





Elections, Access, and COVID-19

2020 Virtual Conference
Monday, June 1 – Tuesday, June 2

The Panelists

Lori Augino,
Director of Elections, Washington State
President, National Association of State Election Directors

Dave Zoellner
Managing Attorney, South Carolina P&A

Erin Haire
Voting & Outreach, South Carolina P&A



NASED

NATIONAL ASSOCIATION of
STATE ELECTION DIRECTORS

Election Administration in a Time of Pandemic

Lori Augino, President, NASED and Director
of Elections, Washington

What is NASED?

- ▶ NASED is the only professional organization for state election directors
- ▶ Members are from all 50 states, DC, and the five territories



Elections Are Decentralized

- ▶ Every state has their own approach to administering elections
- ▶ States have varying degrees of authority over local election offices
- ▶ There are Constitutional Amendments and federal laws governing election administration, including the Americans With Disabilities Act, but most laws and regulations are at the state level

In a normal year...

- ▶ Five states run elections all by mail – all registered voters are mailed a ballot without any additional effort
- ▶ HAVA requires that every polling place have accessible equipment
- ▶ All states offer absentee voting by mail by application

2020 isn't normal.

Elections in 2020

- ▶ Emergency authority varies by state
- ▶ All states are considering all options to administer elections within the bounds of their existing laws
 - ▶ Mailing every registered voter a ballot
 - ▶ Mailing every registered voter an absentee ballot request
 - ▶ Expanding the definition of the "illness or disability" to cover COVID-19
 - ▶ Moving to a vote center model
- ▶ Voting by mail is not a panacea

Washington's VBM Experience

- ▶ 1993: Districts can request vote by mail for special elections
- ▶ 1993: Voters can sign up for permanent "no excuse" absentee ballots
- ▶ 2005: Counties can opt to conduct all elections by mail
- ▶ 2011: Statewide all elections conducted by mail

What's Different for WA This Year

- ▶ Ensuring proper health standards and procedures for Accessible Voting Units and voting centers
- ▶ Using CARES Act funds to help counties make COVID-19-related adjustments
- ▶ Social media campaign with graphic icons and short plain language messages

What We're Doing

- ▶ Vote-by-mail and registration through the VoteWA portal affords many living with disabilities access to the ballot without having to travel to election offices
- ▶ Early voting period means individuals can avoid standing in lines on Election Day
- ▶ Voters guides are available online and by mail recorded by WTBBL to assist those who are unable to read the printed version

Creating and Building Relationships

- ▶ State Disability Advisory Committee
- ▶ Governors' Committee on Disability Issues and Employment
- ▶ Accessible Communities Advisory Committee
- ▶ American Association of People with Disabilities (AAPD)
- ▶ Disability Rights WA – we work together to get out the vote
- ▶ TVW – captioned video voters' guide
- ▶ National Disability Voter Registration Week and National Voter Registration Day



NASED

Thank You

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The Protection & Advocacy System for South Carolina

Disability Voting During COVID-19

How Our Advocacy Has Changed

Erin Haire & Dave Zoellner

Unprecedented Times!

- How the pandemic has changed our strategies
- What our advocacy looks like now
- The results thus far and in the future



South Carolina Voting BP (before pandemic)

- Independent Election Commission appointed by the governor
- Excuse absentee voting only, ID witness signature required
- Polling places largely inaccessible
- Curbside voting available



Our Advocacy BP

- Largely focused on polling place accessibility
 - Partnership with DOJ
 - Offering support to county election commissions
- Education campaign around new voting machines
 - Materials made in partnership with our state election commission
 - Hands on advocacy at community events
- Community partnerships, voter registration, election day support



The Learning Curve!

- How SC's current election laws put people with disabilities at particular risk
- The challenges faced by our state election commission and county boards of elections
- Challenges other states faced during their spring elections
- Which mechanisms of voting will allow people with disabilities to vote safely and where those stand in our state



Current Advocacy

- Absentee Voting Awareness
- Outreach and Policy Advocacy
- Legal Advocacy



Absentee Voting Awareness

- Change in philosophy
 - Emphasis no longer on voting machines
 - Communication with community partners
- Materials
 - Video and print materials
 - Social media push
 - Support for voters who need assistance
- Support for state and county election officials



Outreach and Policy Advocacy

- Advice to state and county election officials
 - Accessibility of the absentee process
 - Accessibility of polling places during the pandemic
- Bills we were supporting before the pandemic became much more urgent
 - Early voting bill
 - Absentee counting bill
- Cohesiveness of the public response from community partners



Legal Advocacy

- Our role in lawsuits that asked for general changes
 - Give the perspective of a voter with disabilities
 - Raise disability related legal claims
 - Be cognizant of our funding and institutional limitations
- Amicus Brief
 - Proposed changes are of particular importance for people with disabilities
 - Established disability law demands change
- Op-eds in support of litigation



Have We Had Success?

- SC General Assembly approved no-excuse absentee voting for the June 9th primary, lawsuits continue amended
- People in the state are more supportive of accommodations for voting
- State and county officials remain open to feedback
- Huge uptick in requests for absentee voting from people with disabilities



In Conclusion

- In SC, our priorities are now almost completely opposite of what they were before
- In addition to priorities changing, the way we deliver information has totally changed.
- The access issues have not changed, therefore our work is still essential.





PROTECTION & ADVOCACY
FOR PEOPLE WITH DISABILITIES, INC.

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Q&A



Thank You!

We will reconvene at 4:00pm ET.