

Vote By Mail for Secure Elections in 2020 — and Beyond

A Step-by-Step Guide for Nevada

In-depth materials and guidelines for local election administrators, secretaries of states, legislators, and advocates to help Nevada handle more mailed-out ballots.





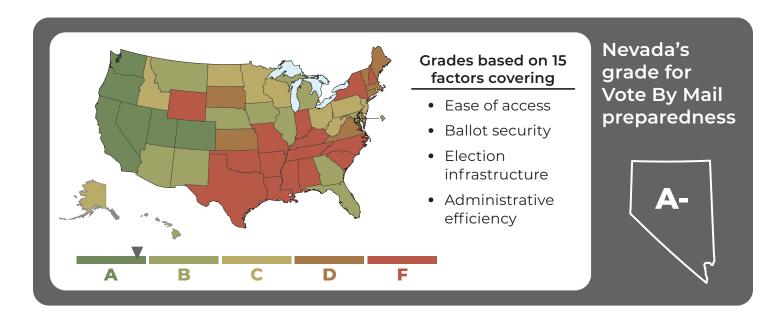


Voting in Nevada



Nevada has more than 1.7 million registered voters in its 17 counties, ranging from 603 in Esmeralda County to 1.25 million in Clark County. In the 2018 election, 9 percent of Nevadans voted absentee. This ranged from 7 percent in Churchill County to 36 percent in Eureka County. Of that election's nearly 4,300 poll workers, 62.5 percent were age 60 or older—an age group at a higher risk for severe illness from COVID-19.

Nevada ran its June 9 primary entirely by mail. Secretary of State Barbara K. Cegavsk mailed ballots to all active registered voters before the primary, and nearly 30 percent cast their votes by mail—a record turnout, with a nearly 10 percentage point jump over previous primary elections. In past primaries, fewer than 11 percent of Nevada voters used absentee ballots.



Ways in which Nevada is already prepared



- Provides a postage-prepaid return envelope for mailed ballots.
- Gives voters the opportunity to cure signature problems.
- Allows any voter to request an absentee ballot.
- Is a member of the Electronic Registration Information Center (ERIC).
- Offers voters a "single sign-up" option to permanently vote by mail.
- Uses voters' signatures to verify ballots.
- Allows counties to start processing ballots sufficiently early.
- Accepts mailed ballots postmarked on Election Day.
- Allows early in-person voting options.
- Automatically registers voters and updates their addresses.



Who We Are

Sightline is a nonpartisan nonprofit think tank with a 25-year history. We are based in the Pacific Northwest, where many states already conduct all-mail elections. We are grateful for feedback and research from many policy experts, elections officials, and leaders committed to safe, secure democracy, particularly the National Conference of State Legislators and the National Vote at Home Institute.

The Moment

American election officials face an urgent challenge to secure the 2020 elections. As poll workers and voters grapple with the coronavirus pandemic, many jurisdictions are already unable to find enough workers to run their usual polling places, and many Americans are seeking to cast their ballot from home, rather than risk contagion in a crowded polling place in November.

About This Resource

We hope that Nevada election officials, advocates, and legislators will find this resource useful as they work to handle more Vote By Mail ballots in 2020 and beyond.

Local election officials and secretaries of state will find in-depth information including practical nuts-and-bolts advice, materials and guidelines from election administrators with experience in conducting all-mail elections, and information about vendors and costs.

Legislators will find tried-and-tested policies, along with sample language from states that have successfully implemented those policies. Even if Nevada lawmakers don't act in time for November 2020, the experience of hastily trying to secure elections this year may create a greater political appetite for reforms to strengthen democracy in Nevada beyond 2020.



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For Local Flection Officials

1. Coordinate with USPS®.

To ensure that the United States Postal Service (USPS) is able to process ballots in a timely manner, election administrators can <u>contact their local USPS</u> election mail coordinator to discuss the design, timing and volume of election materials. USPS can review all materials to ensure that the design, wording, and colors meet their guidelines, and sign off on the printer's proofs. Election administrators can also discuss the date, time, and location for delivery of ballots to the post office to ensure that the post office is prepared. For example, before each election, King County, Washington, election administrators send a letter to USPS alerting them to the number, type, and timing of ballots they expect to deliver.²

USPS may also be able to help election administrators access the National Change of Address Linkage (NCOA) to update voters' addresses. Nevada is already a member of the Electronic Registration Information Center (ERIC), which uses NCOA data to help Nevada keep voter lists up to date. However, because voters may have moved since Nevada's last update, local officials can access NCOA for their voters' latest address information. Having the most up-to-date addresses will ensure that each ballot reaches the right voter, reducing the costs of re-mailing ballots.

Resources

- To find a local point of contact at USPS: <u>Election/Political Mail Coordinators</u>.³
- USPS Election Mail Kit.⁴
- USPS Election Mail guidelines.⁵
- To report problems to USPS: electionmail.org.⁶
- Center for Tech and Civic Life's 2020 webinar on best practices for tracking and reporting, and the slides.⁷
- Cybersecurity and Infrastructure Security Agency's (CISA) guidance on <u>Managing an</u> Increase in Outbound Ballots⁸, pp. 67-70.

¹ https://about.usps.com/gov-services/election-mail/political-mail-map.htm

² https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip (see "Ballot mailing" folder,

[&]quot;Example of USPS Notification Letter.pdf")

³ https://about.usps.com/gov-services/election-mail/political-mail-map.htm

⁴ https://about.usps.com/kits/kit600.pdf

⁵ https://about.usps.com/gov-services/election-mail

⁶ https://electionmail.org

⁷ https://www.techandciviclife.org/vote-at-home

⁸ https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=56

Vote at Home Policy and Research Guide, p. 19.9

Example Guidance Language

- Oregon Vote by Mail Procedures Manual, pp. 26-30.¹⁰
- Municipality of Anchorage Vote by Mail Project.¹¹
- Ohio Secretary of State <u>Election Official Manual</u>, pp. 5-22.¹²

2. Design ballots and envelopes that are easy to use.

Well-designed envelopes, ballots, forms, and instructions help voters fill out their ballots and return them without mistakes, decreasing processing time and minimizing the chance that ballots will be flagged, thrown out, or not counted. In contrast, poorly designed instructions or ballots may cause voters to fill out their ballot incorrectly or incompletely so that their vote is not counted. ¹³

Ensure that election materials are easy so that voters who may be voting by mail for the first time don't make mistakes. For example, those who are new to mailing their ballots may not know that they need to sign the outside of their envelope, so putting their name under the signature line and providing simple and clear instructions to sign there can help prompt them and reduce the number of ballots that need extra processing time. (Also, pre-filling the absentee ballot request form can help voters complete it correctly [see Recommendation 10].)

Color-coded envelopes can help USPS sort the mail quickly and accurately, and including space for voters' contact information can help election officials reach voters promptly in the event of a missing signature or discrepancy.

Another important way to assist voters is to design and distribute voter education booklets to help guide them through the process. (For example, when Anchorage, Alaska, moved to all-mail elections in 2018, in addition to a robust <u>community education campaign</u> and a <u>voter information flyer</u>, the city extended an elections call center's hours in the month leading up to the election.) To reach all voters, make all voter materials and the elections

⁹ https://www.voteathome.org/wp-content/uploads/2019/03/VAH-Policy-and-Research-Guide.pdf#page=19

¹⁰ https://sos.oregon.gov/elections/documents/vbm manual.pdf#page=26

¹¹ https://www.muni.org/departments/assembly/clerk/elections/documents/vote%20by%20mail%20 project%20final%20report%20mas%201026%20annual%20report_030819.pdf#page=5

¹² https://www.ohiosos.gov/globalassets/elections/directives/2019/dir2019-11 eom.pdf#page=197

¹³ https://www.washingtonpost.com/video/opinions/dont-let-mail-in-voting-be-thwarted-by-badly-designed-ballots/2020/05/18/1cce7c56-5312-44a8-afa9-fb813970f854_video.html

website available in multiple languages. The Brennan Center for Justice estimates that the cost for voter education materials is between \$0.50 and \$0.88 per person.

Resources

- The Center for Civic Design's¹⁴ design guidelines for election officials, based on solid research and best practices (includes resources on designing envelopes and forms, such as vote at home envelopes and information, a field guide to designing vote at home envelopes and ballots, Vote By Mail envelope design, writing ballot instructions voters can understand, and creating forms that help voters take action.¹⁵ Also see its guidelines for designing voter education booklets and flyers, creating accessible online information, and providing materials in multiple languages.¹⁶
- Center for Tech and Civic Life's 2020 webinar on best practices for envelope design, and the slides.¹⁷
- USPS guidance on <u>designing election mail</u>.¹⁸
- Center for Tech and Civic Life's 2020 webinar on best practices for preparing supplementary materials, and the slides.¹⁹
- CISA's Voter Education Guidance.²⁰

Example Legislative Language

Revised Code of Washington <u>29A.40.091</u>. Envelopes, declaration, and instructions—Voter's oath—Overseas and service voters—Return of ballots—County auditor's name.²¹

Ballots and envelopes must have the election date printed on them. Return envelopes must have space for the voter's telephone number so that the elections office can contact the voter if their signature does not match the one on file.

¹⁷ https://www.techandciviclife.org/vote-at-home

¹⁴ Jurisdictions in Arizona, California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Minnesota, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin have worked with the Center for Civic Design, and one in four voters have used their designs.

¹⁵ https://civicdesign.org/fieldguides

¹⁶ Ibid.

¹⁸ https://about.usps.com/election-mail/design-election-mail.htm

¹⁹ https://vimeo.com/393307242 and https://www.techandciviclife.org/wp-content/uploads/2020/01/PDF-VAH-Webinar-2-Preparing-helpful-supplementary-materials.pdf

²⁰ https://www.cisa.gov/sites/default/files/publications/election_education_outreach_absentee_508.pdf

²¹ http://lawfilesext.leg.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/House/1520-S.SL.pdf

Revised Code of Washington 29A.36. Ballots and other voting forms.²²

See code for detailed guidance on formatting, contracts with vendors, sample ballots, and instructions.

Example Guidance Language

- Washington State Ballot Format Checklist 2019.²³
- Washington Administrative Code 434-230. Ballots.²⁴
- Washington Administrative Code 434-230-010. Sample Ballots.²⁵
- Colorado Elections Division Policy and Procedure Manual, p. 26.²⁶
- Oregon <u>Vote by Mail Procedures Manual</u>, p. 23.²⁷

3. Implement robust signature verification.

Nevada election officials already have experience in verifying signatures to protect against fraud while avoiding mistaken voter disenfranchisement.²⁸ As election administrators handle more mail-in ballots due to COVID-19, officials may take several steps to implement efficient and effective signature verification.

First, digitize the voter signatures already on file. The more digitized signatures, the more accurate the verification can be.²⁹ Signatures can come from each voter's registration, their absentee ballot request form, prior mailed ballots, or their signatures on file with the Department of Motor Vehicles (DMV) or other state agencies.

Second, train enough workers to inspect signatures. Washington, Oregon, and Colorado have developed training program procedures (see Resources). Forensic scientists (possibly from Nevada's patrol or that of a neighboring state) may be able to help train your workers.

Third, implement a two-stage signature review. In the first stage, trained workers or specialized equipment compares the signature on the envelope to the digitized signature on file. If the signatures match, the ballot is moved to an "accepted" pile, but if there is a

²² https://app.leg.wa.gov/RCW/default.aspx?cite=29A.36

²³ https://www.sos.wa.gov/ assets/elections/administrators/2019-ballot-format-checklist.pdf

²⁴ https://apps.leg.wa.gov/wac/default.aspx?cite=434-230

²⁵ https://apps.leg.wa.gov/wac/default.aspx?cite=434-230-010&pdf=true

²⁶ https://www.sos.state.co.us/pubs/elections/policyManual/ElectionsPolicyManual.pdf#page=26

²⁷ https://sos.oregon.gov/elections/documents/vbm manual.pdf#page=23

²⁸ To verify the identity of voters who are unable to sign due to disability, offer the option of filling out a form that allows them to use a signature stamp.

²⁹ https://www.voteathome.org/wp-content/uploads/2019/03/VAH-Policy-and-Research-Guide.pdf#page=18

discrepancy, it is moved to a "flagged for further review" pile. In King County, Washington, trained inspectors flag around 2.5 percent of ballots during an initial review. Flagged ballots then go to another team of trained workers that closely examines the ballots and decides whether to accept or challenge them. (King County inspectors challenge about 1 percent of signatures.)

For all challenged signatures, notify voters and give them an opportunity to respond so that their ballot might still be counted.

Voters' signatures change over time, so if the state does not have a recent signature on file for a voter, ask them to update it. The King County, Washington, elections administrator sends voters a Signature Update Form. And in preparation for moving to an all-mail election, Hawaii sent a postcard to all registered voters asking for an updated signature for reference.

Resources

- Colorado Secretary of State Signature Verification Guide.³⁰
- King County, Washington, <u>Signature Verification Training presentation</u> (includes examples of signatures and common problems with signatures).³¹
- King County, Washington, Signature Update Form.³²
- Hawaii's Office of Elections Signature Card.³³
- Oregon Secretary of State Elections Division webinar on signature verification.³⁴
- Election Assistance Commission Signature Verification Cure Process.³⁵
- Tour of King County (Washington) Elections ballot processing area.³⁶
- Oregon Signature Stamp Attestation form.³⁷
- CISA's Ballot Verification and Signature Verification and Cure Process.³⁸

³⁰ https://www.sos.state.co.us/pubs/elections/docs/SignatureVerificationGuide.pdf

³¹ https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip (see "Ballot processing" folder, "Signature Verification Training Updated.pptx")

³² https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip (see "Ballot processing" folder, "Signature-update-letter-April-May 2016-English.pdf")

³³ https://elections.hawaii.gov/main/sign-sealed-and-counted-securing-your-vote

³⁴ https://www.youtube.com/watch?v=UKiYGONnNT0&feature=youtu.be

³⁵ https://www.eac.gov/sites/default/files/electionofficials/vbm/Signature Verification Cure Process.pdf

³⁶ https://kingcounty.gov/depts/elections/education-and-outreach/take-a-tour.aspx

³⁷ https://sos.oregon.gov/elections/Documents/SEL540.pdf

https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=48 and https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=63

Example Legislative Language

Revised Code of Washington 29A.40.110. Processing incoming ballots.39

Verification may be conducted by approved automatic verification systems. Variation in signature between the return envelope and the registration record due to initials or common nicknames is permitted as long as the surname is the same and the handwriting matches.

Example Guidance Language

- Washington Administrative Code <u>434-250-120</u>. Verification of the signature and return date.⁴⁰
- Oregon Vote by Mail Procedures Manual, p. 35; Appendix 13, p. 83.⁴¹

4. Provide secure drop boxes.

In states that mail out all ballots, most voters return them to secure drop boxes, rather than via USPS. To accommodate this, counties should provide enough drop boxes for all voters and make them easily accessible. Each county should have at least one box available 24/7; more populous counties should aim to have one drop box per 10,000 voters. Drop boxes are especially important because Nevada requires receipt of ballots up to Election Day. Voters who wish to submit their ballot after the mail cutoff date can take it to a drop box.

Many jurisdictions site some drop boxes inside government buildings. However, boxes available 24/7 are more frequently used than those inside buildings only open during business hours. Outside drop boxes need to be in well-lit areas monitored by security cameras. Boxes should also be secure, with only election officials allowed to access ballots.

In 2018 Oregon and Washington,⁴² two states that mail out all ballots, had one drop box per 8,800⁴³ and 10,000⁴⁴ voters, respectively. King County, Washington, strategically sited its drop boxes to ensure that 95 percent of voters' addresses were within three miles of a

³⁹ https://app.leg.wa.gov/RCW/default.aspx?cite=29A.40.110

⁴⁰ https://apps.leg.wa.gov/wac/default.aspx?cite=434-250-120

⁴¹ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=35 and https://sos.oregon.gov/elections/documents/vbm manual.pdf#page=83

⁴² https://www.sos.wa.gov/ assets/elections/ballot%20drop%20boxes%202019%20general%20election.pdf and https://www.sos.wa.gov/elections/general-election-2019.aspx

⁴³ In 2018 Oregon had 311 drop boxes, with 165 of those boxes available 24/7.

 $[\]underline{https://www.voteathome.org/wp\text{-}content/uploads/2019/02/FAQ\text{-}Best\text{-}Practices.pdf}$

⁴⁴ In 2018 Washington had 471 drop boxes, with 323 of those boxes available 24/7.

 $[\]frac{https://www.sos.wa.gov/_assets/elections/ballot%20drop%20boxes%202019\%20general%20election.pdf}{and} \frac{https://www.sos.wa.gov/elections/general-election-2019.aspx}{and} \frac{https://www.sos.wa.gov/election-appx}{and} \frac{https://www.gov/election-appx}{and} \frac{https://www.sos.wa.gov/election-appx}{and} \frac{https://www.sos.wa.gov/election-appx}{and} \frac{https://www.gov/election-appx}{and} \frac{https://www.sos.wa.gov/election-appx}{and} \frac{https://www.sos.wa.gov/election-appx}{and} \frac{https://www.gov/election-appx}{and} \frac{https://www.gov/election-appx}{and} \frac{h$

<u>box</u>. (However, election officials should be prepared for voters to drop off ballots in precincts and jurisdictions other than their own.) Election administrators should set up drop boxes approximately one month before elections, publicize locations on their website, and share them with local news outlets.

Cost/Savings

- Drop boxes in King County, Washington, cost \$5,235 each, and the installation of 37 drop boxes cost around \$20,000.⁴⁵
- In Pierce County, Washington, the purchase and installation of each drop box costs between \$7,000 and \$10,000.
- Other counties have paid between \$2,100 and \$3,500 to purchase and install drop boxes. Operational costs per box appear to be anywhere between \$300 to \$4,000 per box, per election season.⁴⁶

Resources

- Bipartisan Policy Center's Logical Elections Policy, p. 28.⁴⁷
- Mailed-out Ballot Return Choices, National Vote At Home Institute, 2018.⁴⁸
- Washington Office of the Secretary of State and Pierce and Lewis Counties' ballot drop boxes webinar.⁴⁹
- King County <u>Ballot Drop Box resources</u> (details vendors, ballot collection procedures, and tier system, which is based on expected ballot volume).⁵⁰
- <u>Laserfab Vote Armor</u> (producer of heavy-duty drop boxes used in many states, including Washington and Colorado).⁵¹

Example Legislative Language

Revised Code of Washington 29A.40.170. Ballot drop boxes.⁵²

Details required drop box security measures and requirement of at least one drop box per 15,000 voters.

⁴⁵ https://kingcounty.gov/~/media/depts/elections/about-us/reports/bdol-expansion-plan.ashx?la=en

⁴⁶ https://wsac.org/wp-content/uploads/2019/12/WSAC-et-al-v-State-of-Washington.pdf

⁴⁷ https://bipartisanpolicy.org/wp-content/uploads/2020/01/Bipartison Elections-Task-Force R01 crops.pdf#page=28

⁴⁸ https://www.voteathome.org/wp-content/uploads/2018/12/Optimizing-ballot-return-choices.pdf

⁴⁹ https://www.youtube.com/watch?v=pBRYsy9LlcU&feature=youtu.be

⁵⁰ https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip (see "Ballot drop boxes" folder)

⁵¹ https://votearmor.laserfabusa.com

⁵² https://app.leg.wa.gov/RCW/default.aspx?cite=29A.40.170

Example Guidance Language

- Washington Secretary of State Clearinghouse Elections Notice on <u>Ballot Drop Boxes</u> in All Communities.⁵³
- Washington Administrative Code 434-250-100. Ballot deposit sites.⁵⁴
- Oregon Vote by Mail Procedures Manual, pp. 10-15.⁵⁵

5. Provide Election Day vote centers for in-person voting.

Counties that mail out all or most ballots should still provide in-person voting locations for those who prefer to vote in person, need additional assistance, or do not have a reliable mailing address. Each county should have at least one in-person vote center (it could be the county elections office), and more populous counties should aim to have one center per 30,000 voters. These locations will need an electronic poll book and the ability to print ballots on demand.

Even states that conduct elections completely by mail still offer in-person options. California mandates one vote center per 1,000 voters. In Oregon, voters can cast their ballots in person at any county elections office. And though Colorado still opens vote centers on Election Day, the state was able to reduce the number of poll workers from 16,000 to fewer than $4,000^{56}$ after implementing Vote By Mail. The shift decreased labor cost per vote from \$4.71 to \$1.96.

According to the US Government Accountability Office (GAO), costs for polling sites can range from no added cost (if using an existing agency facility) to \$300 per day to rent a location.⁵⁹ Employee costs to staff a vote center can range from \$100 to \$235 per day.⁶⁰

Resources

- Mailed-out Ballot Return Choices, National Vote at Home Institute, 2018.⁶¹
- King County, Washington, guidance on vote centers.⁶²

01%20ballot%20drop%20boxes%20in%20all%20communities.pdf

⁵³ https://www.sos.wa.gov/assets/elections/auditorsctp/17-

⁵⁴ https://apps.leg.wa.gov/wac/default.aspx?cite=434-250-100

⁵⁵ https://sos.oregon.gov/elections/documents/vbm manual.pdf#page=10

⁵⁶ https://www.voteathome.org/wp-content/uploads/2019/03/VAH-Policy-and-Research-Guide.pdf

⁵⁷ https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2016/03/colorado-voting-reforms-early-results

⁵⁸ Ibid.

⁵⁹ https://www.gao.gov/assets/680/678131.pdf#page=47

⁶⁰ Ibid.

⁶¹ https://www.voteathome.org/wp-content/uploads/2018/12/Optimizing-ballot-return-choices.pdf

⁶² https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip (see "Vote centers" folder)

Example Legislative Language

Revised Code of Washington 29A.40.160. Voting centers. 63

Each county must open a vote center beginning 18 days before the election, and the center must be accessible for voters with disabilities.

Example Guidance Language

- Washington Administrative Code 434-250-105. Voting Centers.⁶⁴
- Colorado Secretary of State Elections Division Policy and Procedure Manual, p. 35.65
- Oregon <u>Vote by Mail Procedures Manual</u>, pp. 10-15.⁶⁶

6. Consider using a professional printer and ballot sorter.

Many election administrators use professional printers and ballot sorters, rather than printing ballots, stuffing envelopes, and sorting them in-house. This can save money and increase staff efficiency. It might also mitigate problems voters have experienced during their primaries, such as in Georgia, ⁶⁷ where voters requested ballots but did not receive them, or in New York, ⁶⁸ where ballots did not include a return envelope. Both states were relying on overworked workers who did not have much experience in printing, stuffing, and mailing ballot envelopes, rather than hiring a professional service that has printed, stuffed, and mailed ballot envelopes many times and has quality control practices in place.

According to the Brennan Center, printing costs per ballot ranges from \$0.21 to \$0.35 cents per ballot. Volume efficiencies in moving to a Vote By Mail system result in lower per-voter printing costs. In Colorado, total printing costs declined from \$6.86 to \$3.04 per voter after implementing Vote By Mail.

Resources

K&H Integrated Print Solutions for secure ballot and envelope printing.⁶⁹

Runbeck Election Services for election products and services.⁷⁰

⁶³ https://app.leg.wa.gov/RCW/default.aspx?cite=29A.40.160

⁶⁴ https://apps.leg.wa.gov/wac/default.aspx?cite=434-250-105

⁶⁵ https://www.sos.state.co.us/pubs/elections/policyManual/ElectionsPolicyManual.pdf#page=35

⁶⁶ https://sos.oregon.gov/elections/documents/vbm manual.pdf#page=10

⁶⁷ https://www.11alive.com/article/news/politics/elections/absentee-ballot/85-4bde08c8-97db-4736-b1de-45a03c29c330

⁶⁸ https://www.nytimes.com/2020/06/19/us/politics/nyc-vote-by-mail.html

⁶⁹ Many counties in the Pacific Northwest use this vendor. http://www.khprint.com

⁷⁰ Runbeck has the capacity to serve 10 percent of American voters. https://runbeck.net

- Relia-Vote™ automated mail ballot solutions from BlueCrest.⁷¹
- Ryder Graphics for ballot printing and mailing.⁷²
- Reprographics for ballot printing and mailing.⁷³
- Phoenix Graphics for ballot printing and mailing.⁷⁴
- Tritek for ballot sorting and signature verification services.

Example Guidance Language

- Colorado Secretary of State <u>Elections Division Policy and Procedure Manual</u>, p. 26.⁷⁶
- Oregon Vote by Mail Procedures Manual, p. 23.⁷⁷

7. Count ballots at a secure centralized facility.

Counting ballots in a secure centralized facility enhances election security, transparency, and efficiency. Election administrators in King County, Washington, count ballots in guarded facilities with continuous security camera monitoring in addition to using their ballot tracking system (see Recommendation 9). Having security surveillance equipment in ballot processing areas and streaming the footage online allows voters to see for themselves how secure and transparent a jurisdiction's vote-counting procedures are. As with all election procedures, prepare for Election Day by rehearsing processes and timing various stages.

To the extent possible according to Nevada law, counties that don't have an appropriate facility for secure and centralized ballot processing could coordinate with counties that do.

Resources

- King County Elections FAQ and security and accountability information.
- CISA's Inbound Ballot Process Recommendations.⁷⁹

⁷¹ BlueCrest serves 30 counties. https://www.bluecrestinc.com/solutions/vote-by-mail-relia-vote

⁷² Many Oregon counties use this vendor. http://rydergraphics.net

⁷³ Many Oregon counties use this vendor. http://reproprinting.com

⁷⁴ Some jurisdictions on the East Coast use this vendor.

https://www.phoenix-graphics.com/absentee-mail

⁷⁵ https://tritektech.com

⁷⁶ https://www.sos.state.co.us/pubs/elections/policyManual/ElectionsPolicyManual.pdf#page=26

⁷⁷ https://sos.oregon.gov/elections/documents/vbm manual.pdf#page=23

⁷⁸ https://kingcounty.gov/depts/elections/about-us/security-and-accountability/frequently-askedquestions.aspx and https://www.kingcounty.gov/depts/elections/about-us/security-andaccountability.aspx

⁷⁹ https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=43

Example Guidance Language

- Washington Administrative Code 434-261-045. Secure Storage.
- Oregon Vote by Mail Procedures Manual, p. 8.81

8. Invest in high-speed centralized equipment.

High-speed equipment can check unique barcodes on envelopes, sort envelopes, compare signatures against digital files, and tabulate ballots. For the seven counties in Nevada with 25,000 or more registered voters, 82 investing in centralized equipment will allow officials to efficiently process a high volume of absentee ballots and result in reduced labor costs for every election for years to come. High-speed equipment allows election administrators to count ballots and finalize results faster, and as voting populations increase, high-speed equipment will be able to handle the increased number of ballots.

Machines themselves may cost in the range of \$50,000 to \$100,000,83 but counties usually purchase an installation and maintenance contract with a new machine, and the total costs can be steep. For example, in 2017 King County, Washington, purchased new scanning equipment for an average of about \$130,000 per scanner. In 2015 Solano County, California, spent \$482,388 on a machine and five years of maintenance.84

In Nevada, 16 counties have high-speed centralized tabulators.⁸⁵ Only Carson City does not have centralized equipment; Carson City might consider investing in such equipment this year. As an alternative, if Carson City is not able to handle the volume of mailed ballots, they could contact the counties that do have high-speed scanners and make arrangements to coordinate use of the equipment.

Resources

National Conference of State Legislatures' <u>Elections Technology Toolkit | Voting</u>
 Machines and Beyond.⁸⁶

CISA's Inbound Ballot Recommendations, p. 3.⁸⁷

⁸⁰ https://apps.leg.wa.gov/wac/default.aspx?cite=434-261-045

⁸¹ https://sos.oregon.gov/elections/documents/vbm manual.pdf#page=8

⁸² Clark, Douglas, Elko, Lyon, Nye, Washoe, Carson City

⁸³ https://www.brennancenter.org/our-work/research-reports/estimated-costs-covid-19-election-resiliency-measures

⁸⁴ https://www.solano.courts.ca.gov/materials/GrandJury/2016/Final%20ROV%20Report%20-Judge%2005182016.pdf

⁸⁵ Churchill, Clark, Douglas, Elko, Esmeralda, Eureka, Humboldt, Lander, Lincoln, Lyon, Mineral, Nye, Pershing, Storey, Washoe, White Pine

⁸⁶ https://www.ncsl.org/research/elections-and-campaigns/elections-technology-toolkit.aspx

⁸⁷ https://www.cisa.gov/sites/default/files/publications/inbound-ballot process final 508.pdf#page=3

For Nevada's Secretary of State

Clerks could independently implement each of these recommendations, but a coordinated statewide effort would be more effective.

9. Use a comprehensive system to track ballots.

Comprehensive ballot tracking improves the security of absentee ballots and boosts voter confidence in mailed-out ballots. The service, offered by companies like Ballot Scout⁸⁸ and BallotTrax,⁸⁹ uses intelligent barcodes to track every ballot and envelope, minimizing the risk of stolen ballots or ones that have been tampered with. It also increases transparency and accountability because voters can easily track when their ballot is in transit, received by election officials, and counted.

Ten states⁹⁰ require tracking for absentee ballots, and 30 others⁹¹ have some form of ballot tracking, though not required by statute. These tracking services may not be comprehensive, however. For example, in many states, voters can look up whether their ballot has been mailed to them but may not be able to find out if it has been accepted. In contrast, Ballot Scout and BallotTrax's comprehensive services can text voters with updates on every step in their ballot's journey—when it's mailed, when it arrives at their residence, when it's in transit, and when it's been accepted. Tracking services give voters a much higher degree of confidence in the system. Such confidence could be especially important this year, when many voters will be voting absentee for the first time and questions are swirling about the security of mailed ballots.

By implementing a comprehensive ballot tracking system, Nevada can avoid problems such as those Wisconsin experienced in its April 2020 primary. If Wisconsin election officials had had comprehensive secure ballot tracking in place, they would have seen that thousands of mailed-out ballots had gotten stuck in mail processing centers. Getting this information would have given officials the opportunity to contact USPS and address the problem. Instead, thousands of voters were denied the ability to safely vote at home even though they had requested their ballot in time.

Ballot tracking is cost effective. For many states, depending on the number of voters and other implementation details, comprehensive ballot-tracking may cost around \$50,000 per

⁹⁰ California, Colorado, Delaware, Florida, Iowa, Maryland, New Hampshire, New Jersey, New Mexico, and Virginia require ballot tracking.

⁸⁸ https://www.democracy.works/ballot-scout

⁸⁹ https://ballottrax.com

⁹¹ Alabama, Alaska, Arizona, Arkansas, Georgia, Idaho, Illinois, Iowa, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Washington, West Virginia, and Wisconsin have some form of ballot tracking, though it is not required. https://tracker.votingrightslab.org/issues/AbsenteeVoting

year. It would be most effective for the secretary of state to enact statewide tracking, but if they do not, then local officials could step in. City or county administrators can sign up for local service, likely at a cost of a few thousand dollars per year.⁹²

Example Legislative Language

California Election Code § 3017 (c). Vote by Mail Application and Voting Procedures. 93

The elections official shall establish procedures to track and confirm the receipt of voted Vote By Mail ballots and to make this information available by means of online access using the county's elections division website.

Florida Statutes § 101.62(1)(c). Request for vote-by-mail ballots.94

Upon receiving a request for a Vote By Mail ballot from an absent voter, the supervisor of elections shall notify the voter of the free access system designated by the department for determining the status of their Vote By Mail ballot.

New Hampshire Revised Statutes § 657:26. Absentee Voter Website. 95

The secretary of state shall make available a public website by which an absentee voter, in every state election, may determine whether the voter's absentee ballot request has been received by the clerk, whether the absentee ballot has been sent pursuant to such request, whether the envelope purporting to contain the absentee ballot has been received by the clerk, and whether the absentee ballot was challenged and rejected by the moderator on Election Day, including the reason for the challenge.

Resources

- Center for Tech and Civic Life's 2020 webinar on best practices for tracking and reporting, and the slides.⁹⁶
- USPS's <u>Green Tag 191</u> and ballot-specific <u>Service Type Identifiers (STIDs)</u>, which uses Intelligent Mail® barcodes (IMb®), help process Vote By Mail ballots.⁹⁷

⁹² Pasco County, Texas, pays \$4,000 per year for Ballot Scout, and Milwaukie, Wisconsin, could pay \$7,500 per year. https://www.fastcompany.com/90501588/track-your-ballot-like-a-package-how-technology-will-smooth-the-way-for-novembers-mail-in-ballot-surge

⁹³ https://leginfo.legislature.ca.gov/faces/codes displayText.xhtml?lawCode= ELEC&division=3.&title=&part=&chapter=1.&article=

⁹⁴ http://www.leg.state.fl.us/statutes/index.cfm?App mode=Display Statute&URL=0100-0199/0101/Sections/0101.62.html

⁹⁵ http://www.gencourt.state.nh.us/rsa/html/lxiii/657/657-mrg.htm

⁹⁶ https://www.techandciviclife.org/vote-at-home

⁹⁷ https://about.usps.com/gov-services/election-mail and https://about.usps.com/postal-bulletin/2018/pb22498/html/cover 006.htm

- Denver's <u>Ballot Trace</u> lets voters opt in to receiving text messages when their ballot is mailed to them, when it is received by the elections office, and when it has been approved for tabulation.
- Ballot Scout, a web-based ballot-tracking tool that works with USPS.⁹⁸
- BallotTrax for tracking ballots.⁹⁹

Example Guidance Language

Oregon Vote by Mail Procedures Manual, p. 26.¹⁰⁰

10. Mail absentee application forms to all registered voters.

Mailing absentee application forms to every registered voter in Nevada will increase absentee voting, reducing crowds on Election Day and helping to slow the spread of COVID-19. Several counties in Wisconsin mailed out absentee ballot applications in advance of the April 2020 primary to great success: voter turnout was 67 percent of the helping turnout for a primary), and 90 percent of the ballots cast were absentee, leaving polling places less crowded for the few who voted in person. 102

As in Wisconsin, Nevada's local officials could individually choose to mail application forms to voters in their jurisdiction, but the mailing would be more effective as a coordinated statewide effort.

In addition to boosting absentee voting rates, mailing application forms can provide two benefits: the signed form would provide election administrators with a signature to use when verifying the ballot (see Recommendation 3), and it would help clerks update voter addresses so that more ballots will reach voters in November. To allow enough time for undeliverables to get back to the elections office and for clerks to follow up and find voters' current mailing address, aim to mail application forms at least two months before the election. To get a higher level of uptake, pre-fill the forms with information on file, such as the voter's name and address. Then voters can simply review and update the information as needed, and then sign and return the form. Use plain language to help voters fill out the form correctly, which will save clerks time (see Recommendation 2).

Nevada law allows the secretary of state (or individual clerks) to choose whether to send applications to voters. Paying to print and mail application forms may cost less than \$2.00

⁹⁸ https://www.democracy.works/ballot-scout

⁹⁹ Counties in California, Oregon, and Washington use BallotTrax. https://ballottrax.com

¹⁰⁰ https://sos.oregon.gov/elections/documents/vbm manual.pdf#page=26

¹⁰¹ http://www.wfbvillage.org/DocumentCenter/View/1091/April-2020---Election-Results

¹⁰² https://www.motherjones.com/politics/2020/04/whitefish-bay-coronavirus

per voter,¹⁰³ and clerks will also pay the labor costs of processing the forms. Many voters may choose Nevada's "single sign-up" option, which saves the cost of mailing and processing forms again.

Resources

CISA's guidance on <u>Helping Voters to Request a Mail-in Ballot</u>. 104

 $\frac{103}{https://www.brennancenter.org/our-work/research-reports/estimated-costs-covid-19-election-resiliency-measures}$

¹⁰⁴ https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=70

For Lawmakers

11. Account for voters with nontraditional addresses.

Native American voters living on tribal lands often have mailing addresses that don't adhere to USPS standards, making it difficult for them to register to vote and receive ballots in the mail. They may have many family members living at the same address, and some states may not allow them all to receive a ballot, in an attempt to protect against fraudulent ballot requests. Or these voters may use a USPS box to receive mail but live far from the nearest post office or election center, making it more difficult to receive and return their ballot in a timely fashion. Eligible voters experiencing homelessness or housing insecurity also may not have a home address. Nevada should make sure these voters can receive a ballot and vote securely.

Nevada should allow multiple eligible voters to use the same mailing address. Living with others to save housing costs should not diminish any American's right to vote. Nevada can allow Native Americans to designate a building on the Nation's land to receive their ballot. Especially in areas where people live far from a post office, election administrators can temporarily install drop boxes or vote centers on tribal lands to ensure that voters have viable options for returning their ballots.

Nevada can allow homeless community members to receive their ballots at a <u>shelter, park, motor home</u>, or other identifiable location. As an alternative, homeless voters can list the county elections office as their mailing address and get their ballot in person there. They can then return their ballot to the elections office or a secure drop box.

Example Legislative Language

Colorado Revised Statutes 1-2-102. Rules for determining residence. 106

For voter registration residence, voters can identify a physical location in the county that they return to regularly, such as a shelter, services provider, park, campground, vacant lot, or business. If that location does not have an address, voters must also provide a mailing address.

¹⁰⁵ https://www.theguardian.com/commentisfree/2020/may/22/mail-in-voting-native-americans-election

¹⁰⁶ https://www.sos.state.co.us/pubs/info center/laws/Title1/Title1Article2.html

Oregon Revised Statutes <u>247.038</u>. Registration of person who is homeless or resides in identifiable location.¹⁰⁷

Individuals who are homeless or reside in shelters, vehicles, marinas, or other identifiable locations cannot be denied the opportunity to register to vote. Residence addresses can be descriptions of the person's physical location or the office of the county clerk.

Revised Code of Washington <u>29A.08.112</u>. Voters without traditional residential addresses.¹⁰⁸

Voter registration accepts nontraditional addresses, defined as narrative descriptions of the voter's physical location. No person can be disqualified for lacking a traditional address. Voters must provide a mailing address. Tribes may designate a government building to serve as a mailing address for residents.

Example Guidance Language

- Oregon Vote by Mail Procedures Manual and Oregon secretary of state website.
- Colorado secretary of state <u>Foreclosure and Homeless Voters FAQs</u> and <u>Election</u> Rules.¹¹⁰
- Washington Secretary of State Clearinghouse Elections Notice on <u>Voters without</u> Traditional Addresses.¹¹¹

12. Allow voters to request an absentee ballot online.

Thirty-nine states and DC give citizens the option to securely register to vote online. ¹¹² Twenty-three states allow voters to request absentee ballots online. An additional eleven states allow voters to send their absentee ballot request via email. (Voters in these states may still face a barrier because the states require voters to print the form, physically sign it, scan it, and attach it to an email.) Allowing voters to request absentee ballots digitally makes the entire process easier for everyone, especially during times of restricted mobility like the coronavirus shutdowns. For voters, it increases their access to absentee ballot options. And for the county clerks and state officials, it reduces the amount of paperwork and the amount of time spent inputting data into elections systems.

¹⁰⁷ https://www.oregonlegislature.gov/bills laws/ors/ors247.html

¹⁰⁸ https://apps.leg.wa.gov/rcw/default.aspx?cite=29A.08.112

https://sos.oregon.gov/elections/Documents/vbm_manual.pdf#page=19 and https://sos.oregon.gov/voting/Pages/homeless-confidential.aspx

https://www.sos.state.co.us/pubs/elections/FAQs/foreclosureHomelessFAQ.html and https://www.sos.state.co.us/pubs/rule making/CurrentRules/8CCR1505-1/Rule2.pdf#page=3

¹¹¹ https://www.sos.wa.gov/assets/elections/auditorsctp/19-

^{04%20}voters%20without%20traditional%20addresses.pdf

¹¹² https://www.ncsl.org/research/elections-and-campaigns/electronic-or-online-voter-registration.aspx#a

Nevada's secretary of state could provide a user-friendly statewide web portal where voters can request to receive a ballot in the mail, register to vote, update their address, track their ballot, cure signatures, and request a replacement ballot. For example, Texas offers a simple online request form¹¹³ and Idaho offers a complete online portal.¹¹⁴

Nevada law ties election administrators' hands by requiring absentee ballot requests to be on a physical piece of paper. Nevada legislators could change the laws to allow for modern, efficient, and secure digital requests.

Creating a secure online request system requires some upfront investment in digital infrastructure. Election administrators will need to integrate the new interface into their existing elections software.

Example Legislative Language

Florida 2019 Statutes 101.62. Request for vote-by-mail ballots. 115

Election supervisors must inform voters requesting Vote By Mail ballots of a free access system to determine the ballot status.

Code of Virginia § 24.2-711.1. Absentee ballots; confirmation of receipt; notice of reason for rejection. 116

The secretary of state must implement a free access system for voters to track absentee applications and ballots.

13. Allow voters to request replacement ballots online.

Occasionally, voters might lose, destroy, spoil, or never receive their ballot in the mail. These voters need to be able to quickly, conveniently, and securely request a replacement. To best accommodate voters, especially during the pandemic, county clerks can give voters the option to request a replacement ballot not only in person but also in writing, over the phone, or online.

To ensure security, election officials should only send replacement ballots once they confirm that the voter has not already voted. Unique barcodes on each ballot will ensure that only one ballot per voter is counted (see Recommendation 9). Each voter will only be

http://www.leg.state.fl.us/statutes/index.cfm?App mode=Display Statute&URL=0100-0199/0101/Sections/0101.62.html

¹¹³ https://webservices.sos.state.tx.us/vrrequest/bbm.asp

¹¹⁴ https://idahovotes.gov/vote-early-idaho

https://law.lis.virginia.gov/vacode/title24.2/chapter7/section24.2-711.1

able to vote once; if an election official receives two ballots with the same unique barcode, only the first one received will be counted.

Printing and mailing ballots costs between \$1.26 and \$2.35. Nevada can reduce the need for replacement ballots by keeping voter records up to date and making it easy for voters to update their address online (see Recommendation 1).

Example Legislative Language

Oregon Revised Statutes § <u>254.470 (7)</u>. Procedures for conducting election by mail; rules.¹¹⁷

Voters may obtain replacement ballots if the ballot is destroyed, lost, spoiled, or not received. Replacement ballots need not be mailed if within five days of Election Day. Instead, they will be available at the office of the county clerk.

Revised Codes of Washington 29A.40.070. Date ballots mailed—Replacement ballots.¹¹⁸ Registered voters may obtain replacement ballots if the ballot is destroyed, lost, spoiled or not received. The voter may request a replacement by telephone, mail, or email, online, or in person.

Example Guidance Language

- Oregon Vote by Mail Procedures Manual, p. 51.¹¹⁹
- Alaska Division of Elections instructions for online ballot delivery.
- Office of the Minnesota Secretary of State <u>2016 Absentee Voting Administration</u> <u>Guide</u>, p. 30.¹²¹

14. Allow community organizations to collect and deliver sealed ballots.

Twenty states¹²² allow anyone to deliver another voter's sealed and signed ballot. By allowing community organizations to help deliver sealed and signed ballots, Nevada can increase voter turnout and help further enfranchise voters who face barriers to voting. This

¹¹⁷ https://www.oregonlegislature.gov/bills laws/ors/ors254.html

¹¹⁸ https://app.leg.wa.gov/RCW/default.aspx?cite=29A.40.070

¹¹⁹ https://sos.oregon.gov/elections/documents/vbm manual.pdf#page=51

¹²⁰ http://www.elections.alaska.gov/Core/votingbyonline.php

http://www.co.wadena.mn.us/DocumentCenter/View/904/absentee-voting-administration-guide#page=30

¹²² California, Colorado, Delaware, Florida, Hawaii, Idaho, Illinois, Kansas, Maine, Montana, Nebraska, New York, North Dakota, Oregon, Rhode Island, South Dakota, Vermont, Washington, Wisconsin, and Wyoming.

policy can help voters who lack access to a vehicle or who do not have access to consistent mail service. 123

Ballot tracking and robust signature verification can prevent would-be ballot harvesters from collecting blank ballots and completing them. Fraudsters can't access voters' signature files, and voters who haven't received their ballots will notice if the tracking system reports their ballot as delivered and returned. Working with get-out-the-vote organizers who collect ballots from rural reservations and transport them to election offices is often the only way Native Americans can vote.¹²⁴

Example Legislative Language:

Oregon Revised Statutes <u>254.470 (6)(d)</u>. Procedures for conducting election by mail.¹²⁵ Allows anyone to deliver a completed and sealed ballot as long as they do so within two days of receiving the ballot from the voter.

 $[\]frac{123}{https://www.azcentral.com/story/news/politics/elections/2020/01/27/arizona-ballot-harvesting-law-discriminates-minority-voters-ninth-circuit/4589610002$

¹²⁴ https://www.narf.org/montana-bipa/

¹²⁵ https://www.oregonlaws.org/ors/254.470