SIX STEPS TO A SAFE, TRUSTED ELECTION

SEPTEMBER 2020
This paper distills the recommendations that we believe represent the best approaches from official sources like the Centers for Disease Control and Prevention (CDC), U.S. Election Assistance Commission (EAC), and the National Association of Secretaries of State (NASS), enriched with examples of specific state actions and our own election integrity initiative.
INTRODUCTION

There is one thing every American voter can agree upon—we all want our vote to count.

The challenges before the COVID-19 pandemic were already tough enough: Foreign cyber interference from Russia, China, and Iran. Disinformation campaigns. Racial division. Hyper-partisan politics.

Now, the most fundamental aspect of our democracy—the ability to gather together to choose our leaders—is at heightened risk because of fear of spreading the disease.

At MITRE, we have seen state election officials adapting at record speed to figure out how to hold safe, trustworthy elections in the middle of a pandemic. We know there is a deluge of information—and misinformation—both foreign and domestic. Many voices are offering opinions, advice, and guidance from all directions.

This paper distills the recommendations that we believe represent the best approaches from official sources like the Centers for Disease Control and Prevention (CDC), U.S. Election Assistance Commission (EAC), and the National Association of Secretaries of State (NASS), enriched with examples of specific state actions and our own election integrity initiative. Many of our recommendations align with the National Task Force on Election Crises Post-Primary Report, which shares lessons learned from the primary season in time for the November election. For your convenience, we have included links.

Of course, we recognize that each state must work within unique policies and laws and address the needs and circumstances of its population. But as we look across the states and consider expert advice, we believe there are six key actions that will make voting safer, counter misinformation, and set realistic expectations—and it’s not too late to implement them.
SIX STEPS TO A SAFE, TRUSTED ELECTION

1. PROTECT POLL WORKERS AND THE PUBLIC

With COVID-19 and the associated infection risks, many citizens are justifiably concerned about going to polling locations, fearing that traditional, densely packed polling places create a real risk of infection. Numerous states are moving to mail-based ballot returns. But even with the health risk posed by COVID-19, many citizens will vote in person. Following are a number of recommendations for making the polls safer—and increasing confidence with in-person voting.

Both the CDC and EAC offer evidence-based practices to protect the poll workers and the voters, including sanitizing voting locations, training staff, managing social distancing with voters, increasing ventilation, and more. To help with lines, MIT published What Queuing Theory Says About Managing Polling Places Amid COVID-19 about the arrival of voters, number of servers, reducing bottlenecks, and more.

And given the risks, some workers may not volunteer this year, so election officials should act now to recruit additional workers as alternates—or even ask governors to request support from the National Guard as Wisconsin did during the August 2020 primaries.

WHAT IF VOTERS REFUSE TO WEAR MASKS?

Even in states that mandate wearing masks, it is probably unconstitutional to refuse them the opportunity to vote.

- Instead, prepare an alternative, such as curbside voting or a separate table—preferably outdoors under a tent.
- Prepare workers with extra personal protective equipment, strictly enforce social distancing, and ask voters to use hand sanitizer.
- Read how Ohio is planning to deal with this concern.
2. **PROMOTE EARLY VOTING**

While we have much to learn about COVID-19, we know that the more an individual interacts with others, and the longer that interaction, the higher the risk of COVID-19 spread. The CDC states that elections with only in-person voting on a single day are at a higher risk for COVID-19 spread due to larger crowds and longer wait times. Offering more days or hours will likely reduce the density of in-person voters. At each polling location, consider whether additional rooms (or outdoor enclosed tents) can be used to ensure further distance between individuals.

We also recommend helping voters be proactive in reducing long lines at in-person voting locations. For instance, broadcast the projected busiest and least busy times in advance of early voting and Election Day. On Election Day, communicate anticipated wait times on a regular basis through local radio, text pushes, and website postings. While many voters will have limited windows of availability due to work or other commitments, others will appreciate the opportunity to avoid long lines.

### EXAMPLES OF EXTENDED VOTING OPTIONS

While extending the voting period does not guarantee reducing the density of voters in line, it very likely will.

- “Anyone can vote early for any reason. In-person voting is available at county clerk offices, including Saturdays, between October 5 and Election Day.”
- “All voting sites will open on November 2 to reduce the number of people in line on Election Day, November 3.”

### PUBLICIZE EXISTING MAIL-IN BEST PRACTICES

Many voters are probably unaware of the checks and balances that are in place to prevent mail-in voting mistakes or fraud. Here’s a quick summary paraphrased from the Brennan Center to share.

- Each voter must include identifying information on the ballot return envelope
- Bar codes, such as the U.S. Post Office intelligent mail, track envelopes from drop-off to delivery and processing
- Secure drop-off locations and boxes limit opportunity for tampering
- Post-election audits are widely used in states that use mail-in voting
- The penalties for mail fraud are harsh—up to five years in prison and $10,000 under federal law
3. **EMPOWER MAIL-IN VOTING**

In 2016, only 21% of voters cast their ballots by mail—which was a historic high. For the 2020 election, studies show that 64% are likely to vote by mail. And that makes sense. Completing a ballot in the safety of your home and mailing it back or dropping it off at a monitored drop box or early voting location where social distancing is maintained is a safer choice than standing in line for hours at crowded polls.

Many states have already taken steps to make mail-in balloting easier. Unfortunately, trust in mail-in balloting has become a partisan issue, although there is no evidence that mail-in ballots give either party an advantage. In nine states and the District of Columbia, ballots are mailed to all voters. Five of these states normally conduct their elections this way, some for more than 10 years, with a statistically irrelevant level of fraud or compromise.

Election officials can cite the examples of states that have offered 100% mail-in voting for some time now, like Colorado. Examples and testimonials can help reassure people that widespread mail-in voting is safe, secure, and reliable and has been for years.

And Pennsylvania and Michigan are considering legislative action to allow election clerks to prepare mail ballots for counting before Election Day. They can speed the counting process by opening envelopes, verifying signatures, and stacking ballots.

We also recommend that election officials look carefully at the ballot instructions, to ensure they are plain and simple. According to a National Public Radio report, about 550,000 mailed ballots were disqualified during primary season due to unclear or incorrect marking by the voters. If this happens again in November, it could compromise the nation’s trust in our elections.
4. **DISTRIBUTE SAFE AND SECURE BALLOT BOXES**

Making ballot boxes available for people to return their vote safely, away from the polls, is an effective way to lower the risk of COVID-19 transmission and to increase easy ways to vote. With so many states expanding mail-in voting this year, the use of drop boxes is expected to be much greater. Distributing ballot boxes across voting districts empowers early voting—and can reduce the number of people standing in line at voting locations on Election Day. Making ballot boxes readily available and secure through video monitoring or other means can alleviate the uncertainty of “was my mail-in ballot received in time?”

For examples of how to protect ballots placed in drop boxes, look to the experience of other states, like Washington, which has been all-vote-by-mail since 2011. To uphold the integrity of the election process, Washington uses serial numbers, seals, logs, and GPS tracking. At least two witnesses observe as ballot boxes are emptied, and trained election employees transport ballots.

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**GOVERNORS KNOCKING DOWN OBSTACLES**

Even though the November election is drawing close, there’s still time for governors to use their executive powers to reduce voting obstacles. For example:

- California Governor Newsom extended the deadline for mail-in ballots to be received by November 20.
- Kentucky Governor Beshear issued an executive order on August 14, allowing voters to vote if they were unable to obtain a photo ID due to COVID-19.
- Georgia Secretary of State Raffensperger is mailing absentee ballot request forms to every voter; ballots can be returned by mail or in person to the local County Board of Registrar’s Office.
5. **FIGHT ELECTION MISINFORMATION AND DISINFORMATION**

Perhaps the greatest threats to the integrity of the electoral process are misinformation (unintentional) and disinformation (purposeful manipulation).

One goal of disinformation is to sow confusion and ultimately raise questions about the legitimacy of the outcome. Everything from information about the candidates themselves to the timing and options for voting in your location is subject to rumors, misinformation, or disinformation, from just about anywhere—domestic sources as well as foreign actors. Some outlandish claims are easy to debunk. Others are all too plausible. In an election cycle with the additional complexities posed by the pandemic, this is an effective tactic for our adversaries.

The public rightly looks to their states for relevant and true information. NASS has launched #TrustedInfo2020—an education effort to promote election officials as the trusted source of information. Driving voters directly to election officials’ websites and social media pages lets voters receive accurate election information and enables states to cut down on misinformation and disinformation. MITRE supports #TrustedInfo2020 as a partner.

In addition, a free, MITRE-developed program helps officials counter election-related misinformation that could mislead voters. “Social See Something, Say Something,” or SQUINT™, offers a fast, reliable way to report and correct bad information that appears on social media. SQUINT has short- and long-term benefits. Reports are immediately generated to share with peers, or to strengthen a take-down request to social media channels. Over time, SQUINT’s database becomes an increasingly powerful means for researchers to recognize patterns and report them back to states so they can counter misinformation effectively.

SQUINT is available to all election officials and nonpartisan groups that work to ensure election integrity. For more information, watch the video or send us a message at SQUINT@mitre.org.
6. **SET EXPECTATIONS: ELECTION SEASON, NOT ELECTION NIGHT**

“There are two easy steps to avoiding chaos this election. We haven’t taken them yet.” We believe the first point made in this recent op-ed in *The Washington Post* is accurate and essential. Election officials, the media, commentators, and anyone concerned about trustworthy elections should set the expectation that it will likely take time to achieve an accurate count this year. The pandemic will dramatically increase the number of mail-in ballots, and many of them will arrive after election night. The requirements set by the safe harbor provision need to be articulated at every opportunity: states have until December 8 to finalize their counts in time for the appointment of electors.

Of course, setting that expectation is no small order. Americans have come to expect returns on election night. And some media outlets and pundits will cry foul at anything they perceive as a delay—even though the process is a legal obligation.

We recommend that state election officials take the lead in conveying to the media and voters that taking the time to count all the votes carefully is both necessary and good. At times, communicating this may require being quite specific, such as outlining how the ballots are counted (especially those sent by mail), audits conducted, and procedures to resolve disputes.

We also recommend pushing back on the “100 percent of precincts reporting” language that the media traditionally uses on election night. With so many mail-in ballots yet to be counted, that is not only inaccurate but can help promote a false narrative that only in-person voting counts.

Rather, we believe the overarching message is, “We’re not rushing the process. Due to the pandemic, there are more mail-in votes than ever before. To ensure a fair and legitimate election, we are taking the time available in the rules to count every vote.”
CONCLUSION

At MITRE, we understand and appreciate the challenges states and their election officials are facing for the coming election in November. Election officials are the best positioned to help voters feel more confident about the voting process and reassure them of the many checks and balances built into the system.

There are other important actions to consider, such as expanding voter registration with “Motor Voter” and dealing with lost votes by mail. And we will release more papers in the coming weeks. But we feel the six points above are the most critical. Each state will need to review these recommendations for compliance with local laws and regulations.

The pandemic has already made this election particularly complex and difficult. But by implementing these six actions consistently across jurisdictions, we believe that states will conduct an election in which people will feel safe, know their voting options and the facts, and feel confident that their vote will be counted.

For more information, please contact: electionintegrity@mitre.org.

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# SIX STEPS TO A SAFE, TRUSTED ELECTION IN NOVEMBER

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**December 2020**

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