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Voting in the time of Covid-19 places Virginia in uncharted territory requiring a rethinking of our voting system. We have no idea what our country will look like on November 3, 2020, when Americans go to the polls. While we are heartened that, as of July 1, Virginia will be an early voting (without excuse) state, this alone does not resolve a host of impediments to a smooth and fair election.

If the pandemic continues or flares again, more people will be voting absentee by mail. Already, the Department of Elections has issued guidance to elections officials regarding upcoming elections, which guidance encourages voters to apply for and mail back absentee ballots. This is not enough. For reasons outlined below, the League of Women Voters urges the General Assembly to enact emergency legislation to provide for universal voting by mail, with certain exceptions, to allow for a safe, secure and manageable election in November.

The majority of voters in Virginia are accustomed to voting at the polls on Election Day. Many voters do not know how to apply for an absentee ballot or how to follow the strict rules for voting and returning absentee ballots. Even if they do apply for and return their ballot, they could easily make mistakes that would void their ballots and as a consequence be disenfranchised.

The turnout in November is predicted to set a record, assuming voters are able to turn out. If the Covid-19 health crisis continues into November and we rely solely on the no excuse absentee voting-by-mail system enacted in the 2020 legislative session, elections officials would have to administer (1) an unprecedented early voting period, both in-person absentee and by mail, (2) the largest ever absentee by mail election, and (3) a regular in-person election at the polls, if poll workers and polling places are available. The registrars do not have the resources to do all of that.

If the law does not change and voters follow the Governor's exhortation to vote absentee by mail, local registrars will need more money to print an increased number of

applications, ballots and mailing and return envelopes. The fastest way to apply for absentee ballots is via the internet but many Virginians do not have computers and those who do may not have Wi-Fi. Many elderly citizens do not navigate computers well. To facilitate voting and expand voter access, the state or registrars should mail ballots to every registered voter, without first requiring an application. The law would have to be changed to permit this change in procedure.

The registrars will also need to properly and safely process the ballots in a timely fashion. They need not only the money for more staff, but the room to allow workers to process ballots securely and with the resources to stay safe. Because current law does not permit absentee ballots to be tallied until the polls close at 7:00 p.m., the process could take days in a November election with huge turnout, unless the law is amended to allow ballots to be tallied sooner. Registrars will also need secure locations to store the voted ballots and maintain a proper chain of custody when the ballots are returned.

Keeping the polls open might not be a viable option. Many poll workers are in the higher risk category for Covid-19, although all people are in danger. If voters are not allowed to congregate at a polling place and must maintain social distancing, there will be hours-long lines, which suppress voting. Furthermore, many (and, in some localities, all) current polling places are in buildings that are now closed to the public and might be in November as well. Polls or vote centers should be closed except to those voters who cannot vote by mail or are culturally biased toward in-person voting. For these reasons, the League of Women Voters encourages the Commonwealth to move to all mail voting this year.

There are approximately 6 million eligible voters in Virginia. To conduct the election solely by mail we would need to:

- calculate printing costs of ballots plus the three envelopes required for the process.
- calculate the postage of both mailing the ballots and having postage paid return. These envelopes need to self-sticking to avoid contamination of those processing them. Or the State could rent or purchase high speed letter openers for each registrar's office.
- hire additional workers for counting ballots (or shift staff from other offices).
- secure the necessary secure storage space for ballots.
- have quick, secure, and reliable scanners to process the ballots.
- assure that ballot applications are available in various languages, including Arabic, Chinese, Vietnamese, Korean, Mongolian, Spanish.
- work with members of the disabled community to assure that they will have fair access to voting.

We need to work with the United States Postal Service to assure that the ballots are mailed in a way that puts the least stress on the system and allows people enough time to return their ballots. Ballots post-marked before 7:00 p.m. on Election Day should be counted if they arrive by a certain date. Again, this would delay election results but ensure that votes are counted.

Executing an all-mail election will all take tremendous effort and funding. We have no illusion that this is easy and frankly it would normally require a two-or-three-year study and review by experts. We do not have that luxury. This does not mean, however, that we should just assume that the current system is going to allow every eligible voter to cast a ballot. We must begin an honest evaluation of capacity, potential problems, and the financial costs needed to make this election run smoothly.

The problems, while daunting, can be mitigated if we use the anticipated \$9-10 million dollars in federal funding for elections that Virginia will receive under the 2020 Stimulus Bill. In addition, we can release some of the money in the \$200,000,000 surplus dollars currently in the state budget.

The League is happy to help. We will educate voters through a major campaign. A hotline can answer questions – the League fields questions about voting all the time. We will reach out to the disabled community to provide assistance.

We cannot speed unconsciously towards November 3 without considering what could happen. Virginia can be a leader in proper voting this November or we can be an embarrassment. We can enfranchise our people, or we can leave many without the power of the vote. This is not something that should be left in the laps of registrars who are already overworked. We need to act now to secure the money and supplies for a safe and secure election on November 3.

We would appreciate the time to discuss this with you further.

Thank you.

Sincerely,

Joan Porte

President, League of Women Voters of Arlington