be counted.

### Potential National Issues

- **Vote by Mail:**
  - Ballots must be received by the election office by the deadline.
  - Postmarks will be considered in determining whether ballots are timely.

- **Ineligible Voters:**
  - Some states do not accept ballots postmarked after the deadline.

### Recommendations

- **Recommendation #1:**
  - Mail-in ballots must be received by the election office by the deadline.
  - Postmarks will be considered in determining whether ballots are timely.

- **Recommendation #2:**
  - Ineligible voters should be removed from the voter rolls.

- **Recommendation #3:**
  - Conduct voter education campaigns to inform voters about voting options.

- **Recommendation #4:**
  - Ensure that ballots are mailed to voters in a timely manner.

- **Recommendation #5:**
  - Provide clear instructions for voters on how to request ballots and how to ensure their timely delivery.
Election Mail Coordinator to coordinate with all their assigned election offices. This could make it more challenging for the political and non-political mail to be processed on the same day.

Mail is always mailed with mail tracking technology.

Ballots not always mailed with mail tracking technology.
Regarding Recommendation 4, management stated that the Postal Service has not yet formalized the implementation date. The current implementation date is July 17, 2020.

Various Board of Election, the Postal Service, and other stakeholders are working with the Wisconsin Election Commission to perform outreach to their respective constituents. The Wisconsin Election Commission received and distributed public comment and feedback from various stakeholders, including local government organizations, and is using this feedback to develop and implement on-the-ground solutions to address the concerns.

Regarding Recommendation 5, management stated that they will continue to coordinate with election officials to ensure that the right policies are

 pertaining to the most current election dates.

**Figure 2. Number of Election Offices by State**

States with the most election offices:

- Wisconsin
- Georgia
- Colorado
- Connecticut
- New Hampshire
- Vermont
- Texas
- Maryland
- Michigan
- Missouri

Management agrees with the findings and recommendations. See Appendix A for a complete list of recommendations. See Appendix B for the list of recommendations.
Evaluation of Management's Comments

Actions should resolve the issues identified in the report. Management's comments respond to the recommendations and their planned actions should resolve the issues identified in the report. We consider the management's comments and have planned actions to resolve the issues identified in the report.

Regarding recommendation 4, we will consider the management's comments and have planned actions to resolve the issues identified in the report.
July 29, 2020

Honorable Kyle Ardoin
Louisiana Secretary of State
P.O. Box 94125
Baton Rouge, LA 70804-9125

Dear Secretary Ardoin:

Re: Deadlines for Mailing Ballots

With the 2020 General Election rapidly approaching, this letter follows up on my letter dated May 29, 2020, which I sent to election officials throughout the country. That letter highlighted some key aspects of the Postal Service's delivery processes. The purpose of this letter is to focus specifically on the deadlines for requesting and mailing ballots by mail. In particular, we wanted to note that, under our reading of Louisiana's election laws, certain deadlines for requesting and mailing ballots are incongruous with the Postal Service's delivery standards. This mismatch creates a risk that ballots requested near the deadline under state law will not be returned by mail in time to be counted under your laws as we understand them.

As I stated in my May 29 letter, the two main classes of mail that are used for ballots are First-Class Mail and USPS Marketing Mail, the latter of which includes the Nonprofit postage rate. Voters must use First-Class Mail (or an expedited level of service) to mail their ballots and ballot requests, while state or local election officials may generally use either First-Class Mail or Marketing Mail to mail blank ballots to voters. While the specific transit times for each class of mail cannot be guaranteed, and depend on factors such as a given mailpiece's place of origin and destination, most domestic First-Class Mail is delivered 2-5 days after it is received by the Postal Service, and most domestic Marketing Mail is delivered 3-10 days after it is received.

To account for these delivery standards and to allow for contingencies (e.g., weather issues or unforeseen events), the Postal Service strongly recommends adhering to the following timeframe when using the mail to transmit ballots to domestic voters:

- **Ballot requests:** Where voters will both receive and send a ballot by mail, voters should submit their ballot request early enough so that it is received by their election officials at least 15 days before Election Day at a minimum, and preferably long before that time.

- **Mailing blank ballots to voters:** In responding to a ballot request, election officials should consider that the ballot needs to be in the hands of the voter so that he or she has adequate time to complete it and put it back in the mail stream so that it can be processed and delivered by the applicable deadline. Accordingly, the Postal Service recommends that election officials use First-Class Mail to transmit blank ballots and allow 1 week for delivery to voters. Using Marketing Mail will result in slower delivery times and will increase the risk that voters will not receive their ballots in time to return them by mail.

Addendum "C"
Mailing completed ballots to election officials: To allow enough time for ballots to be returned to election officials, domestic voters should generally mail their completed ballots at least one week before the state’s due date. So, if state law requires ballots to be returned by the day before Election Day, voters should mail their ballots no later than Monday, October 26.

Under our reading of your state’s election laws, as in effect on July 27, 2020, certain state-law requirements and deadlines appear to be incompatible with the Postal Service’s delivery standards and the recommended timeframe noted above. As a result, to the extent that the mail is used to transmit ballots to and from voters, there is a significant risk that, at least in certain circumstances, ballots may be requested in a manner that is consistent with your election rules and returned promptly, and yet not be returned in time to be counted.

Specifically, it appears that a completed ballot must be received by the day before Election Day to be counted. If that understanding is correct, we accordingly recommend, as noted above, that voters who choose to mail their ballots do so no later than Monday, October 26. However, it further appears that state law generally permits voters to request a ballot as late as 4 days before the election. If a voter submits such a request at or near that deadline, and if the requested ballot is transmitted to the voter by mail, there is a significant risk that the ballot will not reach the voter before Election Day, and accordingly that the voter will not be able to use the ballot to cast his or her vote. Even if a voter receives a ballot before Election Day, there is a significant risk that the voter will not have sufficient time to complete and mail the completed ballot back to election officials in time for it to arrive by the state’s return deadline. That risk is exacerbated by the fact that the law does not appear to impose a time period by which election officials must transmit a ballot to the voter in response to a request.

To be clear, the Postal Service is not purporting to definitively interpret the requirements of your state’s election laws, and also is not recommending that such laws be changed to accommodate the Postal Service’s delivery standards. By the same token, however, the Postal Service cannot adjust its delivery standards to accommodate the requirements of state election law. For this reason, the Postal Service asks that election officials keep the Postal Service’s delivery standards and recommendations in mind when making decisions as to the appropriate means used to send a piece of Election Mail to voters, and when informing voters how to successfully participate in an election where they choose to use the mail. It is particularly important that voters be made aware of the transit times for mail (including mail-in ballots) so that they can make informed decisions about whether and when to (1) request a mail-in ballot, and (2) mail a completed ballot back to election officials.

We remain committed to sustaining the mail as a secure, efficient, and effective means to allow citizens to participate in the electoral process when election officials determine to utilize the mail as a part of their election system. Ensuring that you have an understanding of our operational capabilities and recommended timelines, and can educate voters accordingly, is important to achieving a successful election season. Please reach out to your assigned election mail coordinator to discuss the logistics of your mailings and the services that are available as well as any questions you may have. A list of election mail coordinators may be found on our website at: https://about.usps.com/election-mail/politicaelection-mail-coordinators.pdf.

We hope the information contained in this letter is helpful, and please let me know if you have any questions or concerns.

Sincerely,

[Signature]

Thomas J. Marshall
Recommended Precautions for Preventing Spread of COVID-19 in Election Polling Locations, Including Cleaning and Disinfection

There is much to learn about the novel coronavirus (SARS-CoV-2) that causes coronavirus disease 2019 (COVID-19). Based on what is currently known about SARS-CoV-2 and similar coronaviruses, spread from person to person with these viruses happens most frequently among close contacts (within about 6 feet). This type of transmission occurs via respiratory droplets. On the other hand, transmission of SARS-CoV-2 to persons from surfaces contaminated with the virus has not been documented. Transmission of coronavirus occurs much more commonly through respiratory droplets than through contact with contaminated surfaces. Current evidence suggests that SARS-CoV-2 may remain viable for hours to days on surfaces made from a variety of materials. Cleaning of visibly dirty surfaces followed by disinfection is a best practice measure for prevention of COVID-19 and other viral respiratory illnesses in election polling locations.

Purpose

This guidance provides recommendations on the routine cleaning and disinfection of polling location areas and associated electronic equipment (e.g., voting machines and computers). It suggests actions that polling station workers can take to reduce the risk of exposure to COVID-19 by limiting the survival of the virus in the environment. This guidance will be updated if additional information becomes available.

Definitions:

- Community settings (e.g. polling locations, households, schools, daycares, businesses) encompass most non-healthcare settings and are visited by the general public.
- Cleaning refers to the removal of dirt and impurities including germs from surfaces. Cleaning alone does not kill germs. But by removing them, it decreases the number of germs and therefore any risk of spreading infection.
- Disinfecting kills germs on surfaces. Disinfecting works by using chemicals to kill germs on surfaces. This process does not necessarily clean dirty surfaces or remove germs. But killing germs remaining on a surface after cleaning further reduces any risk of spreading infection.

Preventive action polling workers can take:

- Stay at home if you have fever, respiratory symptoms or believe you are sick.
- Practice routine cleaning of frequently touched surfaces including tables, doorknobs, light switches, handles, desks, toilets, faucets, sinks, etc.
- Disinfect surfaces that may be contaminated with germs after cleaning. A list of products with EPA-approved emerging viral pathogens claims, maintained by the American Chemistry Council Center for Biocide Chemistries (CBC), is available at [www.americanchemistry.com/Novel-Coronavirus-Fighting-Products-List.pdf](http://www.americanchemistry.com/Novel-Coronavirus-Fighting-Products-List.pdf). Products with EPA-approved emerging viral pathogens claims are expected to be effective against the virus that causes COVID-19 based on data for harder-to-kill viruses. Follow the manufacturer’s instructions for all cleaning and disinfection products (e.g., concentration, application method and contact time, and use of personal protective equipment). Labels contain instructions for
Recommended Precautions for Preventing Spread of COVID-19 in Election Polling Locations, Including Cleaning and Disinfection

safe and effective use of the cleaning product including precautions you should take when applying the product, such as wearing gloves and making sure you have good ventilation during use of the product.

- Practice hand hygiene frequently: wash hands often with soap and water for at least 20 seconds. If soap and water are not readily available, use an alcohol-based hand sanitizer that contains at least 60% alcohol.
- Clean and disinfect voting associated electronics (e.g., voting machines, laptops, tablets, keyboards) routinely using products with the EPA-approved emerging viral pathogens claims (examples can be found here). Follow the manufacturer’s instructions for all cleaning and disinfection products.
  - Consult with the voting machine manufacturer about guidance on products appropriate for disinfecting voting machines and touch screens, and consider additional use of wipeable covers for machines if possible.
  - If no guidance is available, consider the use of alcohol-based wipes or spray containing at least 70% alcohol to clean voting machine buttons and touch screens. Use of alcohol-based products may reduce risk of damage to sensitive voting machine components.

Preventive action polling stations workers can take for themselves and the general public:

Based on available data, the most important measures to prevent transmission of viruses in crowded public areas include careful and consistent cleaning of one’s hands. Therefore:

- Ensure bathrooms at the polling station are supplied adequately with soap, water and drying materials so visitors and staff can wash their hands.
- Provide an alcohol-based hand sanitizer with at least 60% alcohol for use before or after using the voting machine or the final step in the voting process. Consider placing the alcohol-based hand sanitizer in visible, frequently used locations such as registration desks and exits.

References

- Handwashing: Clean Hands Save Lives: [www.cdc.gov/handwashing/when-how-handwashing.html](http://www.cdc.gov/handwashing/when-how-handwashing.html)
VIA ELECTRONIC MAIL

Tammy Whitcomb
Inspector General, United States Postal Service
1735 N. Lynn Street
Arlington, VA 22209

Dear Ms. Whitcomb:

On Saturday, July 11, Louisiana completed its twice rescheduled Presidential Preference Primary and municipal elections. Due to the COVID-19 pandemic, I crafted an emergency election plan which allowed for certain COVID-19 related absentee ballot excuses, as well as sent letters to the thousands of voters aged sixty-five and older to inform them of a program that allows them to request an absentee ballot be sent to them for future elections. Together, these efforts resulted in the largest number of absentee ballots ever cast in our state’s history—nearly 100,000.

The week prior to the election, however, I was appalled to learn that thousands of absentee ballot requests, some postmarked weeks earlier, were being held in a postal facility in New Orleans. The Orleans Parish Registrar of Voters, Dr. Sandra Wilson, was told that “short paid postage” was the cause of the hold, but in multiple past statements on its election mail policy, the USPS has said that election mail would be delivered regardless of postage. Furthermore, several requests were not sent because the post office changed the address of the registrar’s office on some of the request envelopes to another address on file, causing a delay in their delivery.

Due to these issues, my staff had to work around the clock to supplement the work being done by the registrar to process these thousands of requests in a timely manner, just days before the deadline to return ballots. I also learned that several ballot requests had been held in Ascension, Lafourche, Tangipahoa and Ouachita Parishes.

This occurrence is completely unacceptable, but also not unique to Louisiana. Stories of ballots being held in Wisconsin, not postmarked properly in New York, and being delivered to the incorrect counties in Indiana fly in the face of statements made by the USPS and the President of the American Postal Workers Union, Mark Dimondstein concerning the readiness of the Postal Service ahead of November’s election. During a June 11, 2020 U.S. House Subcommittee on Elections hearing, Mr. Dimondstein said: “We’ve been handling [vote-by-
mail] well for generations.” With stories from across the nation and now in Louisiana about the holding and delay of delivery of absentee ballots and ballot requests, I’m not confident in the ability of the USPS to handle what will be a massive increase in absentee ballots across the country in November. In his testimony, Mr. Dimondstein also praised the idea of universal vote-by-mail; however, if the USPS had such serious issues in a summer election in a handful of parishes, how can we expect them to be ready for the 2020 federal election, much less one that will see an increased reliance on mail ballots?

I am calling on you to investigate the problems that occurred in Louisiana, and I will be calling on Congress to begin an inquiry into the multiple absentee ballot delivery issues across the country before November’s election. My staff is willing and prepared to work with the USPS on solutions going forward, but the USPS must take responsibility for and fix the issues stemming from its failures in election mail delivery this year.

Sincerely,

[Signature]

[Signature]

Ade Ardoin

Cc: Postmaster General Louis DeJoy
Senator Bill Cassidy
Senator John Kennedy
Congressman Ralph Abraham
Congressman Garret Graves
Congressman Clay Higgins
Congressman Mike Johnson
Congressman Cedric Richmond
Congressman Steve Scalise, House Minority Whip
Congressman Rodney Davis, Ranking Member, Committee on House Administration
Senator Roy Blunt, Chairman, Senate Committee on Rules and Administration

Attached: Statement from Dr. Sandra Wilson, Orleans Parish Registrar of Voters
Statement from Dr. Sandra L. Wilson, Orleans Parish Registrar of Voters:

"On July 1, 2020 at approximately 1:30 pm, Mr. Mark Gilbert and Mr. Nick Shambra delivered approximately seven trays of Request for Absentee Mail Ballots that he explained had been inadvertently held at the post office. Mr. Gilbert apologized that his employees held the requests due to insufficient postage, although he previously notified employees that election mail would not be held for that reason. Our BRM ( Permit Mail) account had been exhausted for mailings other than permit mail thus overdrawn our account. Permit funds are normally used for address confirmation cards and undeliverable voter information cards. The trays amounted to nearly 5,000 Request for Absentee Mail Ballots. Mr. Gilbert assured our office that this would not be repeated as he was notifying employees to deliver mail regardless of insufficient postage."
SECTION 1: INSTRUCTIONS

If an absentee-by-mail ballot is hand delivered to the registrar of voters by a person other than the voter, the person making the delivery shall sign the statement below certifying that they have the authorization and consent of the voter to hand deliver the marked ballot. (La. R.S. 18:1308(B))

NO PERSON EXCEPT THE IMMEDIATE FAMILY OF THE VOTER SHALL HAND DELIVER MORE THAN ONE MARKED BALLOT TO THE REGISTRAR OF VOTERS.

Immediate family is defined as the individual’s children, the spouses of their children, their brothers/sisters and their spouses, parents, spouse and parents of spouse. (La. R.S. 18:2)

SECTION 2: CERTIFICATION

I hereby certify that I have the authorization and consent to hand deliver the absentee mail ballot for:

Voter Name: __________________________________________

Relationship to voter: ____________________________________________________________

Signed before the registrar/deputy registrar of voters, this _______ day of _____________, 20____

Signature __________________________________________

Printed Name _______________________________________

FOR OFFICIAL USE ONLY:

ELECTION DATE: ________________________________

REGISTRATION NO: ______________________________

ACCEPTED BY: ____________________________________

(Registrar/Deputy Registrar)